



**GALIANO ISLAND  
LOCAL TRUST COMMITTEE  
SPECIAL MEETING  
WEDNESDAY, APRIL 21, 2010 AT 1:00 PM  
AT THE LIONS HALL,  
912 BURRILL ROAD, GALIANO ISLAND, B.C.**

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
  - 2.1 Questions on Agenda Items**
- 3. LTC OCP REVIEW PROJECT**
  - 3.1 Draft OCP Revisions – for receipt**
  - 3.2 Geological Hazard Mapping – Report of March 31, 2010 by Shane Moore, C.N. Ryzuk and Associates attached for receipt**
  - 3.3 Affordable/Community Housing Advisory Group Final Report – staff report attached.**
- 4. NEW BUSINESS**
  - 4.1 Upcoming Special Meetings – May 6<sup>th</sup>, May 20<sup>th</sup>, May 31<sup>st</sup> (1-5 pm @ the South Hall)**
- 5. TOWN HALL (time permitting)**
- 6. ADJOURNMENT**



Islands Trust

**GALIANO ISLAND  
LOCAL TRUST COMMITTEE  
OFFICIAL COMMUNITY PLAN  
DRAFT OCP REVISIONS**

VERSION 1 – April 9, 2010

Notes:

1. Wording proposed to be deleted from Bylaw 108 is show with ~~strikethrough~~
2. Proposed new policy wording is shown in **bold**.
3. Explanatory notes not intended to be part of bylaw are shown in margin in *italics*

**GALIANO ISLAND OFFICIAL COMMUNITY PLAN  
SCHEDULE A  
TABLE OF CONTENTS**

SECTION I	COMMUNITY OBJECTIVES.....	1
1.	Preamble .....	1
2.	Background .....	1
3.	Principles.....	2
SECTION II	LAND USE .....	4
1.	Residential.....	4
1.1	Village Residential 1 .....	6
1.2	Village Residential 2 .....	6
1.3	Small Lot Residential .....	7
1.4	Rural Residential .....	7
1.5	Rural .....	8
2.	Agriculture .....	8
3.	Forest .....	10
4.	Community Facilities and Utilities .....	12
4.1	Community Facilities.....	12
4.2	Utilities .....	13
5.	Economic Activity .....	14
5.1	Commercial Land Use .....	14
5.2	Home Occupation .....	15
5.3	Visitor Accommodation.....	16
5.4	Light Industry .....	17
7.	Nature Protection .....	19
SECTION III	SERVICES .....	21
COMMENTS.....		21
1.	Transportation .....	21
1.1	Land Transportation .....	21
1.2	Air Transportation .....	23
1.3	Water Transportation.....	23
2.	Water Supply .....	24
3.	Waste Disposal .....	26
3.1	Water Borne Waste Disposal .....	26
3.2	Solid Waste Disposal.....	26
SECTION IV	CONSERVATION AND ENVIRONMENTAL RESOURCES .....	28
1.	Fresh Water Resources .....	28
2.	Shoreline and Marine Resources.....	29
3.	Heritage Resources .....	30
4.	Other Natural Resources .....	31
4.1	Wildlife Resources .....	32
4.2	Air Resources .....	32
5.	Environmentally Sensitive Areas.....	33
SECTION V	DEVELOPMENT PERMIT AREAS .....	36
1.	Development Permit Areas 1 and 2 - Riparian Areas and Shoreline Areas .....	36
	<u>COMMENTS</u> .....	36
1.1	Description of Area .....	36
1.2	Special Conditions.....	36
1.3	Exceptions .....	36
1.4	Guidelines.....	36
2.	Development Permit Area 3 - Tree Cutting and Removal .....	37
2.1	Description of Area .....	37
2.2	Special Conditions .....	38
2.3	Exceptions .....	38
2.4	Guidelines.....	39

3.	Development Permit Area 4 - Elevated Groundwater Catchment Areas.....	39
3.1	Description of Area .....	39
3.2	Special Conditions .....	39
3.3	Guidelines .....	39
	SECTION VI DEVELOPMENT APPROVAL INFORMATION .....	41
1.	Circumstances.....	41
2.	Special Conditions.....	41
	SECTION VII - ADMINISTRATION .....	42
	<u>COMMENTS</u> .....	42
1.	<del>Person Responsible</del> Purpose.....	42
2.	<del>Implementation</del> Islands Trust Authority.....	42
3.	<del>Amendment Procedure</del> Area of Jurisdiction .....	43
4.	<del>Update and Revision</del> Advocacy Policies.....	43

**GALIANO ISLAND OFFICIAL COMMUNITY PLAN**

**SCHEDULE A POLICY DOCUMENT**

**SECTION I COMMUNITY OBJECTIVES**

**COMMENTS**

**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:**

*Provides clarity and context on provenance and continuing relevant of preamble*

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.

**2. Background**

~~The Preamble, adopted from our first Official Community Plan (1974), speaks as eloquently today as it did twenty years ago.~~ Even seemingly small changes can damage or deplete resources, compromise self-sufficiency and distort long term planning. It is a tribute to the continuing vigour, passion and foresight of our community that the plan effectively maintained much of the natural character and resources of Galiano.

*Revised to include reference to the Object of the Islands Trust*

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

***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 a renewed recognition of the importance of the Trust Area, and the increasing pressures which could destroy the social and ecological fabric of the

*Revised to include reference to the Islands Trust Policy Statement*

islands, the Provincial government strengthened the *Act* in 1990, **including provision for Trust Council to adopt a Policy Statement. The Islands Trust Policy Statement was adopted in 1994 and is intended to establish a vision for the future and provide a general strategy for land use planning in the Trust Area. It contains commitments of Trust Council, policies that direct Local Trust Committees, and recommendations. An OCP must be consistent with the Islands Trust Policy Statement and must contain provisions addressing Policy Statement directive policies.**

This official Community Plan applies to the Galiano Island **Local** Trust Area as shown on the map, Schedule AA.

### **3. Principles**

#### **1. Ecological Integrity**

As stewards of a common resource, we constantly balance our use of that resource against its capacity to regenerate. The primary consideration in all our future decisions is to ensure the health and wellbeing of our island environment for the benefit of all living things - people, wildlife and vegetation. Applied to land use planning and development, this principle requires a conservation planning approach that supports and enhances existing ecological systems including unfragmented forest ecosystems; watersheds and groundwater recharge areas; undeveloped waterfront areas; and areas of native vegetation generally. Development should be directed away from sensitive ecosystems and from ridge top and foreshore areas, and the impacts of roads, utilities, and other systems servicing development should be managed according to the same conservation principle.

Applied to the design of neighbourhoods, this principle requires that water supply and waste management systems operate within the carrying capacity of the environment. Neighbourhoods should be integrated with the landscape to provide privacy for both existing and new residents and to minimize the visual impact of development. New residential neighbourhoods should be located near existing services to minimize the need for roadway, hydro and other service extensions, and internal roadways should be designed to minimize the need for grade alteration and clearing. New residential areas should be buffered from existing neighbourhoods and from each other, and from foreshore areas and other ecologically sensitive areas, and linked with trails to permit community interaction.

#### **2. Our Community Values**

From our sense of place, and belonging to the community, springs our wealth of volunteers and the resourceful independent spirit in which we take pride. We choose to resist the erosion of these values, preferring to continue at a pace and scale designed to support and perpetuate them. As a community we welcome newcomers who share and respect these values.

#### **3. On Being an Island**

Galiano is a rural island community. We who have chosen to live here have chosen space, privacy and aesthetic qualities over the conveniences of goods and service. The relative isolation on which the quality of island life depends requires protection.

4. The Diversity of our Population

The social and economic diversity of the community contributes to our identity. Basic to this diversity is the encouragement of self sufficiency, individual empowerment and a vital local economy.

5. Equitable Regulation

The community recognises that as our population increases, local standards, guidelines and regulations must be set. As an expression of the will of this community, it is essential that these regulations be articulated simply, clearly and unequivocally, and that they be administered without favour.

6. Galiano's Provincial and National Role

Our island, and other such microcosms of unhurried peace and tranquillity, provide a place to stop and be refreshed. They offer a source of regeneration, respite from stress and a unique lifestyle to those who choose to stay. As a limited and diminishing resource, this offering contributes to the richness and diversity of our Province and our Nation and must be protected.

7. On Respect for the Object of the Islands Trust

We support the Object of the Islands Trust as follows:

"The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of the Province."

It is our belief, however, that the unique amenities and environment of this island can not be effectively protected unless other government agencies and Crown Corporations respect the legislated mandate of the Islands Trust. Future decisions and actions by those agencies and corporations in relation to Galiano must be in accordance with the principles and policies of this Plan.

Legislation and regulation can only accomplish so much. The strength of the Galiano community comes from the power of individual responsibility and commitment as well as the collective initiatives of the community. Programs for education of residents and visitors can help accomplish many of the objectives of this Plan. The Plan supports community will, but it is individual action that is ultimately most effective in achieving that will.

**SECTION II LAND USE**

**COMMENTS**

This section reflects current land uses and designates future land uses based on physical features or constraints, initiatives of other government agencies and objectives defined by the community. Land Use Designations are shown on map Schedule B.

Land Use Policies

- a) Land use decisions for all zones shall be directed by the following criteria **where relevant** :
  - i) preservation of the rural nature of the area,
  - ii) **potential impacts on** existing land use,
  - iii) soil conditions with special regard to stability, liability to ponding, drainage, slope and topography, fertility and suitability for farming, horticulture or silviculture,
  - iv) proven availability of adequate potable water,
  - v) proven capability for sewage disposal without danger of contaminating groundwater,
  - vi) the desirability of securing reasonable privacy for residents,
  - vii) the desirability of having the intensity of development decline as distance from the existing small lot development increases,
  - viii) the desirability of providing **public** access to beaches and other natural areas for residents and visitors alike,
  - ix) the need to ~~prevent pollution of~~ **minimize impacts on** the environment and to protect the quality of the visual landscape,
  - x) the need to protect areas identified as important for the maintenance of the groundwater resources,
  - xi) the need to protect life and property from the threat of fire, and
  - xii) the importance of forest cover.
  - xiii) the protection of development from hazardous conditions**
  - xiv) the protection of riparian habitat**
  - xv) the impacts of climate change**
- b) The overriding policy of this plan with regard to the net residential density of the local trust area is that it will not be increased through rezoning beyond what is explicitly allowed for in this plan.
- c) ~~All rezonings shall go to a public hearing. Covenants granted to the Local Trust Committee and to third parties in accordance with policies in this plan are not intended to be modified or discharged without a similar public process.~~
- d) In order to protect the integrity of Sensitive Areas and Sensitive Natural Features identified in Schedule "E" and to reduce density in Village Residential and Small Lot Residential subdivisions, existing density from these four area designations may be transferred and shall be considered only by rezoning on a site specific basis.
- e) Property owners shall be encouraged to permit access to the public for non-motorized means of transportation.

*Recommended by APC*

*Additional development review criteria*

*Redundant*

*Note: to be reviewed as policy consideration*

**1. Residential**

## COMMENTS

The following residential land use objectives and policies apply to areas designated Village Residential 1 and 2, Small Lot Residential, Rural Residential and Rural. These general policies are followed by policies specific to individual residential designations.

### Residential Objectives

The objectives of this subsection are:

- 1) to maintain the rural character, environmental integrity and social diversity of the Galiano Island **Local** Trust Area, and
- 2) to encourage ~~non-profit housing for seniors and low income residents~~ **affordable, rental and special needs housing.**

*Consistency with LGA wording*

### Residential Policies

- ~~a) Existing lots smaller than the minimum lot size permitted by the Plan designations may be used for the purposes permitted in the designation, providing all other regulations are met.~~
- b) The total potential residential density of the Galiano Island **Local** Trust Area under the provisions of this Plan shall be considered in every review of the Plan.
- c) Only single dwelling units shall be permitted.
- d) Trailer parks shall not be permitted in the Galiano Island **Local** Trust Area.
- ~~e) The Approving Officer shall be requested to be diligent in the enforcement of the covenant requirements under Section 996 of the ~~Municipal Act~~ **Local Government Act.**~~
- ~~f) Subdivisions to provide residence for a relative under Section 996 of the ~~Municipal Act~~ **Local Government Act** are considered appropriate only in agricultural areas.~~
- j) The minimum lot size for new subdivision in any land use designation where residential use is allowed, shall be at least 1.2 hectares (3 acres) except in the existing VR1 and VR2 and SLR designations as shown on Schedule "B".
- k) **Lot** clustering shall be permitted **through the implementation of lot averaging in order** to create separation between neighbouring developments, ~~and~~ to protect sensitive ecosystems (natural plant communities) and to ~~ensure that they do not form continuous development,~~ **discourage** "ribbon" type development is discouraged. ~~However, the Local Trust Committee does not consider it to be in the public interest for lots with areas smaller than the minimum lot area for each zone specified in this OCP to be created through lot area averaging under the Bare Land Strata Regulation.~~
- l) Subdivision regulations shall provide for a mix of lot sizes.
- m) An adequate supply of potable water, as specified in regulation, must be proven for each new lot created by subdivision.
- ~~o) Flood proofing regulations on **Appropriate** setbacks of buildings and structures from water bodies and elevation of ground floors above water bodies as recommended by the Ministry of Environment shall be included in zoning regulations.~~

*Permitted outright, no need to state as a policy*

*Deleted as obsolete, local government can establish minimum lot areas for these subdivisions*

*Deleted as obsolete*

*Policies have been re-ordered to place advocacy policies under a distinct heading*

*Re-wording to state use of lot averaging mechanism, to clarify wording and to remove statement in conflict with legislation.*

*Setbacks from waterbodies on not only intended as flood-proofing measure*

## COMMENTS

- p) A conservation zone may be assigned to land covenanted or deeded against further development or use, including common property in strata title subdivisions.

### Residential Advocacy Policies

*Policies have been re-ordered to place advocacy policies under a distinct heading*

- g) Water access only subdivisions shall be limited to the outer islands in the Galiano Island **Local** Trust area.

- h) Where water access only lots are approved, **within the Galiano Island Local Trust Area or within another Local Trust Area**, the Approving Officer shall be requested to secure adequate parking on Galiano Island to service each lot created.

*Included for clarity as recommended by APC*

- i) The Ministry of Municipal Affairs **Community and Rural Development**, the Capital Regional District and other appropriate government agencies shall be requested to assist in determining rural and geographically suitable building standards and processes that enable the construction of affordable housing.

*Note: to be reviewed*

- n) The Approving Officer shall be requested to ensure that before a subdivision is approved, it must be demonstrated that withdrawal of groundwater for new lots will not adversely affect the supply to existing and potential water users.

- q) The Capital Regional District is encouraged ~~when enacting noise, nuisance and unsightly premises regulations to ensure that such regulations acknowledge the rural character of the Galiano Island Local Trust Area~~ **to enforce noise and unsightly premises bylaws.**

*Reworded for clarity and to reflect fact that bylaws are adopted*

- r) The Local Trust Committee considers that it is in the public interest that the approving officer requires provision of access to bodies of water or Crown land under section 75 of the *Land Title Act* whenever land is subdivided, regardless of whether the access may practically be developed as a roadway for motor vehicles.

## **1.1 Village Residential 1**

### Village Residential Policies

- a) The principal use shall be residential.
- b) One dwelling unit shall be permitted per lot.
- c) On lots 0.4 hectares (1 acre) or more, one cottage shall be permitted per dwelling unit permitted.
- d) The minimum lot size for new subdivision shall be at least 0.4 hectares (1 acre) in area.
- e) In areas where individual septic systems are adversely affecting the environment or the quality of water, a sewer system may be required.

## **1.2 Village Residential 2**

### Village Residential 2 Policies

- a) The principal use shall be residential.
- b) One dwelling unit shall be permitted per lot.
- c) On lots 0.4 hectares (1 acre) or more one cottage shall be permitted per dwelling unit permitted.
- d) The minimum lot size for new subdivision shall be at least 0.8 hectare (2 acres) in area.
- e) In areas where individual septic systems are adversely affecting the environment or the quality of water, a sewer system may be required.
- f) The minimum lot size for new subdivisions where each lot will be serviced by community water and sewer shall be at least 0.6 hectares (1 1/2 acre).

**1.3 Small Lot Residential**

Small Lot Residential Policies

- a) The principal use shall be residential.
- b) One dwelling unit shall be permitted per lot and one additional dwelling shall be permitted for every 1.2 hectares (3 acres) of lot area over 1.2 hectares (3 acres).
- c) On lots 0.4 hectares (1 acre) or more one cottage shall be permitted per dwelling unit permitted.
- d) The minimum lot size for new subdivision on lots without ocean frontage, shall be at least 0.8 hectare (2 acres) in area.
- e) The minimum lot size for new subdivision on lots with ocean frontage, shall be at least 0.6 hectare (1 1/2 acres) in area.
- f) The average lot size for new subdivision shall be at least 1.2 hectares (3 acres).
- g) ~~Despite Section II, 1.3.f) the average lot size for new subdivision on Lot 1, District Lot 83, Plan 26445, Galiano Island, Cowichan District shall be at least 1.1 hectares.~~

*Subdivision completed*

**1.4 Rural Residential**

This area designation is meant to provide a transitional zone between the more intensely used small lot residential zones and the rural, forest and agricultural areas.

Rural Residential Policies

- a) The principal use shall be residential.
- b) One dwelling unit shall be permitted per lot and one additional dwelling shall be permitted for every 2 hectares (4.94 acres) of lot area over 2 hectares (4.94 acres).

- c) On lots 0.4 hectares (1 acre) or more one cottage shall be permitted per dwelling unit permitted.
- d) The average lot size for subdivision of Rural Residential land shall be at least 2 hectares (4.94 acres).

## **1.5 Rural**

This area is intended to allow for larger lot developments to provide opportunities for a variety of rural activities without impinging on neighbours.

### Rural Policies

- a) The principal uses shall be residential **and agricultural**. *Consistent with zoning*
- b) One dwelling unit shall be permitted per lot and one additional dwelling shall be permitted for every 4 hectares (9.88 acres) of lot area over 4 hectares (9.88 acres).
- c) On lots 0.4 hectares (1 acre) or more, one cottage shall be permitted per dwelling unit permitted.
- d) The average lot size for subdivision of Rural land shall be at least 4 hectares (9.88 acres).
- e) Within this designation a number of different zones may be applied allowing differing levels of uses accessory to residential uses,

## **2. Agriculture**

In British Columbia, the *Agricultural Land Commission Act* established the Agricultural Land Commission to "preserve agricultural land, encourage the establishment and maintenance of farms and the use of land in an agricultural reserve compatible with agricultural purposes". Thus local regulations still apply but in addition, lands within agricultural land reserves are subject to this *Act* and the regulations pursuant to it. The community endorses this protection and supports the intent of the *Agricultural Land Commission Act*. **Land designated 'Agriculture' on Schedule B may include land not currently in the ALR and ALR land may be included in other designations.**

### Agriculture Objectives

The objectives of this subsection are:

- 1) to protect all land suitable for agriculture,
- 2) to encourage agricultural activities,
- 3) to encourage agricultural practises that do not adversely affect the surrounding environment nor compromise the capability of the land for future food production, and
- 4) to encourage local production of agricultural and horticultural products that could be sold directly to the public.

### Agriculture Policies

## COMMENTS

- a) The principal uses shall be agriculture **and residential**.
- b) One dwelling unit shall be permitted per lot with an additional dwelling for every 4 hectares (9.88 acres) of lot area over 4 hectares (9.88 acres).
- c) The minimum lot size for subdivision of Agricultural land shall be at least 4 hectares (9.88 acres).
- e) The keeping of animals and the storage and handling of manure shall be regulated through zoning in accordance with the ~~Agricultural Waste Control Regulations Act~~ **Agricultural Land Commission Act and Regulations**.
- f) Zoning regulations shall ensure setbacks on properties adjacent to agricultural uses shall be sufficient to protect the continuation of the agricultural operation.
- j) The Galiano Island Local Trust Committee shall support the retention of farm land within the agricultural land reserve and new inclusions of suitable land.

*Consistent with ALC Act and regulations and zoning*

*Updated reference to legislation*

### Agricultural Advocacy Policies

- g) The fragmentation of agricultural land by roads or other service or communication corridors ~~shall~~ **should** be minimized.
- d) Farm operators shall be encouraged to:
- i) avoid the use of pesticides, herbicides, fungicides and other noxious chemicals,
  - ii) ensure production methods maintain soil quality and minimize erosion,
  - iii) ensure surface and groundwater recharge areas are not contaminated by agricultural activities, and
  - iv) collect and store rainwater for irrigation purposes.
- h) ~~Roadside stands for the sale of agriculture and horticulture products grown in the Galiano Island Trust Area shall have safe and approved access from the road onto the lot containing the stand.~~
- i) The Ministry of Agriculture, Fisheries and Food **Lands** shall be requested to:
- i) provide technical support and financial incentives for productive use of agricultural land, and
  - ii) provide local inspection facilities where such inspection is a requirement of Provincial statute or regulation.
- k) The Ministry of Transportation and Highways **Infrastructure** and other agencies shall be requested to develop policies that would protect agricultural land from conversion to roads or other uses.
- l) The removal of gravel and soil from agricultural lands ~~shall~~ **should** not be permitted.

*Policies have been re-ordered to place advocacy policies under a distinct heading  
Advocacy statement*

*Access standards are required by MoTI for all driveways*

*Advocacy statement*

**3. Forest**

Forestry and timber harvesting have contributed strongly to the local island economy. Over the years a large portion of the island has been managed as a tree farm. Some small scale sustainable forestry is being practised and several small mills are producing lumber for local use. Galiano Island lies within the coastal Douglas-fir biogeoclimatic zone. This zone is limited to a small part of southeastern Vancouver Island, several islands in the Strait of Georgia and a narrow strip of the adjacent mainland and vegetation is distinct from other areas in coastal B.C and Canada. The Galiano Island forests therefore warrant preservation and protection in the manner described in the following objectives and policies:

Forest Objectives

All land use decisions for lands in the Forest designation must be guided by the following objectives:

- 1) to preserve a forest land base,
- 2) to protect the aesthetic value of forest land,
- 3) to encourage local economic opportunities for small scale sustainable forestry,
- 4) to protect riparian zones, sensitive ecosystems, watersheds and biodiversity, and
- 5) to create a non-profit community-owned forest and to ensure that the use of such forest is consistent with the sustainable forests principles set out elsewhere in this Plan, and that the lands so acquired are preserved for forestry use in perpetuity for future generations.

Forest Policies

- a) The principal use shall be forestry. All structures including dwellings (except dwellings on land rezoned to RR or CF) must be accessory to the principal forestry use and no uses should impair the long-term natural processes of forest growth and regeneration. Unplanned proliferation of residential uses throughout the forest would be contrary to many of the objectives and policies in this plan, including particularly those dealing with the integrity of forest ecosystems and surface water and groundwater supplies and the impact of residential services such as roads. Instead, in order to preserve and protect the forest resource, the plan favours the clustering of residential uses on sites within the forest, carefully selected as the basis of sound planning principles, with the balance of the lands being set aside for forest uses in perpetuity.
- b) Dwellings are permitted in the Forest designation in the following circumstances:
  - i) on land ~~in the Forest Land Reserve and~~ zoned FLR under the Land Use Bylaw, one accessory dwelling is permitted per lot if the lot complies with Land Transportation Policy (o).

*FLR no longer exists  
Note: reference to 'FLR zone'  
would be revised once LUB  
amended*

- ii) land whose owner grants to ~~the Silva Forest Foundation and~~ the Local Trust Committee or any other covenantee satisfactory to the Local Trust Committee a covenant to manage the land in accordance with sustainable forest practices and prohibiting subdivision of the land into lots less than 20 hectares (49.4 acres), may be rezoned to permit one accessory dwelling per 20 hectares (49.4 acres) if the lot complies with Land Transportation Policy o). The location of the dwelling and any accessory buildings or structures must be selected to minimize their impact and the impact of related services on the forest, and the land use bylaw amendment must specify the location of the buildings.
  - iii) on lands zoned F2 on the date of adoption of this policy, one accessory dwelling is permitted per lot.
- c) The lot size for subdivision of Forest land shall be at least 20 hectares (49.4 acres).
- j) The siting, size, number and character of buildings for forest uses permitted on Forest-designated land shall be regulated, ~~and buildings shall be located on the least productive portions of the land except where the site is a sensitive ecosystem, and in accordance with development approval information if it has been provided.~~

*Wording revised to reflect ability to regulate siting through zoning*

**Forest Advocacy Policies**

- d) The protection of biodiversity shall be encouraged through appropriate forestry practices and the protection of riparian zones and other sensitive ecosystems.
- e) The Assessment Authority shall be requested to provide tax incentives for maintaining forestry activities.
- f) Forest ~~managers~~ **landowners and operators** are encouraged to:
  - i) ensure that the rate of extraction of timber does not exceed the rate of growth of the forests, and
  - ii) use silviculture methods that promote healthy forests and minimize fire hazards.
- g) Appropriate small scale forest related activities such as the sustainable gathering of ~~greenery~~ **non-timber forest** products, food crops, hiking, bird watching and wildlife viewing, education and value added industry shall be encouraged.
- h) The ~~Provincial Government~~ **landowners and operators** shall be encouraged to apply ~~the Forest Practices Code~~ **best management practices** to private land to ensure:
  - i) fire protection and water catchment,
  - ii) a governed rate of harvest that leaves some areas unharvested,
  - iii) logging by individual tree selection or small group selection and the use of appropriate harvesting equipment,
  - iv) the elimination of chemical management,
  - v) encouragement of alternatives to slash burning,
  - vi) immediate replanting,
  - vii) minimization of soil compaction and erosion,
  - viii) rehabilitation of abandoned roads, skidtrails and landings,
  - ix) substantial buffer zones around streams, lakes, roadways and neighbouring properties, and
  - x) encouragement of community employment in silviculture and harvesting.

*Policies have been re-ordered to place advocacy policies under a distinct heading*

## COMMENTS

*FLR no longer exists*

- i) ~~In areas under the jurisdiction of the Forest Land Commission, land use and the subdivision of properties must be consistent with the *Forest Land Reserve Act, Regulations to the Act, or an order of the Commission. If land is removed from the Forest Land Reserve, it will continue to be subject to the land use designations in this plan. If land is added to the Forest Land Reserve, the Local Trust Committee will consider the owner's application for FLR zoning.*~~
- j) The siting, size, number and character of buildings for forest uses permitted on Forest-designated land shall be regulated, ~~and buildings shall be located on the least productive portions of the land except where the site is a sensitive ecosystem, and in accordance with development approval information if it has been provided.~~
- k) The fragmentation of Forest-designated lands by roads or other service or communication corridors ~~shall~~ **should** be minimized.
- l) A citizen association to provide information, education and advice on local forest practices shall be encouraged.
- m) Residential policies c), e), g), k), m), n), o) and r) shall apply in the Forest designation if and where the zoning permits residential uses.

*x-references to be updated prior to adoption*

## 4. Community Facilities and Utilities

### 4.1 Community Facilities

Galiano's community facilities for social and cultural services currently include a recycling program, fire halls, a health care centre, a church, a school, a cemetery, community halls and seniors' housing.

#### Community Facilities Objective

The objective of this subsection is:

- 1) to encourage community facilities that enhance the social, economic, educational, environmental and cultural aspects of life on the island and do not adversely affect the natural environment.

#### Community Facilities Policies

- a) The principal use shall be community facilities ~~managed by non-profit organizations.~~
- b) Community facility zones shall be developed for such ~~non-profit community activities~~ **uses** as affordable and seniors' housing, orchards, nurseries, gardens, woodlots, farmers markets, ~~or~~ arts facilities, **schools, halls, libraries, museums, churches, cemeteries, medical centres, recycling, ambulance, R.C.M.P. facilities, emergency evacuation services and fire halls.**
- c) ~~A more traditional community facility zone shall be applied to community facilities such as schools, halls, libraries, museums, churches, cemeteries, medical centres, recycling, ambulance, R.C.M.P. facilities, emergency evacuation services and fire halls.~~

*Ultra vires: would regulate user rather than use*

*Ultra vires: would regulate user rather than use*

*Combined with (b) above*

## COMMENTS

- d) Zoning for a community facility shall be considered on a site specific basis.
- g) ~~In connection with the implementation of Forest policy d), an area comprising 1% of the area of F1 lands being rezoned to RR and FH may, if the area is deemed suitable for the purpose by the Local Trust Committee, instead be rezoned to CF (Community Facility) to permit affordable housing, including housing for senior citizens, and the land required to be simultaneously transferred to an incorporated non-profit society having as one of its objects the development and operation of affordable or seniors' housing, or alternatively an option to purchase the land for nominal consideration granted to such a society. This policy must not be used to create CF parcels with areas less than 2 ha.~~

*Revised to reflect amendments to forest policy section (Bylaw 203).*

### Community Facilities Advocacy Policies

- e) The delivery of services by local non-profit organizations shall be encouraged.
- f) Opportunities for creation and ownership of community facilities through vehicles such as a Community Land Trust, shall be encouraged.

*Policies have been re-ordered to place advocacy policies under a distinct heading*

## **4.2 Utilities**

### Utilities Objective

The objective of this subsection is:

- 1) to ensure the delivery of utility services compatible with rural character in a way that does not adversely affect the natural environment.

### Utilities Policies

- a) ~~Public utilities regulations shall be developed for public utilities such as transmission lines, communication towers, telephone and electricity services and the highways yard.~~
- b) Community or public utilities other than transmission lines and telephone or electricity services on an easement or registered right of way, shall be zoned on a site specific basis.

*Public utilities regulated provincially*

### Utilities Advocacy Policies

- c) All community or public utilities shall be requested, and where possible, required, not to spray herbicides or pesticides on any sites in the Galiano Island **Local** Trust Area.

## **4.3 Health and Wellness Facilities for the Treatment of Eating Disorders**

*Proposed Bylaw 204*

### Health and Wellness Facilities Objective

The objective of this subsection is:

- 1) to encourage facilities that enhance the economy of the island, the health of its residents and visitors, and that do not adversely affect the natural environment.

### Health and Wellness Facilities Policies

- a) The principal use shall be health facilities for the treatment of eating disorders.
- b) Zoning for a health and wellness facility shall be considered on a site specific basis.

## **5. Economic Activity**

Economic activity land use policies are classified into four categories as follows: Commercial, Home Occupation, Visitor Accommodation and Light Industrial.

### **5.1 Commercial Land Use**

For this section, commercial uses include retail sales and services and visitor accommodations.

#### Commercial Objectives

The objectives of this subsection are:

- 1) to encourage a diversity of on-island commercial enterprises to minimize the reliance on off-island travel,
- 2) to ensure the scale of all commercial developments harmonizes with the natural surroundings and the rural character of Galiano Island,
- 3) to protect the character and integrity of quiet residential and rural neighbourhoods, and
- 4) to ensure that the use of each commercial property is specific and predictable.

#### Commercial Policies

- a) The principal use shall be commercial.
- b) The minimum lot size shall be at least 0.5 hectares (1.2 acres).
- c) One dwelling unit may be permitted as an accessory residential use. If the lot is the minimum area permitted or smaller, the dwelling must be in the same building as the commercial use.
- d) Commercial development shall be small in scale and appropriate to the needs of the community and visitors.
- e) Commercial uses may be clustered but separation between clusters shall be maintained to ensure strip development does not occur.
- f) The central areas for commercial activity are shown on Schedule "B" in a mixed Community Facilities/Commercial designation, indicating a community area where regular commercial activities, and social and cultural interchanges can take place.
- g) Rezoning for commercial activities shall be considered on a site specific basis.

## COMMENTS

- h) Within this designation a number of different zones may be applied allowing differing types and levels of commercial uses.
- i) Commercial zoning shall not be applied to sensitive natural features and sensitive areas identified on Schedule "E".
- j) Commercial uses of the foreshore shall preserve public access, ~~and~~ minimize negative impact to upland owners **and protect the natural environment.** *Revised to ensure potential environmental impacts are addressed*
- k) Commercial advertising signs shall be restricted in quantity, size and location, and billboards shall not be permitted.
- l) Commercial establishments may be required to screen commercial activity from view.
- m) In considering a rezoning for commercial use, the **potential** impacts of the use on **the** environment, **groundwater, transportation, adjacent land uses, natural hazards** and natural resources of adjacent land shall be considered. *Criteria expanded to address all potential impacts*

## 5.2 Home Occupation

### Home Occupation Objectives

The objectives of this subsection are:

- 1) to provide opportunities for home occupations,
- 2) to preserve the residential character of neighbourhoods, and
- 3) to ensure that home occupations do not adversely affect the environment.

### Home Occupation Policies

- a) A home occupation shall be accessory to residential use.
- b) A home occupation shall be conducted entirely within the dwelling unit or within legal ~~accessory~~ structures, **with exceptions for horticultural uses.**
- c) The number of employees including the primary operator of a home occupation shall be regulated.
- d) A home occupation shall be permitted only if the residential character of the property is maintained.
- e) A home occupation that would use large amounts of groundwater shall be specifically prohibited.
- f) ~~A home occupation engaged in the preparing, preserving or bottling of food products for sale must meet the highest standards for food preparation but restaurants are specifically not permitted.~~ *Removed as food standards are not LTC jurisdiction and there is no business licensing*
- g) A product produced on the site by a resident may be sold from that site and zoning regulations may permit some limited sales of products associated with a service.

## COMMENTS

- h) Adequate off-street parking of vehicles for the benefit of a home occupation shall be required.
- i) ~~The Home occupations shall not generate waste, vibration, glare, fumes, odours, illumination or electrical interference beyond that generated normally by a single residence and noise abatement techniques and appropriate siting for activities generating noticeable levels of noise shall be encouraged~~ **should be regulated to ensure that they do not negatively impact neighbouring properties and uses.**

*Current wording overly specific for a policy, re-worded to establish intent.*

### 5.3 Visitor Accommodation

#### Visitor Accommodation Objectives

The objectives of this subsection are:

- 1) to provide for a variety of visitor accommodations, and
- 2) to ensure visitor accommodations do not adversely affect the natural environment.

#### Visitor Accommodation Policies

- a) Bed and Breakfast with from 1 to 3 rental rooms accommodating up to three persons per room shall be accessory to a residential use.
- b) Where Bed and Breakfast is permitted, the residential character of the site shall be maintained.
- c) The number of rooms permitted for the Bed and Breakfast shall be determined by lot size.
- e) Visitor accommodation beyond the scale of a Bed and Breakfast shall require commercial zoning characterized as:
  - i) guesthouses with from 4 to 8 rooms,
  - ii) inns with from 8 to 12 rooms and a restaurant in one building,
  - iii) resorts with from 8 to 12 rooms or cottages, a central building and a restaurant, and
  - iv) a comprehensive resort limited to property identified as follows:
    - a. ~~For property described as that part of Lot B, Sections 4 and 5, Galiano Island, Cowichan District, Plan 2598, lying east of Plan 15096 development should be limited to up to 10 visitor accommodation units, 10 visitor accommodation sleeping rooms, a central building for accessory uses, a dwelling for the owner or operator, a restaurant and comprehensive resort accessory uses.~~
- f) ~~Individual~~ Zoning may ~~include~~ **permit and regulate accessory** on-site activities ~~specified in the zoning.~~
- g) ~~Privately owned~~ Commercial campgrounds and trailer parks shall not be permitted in the Galiano Island **Local Trust Area outside of provincial parks.**

*Combine e(iv)(a) into e(iv) with formatting consistent with (i) through (iii) and remove site specific reference*

*Original wording revised for clarity*

*Zoning cannot regulate tenure*

#### Visitor Accommodation Advocacy Policies

*Policies have been re-ordered to place advocacy*

## **COMMENTS**

*policies under a distinct heading*

- d) ~~The Ministry of Health shall be requested to provide authority to the Capital Regional District~~ **Vancouver Island Health Authority and Building Inspection are requested to ensure that** the supply of water and provisions for sewage disposal are sufficient to support the number of rooms permitted by bylaw.
- h) The provision and maintenance of public drinking water sources for the use of visitors to the Island shall be encouraged.

### **5.4 Light Industry**

#### Light Industry Objectives

The objectives of this subsection are:

- 1) to ensure there is opportunity for light industrial uses that support the local economy, and
- 2) to ensure all light industrial activity is compatible with rural character and does not adversely affect the natural environment.

#### Light Industry Policies

- a) The principal use shall be light industry.
- b) Light industrial zones shall not be permitted in areas of Sensitive Natural Features and Sensitive Areas identified in Schedule "E".
- c) Light industrial uses shall be permitted through site specific zoning and subject to development permit. The following guidelines will be used for determining zoning and issuing a development permit:
  - i) different criteria may be applied to allow different levels of activity,
  - ii) light industrial activity shall only be allowed on sufficiently large properties in a scale of proportionate to the lot size,
  - iii) light industrial building sizes shall be in scale with the rural character,
  - iv) an assessment will be required to determine the impact on local water flow patterns, groundwater and waste water disposal and shall show evidence of adequate water supply and waste disposal,
  - v) all light industrial activity parking and storage must be screened and wide buffers must be left along roads and property lines, and
  - vi) signage and lighting shall be regulated to ensure maintenance of the rural landscape.
- d) The minimum lot size for industrial zoning shall be at least 1 hectare (2.47 acres).
- e) Industrial uses of the foreshore and water lots shall preserve public access, ~~and~~ minimize negative impact to upland owners **and protect the natural environment.**
- f) ~~The Ministry of the Environment shall be requested to ensure light industrial activities involving emission of toxic or irritant material meet the most stringent interpretation of its standards with specific regard for the protection of groundwater catchment areas, surface water and riparian areas from these industrial pollutants,~~

*Ministry would enforce based on provincial regulations*

- g) Value added industry on an appropriate scale shall be encouraged.
- i) ~~Noise abatement techniques are encouraged.~~ **The LTC should consider regulations that would limit noise impacts generated by industrial uses and activities**
- j) One dwelling may be permitted as an accessory residential use. If the lot is the minimum area permitted or smaller, the dwelling must be in the same building as the light industry use.

*Reworded for clarity*

Light Industry Advocacy Policies

- h) The Ministry of Energy, Mines and Petroleum Resources shall be requested to establish the Galiano Island **Local** Trust Area as a reserve prohibiting the exploration for mineral or petroleum resources.
- k) The Ministry of Energy, Mines and Petroleum Resources shall be requested to refer all proposals for sand and gravel extraction on Galiano Island to the **Local** Trust Committee for review and comment.

*Policies have been re-ordered to place advocacy policies under a distinct heading*

There are four Provincial parks in the Galiano Island **Local** Trust Area. Bellhouse is a small day use park located at the south end of the Island. Dionisio Point, near the northern tip of the Island, is located in an area of archaeological interest and fragile ecology. Montague Harbour, the first marine park in B.C., is a recreational destination park for boaters and campers. The Ballingall Islets are a nesting ground for double crested cormorants.

Beach access points are shown on Schedule "C" and provincial, community and small parks acquired at the time of subdivision are identified on Schedule "B" of this Plan.

Parks and Recreation Objectives

The objectives of this subsection are:

- 1) to ensure that recreational activities are non intrusive, do not endanger ecologically or archaeologically sensitive areas, and are compatible with the rural character,
- 2) to ensure that the provision of recreation facilities are directed toward community needs first, and
- 3) to provide local recreational opportunities for visitors to Galiano that do not stress existing facilities, services and resources or generate undue cost to local taxpayers.

Parks and Recreation Policies

- a) Parks planning and the provision of recreational facilities shall be assessed on the basis of existing opportunities, conservation of natural values and potential duplication.

*Policies have been re-ordered to place advocacy policies under a distinct heading*

Parks and Recreation Advocacy Policies

- b) The Capital Regional District shall be requested to maintain a local Parks and Recreation Commission to administer local parks created at time of subdivision.
- c) B.C. Parks shall be requested to maintain a reservation system for all Provincial campsites in the Galiano Island **Local** Trust Area.
- d) B.C. Parks shall be requested to continue a public consultative process of developing and periodically reviewing Parks Plans for all Provincial Parks in the Galiano Island **Local** Trust Area.
- e) B.C. Parks shall be requested to continue to supply adequate and safe drinking water at Montague Harbour and Dionisio and that the visitor capacity of the parks is limited to prevent damage to ecologically sensitive areas.
- f) The RCMP shall be requested to enforce the prohibition of camping on public beach accesses and road allowances.
- g) Initiatives for providing information to visitors on the limited public drinking water and toilet facilities, the need for recycling or removing garbage from the island, the safe use of rural roads, and the danger of fire, shall be encouraged.
- h) A trail network and a parks plan shall be developed **by the Parks and Recreation Commission, in cooperation with the LTC and other stakeholders**, for inclusion into the Community Plan.
- i) B.C. Parks shall be requested to ~~maintain the public access point to~~ **consult with the Local Trust Committee and the community when developing plans for Dionisio Point Provincial Park according to the Park Management Plan.**

*Reworded to clarify plan would be responsibility and jurisdiction of Parks and Rec Commission*

*Revised based on APC recommendations*

## **7. Nature Protection**

Over forty years ago Galiano residents and visitors contributed to conserving Bluffs Park which is managed as a Nature Conservancy Area under trust by the Galiano Club. Similar generosity has enabled the purchase of the Mount Galiano Lands, which are also managed by the Galiano Club under a similar trust. The Galiano Conservancy Association and the Nature Conservancy of Canada purchased jointly the summit of Mount Sutil, which is managed as a conservation area. The protecting of special natural areas is continuing today. Through an extraordinary effort of the community led by the Galiano Island Forest Trust, with the Nature Conservancy of Canada and the Pacific Marine Heritage Legacy, the area of the Island known as Bodega Ridge has been preserved. Recently the Galiano Conservancy Association purchased District Lot 63 jointly with the Nature Conservancy of Canada and the Pacific Marine Heritage Legacy, to be protected by covenants.

The Province has designated one Ecological Reserve; the bog and surrounding fen on Cook Road.

### Nature Protection Objective

The objective of this subsection is:

- 1) to preserve natural values.

## COMMENTS

### Nature Protection Policies

*Policies have been re-ordered to place advocacy policies under a distinct heading*

- a) A separate zone for conservation shall be applied to new and existing Nature Protection areas.
- b) Lands covenanted against further development or subdivision shall be identified through appropriate zoning designation.
- d) Zoning for Nature Protection areas may permit trails and uses permitted as specified in the *Ecological Reserves Regulations* pursuant to the *Ecological Reserves Act*.
- e) Where Nature Protection areas meet the high tide line, the water and foreshore shall be zoned for protection.

### Nature Protection Advocacy Policies

- c) B.C. Parks shall be requested to continue a public consultative process of developing and periodically reviewing management plans for all ecological reserves in the Galiano Island **Local** Trust Area.

The Galiano Island Local Trust Committee does not have authority to provide services. In order to ensure integration of its mandate, policies and programs, the **Local Trust Committee and the Islands Trust** enters into agreements with agencies which have statutory authorities. The Local Trust Committee **can exercise its land use planning authority to influence the delivery of services** ~~can augment or refine Provincial regulation for the effective delivery of services but cannot remove Provincial authority.~~ This section outlines the basis for discussion with Provincial agencies to assist them in recognizing the needs of the Island and its community in the context of Provincial authority.

**1. Transportation**

**1.1 Land Transportation**

In 1992 the Islands Trust Council and Ministry of Transportation and ~~Highways~~ **Infrastructure** entered into an agreement to ensure an ongoing consultative process between the agencies. The agreement includes road functional classifications as per Schedule "C", procedures for the designation of scenic and heritage roads and cycle route plans in the **Local** Trust Area. The road standards are modified from Provincial standards to protect the rural character of island roads.

Land Transportation Objectives

The objectives of this subsection are:

- 1) to achieve over the long term a planned road and trail network based on the network depicted in Schedule "C", including further components of the network that may be identified by amending Schedule "C",
- 2) to ensure that island roads are rural in character and do not adversely affect the natural environment,
- 3) to ensure that parking for all land uses is safe and compatible with the rural character of the island,
- 4) to ensure roadways are safe for all users,
- 5) to encourage alternatives to motor vehicles, and
- 6) to ensure that emergency road access is available to all lots on Galiano Island where residential use is permitted.

Land Transportation Policies

- h) The size and nature of signs on private property shall be regulated.
- l) Off street parking shall be required for all land uses.
- o) Residential use shall not be permitted on any lot on Galiano Island unless there is public road access to the lot or a statutory right of way has been

*Policies have been re-ordered to place advocacy policies under a distinct heading*

granted to the Galiano Island Local Trust Committee for road access purposes.

Land Transportation Advocacy Policies

- a) The Letter of Understanding with the Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be respected and the public consultative process expressed therein shall be supported.
- b) ~~B.C. Tel~~ **Telus** and B.C. Hydro shall be requested to engage in a consultative process with the community with respect to the use of the road right-of-way and all users shall be requested not to apply herbicides or pesticides on the road right-of-way.
- c) The Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be requested to control traffic safety by limiting speed rather than by requiring roads to be straightened and widened.
- d) The Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be requested to leave the natural vegetation alongside the travelled portion of the road undisturbed, except as required for safety.
- e) When paving is required, the Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be requested to require paving to minimum widths.
- f) All roads should follow the natural contour of the land and avoid unnecessary interference with water flow.
- g) The use of road allowances for parallel transportation routes to separate motor vehicles and non-motorized vehicles shall be encouraged.
- i) The Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be requested to provide places for slow vehicles to pull off the road as an alternative to doubling road widths and to install minimal signs that are rural in character.
- j) The Ministry of Transportation and ~~Highways~~ **Infrastructure** and the B.C. Ferry ~~Corporation~~ **Services** shall be requested to provide parking facilities to decrease long term parking on road ways at ferry terminals, beach accesses, boat launches and government docks.
- k) In all subdivisions the Approving Officer shall be requested to require access to the foreshore, **sufficient area for parking at foreshore accesses**, emergency vehicle standards for all new roads, road construction designed only for the zoned residential capacity and consolidation of road accesses from subdivisions onto main roads.
- m) The Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be requested to ensure that the subdivider provides adequate areas for off-road parking at an appropriate location considering the likely point of departure by water to access the subdivision, as a condition of approval of any subdivision on Valdes, Hall, or Reid Island, the Secretary Islands, or the smaller islands associated with Galiano Island.
- n) The Local Trust Committee does not consider it to be in the public interest for

*Additional wording as per recommendation of Parks and Recreation Commission.*

lots without public road access to be created by subdivision.

## **1.2 Air Transportation**

There are no air strips in the Galiano **Island Local** Trust Area. Float plane services are available to meet the air transportation needs of the Island. In many areas of Galiano the community experiences disruptive levels of noise from low flying smaller aircraft travelling between the urban centres of Vancouver and Victoria.

### Air Transportation Objectives

The objectives of this subsection are:

- 1) to minimize noise pollution from aircraft, and
- 2) to meet clearly defined community needs.

### Air Transportation Advocacy Policies

- a) ~~The Federal Ministry of Transportation~~ **Transport Canada** and the Canadian Coast Guard shall be requested to regulate take-off and landing procedures, flight routes and minimum flying altitudes over the Galiano Island **Local** Trust Area, in order to reduce noise levels.
- b) A private or public airstrip or helipad shall not be ~~permitted~~ **supported** in the Galiano Island **Local** Trust Area except for emergency evacuations associated with police, fire or ambulance facilities or hospitals.
- c) All air transport operators shall be requested to ensure that services do not exceed the needs of the local community.
- d) Land use regulation shall permit the location of emergency evacuation points where appropriate.

*Cannot prohibit, not local government jurisdiction*

## **1.3 Water Transportation**

### Water Transportation Objectives

The objectives of this subsection are:

- 1) to ensure water transportation facilities do not adversely affect the natural environment nor the natural processes of the shoreline,
- 2) to ensure water transportation meets the needs of the local community without using seasonal or peak demands as a fixed schedule, and
- 3) to promote water traffic safety in the Galiano Island Local Trust Area.

### Water Transportation **Advocacy** Policies

- a) Wharves, barge landing and boat launching ramps shall be sited to minimize the impact on the natural environment.

*Policies have been re-ordered to place advocacy policies under a distinct heading*

## COMMENTS

- b) All water transport operators shall be requested to ensure services do not exceed the needs of the local community.
- c) All government authorities shall be requested to ensure Galiano does not become joined by a bridge to any other land and that it not become, nor its water passages be modified to provide, a transportation link between the mainland and Vancouver Island.
- d) The Coast Guard and the ~~Provincial B.C. Parks and Recreation Branch~~ administrating boating regulations, shall be requested to minimize noise disruption and to protect the safe use of water transport by:
- i) ensuring float planes land outside bays and taxi at not more than 5 knots to the dock,
  - ii) prohibiting all water skiing and jet skiing activities within bays, and
  - iii) ensuring safe methods of transporting dangerous materials on the water.
- e) ~~B.C. Lands~~ **Integrated Land Management Bureau** shall be requested to prohibit the landing of light aircraft or power boats on beaches.
- f) The establishment of group or ~~community wharves~~ **shared docks** shall be encouraged. *Wording revised for clarity*
- g) B.C. Ferries **Services Inc.** shall be requested to ensure that on-shore facilities encourage foot passenger service.
- h) The operation of personal watercraft in Montague Harbour shall be ~~prohibited~~ **discouraged.** *LTC cannot regulate vessels*

## **2. Water Supply**

### Water Supply Objectives

The objectives of this subsection are:

- 1) to ensure an adequate supply of water to all users,
- 2) to ensure water use does not pollute the resource, and
- 3) to ensure that the local trust area develops only in a manner that utilizes the best information available regarding water resources, so that the resource will be preserved for current and future use.

### Water Supply Policies

## COMMENTS

*Forest policy (d) no longer included in OCP*

- a) Areas above 140 metres in elevation shall be preserved and protected because of the importance of elevated water recharge areas for water supply at lower elevations, fresh water catchment, storage and recharge. No density of residential development greater than 1 dwelling per 20 hectares (49.4 acres) shall be permitted ~~unless there has been a rezoning proposal under Forest policy d) (March 2000) and Development Approval Information indicates a higher density would not impair water quality or quantity at lower elevations.~~ Land above 140 metres with less than 30 cm (12 inches) of soil according to Agriculture Canada Research Branch, "Soil of the Gulf Islands, B.C. Soils Survey, 1988" shall not be zoned for human habitation. When the Local Trust Committee wishes to consider zoning land above 140 metres for human habitation that may include areas of less than 30 cm (12 inches) of soil:
- i) the shallow soil area shall only be used for purposes of providing sufficient area for calculating the average lot size of lots that will be created by a proposed subdivision,
  - ii) the buildings shall be constructed outside of the shallow soil area,
  - iii) a restrictive covenant shall be registered to protect the shallow soil area, and
  - iv) the area of shallow soil is to be determined by ground survey by a qualified consultant.

The Local Trust Committee does not consider it to be in the public interest for road building to conventional highway standards to occur above 140 metres in elevation because of the risk to the quality of groundwater supply at lower levels through run-off in the elevated water catchment.

- g) When aquifers and recharge areas are identified **through professional analysis** ~~as part of a Groundwater Management Plan~~, land use zoning may be redesigned to ensure the sustainability of the potable water resource.
- h) Regulations shall require new developments to provide accessible cisterns or ponds of water specifically for fire protection.

### Water Supply Advocacy Policies

*Policies have been re-ordered to place advocacy policies under a distinct heading*

- b) The Ministry of Environment shall be requested to designate the Galiano Island **Local** Trust Area as a Groundwater Management area where a local board can determine the level of controls applied in different areas.
- c) The Approving Officer shall be requested to ensure that the use of groundwater for new subdivisions does not adversely affect existing water users.
- d) The Ministry of Environment, ~~Lands and Parks~~ shall be requested to ensure all groundwater wells in which saltwater intrusion occurs are capped and not available for use.
- e) Alternatives and supplements to the use of groundwater, such as collection of rainwater and use of cisterns, shall be encouraged.
- f) The Ministry of Environment, ~~Lands and Parks~~ shall be requested to ensure that inexpensive and accessible well water testing is available.
- i) Residents are encouraged to conserve groundwater by using water

catchment for irrigation and by landscaping with drought tolerant plants.

### **3. Waste Disposal**

#### **3.1 Water Borne Waste Disposal**

##### Water Borne Waste Disposal Objective

The objective of this subsection is:

- 1) to protect groundwater, surface water and marine waters from degradation through improper disposal of water borne waste.

##### Water Borne Waste Disposal **Advocacy** Policies

- a) ~~The Board of Health and the Medical Health Officer of the Capital Regional District Health Department~~ **Vancouver Island Health Authority** shall be requested to:
  - i) ensure all existing and new sewage disposal systems meet health standards,
  - ii) consider the use of all effective, non polluting sewage treatment methods that minimize water consumption,
  - iii) encourage the installation of low flush toilets and toilets that are flushed with untreated cistern water or grey water,
  - iv) ensure septic disposal fields are positioned to avoid pollution of groundwater sources,
  - v) evaluate areas with suspected problems for cumulative effect of existing and proposed septic field disposal systems,
  - vi) permit the use and separate disposal of grey water,
  - vii) monitor and enforce strict septic and disposal methods for lots bordering marine areas, and
  - ix) monitor the adequacy and condition of an existing septic field for each house or property offered for sale and make this information available to the public.

*Policies have been re-ordered to place advocacy policies under a distinct heading*

#### **3.2 Solid Waste Disposal**

##### Solid Waste Disposal Objectives

The objectives of this subsection are:

- 1) to reduce waste, and
- 2) to recycle materials and waste.

##### Solid Waste Disposal **Advocacy** Policies

- a) ~~The Ministry of Environment, Lands and Parks and the Ministry of Transportation and Highways~~ **Infrastructure** shall be requested to establish and maintain rest areas with garbage cans and outhouses along roads.

*Policies have been re-ordered to place advocacy policies under a distinct heading*

## COMMENTS

- b) Stores and suppliers shall be requested to reduce packaging.
- c) The Ministry of Environment, ~~Lands and Parks~~ and the Capital Regional District shall be requested to work together to:
  - i) regulate more deposit/refund containers,
  - ii) cooperate in a public education project designed to define clearly hazardous and non hazardous wastes,
  - iii) establish a local lock-up facility for recycling and temporary storage of hazardous waste, and
  - iv) eliminate illegal dump sites and clean up any soil and groundwater contamination from dump sites in the Galiano Island **Local** Trust Area.
- d) ~~A~~ **Operation and expansion of** recycling centre shall be ~~encouraged~~ **supported** and the Ministry of Environment **and operators** shall be requested to ensure that storage of materials does not contaminate soils.

## SECTION IV CONSERVATION AND ENVIRONMENTAL RESOURCES

### COMMENTS

The management of natural resources is generally under the authority of jurisdictions other than the Local Trust Committee. The majority of policies in this section therefore, are requests to agencies to consider the concerns of the local community in making decisions and offer an approach to coordinate effectively all actions of government to a common good. Schedule E ~~illustrates environmental resources, environmentally sensitive areas and heritage resources in the local trust area.~~ **is a generalized presentation of detailed Sensitive Ecosystem Mapping prepared for the Trust Fund Board and the Islands Trust.**

#### 1. Fresh Water Resources

Water supply shortages are common in areas of small lot subdivisions. Deteriorating water quality is evident in the Galiano Island **Local** Trust Area generally and the demands on groundwater resources continue to increase.

Fresh Water Resource Objectives (see also Water Supply Policies in this Plan)

The objectives of this subsection are:

- 1) to preserve and protect fresh water resources, and
- 2) to maintain a sustainable supply of fresh water.

Fresh Water Resource Policies

- d) When accurate data is available to designate **sensitive** watershed **areas**, water recharge areas and wetlands and streams, they shall be protected as ~~Environmentally Sensitive areas~~ **through designation as development permit areas or through other appropriate mechanisms.**
- e) Zoning regulations shall be designed to protect surface water and streams from contamination.

Fresh Water Resource Advocacy Policies

- a) The ~~Federal Department of Fisheries and Oceans~~ **Canada** and of Environment and the Provincial Ministries of Environment, ~~Lands and Parks~~, of Transportation and ~~Highways~~ **Infrastructure**, and of Forests shall be requested to work in partnership to manage fresh water resources effectively.
- b) The Ministry of Environment, ~~Lands and Parks~~ shall be requested to ~~designate the Galiano Island Local Trust Area as a Groundwater Management Area under a local board that would~~ **assist the Local Trust Committee in efforts to:**
  - i) identify aquifer recharge, discharge and elevated catchment areas,
  - ii) protect these areas from contamination,
  - iii) maintain the collection and ongoing analysis of data on groundwater use and supply, and
  - iv) analyze the available well data and use that data to guide decision making.
- c) The Ministry of Environment, ~~Lands and Parks~~ and the Ministry of Forests **and**

*Policies have been re-ordered to place advocacy policies under a distinct heading*

**Range** shall be requested to enact legislation that would preserve natural ground cover in aquifer recharge areas.

## **2. Shoreline and Marine Resources**

Marine resources can be defined as all waters beyond high tide line up to the full boundary of the Galiano Island **Local** Trust Area. The boundary is shown in Schedule "AA". Some designations such as the marine commercial designation may extend onto adjacent upland areas where deemed appropriate.

### Shoreline and Marine Resource Objectives

The objectives of this subsection are:

- 1) to protect shoreline and marine ecosystems,
- 2) to ensure public access to the foreshore, and
- 3) to encourage safe and considerate use of the marine environment.

### Shoreline and Marine Resource Policies

- a) Zoning regulations for marine zones shall be consistent with those for abutting upland zones. In particular, the permitted uses in marine zones shall be accessory to residential when the abutting upland zone is residential, and may be residential or commercial in nature when the abutting upland zone is commercial. Notwithstanding this policy the marine area surrounding District Lot 145, Cowichan District may be used for one private float and walkway ramp without a residence being established on the abutting upland.
- b) A Marine Protection zone shall be designated for marine areas fronting Nature Protection areas and where an upland owner has requested it be applied.
- c) A Marine zone shall be designated for all water areas not in specific use zones, permitting private docks and mooring but no other intrusive structures.
- d) A Marine Service zone shall be designated for necessary transportation facilities such as ferry terminals, public docks and barge loading sites.
- e) A Marine Commercial zone shall be designated for facilities and associated upland services such as marinas.
- f) In order to protect the character of the residential neighbourhoods and the integrity of Marine Protection areas, zoning shall not permit commercial aquaculture for rearing of fin fish or mollusca.
- g) All zoning regulations for each water zone designated on the Plan Map Schedule "B" shall include provisions that ensure public access across the foreshore is retained.

### Shoreline and Marine Resource Advocacy Policies

- h) The Ministry of Environment, ~~Lands and Parks~~, the Ministry of Agriculture, Fisheries and Food ~~Lands~~ and the ~~Federal Department of Fisheries and Oceans~~ **Canada** shall be requested to:
  - i) preserve marine habitats by ensuring the harvesting of marine life does not adversely affect the marine ecosystem,

*Policies have been re-ordered to place advocacy policies under a distinct heading*

## COMMENTS

- ii) prohibit commercial harvesting of clams, and
- iii) encourage protection of bird habitat in shoreline areas.
- i) ~~The Federal Government shall be requested to continue to manage and maintain public moorage facilities within the Galiano Island Local Trust Area.~~
- j) The Ministry of Environment shall be requested not to authorize the dumping of waste of any kind, including toxic waste, within the waters of the Galiano Island Local Trust Area, and to monitor the dumping of such waste to ensure that it occurs only outside the **Local** Trust Area and only in areas where such dumping has been authorized.
- k) ~~The Ministry of Environment, Lands and Parks~~ **Responsible local and provincial agencies** shall be requested to maintain the Provincial Emergency Preparedness program for the protection of waters and shoreline from pollution due to maritime accidents or disasters.
- l) ~~The development of a local brochure explaining the jurisdictions of various authorities and limits for shellfish and fin fish harvesting shall be encouraged.~~
- m) The Ministry of Transportation and Highways **Infrastructure and the Parks and Recreation Commission** shall be requested to provide signs at foreshore accesses.
- n) The Province of B.C. shall be requested to establish a Marine Protection Area to protect the area surrounding the Ballingall Islets, and marine frontage at Bodega Ridge, Pebble Beach, and Dionisio Point Park.

*These facilities are now managed by Harbours Commission*

*Was not initiated to date*

### 3. Heritage Resources

Galiano Island is within the traditional territory of **several Nations, including** the Penelakut Band of the Cowichan Nation, **which has a reserve on Galiano**. Middens are found at nearly every beach on the island, with extensive deposits occurring at Montague Harbour and Dionisio Point. Evidence of First Nations and more recent settlers can be found throughout the Galiano Island **Local** Trust Area.

#### Heritage Objectives

The objectives of this subsection are:

- 1) to identify, preserve, protect and enhance local heritage, and
- 2) to recognize First Nations ~~involvement in heritage conservation~~ **presence on Galiano and to protect archaeological and other cultural heritage resources in cooperation with First Nations.**

#### First Nations Cultural and Archaeological Policies

- a) ~~The Penelakut Band shall be consulted on any future development which may endanger archaeological sites as identified on Schedule "E".~~ **The Local Trust Committee should, in cooperation with First Nations and other agencies, develop improved methods of determining and assessing impacts on potential archaeological sites, or other First Nations cultural sites, when it is considering land use applications and referrals.**

*The following policies are revised language concerning archaeological and other First Nations cultural sites adapted from other recently adopted OCPs.*

- b) **An updated inventory of archaeological resources will be supported through provision of updated archaeological site location information to the Archaeological Branch and using archaeological potential mapping to identify areas having significant potential to contain unrecorded, protected archaeological sites.**
- c) **All development applications shall be reviewed for the presence of known and recorded archaeological sites. Applicants should modify or revise proposed development plans to avoid archaeological site impacts as the best means of preserving archaeological resources. Alteration of a protected archaeological site requires a Provincial Heritage Alteration Permit prior to land altering activities.**
- d) **The Local Trust Committee should avoid approving applications that would result in disturbance to an archaeological site. Should there be unavoidable conflicts with significant archaeological sites or other known First Nations cultural sites measures should be required or encouraged to manage the impacts.**
- e) **Landowners are encouraged to contact and work with First Nations to protect archaeological and cultural sites.**

Heritage **Advocacy** Policies

- b) The establishment of an ~~local Standing Committee~~ **Advisory Planning Commission** to identify heritage value and character shall be ~~encouraged~~ **considered**.
- c) Private land owners shall be encouraged to enter into voluntary covenants to protect heritage values.
- d) The ~~Ministry of Small Business, Tourism, and Culture~~ **and the Arts** shall be ~~requested to~~ **Local Trust Committee shall support and encourage** establishment of a Community Interpretive Centre as a repository for artifacts, oral history tapes, photographs and materials relating to heritage buildings and sites.
- e) Heritage roads as identified in the road network plan as amended from time to time, shall be protected as part of the Islands Trust agreement with the Ministry of Transportation and ~~Highways~~ **Infrastructure**.
- f) The Ministry of ~~Small Business, Tourism and Culture~~ **and the Arts** shall be requested to ensure archaeological and heritage sites are protected from disturbance under the provisions of the *Heritage Conservation Act*.
- g) The repair and restoration of heritage sites shall be permitted through **amending** regulations, **including zoning**, that provide for some special uses of restored buildings.
- h) The ~~Ministry of Small Business, Tourism and Culture~~ **and the Arts** shall be ~~requested to~~ **Local Trust Committee may** support a program of identification of heritage trees for incorporation into the Community Plan.

**4. Other Natural Resources**

#### 4.1 Wildlife Resources

The biological diversity represented by wildlife and its habitats are an important component of Galiano Island's environmental resources and natural heritage. Diversity of plant and animal species contributes to ecosystem stability, provides food, medicine, and other products of economic value, has immeasurable aesthetic and cultural value, and performs critical ecosystem functions essential to all life. The diversity of the forests, wildflower communities, marine life and bird species is appreciated by both residents and visitors.

##### Wildlife Objectives

The objectives of this subsection are:

- 1) to protect wildlife resources, and
- 2) to preserve habitat for wildlife.

##### Wildlife Policies

- e) ~~An updated Provincial survey and shall be maintained~~ **The identification and mapping of eagle nest sites is available from a Provincial survey and shall be maintained shall be supported** by the Galiano Island Local Trust Committee for reference when development applications are made. ~~The sites shall be preserved by covenant where possible~~ **and regulations should be considered to protect nest trees.**

##### Wildlife **Advocacy** Policies

- a) Sufficient natural habitat areas shall be preserved to maintain a healthy wildlife population.
- b) The protection of heritage orchards shall be encouraged as valuable habitat for island wildlife.
- c) The Ministry of Environment, ~~Lands and Parks~~ shall be requested to retain Crown land in its natural state to contribute to biological diversity.
- d) The Fish and Wildlife Branch shall be requested to prohibit hunting.

*Policies have been re-ordered to place advocacy policies under a distinct heading*

#### 4.2 Air Resources

Although air emissions from commercial and industrial activities are regulated, many activities carried out by private individuals cause harmful degradation of air quality. These activities are not regulated through land use controls and are only influenced by a sense of individual responsibility for the environment. To be responsible, users of resources must be diligent in using only well seasoned fuel, maintaining and cleaning wood stoves regularly, minimizing the use of motor vehicles and properly maintaining all combustion engines.

##### Air Resources Objective

The objective of this subsection is:

- 1) to maintain a high standard of air quality in the Galiano Island **Local** Trust Area.

Air Resources **Advocacy** Policies

- a) The Ministry of Environment, ~~Lands and Parks~~ shall be requested to enact and enforce air quality legislation.
- b) Air pollution shall be minimized by:
  - i) restricting garbage and other waste burning,
  - ii) encouraging composting as a means of organic disposal, and
  - iii) prohibiting industries which release noxious gases or wastes into the atmosphere.
- c) Crown corporations and the Ministries of Environment, ~~Lands and Parks~~ and Agriculture, ~~Fisheries and Food~~ **Lands** shall be requested to prohibit aerial spraying of herbicides or pesticides in the Galiano Island **Local** Trust Area.

**5. Environmentally Sensitive Areas**

Information on sensitive areas has been collected as follows: Benn D.R., Natural Areas Inventory, 1975, Outdoor Recreation Features Mapping, 1978; Ministry of Environment, Lands and Parks, Howes D.E. and Wainwright P., Coastal Resources and Oil Spill Response Atlas for Southern Strait of Georgia, November 1993; Agriculture Canada Research Branch, Soils of the Gulf Islands, B.C. Soils Survey, 1988; Galiano Island Sensitive Area Inventory, 1988 and Community Task Forces 1993; Environment Canada, Gulf Islands of British Columbia: A Landscape Analysis, 1980; Environment Canada and Ministry of Environment, Sensitive Ecosystems Inventory, 1997; Ministry of Environment, Lands and Parks, A.P. Kohut and D.A. Johanson, Assessment of Groundwater Availability and Quality, Galiano Island, British Columbia, 1998. **In addition, mapping has been conducted by Islands Trust and the Trust Fund Board, including the Islands Trust Ecosystem Mapping initiative (ITEM) and most recently the Sensitive Ecosystem Mapping (SEM) project, utilizing provincial Terrestrial Ecosystem Mapping standards.** This information combined with the local knowledge from members of the community provides the basis for the designation of Environmentally Sensitive Areas in Schedule E.

Protection of environmentally sensitive areas lies principally in the hands of private land owners. Existing information is useful but needs to be continually updated and refined. The Local Trust Committee shall **consider using this mapping as a basis for establishment of development permit areas**, also take into account the impact of proposed development on environmentally sensitive areas when considering rezoning applications and the approving officer may consider them when reviewing subdivision applications.

Environmentally Sensitive Areas Objective

The objective of this subsection is:

- 1) to assist in the protection of areas sensitive to disturbance and pollution and of areas rich in diversity and productivity within the Galiano Island **Local** Trust Area.

Environmentally Sensitive Areas Policies

- c) ~~When further scientific information becomes available and Environmentally Sensitive Areas are reviewed, initiatives to protect the values in these areas shall be considered. The Local Trust Committee should consider the use of development permit areas for protection of the natural environment, along other tools, to ensure that development is appropriately managed and that potential impacts on sensitive ecosystems are minimized.~~

Environmentally Sensitive Areas Advocacy Policies

*Policies have been re-ordered to place advocacy policies under a distinct heading*

- a) Private landowners are encouraged to use voluntary conservation covenants, **in particular the Natural Area Protection Tax Exemption Program (NAPTEP)** and other tools to protect sensitive natural features and sensitive areas identified in plan map Schedule "E".
- b) The B.C. Assessment Authority shall be requested to introduce property tax incentives for voluntary conservation initiatives on private lands.
- d) The Ministry of Environment, ~~Lands and Parks~~ shall be requested to assist in delineating wetland and riparian areas in the Galiano Island **Local** Trust Area.
- e) ~~The Canadian Wildlife Service~~ **Landowners and relevant agencies** shall be requested to restore and rehabilitate wetland and riparian areas.

**4.3 Climate Change Mitigation and Adaptation**

*Proposed New Climate Change Section*

Climate change is the result of the increasing concentration of heat-trapping greenhouse gases in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation. The rise in atmospheric greenhouse gas concentrations has in turn triggered an increase in the average temperatures of near-surface air and ocean water, with temperatures projected to rise 1.1° to 6.4° C over the next century. Although seemingly slight, these temperature changes will have dramatic and negative impacts on ecological systems around the globe.

The *Local Government Act* now requires that all local governments include in their Official Community Plans targets to reduce greenhouse gas (GHG) emissions and policies and actions to achieve these targets.

The following targets, objectives, policies and actions are the first step to ensuring that the reduction of GHG emissions specifically and the impact of climate change in general become part of the planning process for Galiano Island. This part of the Plan contains objectives and policies relating to the reduction of GHG emissions and the broader topic of climate change adaptation and mitigation.

This plan sets the following target:

*To reduce greenhouse gas emissions by 33% by 2020 from 2007 levels. Within the local trust area this reduction will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations.*

Climate Change Objectives

The objectives of this subsection are:

## COMMENTS

- 1) To establish climate change as a fundamental factor in land use decision-making.
- 2) To move to a land use pattern that results in a more compact and complete community.
- 3) To support efforts and policies to help our community adapt to climate change impacts.
- 4) To work with others to support actions to limit emissions.

### Climate Change Policies and Actions

- a)

## SECTION V DEVELOPMENT PERMIT AREAS

### 1. Development Permit Areas 1 and 2 - Riparian Areas and Shoreline Areas

#### COMMENTS

#### 1.1 Description of Area

Development Permit Areas 1 and 2 are shown in part on Schedule G. Development Permit Area 1 includes areas within 15 metres of the natural boundary of streams, lakes and wetlands on Galiano Island. Development Permit Area 2 includes shoreline areas within 300 metres seaward of the natural boundary of the sea throughout the local trust area. These areas are designated under s. ~~879~~**919**(1)(a) of the ~~Municipal~~ **Local Government Act** for the protection of the natural environment, its ecosystems and biological diversity.

#### 1.2 Special Conditions

The island's watercourses and their associated riparian areas are important habitats for fish and other wildlife and are important components of the forest ecosystem. Shoreline areas provide significant habitat for marine species and are easily damaged by certain construction activities permitted by the Land Use Bylaw. Tidal foreshores, especially estuaries, are sensitive regions of biodiversity that provide critical habitat for fish and birds.

#### 1.3 Exceptions

Development permits are **NOT** required in the shoreline areas designated in Schedule G except for the construction or installation of a float, wharf, dock, retaining wall, breakwater, or log dump. Development Permits are **NOT** required for such pruning of undergrowth as is reasonably required in connection with residential occupancy of an adjoining area and does not unreasonably impair the value of the riparian area as wildlife habitat. For certainty, the development permit exceptions in section 2.3 (ii) of Section V are not applicable in this Development Permit Area.

#### 1.4 Guidelines

The ~~Municipal~~ **Local Government Act** prohibits the subdivision of land, the construction of buildings, and the alteration of land in Development Permit Area 1 unless the owner first obtains a development permit. For the most part, the Galiano Island Land Use Bylaw prohibits the siting of buildings and structures within 15 metres of watercourses, and the construction of only minor accessory buildings and structures is permitted under the bylaw throughout most of the shoreland and groundwater recharge areas. The following guidelines will be applied in the consideration of development permit applications; guidelines in section 2.4 may also be applicable.

- i. 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).

ii. **Development Permit Area 2 - Shoreline Areas**

Harbour and shoreline areas should not be filled.

Structures should not be located over shellfish, kelp or eel grass beds.

Structures should be located and designed to avoid the need for dredging, shore defense works or breakwaters. Bulkheads for docks should not be located on the foreshore.

Structures should not restrict the movement of aquatic life requiring shallow water and should allow for thorough flushing of enclosed water areas.

Structures should be constructed of materials that will not impair water quality and should not be treated with preservative chemicals that are toxic or harmful to aquatic life.

The number of pilings used to stabilize structures should be minimized, with preference given to large spans over additional pilings.

Docks should include features to prevent floats from resting on the foreshore at low water levels and piers should have a minimum clearance of 0.5 m above the natural boundary of the sea.

Offshore log storage should be located such that natural flushing and water circulation will disperse waste materials, and log dumping facilities should be designed and operated to prevent bark and other debris from accumulating on the sea bed.

**2. Development Permit Area 3 - Tree Cutting and Removal**

**2.1 Description of Area**

The entire Galiano Island local trust area is designated as a development permit area for the protection of the natural environment, its ecosystem and biological diversity, for

the purpose of requiring development permits for the cutting and removal of trees. However, not all tree cutting and removal activities will require development permits; exemptions are provided under section 2.3 below for most types of non-industrial tree cutting activities.

## **2.2 Special Conditions**

The forests and other treed areas of Galiano Island and the smaller islands in the local trust area are an important aspect of the character of the island that led to the enactment of the Islands Trust Act; they are in large part the "unique amenities and environment" the Islands Trust was created to preserve and protect. It is therefore important that the rate of tree cutting is sustainable. The forests are part of the Coastal Douglas Fir biogeoclimatic zone, a biotic community unique in the world. Most such forests in southwestern British Columbia have been heavily modified by logging and land clearing, with the result that those remaining have a critical role to play in conserving biodiversity. In areas of the island that have been settled, both the remaining forest cover and more isolated groves of trees are important features of the local environment, providing habitat for wildlife. Species such as Garry Oak thrive on the island but are increasingly rare and therefore warrant special protection. Throughout the **local** trust area, the maintenance of forest cover is closely related to the continued productivity of groundwater recharge areas. The indiscriminate removal of trees impairs groundwater supplies by reducing the groundwater retention capabilities of the land, and increasing the velocity of runoff. The 1998 Groundwater Study recommended that research be undertaken on the effect of logging on groundwater supplies and quality in bedrock terrains such as Galiano Island, and in the meantime that planning proceed on the "precautionary principle" that, where an activity poses a serious threat of harm to the environment or human health, precautionary measures be taken even in the face of scientific uncertainty. In the context of tree cutting and removal on Galiano Island, this principle suggests that tree removal ought to occur only to a limited extent and with due regard to its impact on groundwater recharge areas.

## **2.3 Exceptions**

- i. A development permit is **NOT** required for the subdivision of land, for the construction or alteration of a building or structure, or for the alteration of land except where the alteration is the cutting or removal of trees not covered by the following exceptions.
- ii. A development permit is **NOT** required in respect of this Development Permit Area designation for
  - the cutting or removal of any tree, other than a Garry Oak, that is not required under the Forest Act to be marked with a timber mark
  - the cutting or removal from any lot in any 3 year period of less than 12 cubic metres of timber per hectare, no portion of which is Garry Oak

the cutting or removal of any tree from the Forest Land Reserve, the Agricultural Land Reserve or from any area charged by a covenant granted pursuant to Forest policy b)ii) of this Plan that restricts the use of the area to forest uses exclusively.

**2.4 Guidelines**

The ~~Municipal~~**Local Government Act** prohibits the alteration of land in Development Permit Area 3 unless the owner first obtains a development permit. Development permits for tree cutting and removal will be issued in accordance with the following guidelines; guidelines in section 1.4 may also be applicable if the area in question is within a riparian area.

i. Forest Zoned Lands

- permits to cut more than 12 cubic metres per hectare over a 3 year period will be issued only on the basis of development approval information indicating that the cutting and any proposed silviculture and reforestation program are elements of a sustainable forest management strategy on the lot in question and will not impair the quality or quantity of groundwater in the local groundwater region.

ii. Other Lands

- permits to cut more than 12 cubic metres per hectare over a 3 year period will be issued only if, and to the extent that, the removal of trees is necessary to permit the use of the lot in question for a use permitted by the Galiano Island Land Use Bylaw, at the maximum density that the bylaw specifies for that use.
- activities permitted by the Land Use Bylaw and necessitating the removal of trees should be conducted at those locations on the lot that will involve removal of the fewest trees and the removal of no Garry Oak trees.

**3. Development Permit Area 4 - Elevated Groundwater Catchment Areas**

**3.1 Description of Area**

Development Permit Area 4 includes groundwater catchment areas above 140 meter elevation contours, identified and mapped in a 1998 B.C. Environment Study, Assessment of Groundwater Availability and Quality, Galiano Island, British Columbia.

**3.2 Special Conditions**

Wetlands at intermediate elevations were identified in the 1998 Groundwater Study as warranting special management consideration in view of their function as recharge areas for downslope groundwater regions. The 1998 Groundwater Study concluded that judicious management of groundwater recharge areas will be critical to sustaining groundwater availability and quality in all of the groundwater regions of Galiano Island.

Only those portions of the catchment areas having shallow soils and being particularly sensitive to development for that reason are included in the development permit area.

**3.3 Guidelines**

The ~~Municipal~~**Local Government Act** prohibits construction of buildings and structures and the alteration of land in Development Permit Area 4 unless the owner

## **COMMENTS**

first obtains a development permit. Development permits will be issued in accordance with the following guidelines; guidelines in section 2.4 may also be applicable.

- Buildings and structures may be sited only where development approval information provided by the permit applicant indicates that such structures can be accommodated without impairing the quantity or quality of groundwater in the local groundwater region.
- The construction of roads and utility corridors and other activities involving the disturbance of the soil, must be conducted in such a manner that the productivity of the local groundwater recharge area is not impaired through soil compaction, altered surface drainage patterns, siltation, erosion, or salt water intrusion.
- The layout of subdivision must ensure that building sites are located and are of sufficient area that development permitted by the Land Use Bylaw may fully comply with these guidelines.

## SECTION VI DEVELOPMENT APPROVAL INFORMATION

### COMMENTS

#### 1. Circumstances

- i. Applicants for development permits in Development Permit Areas 1, 2, 3 and 4 must provide development approval information.

#### 2. Special Conditions

- i. The areas zoned Forest 1 under the Galiano Island Land Use Bylaw are historically areas in which the principal use has been forestry. This plan anticipates sustained forestry uses of those lands, which also play an important role in the groundwater supply system for the entire island, but it also provides for the rezoning of such of the lands as can be demonstrated to be better suited to clustered residential development than to forestry. Some information is already available (see Galiano Island, GIS, and a Democratic Means to Sustainability, by M.C. Holden, 1998 and the Forest Productivity Map prepared by M.C. Holden from studies conducted in 1989 by MacMillan Bloedel for the open process of the Forest and Land Use Council) on the suitability of Forest 1 lands for sustainable forestry. Development approval information is required to supplement the existing information on a site-specific basis, and to ensure that areas best suited for residential development are chosen for such development. This plan anticipates a "comprehensive development" zoning approach in such circumstances; development approval information is also required to assist the local trust committee to determine appropriate residential subdivision designs and building locations.
- ii. Development Permit Areas 1, 2, 3 and 4 are designated respectively to protect natural riparian areas, shoreline areas, the forest cover in the local trust area, and elevated groundwater catchment areas. In each case, development approval information is required to determine under what circumstances and conditions development permits may be issued to permit development that potentially has a significant impact on the natural environment.

## SECTION VII - ADMINISTRATION

### COMMENTS

#### 1. ~~Person Responsible~~ Purpose

~~This Bylaw shall be administered by the Secretary of the Islands Trust and enforced by the Bylaw Investigation Officer of the Islands Trust or other employee of the Islands Trust appointed by resolution of the Galiano Island Local Trust Committee.~~

**The purpose of this official community plan bylaw is to further the object of the *Islands Trust Act* through long-range land use policy for the Galiano Island Local Trust Area. This bylaw provides a statement of local government goals, objectives and policies. It is intended to provide policy guidance for the Galiano Island Local Trust Committee and the public regarding the existing and proposed land use and development in the Local Trust Area**

#### 2. ~~Implementation~~ Islands Trust Authority

~~There are regulatory tools defined in the *Municipal Local Government Act* that the Galiano Island Local Trust Committee can use and other cooperative initiatives with Provincial agencies that can be undertaken to implement this Plan.~~

**The Islands Trust Act gives the Islands Trust, via its Local Trust Committees, essentially the same land use planning authority as a regional district board under the *Local Government Act*. Bylaws must be approved by the Islands Trust Executive Committee and, in the case of Official Community Plans, also by the Minister of Community Services before adoption by the Local Trust Committee.**

**The Galiano Island Local Trust Committee is the Local Trust Committee with responsibility for land use planning and regulations within the Galiano Island Local Trust Area. This committee has three members; two locally elected trustees and a member of the Executive Committee appointed by the chairperson of the Islands Trust Council.**

**The purpose of the Trust Council, Executive Committee, and Local Trust Committees, is to carry out the object of the Islands Trust which is:**

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

**The legislated object defines the purpose of providing authority to the Islands Trust for land use regulation. Local trust committees employ the available planning powers of the *Local Government Act* to preserve, protect, and effectively maintain the rural nature, health, natural environment and vitality of the Trust Area.**

**3. ~~Amendment Procedure~~ Area of Jurisdiction**

~~This Bylaw may be amended by the Galiano Island Local Trust Committee at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the **Local Trust Committee**~~

~~Where an application for amendment of this bylaw has been refused, no application for the same amendment shall be considered within twelve months of the date of refusal, unless the Galiano Island Local Trust Committee waives this requirement.~~

**The provisions of this Bylaw apply to that portion of the Galiano Island Local Trust Area shown on Schedule "AA", which forms part of this Bylaw.**

**4. ~~Update and Revision~~ Advocacy Policies**

~~The local trustee committee, in consultation with the Advisory Planning Commission and the community, may initiate review of the Community Plan at any time.~~

~~All amendments of the Community Plan shall comply with the mandate and policies of the Islands Trust, as well as with procedures specified in the **Municipal Local Government Act** and shall be accompanied by public review and discussion~~

**Community goals and objectives included in this Bylaw that address matters that are outside the jurisdiction of the Galiano Island Local Trust Committee are considered "advocacy policies". These advocacy policies encourage others to take actions that the Local Trust Committee believes would contribute to the goals and objectives of the plan. This Bylaw cannot and does not represent a commitment from other agencies or persons to act according to community goals, objectives or policies.**

**5. Public Facilities**

**Any designation or policy for proposed public facilities on private lands including but not restricted to roads, parks, trails, parking facilities, and public and community facilities that are not available for acquisition through dedication, grants, or as an amenity through a zoning regulation and that are not subject to committed funds either through a capital expenditure plan or other budgeting process of the public agency responsible for the proposed facility, shall be deemed to be a community goal of this Bylaw**

**6. Implementation**

**Section 884 of the *Local Government Act* specifies that:**

"An official community plan does not commit or authorize a municipality, regional district (includes a local trust committee pursuant to Section 27 of the *Islands Trust Act*) or improvement district to proceed with any project that is specified in the plan."

and

"All bylaws enacted or works undertaken by a council, board or greater board (includes a local trust committee pursuant to Section 27 of the *Islands Trust Act*), or by the trustees of an improvement district, after the adoption of an official community plan must be consistent with the relevant plan."

**7. Interpretation**

1) In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the three digit numbers policies and the lower case letters articles:

Section:	I
Subsection:	1 and 1.1
Objectives:	1)
Policies:	a)
Articles	i)

2) The final interpretation as to the precise location of boundaries on any map schedule shall be defined by:

- a) Where boundaries coincide with lot lines, the boundaries are the lot lines.
- b) Where a boundary is shown as following any highway, right-of-way or stream, the centre line of such highway, right-of-way, or stream the centreline of that feature is the boundary.
- c) Where land based and water based boundaries coincide, the common boundary shall be the surveyed lot line as shown on a plan registered in the Land Title Office, and where there is no such plan the natural boundary of the sea is the common boundary.
- d) Where a boundary does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by scaling from the map schedule and in that case the boundary is the midpoint of the line delineating the boundary on the schedule.
- e) In interpreting the objectives and policies of the Plan, the term "shall" or "will" denotes that the indicated measure must be taken or applied. The term "should" or "may" indicates that the suggestion is intended as a guideline.

**8. Amendment Procedure**

**This Bylaw may be amended by the Galiano Island Local Trust Committee, at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the Local Trust Committee that address fees and procedures.**

**9. Severability**

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

## LIST OF SCHEDULES

### POLICY DOCUMENT - SCHEDULE A

### MAP SCHEDULES

- Schedule AA - Galiano Island **Local** Trust Area
- Schedule B - Land Use Designations
- Schedule C - Land Status, Road Network Plan and Public Accesses
- Schedule D - Water Resources
- Schedule E - Environmental Resources, Sensitive Areas, Heritage Resources.
- Schedule F - Definitions
- Schedule G - Development Permit Guidelines

# GALIANO ISLAND OFFICIAL COMMUNITY PLAN

## "SCHEDULE F" - DEFINITIONS

### COMMENTS

**accessory building** and **accessory structure** mean one that is customarily incidental, subordinate and exclusively devoted to a principal building or structure or use located on the same lot, does not exceed one storey in height and is not used for human habitation.

**average lot size** means the size of lot which when divided into the parent parcel determines the number of lots that can be created by subdivision.

**biodiversity** means the diversity of plants, animals, and other living organisms in all their forms and levels of organization, including genes, species, ecosystems, and the evolutionary and functional processes that link them.

**cluster** means a grouping of structures, buildings, dwelling units or lots in proximity to each other.

**cottage** means a separate dwelling unit with a total floor area of 60 square metres (645 square feet) or less.

**dwelling unit** means a room or set of rooms:

- a) used or capable of being used for human habitation by one or more individuals living in common occupancy as a single domestic unit and sharing facilities contained in that unit;
- b) contained in a single building, manufactured home, recreational vehicle or travel trailer; and
- c) containing only one kitchen.

**restaurant** means an establishment providing primarily for the preparation and sale of food for eating in the establishment or taking out, and may include the serving of alcoholic beverages in conjunction with food.

**rezoning** means any bylaw that changes a requirement in a zone or in its application to land.

**riparian** the area of the streambank, including any side channels and associated banks, and the area of influence, which contains upland areas not normally inundated during high water conditions.

**subdivision** means any change in the existing size, shape, number or arrangements of lots registered in the Land Title office which would require issuance of a new certificate of Indefeasible Title.

**trailer park** means an area equipped to accommodate and provide services to dwelling units in portable structures built on a chassis, designed to be transported or trailered to their place of use and to be used with or without a permanent foundation.

**tree** means any erect, living woody plant 5 metres or more in height and having a diameter of at least 10 centimetres measured 1.2 metres above the ground, and for this purpose diameter is measured by dividing the circumference of the tree by 3.142.

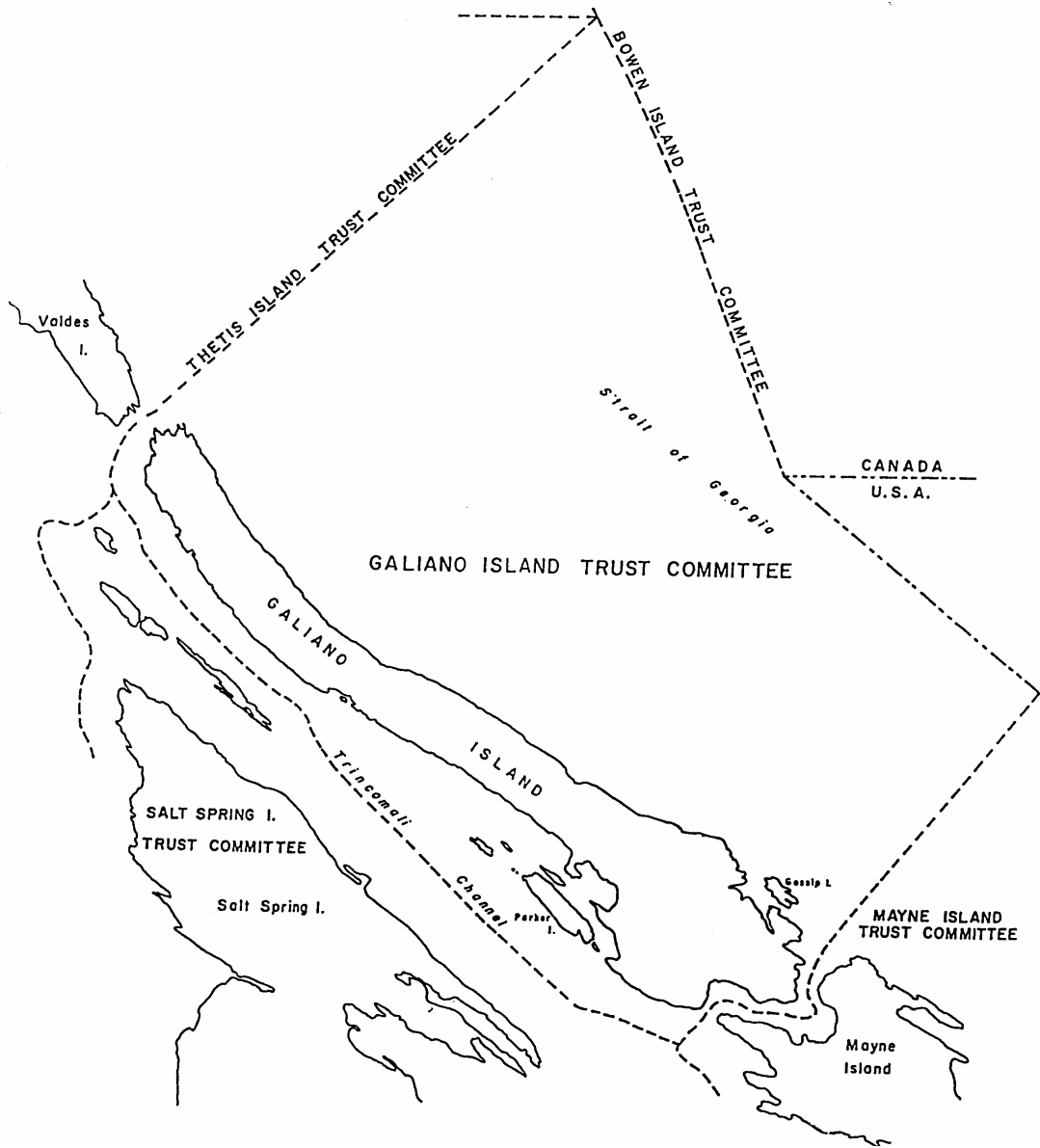
**undergrowth** means any living vegetation.

## COMMENTS

**utility** means the provision of water, solid waste disposal, gas, electrical, telephone and television services by a government body or agency or a company regulated by the *Utilities Commission Act* or the *Radio Communication Act of Canada*, serving the Galiano Island **Local** Trust Area.

**wildlife** means raptors, threatened species, endangered species, fish, game or other species of vertebrates or invertebrates prescribed under the *Wildlife Act* as wildlife, and the air, soil, water, food and cover components of the environment on which they depend to carry out their life processes.

GALIANO ISLAND LOCAL TRUST COMMITTEE AREA  
Schedule "AA"



**C.N. RYZUK & ASSOCIATES LTD.**  
Geotechnical/Materials Engineering

28 Crease Avenue Victoria, B.C. V8Z 1S3 Tel: (250) 475-3131 Fax: (250) 475-3611

March 31, 2010  
File No: 8-4764-2

Islands Trust  
#200 - 1627 Fort Street  
Victoria, B.C.  
V8R 1H8

Attn: Mr. R. Kojima, Island Planner

Dear Sir:

Re: Geological Hazard Mapping Project  
Galiano Island, B.C.

We have undertaken an assessment of available geological hazard (geohazard) mapping methodologies and have provided associated guidance for development of a mapping program for Galiano Island. Our objective was to identify land that may be potentially hazardous to proposed development because of a combination of steep slopes and geologic conditions, and provide recommendations for consideration to restrict development that may increase or exacerbate such hazardous areas.

### **Background**

We have undertaken similar work for two other Gulf Islands, with North Pender Island being the pilot project and Salt Spring Island following a similar methodology. In the course of our development, we reviewed alternative GIS based approaches for developing geohazard mapping, including the probabilistic infinite slope analysis (PISA) mapping program. These methods all rely on the same elevation information that has been obtained using recent aerial photography to generate 2 m contour interval topographic mapping, from which a Digital Elevation Model (DEM) was created using 5 m pixilation. However, mathematical models are entirely dependent on the input variables. In such models, slope gradient, geology type and rock fracture characteristics, soil type, occurrence of surface and ground water, and presence of vegetation are all considered as input variables, along with seismic acceleration when considered. Of this information, only slope gradient is readily available from the existing data capture systems at a resolution that would be appropriate and suitable for development of mapping to be used in prediction and assessment of geohazards at the scale of most residential properties.

It is also important to note that a model that uses an increased number of variables would inherently require more aerial photo interpretation and associated field work/ground truthing to confirm that

the model is reasonably representative of the actual ground conditions. With multiple parameters affecting the selected simulation model in different ways, it becomes more complex to determine which parameters have the greatest influence on the results. In addition, inclusion of seismic effects further compounds the problem of identifying the predicted driving mechanism of failure.

Accordingly, we have recommended adopting a form of slope classification on the basis of the known occurrence of terrain failure on increasingly steep slopes as inclination itself is believed to be the most reliable parameter for developing mapping that identifies hazardous or potentially hazardous areas. In this regard, our work included a review of the available elevation data and inherent limitations of such for use in geohazard mapping, an assessment of draft mapping output, refinement of a slope gradient classification system, and recommendations relating to filtering for an end result. We have also undertaken a comparison of the predicted classification with the site conditions at several locations to verify that the mapping reasonably reflects the field conditions.

### **Geologic Regime**

The geologic regime of Galiano Island is relatively simple in comparison to some of the other Gulf Islands. The sedimentary bedrock is comprised of the Gabriola Formation of the Nanaimo Group, typically consisting of strata of conglomerate, massively bedded sandstone, interbedded shale, and limestone, varying spatially in thickness, all deposited during the late Cretaceous period (70 to 65 Million years ago). The rock is commonly moderately to relatively highly fractured due to post-Tertiary (1.6 Million years ago) faulting, tilting and uplift that has affected the region. Isostatic rebound following glacial unloading as well as stress relief is believed to have resulted in further development of bedrock fractures – particularly fractures sub-parallel to the slope faces. The surficial soils mapping along with our experience and observations of ground exposure indicates that the soils on Galiano Island are typically very thin silty and/or sandy marine deposits, basal glacial till, undifferentiated colluvium, and/or weathered bedrock.

### **Geohazards**

It is essential for development of any geohazard mapping program to recognize modes of natural hazard associated with steep slopes that might impact development. The most common natural geohazards on Galiano Island consist of rock slope instability and associated rolling rockfall. Landslides, landslip or creep (solifluction) and surficial soil erosion are less common but do occur locally on the Island. Additional hazards such as shoreline erosion, tsunami, windthrow, and flooding may be present but are not purely geologic in nature or consist of either significantly low risk or perceived impact that they have not been addressed herein. We have not attempted to identify areas where past anthropogenic modifications such as excavation and/or fill placement may have resulted in an associated hazard, although such are significant in some areas.

Geohazard associated with rock slope failures is typically the result of rock falls or topples that are usually sudden and occur on steep slopes. These failures may be initiated by imperceptible ongoing natural processes (weathering by the action of freeze/thaw, heat/cool, expansion/contraction, root

heave, and/or animal activity), or they may be triggered by seismic activity. In a rock fall, rocks may fall, bounce, or roll down the slope. A topple occurs when part of a steep slope breaks loose and rotates forward. In either case, an associated hazard exists to development at or near (back of) the crest of slope, as well as to development within the rockfall shadow or rollout zone below. Our experience indicates that the primary natural geohazard on Galiano Island is in the form of rockfall hazard – either within the rockfall shadow or near the crest of steep slopes that might be affected during/subsequent to a large scale rock fall.

A landslip or landslide occurs when the gravitational force that is pulling the slope downward exceeds the shear strength of the materials that comprise the slope. These failures commonly occur in areas where the soil is saturated with water from heavy rains or snowmelt. Changes in groundwater, disturbance or change of a slope by man-made construction activities are typically contributory factors. The soils on Galiano Island may be prone to surface erosion and shallow landslip, however, the Island does not have many areas that are prone to large scale/deep seated landslip or landslide instability because of the limited soil thickness and proximity to bedrock.

Creep (solifluction) is the often imperceptibly slow, steady, downward movement of slope-forming overburden soil or weak rock. Creep can occur seasonally, where movement is within the depth of soil affected by seasonal changes in soil moisture, or can be continuous or progressive. Creep is indicated by curved tree trunks, bent fences or retaining walls, tilted poles or fences, and small soil ripples or ridges. Our experience indicates that this type of slope movement is less common and more localized on Galiano Island than other types of slope movement.

Soil erosion is the downslope transport of soil particles most commonly by water, particularly with unprotected silty or sandy soils. It is often a slow process that can continue relatively unnoticed, or it may be more rapid and perceptible. The impact of raindrops is a significant mechanism contributing to soil erosion, along with channelization of surface runoff. Naturally, the steeper and longer a given slope the more susceptible it is to soil erosion, particularly if existing vegetation is disturbed and/or removed, or if surface runoff patterns are modified. Surficial soil erosion is a significant consideration on Galiano Island where removal of vegetation and/or extensive disturbance on steep slopes has occurred.

Coastal shoreline erosion is not typically considered a significant hazard on Galiano Island and although it could be considered a geohazard in terms of land planning, we have not addressed such in the course of the current assignment. It is also a common regulatory requirement that approval be sought for various development/land enhancement activities proximal to the shoreline.

Galiano Island is located in a region that may be affected by a Cascadia subduction seismic event that could induce instability on many of the moderate to steeply inclined slopes. There have been recent changes to the B.C. Building Code (as of February 1, 2010) and adoption of the Legislated Landslide Hazard Assessment for single family residential development. These changes require consideration of a slope instability resulting from a seismic event with a 2% probability of

exceedance in 50 years (1 in 2,475 year event), whereas previously, the Office of Housing and Construction of the Building Policy Branch of the Government of B.C. had adopted a 10% probability in 50 years of a landslide affecting a structure as its threshold level of landslide safety. This results in a performance criteria for slope hazards where the threat to "life safety" for single family residential properties is less than a 2% chance in 50 years, with such now stipulated by the B.C. Building Code and assessed in advance of issuance of building permits.

Assessment of risk tolerance (ie: the amount of risk any given land use activity can be exposed to) should not be within the practice of geotechnical professionals. It is important to recognize that there is some degree of risk in almost every aspect of day to day life. Risk tolerance is a complex issue that takes into account factors such as personal and societal hazard acceptance values, engineering practices, and assessment standards. Many countries subject to substantial geohazards have implemented risk tolerance criteria for consideration of proposed development. In British Columbia, assigned risk tolerance and hazard return periods vary depending on the local government and the type of geohazard. For example, one regional district considers flooding at a 200 year return period, landslip and seismic induced rockfall at a 2,475 year return period, while non seismic rockfall was considered at a 475 year return period.

We believe that the geohazards discussed should be considered with a 10% probability of exceedance in 50 years (1 in 475 year return period), as the proposed Geological Hazard mapping project is not intended for residential construction. Any land development related to or potentially affecting future or existing residences should be assessed on a site specific basis considering the required 2% probability of exceedance standard.

### **Hazard Designation**

Considering the above, the principal geohazards on Galiano Island consist of rockfall hazard, with localized areas prone to landslip and/or landslide, creep, and surficial soil erosion. As discussed, the slope gradient is considered the most significant characteristic that affects the hazard mapping for most forms of slope instability that are anticipated on Galiano Island. We have reviewed available literature, which supported by our own experience, indicates that slopes less than 3 H:1 V (Horizontal : Vertical), or 18.5 degrees (33%), over greater than a 6 m distance are not typically prone to risk of initiation of slope movement, including landslip, landslide, or rockfall, and although surficial erosion may occur, it would not normally be considered a hazard. It should be noted, although it is less frequent, that rock block slides and slumps may occur at a critical minimal slope of 15 degrees under particular conditions, such as where bedrock has well-defined fracture or bedding plans dipping out of slope, or the rock is extensively fractured.

Slopes steeper than this, up to 1 H : 1 V or 45 degrees (100%), over greater than a 6 m distance may potentially be prone to geohazard, depending on the site conditions. Slopes steeper than 45 degrees would generally be considered highly probable for one or a combination of the noted geohazards, particularly during low to moderate seismic activity.

We have defined three classifications based on slope gradient for geohazard mapping to be used as a planning tool on Galiano Island: Low Hazard Areas, Moderate Hazard Areas, and High Hazard Areas. Those areas not included in one of the three classifications are not considered at risk of failure under normal circumstances.

The Low Hazard Areas are those areas that are low to moderately steep, inclined from 15 degrees to 22.5 degrees, such that they may be subject to limited geohazard. It is possible that a slope in this classification may experience periodic localized raveling or total failure under extremely adverse conditions which have a relatively low probability of occurrence (ie. high magnitude earth quake). This is not to say that all properties identified with slope gradients within the limits of the Low Hazard Area are in fact at risk or subject to such hazard, but rather, that they are potentially subject to such hazard. It is expected that there will be locations on the Island that have been identified as Low Hazard Areas where the geologic site conditions are favourable such that a geohazard does not exist. It should be recognized that it is possible that some areas may not have been identified in the mapping program due to the data limitations discussed below, although a site assessment may indicate that such should have been identified as being exposed to a geohazard.

The Moderate Hazard Areas are those slopes inclined steeper than 22.5 degrees but less than 45 degrees. Areas included within this classification have a moderate probability of failure under severe conditions. These slopes are best considered as possible hazard areas that may exhibit a geohazard risk.

The High Hazard Areas are those slopes inclined steeper than 1 H:1 V or 45 degrees. Geologic processes on slopes of this magnitude resulting in hazards to development above or below the slope occur relatively regularly and are often somewhat unpredictable. Generally, it is statistically probable that one or more of the noted geohazards will be present within such areas on Galiano Island. A slope within this classification can be considered to be at a high probability of failure at some point in time if such has not already done so, particularly during and/or subsequent to a seismic event.

### **Data Limitations**

It should be noted that there are a number of limitations in utilizing aerial photographs to develop a DEM. The quality of the DEM may vary according to many conditions : terrain roughness, sampling density, grid resolution (or pixel size), interpolation algorithm, vertical resolution and terrain analysis algorithm. The aerial photographs that were used for the mapping of Galiano Island were flown at a scale of 1:16,000. We can approximate the accuracy of the DEM, considering that the quality of the air photos and the scale used may have affected the DEM resolution, as the air photos may not have captured all topographic elements, such as ravines, localized bluffs, or small scale features. We understand that elevation data was derived from the air photos with 0.5 m vertical accuracy on open ground surfaces and 1 m horizontal resolution (using a pixel size of 1 m).

For those areas with extensive forest canopy, the elevation accuracy could vary by as much as half of the tree height.

We have noted that there continues to be an unreliable classification of the hazards along the marine shoreline. For this reason, we had recommended against using this mapping solely for determination of natural hazards in close proximity to the coastal shoreline.

It is also important to note that a filter has been applied to the data such that locations reported as steeper than the defined hazard classes but encompassing an area of less than 36 m<sup>2</sup> have been removed. The primary justification for such is to eliminate the numerous small anomalies that are inherent to mapping based on aerial photography. This threshold area was based on the approximate limitation of the DEM in considering prediction of geohazards that occur within a horizontal distance of less than 6 m.

This inherent uncertainty with respect to elevation exists regardless of the adopted methodology and must be accepted and considered by the end users of the geohazard mapping. The mapping is not suited for building permitting purposes in those area where a potential or probable geologic hazard exists, and does not preclude the effectiveness of a site inspection by the building official prior to issuance of a building permit to satisfy the concern that localized hazards may exist that were not detected given the scale of the aerial photography and subsequent mapping assessment. Therefore it should be considered by the regulatory agencies as a guide in recognizing where potentially hazardous geological conditions exist, and used as a planning tool.

### **Planning Recommendations**

Section 923 of the Local Government Act provides the authority under which a local trust committee can designate development permit areas for the protection of development from hazardous conditions, and establish tree cutting permit areas on land it considers may be subject to flooding, erosion, land slip or avalanche, respectively. Recommendations relating to future site assessments by registered professionals of such geohazards at properties that are applying for a Development Permit are difficult because the variability of the geologic conditions at the site ultimately leads to variability in the complexity of the assessment. In addition, Professional Engineers and Professional Geoscientists are accountable for their work under the Engineers and Geoscientists Act (RSBC 1996, Chapter 116, with amendments).

An assessment of those areas subject to proposed development within the High Hazard Area should be conducted by a qualified professional with relevant expertise in geohazard assessment to evaluate the presence of geohazards including but not limited to soil slope instability, rock slope instability, and surficial erosion susceptibility. It is recommended that all development activities that result in ground disturbance, including construction of driveways, septic fields, tree removal etc., be professionally assessed within the High Hazard Area to protect the public from the geohazard and to prevent against inadvertently exacerbating the geohazard. Depending on the site

conditions and the proposed development, it may be that the professional assessment follows the “Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in B.C.” as published by the Association of Professional Engineers and Geoscientists of B.C. (APGEBBC). The intent would be to address those areas that may pose a risk to residential development, or be exacerbated by the proposed development thereby increasing the risk of negatively impacting an adjacent property. Subsequent to the assessment and forming a conclusion of the report, we expect that it will be necessary to state that, as required by the Local Government Act and subject to any conditions outlined in the report, it is the professional opinion of the qualified professional that the land may be used safely for the use intended, and/or complete and submit a “Landslide Assessment Assurance Statement” as per Appendix D of the noted APGEBBC Guidelines. Approval of proposed subdivision layouts is under the mandate of the Provincial Ministry of Transportation and accordingly we have not included it in this discussion.

We suggest that significant land development within the Moderate Hazard Area should be professionally assessed to evaluate the potential impacts that may result. Activities such as localized tree removal, construction of driveways and septic fields, and general preparation for single family residential construction would typically not be expected to significantly alter the exposure to existing geohazards. Construction of habitable structures is governed by the B.C. Building Code and regulated by the Capital Regional District, which typically require a professional assessment of steep slopes before issuance of a building permit, and has also not been addressed in the current scope.

In this regard, we recommend that locations within the Moderate Hazard Area that are subject to land development involving extensive land clearing, construction of retaining structures greater than 1.2 m in height, blasting, excavation and fill placement exceeding 0.5 m vertical thickness (beyond localized areas) should be professionally assessed to ensure such development is not exposed to undue hazard. A review of available scientific literature indicates that there is not a consensus regarding the impact of land clearing on geohazards, and accordingly, we suggest that this is highly dependent upon the site conditions. Considering the extent of the development, and where such is proposed, a brief site assessment by a qualified professional could be provided that confirms that either there is no significant geohazard at the site, or that the proposed development is not anticipated to impact, exacerbate or be at risk from such geohazard. We suggest that an exemption should be available from this geohazard area where a site assessment by a qualified professional supports such with follow up to confirm development is as proposed.

Generally, land development within the Low Hazard Areas is unlikely to have significant implications except in rare and unusual circumstances. We recommend that consideration be given to regulating only those activities undertaken on a larger scale such as extensive logging and clearing, large scale earthworks involving fill placement greater than 1 m (vertical thickness), or excavation creating cutslopes greater than 2 m in height. We do not expect that a development permit process would be necessary for Low Hazard Areas, and instead, regulatory authorities should be made aware of the geohazard mapping. In scenarios whereby owners are contemplating

large scale development activities, a geotechnical assessment by a registered professional could be called for at the discretion of the regulatory authority.


### Conclusion

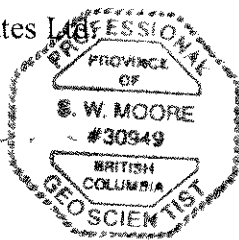
The Islands Trust has requested guidance in developing a geologic hazard mapping program to identify areas where development may be at risk. We have recommended that three hazard designations be considered on the basis of slope gradient and anticipated geohazards – Low Hazard, Moderate Hazard, and High Hazard Areas. We have further recommended that, for the safety of the public, development within the Moderate and High Hazard Areas be restricted as necessary, subject to an assessment by a qualified professional.

The mapping has identified Low, Moderate and High Hazard Areas that we believe will encompass the majority of geologically hazardous areas, however, given the nature and level of study, it is expected that some areas will not have been captured. Therefore, it must be recognized that the mapping prepared is not of sufficient accuracy to preclude visual site inspections where such is warranted, and in particular, prior to issuance of building permits.

If you have any questions with respect to the information contained herein, please contact us.

Yours very truly,  
C.N. Ryzuk & Associates Ltd.

  
Shane Moore, P.Ge.  
Geoscientist



/swm

8-4764-1.LTTR.28.01.09.SWM.DOC



# STAFF REPORT

---

**Date** April 14, 2010

**File No.:** GL-OCP-2009.1

**To:** Galiano Island Local Trust Committee  
For the meeting of April 21, 2010

**From:** Robert Kojima  
Island Planner  
Local Planning Services

**CC:** David Marlor, RPM

---

**Re: OCP Review – Affordable/Community Housing Advisory Group  
Recommendations**

## Preliminary Report

**BACKGROUND:** The review and update of the Official Community Plan (OCP) is a top priority project of the Galiano Island Local Trust Committee (LTC). This report will provide the LTC with staff recommendations on changes to the OCP recommended by the Affordable/Community Housing Advisory Committee.

**SUMMARY:** The following table identifies recommended revisions, additions, or deletions recommended by the advisory committee, along with staff comments and recommendations. The LTC should review the proposed revisions and provide direction to staff to include the changes in the first draft of the revised OCP.

**Policy Considerations:** generally, the advisory group report addresses most of the considerations related to affordable housing found in the literature and best practices. The guide recently prepared for the Islands Trust (Islands Trust Community Housing “Tool Kit”) is a good summary of available tools:

<http://www.islandstrust.bc.ca/communityhousingpublic/pdf/Community%20Housing%20Tool%20Kit%20-%20FINAL%20Mar-2010.pdf>

What was likely implicit in the discussion of the advisory committee, but may not be clear to a reader of the report, is the distinction between market and non-market affordable housing. There are generally two sources of affordable housing: the market sector and the non-market sector. The latter may include a range of actors, including government bodies like BC Housing or the CRD housing authority, non-profit groups, societies, churches or individuals. Development of a non-market affordable housing project may involve a number of stakeholders: for example, land is provided by a church, funding and development support is provided by government body, and the

project is managed on a day-to-day basis by a non-profit society. Most OCPs included policies generally supportive of such community housing, with issues such as suitability of the location, the precise mechanism for ensuring affordability, and the site constraints addressed through the rezoning process.

Provision of affordable or community housing through the market is typically more problematic, and local government responses may range from trying to relax regulations to encourage private provision of affordable housing (e.g. permit secondary suites, considering rezoning for private seniors housing) to efforts to create policies and regulations to require affordable housing as a condition of other development (such as density bonus).

There are several additional policy options beyond those recommended by the advisory group that the LTC may wish to consider:

1. Mixed use: one of the most common and effective means to provide both affordable housing units and to create a mix of units in suitable locations, with minimal changes to community character, is to allow for residential uses in other zones, typically retail commercial. Currently in the OCP and LUB, one accessory residential dwelling unit is permitted and occupancy of such units is limited to owner/operator of the business. Amending the zoning to permit second storey residential units, with no occupancy limitations, would allow for the gradual development of housing over commercial uses. This would provide for cheaper housing as units are smaller and costs are shared with the commercial development; variety in housing type by providing apartment style dwellings not currently available; provide potential housing for workers; provide a source of income for business operators or owners; and would be located close to existing services, amenities and transportation. Changes to community character would be limited by ensuring that density provisions are unchanged (the maximum height, lot coverage and floor area restrictions would not be altered), and that development permit area provisions for form and character are included. The recent Mayne Island LUB provides for such second storey residential in its C1 zone. An additional policy in the OCP could support implementation of this in the LUB.
2. Rezoning of unrealized non-residential development potential: there may be lands that are zoned for significant non-residential development potential (visitor accommodation, industrial, etc.) which are currently undeveloped. It may be appropriate to consider rezoning some of these locations to permit residential uses instead, but placing restrictions on the residential development to encourage or require affordable residential development instead. For example, the floor area of units and/or the size of lots could be restricted to encourage affordable units, or a housing agreement could be required as a condition of rezoning. A policy could be established as part of the OCP that permitted the LTC to consider such applications.

3. Alternate forms of tenure: Some of the costs associated with housing can be limited by households sharing facilities or services. An example is co-housing, where dwelling units are clustered around common facilities, including common cooking and eating areas. Although these are a form of market housing, because of the ownership structure they may lend themselves to provision affordability restrictions such as a housing agreement. The OCP could include policies supporting consideration of rezoning applications allowing for the creation of alternate forms of community housing, provided appropriate criteria are met.
4. Farm worker accommodation: although farmworker accommodation is not solely an affordable housing issue, it is related. Jurisdictions where significant numbers of farm workers are needed, such as in the Fraser Valley, have developed specific regulations for farmworker housing.
5. Protecting existing housing stock: one of the most important sources of affordable housing is the existing housing stock. A proportion of existing housing may already be affordable and other units may become affordable as the stock ages and new housing becomes available in the community (this is referred to as “downfiltering”). Although there is little that the LTC can do to directly protect existing housing stock, it should be an overall consideration.

**Recommendations:**

1. THAT the Galiano Island Local Trust Committee review the recommendations in the attached table and provide staff with direction to include appropriate draft policies in the next draft of the OCP.

---

Respectfully submitted by:



---

Robert Kojima

April 14, 2010

---

Date

**AFFORDABLE/COMMUNITY HOUSING ADVISORY GROUP RECOMMENDATIONS  
NOVEMBER 2009**

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
1.	<i>We request that the Galiano LTC support efforts by organizations or agencies to conduct a housing needs assessment within the community, and make provisions for helping to fund such a study.</i>	<p><b>Staff Comments:</b> The importance of undertaking a housing needs assessment is highlighted in most best practices (including the recently commissioned 'Islands Trust Community Housing Tool Kit'). They assist in identifying specific areas of need and in helping to secure funding and support. However, it is important that such assessments be conducted in a manner that provides useful, objective and quantifiable data, which can often be hard to obtain for small communities without significant expense. There may be opportunities to share expenses with other LTCs.</p> <p><b>Staff Recommendation:</b> that the OCP include a policy to support conducting and updating a Housing Needs Assessment to identify housing priorities and to guide affordable housing policies and land use decisions.</p>	
2.	<i>We propose that the LTC should work with the proponents of community housing projects, as well as funding and regulatory agencies, so that the appropriate environmentally-friendly building methods such as the LEED Standard could be employed.</i>	<p><b>Staff Comments:</b> This recommendation is supporting use of sustainable building standards and practices, but recommending that they not be made mandatory for affordable housing initiatives or projects. If the LTC were to make a sustainable standard such as LEED mandatory, it could only be required as a condition of a rezoning application. Any affordable housing permitted outright or as a density bonus could only require external features through a development permit area. Also proponents should consider the low term savings resulting from inclusion of sustainable building practices, while there may be greater up-front costs for proponents, the result may be low-term savings for residents. Finally, from a climate change perspective, building related emissions are a relatively minor source compared to transportation: greater emission reductions could be achieved through appropriate project location.</p> <p><b>Staff Recommendation:</b> that the OCP include a policy encouraging sustainable building standards and practices for affordable housing projects</p>	
3.	<i>We would recommend that the LTC study the feasibility of a Galiano Community Housing Fund. There is no need for the fund to mirror the San Juan model, since anything that would provide any ongoing funding of community housing would be valuable.</i>	<p><b>Staff Comments:</b> The LTC or Islands Trust cannot acquire or manage Housing Funds on their own. The CRD has created a Regional Housing Trust Fund, this has been accessed for projects on Salt Spring and may be extended to the Southern Gulf Islands Electoral Area. Accessing this existing service by affordable housing project proponents would be the most feasible and logical approach. If the Southern Gulf Islands Electoral Area is not included in the Housing Fund, an advocacy policy could be included.</p> <p><b>Staff Recommendation:</b> no OCP policy at this time.</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
4.	<i>We recommend that the LTC investigate the possibility of property tax reductions on purpose-built non-profit community housing accommodation within the island as recommended in the North Pender Island Affordable Housing Report October 30, 2009</i>	<p><u>Staff Comments:</u> this is not an LTC authority. Islands Trust taxation rates are based on a proportion of BCAA classes. There is currently property tax relief for non-profit societies providing supportive housing.</p> <p><u>Staff Recommendation:</u> no policy recommended</p>	
5.	<i>The rezoning process is often long and expensive. We recommend that the Galiano LTC offer a discounted rezoning fee or eliminate the fee for all community housing applications. We also recommend that the planning staff does its best to fast track the application process and to work closely with the affordable housing proponents.</i>	<p><u>Staff Comments:</u> there currently is an Islands Trust policy to allow an LTC to sponsor or initiate applications for projects or initiatives with a clear community benefit. The volume of planning applications in the southern gulf islands is low enough that applications are not currently held up due to planning staff constraints.</p> <p><u>Staff Recommendation:</u> no policy recommended</p>	
6.	<i>Our LTC should advocate to the CRD and their building department to allow alternative building methods that are more environmentally friendly and cost effective in the building code. Also, the LTC should encourage the CRD to restore the Alternative-Owner-Builder option or an equivalent program, to allow non-conventional building solutions</i>	<p><u>Staff Comments:</u> the CRD cannot alter the Building Code, which is provincial. There may be opportunities to achieve small cost savings through changes to the CRD Building <u>Bylaw</u> (which establishes how the BC Building Code is implemented locally). There are currently changes proceeding to the BC Building Code to incorporate higher sustainability standards. OCP currently includes an advocacy policy supporting alternative and appropriate building standards for affordable housing (Land Use Policy 1.i), implementation of certain alternate standards would be up to the CRD.</p> <p><u>Staff Recommendation:</u> no policy change recommended.</p>	
7.	<i>We recommend that VIHA be lobbied to develop standards and procedures to allow and promote innovative water and sewage options in ways that minimize red tape and cost for the property owner</i>	<p><u>Staff Comments:</u> there are existing OCP policies encouraging use of cisterns and rainwater catchment, there are regulations requiring cisterns in certain areas. It is unlikely that sewage disposal regulations will be further relaxed for health reasons and existing OCP advocacy policies (3.1(a)) are fairly extensive and advocate for both alternate and adequate standards.</p> <p><u>Staff Recommendation:</u> no policy change recommended.</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
8.	<p><i>We recommend a land use section called “Community Housing” be added to our OCP along with suitable objects and policies. We suggest the following preamble:</i></p> <p><i>Our population is characterized by a generally higher median age. Our land base is comprised of mainly larger, rural parcels of land with relatively high property prices. In recent years many Galiano residents, especially in the younger age groups, have had difficulty in securing affordable housing, and older residents have had to leave the island to obtain assisted living accommodation.</i></p> <p><i>Diverse, full time populations, of all ages, are needed to sustain a healthy island economy and vibrant community. Central to maintaining and strengthening our diversity is allowing for a range of community housing options and strategies to enable residents and property owners of low to middle incomes to secure tenancy and home ownership.</i></p>	<p><u>Staff Comments:</u> The OCP currently does not have a distinct affordable, rental and special needs housing element or section (this is the language in the Local Government Act that any OCP must address). Including a distinct section under the Residential Land Use heading would allow for the relevant policies to be consolidated and to promote the importance of the issue. The term ‘community housing’ is vague however, (is it referring to non-market housing only?), any change should include a definition or description. A new community housing policy section in the OCP should consolidate the existing relevant policies from the residential section and the community facilities section (as well as any new policies included by the LTC), and establish policy criteria for consideration of any rezoning for community housing. The Land Use map should also be amended to re-designate the location of the current seniors housing to a new community housing designation.</p> <p><u>Staff Recommendation:</u> That a new subsection entitled “Community Housing” be included under the Residential Land Use Section.</p>	
9.	<p><i>We recommend the creation of a new “Community Housing” zone. We suggest that the CH zone incorporate and replace the existing SCR zone. Maximum density would not change from those of the existing SCR zone.</i></p> <p><i>In consultation with the community, the new zone should be developed to accommodate the needs of affordable, seniors, social, or special needs housing. It would specifically allow a market housing component and allow mixed need, age and income projects as well as alternative mixed ownership options, such as co-housing and co-op. Intentional communities such as eco villages should be allowed in this zone.</i></p>	<p><u>Staff Comments:</u> This recommendation is linked to (8) above, recommending a new OCP policy section. The recommendation addresses the zoning in the LUB, amendment of which would follow from changes to the OCP. The “Affordable Housing” policies in the OCP would anticipate future zoning amendments for the types of affordable housing projects discussed in the recommendation.</p> <p><u>Staff Recommendation:</u> see (8) above</p>	
10.	<p><i>We recommend that a housing agreement shall be required for all Community Housing initiatives including affordable secondary suites and cottage enlargements, as well as other Community Housing projects, as a means of ensuring that</i></p>	<p><u>Staff Comments:</u> This recommendation refers to use of the tool of Housing Agreements to ensure maintenance of housing affordability. A housing agreement is a voluntary instrument entered into between a landowner and a local government or other agency and allows the local government to control aspects of the housing (prices, class of occupant, tenure and administration). A notice of the agreement is filed on title and the agreement ‘runs with the land’. A</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
	<p><i>provision of affordable housing will be consistent with the policies of this plan. The housing agreement shall include provisions that specify age and income level, specify how many people it will serve, specify how the housing project will be managed and administered, specify the manner in which the housing units will be made available to the identified class of person, and where applicable, specify the mix of rental and ownership housing units permitted, together with the ratio of affordable to market housing.</i></p>	<p>good summary of housing agreements can be found here: <a href="http://www.islandstrust.bc.ca/communityhousing/pdf/Housing%20Agreements%20-%20Quattrocchi.pdf">http://www.islandstrust.bc.ca/communityhousing/pdf/Housing%20Agreements%20-%20Quattrocchi.pdf</a></p> <p>Because housing agreements are voluntary, a landowner will typically only be induced to enter into an agreement if the local government is providing an approval, such as a rezoning or a density bonus. The key issue for an LTC entering into a housing agreement is monitoring, enforcement and administration. The Islands Trust has no inherent capacity to manage agreements and those that exist are monitored like covenants, where a breach is brought to the attention of staff, enforcement is commenced through the bylaw enforcement officer and may involve legal proceedings. Where an agreement is entered into with non-profit group that both owns and manages a non-market housing project, the LTC may be comfortable entering into a housing agreement. However, where housing agreements anticipate screening of prospective tenants or maintenance of registries or occupancy lists, a housing agency is a prerequisite. Similarly, Islands Trust would have no ability to enforce or monitor diverse, market units (such as secondary dwelling units).</p> <p>Housing agreements should only be considered by an LTC where there is a clear ability to effectively administer the agreement. An example would be a non-market development of several units to be owned and managed by an on-going society.</p> <p>Housing agreements would <u>not</u> be recommended for private, dispersed secondary dwellings: this would expose the LTC to undue administrative, enforcement and legal costs and there are significant disincentives for owners to enter into housing agreements for secondary dwelling units that would likely make such a policy ineffective in any event.</p> <p>The terms of the agreement should be considered on a case-by-case basis specific to the amenity being proposed, for example a seniors' housing project should include a housing agreement with age-based restrictions, but not necessarily price or tenure.</p> <p><u>Staff Recommendation:</u> that the OCP community housing policies include provisions the LTC to require housing agreements for appropriate community housing applications.</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
11.	<p><i>We recommend that rainwater collection be mandatory for Affordable Housing/Community Housing uses in identified water management areas. The size of the storage shall be sufficient to offset the potential groundwater required by the proposed AH/CH use.</i></p>	<p><b>Staff Comments:</b> Already requirements in LUB for new construction in these areas. These should be included in any rezoning for community housing development</p> <p><b>Staff Recommendation:</b> Inclusion of policy recommended</p>	
12.	<p><i>For the specific use of affordable housing, provided that water, sewage and parking issues are satisfactorily addressed, we propose that a secondary suite be allowed for each principal residence, on lots in the Rural Residential, Rural 2, and Rural 3 zones; and on non-waterfront properties in the Small Lot Residential Zone. The affordable housing use shall be protected by a Housing Agreement of a minimum length of ten years and registered against the title.</i></p> <p><i>If the residence is on a community water system, or a community sewer system, the added density must be approved by the local water/sewer provider.</i></p> <p><i>The secondary dwelling unit may be contained within or attached to the principal dwelling, must have a separate entrance, and have a minimum area of 34 square metres (350 square feet) and a maximum area the lesser of 90 square metres (968 square feet) and/or no more than 40% of the total living area of the residence. The total area of the residence including the suite shall be limited to lessen the overall impact.</i></p> <p><i>The owner's residential portion may be either the smaller or the larger of the two units, but the owner must reside on site. Only one secondary suite would be permitted for each principal dwelling. Short Term Vacation Rental of secondary suites would be expressly prohibited.</i></p> <p><i>Any secondary suites must be on lots where there is public road access to Sturdies Bay Ferry Terminal.</i></p>	<p><b>Staff Comments:</b> This recommendation concerns amending zoning to allow secondary dwellings. The specific elements of the recommendations are:</p> <ol style="list-style-type: none"> <li>1. That secondary dwellings be allowed in the RR, R2 and R3 zones and non-waterfront in the SLR zone. Affordable housing should be close to services and amenities, such as stores and community facilities. Allowing secondary dwellings on any rural land could provide additional housing units, but would also contribute to transportation problems. A more appropriate approach would be to define local areas close to services and amenities.</li> <li>2. That a housing agreement be required: this is not recommended for the reasons discussed above: it is not feasible for the LTC to enter into such agreements and it is unlikely that owners would be willing to agree to the restrictions in a housing agreement.</li> <li>3. That there be restrictions on the units. Area based restrictions are typical, however the restriction requiring that an owner live in one of the units, while common, is likely not a legal zoning restriction.</li> </ol> <p>The key policy issues for the LTC to consider are:</p> <ol style="list-style-type: none"> <li>1. Is there a clear need for market housing of the type provided by secondary dwelling units?</li> <li>2. Do they currently exist in significant numbers? If so the issue may be how to legalize existing housing and ensure that it is safe. If not, then the issue is to anticipate a need or to provide a solution to need.</li> <li>3. Even if the LTC believes there is a need, is it desirable to allow secondary dwelling units based on other policy objectives? In other words, does the need to provide affordable market housing outweigh other objectives, such as impacts on groundwater, etc.</li> <li>4. If the LTC decides secondary dwellings could be permitted, what are appropriate restrictions and circumstances: e.g. location, mechanism (by</li> </ol>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
		<p>rezoning, by density bonus or outright permitted use), and zoning limitations (floor area, etc.)</p> <p>By way of comparison, jurisdictions that permit secondary suites allow the use outright and regulate through zoning provisions for floor area and through a program of building code inspection and enforcement for health and safety. At this point, in the absence of a housing needs assessment, it may be optimal for the LTC to include a policy identifying secondary dwellings as a future option.</p> <p><u>Staff Recommendation:</u> That the LTC include a policy in the community housing section stating the LTC may consider amending zoning to permit secondary dwelling units in locations close to services and amenities.</p>	
13.	<p><i>For the specific use for affordable housing, we propose that the allowable size of cottages, on lots of at least 2 ha or more in size, be increased to 93 square meters and that the affordable housing use be protected by a Housing Agreement of a minimum length of ten years.</i></p> <p><i>If the cottage is on a community water system, or a community sewer system, the added density must be approved by the local water/sewer provider.</i></p>	<p><u>Staff Comments:</u> The proposed change would be to allow larger floor area for cottages. The presumed rationale is that the current permitted cottage floor area is too small for families (this was the rationale for the Mayne Island LTC to make a similar change to its LUB). Other than a revision to the definition of cottage in the OCP, such a change would be accomplished in the LUB not the OCP, unless the LTC wished to establish a specific policy.</p> <p>The recommendation to use housing agreements is impractical.</p> <p>No evidence is offered that current cottage sizes are an obstacle to the use of cottages for permanent rental housing; if the LTC considers such a change outright, there should be a need or demand demonstrated.</p> <p>Finally, the location of enlarged cottages should be considered: while larger lots would limit potential impacts on neighbours, proximity to services should also be considered.</p> <p>At this point, without a needs assessment, the LTC should only include a policy identifying this as a future zoning amendment.</p> <p><u>Staff Recommendation:</u> The OCP include a policy stating that the LTC may consider amending zoning to permit larger cottages in order to encourage creation of affordable housing in appropriate locations.</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
14.	<p><i>A property normally entitled to a cottage of 60 square metres may also have a secondary suite, but we recommend that only one of either an enlarged cottage of 93 square metres or a secondary suite be allowed per property. The affordable housing use should be protected by a Housing Agreement of a minimum length of ten years and registered against the title, and the other rules governing the new housing would apply.</i></p> <p><i>The LTC may consider putting maximum residential floor area limits on lots taking advantage of the various affordable housing options to mitigate the impact of the increase in density</i></p>	<p><u>Staff Comments:</u> see comments above, this would be a consideration if the LTC proceeds with either for of secondary dwelling</p> <p><u>Staff Recommendation:</u> No amendment at this point</p>	
15.	<p><i>We recommend that rooming/boarding houses, where rooms are available for ongoing residential occupancy, should be allowed to operate as home-based businesses in all zones where single family dwellings are allowed. The number of rooms permitted should be limited to three single or double occupancy rooms. The rooming/boarding houses should be subject to the same regulations that govern bed and breakfast operations, with the exceptions of regulations that are specific to tourist accommodations.</i></p>	<p><u>Staff Comments:</u> Rooming or boarding houses are not necessarily prohibited, depending on how they are operated. Shared accommodation in a house with a single set of cooking facilities would be a permitted use. A commercial operation in which meals are provided by the owner/operator would likely not be permitted. A single room occupancy (SRO) building would not be permitted without a rezoning.</p> <p>While boarding houses could be defined and permitted outright by zoning, there would be no amendment required to the OCP (the uses established in the OCP are 'residential').</p> <p>I don't anticipate how much demand there would be for the traditional boarding house, as opposed to a group of unrelated individuals sharing a house, however the impacts would not likely be different. An SRO or co-housing arrangement would be a different use and should require rezoning.</p> <p><u>Staff Recommendation:</u> Include a policy in the OCP stating that rooming and boarding houses should be defined and permitted by zoning.</p>	
16.	<p><i>We recommend that the LTC investigate and set up a committee, or empower some other committee or group to compile a list of properties that have active Housing Agreements and release a public list, with the permission of the property owner, for use by those seeking affordable accommodation. Other properties that meet the criteria of the committee could be added to the public list.</i></p>	<p><u>Staff Comments:</u> It is unlikely there are any housing agreements currently granted to the LTC on Galiano. A local non-profit housing society or the CRD Regional Housing secretariat would be the best suited bodies to compile and maintain a listing of housing for rent.</p> <p><u>Staff Recommendation:</u> no amendment recommended</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
17.	<p><i>We recommend that the LTC work with the CRD to develop a standard by which trailers be allowed as a legal affordable housing alternative on Galiano. If attached to the appropriate services which meet health standards, we propose that trailers be permitted on lots that have an unused cottage or house entitlement. The siting must comply with those of any other dwelling and adequate services would have to be available. If neighbors object to the siting of a trailer, suitable vegetative screening should be required. If the available cottage or house entitlement is used in the future, then the trailer would be required to be moved to another property that has an unused density.</i></p>	<p><u>Staff Comments:</u> The term ‘trailers’ should be defined. Mobile homes (constructed to a CSA standard) are permitted as a dwelling currently. The proposed recommendations are referring to recreational vehicles (trailers, fifth wheels, RVs, etc.). Some zoning regulations permit these to be used as a dwelling provided a building permit has been obtained for a principal dwelling and bylaw staff do not enforce if a building permit is in place for the main dwelling. The Mayne LUB permits trailers as the equivalent of a cottage. They are designed for seasonal use only and cannot obtain a building occupancy from building inspection. Zoning could permit them outright as the equivalent of a dwelling, but this has been consistently opposed by building inspection for health and safety reasons. It would be difficult for the LTC to explicitly permit such vehicles to be used as dwellings.</p> <p><u>Staff Recommendation:</u> no amendment to OCP recommended</p>	
18.	<p><i>We recommend that the LTC investigate the creation of a mobile park zone to provide accommodation and provide services to Park Model Mobile Homes, and take steps to encourage suitable proposals to come forward for community review.</i></p>	<p><u>Staff Comments:</u> mobile homes are a widespread and effective means of providing affordable housing, particularly in rural areas. There are two mobile home parks on Salt Spring. CSA approved mobiles are currently considered dwellings by zoning and are permitted on residential lots as such. Creation of separate mobile home zone (where only mobiles, on pads) could be provided for as a policy with appropriate criteria and a landowner could then make application to rezone an area of land to a new zone.</p> <p><u>Staff Recommendation:</u> That a policy establishing appropriate criteria for any rezoning application for a mobile home park zone be drafted.</p>	
19.	<p><i>We recommend that Density Bonus/Amenity Zoning should be allowed to help promote private sector affordable housing, seniors housing and/or special housing. The Official Community Plan should include guidelines that must be met for an amenity rezoning application to be successful such as requiring these developments to be near the school, the medical center or other community services. Amenity re-zonings would only be considered on a case-by-case basis through a rezoning or a bylaw amendment application, and be subject to public review through the public meeting process.</i></p>	<p><u>Staff Comments:</u> density bonus or amenity zoning is one of the common methods local governments utilize to acquire affordable housing (or other amenities). It can be established in two ways: outright under s. 904 of the local government act or on a case-by-case basis by rezoning application. In either case, the criteria for the desired amenity should be well established in either the zoning or the OCP policies respectively. The RR/FH 1% option is an example of the latter (case-by-case amenity rezoning) – the current wording of CF policy (g) should be re-worked at consolidated in a new community housing section.</p> <p>Any policy or regulation for a density bonus would by definition include approval additional conventional development. Considering rezoning to simply permit the creation of affordable housing is not amenity zoning. The key consideration for the LTC is the appropriate amount of affordable housing to be obtained, the acceptable amount of additional density to be granted to the developer, the location of increased density and the form of the affordable housing (market v. non-market, etc.). The policy recommended in the advisory group report does not suggest an acceptable level of increased density, nor a suitable number of</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
		<p>amenity units. The most advanced amenity zoning policies in the Trust Area are those contained in the Salt Spring OCP. Other local governments have undertake extensive work on developing a density bonus regime that attempts balances the amenity being provided with the density bonus granted. If the LTC is to consider an expanded policy for amenity zoning, criteria could be developed, but to be effective, significant additional work would be required. If the ITC wishes to consider developing consistent approach based on valuation, staff should be directed to report back to the LTC with options and recommendations. As an initial step, the next draft of the OCP could include a revision to the existing 1% amenity zoning option.</p> <p><u>Staff Recommendation:</u> That Community Facility (g) moved to a new community housing section be revised to state where any other policy in the plan allows for rezoning for an increase in density, that provision of lands or housing for affordable, seniors, special needs or other community housing may be considered as a suitable amenity.</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
20.	<p><i>We recommend that Density Transfers be allowed for community housing projects. The Official Community Plan should be changed to include guidelines that are required for a density transfer application to be successful. Density transfer should proceed through a rezoning and/or bylaw amendment application, and be subject to public scrutiny through the “Public Hearing” meeting process.</i></p> <p><i>Transfers to a site could be handled on some sort of a bulk basis, with the donor properties getting substantial relief from fees. Recognizing that some densities might become available when no project is in progress, some process should be developed so that potential densities could be banked until a suitable project is started, thereby reducing rezoning or other fees for the donor of the density.</i></p>	<p><b>Staff Comments:</b> Density transfer is the simultaneous rezoning of two discrete locations such that the permitted density (dwellings or potential lots) is increased in one and decreased in the other, with no net or overall change in density. As rezoning, any such rezoning would be discretionary and subject to a public hearing. For policies for density transfer for affordable housing to be considered, the context of the recommendation should be clear: would this apply only to densities that are already designated for affordable housing (such as the RR/FH 1% land)? Would be considered only for unrealized development potential that could be transferred and developed for affordable housing only? Or is would it a general policy for any unrealized residential potential?</p> <ol style="list-style-type: none"> <li>1. A policy to transfer development potential designated specifically for affordable housing to a more appropriate location should be considered.</li> <li>2. Zoning for non-market affordable housing should be considered on its merits and not need the additional provision of a density transfer.</li> </ol> <p>Density transfer applications are rare even where they are permitted and policies are in place. Usually, protection of sensitive lands is cited as the rationale for a policy of density transfer. In order to induce a landowner to undertake the uncertainty associated with an application to transfer density, a bonus or amenity zoning provision is typically needed as well. The applicability of density transfer to affordable housing is fairly limited, however where affordable housing (or land for affordable housing) is provided as an amenity, then transferring that potential to an appropriate location should be considered.</p> <p><b>Staff Recommendation:</b> That a policy be drafted to support applications to transfer designated affordable housing density to suitable locations.</p>	
21.	<p><i>We recommend that the LTC investigate the effect of allowing strata titles on individual buildings on a residential lot, with the view of allowing such strata titling if it is concluded that this would make housing on Galiano more affordable.</i></p>	<p><b>Staff Comments:</b> strata titling of existing residential buildings would need LTC approval, impacts of strata titling on affordability is one criteria the LTC would consider in evaluating such an application. Strata titling of new development can be registered outright by the developer without approval. Strata titling of residential development typically occurs in multiple unit buildings. More typical on the islands is strata titling of commercial resorts, which is chiefly a financial mechanism to recover the costs of development</p> <p><b>Staff Recommendation:</b> no new policy recommended</p>	

Ref.	Recommendation	Staff comments and recommendations	LTC Direction
22.	STVRS – no recommendation	<p>Staff Comments: A staff report outlining the issues and context of STVRs was provided to the LTC at the February 2010 meeting. That report confirmed staff's interpretation that STVRs are not currently a permitted use in residential zones and legalization in residential zones would not be supported by the current OCP policies.</p> <p>Staff Recommendation: No change to existing policies.</p>	