



Islands Trust

GALIANO ISLAND
LOCAL TRUST COMMITTEE
OFFICIAL COMMUNITY PLAN
DRAFT OCP REVISIONS

DRAFT 5 – March 2011

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
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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:

Changes to the Preamble are based on recommendations of OCP Steering committee

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 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~~ **has been maintained.**

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

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

To preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of 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 islands, the Provincial government strengthened the *Act* in 1990, **including provision for Trust Council to adopt a Policy Statement. In response, the *Islands Trust Policy Statement* was adopted in 1994 and established a vision for the future and a general strategy for land use planning in the Trust Area. It contains commitments of Trust Council, and policies and recommendations to direct and guide Local Trust Committees. An OCP must be consistent with the *Islands Trust Policy Statement* and must contain provisions addressing *Policy Statement* directive policies.**

Revised to include reference to the Islands Trust Policy Statement

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

2. 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 **the precautionary** 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.~~

This wording is replaced with new wording based on the recommendations of the OCP Steering Committee

~~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.~~

These principles are based on the recommendations of the OCP Steering Committee

- a) **This Plan advances the Object of the Islands Trust to “preserve and protect the Trust area and its unique amenities and environment” and supports the limitations the Object presents for the type and scale of development in the Galiano Island Local Trust Area (‘Galiano’).**

- b) **This Plan supports the preservation and protection of Galiano’s ecosystems. Galiano is part of the vulnerable Coastal Douglas-fir biogeoclimatic zone. This is the smallest and rarest biogeoclimatic zone in British Columbia and it has the highest density of species that are of both provincial and global conservation concern of any B.C. biogeoclimatic zone. These ecosystems provide key services that sustain human health and wellbeing, including timber and non-timber resources, clean air and water, nutrient cycling, carbon dioxide absorption and carbon storage.**

- c) **The forested landscape is integral to Galiano’s character. Maintaining and restoring Galiano’s forest ecosystem is critical for ecosystem-based sustainable forest management.**

- d) **Several First Nations have traditional ties and territories on Galiano. The community supports continued and strengthened collaboration and cooperation with First Nations in planning land and resource management and protection of cultural heritage and sites.**

- e) **Islanders have chosen space, privacy and aesthetic qualities over urban conveniences, and want Galiano to continue to function as a resident-centred rural island community. The social and economic diversity and creativity of the island community, and the important role of volunteer-based groups in community life, are fundamental to our identity.**

- f) **A sustainable community requires a viable local economy. This Plan recognizes the need for local economic development and viable small enterprises supporting a diversity of livelihoods. At the same time, the Plan recognizes that there are limits to economic and population growth determined by Galiano’s finite boundaries, resources, and ecosystems.**

- g) **Diversity is integral to a sustainable and healthy community. Young families require employment opportunities, affordable housing, and a local school. Seniors require adequate community services to continue living on the island. Good health care facilities are essential for residents and visitors of all ages. An island community depends on the activities and services of its volunteers.**

- h) **This Plan supports increased local food security, protection of water resources, and development of transportation services that reduce dependence on fossil fuels.**

- i) **Galiano’s natural beauty and tranquility are valued by residents**

and visitors alike. The Island provides opportunities for renewal of body, mind, and spirit. This includes experiencing the community's vibrant artistic and cultural life, participating in low-impact outdoor pursuits and enjoying the many trails, beaches, parks and nature preserves. However, groundwater, fire hazards, and the fragility of island ecosystems pose limits for visitors and residents. Visitor services should be appropriately scaled for a small rural community to ensure protection of the natural environment.

- j) This Plan supports using the precautionary principle in land use decisions: "When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically."
- k) There are often competing interests to consider in land use decisions, and trade-offs are often necessary to achieve a balance among these interests. Land use policies and regulations must be articulated clearly and administered equitably.
- l) The climate is changing. This plan supports policies to reduce greenhouse gas emissions, to work towards carbon neutrality, and to adapt to climate change.
- m) This Plan supports the passive contemplation, spiritual connection, and low-impact recreational and educational access to the forest.

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, **surface water and the marine environment**,
 - 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, *Recommended by APC*
 - ix) the need to ~~prevent pollution of~~ **minimize impacts on the environment and to protect** the quality of the visual landscape, *Recommendation of Ecosystem Protection Advisory Committee*
 - 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 **as guided by wildfire protection plans**, ~~and~~ *Additional working recommendation of Ecosystem Protection Advisory Committee*
 - xii) the importance of forest cover **and retention of unfragmented forest ecosystems**, *Recommendation of Ecosystem Protection Advisory Committee*
 - xiii) **the protection of development from hazardous conditions**, *Additional development review criteria*
 - xiv) **the protection of riparian habitat**,
 - xv) **climate change mitigation and impacts**,
 - xvi) **the protection of sensitive and rare ecosystems, and habitat for rare and endangered species**, *Recommendation of Ecosystem Protection Advisory Committee*
 - xvii) **the creation and expansion of a network of protected areas**, *Recommendation of Ecosystem Protection Advisory Committee*
 - xviii) **the protection of areas or ecosystems identified as a high priority for conservation by the Trust Fund Board's regional conservation plan**, *Recommendation of Ecosystem Protection Advisory Committee*
 - xix) **consideration of ecosystem restoration**, *Recommendation of Ecosystem Protection Advisory Committee*
 - xx) **implementation of green building practices**, *Recommendation of Ecosystem Protection Advisory Committee*
 - xxi) **impacts on food security**, *Recommendation of Ecosystem Protection Advisory Committee*

COMMENTS

Recommendation of Transportation Advisory Committee

xxii) the availability of permanent access maintained to safe standards to properties proposed for residential land use, or for land uses that create increased demand for road access,

Recommendation of Transportation Advisory Committee

xxiii) access for emergency purposes, and

Recommendation of Transportation Advisory Committee

xxiv) the cumulative demand on the highway routes serving a property.

b) **As a plan for a local trust area designated under the *Islands Trust Act* and placing priority on the preservation and protection of unique amenities and environment of the area,** 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~~ **except where** explicitly allowed for in this plan.

Explicit statement of rationale for residential rezoning limits, and clearer wording, addressing for example: density for affordable or seniors housing policies

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~~ **Ecosystems** identified in Schedule "I" 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.

Note: to be reviewed as policy consideration

~~e) Property owners shall be encouraged to permit access to the public for non-motorized means of transportation.~~

Not a land use policy.

1. Residential

As of 2009 there slightly over 1200 residentially zoned parcels on Galiano, of which just over 1000 were developed. In addition, the current zoning would permit an additional 225 parcels to be created by subdivision. Based on past growth rates, the existing vacant and subdividable parcels are sufficient for at least 10 years of anticipated housing needs.

Utilizes build-out analysis from community profile to address OCP required content.

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~~ **minimize impacts to ecosystems and services they provide,** and **support** 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

COMMENTS

- 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.~~
- a) 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.
- b) ~~Only~~ Single dwelling units shall be **the principal permitted use**.
- c) 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.~~
- c) ~~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".~~
- d) **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), **to cluster development near existing services** 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.
- e) Subdivision regulations shall provide for a mix of lot sizes.
- f) An adequate supply of potable water, as specified in regulation, must be proven for each new lot created by subdivision.
- g) ~~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.
- h) A conservation zone may be assigned to land covenanted or deeded against further development or use, including common property in strata title subdivisions.
- i) **Zoning should allow for small scale animal husbandry and horticulture on lots in all residential zones**

Permitted outright, no need to state as a policy

Proposed new community housing policy would allow consideration of rezoning for manufactured home park

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

Deleted as obsolete

Deleted to avoid conflict with any other designations

Re-wording to state use of lot averaging mechanism, to clarify wording and to remove statement in conflict with legislation. Additional wording based on recommendations of advisory committees

Setbacks from waterbodies are not only intended as a flood-proofing measure

Policy proposed by Agriculture and food security advisory committee

Residential Advocacy Policies

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

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

COMMENTS

Included for clarity as recommended by APC

- k) Where water access only lots are approved **where it is intended that access be provided from Galiano Island**, the Approving Officer shall be requested to secure adequate parking on Galiano Island to service each lot created.
- l) The Ministry of ~~Municipal Affairs~~ **Community, Sport and Cultural 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.
- m) 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.
- n) 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.**
- o) 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.

Note: to be reviewed

Reworded for clarity and to reflect fact that bylaws are adopted

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, **subdivision regulations may require** a sewer system ~~may be required in new development.~~

Redundant with "at least"

Clarifies authority to require servicing

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 **average** lot size for new subdivision shall be at least 0.8 hectare (2 acres) in area.

Would allow for lot averaging to implement clustering

COMMENTS

- e) In areas where individual septic systems are adversely affecting the environment or the quality of water, **subdivision regulations may require a sewer system may be required in new development.**
- f) In areas where individual septic systems are adversely affecting the environment or the quality of water, a sewer system may be required.
- g) 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).

Clarifies authority to require servicing

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 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**.
- 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.

Consistent with zoning

1.6 Community Housing

This designation is intended for affordable, rental and special needs housing, allowing for a range of community housing types to enable seniors, persons with special needs, and residents of low to middle incomes to secure safe, accessible and permanent housing.

New section – recommended by Affordable Housing Advisory Committee

Community Housing Policies

- a) **The LTC should support efforts by organizations or agencies to conduct a housing needs assessment in order identify housing priorities and to guide affordable and seniors housing policies and land use decisions.**

Recommendation of Affordable housing advisory committee

- b) Applications for rezoning to a higher density than permitted by current zoning shall be considered where the application would result in the provision of seniors or affordable housing, subject to the following:
- i) All additional density greater than that permitted by current zoning shall be in the form of units reserved exclusively for occupancy as affordable, seniors or special needs housing.
 - ii) Applications shall include provision of a housing agreement ensuring that for affordable housing the rental, lease, sale or share prices are fixed below average rates within the region, and the agreement may limit occupancy of the dwellings to rental, lease, co-housing or cooperative tenure, and may limit occupancy.
 - iii) Applications may be for units in the form of clustered detached dwellings, duplexes or attached ground-oriented housing, and are encouraged to incorporate water conservation and energy efficient building design elements, including rainwater catchment.
 - iv) All applications shall site development on land with modified ecosystems, avoid potentially hazardous lands, demonstrate an adequate supply of potable water, and be in proximity and accessible to existing roads, services and other amenities.
 - v) Consideration of applications for affordable or seniors housing shall include the following where appropriate: amendment of the OCP to designate the land as Community Housing, designation as a development permit area, amendment of the zoning to designate the area for affordable or special needs housing, site-specific zoning regulation of density, siting and size, and registration of a housing agreement and a section 219 covenant.
- c) ~~In connection with the implementation of Forest policy d), An area comprising 1% of the An area of F1 lands being rezoned to RR and FH~~ **rezoned to permit a density bonus in exchange for a community amenity under Forest Policy (i)**, may, if the area is deemed suitable for the purpose by the Local Trust Committee, ~~instead be rezoned to CF-CH (Community Facility Housing) to permit affordable housing, including housing for senior citizens or persons with special needs, 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' or special needs 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. As an alternative to permitting the housing on the parcel being rezoned from F1 the local trust committee may consider amending zoning on other lands to permit the affordable or seniors housing to be developed in a more appropriate location. The proposed location for the affordable or seniors housing should be characterized by modified ecosystems, avoid potentially hazardous lands, demonstrate an adequate supply of potable water, and be in proximity and accessible to existing roads, services and other amenities.~~
- d) **The Local Trust Committee may consider amending zoning to allow for secondary dwellings in residential zones in areas close to existing roads, services and amenities and where there is an adequate supply of potable water.**

Moved from Community Facilities section [formerly policy [g] in that section] and reworded for consistency with proposed Forest policy wording

Additional policy wording added to allow the density to be transferred to an appropriate location.

Would allow LTC to amend zoning to permit secondary suites (or other forms of secondary dwellings)

COMMENTS

Would allow the LTC to amend the LUB to permit a mobile or manufactured home park

- e) **The Local Trust Committee may consider amending zoning to create a new zone for a manufactured home park provided subject to the criteria in 1.6(b) above.**

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~~ **to preserve agricultural land, limit non-farm uses and prevent conversion of agricultural land to other uses.**
- 2) to encourage agricultural activities, **agricultural best practices, the protection of farmland, and the maintenance of agricultural production.**
- 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 to minimize impacts on environmentally sensitive ecosystems, at-risk species and their habitats, and biodiversity.**
- 4) to **increase local food security** by encouraging local production of agricultural and horticultural products that could be sold directly to the public.
- 5) **to support farming as an important traditional land use, lifestyle and livelihood on Galiano Island.**
- 6) **to increase public awareness of agriculture and farming**

Re-worded policy, recommended by advisory committee

Rewording of objective; based on other OCPs and recommendations of advisory committees

Reworded to include reference to food security

Recommended by advisory committee

Recommended by advisory committee

Agriculture Policies

- 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) **and on lots 0.4 hectares (1 acre) or more, one cottage shall be permitted as a farm use per dwelling unit permitted.**
- c) The ~~minimum~~ lot size for subdivision of Agricultural land shall be at least 4 hectares (9.88 acres).

Consistent with ALC Act and regulations and the existing zoning

Proposed change would allow cottages at same density as in the Rural designation. Construction of more than one dwelling per lot would be subject to ALC Act and regulations on lands in the ALR.

COMMENTS

- d) 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.** *Updated reference to legislation*
- e) Zoning regulations shall ensure setbacks **and permitted uses** on properties adjacent to agricultural uses shall be ~~sufficient~~ **appropriate to for the protection and** the continuation of the agricultural operation.
- f) The **LTC will not approve an application resulting in the** fragmentation of agricultural land by roads or other service or communication corridors ~~shall be minimized.~~ *Revised to be specific to LTC actions*
- g) The Galiano Island Local Trust Committee shall support the retention of farm land within the agricultural land reserve and ~~new~~ **applications for** inclusion of suitable land **should be supported.** *Reworded for clarity of intent*
- h) **Zoning regulations shall regulate the floor area of accessory buildings while ensuring that the needs of farm operations are met.** *New policy to ensure that floor area of accessory buildings remain limited, but increased from current regulations in LUB*
- i) **The LTC shall consider amending the LUB to permit community gardens and farmers markets in all appropriate zones.** *Recommended by advisory committee*
- j) **The LTC may consider issuance of temporary use permits to provide for farm worker accommodation necessary to support farm operations. Consideration of issuance of such permits and the inclusion of appropriate conditions should be made in consultation with the ALC and the Ministry of Agriculture.** *Would allow for temporary farmworker accommodation.*
- k) **The LTC may consider rezoning applications for cooperative housing subject to Agricultural Land Commission approval and to the following criteria:** *Would allow for consideration of an application for a cooperative farming community. Recommended by advisory committee*
- i) **the application would enhance the farm operation and farming generally on the island;**
 - ii) **dwellings are clustered in locations which would not compromise farming operations or capability;**
 - iii) **restrictions are included to ensure that the housing is affordable, and that occupancy is limited to persons involved in the farm operations;**
 - iv) **dwellings incorporate water conservation and energy efficient building design elements, including rainwater catchment.**
- l) **When it considers rezoning applications that are not related to farming, the local trust committee should ensure that the proposed new use will not reduce the quality and quantity of water for farming.** *Recommended by advisory committee*
- m) **The local trust committee may amend the Land Use Bylaw to permit agri-tourist accommodation at the same density and as an alternative to bed and breakfast accommodation.** *Recommended by advisory committee*

COMMENTS

Policies would provide direction to LTC in dealing with ALR applications

- n) **The local trust committee should only support applications to the Agricultural Land Commission for non-farm use or exclusion of land within the Agricultural Land Reserve where local farming or the greater community would benefit. Support for such applications should only be considered in the following circumstances:**
- i) **the proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property;**
 - ii) **in the instance of a proposed exclusion, the Local Trust Committee may consider an application that would result in inclusion of non-ALR farmland into the ALR of an equivalent or greater amount; or**
 - iii) **the non-farm use or exclusion of property is for essential community services, provided the location of the service is limited by technical considerations and there is no suitable alternative location.**

Agricultural Advocacy Policies

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

- o) 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.
- v) **avoid the use or introduction of genetically modified organisms**
- ~~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.~~
- p) 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.
- q) 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.
- r) The removal of gravel and soil from agricultural lands ~~shall~~ **should** not be permitted.

Access standards are required by MoTI for all driveways

Advocacy statement

COMMENTS

*Recommendations of
advisory committee*

- s) **The local trust committee will support efforts to increase local food security, including:**
- i) **development of a comprehensive food security strategy;**
 - ii) **creation of an Area Farm Plan;**
 - iii) **promotion of sustainable and organic farming;**
 - iv) **increased food processing, slaughtering and storage facilities in the community;**
 - v) **the establishment of co-operatives and farm alliances;**
 - vi) **implementation of community supported agriculture;**
 - vii) **efforts to promote locally grown food;**
 - viii) **promotion of composting and seeding saving;**
- t) **BC Ferries Services should be requested to reduce fares for transport of locally grown produce**

*Recommendations of
advisory committee*

3. Forest

Galiano Island lies within the coastal Douglas-fir biogeoclimatic zone (see Section IV Conservation and Environment for details). 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, where the vegetation is distinct from other areas in coastal B.C and Canada. **The forests play a crucial role in providing or contributing to ecosystem services such as ground and surface water, habitat, timber, food and non-timber forest products, and in mitigating climate change through carbon sequestration and storage.** Forestry and timber harvesting have contributed strongly to the local island economy. Some small scale sustainable forestry is being practised and several small mills are producing lumber for local use.

Additional background wording recommendation of Ecosystem Protection Advisory Committee

Wording formerly in policy (a) moved to background

For many years most of Galiano’s forest designated lands were assessed for property tax purposes as tree farm land and, as long as the land remained in that assessment status, no residential use was permitted even though existing bylaws would otherwise have allowed some residential use. In January 1992, in anticipation of wholesale removal of forest land from tree farm assessment status, the Local Trust Committee removed residential use on Forest 1 zoned lands and increased the minimum parcel size for subdivision from 20 acres (8 ha) to 50 acres (20 ha). This new regulation was adopted to ensure that planning could occur before development, and better reflect the community’s objectives for the forest lands. During a brief period between the B.C. Supreme Court and the Court of Appeal decisions dealing with the validity of the new bylaws (from 1993–1995), more than fifty forest lots less than 50 acres (20 ha) in area were created by subdivision under the bylaws that had been replaced in 1992. A number of residential building permits were issued for these smaller lots, which had increased the total number of Forest designated lots from 65 to over 100. Whether dwellings should be permitted on these new smaller lots became a contentious matter in the local trust area after the Court of Appeal confirmed the validity of the 1992 land use regulations. The minimum lot area for subdivision of the forest lots was increased to 160 acres (65 ha) to discourage any further subdivision.

New draft wording to provide context for planning policies in the draft plan.

Unplanned proliferation of residential uses throughout the forest, **as permitted by the previous 20-acre zoning**, would be contrary to many of the objectives and policies in this plan, including particularly those dealing with the integrity of forest ecosystems, surface water and groundwater supplies and the impact of residential services such as roads. Instead, in order to preserve and protect the forest resource, this plan favours the clustering of residential uses on sites carefully selected on the basis of sound planning principles with the balance of the lands set aside for other forest uses in perpetuity.

This plan acknowledges the possibility, if certain conditions are met, of accessory residential use at a maximum density of one dwelling per parcel having an area of 20 ha (50 acres) or more on lands designated primarily for Forest uses. For any consideration of higher density, rezoning will be necessary.

The Galiano Island forests therefore warrant **management**, 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, **and other forested lands on Galiano where relevant**, must be guided by the following objectives:

- 1) to preserve a forest land base,
- 2) ~~to protect the aesthetic value of forest land~~ **to preserve and protect the forest, its biodiversity, integrity and ecological services,** *Recommendation of Forest Policy Advisory Committee*
- 3) ~~to encourage local economic opportunities for small scale sustainable forestry,~~ **to encourage ecosystem-based sustainable forest management for all forested lots and to encourage economic opportunities through this forest management practice,** *Recommendation of Forest Policy Advisory Committee*
- 4) ~~to protect riparian zones, sensitive ecosystems, watersheds and biodiversity and~~ *Moved*
- 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.~~ *Moved to advocacy policies below*
- 4) **to encourage ecological restoration of degraded forest stands, and** *Recommendation of Ecosystem Protection Advisory Committee*
- 5) **to maintain or enhance carbon storage and sequestration.** *Recommendation of Ecosystem Protection Advisory Committee*

Forest Policies

The revised forest policies generally implement the recommendations of the Forest Policy Advisory committee

- 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.~~ *Context statements relocated to background*
- b) ~~One accessory dwellings per lot~~ **are may be permitted in on lots in** the Forest designation, **except lands zoned Heritage Forest (FH)** 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).~~ *Policies revised below*

COMMENTS

Replaced by policy (d) below

- ~~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 (e). 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).~~

b) On lands in the Forest designation zoned F1:

i) Accessory dwellings should only be permitted on lots with an area of 20 hectares (50 acres) or more at a density of one dwelling per lot.

Minimum lot area for outright accessory dwelling use

ii) On lots with an area of less than 20 hectares one accessory dwelling should be permitted where an owner of two or more lots in the same plan of subdivision, comprising an aggregate area of 20 hectares or greater, grants a s. 219 covenant to the LTC prohibiting more than one accessory dwelling collectively on the lots and prohibiting separate sale of the lots. Where such a covenant has been granted, the LTC should, at its initiative, amend the zoning of the lots restricted by the s. 219 covenant to permit a maximum of one accessory dwelling collectively on the lots subject to the covenant.

Policy would permit zoning to allow the 'linking' of lots less than 20 ha to establish the ability for an outright accessory dwelling at a density of 1 per 20 ha.

iii) On lots with an area of less than 20 hectares, consolidation of lots is encouraged in order to create lots of 20 hectares or greater to support ecosystem-based sustainable forestry.

Policy supporting consolidation of lots created after 1992

iv) Despite (b)(i) above, consideration may be given to applications to rezone lots having an area less than 20 hectares to permit one accessory dwelling on the lot provided one of the following conditions are met:

Policy requiring rezoning with community benefit for accessory dwelling use on lots less than 20 ha in area

- The owner transfers a portion of the land not used for residential purposes to the Trust Fund Board or other qualified body for conservation or forestry purposes; or
- The owner transfers a portion of the land not used for residential purposes to the Capital Regional District or other qualified body for park.

v) Any rezoning considered pursuant to (b)(iv) above must incorporate a siting plan into the Land Use Bylaw identifying the location of the residential home plate, sited in a manner that avoids sensitive ecosystems and hazardous lands, and minimizes extension of services.

c) On lands zoned F2 one accessory dwelling shall be permitted per lot and additional lands should not be zoned F2 in the future.

Current policy

COMMENTS

F3 rezoning option – density bonus for sustainable forest management covenant community amenity

- d) On lands in the F3 zone one accessory dwelling shall be permitted per lot. Additional lands may be rezoned F3 on a site-specific basis upon application or by the initiative of the LTC. Any such rezoning shall:
- i) establish two density regulations, one generally applicable minimum subdivision parcel area of 65 hectares (160 acres) and a second minimum subdivision parcel area of 20 hectares (50 acres) to apply if the landowner provides an amenity in the form of a s. 219 covenant granted to one or both of the LTC and another grantee designated under s. 219(3)(c) of the *Land Title Act*, restricting use of the portions of the land not falling within a defined residential home plate to ecosystem-based sustainable forest management practices;
 - ii) incorporate a siting plan into the Land Use Bylaw identifying the location of the residential home plate, sited in a manner that avoids sensitive ecosystems and hazardous lands, and minimizes extension of services; and
 - iii) grant to the LTC a s.219 covenant restricting the layout and area of the future lots, and attaching an approved ecosystem-based sustainable forest management covenant to be registered pursuant to (d)(i) above at the time of subdivision.
- e) On lands zoned F4 one accessory dwelling shall be permitted per lot and additional lands should not be zoned F4 in the future.
- f) Lands appropriate for value-added forest and associated light industrial uses may be rezoned to Forest Industrial (FI).
- g) Accessory dwellings shall be permitted only a lot in Forest designation subject to the following:
- i) All accessory dwellings shall have road and emergency access to the lot substantially in the locations indicated on the Road Network Plan, attached as Schedule C, which provides continuous road access to the Sturdies Bay Ferry Terminal by any combination of dedicated highway, statutory right of way as described in this policy, and private easement unobstructed by any gate or similar structure.
 - ii) The entire portion of the highway network indicated on the Road Network Plan, attached as Schedule C, that are on the same lot as the accessory dwelling shall:
 - comply with the roadway standards and specifications in the Land Use Bylaw, and
 - be either dedicated as highway by deposit of an appropriate plan in the Land Title Office; or be subject to a statutory right of way for emergency access purposes in favour of the authority having jurisdiction over the provision of emergency services, and an option to purchase the statutory right of way area for nominal consideration in favour of one or both of the Crown as represented by the Minister of Transportation and Infrastructure, and a covenant in favour of the Local Trust Committee requiring the owner of the parcel charged by the statutory right of way to keep the statutory right of way area clear of buildings and other obstructions and to maintain the road to such standards as the Ministry of Transportation and Infrastructure may prescribe from time to time.

Formerly FLR, change zoning of FLR lots to F4

Policy included to support existing and potential new forest industrial (FI) zoning

This policy would permit the use where there is unimpeded access to the dwelling for emergency or other necessary purposes

This policy would permit the use to occur on a lot where there is a highway or SRW and option to purchase for future highway

COMMENTS

- iii) The entire portion of the emergency access network indicated on the Road Network Plan that are on the same lot as the accessory dwelling shall:**
- **comply with the emergency access route standards and specifications in the Land Use Bylaw, and**
 - **be subject to a statutory right of way for emergency access purposes in favour of the authority having jurisdiction over the provision of emergency services, and a covenant in favour of one or more of the Local Trust Committee and the other authority, requiring the owner of the parcel charged by the statutory right of way to keep the statutory right of way area clear of buildings and other obstructions and to maintain the access route to such standards as the authority having jurisdiction over the provision of emergency services may prescribe from time to time.**
- h) The Land Use Bylaw should include regulations ensuring that any accessory dwelling and related uses are sited within a defined portion of the lot (a residential home plate) and should establish regulations for the area, siting, and dimensions of the residential home plate.**
- i) The Land Use Bylaw should establish a maximum floor area for accessory dwellings.**
- j) The Land Use Bylaw should require the installation of water catchment systems for the storage of water in all new accessory dwelling construction.**
- k) The parcel area for purposes of subdivision shall be at least 65 hectares (160 acres) for lands in the F1, FLR[F4], and FH zones and 20 hectares (49.4 acres) in the F2 and F3 zones.**
- l) Consideration may be given to rezoning lands in the F1 zone on a site-specific basis upon application or by the initiative of the LTC. Any such rezoning shall:**
- i) establishing two density regulations, one generally applicable minimum subdivision parcel area of 65 hectares (160 acres) and a second minimum average subdivision parcel area of 8 hectares (20 acres) to apply if the landowner transfers to the Trust Fund Board, the Capital Regional District or other transferee designated in the Land Use Bylaw amendment, land to be used for conservation, ecosystem protection, public parkland, community forest, affordable housing, trails, or ocean accesses representing 75% of the land subject to rezoning.**
 - ii) incorporate a siting plan into the Land Use Bylaw identifying the location of the residential home plates, sited in a manner that avoids sensitive ecosystems and hazardous lands, and minimizes extension of services; and**
 - iii) grant to the LTC a s.219 covenant restricting the layout and area of the future lots in provide for the contiguous clustering of residential lots in a manner that protects the integrity of forest ecosystems, surface water and groundwater supplies and minimizes the impact of residential services such as roads.**
- m) Protection of riparian areas and other sensitive ecosystems, and development on hazardous lands should be managed through designation of development permit areas.**
- This policy would permit the use to occur on a lot where there is an emergency access route dedicated or an SRW is granted. The SRW may be granted to another body, such as the CRD.*
- Policy stating that home plate siting and area provisions be established in zoning*
- Policy establishing that zoning limit floor area of accessory dwellings*
- Policy establishing that servicing regulations require cisterns for new dwellings*
- Current minimum lot size provisions. FLR zoning should be reviewed for relevance.*
- Policy would allow for future amendments for s.904 amenity zoning on a site-specific basis. This would allow for further increase in density where land is provided as an amenity as recommended by the Forest Policy Advisory Committee.*
- Policy included in earlier draft, and would establish that any DPA would apply in this designation.*

COMMENTS

Recommendation of Forest Policy Advisory Committee

n) Lands in the Forest designation may be appropriate locations for future parkland, and dedication or acquisition of parkland should be supported

~~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.~~

Replaced by (d), (e) and (f) above and applicable DPA provisions

~~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.~~

Captured in revised Forest policies, water supply policies or removed from residential policies.

Forest Advocacy Policies

The following advocacy policies apply to lands in the Forest land use designation and also, where relevant, to all forested lands on Galiano island.

Policies generally have been re-ordered to place advocacy policies under a distinct heading This implements a Forest policy advisory committee recommendation that statements apply to all forested land.

o) Landowners are encouraged to protect the natural systems, biological sustainability, ecological services, and natural aesthetics of forest lands.

Recommendation of Forest Policy Advisory Committee

p) Landowners are encouraged to protect riparian areas, marine shoreline areas, sensitive ecosystems, endangered habitat, soils, watersheds, biodiversity, old or large individual trees, and old growth stands.

Recommendation of Forest Policy Advisory Committee

q) Landowners are encouraged to protect culturally modified trees and other heritage features.

~~d) The protection of biodiversity shall be encouraged through appropriate forestry practices and the protection of riparian zones and other sensitive ecosystems.~~

Policy wording captured more specifically in policies (m), (n) above and (r) below

~~r) The Assessment Authority shall be requested to provide tax incentives for maintaining forestry activities. The LTC should advocate the mitigation of climate change through :~~

Wording based on recommendations of Ecosystem Protection Advisory Committee and Forest Policy Advisory Committee

i) encouraging the provincial government to provide tax incentives and reforestation programs;

ii) local education programs; and

iii) encouraging well-coordinated management practices to maintain the health of the forest, to promote carbon sequestration in the forest and soil, and to reduce the risk of stand-destroying wildfires

~~s) 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.

Moved to policy (u) below

COMMENTS

- t) 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 **to minimize soil compaction and erosion,**
 - iv) the elimination of chemical management,
 - v) encouragement of alternatives to slash burning,
 - vi) immediate replanting **with site-specific, appropriate, native plant and tree species,**
 - 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.
 - xi) control of invasive exotic species**
- 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.~~
- u) The fragmentation of Forest-designated lands by roads or other service or communication corridors shall be minimized.
- v) 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.~~
- w) **The LTC encourages local economic opportunities for small-scale sustainable forestry through supporting:**
- i) **the establishment of a non-profit community-owned forest that is consistent with ecosystem-based sustainable forest practices, and the lands so acquired are preserved for forestry use in perpetuity for future generations;**
 - ii) **the development of co-operative ecosystem-based sustainable forest management and value-added ventures;**
 - iii) **initiatives to provide tax incentives for maintaining ecosystem-based sustainable forest management activities;**
 - iv) **appropriate small scale forest related activities such as the sustainable gathering of non-timber forest products, food crops, hiking, bird watching and wildlife viewing, education and value added industry.**

Recommendation of Ecosystem Protection Advisory Committee

Recommendation of Ecosystem Protection Advisory Committee

Recommendation of Forest Policy Advisory Committee

FLR no longer exists

Captured in revised Forest policies, water supply policies, or have been removed from Residential policy section

Recommendations of Forest Policy Advisory Committee

4. Community Facilities and Utilities

4.1 Community Facilities

Galiano's community facilities for social and cultural services currently include a recycling **centre**, fire halls, **ambulance station**, 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~~ **promote the establishment of** community facilities that enhance the social, economic, educational, environmental and cultural aspects of life on the island and ~~do not adversely affect in a manner that minimizes impacts on~~ the natural environment.

Community Facilities Policies

- a) The principal use shall be community facilities ~~managed by non-profit organizations.~~ *Would regulate user rather than use*
- b) Community facility zones shall be developed for such ~~non-profit community activities~~ **uses** as ~~affordable and seniors' housing,~~ **community orchards, nurseries, gardens, and woodlots; farmers markets, or arts facilities, schools, halls, libraries, museums, churches, cemeteries, medical centres, recycling centre, ambulance station, R.C.M.P. facilities, emergency evacuation services and fire halls.** *'Non-profit' would regulate user rather than use*
Affordable and seniors housing: moved to new Community Housing designation
- e) ~~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.~~ *Combined with (b) above*
- c) 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.~~ *moved to Community Housing Section*
- d) **As a plan for a local trust area designated under the *Islands Trust Act* and placing priority on the preservation and protection of unique amenities and environment of the area, rezoning for new community facility uses should not be considered in advance of demonstrated need.** *Addresses LGA required content.*

Community Facilities Advocacy Policies

- e) The delivery of services by local non-profit organizations shall be encouraged.

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

COMMENTS

f) Opportunities for creation and ownership of community facilities through vehicles such as a Community Land Trust, shall be encouraged.

g) **The local trust committee will support efforts to expand electronic communications and infrastructure within the community provided it can be demonstrated that there are no harmful health or environmental effects.**

Policy recommended by CED advisory committee

h) **Green building techniques are encouraged in new construction.**

Recommended by Ecosystem Advisory Committee

i) **Green burials in cemeteries are encouraged.**

Recommended by Ecosystem Advisory Committee

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~~ **minimizes impacts on** 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.~~

Public utilities regulated provincially

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.

Utilities Advocacy Policies

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

Recommended by Ecosystem Advisory Committee

d) **utility companies are requested to follow highway or emergency access routes as identified in Schedule 'C' when installing hydro and telephone service lines**

Recommendation of Transportation Advisory Committee

Proposed Bylaw 204

4.3 Health and Wellness Facilities

Health and Wellness Facilities Objective

The objective of this subsection is:

1) to encourage facilities that enhance the health of its residents and visitors, the economy of the island, 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 **any** health and wellness facility shall be considered on a site specific basis.

Revised to general policy wording. Zoning is in place.

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~~ **ecosystems** identified on Schedule "I".
- j) Commercial uses of the foreshore shall preserve public access, ~~and minimize negative impacts to~~ **on upland owners and 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, duplication of wording*
- n) **As a plan for a local trust area designated under the *Islands Trust Act* and placing priority on the preservation and protection of unique amenities and environment of the area, rezoning for new commercial uses should not be considered in advance of demonstrated need. The local trust committee may undertake a review and inventory of existing commercially zoned land and uses, assess existing and future projected demand for commercial land, and on the basis of this assessment, consider re-designating and rezoning land.** *Policy would allow for review of commercial land.*
- o) **The local trust committee will encourage and may require implementation of green building standards in new development.** *Recommendation of ecosystem advisory committee*
- p) **In reviewing development applications, the local trust committee will consider greenhouse gas and other emissions anticipated to result from the development.** *Recommendation of ecosystem advisory committee*
- q) **The Local Trust Committee may consider amending zoning to require that on-site staff accommodation be provided for larger new commercial developments.** *Policy would require staff housing for resorts or other new or redeveloped commercial lands*

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~~ **shall not be permitted as a home occupation.**
- 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.
- 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.**

Removed references to food standards, this is not LTC jurisdiction and there is no business licensing

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.
- d) Visitor accommodation beyond the scale of a Bed and Breakfast shall require commercial zoning characterized as:

COMMENTS

- 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.~~ *Combine e(iv)(a) into e(iv) with formatting consistent with (i) through (iii) and remove site specific reference*
- e) ~~Individual Zoning may include~~ **permit and regulate accessory** on-site activities ~~specified in the zoning.~~ *Original wording revised for clarity*
- f) ~~Privately owned~~ Commercial campgrounds and trailer parks shall not be permitted in the Galiano Island **Local Trust Area outside of provincial parks.** *Zoning cannot regulate tenure*

Visitor Accommodation Advocacy Policies

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

- g) ~~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~~ **containing Sensitive Areas Ecosystems** identified in Schedule "I".
- 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,

COMMENTS

- 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.
- vii) **In reviewing development applications, the local trust committee will assess greenhouse gas and other emissions anticipated to result from the development**

Recommendation of ecosystem advisory committee

- 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 impacts to~~ on upland owners **and 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,~~
- g) Value added industry on an appropriate scale shall be encouraged.
- h) ~~Noise abatement techniques are encouraged.~~ **The local trust committee should consider implementing regulations that would limit noise impacts generated by industrial uses and activities**
- i) 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.
- j) **As a plan for a local trust area designated under the *Islands Trust Act* and placing priority on the preservation and protection of unique amenities and environment of the area, rezoning for new industrial uses should not be considered in advance of demonstrated need. The local trust committee may undertake a review and inventory of existing industrially zoned land and uses, assess existing and future projected demand for industrial land, and on the basis of this assessment, consider re-designating and rezoning land.**
- k) **The local trust committee will encourage, and may require, implementation of green building standards in new development**

Reworded for clarity

Policy would allow for review of industrial land

Recommendation of ecosystem advisory committee

Light Industry Advocacy Policies

- l) The Ministry of Energy, Mines and Petroleum Resources shall be requested to **ensure that, consistent with the Islands Trust Policy Statement, there should be no extraction of peat, metals, minerals, coal or petroleum in** establish the Galiano Island Local Trust Area as a reserve prohibiting the exploration for mineral or petroleum resources.

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

(h) Reworded for consistency with Islands Trust Policy Statement policy 4.6.1

- m) The **provincial** Ministry **responsible** 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.
- n) The ~~Ministry of the Environment~~ **provincial** Ministry **responsible** 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,

6. Parks and Recreation

There are ~~four~~ **several** Provincial parks in the Galiano Island **Local** Trust Area, **numerous local community parks, and Capital Regional District parks**. ~~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~~ **Ocean** access points, **parks and the proposed Trail Network** are shown on Schedule "CE" 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.
- b) **Dedication of land, rather than cash-in-lieu, shall be required on lands identified on Schedule E of this plan where parkland dedication is required at the time of subdivision.**

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

Would not leave discretion of land or cash to subdivider

Parks and Recreation Advocacy Policies

COMMENTS

- c) The Capital Regional District shall be requested to maintain a local Parks and Recreation Commission to administer local parks created at time of subdivision.
- d) B.C. Parks shall be requested to maintain a reservation system for all Provincial campsites in the Galiano Island **Local** Trust Area.
- e) 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.
- f) 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.
- g) The RCMP shall be requested to enforce the prohibition of camping on public beach accesses and road allowances.
- h) 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.
- i) ~~A trail network and a parks plan map shall be developed~~ **by the Parks and Recreation Commission, in cooperation with the LTC and other stakeholders, for inclusion into is included as Schedule E of the Community Plan.**
- j) ~~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 any 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 and to broaden application

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.~~

Revised wording based on Ecosystem protection advisory committee recommendations

The protection of special natural areas, removed from the threat of future development, is an ongoing process on Galiano Island. Over the past decades, several Nature Protection areas resulted from the combined efforts of residents, visitors, non-profit organizations and public agencies. These protected areas, along with public lands intended for conservation, are designated as Nature Protection in this plan

Nature Protection Objective

The objective of this subsection is:

- 1) to preserve natural values,
- 2) **to create connections establishing a network of protected areas,**
- 3) **to protect and enhance the island's capacity for carbon storage,**

New wording based on Ecosystem protection advisory committee recommendations

New wording based on Ecosystem protection advisory committee recommendations

Nature Protection Policies

- 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.
- c) Zoning for Nature Protection areas may permit trails, **restoration and enhancement** and **low impact recreation** uses permitted as specified in the ~~Ecological Reserves Regulations pursuant to the Ecological Reserves Act.~~
- d) Where Nature Protection areas meet the high tide line, the water and foreshore shall be zoned for protection.

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

Revised wording describes uses rather than referencing legislation

Nature Protection Advocacy Policies

- e) 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.

- f) **Landowners are encouraged to protect sensitive areas on their lands through granting conservation covenants under the Natural Area ProtectionTax Exemption Program (NAPTEP)**

Encourages voluntary conservation with reduced property taxes

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

The development and maintenance of the island’s road network is fundamentally connected to the land use pattern, with development and services occurring in several clusters of small lot development. The density and intensity of development generally declines as distance from existing small lot development increases.

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. **In 1994 the Minister of Municipal Affairs announced efforts to complete a road network plan for Galiano Island. The Galiano Island Transportation Advisory Committee (GITAC) was asked to prepare a report regarding a proposed road network plan, which was tabled with the Local Trust Committee in March 2001. In July 2002 the Local Trust Committee directed that the road network plan report be integrated into the Official Community Plan. The following objectives and policies incorporate those initiatives.**

Additional wording recommended by Transportation committee

Land Transportation Objectives

The objectives of this subsection are:

- 1) to achieve over the long term ~~a planned road and trail network~~ **emergency access routes** based on the network depicted in Schedule "C", including further components of the network that may be identified by amending Schedule "C",
- 2) **to create opportunities for trail acquisition and achieve over the long term a planned trail network identified on Schedules C and E.**
- 23) to ensure that island roads are rural in character and ~~do not adversely affect the natural~~ **that impacts on the environment are minimized,**
- 4) **to support the design of quiet safe neighbourhoods by encouraging**

Additional wording recommended by Transportation committee

revised wording recommended by Transportation committee

Additional wording

COMMENTS

*recommended by
Transportation committee*

slower vehicle speeds and by managing land use to limit traffic generation through such neighbourhoods

- 35) to ensure that parking for all land uses is safe and compatible with the rural character of the island,
- 46) to ensure roadways are safe for all users,
- 57) to encourage alternatives to motor vehicles **forms of transportation and resulting in reduced emissions of greenhouse gases.**
- 68) to ensure that emergency road access is available **and maintained** to all lots on Galiano Island ~~where residential use is permitted.~~

*As recommended by
transportation advisory
committee*

Land Transportation Policies

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

- ~~h) The size and nature of signs on private property shall be regulated.~~
- a) Off street parking shall be required for all Land uses **shall be required to provide adequate off-street parking and where appropriate the local trust committee may require alternatives to parking spaces, including but not limited to bicycle racks or cash-in-lieu for use for trails and paths. Parking standards may be established for electric vehicle plug-ins in appropriate locations.**
- b) Residential use ~~shall not~~ **should only** be permitted on any lots on Galiano Island ~~unless where there is public road access to the lot or a statutory right of way has been granted to the Galiano Island Local Trust Committee appropriate agencies for public and emergency road access purposes~~ **access to the lot providing continuous road access to the Sturdies Bay Ferry Terminal by any combination of dedicated highway, statutory right of way as described in Forest Policy (b), and private easement unobstructed by any gate or similar structure.**
- c) **The Road Network shown on Schedule C represents both existing and proposed roads, and is subject to the following:**
 - i) **the locations of proposed highways and emergency access routes shall be considered approximate locations;**
 - ii) **locations of proposed highways and emergency access routes shall be confirmed at time of rezoning, subdivision or building permit;**
 - iii) **where a portion of the highway network indicated on the Road Network Plan is designated on a lot, residential use shall only be permitted where highway routes are dedicated by deposit of an appropriate plan in the Land Title Office; or be subject to a statutory right of way for emergency access purposes in favour of the authority having jurisdiction over the provision of emergency services, and an option to purchase the statutory right of way area for nominal consideration, in favour of the Crown as represented by the Minister of Transportation and Infrastructure, and a covenant in favour of the Local Trust Committee requiring the owner of the parcel charged by the statutory right of way to keep the statutory**

*Policy on signs deleted, not
applicable to transportation*

*Proposed new wording
consistent with proposed
Forest policy provisions.*

*New policy wording
recommended by
transportation advisory
committee, modified wording
from proposed provides
statement on intent of
Schedule C*

right of way area clear of buildings and other obstructions, permit emergency access, and to maintain the road to such standards as the Ministry of Transportation and Infrastructure may prescribe from time to time;

- iv) where an emergency access route indicated on the Road Network Plan is designated on a lot, residential use shall only be permitted where the lot is subject to a statutory right of way for emergency access purposes in favour of the authority having jurisdiction over the provision of emergency services, and a covenant in favour of one or more of the Local Trust Committee and the other authority, requiring the owner of the parcel charged by the statutory right of way to keep the statutory right of way area clear of buildings and other obstructions and to maintain the access route to such standards as the authority having jurisdiction over the provision of emergency services may prescribe from time to time;
- v) highway and emergency access route connections at property boundaries should be consistent with the approximate locations identified on Schedule 'C', unless more detailed site investigation of all lots concerned identifies a more suitable point of connection consistent with the general continuity of routes through adjacent lots as identified on Schedule 'C';
- vi) there should be no additional highway route or emergency access route interconnections, except for local access, than provided for in Schedule 'C';
- vii) highway routes should be of sufficient width to accommodate hydro and telephone service line requirements.

d) **The local trust committee should consider reviewing and amending the subdivision and servicing regulations in the Land Use Bylaw in order to more effectively meet the objectives and policies of this section of the Plan.**

Policy would direct the LTC to update its subdivision regulations to more effectively use its authority to achieve its objectives

e) **The local trust committee may consider amending the Land Use Bylaw to require that parking be provided on Galiano Island, to a specified number and standard, for new development on associated islands.**

Proposed policy would direct LTC to establish parking regulations in LUB that would require parking on Galiano for new development on associated islands. Based on comments of Transportation Advisory committee

f) **Land that is rezoned to any Economic Activity Zone should have direct frontage and suitable access on a highway classified as Main Rural or Minor Rural**

Policy wording based on recommendation of transportation advisory committee

g) **The local trust committee may consider rezoning or temporary use permit applications to allow for an off-street parking area for vehicles and boat and utility trailers in a location close to public docks or boat launches**

Based on recommendation of Advisory committee.

Land Transportation Advocacy Policies

h) **All parties are encouraged to meet their obligations with respect to the Letter of Understanding Agreement with the Ministry of Transportation and Highways Infrastructure shall be respected and the public consultative process expressed therein shall be supported.**

Wording revised to use active voice

COMMENTS

- i) ~~B.C. Tel and B.C. Hydro~~ **Utilities and their contractors** shall be requested to engage in a consultative process with the community with respect to the use of the road right-of-way and **the local trust committee may consider entering in letters of agreement with the utilities or their contractors.** ~~users shall be requested not to apply herbicides or pesticides on the road right-of-way.~~
- j) The Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be requested to ~~control traffic~~ **address** safety by **posting lower limiting speed limits, installing crosswalks, and posting cyclist and pedestrian awareness signs in identified problem areas** rather than by requiring roads to be straightened and widened.
- k) 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.
- l) When paving is required, the Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be requested to require paving to minimum widths **as specified in the Letter of Agreement.**
- m) All roads should follow the natural contour of the land and avoid unnecessary interference with **surface and subsurface** water flow.
- n) The use of road allowances for parallel transportation routes to separate motor vehicles and non-motorized vehicles shall be encouraged.
- o) 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.
- p) ~~The Ministry of Transportation and Highways~~ **Infrastructure** and ~~the B.C. Ferry Corporation~~ **Services responsible agencies** shall be requested to provide **adequate** parking facilities to decrease long term parking on road ways at ferry terminals, beach accesses, boat launches and government docks.
- q) In all subdivisions **bordering on a body of water**, the Approving Officer shall be requested to require access to the foreshore, **subject to the Approving Officer's discretion, sufficient area for parking at foreshore accesses**, emergency vehicle standards for all new roads **and driveways**, road construction designed only for the zoned residential capacity and consolidation of road accesses from subdivisions onto main roads.
- r) The Ministry of Transportation and ~~Highways~~ **Infrastructure** shall be requested to ensure that the subdivider provides adequate areas for off-~~road~~ **street** 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.
- s) The Local Trust Committee does not consider it to be in the public interest for lots without public road access, **or access by private road as part of a bare land strata plan, connecting to the public road system and to island services and the ferry terminal** to be created by subdivision **on Galiano**

Wording revised: to remove specific references to utilities, allow for a letter of agreement and move reference to pesticides to general environmental policy section of OCP where it has overall applicability.

Confirms that standards should be consistent with agreement

Two policies, double-laning not a current concern

Various agencies are responsible, some long term parking could be relieved by options other than more parking (eg bike racks)

Additional wording as per recommendation of Parks and Recreation Commission and Transportation advisory committee.

Policy wording recommended by transportation advisory committee

Island.

- t) **The Ministry of Transportation and Infrastructure, and other appropriate agencies, are encouraged to support alternative transportation initiatives, including, but not limited to, transit, car stops, neighbourhood zero and low emission vehicles, car shares, a bicycle path network and walking trails linking population to services.** *Proposed new advocacy policy, would support GHG emission reduction objectives*

- u) **The LTC supports the development of a bicycle path network, and the Ministry of Transportation and Infrastructure should be requested to consider the creation of bicycle paths within existing highway dedications.** *Proposed new advocacy policy, would support implementation of bicycle path network*

- v) **The local trust committee supports the installation of traffic calming features in high traffic locations.** *Policy wording based on recommendation of advisory committee*

- w) **The Local Trust Committee considers that the Approving Officer should, at the time of subdivision, consider the following:** *Policy recommendation of transportation advisory committee*
 - i) **the location of any highway route or emergency access route identified by Schedule “C” as the appropriate location for new highway or statutory rights of way for emergency access other than those necessary for local access;**
 - ii) **that new highways designed to serve subdivisions should generally not permit through traffic unless provided for on Schedule “C”;**
 - iii) **that in order to minimize disruption and compaction of the land, new highways or statutory rights of way for emergency access designed to serve subdivisions should, whenever possible, follow existing road corridors, whether logging roads, existing easements or rights of way or other established routes;**
 - iv) **that statutory rights of way for emergency access should be provided for use in such emergencies as major road closures or fire evacuation;**
 - v) **that new highways or statutory rights of way for emergency access are located and developed to minimize impacts on environmentally sensitive areas;**
 - vi) **that providing for public trail development adjacent to, but separated from, the traveled surface of highways designated as Main Rural, is a means of improving road safety for pedestrians.**

- x) **Any agency with authority regarding the management of trails for use by the public is requested to restrict trail use to non-motorized use.** *Policy recommendation of transportation advisory committee*

1.2 Air Transportation

~~There are no air strips in the Galiano Island Local Trust Area. Float plane and~~ **emergency helicopter** 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.

Private airstrips are not regulated by the LTC

Air Transportation Objectives

The objectives of this subsection are:

- 1) to minimize noise pollution from aircraft, and
- 2) to **limit services** 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~~ **minimize impacts to** the natural environment ~~and~~ **and** 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,
- 4) **to recognize the unique challenges and issues in providing and maintaining access to the associated islands, and**
- 5) **to encourage foot passenger only, multiple port, inter island ferry service.**

Recommendation of transportation advisory committee

Water Transportation **Advocacy** Policies

- a) Wharves, barge landing and boat launching ramps shall be sited to minimize the impact on the natural environment.
- b) All water transport operators shall be requested to ensure services do not exceed the needs of the local community.

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

COMMENTS

- 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~~ **Agencies** 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. *Not within agency's role*
- e) The establishment of group or ~~community wharves~~ **shared docks** shall be encouraged. *Wording revised for clarity*
- f) B.C. Ferries **Services Inc.** shall be requested to ensure that on-shore facilities encourage foot passenger service.
- g) The operation of personal watercraft in Montague Harbour shall be ~~prohibited~~ **discouraged**. *LTC cannot regulate vessels*
- h) **BC Ferry Services Inc. is encouraged to undertake efforts to reduce greenhouse gas emissions within its own operations, to support lower fares for smaller, low-emission vehicles, and to create and maintain facilities and services, including bicycle racks, supporting travel by means other than private automobile.** *Proposed new advocacy policy, would support GHG emission reduction objectives*
- i) **The local trust committee will support efforts to develop a foot passenger-only ferry service.** *Recommendation of transportation advisory committee*

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 **precautionary principle and the** best information available regarding water resources, so that the resource will be preserved for current and future use, *Revised wording recommended by ecosystem advisory committee*
- 4) **to protect elevated groundwater recharge areas, and** *New wording recommended by ecosystem advisory committee*
- 5) **to address the impacts of climate change on groundwater supply and quality** *Proposed new objective supporting climate change adaptation*

Water Supply Policies

- 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~~ **except where** 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~~ **be designated as a development permit area for the protection of the natural environment and for water conservation and the provisions of the development permit area shall ensure that:**
- 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.

Forest policy (d) no longer included in OCP

Revised wording reflects the current DPA, and current and proposed zoning which does and would permit human habitation, but subject to a DP where required. This may be further revised based on the recommendations of a current groundwater study.

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.

- b) ~~When~~ **Aquifers and recharge areas are should be identified and measures and standards recommended through professional analysis.** ~~as part of a Groundwater Management Plan, land use~~ **Once the professional analysis is completed, policies, zoning and regulations may should be redesigned amended** to ensure **that development minimizes impacts on** the sustainability of the potable water resource. **The following regulatory provisions may be considered:**
- i) **amending zoning to establish groundwater protection zones;**
 - ii) **amending zoning to permit lot clustering;**
 - iii) **amending zoning to limit lot sizes in critical areas;**
 - iv) **amending lot coverage requirements to limit impermeability;**
 - v) **amending zoning to limit floor area;**
 - vi) **new or amended DPA designations for critical groundwater areas;**
 - vii) **new or amended subdivision and servicing regulations to ensure that appropriate and effective requirements are in place for new subdivisions;**
 - viii) **amendment to servicing regulations to extend water catchment requirements to additional areas;**
 - ix) **amendment to servicing regulations to require community water systems for significant new development in identified critical areas.**

Based on recommendation of Water advisory committee and range of regulatory options the LTC can consider

COMMENTS

- c) Regulations shall require new developments to provide accessible cisterns in **critical groundwater areas** ~~or ponds of water specifically for fire protection.~~ *Revised wording based on Water policy committee recommendation.*
- d) **Retail sale or wholesaling of groundwater extracted on Galiano Island shall not be permitted.** *New wording recommended by ecosystem advisory committee*
- e) **Any rezoning application involving an increase in density or intensity of use should be required to provide an assessment of the availability of sustainable, long-term groundwater. Any additional density or intensity of use that would negatively affect the quality or quantity of groundwater should not be permitted in critical groundwater areas.** *Based on water committee recommendations, planning practice and Islands Trust Policy Statement.*
- f) **Desalination systems should be regulated and use may be limited.** *Water policy recommendation*

Water Supply Advocacy Policies

- Policies have been re-ordered to place advocacy policies under a distinct heading*
- g) The **Local Trust Committee may request that the Minister** 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 and initiate the preparation of a Water Management Plan.~~ *Based on recommendation of Water Advisory Committee*
- h) The Approving Officer shall be requested to ensure that the use of groundwater for new subdivisions does not adversely affect existing water users.
- i) 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.
- j) Alternatives and supplements to the use of groundwater, such as collection of rainwater and use of cisterns, shall be encouraged.
- k) The Ministry of Environment, ~~Lands and Parks~~ shall be requested to ensure that inexpensive and accessible well water testing is available.
- l) Residents are encouraged to conserve groundwater by using water catchment for irrigation and by landscaping with drought tolerant plants.
- m) **The Local Trust Committee supports efforts by appropriate bodies to:** *Advocacy policy incorporating advocacy statements recommended by Water Advisory Committee*
- i) **undertake education concerning groundwater conservation;**
 - ii) **identify and re-activate existing observation wells;**
 - iii) **establish new observation wells;**
 - iv) **create and maintain a database of well observation records;**
 - v) **establish a pilot project to produce and share information**
 - vi) **establish assistance for the installation of water saving devices and technology.**
 - vii) **establish programs or undertake enforcement to protect groundwater from toxic or noxious leaching from industrial or other uses.**

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

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

- 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~~ **with-flow fixtures that utilize** 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.

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

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

- 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.
- 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 the** 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.

4. Sand and Gravel Resources

While there are a limited of number of small gravel pits operated intermittently on Galiano Island for local use, there is insufficient information available to include the locations of sand and gravel deposits suitable for future extraction. The regulatory authority for exploration and extraction of aggregate resources rests with the appropriate provincial ministry, local government bylaws apply only when processing materials is undertaken.

*Required OCP content:
approximate location and area
of sand and gravel deposits
that are suitable for future sand
and gravel extraction*

Sand and Gravel Policies

- 4.1 Processing of aggregate resources is an industrial use and should be zoned accordingly, or if intended to be short term may be permitted through a temporary use permit with appropriate conditions.**

*Would require that activities
not immune from zoning be
appropriately zoned or
regulated through a TUP.*

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 I ~~illustrates environmental resources, environmentally sensitive areas and heritage resources in the local trust area.~~ **is a generalized presentation of detailed Islands Trust Ecosystem Mapping prepared for the Trust Fund Board and the Islands Trust.**

The conservation importance of Galiano's diverse ecology is among the highest in British Columbia. Galiano's ecosystems are characteristic of the Coastal Douglas Fir Biogeoclimatic Zone (CDF), an ecological classification that is limited in B.C. to a small part of southeastern Vancouver Island, the Gulf Islands and a narrow strip along the adjacent mainland. The CDF has recently been ranked as imperilled (high risk of extinction due to very restricted range, steep declines, or other factors) both provincially and globally, and is one of the most endangered ecosystems in Canada. B.C. contains over 80% of the global range of the CDF. The CDF is home to 24 species of global conservation concern and 170 species of provincial conservation concern and has the highest density of species of conservation concern in BC. This conservation challenge is further intensified when considering the future impacts of climate change, and has led to the CDF being identified as BC's highest priority for conservation.

Wording of Ecosystem Advisory committee. Originally recommended for preamble of OCP, located in this section based on recommendations of Steering Committee.

Natural ecosystems provide an enormous range of goods and services that sustain our health and well-being including food, materials, clean air, clean water, nutrient cycling, as well as recreation, education and spiritual uplift. A recent global assessment of human impacts on the world's ecosystems found that 60 percent of ecosystem services including fresh water, air and water purification, and the regulation of climate are in decline. The loss of natural habitat worldwide due to human impact has resulted in an estimated loss of \$250 billion per year. Climate change will exacerbate the degradation of ecosystems and the loss of ecosystem services.

Natural ecosystems provide key services related to climate change notably carbon dioxide absorption and carbon storage. For example, global ocean and land ecosystems typically remove about 50-60 percent of human-caused carbon dioxide emissions. Intact natural ecosystems are the most resilient to change, therefore they provide the best opportunities for adaptation as the climate changes through the provision of corridors for migrating wildlife, water storage, and flood protection. Intact natural systems also store the most carbon. (Wilson, Hebda. 2008).

General Environmental Policies:

- a) The use of pesticides, herbicides, fungicides, insecticides for cosmetic purposes and the introduction of exotic species and genetically modified organisms is discouraged.

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

- a) 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.**
- b) Zoning regulations shall be designed to protect surface water and streams from contamination.

Fresh Water Resource Advocacy Policies

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

- c) 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.
- d) 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.
- e) The Ministry of Environment, ~~Lands and Parks~~ and the Ministry of Forests, **Mines and Lands** shall be requested to enact legislation that would preserve natural ground cover in aquifer recharge areas.
- f) **Efforts to raise awareness of groundwater conservation through education will be supported.**

New wording recommended by ecosystem advisory committee

2. Shoreline and Marine Resources Protection

The complex geography and geology of Galiano Island and surrounding islands and waters have produced a tremendous diversity of coastal and marine habitats. Unique relationships exist between terrestrial, fresh water and marine areas; as a result, coastal ecosystems are the most diverse and productive of all ecosystems. Significant recreational, commercial, industrial and residential activities occur within the shoreline area and this sensitive area is under intense pressure from development and human activity.

New wording based on recommendations of ecosystem advisory committee

The Shoreline and Marine resources designation incorporates ~~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 **in the local trust area**,
- 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) **The local trust committee may consider amending the existing A Marine zoning shall be designated for all water areas not in specific use zones, permitting private docks and mooring but no other intrusive structures to not permit new individual private docks. Applications for rezoning for shared docks should be considered.**
- 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.

New policy based on recommendations of ecosystem advisory committee

Shoreline and Marine Resource Advocacy Policies

- h) The Ministry of Environment, ~~Lands and Parks~~, the Ministry of Agriculture, Fisheries and Food and the ~~Federal Department of Fisheries and Oceans~~ **Canada** shall be requested to:
 - i) preserve **and recover** marine **species and** habitats by ~~ensuring~~ **prohibiting commercial and limiting personal** the harvesting of **all**

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

New wording based on recommendations of ecosystem

marine life ~~does not adversely affect the marine ecosystem with the exception of First Nations rights,~~

- ii) prohibit commercial harvesting of clams, and
- iii) encourage protection of bird habitat in shoreline areas.
- iv) undertake measures to protect glass sponge reefs**

- 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.~~
- l) The Ministry of Transportation and Highways **Infrastructure and the Parks and Recreation Commission** shall be requested to provide signs at foreshore accesses.
- m) The Province of B.C. ~~or the Federal government~~ shall be requested to establish a Marine ~~Protected~~ **Area in the waters of the Local Trust Area**. ~~to protect the area surrounding the Ballingall Islets, and marine frontage at Bodega Ridge, Pebble Beach, and Dionisio Point Park.~~
- n) **Efforts to provide education on the fragility of intertidal ecosystems shall be supported**

These facilities are now managed by Harbours Commission

Was not initiated to date

Revised wording based on recommendations of ecosystem advisory committee

New policy based on recommendations of ecosystem advisory committee

3. Heritage Resources Conservation

Galiano Island is within the traditional territory of **several First 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

COMMENTS

- 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.**
- 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.**

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

Heritage Advocacy Policies

- f) ~~The establishment of an local Standing Committee~~ **Advisory Planning Commission** to identify heritage value and character shall be ~~encouraged~~ **considered**.
- g) Private land owners shall be encouraged to enter into voluntary covenants to protect heritage values.
- h) ~~The Ministry of Small Business, Tourism, and Culture and the Arts shall be requested to~~ **Local Trust Committee continues to support facilities that serve as** establishment of a Community Interpretive Centre as a repository for artifacts, oral history tapes, photographs and materials relating to heritage buildings and sites.
- i) 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**.
- j) ~~The Ministry of Small Business, Tourism and Culture~~ **Natural Resource Operations** shall be requested to ensure archaeological and heritage sites are protected from disturbance under the provisions of the *Heritage Conservation Act*.
- k) The repair and restoration of heritage sites shall be permitted through **amending** regulations, **including zoning**, that provide for some special uses of

restored buildings.

- l) ~~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 4. ~~Wildlife Resources Protection~~

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

- a) ~~An updated~~ **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.~~
- b) **The protection and recovery of rare and endangered plant and animal species and critical habitat shall be considered and addressed in all land use decisions.**

New wording recommended by ecosystem advisory committee

Wildlife **Advocacy** Policies

- c) Sufficient natural habitat areas shall be preserved to maintain a healthy wildlife population.
- d) The protection of heritage orchards shall be encouraged as valuable habitat for island wildlife.
- e) 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 5. Air Resources-Quality

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.

6. 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:

- 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

These climate change actions largely refine policy direction elsewhere in the OCP

- a) **In reviewing development applications, the local trust committee will assess the potential greenhouse gas emission and climate change impacts anticipated to result from the development.**
- b) **In considering applications for new development, the LTC should ensure that additional density is located in areas accessible to existing transportation and services.**
- c) **The Local Trust Committee should consider amending zoning regulations to permit or facilitate small-scale renewable energy production, such as solar collectors, wind turbines and geothermal heating.**
- d) **The Local Trust Committee should consider amending the parking requirements for commercial and community uses, to require alternatives to some parking spaces, including but not limited to bicycle racks.**
- e) **The Local Trust Committee encourages, and may require, new development to utilize building technology that minimizes energy use.**
- f) **The Local Trust Committee supports alternative transportation initiatives, including, but not limited to, transit, car stops, neighbourhood zero and low emission vehicles, car shares, a bicycle path network and walking trails linking population to services.**
- g) **The LTC supports the development of a bicycle path and trail network, and the Ministry of Transportation and Infrastructure should be requested to consider the creation of bicycle paths within existing highway dedications**

7. 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. **More recently, mapping has been conducted by Islands Trust and the Trust Fund Board, including the Islands Trust Ecosystem Mapping initiative (ITEM) and recently the Sensitive Ecosystem Mapping (SEM) project, utilizing provincial Terrestrial Ecosystem Mapping standards.** This most recent Sensitive Ecosystem Mapping information combined with the local knowledge from members of the community provides the basis for the designation of Environmentally Sensitive Areas in Schedule I.

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 **has used the recent Sensitive Ecosystem mapping as the basis for establishment of development permit areas, and will** 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

- a) ~~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 has designated development permit areas for protection of the natural environment, along with other tools, to ensure that development is appropriately managed and that potential impacts on sensitive ecosystems are minimized.**

Environmentally Sensitive Areas Advocacy Policies

- b) 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 "I".
- b) ~~The B.C. Assessment Authority shall be requested to introduce property tax incentives for voluntary conservation initiatives on private lands.~~

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

Implemented through NAPTEP

- c) 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.
- d) ~~The Canadian Wildlife Service~~ **Landowners and relevant agencies** shall be requested to restore and rehabilitate wetland and riparian areas.

SECTION V DEVELOPMENT PERMIT AREAS

Where the LTC has designated certain areas as DPA, the owner must obtain a Development Permit before subdividing land within the DPA; starting construction of, addition to, or alteration of a building or other structure; or altering land, unless otherwise exempted. In the event that a parcel of land is subject to more than one development permit area, all development permit area guidelines shall apply and in the instance where there are conflicts or inconsistencies between guidelines, precedence shall be given to DPAs for protection of the natural environment, its ecosystems and biological diversity. Only one development permit, containing conditions based on guidelines in all applicable DPA, is required.

Introduction to DPA generally and addresses potential overlap of DPA, inconsistencies between provisions and that only one permit would be required.

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

DPA provisions split into two subsections

1.1 Description of Area

~~Development Permit Areas 1 and 2 are is 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 This areas are is designated under s. 879919(1)(a) of the Municipal Local Government Act for the protection of the natural environment, its ecosystems and biological diversity.~~

Updated wording incorporating model RAR DPA provisions reviewed by LTC.

Note: Islands Trust stream mapping is in the process of being updated. Expected completion: March 2011

Development permit area 1 includes all land designated on Schedule F of this plan as being within the Riparian DPA. This DPA includes riparian assessment areas related to the watercourses, wetlands and water bodies identified on Schedule F, consisting of the waterbody and:

- 1. for a stream, a 30 metre strip on both sides of the stream measured from the high water mark;**
- 2. for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank;**
- 3. for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank;**
- 4. for all other water bodies and wetlands, an area encompassing the water body or wetland and 30 metres around the water body or wetland measured from the natural boundary of the water body or wetland;**

and Schedule F shall be so interpreted. The designation and delineation of Development Permit Area 1 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust.

1.2 Authority

This development permit area is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

Terms used in this section that are defined in the Riparian Areas Regulation (RAR) are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time.

1.3 Special Conditions and Objectives that Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is a policy of the Islands Trust Council that local trust committees shall in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

The island's watercourses, **wetlands**, 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.~~

Furthermore, the province of British Columbia's *Fish Protection Act*, requires that local governments establish regulations to protect riparian areas. This designation is intended, in part, to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

1.4 Development Approval Information

The Riparian DPA is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified environmental professional (QEP) may be required due to the special conditions and objectives described above.

1.5 Application Requirements

The applicant may be required, in addition to any other application requirements enacted or imposed by the Local Trust Committee, to provide at their expense an assessment report from a Qualified Environmental Professional (QEP) which has been submitted to the RAR Notification System.

1.6 Applicability

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted below:

- a) Subdivision of land.
- b) Construction of, addition to or alteration of a building or other structure.

c) Alteration of land.

A separate development permit, or additional development permit conditions in a single permit, may be required or imposed if the development is occurring in another development permit area designated in this plan.

1.7 Exemptions

~~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.~~

The following activities are exempt from any requirement for a development permit:

- a) the reconstruction, repair or maintenance of a pre-existing permanent structure on its existing foundation;
- b) the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
- c) tree limbing or tree topping, unless the work can reasonably be expected to result in the death and removal of the tree and root system;
- d) gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land;
- e) the placement of impermanent or moveable structures, such as benches, tables and garden ornaments;
- f) the construction of a fence outside of a stream, waterbody or wetland, if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence;
- g) ecological restoration and enhancement projects undertaken or authorized by a public body;
- h) work that is authorized by Fisheries and Oceans Canada by permit under section 35 of the *Fisheries Act*;
- i) changes in or about a stream authorized under Section 9 of the *Water Act*;
- j) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*.

1.8 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).

Prior to undertaking any development activities within the Riparian DPA an owner of property shall apply to the LTC for a development permit, and the following guidelines apply:

- a) **In general, all development in this DPA should be undertaken in a manner that minimizes impact on the riparian area and ecosystems. Where a Qualified Environmental Professional (QEP) has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the LTC may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of riparian areas and ecosystems, consistent with the measures and recommendations described in the report.**
- b) **The development permit should not allow any development activities, including the storage or application of pesticides and other chemicals for non-essential cosmetic purposes, to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP, and the owner should be required to implement a plan for protecting the SPEA over the long term through measures that may be implemented as conditions of the development permit.**
- c) **Where the QEP report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP at the applicant's expense may be required during construction and development phases, as specified in a development permit.**
- d) **If the nature of the proposed project within the DPA changes after the QEP report has been prepared such that it is reasonable to assume that the QEP's assessment of the impact of the development may be affected, the LTC may require the applicant to have the QEP update the assessment at the applicant's expense and DP conditions may be revised accordingly.**
- e) **The LTC may consider variances to subdivision or siting or size regulations where the variance may result in enhanced protection of a**

SPEA or riparian ecosystem in compliance with recommendations of a QEP report.

2. Development Permit Area 2 – Marine and Intertidal DPA

2.1 Description of Area

Development Permit Area 2 is shown in part on Schedule G. Development Permit Area 2 includes shoreline ~~marine and intertidal~~ 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.

The Marine and Intertidal DPA is proposed to be replaced with new provisions based on Greenshores principles and developed as a model for the Thetis Island OCP.

2.2 Special Conditions

Shoreline ~~Marine and Intertidal~~ 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.

2.3 Development Approval Information

~~The Marine and Intertidal DPA is designated as an area for which development approval information may be required as authorized by Section 920.01 of the Local Government Act. Development approval information in the form of a report from a qualified professional may be required due to the special conditions described above.~~

2.4 Exemptions

Development permits are **NOT** required in the shoreline ~~Marine and Intertidal DPA~~ areas designated in Schedule G except for the construction or installation of a float, wharf, dock, retaining wall, breakwater, or log dump. For certainty, the development permit exceptions in section 2.3 (ii) of Section V are not applicable in this Development Permit Area.

2.5 Guidelines

- a) ~~Harbour and shoreline areas should not be filled.~~
- b) ~~Structures should not be located over shellfish, kelp or eel grass beds.~~
- c) ~~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.~~
- d) ~~Structures should not restrict the movement of aquatic life requiring shallow water and should allow for thorough flushing of enclosed water areas.~~
- e) ~~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.~~
- f) ~~The number of pilings used to stabilize structures should be minimized;~~

with preference given to large spans over additional pilings.

- ~~g) 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.~~
- ~~h) 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.~~

Moved to new provisions

2 Development Permit Area 2 - Marine and Intertidal DPA

2.1 Designation:

Development Permit Area 2 includes all land 15 m upland of the natural boundary of the sea, and seaward to the boundary of the area of bylaw application.

2.2 Authority

The Marine and Intertidal Development Permit Area is designated a development permit area pursuant to Section 919.1(1)(a) of the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity, Section 919.1(1)(b) for the protection of development from hazardous conditions, and Section 919.1(1)(f) for establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

2.3 Special Conditions and Objectives That Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is Provincial legislation in Section 877(1)(d) of the Local Government Act that an official community plan must include statements and map designations for the area covered by the Plan respecting restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development.

It is policy of the Islands Trust Council that protection must be given to the natural processes, habitats and species of the Trust Area, including those of open coastal grasslands, the vegetation of dry rocky areas, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, kelp and eel grass beds and that that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.

It is also policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address:

- the protection of sensitive coastal areas;**

- the planning for and regulation of development in coastal regions to protect natural coastal processes;
- opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways; and
- the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning area.

Shorelines within the Galiano Island Local Trust Area have high ecological values. Due to their physical and biological characteristics and situation they need to be carefully managed to avoid potential negative impacts of development. Development and associated shoreline improvements or protection measures can threaten the ecological and physical integrity of the foreshore and upland.

The Objectives of the development permit area are:

1. To plan and regulate new development in a manner that preserves and protects the long-term physical integrity and ecological values of shorelines and associated foreshore and upland areas.
2. To manage development to minimize disruption of natural features and processes and to retain, wherever possible, natural vegetation and natural features.
3. To balance development opportunities with the ecological conservation of the shoreline environment.
4. To maintain the public's use and access to these important recreation areas in a way that does not compromise the ecological integrity of the shoreline or put users at undue risk
5. To adapt to the anticipated effects of climate change.
6. To protect development from hazardous conditions.
7. To ensure the form and character of marina development is compatible with the rural environment.

2.4 Development Approval Information

The area is also designated an area for which development approval information (DAI) may be required according to Section 920.01(1)(c) of the Local Government Act. The designation of these areas as DAI is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impact of the proposed activity or development on the community.

2.5 Applicability

This Development Permit Area applies to all development proposed within the Shoreline DPA. A development permit is required for the subdivision of land, construction of, addition to, or alteration of a building or structure, or the alteration of land, except where such activities are specifically exempt.

2.6 Exemptions

The following activities are exempt from any requirement for a development permit:

- a) For certainty, development or alteration of land occurring outside of the Development Permit Area.
- b) The placement of impermanent structures such as benches, tables and garden ornaments.
- c) Development on land where a conservation covenant under section 219 of the Land Title Act is registered against title, is granted to the Local Trust Committee or a recognized conservancy and includes provisions which protect shoreline ecosystems in a manner consistent with the applicable DPA guidelines.
- d) Repair, maintenance, alteration or reconstruction of existing legal buildings, structures or utilities, including those that are legal non-conforming, provided there is no alteration of undisturbed land or vegetation (a building permit may still be required).
- e) Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving asphalt or similar surfacing.
- f) Removal of trees deemed hazardous by a qualified arborist that threaten the immediate safety of life or buildings.
- g) Removal of invasive plants or noxious weeds on a small scale within the Development Permit Area.
- h) Farm operations as defined in the Farm Practices Protection (Right to Farm) Act and farm uses as defined in Section 2(2), (3), (4) and (5) of the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation.
- i) Construction of a fence so long as no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence.
- j) Gardening and yard maintenance activities within an existing landscaped area, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbance that do not alter the general contours of the land.
- k) The pruning or limbing of trees provided it cannot be expected to result in the death or removal of the tree.
- l) The construction of a small accessory building such as a pump house, gazebo, garden shed or play house if all the following apply;
 - The building is located within an existing landscaped area;
 - No native trees are removed;
 - The building is located a minimum of 7.5 metres from the natural boundary of sea or, where the bank has a slope greater than 3:1, 7.5 m from the top of the bank, whichever is further; and
 - The total area of the accessory building is less than 10 m².
- m) Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property including:
 - Forest fire, flood and erosion protection works;
 - Protection, repair or replacement of public facilities;
 - Clearing of an obstruction from a bridge, culvert, dock wharf or stream; or
 - Bridge repairs.
- n) The installation of mooring buoys.

2.7 Guidelines:

General Guidelines:

1. In general, development of the shoreline area should be limited and minimize impacts on the ecological health of the immediate area or impede public access.
2. Shoreline protection measures should be limited to those necessary to prevent damage to existing structures or established uses on the adjacent upland. Softer shore protection measures should be considered first, and only if all options to locate and design without the need for shore protection measures are exhausted should such works be considered.
3. New upland shoreline structures or additions should be located and designed to avoid the need for shore protection works.
4. Sea level rise, storm surges, and other anticipated effects of climate change should be addressed in all applications.
5. The LTC may consider variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area.
6. When required shore protection works should:
 - a. Apply the 'softest' possible shore protection measure that will still provide satisfactory protection; and
 - b. Limit the size of shore protection to the minimum necessary.

Shore Protection Measures are the range of modification measures to the shoreline, or adjacent seaward or landward areas, for the purpose of protection against erosion. Structural protection methods are often referred to as 'hard' and 'soft'. 'Hard' measures refer to those with solid, hard surfaces, such as concrete bulkheads, while 'soft' structural measures rely on less rigid materials such as biotechnical vegetation measures (biotechnical measures are the specialized use of woody plant materials to stabilize soil) or beach enhancement. There is a range of measures varying from soft to hard that include:

- Vegetation enhancement
 - Upland drainage control
 - Biotechnical measures
 - Beach enhancement
 - Anchor trees
 - Gravel placement
 - Rock (rip rap) revetments
 - Gabions
 - Concrete groins
 - Retaining walls or bulkheads
 - Seawalls
- SOFT

HARD

In general, the harder the construction measure, the greater the impact on shoreline processes, including sediment transport, geomorphology, and biological functions

7. 'Hard' structural shore protection measures (e.g. concrete walls, lock block, stacked rock, etc) may be considered in support of new or existing development only when a geotechnical and biophysical analysis

demonstrates that:

- a. an existing structure is at risk from shoreline erosion caused by tidal action, currents, or waves. Evidence of normal sloughing, erosion or steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not sufficient demonstration of need;
 - b. the erosion is not being caused by upland conditions, such as the loss of vegetation and drainage. The geotechnical analysis should evaluate on-site drainage issues and address drainage problems away from the shoreline edge before considering structural shoreline stabilization;
 - c. non-structural measures, such as locating new buildings and structures further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or sufficient to address the stabilization issues; and
 - d. unavoidable damage to shoreline ecological function is mitigated as much as feasible and restoration is undertaken when feasible.
8. All structural shore protection measures should be installed within the property line or upland of the natural boundary of the sea, whichever is further inland. 'Soft' shoreline protection measures that provide restoration of previously damaged ecological functions may be permitted seaward of the natural boundary subject to obtaining necessary approvals from the provincial and federal governments.
 9. New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not be necessary during the life of the structure, as demonstrated by a geotechnical analysis for the site.
 10. Shore protection measures that will cause erosion or other physical damage to adjacent or down-current properties shall not be supported.
 11. Shore protection measures should not be allowed for the purpose of providing a sufficient setback to meet zoning requirements.
 12. New driveways and septic systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area must be minimized, and the design and construction of the road or septic system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met as conditions of the permit.
 13. Where this development permit area includes native plant species or plant communities dependent on a marine shoreline habitat that are identified locally, provincially, or federally as sensitive, rare, threatened or endangered, or have been identified by a qualified professional as worthy of particular protection, their habitat areas should be left undisturbed. If disturbance cannot be entirely avoided, development and mitigation / compensation measures shall be undertaken only under the supervisions of a qualified professional with advice from applicable senior environmental agencies.
 14. Shore protection measures should not be allowed for the purpose of extending lawns or gardens, or to provide space for additions to existing structures or new outbuildings.
 15. An existing shore protection measure may be replaced if the existing

works can no longer adequately serve its purpose provided that:

- a. The replacement shore protection measure are of the same size and footprint as the existing works, unless required to prevent shoreline erosion as determined by a qualified professional;
- b. The replacement shore protection measure are designed, located, sized, and constructed to mitigate the loss of ecological functions and include restoration works when feasible;
- c. Replacement walls or bulkheads do not encroach seaward of the natural boundary or an existing shore protection measure unless there are significant safety or environmental concerns that could only be addressed via such an encroachment. In such cases, the replacement of shore protection measures should utilize the 'softest' approach possible and abut the existing shore protection works; and
- d. Where impacts to critical marine habitats would occur by leaving the existing works, it can be removed as part of the replacement measure.

Guidelines for Subdivisions:

16. All lots in a proposed subdivision must be configured to have sufficient area for permitted principal and accessory uses without encroaching into setbacks, the Development Permit Area, or creating a likelihood of shoreline protection measures for the permitted level of development.

Guidelines for Commercial and Industrial Development:

17. Boat maintenance and repair facilities shall be designed and sited in a manner that minimizes the potential for the discharge of toxic materials from boats (fuels, oils, maintenance by-products, etc.)
18. Lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cut off angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.
19. Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.
20. Offshore log storage should be located such that natural flushing and water circulation will dispense waste materials, and log dumping facilities should be designed and operated to prevent bark and other debris from accumulating on the sea bed.

Guidelines for Specific Shoreline Types:

21. Because of their extreme sensitivity to disturbance and slow rate of recovery, dredging or filling of estuaries should not be permitted, sea walls and rip rap embankments should not be permitted, and when shore

protection measures are necessary “beach nourishment” designs are preferred, which add appropriately sized material to the upper beach, creating a natural beach slope and beach armour.

22. New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not be necessary during the life of the structure, as demonstrated by a geotechnical analysis for the said structure.
23. Removal of trees or other vegetation steep slopes or bluffs should only be allowed where necessary and where alternate vegetation / erosion control measures are established. If possible, stumps should be left in place to provide some soil stabilizing influence until alternative vegetation is established. Plans delineating extent of vegetation / tree removal (location, species and diameter of trees) and location of proposed construction, excavation and / or blasting, may be required.

Guidelines for Construction Practices:

Erosion Control:

24. All development within this development permit area should be undertaken and completed in such a manner as to prevent the release of sediment to the shore or to any watercourse or storm sewer that flows to the marine shore. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.

Monitoring:

25. A development permit may require monitoring of the implementation of required environmental mitigation, restoration or enhancement planting or measures approved under a development permit by a qualified professional until all such measures have been completed and the professional has provided a report confirming completion to a standard acceptable to the Local Trust Committee.

Guidelines for Vegetation Management, Restoration and Enhancement:

26. Existing, native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion and slope failure.
27. Existing trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
28. If the area has been previously cleared of native vegetation, or is cleared during the process of development, replanting should be required in accordance with these guidelines or requirements specified in the development permit. Areas of undisturbed bedrock exposed to the surface of natural sparsely vegetated areas should not require planting.
29. Vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and be selected for erosion control and/or fish and wildlife habitat values as needed. Suitably adapted, non-invasive, non-native vegetation may also be considered acceptable.

30. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense within that time in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.

Guidelines for Shore Protection Measures Design:

31. Materials used for shoreline stabilization should consist of inert materials. Stabilization materials should not consist of debris or contaminated material that could result in pollution of tidal water.
32. Revetments (rip rap slopes) and bulkheads (retaining walls) should only be constructed if no other alternative exists.
33. Where revetments are proposed:
 - a. They should not result in the loss of shoreline vegetation or fish habitat;
 - b. The size and quantity of materials used should be limited to that necessary to withstand the estimated energy of the location's hydraulic action and prevent collapse; and
 - c. Filter cloth should be used to aid drainage.
34. Where bulkheads are proposed:
 - a. They should not be located where geo-hydraulic processes are critical to shoreline conservation. Feeder bluffs, marshes, wetlands, spits and hooks should be avoided;
 - b. They should be located parallel to and landward of the natural boundary of the sea, as close to any natural bank as possible;
 - c. They should allow the passage of surface or groundwater without causing ponding or saturation; and
 - d. They should be constructed of stable, non-erodible materials that preserve natural shoreline characteristics. Adequate toe protection including proper footings and retention mesh should be included. Beach materials should not be used for fill behind bulkheads.

Guidelines for Beach Nourishment and Fill:

35. Fill upland of the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.
36. Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design.

37. Fill should not be placed at or below the natural boundary for the purposes of providing a trail or walkway.
38. All upland fill and beach nourishment materials should be clean and free of debris and contaminated material. All fill and beach nourishment proposals are subject to review and approval by the appropriate provincial and/or federal authorities.

Guidelines for Shore Access and Parking:

39. Roads, driveways, trails and pathways should follow the contours of the land, not require retaining walls, and only use stairs as a last resort.
40. Accesses in extremely sensitive areas or hazardous areas should be restricted or prohibited.
41. Parking areas should be located away from the shore, buffered or landscaped, and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, filtration trenches or swales, unpaved or permeable all weather surfaces should be considered for this purpose.

Guidelines for the Construction and Replacement of Docks and Boat Launch Facilities:

42. For residential properties, preference is to be given to the placement of mooring buoys and floats instead of docks.
43. Docks and wharves should be designed to ensure that public access along the shore is maintained except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.
44. Docks and wharves should be sited to minimize impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift.
45. Docks should be constructed in a manner that permits the free flow of water beneath. Supports should be located on a hard substrate.
46. Floating docks should not rest on the bottom at any time and a minimal, moveable ramp should be utilized to connect the dock with the shore rather than a fixed wharf or pier.
47. Piers and pilings and floating docks are preferred over solid-core piers.
48. Docks should not use unenclosed plastic foam or other non-biodegradable materials that have the potential to degrade over time. Docks should be constructed of stable materials that will not degrade water quality. The use of creosote-treated pilings is discouraged.
49. Boat launch ramps are the least desirable of all water access structures and will be considered only if they can be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes.
50. Construction of a private ramp on an individual residential lot or parcel is discouraged. Owners are urged to seek opportunities to use public

ramps or to share existing private ramps.

51. Residential docks should be located and designed to avoid the need for shore defence works or breakwaters.
52. Residential docks should not extend from shore any further than necessary to accommodate a small pleasure craft. Residential docks should not accommodate boats with a draft greater than 2.2 metres or have floats more than 35 square metres total surface area unless more than two parcels have legal access to the dock, in which case permitted total surface area is a multiple of the number of lots the dock serves.

2.3 Development Permit Area 3 - Tree Cutting and Removal

DPA 3 is retained unaltered from the current OCP.

23.1 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 3.3 below for most types of non-industrial tree cutting activities.

23.2 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. **In addition, the island's forests' role in capturing and storing carbon are important in supporting the LTC's greenhouse gas emission reduction goals.** 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.

3.3 Development Approval Information

The Tree Cutting and Removal DPA is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified professional may be required due to the special conditions and objectives described above.

23.4 Exemptions

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 policies b)ii) of this Plan that restricts the use of the area to forest uses exclusively.

23.5 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 1.8 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.

34. Development Permit Area 4 - Elevated Groundwater Catchment Areas

34.1 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.

34.2 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.

4.3 Development Approval Information

The Elevated Groundwater Catchment Area DPA is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified professional may be required due to the special conditions and objectives described above.

34.3 Guidelines

The ~~Municipal~~ **Local Government Act** prohibits construction of buildings and structures, and the alteration of land **and subdivision** in Development Permit Area 4 unless the owner first obtains a development permit. Development permits will be issued in accordance with the following guidelines; guidelines in section ~~23.4~~ 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.

DPA 4 is retained unaltered from the current OCP in this draft. The Islands Trust has retained consultants to review existing groundwater studies, mapping and regulations. The recommendations of this report may result in review and update to the provisions of this DPA.

5. Development Permit Area 5 – Sensitive Ecosystems

Sensitive Ecosystem DPA provisions are based on Islands Trust model guidelines, and reviewed by the LTC. Note: Islands Trust Ecosystem Mapping (ITEM) is in the process of being updated. Expected completion: March 2011

5.1 Designation

All lands shown on Schedule I as being a sensitive ecosystem are designated as a development permit area.

5.2 Authority

The Sensitive Ecosystem development permit area is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity. In considering the issuance of a development permit, the LTC should be satisfied that the guidelines of the DPA have been met where applicable and may impose conditions where appropriate.

5.3 Special Conditions or Objectives that Justify the Designation

The objective of this development permit area is to preserve and protect remaining sensitive ecosystems on Galiano Island.

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area and, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.

The sensitive ecosystem mapping is at a scale of 1:5,000, is based on air photos flown in 1998 and 2002, and was updated in 2011. The mapping was themed using Terrestrial Ecosystem Mapping (TEM) standards consistent with the Resource Information Standards Committee (RISC) Standard for Mapping Ecosystems at Risk in BC. The Islands Trust Ecosystem Mapping for Galiano Island consists of a digital record compiled by means of a geographic information system maintained at the offices of the Islands Trust. A generalized copy of the Islands Trust Ecosystem Map is partially reproduced as Schedule I of this OCP.

The specific nomenclature and classification of these ecosystem classes may be modified pending completion of ITEM mapping review and update.

This DPA includes lands identified as containing the following sensitive ecosystems:

- **Woodland Ecosystems**, one of the most threatened ecosystems in the region and are nationally, provincially, and regionally rare. Woodland Ecosystems are open deciduous forests, composed of pure or mixed stands of Garry oak or mixed stand of arbutus and Douglas- fir; mature big-leaf maple can also be found in sites designated as woodland. Woodlands may include non-forested openings, often with shallow soils and bedrock outcroppings. The diverse physical structure of woodland stands (snags, rotten limbs, and logs) increases the range of habitat niches available to

different species. A rich assemblage of plants, insects, reptiles and birds are drawn to these ecosystems due to the food sources, habitat and proximity to the ocean. Garry oak woodlands support the highest plant species diversity of any terrestrial ecosystem in British Columbia and have been particularly affected by development, fragmentation, and invasive species. It has been estimated that only 5% of the historic Garry oak woodlands in B.C. remain.

- **Herbaceous Ecosystems** are very rare, comprising the island's open wildflower meadows and grassy hilltops, and are usually interspersed with moss-covered rock outcrops. They typically occur as small openings in forested areas with gentle to moderate slopes not exceeding 30% grades. They are located from the salt spray zone near shorelines to the summits of local hills. Herbaceous ecosystems are characterized by thin soils which are easily disturbed and attractive to development and recreational uses.
- **Riparian ecosystems** support a high concentration of vascular plants, mosses, amphibians and small mammal species. Riparian areas function as natural water storage and purifying systems for improved water quality and provide safe corridors for wildlife movement. The riparian areas need to be large enough to protect habitat, prevent flooding, control erosion, reduce sedimentation and recharge groundwater.
- **Wetland ecosystems** include areas on the island that are characteristically wet or contain saturated soils and are dominated by water-loving plants. Classes of wetlands include swamps, marshes, bogs, fens, wet meadows, estuaries and similar shallow water areas that are not part of an active floodplain or stream. Wetlands provide a specialized habitat for diverse and unique species, and are a vital link between upland and open water aquatic environment. They are cherished for their diversity of life and as opportunities for recreational activities and eco-tourism. Wetland ecosystems are sensitive and important because they exhibit rarity, high biodiversity, fragility, specialized habitat, specialized functions and connectivity. Wetland ecosystems are rare in the Trust Area. Over the past 150 years, wetlands have declined due to agricultural development, flood control, forestry, and residential development.
- **Cliff ecosystems** consist of the island's steep, vertical or overhanging rock faces where sparse vegetation may occur in crevices or on ledges. Although rocky outcrops, shorelines, and cliffs are generally robust and stable, the shallow soils are especially susceptible to erosion, damage from recreational activities, and other human disturbances. Open ledges and horizontal fissures on cliffs are known to provide nesting sites for birds such as the blue listed Turkey Vulture or the red listed 'Anatum' Peregrine Falcon. Cliff crevices are used for roosting by bats, and the open cliff faces are used for foraging. Deep crevices are used for shelter and overwintering of snakes and lizards.

5.4 Development Approval Information

The Sensitive Ecosystem development permit area is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified professional may be required due to the special conditions and objectives described above.

5.5 General Applicability

The following activities shall require a development permit whenever they occur within The Sensitive Ecosystem development permit area, unless specifically exempted below.

- a) Subdivision of land.
- b) Construction of, addition to or alteration of a building or other structure.
- c) Alteration of land.

5.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements:

- a) activities on land in respect of which the Islands Trust has received a written statement from a registered professional biologist with relevant experience certifying the absence of a sensitive ecosystem within the area that would be affected by the proposed work;
- b) activities on land in respect of which there has been a determination by Islands Trust staff upon site inspection that the land subject to the proposed work does not contain a sensitive ecosystem;
- c) the placement of impermanent structures, such as benches, tables and garden ornaments;
- d) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*;
- e) gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land;
- f) planting of indigenous vegetation characteristic of the sensitive ecosystem;
- g) the construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence;
- h) the construction of a trail if all of the following apply:
 - the trail is 1 metre wide or less;
 - no native trees are removed;
 - the surface of the trail is pervious;
 - the trail is designed to prevent soil erosion where slopes occur; and
 - where the trail parallels a stream, the trail is more than 5 metres away from the high water mark of the stream.
- i) ecological restoration and enhancement projects undertaken or authorized by a public body;
- j) the reconstruction, repair or maintenance of a pre-existing permanent structure on its existing foundation;
- k) tree limbing or tree topping, unless the work can reasonably be expected to result in the death and removal of the tree and root system;
- l) the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
- m) the removal of invasive, non-indigenous trees or vegetation;
- n) the repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing;
- o) activities on lands within the Nature Protection (NP) zone; or
- p) activities on land where a conservation covenant under section 219 of the Land Title Act is registered against title, is granted to the Trust Fund Board or a recognized conservancy and includes provisions which protect

sensitive ecosystems in a manner consistent with the applicable DPA guidelines.

5.7 Sensitive Ecosystem Development Permit Area Guidelines

- a) Avoid development being located in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.**
- b) Minimize the area cleared and disturbed for development.**
- c) Retain large, connected undisturbed areas, with connections and corridors providing continuity between sensitive ecosystems and important habitat**
- d) Site buildings and associated infrastructure to allow sufficient undisturbed space around significant mature or established trees to protect root systems.**
- e) Retain undeveloped buffer areas around sensitive ecosystems, features or habitat where feasible. Buffer areas should be of sufficient width to limit access by invasive plants.**
- f) Natural features may be retained through incorporation into the design of the development. In particular, unique or special natural features such as native grasses, rare plants, unique land forms, rock outcroppings, mature trees, spits and dunes should be protected.**
- g) Preserve native grasses, rare plants, and wildflower ecosystems and associated soils.**
- h) Avoid the planting or introduction of non-native plants. The use of drought resistant and native plants in landscaping should be encouraged.**
- i) Avoid removal of mature and old trees, dead and declining trees and the root systems of trees.**
- j) Protect denning and nesting sites of rare, threatened or endangered species.**
- k) Minimize soil removal and deposit.**
- l) Avoid alteration of natural drainage systems in ways that increase or decrease the amount of water available to a sensitive ecosystem.**
- m) Locate septic fields in a manner that minimizes potential impacts on sensitive ecosystems or habitat.**
- n) Limit driveways and other accesses to the number required for safe access, with shared driveway access where feasible. Driveway lengths**

and widths should be limited to the minimum necessary. The use of impervious surfaces should be discouraged.

- o) Limit shoreline structural modifications in scale and extent to structures necessary to support or protect an existing use or structure.**
- p) Preference should be given to shoreline modifications that have a minimal impact or enhance ecological functions, including vegetation enhancement, upland drainage control, beach enhancement or nourishment, anchor trees, or gravel placement. Harder construction measures should be avoided.**
- q) Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land. Vegetation which helps stabilise banks, reduce erosion and provides habitat should be retained or enhanced.**
- r) Limit stairs, walkways and other access within a sensitive ecosystem adjacent to the shoreline to those required for safe access, with shared access where feasible. Stairs should incorporate landings, follow the existing contours of the site, utilize small concrete pilings and have gaps between boards.**
- s) In addition to the other guidelines, the following guidelines apply specifically to applications within a woodland sensitive ecosystem:**
 - i) Protect large mature and old trees, trees containing cavities, the root systems of trees, rare plant species, native grasses and associated under-storey vegetation.**
 - ii) Avoid unnecessary removal of dead or declining trees, downed logs, snags and leaf litter.**
 - iii) Where feasible, cut dangerous trees to a level where they are safe rather than removed entirely.**
- t) In addition to the other guidelines, the following specific guidelines apply to applications within a wetland ecosystem:**
 - i) Avoid filling or draining of permanent or seasonally wet areas.**
 - ii) Retain wetland vegetation and structure.**
 - iii) Avoid locating roads, driveways and utility corridors through wetland ecosystems; where crossing have to be located within the ecosystem the crossing should, to the extent feasible:**
 - Be narrow and perpendicular to a wetland ecosystem;**
 - Share facilities;**
 - Minimize impacts on water bodies;**
 - Conform to topography to minimize cut and fill;**
 - Not restrict the natural movement of surface and groundwater;**
 - iv) Conduct construction involving disturbance of soil in such a manner as to avoid direct run-off into wetlands.**
 - v) Avoid disruption of natural hydrologic cycles and natural aquatic**

processes, including water flows, seasonal flooding, channel movements, windthrow or natural slope.

- vi) **Maintain vegetation cover which helps stabilise banks and reduce erosion and provides habitat.**
- vii) **Avoid removal of vegetation that would reduce the natural functions of the sensitive ecosystem.**
- viii) **Avoid alteration of vernal pools to create year-round water features.**

u) **In addition to the other guidelines, the following specific guidelines apply to applications within a cliff ecosystem:**

- i) **Maintain talus and rock debris that occurs at the base of rock outcroppings.**
- ii) **Protect the faces of rock outcrops and cliffs.**

v) **The following guidelines are applicable to any subdivision proposal within the Sensitive Ecosystem development permit area:**

- i) **Where feasible, protect sensitive ecosystems and habitat by clustering lots in areas with disturbed or modified ecosystems.**
- ii) **Proposed lots containing sensitive ecosystems and habitats should be of sufficient size to accommodate the permitted level of development, including driveway access and septic disposal systems, while also avoiding alteration and fragmentation of the sensitive ecosystems and habitat.**
- iii) **Protect sensitive ecosystems and habitat from clearing, grading and filling during the land development and construction phases of subdivision. Permit conditions may include requirements for fencing, signs and timing of work.**
- iv) **Make provision for any recommended buffer areas adjacent to sensitive ecosystems and habitat.**
- v) **Configure lots to minimize driveway lengths within sensitive ecosystems. The provision of shared driveways may be considered as a condition of a permit if it can reduce impacts on sensitive ecosystems and habitat.**
- vi) **A community water system, as an alternative to individual wells, may be considered as a condition of a permit where this would result in reduced impacts on sensitive ecosystems and habitat.**
- vii) **Locate septic disposal sites in a manner that minimizes potential impacts on sensitive ecosystems and habitat.**
- viii) **Design storm water management systems, where proposed, in a manner that avoids the impacts of run-off on sensitive ecosystems and habitat.**
- ix) **Where applicable, configure lots to allow the siting of docks and stairs to the foreshore with minimal impact on sensitive shoreline**

and intertidal areas.

- x) **Pre-designation of building sites, septic disposal fields and driveways may be considered as a condition of a permit where this would result in reduced impacts on sensitive ecosystems and habitat.**

- w) **In general, where a professional's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Conditions of a permit may include:**
 - i) **the designation of areas within which no development shall occur;**
 - ii) **requirements of building siting, size, design or construction that would minimize impacts, protect or enhance sensitive ecosystems or habitat;**
 - iii) **use of native vegetation in landscaping;**
 - iv) **the use of pervious surfaces;**
 - v) **the placement of permanent or temporary fencing around sensitive features;**
 - vi) **fencing, flagging and posting of notices during construction;**
 - vii) **limits on blasting in sensitive areas;**
 - viii) **limits on construction timing;**
 - ix) **provision of works to maintain or restore the quantity or quality of water reaching environmentally sensitive areas or habitat;**
 - x) **restoration or enhancement of disturbed sensitive ecosystems and habitat;**
 - xi) **the layout of lots, including clustering, driveways, access routes, and septic disposal facilities in a plan of subdivision.**

- x) **Where restoration or enhancement work is required as a condition of a permit, the applicant may be required to provide to the Islands Trust a security deposit, in the form of an irrevocable letter of credit, equal to 125% of the estimated costs of all materials and labour, as determined by a professional with relevant experience.**

- y) **The LTC may consider variances to subdivision or building siting or size regulations where the variance may result in protection of a sensitive ecosystem or habitat.**

6. Development Permit Area 6 – Commercial and Industrial Form and Character

6.1 Designation

This development permit area includes all land that is zoned C1, C3, C4, C5, C5A, C6, C7, L1, FI, MCW, and MCL.

6.2 Authority

This development permit area is established, pursuant to Section 919.1(1)(f) of the *Local Government Act*, for the purpose of establishing objectives for the form and character of commercial and industrial development.

6.3 Special Conditions or Objectives That Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address the aesthetic, environmental and social impacts of development.

The objective of this development permit area is to ensure that new or additional commercial or industrial uses are developed in a manner that is consistent with and enhances rural island character and minimizes impacts on adjacent properties.

6.4 General Applicability

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted below:

- (a) Construction of, addition to or alteration of a building or other structure.

6.5 Exemptions:

The following activities are exempt from any requirement for a development permit:

- a) subdivision of land;
- b) the maintenance of existing landscaping;
- c) provided there is no addition to lot coverage or floor area:
 - the repair or maintenance of existing buildings or structures, including lighting, parking, or signage,
 - exterior alterations not requiring a building permit;
 - changes to external materials that results in no alteration to the form or character of the building or structure.
- d) internal renovations or alterations;
- e) construction of buildings or structures not requiring a building permit;

- f) repair and maintenance of existing roads, parking areas, paths and trails;
and
- g) construction of unpaved driveways and walkways.

6.6 Guidelines

- 1 Where an application involves retail commercial buildings or structures, which are buildings and structures designed and intended for commercial uses other than for visitor accommodation, the building form and character should adhere to the following guidelines:
 - a) Buildings and other structures should utilize existing topography and vegetation to be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.
 - b) Buildings should be designed and sited with the main entrance oriented to the front lot line or to the main point of entry from the road.
 - c) Building form and character should not overwhelm the scale, mass and character of adjacent non-commercial properties.
 - d) Building mass should be appropriately proportioned in comparison to building height by limiting building frontage length in relation to building height.
 - e) Building mass should be softened by the use of small-scale elements such as windows, panels, entrances and other detail features in order to avoid monotony in design.
 - f) Buildings should not be designed with blank walls presenting an aspect to the highway or to highly visible areas; features such as garage doors and windowless facades should be minimized.
 - g) Buildings giving the impression of strip development should not be considered.
 - h) Natural materials should be incorporated into the design of buildings with construction materials.
 - i) Architectural variety should be provided through the use of features such as pitched roofs, dormers and similar features.
 - j) New buildings should be sited in a manner that results in

minimal disturbance to existing vegetation.

- k) In order to reduce noise, elements such as roof top mechanical equipment, shipping and loading areas, exterior storage areas, transformers, and meters should be screened from public view as effectively as possible through the use of any combination of landscaping, solid fencing and building design.
- l) Social gathering should be encouraged by creating spaces such as porches, patios and gardens that are visible and accessible.

2 Where an application involves visitor accommodation buildings or structures, which are buildings designed and intended for use as commercial visitor accommodation units, building form and character should adhere to the following guidelines:

- a) Buildings and structures should utilize existing topography and vegetation to be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.
- b) Where there are significant numbers of visitor accommodation units proposed or permitted on a site, development should incorporate a variety of building types, including attached or multi-unit buildings, in order to minimize the development footprint on the site and to minimize impacts on adjacent properties.
- c) Building form and character should not overwhelm the scale, mass and character of adjacent non-commercial properties, without being imitative or derivative of adjacent dwellings.
- d) Building mass should be limited to two storeys above grade.
- e) Building mass should be appropriately proportioned in comparison to building height by limiting building frontage length in relation to building height.
- f) Natural materials should be incorporated into the design of buildings with construction materials and styles relating to the vernacular style of coastal architecture.
- g) Architectural variety should be provided through the use

of features such as pitched roofs, dormers and similar features.

- h) **New buildings should result in minimal disturbance to existing vegetation.**
 - i) **In order to reduce noise such elements as roof top mechanical equipment, shipping and loading areas, exterior storage areas, transformers, and meters should be screened from public view as effectively as possible through the use of any combination of landscaping, solid fencing, and building design.**
 - j) **Development along the shoreline should be visually unobtrusive and conform to the existing contours of the shoreline.**
 - k) **Development should be designed and sited in such a manner as to preserve existing significant views, public paths and view corridors from adjacent properties and public lands. Consideration should be given to siting a first storey below grade where it results in a lower profile building and protection of views.**
 - l) **Structures intended to access the foreshore, docks and marinas should be small-scale and low-profile. Stairs and ramps should follow the existing contours of the site, incorporate landings, public paths, utilize small concrete pilings and have gaps between boards.**
- 3 Where an application involves industrial buildings or structures, building form and character should adhere to the following guidelines:**
- a) **Buildings and other structures should utilize existing topography and vegetation to be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.**
 - b) **Industrial buildings and structures should be functional and not include unnecessary design features or elements.**
 - c) **Buildings should be designed and sited to avoid creating visual and noise impacts from industrial operations and using material blending with the surrounding.**
 - d) **Elements such as roof top mechanical equipment, shipping and loading areas, external storage areas, transformers, and meters should be screened from public**

view as effectively as possible through the use of any combination of landscaping, solid fencing, and building design.

- 4 All applications should include landscaping adhering to the following guidelines:
- a) A landscape plan prepared by a landscape professional should:
 - i. provide supporting documentary evidence pertaining to landscape specifications, irrigation requirements, planting lists (highlighting indigenous species), cost estimates, and the total value of the work;
 - ii. identify existing vegetation by type and identify areas which are to be cleared;
 - iii. provide for the landscape treatment of the frontage of the site which abuts onto existing or future public roads;
 - iv. provide for vegetative buffers along lot lines;
 - v. identify how landscape treatment will avoid the use of herbicides, pesticides and fungicides.
 - b) Existing site topography, landscape features, and indigenous vegetation should be retained wherever possible. Significant or important existing indigenous vegetation within all setback areas should be preserved (i.e. wetlands and mature wooded areas). Significant existing indigenous vegetation within the buildable area of the site should be preserved wherever possible through careful and innovative site design.
 - c) Appropriate natural buffering and landscaping should be provided along all roads. The width and extent of this buffer strip should be established based on the overall useable site area of the parcel, the extent of existing vegetation, the provision for adequate access and visual clearances, and any zoning requirements for landscape screening. Appropriate buffering should also be provided adjacent to the boundary of the Agricultural Land Reserve, along abutting residential properties and adjacent to watercourses.
 - d) Any storage areas on the property facing public roadways should have adequate landscape screening or the provision of other screening consistent with the overall character of the site and with the other guidelines in this section.
 - e) Proposed new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for

local environmental conditions; buffer planting using massing of indigenous trees and shrubs is encouraged.

- f) **Appropriate planting should be used to soften building massing, to break up parking areas and to provide screening along lot lines. It is not intended that plantings form a full-height visual screen around the whole site and screen all buildings from view; planting should reduce and soften the apparent scale and mass of buildings, provide screens, and create breaks in a building façade or at building corners.**
 - g) **New drainage swales and detention basins should be planted with materials that will assist in the treatment of stormwater runoff and that are also complementary to the surrounding natural vegetation.**
 - h) **All landscaping and screening should be completed within 12 months of an occupancy permit being issued and should meet or exceed the British Columbia Society of Landscape Architects and British Columbia Nursery Trades Association standards.**
 - i) **The application may include a security, in the form of an irrevocable letter of credit for 125% of the value of the quoted landscaping cost.**
- 5 All applications should provide a parking layout plan, adhering to the following guidelines:**
- a) **Large impervious and surfaced parking areas should be avoided. Parking should be provided through smaller parking areas dispersed throughout the development and separated with planted landscaped areas. Porous or permeable surfaces should be used where practical and impervious surfaces should be minimized and swales and open ditches should be installed rather than curb and gutter systems.**
 - b) **Visitor parking spaces should be clearly identified and provided within the development. Tree planting is encouraged in and around parking areas.**
 - c) **Parking should be located at the sides or rear of buildings wherever feasible.**
 - d) **Development should provide for and clearly identify pedestrian circulation areas, preferably with different**

paving and/or landscaping treatment.

- e) **All significant paved parking areas should be included within the context of any stormwater water plan and incorporate oil/water separators.**
- f) **The shared use of a common access between businesses is encouraged. The number of accesses should be limited to the number required for traffic safety.**
- g) **All new development should include provision for bicycle parking or storage.**

6 **Lighting proposed as part of an application for a new building or overall site development should adhere to the following guidelines:**

- a) **Lighting for walks and parking areas should be small in scale and used to illuminate signs, displays and pedestrian paths.**
- b) **High intensity lighting in parking lots and along roadsides is discouraged.**
- c) **Security and other lighting should not be placed so as to shine directly onto residential or agricultural properties or to reduce the effectiveness of any landscaped buffer.**

7 **Signs should adhere to the following guidelines:**

- a) **Each site should have no more than one freestanding sign, located on the same lot as the development.**
- b) **One sign should be installed for each business premise. All signs should be integrated into the overall design of the building and should not extend above the top wall of a building.**
- c) **Signs should not be backlit or equipped with flashing, oscillating or moving lights or beacons.**

8 **The LTC may consider variances to siting, size, or parking regulations where the variance may result in closer adherence to the objectives and guidelines of this development permit area.**

7. Development Permit Area 7 – Steep Slope Hazard Areas

7.1 Designation

The Steep Slopes Hazard Development Permit Area designates lands of Moderate Hazard Slope (22.5 - 45 degrees) and High Hazard Slope (>45 degrees). These two classifications are shown in a generalized representation on Schedule J. The definitive designation and delineation of Development Permit Area 7 consists of a digital record compiled by means of a digital elevation model. This digital record is stored and maintained in a Geographic Information System at the offices of the Islands Trust.

Generally, the DPA contains land that may be potentially hazardous because of a combination of steep slope and geological conditions

7.2 Authority

This development permit area is established pursuant to Section 919.1(1)(b) of the *Local Government Act*.

Steep Slope Hazard DPA provisions are based on Islands Trust model guidelines, and reviewed by the LTC.

This DPA would implement the recommendations of the report prepared by C.N. Ryzuk and Associates (March 31, 2010). The DPA is intended to ensure that significant land alteration not otherwise subject to a building permit or subdivision review occurring in area of potential rockfall hazard is assessed by a professional and that any recommended mitigation measures are included in a development permit.

7.3 Special Conditions or Objectives that Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address the identification of areas potentially hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

Furthermore, the province of British Columbia’s *Local Government Act*, requires that an Official Community Plan include restrictions on the use of land that is subject to hazardous conditions.

The Galiano Island Local Trust Area contains areas of steep slope that, in combination with geological conditions, may pose a hazard to development, principally in the form of rock fall. The Local Trust Committee has obtained advice from a geotechnical consulting firm on the general location of such areas, as well as recommendations to restrict development activities that could increase or exacerbate such hazards.

The general intent of the designation of this development permit area is to ensure that land alteration, including tree removal, that is not subject to assessment by a registered professional that is initiated by the subdivision approving officer or the building inspector in the exercise of their respective powers, does not expose persons or property to an unacceptable probability of slope instability or other geological failure occurring under post-development conditions. The Local Trust Committee has determined, on the basis of the expert recommendations, that a probability in excess of 10% in 50 years is unacceptable for this type of hazard.

The Steep Slopes Hazard DPA is also designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified engineer or geoscientist may be required due to the special conditions and objectives described above.

7.4 Development Approval Information

The Steep Slope Hazard development permit area is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified professional may be required due to the special conditions and objectives described above.

7.5 Application Requirements

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw.

7.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements:

- a) construction of, addition to or alteration of a building or other structure for which a building permit has been granted;
- b) land alteration for which a written statement from a registered professional engineer or geoscientist with appropriate education, training, certification and experience in geological hazard assessment has been submitted to the Islands Trust, providing an unqualified opinion that the development as proposed would not expose persons or property to slope instability or other geological failure hazard with a probability in excess of 10% in 50 years;
- c) subdivision not involving land alteration;
- d) land alteration and tree cutting within 5 metres of the foundation of a building or structure for which a building permit has been granted;
- e) the placement of impermanent or moveable structures, such as benches, tables and garden ornaments;
- f) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure*;
- g) gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land;
- h) tree limbing or tree topping, unless the work can reasonably be expected to result in the death and removal of the tree and root system;
- i) the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
- j) the construction of a trail provided all of the following apply:
 - i) the trail is 1 metre wide or less;
 - ii) no trees with a trunk diameter greater than 20 centimetres (measured 1.5 metres above the ground), are removed;
 - iii) the surface of the trail is pervious; and
 - iv) the trail follows the existing topography and does not alter the contours of the land;
- k) the construction of a fence provided no trees with a trunk diameter greater than 20 centimetres (measured 1.5 metres above the ground) are removed, there is no alteration to the contours of the land, and the disturbance of vegetation is restricted to 0.5 metres on either side of the fence;
- l) repair and maintenance of existing roads, driveways, utility lines, infrastructure, paths or trails, provided there is no:
 - i) expansion of the width or length;
 - ii) blasting, excavation or fill placement which alters the pre-existing grade; or
 - iii) installation of new or additional impervious surfacing, including paving, asphaltting or similar surfacing;
- m) within the moderate hazard slope classification only (22.5 – 45 degrees of slope) all land alteration is exempt except for the following:
 - i) construction of retaining structures greater than 1.2 metres in height;
 - ii) blasting, excavation, or fill placement that alters the pre-existing natural grade by more than 0.5 metres at any point;

- iii) cutting and removal of more than 5 trees (with a trunk diameter greater than 20 centimetres measured 1.5 metres above the ground) within a 12-month period on any one lot, provided the stumps are not removed; or
- iv) removal of trees directly upslope of an existing building or structure.

7.7 Guidelines

The intent of this development permit area is to ensure that development in the form of land alteration and tree cutting meets the objectives described above. The LTC should be satisfied that the objectives have been met where applicable and impose conditions where appropriate:

1. In general, all development in this DPA should be undertaken in a manner that does not expose persons or property to slope instability or other geological failure hazard with a probability in excess of 10% in 50 years.
2. Where an applicant proposes to:
 - a) construct services, including roads, driveways, utilities, or septic fields;
 - b) alter land, including placement of fill or excavation; or,
 - c) remove trees or other vegetation,

the application should include a report assessing the likelihood and probability of a geological failure occurring and, through provision of a detailed geological hazard assessment, identify options and measures to ensure that the proposed development would not expose persons or property to slope instability or other geotechnical hazard with a probability in excess of 10% in 50 years. Where the geological hazard assessment report describes an area as suitable for development provided that specific mitigating measures are taken, the development permit should only allow the development to occur in compliance with the measures described in the report. The report shall be prepared at the applicant's expense and certified by a professional engineer or geoscientist with experience relevant to the applicable matter.
3. Monitoring and regular reporting to the Islands Trust by a registered professional engineer or geoscientist at the applicant's expense may be required during construction and land development phases, as specified in a development permit
4. A development permit should not allow any development activities to take place within any area identified by a geological hazard assessment as exposing persons or property to a landslide or other geotechnical hazard with a probability in excess of 10% in 50 years.
5. If the nature of the proposed work in the DPA changes after the geological hazard assessment report has been prepared such that the professional's assessment of the impact of the development may reasonably be expected to be affected, the LTC may require the applicant to obtain a new development permit, or to have the professional update the hazard assessment at the applicant's expense and in that event may

revise DP conditions accordingly.

6. **Where a permit authorizes the cutting of trees, re-planting and maintenance of disturbed areas should be considered for inclusion as conditions of the permit. The planting and introduction of non-native tree species should be avoided and the permit may require a landscaping plan and a security, in the form of an irrevocable letter of credit, for 125% of the cost of re-planting the site as determined by a certified professional.**
7. **Applications involving construction of new driveways or other accesses should be referred to the Fire Chief for information and in order to coordinate approval processes.**
8. **The LTC may consider variances in the siting of buildings and structures required by the Land Use Bylaw where the variance may result in a reduction in potential hazards to development.**

SECTION VI DEVELOPMENT APPROVAL INFORMATION

COMMENTS

1. Circumstances
 - i. Applicants for development permits in Development Permit Areas 1, 2, 3, ~~and 4,~~ **5 and 7** must provide development approval information **pursuant to Galiano Island Local Trust Committee Impact Assessment Bylaw No. 58, 1998.** *Revised based on new DPA provisions*

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~~ **and 5** are designated respectively to protect ~~natural~~ riparian areas, ~~shoreline~~ **marine and intertidal** areas, the forest cover in the local trust area, ~~and~~ elevated groundwater catchment areas, **and sensitive ecosystems**. 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.
 - iii. **Development Permit Area 7 is designated to protect development from the natural hazards associated with steep slopes. Development approval information is required to determine under what circumstances and conditions development permits may be issued to permit development that could be subject to, create or exacerbate a natural hazard.**

SECTION VII TEMPORARY USE PERMITS

COMMENTS

New section authorizing LTC to consider temporary use permits. Additional guidelines and policies may be added.

1. **Circumstances**
 - i. **The Local Trust Committee may issue Temporary Permits for all areas covered by this Plan.**
 - ii. **The Local Trust Committee may consider preparing amendments to Galiano Island Local Trust Committee Impact Assessment Bylaw No. 58, 1998 for adoption by Trust Council to require development approval information for Temporary Use Permit applications through adoption of a development approval information bylaw.**
2. **Objectives**
 - i. **Permits for temporary uses may be issued for short term uses or as a test of the compatibility of the proposed land use, which may not have been anticipated, with existing uses.**

SECTION VIII - 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

Administrative provisions based on wording in recent OCPs.

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 Development 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 presented as “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.~~

The severability clause is proposed to be removed in order to afford an opportunity for the LTC to make submissions to a court on the issue of servance if any provision were to be found invalid.

9. Definitions

~~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.~~

The deleted wording should be addressed in the land use bylaw.

~~affordable housing – describes rental or owned housing that be acquired without exceeding 30 per cent of the median gross income of low to moderate income families on Galiano.~~

Based on CRD definition

~~average lot size means the size of lot which when divided into the parent parcel sum of the areas of the lots proposed to created divided by the number of proposed lots and which determines the number of lots that can be created by subdivision.~~

More accurate definition, consistent with LUB regulations

~~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 or manufactured home, recreational~~

Inconsistent with building code and LUB definition

- c) ~~vehicle or travel trailer~~; and
containing only one kitchen.

Ecosystem-based sustainable forest management means relating to and using the ecosystem in ways that ensure the protection, maintenance, and, where necessary, restoration of biological diversity from the genetic and species levels to the community and landscape levels.

Definition adapted from Forest Policy Advisory Committee Report

emergency access route means an area identified on Schedule “C” that is proposed as a dedicated route or statutory right of way for emergency access purposes

Recommendation of transportation advisory committee. Consistent with transportation policies.

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 manufactured home 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~~ **suitable for year-round occupancy, designed, constructed or manufactured to be moved from one place to another by being towed or carried and which meet a minimum CSA-Z240 standard.**

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.

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.

LIST OF SCHEDULES	
POLICY DOCUMENT - SCHEDULE A	
MAP SCHEDULES	
Schedule AA -	Galiano Island Local Trust Area
Schedule B -	Land Use Designations
Schedule C -	Road Network Plan
Schedule D -	Water Resources
Schedule E -	Parks and Trail Network Plan
Schedule F -	Development Permit Area 1: Riparian
Schedule G -	Development Permit Area 2: Marine and Intertidal
Schedule H -	Development Permit Area 4: Elevated Groundwater Catchment
Schedule I -	Development Permit Area 5: Sensitive Ecosystems
Schedule J -	Development Permit Area 7: Steep Slope Hazard

GALIANO ISLAND LOCAL TRUST COMMITTEE AREA
Schedule "AA"

