



ENVIRONMENTAL MANAGEMENT  
& CONSULTING

**PHASE I ENVIRONMENTAL SITE ASSESSMENT**

409 Porlier Pass Road, Galiano Island, BC

*Prepared For:*

New Commons Development's Small Communities Initiative  
#304 – 134 Abbott St.  
Vancouver, BC  
V6B 2K4

*Prepared By:*

TerraWest Environmental Inc.

Project File: NCGI21-01

November 20, 2020

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**TERRAWEST ENVIRONMENTAL INC.**

Regional: 4176 Departure Bay Road, Nanaimo, BC V9T 4B7  
Tel. 1.866.500.1553 Fax 250.389.1554 Email [info@terrawest.ca](mailto:info@terrawest.ca)

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## EXECUTIVE SUMMARY

TerraWest Environmental Inc. (TerraWest) was retained by New Commons Developments' Small Communities Initiative (NCDs' SCI) (the 'Client') to complete a Phase I Environmental Site Assessment (ESA) Update of the property located at 409 Porlier Pass Road, Galiano Island, BC, herein referred to as the 'Subject Property' and/or the 'Site'.

At the time of this Phase I ESA, the Subject Property was a forested, undeveloped lot. Previous land use includes undeveloped and forested lands.

Based on the research and investigation for this Phase I ESA, TerraWest has not identified areas of potential environmental concern associated with the Subject Property or neighbouring properties, and as such, no further environmental investigation is recommended at this time.

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Figure 1. Site Location

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- Appendix C. BC Water Resource Atlas
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## 1.0 INTRODUCTION

TerraWest Environmental Inc. (TerraWest) was retained by New Commons Developments' Small Communities Initiative (NCDs' SCI) (the 'Client') to complete a Phase I Environmental Site Assessment (ESA) of the property located at 409 Porlier Pass Road, Galiano Island, BC, herein referred to as the 'Subject Property' and/or the 'Site'. At the time of this Phase I ESA, the Subject Property was forested and undeveloped.

### 1.1 SITE LOCATION & ZONING

The Subject Property location and zoning is described as the following:

Site Location & Zoning	
<b>Civic Address</b>	409 Porlier Pass Road, Galiano Island, BC
<b>Legal Description</b>	Lot 1, Plan VIP 29196, District Lot 3, Land District 16, Portion Galiano Island PID: 001-416-987
<b>Zoning<sup>1</sup></b>	CH1 – Community Housing

The general location of the Subject Property is shown on Figure 1.

## 2.0 INTERVIEWS

Available persons familiar with the Subject Property were interviewed for anecdotal insights into past Site history, including land uses and activities, to identify the potential for negative environmental impacts. Where referenced in this report, evidence provided by the interviewees is cited as personal communications (e.g. JC-pers.comm.).

Interviews		
<b>Galiano Museum and Archives</b>	Carol Robson	Ms. Robson indicated that the museum did not have any civic directories, fire insurance plans or historic photos of the area.
<b>Island Trust, Island Planner</b>	Brad Smith	Mr. Smith provided information on planning and property development. Mr. Smith indicated that the property was rezoned in 2017 and there are currently no structures.
<b>Galiano Fire Department</b>	Chris Terpenning	Indicated that they had no recollection of fires on the Site and that the property had not been developed in the last 20 years.
<b>Site Owner</b>	Mike Hoebel	Mr. Hoebel accompanied TerraWest during the Site visit and provided current and historical information.

<sup>1</sup> Island Trust BC, Land Use Bylaw, Galiano Island

### 3.0 RECORDS REVIEW

Land Titles	
<b>Current Title Holder</b>	Galiano Affordable Living Initiative Society
<b>Date of Oldest Title reviewed</b>	1954
<b>Historic Land Title Holders or Lease Holders of Potential Environmental Significance</b>	Charter Oil Company Limited (1966), Royalite oil company Limited and Charter Oil Company Limited (1921) were listed on the noted titles, however due to the poor quality scans the reason for the listing was not confirmed. Additionally, the legal lot associated with the title included a larger land parcel than the current Site.
Municipal Records	
<b>Island Trust</b>	Documentation available included the following: <ul style="list-style-type: none"> <li><b>2011</b> – The Site was rezoned from the agricultural and rural residential to Community Facility. The report indicates the site was a vacant lot, 4 hectares in size and was forested within a small wetland along the northern boundary.</li> </ul> Island trust confirmed that there were no structures on the Site (BS.-pers.comm)
<b>Galiano Island – Fire Department</b>	Fire department staff indicated that there has been no development on the Site and they had no recollection of responding to the Site for any reason (CP.-pers.comm.).
Archive Records	
<b>Fire Insurance Plans</b>	The BC Archive and Building History websites did not list Galiano Island as having Fire Insurance Plans
<b>Civic Directories</b>	The Vancouver Public Library InfoAction representative indicated that there were not directories for Galiano Island.
<b>Galiano Museum and Archive</b>	Carol Robson of the archive indicated that there were no fire insurance maps for the area and confirmed the property was originally part of the Staley Page Farm and was cut off to Create Page Drive.
Other Sources of Information	
<b>Domestic Water Wells within a 500 m radius<sup>2</sup></b>	27 wells, one located within the Subject Property boundaries.

<sup>2</sup> BC Ministry of Environment (2019). BC Water Resources Atlas. Available from <http://maps.gov.bc.ca/ess/hm/wrbc/>

	Well 91453, installed in 1993 to 75.3 ft, static water level at 30.5 ft.
<b>General topography</b>	Site topography slopes down in all directions from high point in the northern central section of the Site. Area slopes down to the east/northeast.
<b>Nearest Waterbodies<sup>3</sup></b>	A unnamed creek crosses the northwestern section of the Site. Riparian set backs have been surveyed in (MB.-pers.comm) Finlay Brook is located 200 m north of the Site. Whaler Bay is located 620 m east of the Site.
<b>Inferred groundwater flow</b>	Variable across the Site
<b>Geology or Hydrogeology Reports Specific to the Property</b>	No specific reports found or provided by the Client.
<b>Site and Company Records</b>	None provided by the Client

A summary of land title ownership and the land titles are provided in Appendix A, municipal records in Appendix B, and BC Water Resource Atlas maps in Appendix C.

### 3.1 BC ENV SITE REGISTRY

A search of the BC ENV Electronic Site Registry (the 'Site Registry') was conducted using BC Online by TerraWest for evidence of regulatory activity, notices, environmental orders, offences or permits filed under the *Environmental Management Act* against the current land titles, or other properties within a 500 m proximal radius.

The Site Registry search did not return any results specifically pertaining to the Subject Property or properties within a 500 m radius.

A copy of the search results generated by the Site Registry and detailed reports are presented in Appendix D.

### 3.2 AERIAL PHOTOGRAPHS & HISTORICAL LAND USE

The historical land use for the Site was determined through a historical records review as discussed in the Sections above. Additional historical information was obtained from aerial photographs between 1946 and 2005 from the University of British Columbia and 2004 and 2019 from Google Earth. A gap of 11 years existed between the 1951 and 1962 photographs and a gap of 19 years between the 1985 photograph and the 2004 Google

<sup>3</sup> <https://www2.gov.bc.ca/gov/content/data/geographic-data-services/web-based-mapping/imapbc>

earth image. The information gleaned from available aerial photographs for the Subject Property and adjacent or neighbouring properties is summarized below:

Time Period	Description of Subject Property and Adjacent or Neighbouring Properties
1946 to 2019	<p><b>Subject Property:</b> The scale of the 1946 through 1953 photographs in this time frame were small with fine details difficult to distinguish. The Site appeared logged in the 1946 photograph with the vegetation appearing to grow back in the 1957 and 1962 photographs. Dense vegetation covers the Site in the remainder of the photographs.</p> <p><b>Neighbouring Properties</b> Properties in all directions appear forested and logged. Porlier Pass Road and Georgeson Bay Road were visible throughout the time frame. Neighbouring properties in all directions were developed as rural residential properties throughout this time frame. Pasture lands were evident to the west of the Site. A multi-building development was first evident to the east of the south end of the Site in the 1967 photograph, along Georgeson Bay Road.</p>
Comments	From the aerial photograph evidence, no properties of environmental significance were identified on the Subject Property or neighbouring properties at this time. No APECs were identified.

Excerpts of select aerial photographs are presented in Appendix E.

#### 4.0 SITE INSPECTION

TerraWest was accompanied by Mike Hoebel, a member of the Galiano Affordable Living Initiative Society (the current Site owner) during the Site Visit. Mr. Hoebel has been associated with the Site for the previous 15 years and provided some historical information presented in the table below. The Site visit was conducted to confirm land uses and activities in order to identify the potential for negative environmental impacts. The data collected from the Site inspection is presented below:

General	
Date Conducted	November 20, 2020
TerraWest Personnel	Sue Durnin
Limitations	None encountered
Subject Property Description	

<b>Property Use</b>	<b>Current</b>	Vacant and forested
	<b>Historical</b>	Planning has been underway to develop the Site for residential properties, interior roads exist.
<b>Topography, Fill Areas, Geology, &amp; Hydrogeology</b>		The site slopes in all direction from a high point within the northern central section of the Site.
<b>Ground Cover</b>		Vegetation
<b>Roads, Parking Facilities, &amp; Right-of-Ways</b>		Pedestrian and vehicle access to the southern end of the Site via Georgeson Bay Road and to the north via Porlier Pass Road.
<b>Surface Water Features</b>		One unnamed creek crosses the Site at the northwestern corner
<b>Water Wells</b>		One drinking water well was drilled for the Site in 1993. It has been tested but never utilized (MB. - pers.comm.)
<b>Buildings &amp; Structures Descriptions</b>		
<b>Buildings</b>	<b>Current</b>	None
	<b>Historical</b>	None reported (MB. pers.comm.)
<b>Heating &amp; Cooling Systems</b>	<b>Current</b>	None
	<b>Historical</b>	N/A
<b>Mechanical Equipment</b>		None
<b>Waste &amp; Emission Generation</b>		
<b>Fuel Storage Tanks</b>	<b>Current</b>	None observed
	<b>Historical</b>	None reported (MB. pers.comm.)
<b>Storage Containers</b>		None
<b>Liquid Waste Generation &amp; Disposal</b>		None
<b>Odours</b>		None observed
<b>Staining</b>	<b>Surface</b>	None observed
	<b>Walls &amp; Ceilings</b>	None observed
<b>Stressed Vegetation</b>		None observed
<b>Drains &amp; Sumps</b>		None observed
<b>Air Emissions</b>		None observed
<b>Services &amp; Utilities</b>		
<b>Water</b>		Drilled well on-Site
<b>Sewage</b>		No connections



<b>Storm Sewer</b>	No connections
<b>Electricity</b>	BC Hydro connection to Site
<b>Natural Gas</b>	No connections
<b>Solid Waste Disposal</b>	None
<b>Comments</b>	Previous owners purchased and stored hydro poles on the Site in anticipation of distributing power to future development. (MB. pers.comm.)
<b>Other</b>	
<b>Identified Hazardous Materials &amp; Special Attention Items</b>	None specifically identified; however, asbestos or other hazardous materials may be present in the building materials or systems.

Photographs of the Site and surrounding area taken during the Site investigation are presented in Appendix J.

#### 4.1 ADJACENT & NEIGHBOURING PROPERTIES

Adjacent and neighbouring properties were observed by TerraWest for indications of current and/or historical land use activities that could potentially represent off-site sources of contamination. A summary of neighbouring property land uses is presented below:

Direction From Site	Address	Current Use	Comments
<b>North/northeast /Northwest</b>	No address	Porlier Pass Rd	None
	565 Porlier Pass Rd	Residential	None
	481 Porlier Pass Rd	Residential	None
	660 Porlier Pass Rd	Residential	None
<b>East</b>	267 Porlier Pass Road	Residential and commercial (market and café)	None
	276 Georgeson Bay Rd	Seniors residence	None
<b>Southeast</b>	261 Georgeson Bay Rd	Convenience Store	None
<b>South</b>	359 Georgeson Bay Rd	Fire Hall	None
<b>Southwest</b>	677 Georgeson Bay Rd	Residential	None
<b>West</b>	534 Georgeson Bay Rd	Residential/ Agricultural – Sheep farm	None

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## **5.0 CONCLUSIONS**

Based on the research and investigation for this Phase I ESA, TerraWest has not identified APECs associated with the Subject Property or neighbouring properties, and as such, no further environmental investigation is recommended at this time.

### **5.1 PROJECT TERMS OF REFERENCE**

TerraWest understands that this Phase I ESA was commissioned to assist the Client in assessing the potential for environmental liabilities, if present, with respect to the Subject Property. This Phase I ESA will identify areas of potential environmental concern (APECs), if present, as well as potential contaminants of concern (PCOCs) that may be associated with the Subject Property or neighbouring properties, currently or historically.

This Phase I ESA has been completed in accordance with protocols established by the Canadian Standards Association in CSA-Z768-01 Guideline – Phase I Environmental Site Assessment. These protocols are recognized Canada-wide by the Canadian Bankers Association and financial lenders as the standard form of environmental due diligence required for real estate transactions. The format is also consistent with the Canadian Mortgage and Housing Corporation's requirements for the completion of a Phase I ESA.

The Phase I ESA presents an independent third-party assessment of the environmental conditions of the Subject Property and provides conclusions that may be relied upon by the Client for their private business purposes.

## **6.0 LIMITATIONS & CLOSURE**

TerraWest Environmental Inc. has prepared this report for the exclusive use of its Client, New Commons Developments' Small Communities Initiative, and may be relied upon by the Client for their private business purposes. Any other third party use of this report, or reliance placed on it, or decisions taken based on it, is the responsibility of such parties. TerraWest accepts no responsibility for any damages suffered by any third party, or any claims made by any third party as a result of decisions made or actions taken, based on this report. This report does not constitute any expression of legal opinion, and New Commons Developments' Small Communities Initiative is specifically advised to seek professional legal opinions with respect to applicable regulatory statutes in this matter.

The Subject Property is comprised of the lot as outlined above in Section 1.2. Environmental background information and descriptions provided by this Phase I ESA report are limited to the identified lot only. This report complies with production of a standard Phase I ESA. TerraWest understands that the Phase I ESA report will not be submitted to the British Columbia Ministry of Environment and Climate Change Strategy (BC ENV) under the

formal *Contaminated Sites Regulation* process.

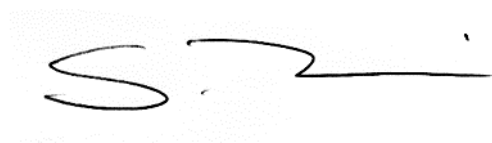
Investigations described by this report were initiated on the Subject Property at the request of the Client. TerraWest's investigations were conducted in accordance with generally accepted practices of such environmental investigations. No other warranties are made, either expressed or implied. The methodology, observations, conclusions and recommendations in the report are based solely upon the scope of work agreed upon with the Client and are subject to the time and budget considerations described in the associated proposal and/or client confirmation.

The findings of this report are partially based on information provided to TerraWest by the Client and other individuals or organizations. While TerraWest believes that information was provided in good faith and has attempted to verify such information where possible, TerraWest does not accept any responsibility for any inaccuracies, deficiencies or omissions contained in this report, based on the use of such information. These findings and conclusions contained in this report are valid as of the date of this report.

These report findings are partially based on TerraWest's observations of Site environmental conditions, limited to the dates and specific locations of investigation. TerraWest offers no warranty, either expressed or implied, as to the presence or potential presence of any chemical substances or contamination on the Subject Property covered by this report. This report constitutes neither an endorsement nor a condemnation of the Subject Property.

A signed paper copy of this report constitutes the official and complete deliverable document of record in this matter. The complete report includes the main report text, attachments and appendices, as identified in the Table of Contents and is designed to be reviewed in its entirety; statements taken out of context could be misleading. Should this report be distributed by means of digital transmission, or copied in paper hardcopy form, TerraWest accepts no liability for the completeness, accuracy or digital compatibility of the files provided.

Prepared by:

A handwritten signature in black ink, appearing to read "S. Durnin", written over a light blue grid background.

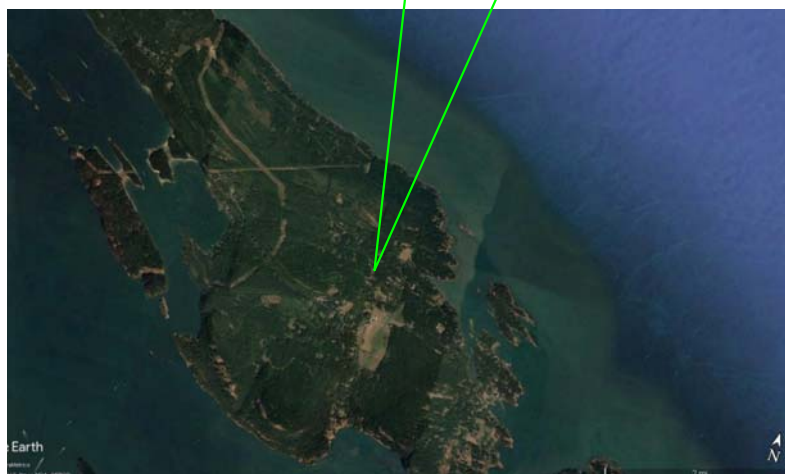
Sue Durnin, P.Ag.  
Project Manager

Reviewed by:

A handwritten signature in black ink, appearing to read "E. Bell", written over a light blue grid background.

Erich Bell, ASCT, R.B.Tech  
Nanaimo Operations Manager

## FIGURES



## FIGURE 1. SITE LOCATION

CLIENT: NEW COMMON DEVELOPMENTS' SMALL COMMUNITIES INITIATIVE

LOCATION: 409 PORLIER PASS ROAD, GALIANO ISLAND, BC

PROJECT: NCGI21-01

DATE: NOVEMBER 2020

CREATED BY: SD

## LEGEND

--- APPROXIMATE SITE BOUNDARY

THIS FIGURE IS SUBJECT TO THE SAME LIMITATIONS OUTLINED IN THE REPORT BODY.  
THIS FIGURE IS FOR INTERPRETATION ONLY AND IS INTENDED TO BE VIEWED IN COLOUR ON 8 1/2"x11" SIZED PAPER.  
THE BOUNDARIES AND SCALE DEPICTED ARE APPROXIMATE.  
SOURCE: GOOGLE EARTH

## **APPENDIX A.**

### **LAND TITLES**

# ENVIRONMENTAL SEARCH FORM

CURRENT LEGAL: LOT 1 DISTRICT LOT 3 GALIANO ISLAND COWICHAN  
DISTRICT PLAN 29196

CLIENT: TERRA WEST ENVIRONMENTAL INC.

INVOICE: W226880

PID: 001-416-987

File Ref.: NCGI21-01

Title No.	Registered Owner	Title Registered	Title Cancelled	Prior Legal(s)	See Title attached for Charges Pertinent Charges noted below
CA8231943	GALIANO AFFORDABLE LIVING INITIATIVE SOCIETY	17/JUN/2020		SEE ABOVE	COVENANT X 3
WX2053951	GALIANO COMMUNITY HOUSING ASSOCIATION	08/AUG/2017	17/JUN/2020	SEE ABOVE	COVENANT X 3
CA2601863	GALIANO LAND AND COMMUNITY HOUSING TRUST	22/JUN/2012	08/AUG/2017	SEE ABOVE	COVENANT
FB48856	CATHERINE ALENE KONANTZ	18/MAY/2007	22/JUN/2012	SEE ABOVE	SEE TITLE ATTACHED
K54990	NANSWHYDEN ENTERPRISES LTD.	04/JUN/1981	18/MAY/2007	SEE ABOVE	SEE TITLE ATTACHED
K54990	CONVERTED TITLE				
H60422	EARNEST DONALD PEARSON; DON CAROLYN PEARSON	30/JUL/1979	03/JUN/1981	SEE ABOVE	SEE TITLE ATTACHED
E20149	OLIVER JEFFRY GARNER	26/JAN/1976	24/JUN/1979	SEE ABOVE	SEE TITLE ATTACHED
70037W	OLIVER JEFFRY GARNER	09/MAR/1971	?	LOT "A" OF LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 19389	RIGHT TO PURCHASE X 2
393502I	MOBILE ACCEPTANCE CORPORATION LTD.	15/MAR/1967	05/MAR/1971	LOT "A" OF LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 19389	SEE TITLE ATTACHED

**DISCLAIMER:** It is recommended to always obtain online titles (current and cancelled) showing live and cancelled charges. If requested, we will print online titles reflecting all current/former registered owners and any live and cancelled charges. The notation "online title not viewed" indicates we have only confirmed the name of one registered owner and have not checked charge information. Information on the form can be verified by checking the LTO documents. If you have any questions, please contact West Coast Title Search Ltd. in New Westminster at 604-659-8600 or 1-800-553-1936 and in Victoria at 250-405-6000 or 1-800-667-7767.

S:\City\ENVIRONMENTAL SEARCH\PID 001-416-987.docx

# ENVIRONMENTAL SEARCH FORM

PID: 001-416-987

File Ref.: NCGI21-01

Title No.	Registered Owner	Title Registered	Title Cancelled	Prior Legal(s)	See Title attached for Charges <i>Pertinent Charges noted below</i>
389977I	STANLEY PAGE; DOROTHY PAGE FROM (1)39771I (2)237914I	15/DEC/1966	17/MAR/1967	LOT "A" OF LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 19389	AGREEMENT - SEE TITLE ATTACHED
(1)39771I	JOHN ELLIOTT PAGE; STANLEY PAGE	02/MAR/1921	26/OCT/1976	ALL THAT PART OF LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, LYING NORTH AND WEST OF THE GOVERNMENT ROAD, CONTAINING 100 ACRES MORE OR LESS	LEASE – SEE TITLE ATTACHED
AFB 20/227/6876c	JOSEPH C. PAGE	18/JUN/1901	?	GALIANO ISLAND, PART (100 ACRES) OF LOT 3	SEE TITLE ATTACHED
AFB 17/743/1472c	NOT FOLLOWED				
(2)237914	DOROTHY PAGE	12/MAY/1954	22/NOV/1976	FIRST: THE SOUTHERLY 15 CHAINS THEREOF SECOND: PARCEL "B" (D.D. 59923I) AND PARCEL "C" (D.D. 134548I) THEREOF; THIRDLY: THAT PART THEREOF INCLUDED WITHIN THE BOUNDARIES OF PLAN 9087	LEASE; AGREEMENT – SEE TITLE ATTACHED
39771I	SEE THREAD (1)				

**DISCLAIMER:** *It is recommended to always obtain online titles (current and cancelled) showing live and cancelled charges.* If requested, we will print online titles reflecting all current/former registered owners and any live and cancelled charges. The notation "online title not viewed" indicates we have only confirmed the name of one registered owner and have not checked charge information. Information on the form can be verified by checking the LTO documents. If you have any questions, please contact West Coast Title Search Ltd. in New Westminster at 604-659-8600 or 1-800-553-1936 and in Victoria at 250-405-6000 or 1-800-667-7767.

R:\Cathy\ENVIRONMENTAL SEARCH\PID 001-416-987.docx



The requested title search results are displayed below. There is no fee for these results.



2020-11-04 08:43:32

### Title Search Results

Requestor: Cathy Studley

File Reference: W226880

**PID 001-416-987 S/29196/////1**

**PENDING APPLICATIONS: There are no pending applications**

Title Number	Land Title District	Status	First Owner Name on Title
CA8231943	Victoria	REGISTERED	GA*
WX2053951	Victoria	CANCELLED	GA*
CA2601863	Victoria	CANCELLED	GA*
FB48856	Victoria	CANCELLED	KO*, C*
K54990	Victoria	CANCELLED	NA*

H60422.

E20149

70037W

393502I

389977I

① 39771I

②

237914I

AFB 20/227/6876C

AFB 17/743/1472C

**TITLE SEARCH PRINT**

File Reference: W226880

Declared Value \$321000

2020-11-04, 08:44:30

Requestor: Cathy Studley

**\*\*CURRENT AND CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

VICTORIA

VICTORIA

**Title Number**

From Title Number

CA8231943

WX2053951

**Application Received**

2020-06-08

**Application Entered**

2020-06-17

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

GALIANO AFFORDABLE LIVING INITIATIVE SOCIETY, INC.NO.

S0072896

SUITE 6 - 33 MANZANITA ROAD

GALIANO ISLAND, BC

V0N 1P0

**Taxation Authority**

Capital Assessment Area

**Description of Land**

Parcel Identifier:

001-416-987

Legal Description:

LOT 1 DISTRICT LOT 3 GALIANO ISLAND COWICHAN DISTRICT PLAN 29196

**Legal Notations**

HOUSING AGREEMENT NOTICE, LOCAL GOVERNMENT ACT, S. 483 SEE CA6063081

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL  
GOVERNMENT ACT, SEE CA7318313THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL  
GOVERNMENT ACT, SEE CA7318870**Charges, Liens and Interests**

Nature:

COVENANT

Registration Number:

CA6063082

Registration Date and Time:

2017-06-13 11:27

Registered Owner:

GALIANO ISLAND LOCAL TRUST COMMITTEE

**TITLE SEARCH PRINT**

File Reference: W226880

Declared Value \$321000

2020-11-04, 08:44:30

Requestor: Cathy Studley

Nature:	COVENANT
Registration Number:	CA6874957
Registration Date and Time:	2018-06-19 16:31
Registered Owner:	AGRICULTURAL LAND COMMISSION
Remarks:	PART IN PLAN EPP57474

Nature:	COVENANT
Registration Number:	CA6874959
Registration Date and Time:	2018-06-19 16:31
Registered Owner:	AGRICULTURAL LAND COMMISSION
Remarks:	PART IN PLAN EPP57475

<b>Duplicate Indefeasible Title</b>	NONE OUTSTANDING
-------------------------------------	------------------

<b>Transfers</b>	NONE
------------------	------

<b>Pending Applications</b>	NONE
-----------------------------	------

<b>Corrections</b>	NONE
--------------------	------

PARCEL IDENTIFIER (PID): 001-416-987

SHORT LEGAL DESCRIPTION:S/29196/////1

MARG:

TAXATION AUTHORITY:

1 Capital Assessment Area

FULL LEGAL DESCRIPTION: CURRENT

LOT 1 DISTRICT LOT 3 GALIANO ISLAND COWICHAN DISTRICT PLAN 29196

MISCELLANEOUS NOTES:

AGRICULTURAL LAND RESERVE EXCLUSION SEE CA7012143

ASSOCIATED PLAN NUMBERS:

SUBDIVISION PLAN VIP29196

COVENANT PLAN EPP57474

COVENANT PLAN EPP57475

AFB/IFB: MN: Y PE: 0 SL: 1 TI: 1

**TITLE SEARCH PRINT**

File Reference: W226880

2020-11-04, 08:44:30

Requestor: Cathy Studley

**\*\*CURRENT AND CANCELLED INFORMATION SHOWN\*\***

<b>Land Title District</b>	VICTORIA
Land Title Office	VICTORIA
<b>Title Number</b>	WX2053951
From Title Number	CA2601863
<b>Application Received</b>	2017-07-27
<b>Application Entered</b>	2017-08-08
<b>Title Cancelled</b>	2020-06-17
<b>Registered Owner in Fee Simple</b>	
Registered Owner/Mailing Address:	GALIANO COMMUNITY HOUSING ASSOCIATION, INC.NO. S-0037495 2401 STURDIES BAY ROAD GALIANO, BC V0N 1P0
<b>Taxation Authority</b>	Capital Assessment Area
<b>Description of Land</b>	
Parcel Identifier:	001-416-987
Legal Description:	LOT 1, DISTRICT LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 29196
<b>Legal Notations</b>	
	HOUSING AGREEMENT NOTICE, LOCAL GOVERNMENT ACT, S. 483 SEE CA6063081
	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 4, DEPOSITED 11.07.74, R.E. HOOPER, REGISTRAR, PER: LM CANCELLED BY CA7012143 2018-08-21
	THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL GOVERNMENT ACT, SEE CA7318313
	THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL GOVERNMENT ACT, SEE CA7318870

**TITLE SEARCH PRINT**

File Reference: W226880

2020-11-04, 08:44:30

Requestor: Cathy Studley

**Charges, Liens and Interests**

Nature: COVENANT  
Registration Number: CA6063082  
Registration Date and Time: 2017-06-13 11:27  
Registered Owner: GALIANO ISLAND LOCAL TRUST COMMITTEE

Nature: MORTGAGE  
Registration Number: CA6482979  
Registration Date and Time: 2017-11-30 15:40  
Registered Owner: CCEC CREDIT UNION  
INCORPORATION NO. FI 59

**Cancelled By: CA8222015**  
**Cancelled Date: 2020-06-02**

Nature: COVENANT  
Registration Number: CA6874957  
Registration Date and Time: 2018-06-19 16:31  
Registered Owner: AGRICULTURAL LAND COMMISSION  
Remarks: PART IN PLAN EPP57474

Nature: PRIORITY AGREEMENT  
Registration Number: CA6874958  
Registration Date and Time: 2018-06-19 16:31  
Remarks: GRANTING CA6874957 PRIORITY OVER CA6482979  
**Cancelled By: CA8222015**  
**Cancelled Date: 2020-06-02**

Nature: COVENANT  
Registration Number: CA6874959  
Registration Date and Time: 2018-06-19 16:31  
Registered Owner: AGRICULTURAL LAND COMMISSION  
Remarks: PART IN PLAN EPP57475

Nature: PRIORITY AGREEMENT  
Registration Number: CA6874960  
Registration Date and Time: 2018-06-19 16:31  
Remarks: GRANTING CA6874959 PRIORITY OVER CA6482979  
**Cancelled By: CA8222015**  
**Cancelled Date: 2020-06-02**

**Duplicate Infeasible Title**

NONE OUTSTANDING

**Transfers**

Registration Date: 2020-06-17  
Description: All CA8231943

**TITLE SEARCH PRINT**  
File Reference: W226880

2020-11-04, 08:44:30  
Requestor: Cathy Studley

**Corrections**

NONE

**TITLE SEARCH PRINT**

File Reference: W226880

Declared Value \$225000

2020-11-04, 08:44:30

Requestor: Cathy Studley

**\*\*CURRENT AND CANCELLED INFORMATION SHOWN\*\***

<b>Land Title District</b> Land Title Office	VICTORIA VICTORIA
<b>Title Number</b> From Title Number	CA2601863 FB48856
<b>Application Received</b>	2012-06-15
<b>Application Entered</b>	2012-06-22
<b>Title Cancelled</b>	<b>2017-08-08</b>
<b>Registered Owner In Fee Simple</b> Registered Owner/Mailing Address:	GALIANO LAND AND COMMUNITY HOUSING TRUST, INC.NO. S-0037495 11 - 33 MANZANITA MALL GALIANO ISLAND, BC V0N 1P0
<b>Taxation Authority</b>	Capital Assessment Area
<b>Description of Land</b> Parcel Identifier: Legal Description:	001-416-987 LOT 1, DISTRICT LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 29196
<b>Legal Notations</b>	HOUSING AGREEMENT NOTICE, LOCAL GOVERNMENT ACT, S. 483 SEE CA6063081
THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 4, DEPOSITED 11.07.74, R.E. HOOPER, REGISTRAR, PER: LM	
<b>Charges, Liens and Interests</b> Nature: Registration Number: Registration Date and Time: Registered Owner:	COVENANT CA6063082 2017-06-13 11:27 GALIANO ISLAND LOCAL TRUST COMMITTEE
<b>Duplicate Infeasible Title</b>	NONE OUTSTANDING



**TITLE SEARCH PRINT**

File Reference: W226880

Declared Value \$225000

2020-11-04, 08:44:30

Requestor: Cathy Studley

**Transfers**

Registration Date:

2017-08-08

Description:

ALL WX2053951

**Corrections**

NONE

**TITLE SEARCH PRINT**

File Reference: W226880

Declared Value \$ 272000

2020-11-04, 08:44:30

Requestor: Cathy Studley

**\*\*CURRENT AND CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

VICTORIA

VICTORIA

**Title Number**

From Title Number

FB48856

K54990

**Application Received**

2007-05-15

**Application Entered**

2007-05-18

**Title Cancelled****2012-06-22****Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

CATHERINE ALENE KONANTZ, HOMEMAKER  
1461 27TH STREET  
WEST VANCOUVER, BC  
V7V 4K8**Taxation Authority**

Capital Assessment Area

**Description of Land**

Parcel Identifier:

001-416-987

Legal Description:

LOT 1, DISTRICT LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 29196

**Legal Notations**THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND  
COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 4, DEPOSITED  
11.07.74, R.E. HOOPER, REGISTRAR, PER: LM**Charges, Liens and Interests**

NONE

**Duplicate Infeasible Title**

NONE OUTSTANDING

**Transfers**

Registration Date:

2012-06-22

Description:

All CA2601863

**Corrections**

NONE

**TITLE SEARCH PRINT**

File Reference: W226880

2020-11-04, 08:44:31

Requestor: Cathy Studley

**\*\*CURRENT AND CANCELLED INFORMATION SHOWN\*\***

<b>Title Issued Under</b>	SECTION 172 LAND TITLE ACT
<b>Land Title District</b> Land Title Office	VICTORIA VICTORIA
<b>Title Number</b> From Title Number	K54990 H60422
<b>Application Received</b>	1981-05-27
<b>Application Entered</b>	1981-06-04
<b>Title Cancelled</b>	<b>2007-05-18</b>
<b>Registered Owner In Fee Simple</b> Registered Owner/Mailing Address:	NANSWHYDEN ENTERPRISES LTD., INC.NO. 234,697 3000 - 1055 WEST GEORGIA STREET VANCOUVER, BC
<b>Taxation Authority</b>	Capital Assessment Area
<b>Description of Land</b> Parcel Identifier: Legal Description:	001-416-987 LOT 1, DISTRICT LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 29196
<b>Legal Notations</b>	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 4, DEPOSITED 11.07.74, R.E. HOOPER, REGISTRAR, PER: LM
<b>Charges, Liens and Interests</b>	NONE
<b>Duplicate Indefeasible Title</b>	NONE OUTSTANDING
<b>Transfers</b> Registration Date: Description:	2007-05-18 ALL FB48856
<b>Corrections</b>	NONE



Title No. K 5 4 9 9 0

**LAND TITLE ACT**  
**(FORM 21, Section 173(1))**

(FORM 21, Section 173(1))

# ONE PAGE ONLY

## CERTIFICATE OF INDEFEASIBLE TITLE

Land Title Office, Victoria....., British Columbia

The undermentioned owner in fee-simple is indefeasibly entitled to an estate in fee-simple, subject to such charges, liens, and interests as are notified by endorsement on this certificate and subject to the conditions, exceptions, and reservations set out on the back hereof, to the land in British Columbia described below.

Registered owner in fee-simple: (Application for registration received on 27th May 1981).

**NANSWHYDEN ENTERPRISES LTD., (Inc. No. 234,697),**

Suite 3000, 1055 West Georgia Street,

**Vancouver, B.C.**

**Description of land:** (Gulf Islands Assessment District)

Lot 1, District Lot 3, Galiano Island, Cowichan District, Plan 29196

SECTION 172(3)

This Certificate of Title may be affected by the Agricultural Land Commission Act; see Agricultural Land Reserve Plan No. 4, deposited 11.7.74, R.E. Hooper, Registrar, Per: ✓

CHARGES, LIENS, AND INTERESTS:

Nature of Charges; Number; Date and Time of Application	Registered Owner of Charge	Remarks

Signed and sealed by me, this 4..... day of .....June..... 19.81....

**pw**

**Registrar**

**DUPLICATE CERTIFICATE OF TITLE**[illegible]

10/10/1964



Revised Vol.

Broth Title No. E20149

**ONE PAGE ONLY**

# CERTIFICATE OF INDEFEASIBLE TITLE

Lead Registry Office, Victoria, British Columbia

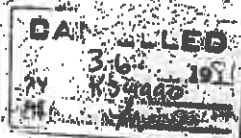
**This is to certify** that the undermentioned registered owner in fee-simple is absolutely and indefeasibly entitled in fee-simple, subject to such charges, liens, and interests as are notified by endorsement hereon, and subject to the conditions, covenants, and reservations set out hereon, to the land situated in the Province of British Columbia and more particularly described as follows:

Registered owner in fee simple: Application for registration received \_\_\_\_\_ 20th July 1975

ERNEST DONALD PEARSON, Accountant, and DON CAROLYN PEARSON, His Wife,  
1121 Hollywood Circle, San Jose, California, U.S.A., as JOINT TENANTS

Description of land: (See back hereof for transfers (if any) of the land or a part thereof). (Guilf Islands Assessment District)

Lot 1, District Lot 3, Galiano Island, Cowichan District, Plan 29196



This Certificate of Title may be affected by The Land Commission Act, see Agricultural Land Reserve Plan No. 4, Deposited 11.7.74, B.I. Kennedy, Registrar Perth. RG

#### CHARGES, LIENS, AND INTERESTS

Nature of Charge; Number; Date and Time of Application	Registered Owner of Charge	Remarks
M H60423 20.7.79 11:24	Oliver Jeffry Garner }-	Cancelled by KS4989 30.8.79 RA Hopper PL

In witness whereof I have hereunto set my hand and the seal of my office aforesaid, this 30th day of

July 1979

cjt

\* Blank endorsement affects all the land described herein, unless otherwise indicated in "Remarks" column. See back hereof for abbreviations.



ONE PAGE  
ONLY

Title No. **E 20149**

Register Vol. \_\_\_\_\_

From Title No. 70037-W

# CERTIFICATE OF INDEFEASIBLE TITLE

**Land Registry Office, Victoria, British Columbia.**

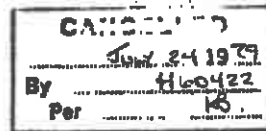
This is to certify that the undermentioned registered owner in fee-simple is absolutely and indefeasibly entitled in fee-simple, subject to such charges, liens, and interests as are notified by endorsement hereon, and subject to the conditions, exceptions, and reservations set out hereon, to the land situated in the Province of British Columbia, and more particularly described below.

Registered owner in fee-simple: Application for registration received 23rd January 1976

OLIVER JEFFRY GARNER, Logger,

R.R. #1,

Galiano Island, B. C.



Description of land: (See back hereof for transfers (if any) of the land or a part thereof). (Gulf Islands Assessment District)

Lot 1, of District Lot 3, Galiano Island, Cowichan District, Plan 29196

This Certificate of Title may be affected by The Land Commission Act; see: Agricultural Land Reserve Plan No. 4, Deposited 11.7.74, H. T. Kennedy, Registrar per: *b*

Nature of Charge; Number, Date and Time of Application	Registered Owner of Charge	Remarks

In witness whereof I have hereunto set my hand and the seal of my office aforesaid, this 26th day of January 19 76

\* Each endorsement affects all the land described herein, unless otherwise indicated in "Remarks" column. See back ~~sheet~~ for abbreviations, etc.



LAND REGISTRY ACT  
(Form F, Section 143)

Title No 7-0-037-V

Register Vol. \_\_\_\_\_

From Title No 393562-1

**CERTIFICATE OF INDEFEASIBLE TITLE**

Land Registry Office, Victoria, British Columbia

This is to certify that the undermentioned registered owner in fee-simple is absolutely and indefeasibly entitled in fee-simple, subject to such charges, liens, and interests as are notified by endorsement hereon, and subject to the conditions, exceptions, and reservations set out hereon, to the land situated in the Province of British Columbia, and more particularly described below.

Registered owner in fee-simple: Application for registration received 5th March, 1971

**OLIVER JEFFRY GARNER, logger**

**Galiano Island, B.C.**

Description of land: (See back hereof for transfers (if any) of the land or a part thereof). (Gulf Islands Assessment District)

**Lot "A" of Lot 3, Galiano Island, Cowichan District, Plan 19389**

THIS CERTIFICATE OF TITLE MAY BE  
AFFECTED BY THE LAND COMMISSION ACT.

**CONVERTED  
SECTION 172(3)**

7/4/76

CHARGES, LIENS, AND INTERESTS\*

Nature of Charge, Number, Date and Time of Application	Registered Owner of Charge	Remarks
R.P. E37862 5.4.76 10:05	B & W Developments Ltd (Incorporation No. 140,613)	Cancelled by H 41929 All except parts in Plans 28918 and 29196 23.5.79 H Kennedy
RPH55496 6.7.79 18:15	Larry Rockefeller	all except parts in Plans 28918 and 29196
M L 19215 11/82 11:44	Bank of Montreal	M of RP H55496

In witness whereof I have hereunto set my hand and the seal of my office aforesaid, this 9th day of

March, 1971

*H Kennedy*

\* Such endorsement affects all the land described herein, unless otherwise indicated in "the acts" column. See back hereof for alterations, etc.

2  
LAST PAGE

This certificate of indefeasible title is void as against the title of any person adversely in actual possession of and rightly entitled to the land included in same at the time of the application upon which this certificate was granted, and who continues in possession, and is subject to

- (a) the subsisting exceptions or reservations contained in the original grant from the Crown;
- (b) any Dominion or Provincial tax, rate, or assessment at the date of the application for registration imposed or made, or which may thereafter be imposed or made a lien on the land;
- (c) any municipal charge, rate, or assessment at the date of the application for registration imposed or made, or which may thereafter be imposed on the land, or which has theretofore been imposed for local improvements or otherwise and which was then due and payable, including any charge, rate, or assessment imposed by any public corporation having taxing powers over an area in which the land is situated;
- (d) any lease, or agreement for lease, for a period not exceeding three years, where there is actual occupation under the lease;
- (e) any public highway or right-of-way, watercourse or right of water, or other public easement;
- (f) any right of expropriation by Statute;
- (g) any lien pending or mechanic's lien, judgment, caveat, or other charge, or any assignment for the benefit of creditors or receiving order or assignment under the Bankruptcy Act, registered since the date of the application for registration;
- (h) any condition, exception, reservation, charge, lien, or interest noted or endorsed hereon;
- (i) the right of any person to show that the whole or any portion of the land is by wrong disposition of a vendor or vendor's improperly included in this certificate;
- (j) the right of any person to show fraud, wherein the registered owner or wherein the person from or through whom the registered owner derived his right or title otherwise than bona fide for value has participated in any degree;
- (k) any restrictive condition, right of reversion, or obligation imposed on the land by the *Form Act* when noted and endorsed hereon.

PLAN 28918 (P. 27)

THIS CERTIFICATE MAY BE AFFECTED BY THE LAND ACT AMENDMENT ACT, 1961 (see S.B.C. 1970, Chapter 17).

The following parcels have been transferred:— PLAN 28918 (Part)

Land	To Certificate No.
Part (Lot 1, Plan 28918)	D 78626
Part - Lot 1, Plan 28918	E 20149
	(1017018)

CMH = Claim of mechanics' lien.  
CVT = Caveat.  
E = Easement.  
J = Judgment.  
L = Lease.

ABBREVIATIONS:

LP = Lis pendens.  
M = Mortgage.  
OP = Option to purchase.  
RC = Restrictive covenant.  
RPK = Right of first refusal.

RP = Right to purchase.  
RW = Right-of-way.  
SRP = Sub-right to purchase.  
TSN = Tax Sale Notice.  
U = Undersurface rights.

113070  
17352  
9191  
18088



(k) Any restrictive condition, right of reverter, or obligation imposed on the land by the Forest Act when noted and endorsed thereon.

**THIS CERTIFICATE MAY BE AFFECTED BY  
THE LAND ACT AMENDMENT ACT, 1984**

p1

FOR OTHER ASSIGNMENTS  
FILL IN THIS:

[illegible]

389977

From Certificate No. 39771-I  
237914-I  
Section 105



LAND REGISTRY ACT  
Form F (Section 143)

No. 389977-1

Register, Vol. 1546

This certificate of indefeasible title is void as against the title of any person adversely in actual possession of and rightly entitled to the land included in same at the time of the application upon which this certificate was granted, and who continues in possession, and is subject to—

- (a) The subsisting exceptions or reservations contained in the original grant from the Crown;
- (b) Any Dominion or Provincial tax, rate, or assessment at the date of the application for registration imposed or made a lien or which may thereafter be imposed or made a lien on the land;
- (c) Any municipal charge, rate, or assessment at the date of the application for registration imposed or which may thereafter be imposed on the land, or which had theretofore been imposed for local improvements or otherwise and which was not then due and payable, including any charge, rate, or assessment imposed by any public corporate body having taxing powers over an area in which the land is situated;
- (d) Any lease, or agreement for lease, for a period not exceeding three years, where there is actual occupation under the same;
- (e) Any public highway or right-of-way, water-course, or right of water, or other public easement;
- (f) Any right of expropriation by Statute;
- (g) Any lien pendens or mechanics' lien, judgment, caveat, or other charge, or any assignment for the benefit of creditors or receiving order or authorized assignment under the Bankruptcy Act, registered since the date of the application for registration;
- (h) Any condition, exception, reservation, charge, lien, or interest noted or endorsed thereon;
- (i) The right of any person to show that the whole or any portion of the land is by wrong description or boundaries or parcels improperly included in this certificate;
- (j) The right of any person to show fraud, wherein the registered owner or wherein the person from or through whom the registered owner derived his right or title otherwise than bona fide for value has participated in any degree;
- (k) Any restrictive condition, right of reverter, or obligation imposed on the land by the Forest Act when noted and endorsed thereon.

THIS CERTIFICATE MAY BE AFFECTED BY  
THE LAND ACT AMENDMENT ACT, 1961.

## Certificate of Indefeasible Title

Date of application for registration, the 9th day of December, 1966

This is to certify that

STANLEY PAGE and DOROTHY PAGE,  
Galiano Island,  
British Columbia

are absolutely and indefeasibly entitled in fee-simple, subject to such charges, liens, and interests as are notified by endorsement hereon, and subject to the conditions, exceptions, and reservations set out hereon, to that

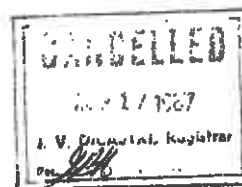
piece of land situate in the Gulf Islands Assessment District and Gulf Islands Hospital Improvement District No. 9

and Province of British Columbia, and more particularly known and described as:—

Lot "A" of Lot 3, Galiano Island, Cowichan District,  
Plan 19389.

### THE FOLLOWING PIECES OF LAND HAVE BEEN TRANSFERRED

LAND	CERT. No.
OK	343201-1



In witness whereof I have hereunto set my hand and seal of office

at Victoria, British Columbia,

this 14th day of December

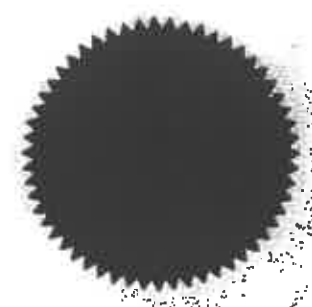
1966

Y. L. T.

(OVER)

Registrar.

CW









# Certificate of Indefeasible Title

Date of Application, the Twenty-fifth day of August at 2.56, P.M., A.D. 19 20.

Register of Indefeasible Fees, Vol. 146, Fol. 39771-I.

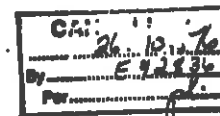
This is to certify that JOHN ALBERT PAGE, of 8391 Samniah Road,  
Victoria, British Columbia, and STANLEY PAGE, of Galiano Island,  
British Columbia, are

*absolutely and indefeasibly entitled in Fee-simple, subject to such encumbrances, liens, and interests as are notified by endorsement hereon, and subject to the exceptions and reservations printed hereon, to that*  
*piece of land known as and being all that part of Lot Three (3), Galiano Island,*  
*COMBUHAN DISTRICT, lying North and West of the Government Road, containing One*  
*hundred (100) acres, more or less.*

THIS CERTIFICATE OF TITLE MAY BE  
ASSISTED BY THE LAND COMMISSION ACT.

*Now up to date (legal sec C/E 49222)*

FORDOMINION MAPS	
Plan 12788 (Area)	
Plan 12789 (Area)	
THE FOLLOWING PIECES OF LAND HAVE BEEN TRANSFERRED:	
Lot	Cert. No.
Part of Lot 12, Area 13	50923
S. 15 chs. (21 ac.) of that part of Lot 3 lying West of the Baker Road	82356
Lot C	134568
Lot D	127372
J. L. Page and Stanley Page	127372
Part of Lot 1 and 2 in Plan 12798	1294058-I
Part of Plan 12799	5891125



In witness whereof I have hereunto set my hand and Seal of  
Office at Victoria, British Columbia, this second  
day of March, 19 21.

*Frank J. Thompson*  
Registrar-General

OTHER ASSOCIATIONS: [REDACTED]

**Encumbrances, Liens, and Interests.** All Assignment of benefits

[illegible]

*Page 1* *Reamer* *24075B* *11.4.60* *12.18* *CHARTER OIL COMPANY LIMITED* *Assignment of 178-226* *11.7.60* *24/1/67* *J. A. Carter*

109336  
49222

16517



## Register of Absolute Fees.

No.	Name of Owner of Absolute Fee.	Parcel.	Short Description.	Parcel.	Vol.	Application
6873	C. Blainstaff Charles		Victoria District Lot 4. Block 1 Woodwind Creek (Imp 200 <sup>sq</sup> )		10.487 10 397 397691	134 190. 1012
6874	C. Schulty Samuel Davies		Esquimalt District in divisions of 58. 59. 62. 63. 64. 65. and 66 of section 19		3.562 3 2551	124 190 210
6875	C. Godman Richard Godman		Esquimalt District Lot (140000) on Lot 100.		2.762 6	13 191 211
6876	C. Page Joseph		Galians Island Cont (100 acres) of Lot 3.		9.134 4 100397 1003971	13 19 21
6877	C. Jamison Walter		Coast District Cont. of S.E. 1/4 of Agricult. Township Twp. 11T.		10.487 10	13 19 21
6878	C. Bennett Charles		Nanaimo City Cont. of Lot 8. Block 10		7.415 7 10080	13 19 21





60 78/

M.L. Mortgage in fee.  
 H.P. Right to purchase.  
 A.H.P. Right to purchase.  
 L.P. Lease.  
 H.C. Restrictive Covenant.

FOR OTHER ABREVIATIONS  
 FILL IN HERE

# CHARGES, LIENS, AND INTEREST

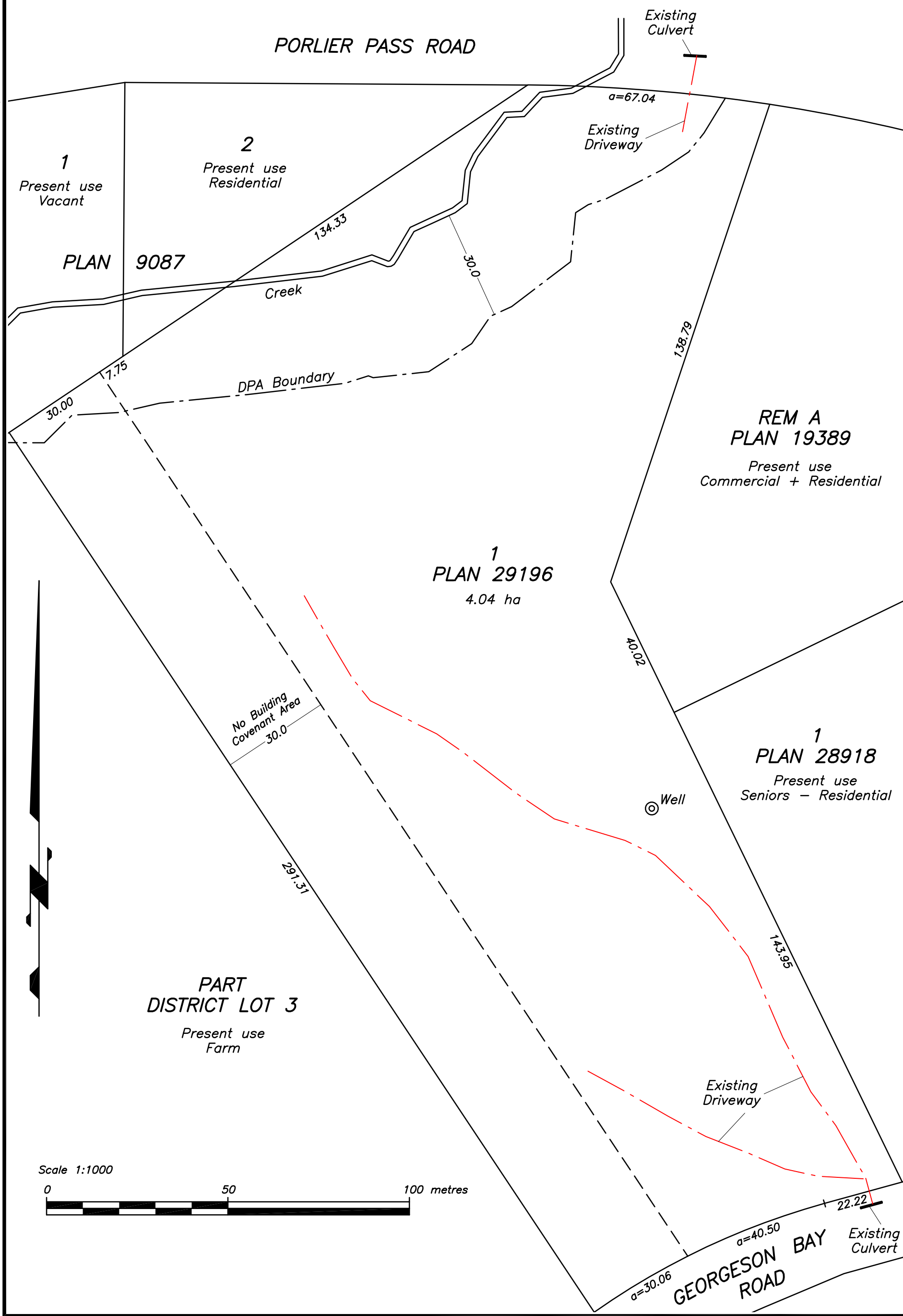
★ 1000-033-0722 (4)

LAND	Nature of Charge	No.	Date of Application	Time	OWNER OF CHARGE	Value or Amount	PARTICULARS, TERM, RATE, ETC.	RELEASED No. Date	Register's Signature to Release
all min. abt			1/15/56	11:50 AM	ROYALITE OIL COMPANY LIMITED		Lease dated 10-9-54 from monthly lease and standby for oil production with natural gas, a 20 year lease		
Chart of the H. H. H. H.			240758	N 4-61 12:14 PM	CHARTER OIL COMPANY LIMITED		Lease dated 1/18/56	1147050	26/1/57 J. A. G. G. G. G. G.

109340

**SITE PLAN**

LOT 1, DISTRICT LOT 3,  
GALIANO ISLAND, COWICHAN DISTRICT, PLAN 29196



## **APPENDIX B.**

### **MUNICIPAL RECORDS**



# STAFF REPORT

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**File No.:** GL-RZ-2011.1

November 3, 2011

**To:** Galiano Island Local Trust Committee  
Robert Kojima, RPM  
Prepared for the November 14, 2011 LTC Meeting

**From:** Gary Richardson, Island Planner

---

**Re: Rezoning Application – Lot 1, District Lot 3, Plan 29196, Galiano Island**

**Owner:** Catherine Konantz  
**Applicant:** Galiano Land and Community Housing Trust (GLCHT)  
**Location:** 409 Porlier Pass Road

## THE PROPOSAL:

The application is requesting to have a vacant lot rezoned from Agriculture and Rural Residential to Community Facility – Affordable housing to permit up to 20 dwellings for affordable housing purposes. If only the Rural Residential portion is considered for rezoning up to 15 units for affordable housing is being requested.

This staff report reviews the application, existing policy and recommends next steps. This is a preliminary staff report further staff reports will be required in order further review issues identified in this report.

## SITE CONTEXT:

An initial site review was carried out October 25<sup>th</sup>, 2011 with representatives of GLCHT.

The lot is forested as can be seen on the orthophoto contained in this report. The property also contains a small area of wetland and a riparian area running along the northern boundary as shown on the sensitive ecosystem map contained in this report.

The property is 4 hectares (10 acres) in size.

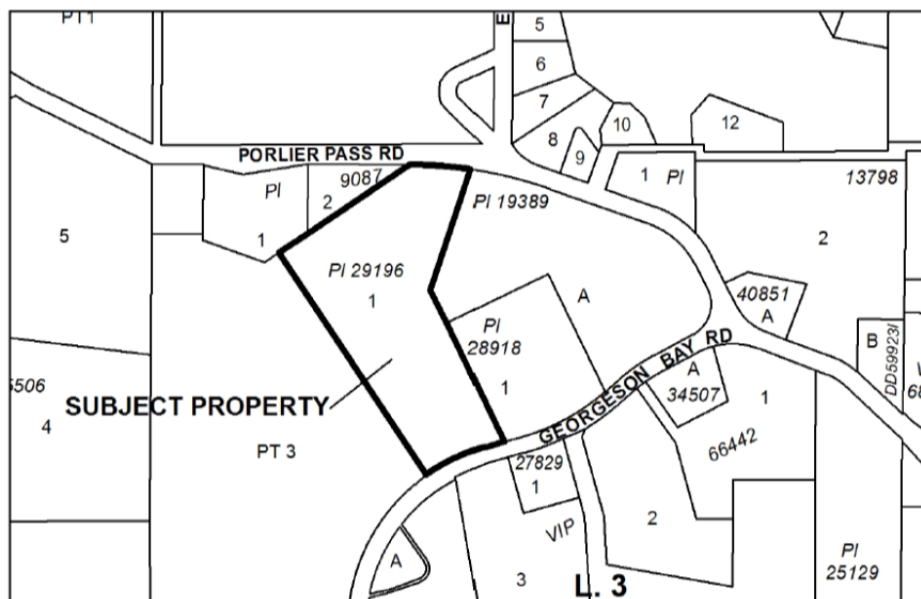
The property fronts two roads. There is 67 metres of frontage on Porlier Pass Road to the north and 93 metres of frontage on Georgeson Bay Road to the south. There are

some old access roads on the subject lot that have grown over but should provide some access on the lot; however development of roads and clearing of building sites will be required.

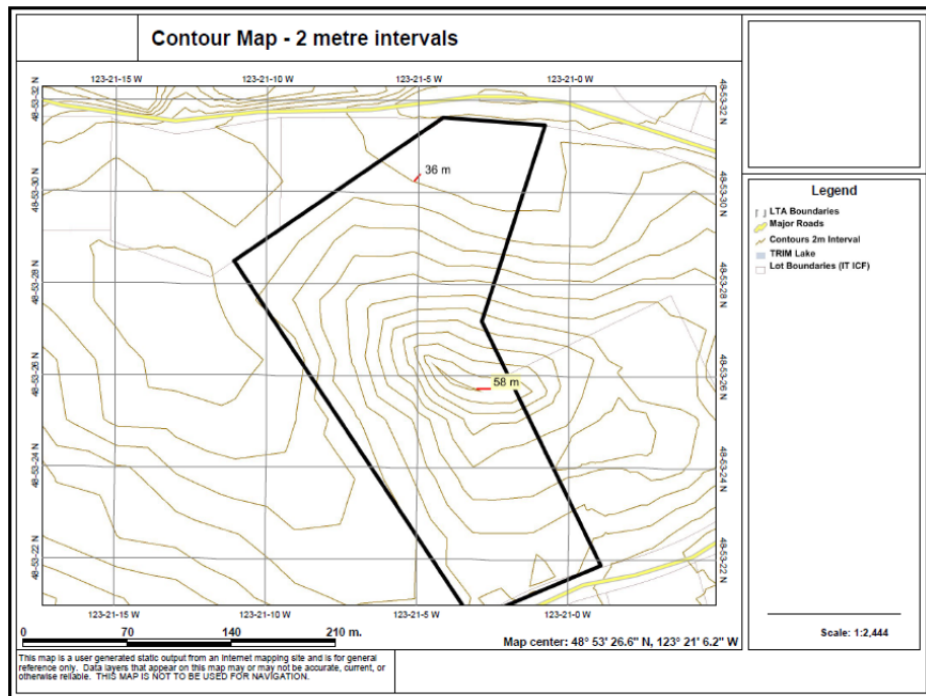
The highest point on the lot is shown as being 58 metres and the lowest 34 metres.

The lot is well located on the most populated portion of the island close to services. Surrounding land uses include: hummingbird pub, agriculture, residential, retail, and eating establishments. The property is well connected by roads and trails to the services on the south end of the island, including the Sturdies Bay ferry terminal.

A clear delineation on the ground of where the agricultural land begins is not clear to the casual observer.



Map showing location of subject property.

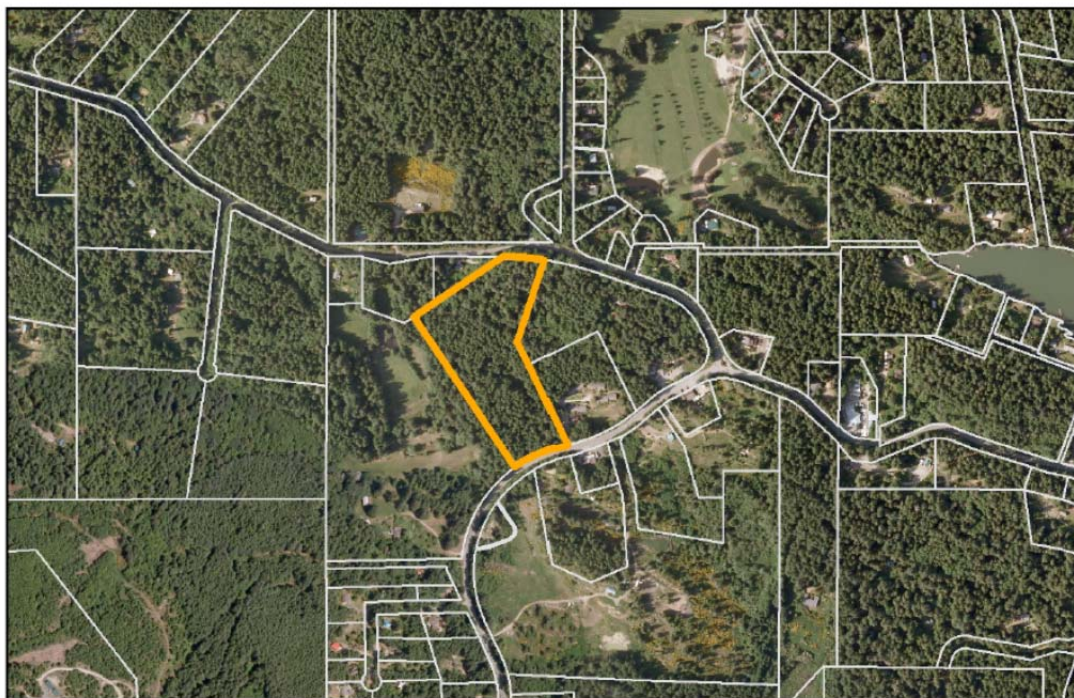


Map showing topography.



Orthophoto showing subject lot.





Orthophoto showing surrounding area.

## CURRENT PLANNING STATUS OF SUBJECT LANDS:

### Trust Policy Statement:

Some policies that the LTC should consider when reviewing this application:

#### **Agricultural Land**

4.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.

4.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.

4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.



4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

## **Freshwater Resources**

4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:

- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,
- water quality is maintained, and
- existing, anticipated and seasonal demands for water are considered and allowed for.

## **Growth and Development**

5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.

5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.

5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.

5.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

## **Health and Well-being**

5.8.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

## Official Community Plan

## **Proposed Schedule B – Land Use Designation**

Designates the property Agriculture (AG) and Rural Residential (RR)

### **Proposed Schedule F – Riparian Development Permit Area**

Shows a RAR stream and DP area on the north boundary of the lot.

### **Proposed Schedule H – Sensitive Ecosystems**

Shows a wetland and riparian area. See SEM map in this report for locations.

### **Proposed Schedule I – Steep Slope Hazard Development Permit Area**

Shows a small point of moderate hazard 22.5 – 45 degrees in the centre of the lot.

## **The following is contained in proposed OCP amendment bylaw 215:**

### **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.

### **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, seniors and special needs housing policies and land use decisions.

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, affordable or special needs 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 or other special needs 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.

The following is contained in proposed OCP amendment bylaw 217:

## **6. Climate Change Mitigation and Adaptation**

### **Climate Change Objectives**

2) To move to a land use pattern that results in a more compact and complete community in a manner that ensures that overall development potential and density are not increased unless authorized elsewhere in this plan.

## **Land Use Bylaw**

### **Existing Zoning**

#### **Agriculture Zone - AG**

##### **Permitted Uses**

6.1.1 In the Agriculture zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

6.1.1.1 farm use

6.1.1.2 timber production and harvesting

6.1.1.3 dwellings

6.1.1.4 accessory residential and agricultural uses required for the operation of the farming activities conducted on the lot

6.1.1.5 home occupations

##### **Permitted Density**

6.1.2 One dwelling is permitted on each lot, and one additional dwelling is permitted in respect of each 4 hectares of lot area over 4 hectares.

##### **Permitted Height**

6.1.4 No building or structure for a use permitted by this section may exceed 9 metres in height.

##### **Minimum Setbacks**

6.1.5 Buildings and structures must be sited

6.1.5.1 at least 7.5 metres from front and rear lot lines; and

6.1.5.2 at least 6 metres from interior and exterior side lot lines.

6.1.6 Non-residential buildings and structures must be sited at least 30 metres from any lot line that does not abut a highway.

#### Minimum Lot Size

6.1.7 No lot having an area less than 4 hectares may be created by subdivision.

## **Rural Residential Zone - RR**

#### Permitted Uses

5.4.1 In the Rural Residential zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

5.4.1.1 dwellings

5.4.1.2 cottages

5.4.1.3 home occupations

#### Permitted Density

5.4.2 One dwelling is permitted on each lot, and one additional dwelling is permitted in respect of each 2 hectares of lot area over 2 hectares

5.4.3 One cottage is permitted on each lot having an area of 0.4 hectares or more in respect of each permitted dwelling.

#### Permitted Height

5.4.4 No building or structure for a use permitted by this section may exceed 9 metres in height.

#### Minimum Setbacks

5.4.5 Buildings and structures must be sited

5.4.5.1 at least 7.5 metres from front and rear lot lines;

5.4.5.2 at least 6 metres from each interior side lot line; and

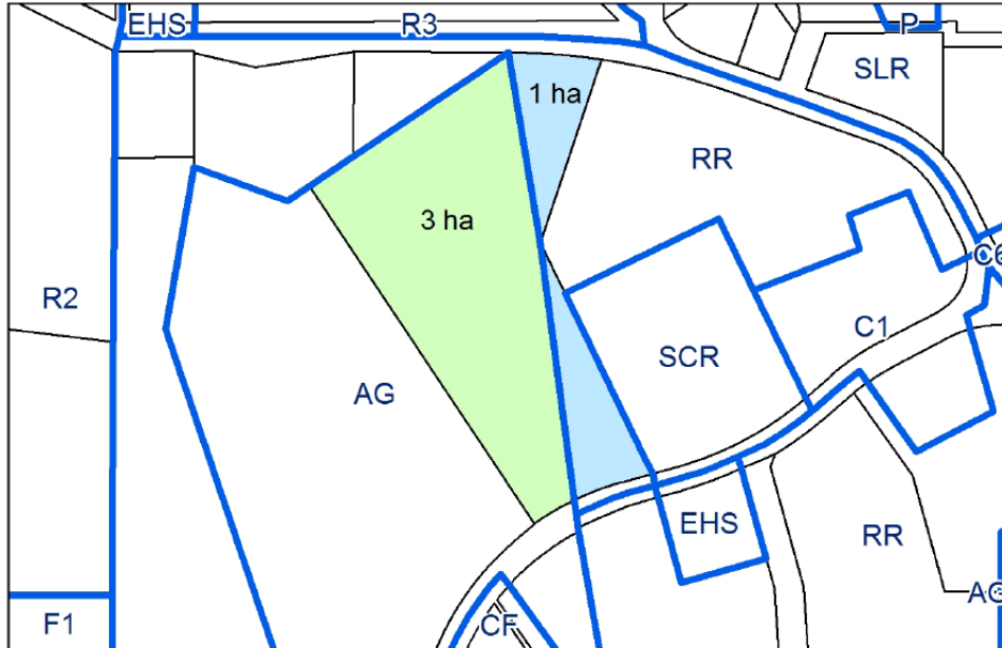
5.4.5.3 at least 6 metres from an exterior side lot line.

5.4.6 Buildings and structures for the accommodation of farm animals including poultry must be sited

5.4.6.1 at least 7.5 metres from a front lot line;

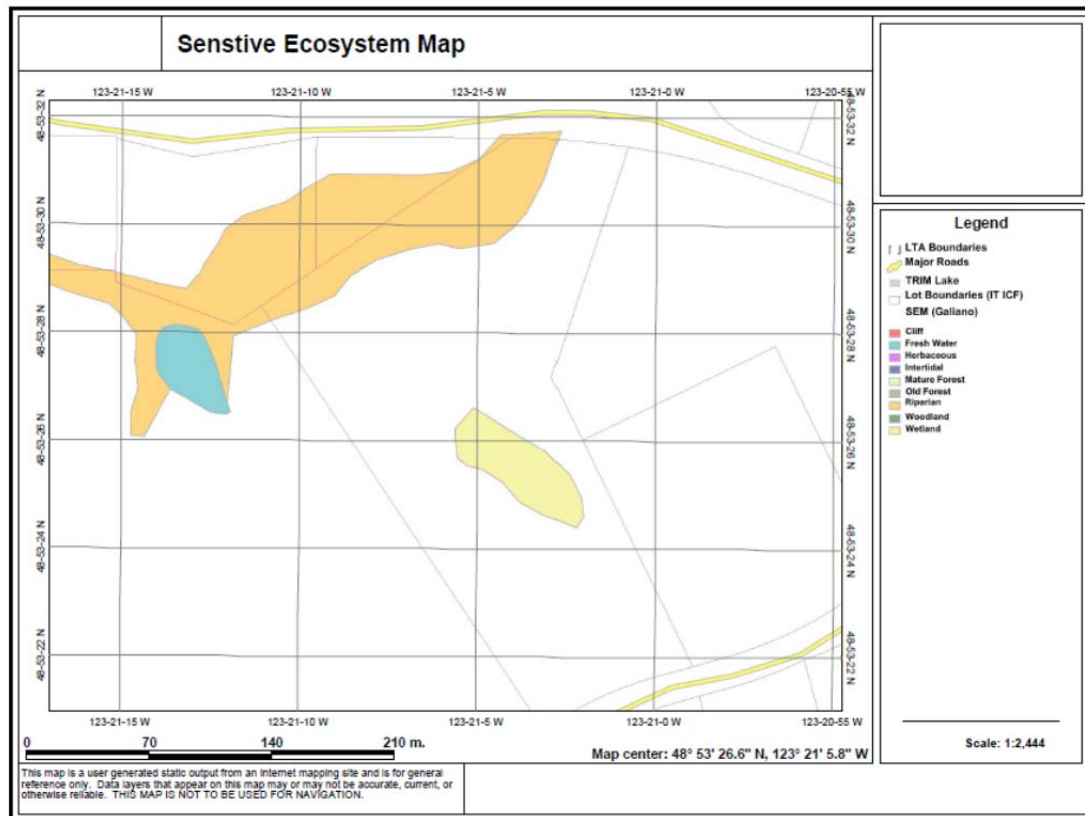
5.4.6.2 at least 30 metres from rear and interior side lot lines; and

5.4.6.3 at least 6 metres from an exterior side lot line.



Portion of Galiano Island Zoning map showing areas of subject property in each zone.

### Sensitive Ecosystems Areas:



### Archaeological Sites:

Based on information from the Provincial Remote Access to Archaeological Data (RAAD), there are no archaeological sites identified on this property.

Notwithstanding the foregoing, and by copy of this report, the owners are advised that the unearthing of any archaeological resource should be reported to the Archaeological Branch.

### Covenants:

None

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

None scheduled; however a community consultation plan will be provided as part of the timeline which will recommend community information meeting(s) as part of the process.

### **RESULTS OF CIRCULATION:**

No circulation or notification has been done.

### **STAFF COMMENTS:**

1. Policy Statement – the policy statement supports this type of development provided that the following are addressed: retention of agricultural land, water quality, community character, social impact of development, protection of natural environment and avoiding hazard lands.
2. Official Community Plan (proposed) – The OCP supports rezoning to a higher density where the application would result in the provision of seniors, affordable or special needs housing subject to a number of conditions which include: a housing agreement; type, size, proposed siting and number units, proof of adequate water and sewer, siting on modified ecosystems and inclusion in a DP area if deemed appropriate. DPs are provided for in section 919.1 of the Local Government Act to control the form and character of multi family residential development. It will need to be determined if a DP area is considered appropriate for this proposal.

If the application proceeds all of the conditions of the OCP which have been sited in this report will need to be addressed. An OCP map and/or text amendment may be required.

3. Housing Agreement – The proposed OCP amendment regarding community housing requires, where appropriate, the registration of a housing agreement. Housing agreements must be put in place by bylaw.

Section 905 of the Local Government Act authorizes housing agreements. Housing agreements may include terms and conditions agreed to by the local government (Galiano Island Local Trust Committee) and the owner regarding the occupancy of the housing units, which can include but are not limited to the following:

- (a) The form and tenure of the housing units;
- (b) The availability of the housing units to classes of persons identified in the agreement;

- (c) The administration and management of the housing units; and
- (d) Rents and lease, sale or share prices that may be charged.

Housing agreements are complex documents that are adopted by bylaw and require a high level of staff review and applicant and community input.

If this proposal proceeds housing agreement will be required and it is recommended that staff provide a further report to the LTC on housing agreements and how such an agreement could be used on for this proposal.

4. Covenant – in addition to the housing agreement a covenant is also recommended in the OCP. A covenant may be required; however this will not be know until later in the review process.
5. Septic Disposal – An initial review of the site was carried out by Fred Stevens on September 25, 2011. Mr. Stevens suggests that an Ecoflow bio filter treatment system would be the best choice due to low site impact and high quality effluent treatment resulting in better protection of the aquifer compared to conventional disposal systems. Mr. Stevens goes on to say that no ground testing or exact size or number of dwellings has been confirmed at this time. The size, location and cost of the systems will have to be determined when the specifics are known.

This matter will require further review when a proposed number and floor area of potential dwelling units is determined.

6. Water – there is one well on the property. The well record suggests that the flow is ½ gallon per minute at 48 feet and 10 gallons per minute at 212 feet. Water catchment and storage is supported by OCP policy and can be a requirement incorporated into the zoning. This should reduce the overall reliance on groundwater as a water source.

This matter will require further review when a proposed number, location and floor area of potential dwelling units is determined.

7. Density – the number of units proposed is 20. Staff has calculated the area of the RR portion to be 1 hectare and the area of the AG portion to be 3 hectares. This varies from the areas sited in the application. ALR land is restricted to 1 dwelling, this would mean the remaining 19 dwellings would need to be located on the Rural Residential portion of the land. Even if the whole 4 hectares is rezoned to an affordable housing zone only 1 dwelling could be on the ALR.

The alternative requested in the application is that only the RR portion be rezoned to an affordable housing zone. In this case 1 dwelling would be permitted on the ALR portion and 14 would be permitted on the RR (affordable housing) portion. Also any riparian areas, hazard areas, wetlands and sensitive ecosystems will need to be considered when siting buildings.

OCP policies support the clustering of dwellings.

8. Needs Assessment - It is suggested in the Community Housing Policies of the proposed OCP that the LTC should support efforts by organizations or agencies to conduct a housing needs assessment. If a needs assessment has been conducted the LTC should have an opportunity to review it. If a needs assessment has not been carried out, the LTC should determine if they require a needs assessment before proceeding with review of the application.
9. Agricultural Land – The application requests that the agricultural portion of the property be zoned to affordable housing so that in the future if a portion of the land is removed from the ALR it can be used for housing. The LTC can consider this; however Policy Statement policies and OCP policies support maintenance of agricultural land. It is recommend that agricultural land only be considered for rezoning to another zone if there is a clear evidence in the form of a report prepared by an appropriate professional that the land is not suitable for agriculture. An application to the ALC would be required for any change to ALR land.
10. Property Location – The property appears well located for this type of development as its close to amenities, has good road and trail access to the amenities as well as the Sturdies Bay ferry terminal.

The Islands Trust Policy Statement and the policies in the proposed OCP support clustered affordable housing at a higher density than existing zoning where all such additional density is in the form of affordable housing, as is being proposed in this application. No density limits are recommended in the OCP. The Policy statement and OCP do not support the erosion of ALR designated land unless it is clear that the land is not suitable for agriculture. Based on this staff are recommending that the proposed affordable housing be supported on the non-ALR portion of the property. Staff are recommending that the LTC directs drafting of bylaws, that would amend the Rural Residential designation/zone only. If the LTC supports preparation of draft bylaws, staff will provide further recommendations with respect to the appropriate housing agreement restrictions, designation of a DPA, use of a covenant, community consultation options and a timeline for processing the application.

Options:

1. Proceed no further with the application.
2. Direct staff to prepare an OCP and LUB amendment that would change the RR portion of the subject property to an affordable housing designation/zone that would allow a residential density not to exceed 15 units and an appropriate housing agreement
3. Direct staff to prepare an OCP and LUB amendment that would change the entire subject property to an affordable housing designation/zone that would



allow a residential density not to exceed 20 units, along with an appropriate housing agreement This would require an application to the ALC

If this proposal proceeds staff will bring a further report and draft bylaws to the December LTC meeting for the LTCs consideration.

**RECOMMENDATIONS:**

1. That the Galiano Island Local Trust Committee direct staff to prepare draft bylaws that would amend the designation/zoning of the subject property from Rural Residential to an affordable housing zone/designation that allows a residential density not exceeding 15 units.
2. That the Galiano Island Local Trust Committee direct staff to report back with recommendations concerning housing agreement and covenant restrictions, potential development permit area designation, community consultation and a timeline.

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Prepared and Submitted by:

Gary Richardson

November 3, 2011

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Date

Concurred in by:

Robert Kojima, RPM

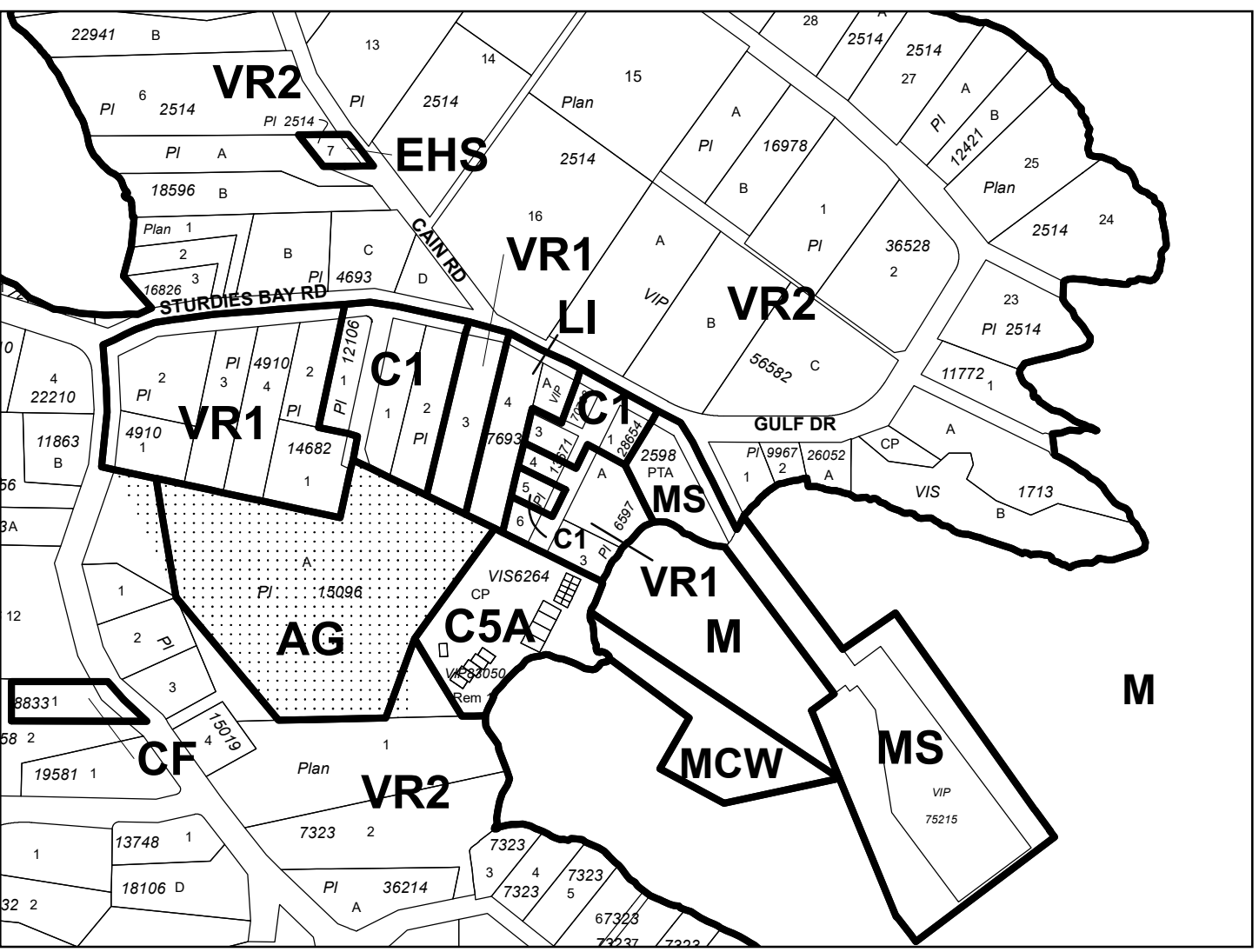
November 4, 2011

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Date



**SCHEDULE B  
LAND USE BYLAW  
Bylaw No. 127, 1999**



1 : 5000 INSET

- | BYLAW AMENDMENTS    |                     |
|---------------------|---------------------|
| Bylaw 134 Oct 2000  | Bylaw 185 Nov 2005  |
| Bylaw 136 Jun 2001  | Bylaw 184 Feb 2006  |
| Bylaw 143 Nov 2001  | Bylaw 178 May 2006  |
| Bylaw 139 Feb 2002  | Bylaw 194 Jun 2007  |
| Bylaw 132 June 2002 | Bylaw 202 Jun 2009  |
| Bylaw 145 Nov 2002  | Bylaw 205 Jun 2010  |
| Bylaw 141 Dec 2002  | Bylaw 210 Sept 2011 |
| Bylaw 135 May 2003  | Bylaw 251 Nov 2015  |
| Bylaw 155 July 2003 | Bylaw 260 Mar 2017  |
| Bylaw 157 July 2003 | Bylaw 234 July 2017 |
| Bylaw 150 Aug 2003  | Bylaw 263 Oct 2018  |
| Bylaw 161 June 2004 | Bylaw 268 Feb 2019  |
| Bylaw 182 Nov 2005  | Bylaw 266 July 2020 |

NOTE: This map is a consolidation of any bylaw amendments and is presented for convenience only.  
This map is not to be construed as a legal document.  
Certified copies of the bylaw 127 and subsequent bylaw amendments are available from the Islands Trust,  
#200 - 1627 Fort Street, Victoria, BC V8R 1H8

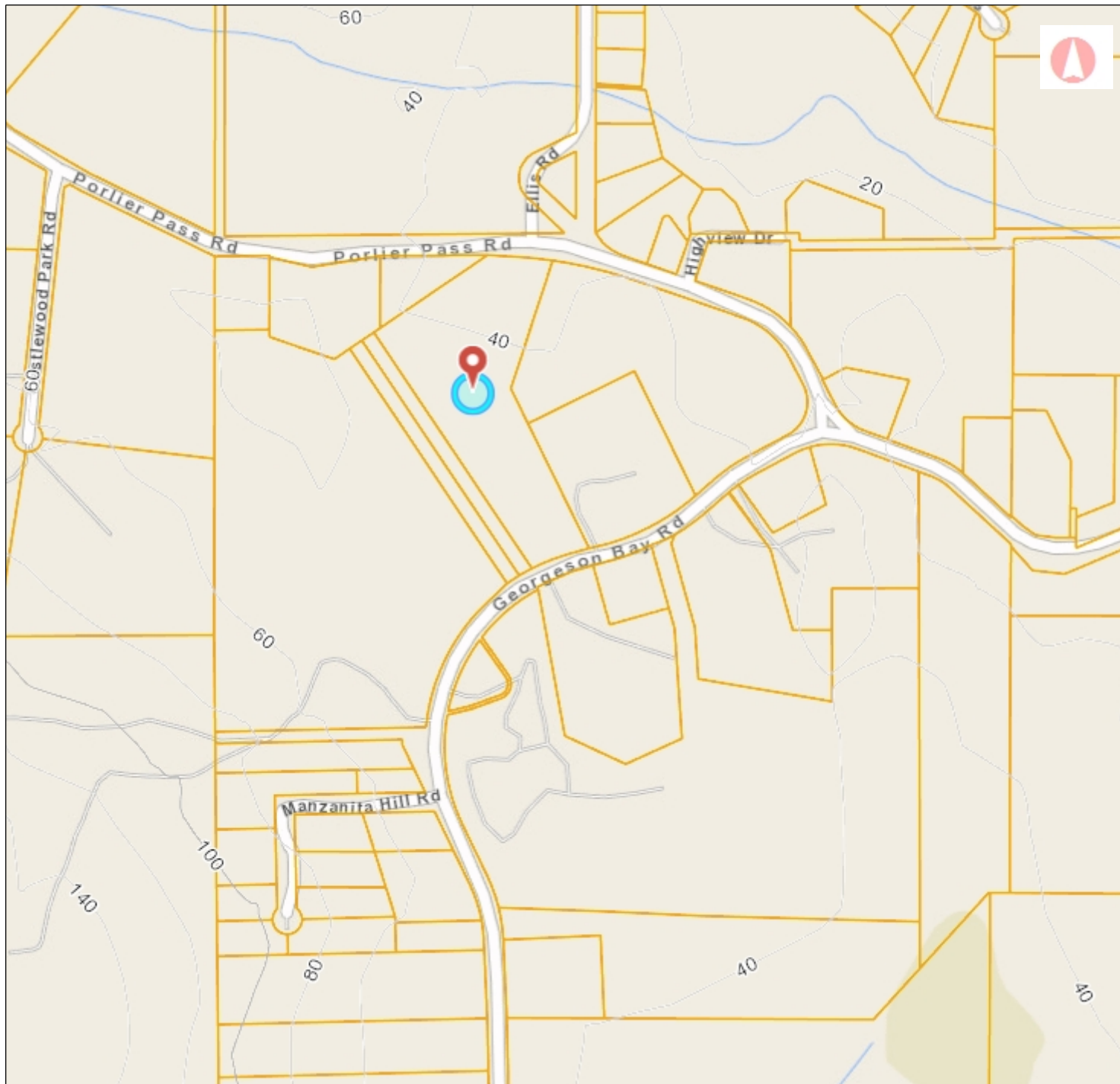
**GALIANO ISLAND  
LOCAL TRUST COMMITTEE**

**LAND USE BYLAW  
SHEET 2 OF 2**



## **APPENDIX C.**

### **BC WATER RESOURCE ATLAS**



## iMapBC Mapping - Contours Legend

Contours - Labels (1:20,000)

Contours - (1:20,000)

FCODE

- Contour - Index
- Contour - Index Indefinite
- Contour - Index Depression
- Contour - Index Depression Inde
- Contour - Intermediate
- Contour - Intermediate Indefinite
- Contour - Intermediate Depressi
- Contour - Intermediate Depressi

PMBC Parcel Cadastre - Ou

0 0.18 0.37 km

1: 9,028

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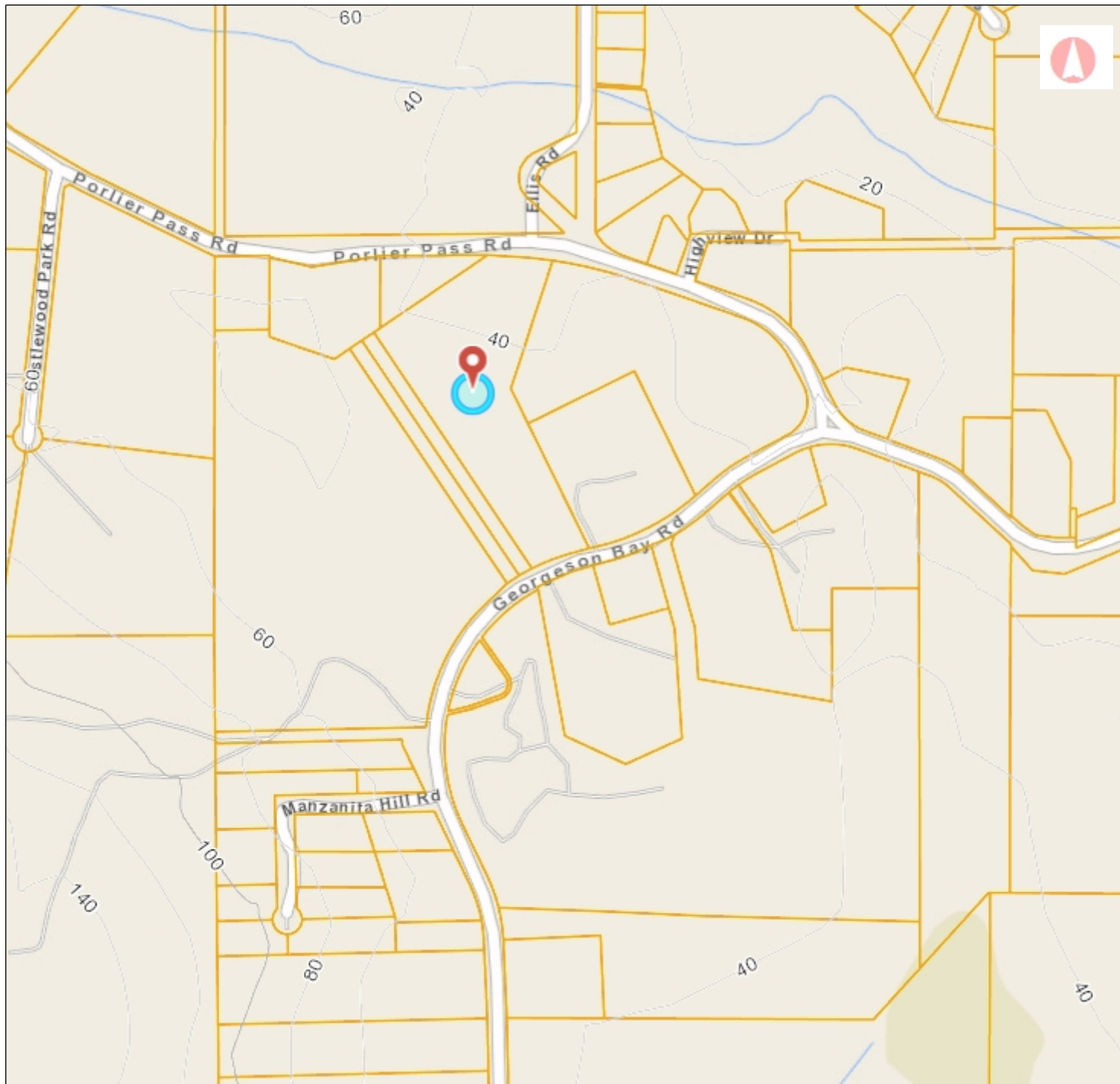
CAUTION: Maps obtained using this site are not designed to assist in navigation. These maps may be generalized and may not reflect current conditions. Uncharted hazards may exist. DO NOT USE THESE MAPS FOR NAVIGATIONAL PURPOSES.

Datum: NAD83

Projection: WGS\_1984\_Web\_Mercator\_Auxiliary  
\_Sphere

### Key Map of British Columbia





## iMapBC Mapping - Contours **Legend**

Contours - Labels (1:20,000)

Contours - (1:20,000)

FCODE

- Contour - Index
- Contour - Index Indefinite
- Contour - Index Depression
- Contour - Index Depression Inde
- Contour - Intermediate
- Contour - Intermediate Indefinite
- Contour - Intermediate Depressi
- Contour - Intermediate Depressi

PMBC Parcel Cadastre - Ou

0 0.18 0.37 km

1: 9,028

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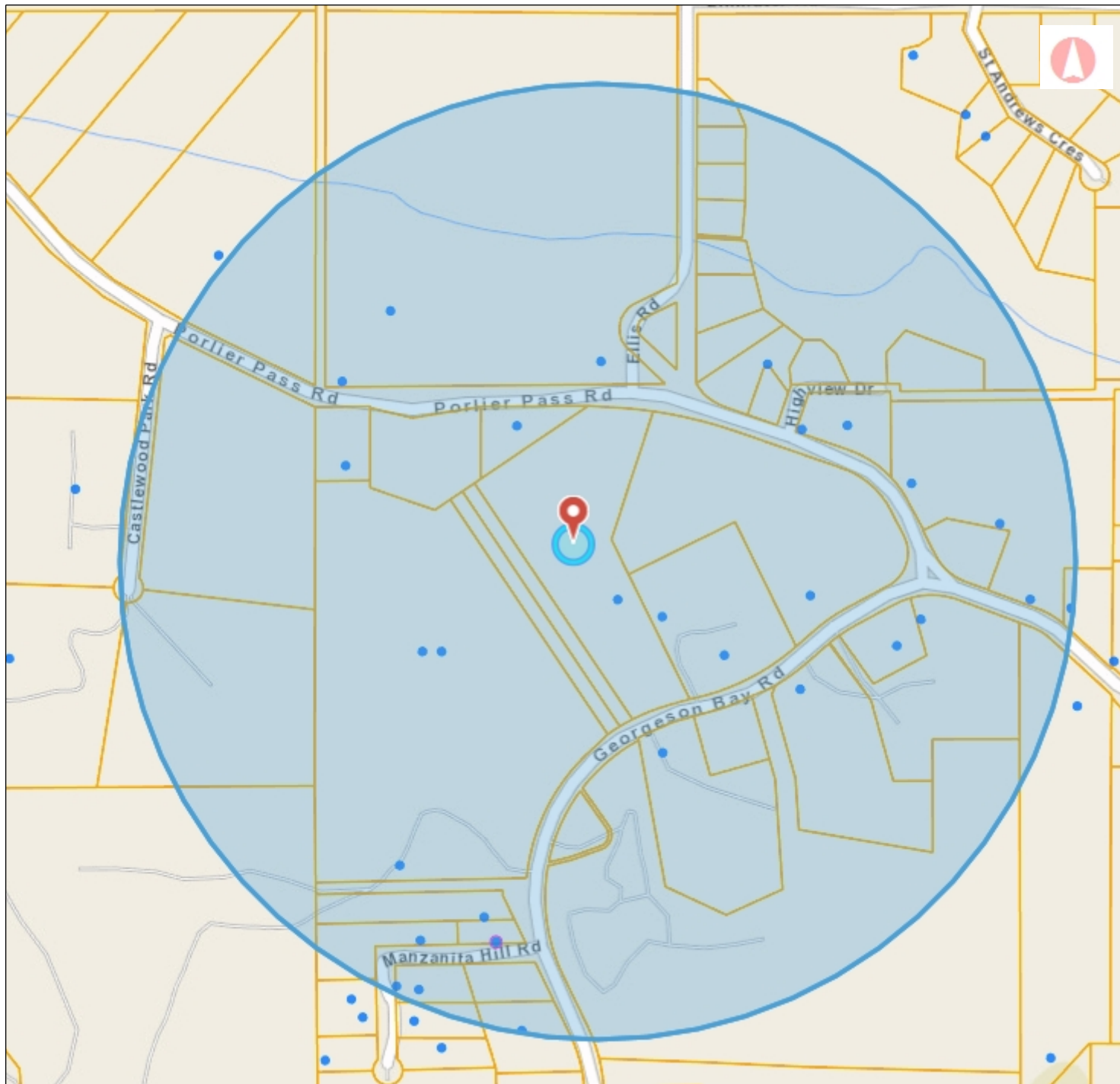
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Datum: NAD83

Projection: WGS\_1984\_Web\_Mercator\_Auxiliary  
\_Sphere

### Key Map of British Columbia





## iMapBC Mapping - water wells Legend

### Groundwater Wells - All

ARTESIAN\_IND

● Reported Artesian Well

● Well

□ PMBC Parcel Cadastre - Ou

0 0.18 0.37 km

1: 9,028

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Datum: NAD83

Projection: WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

### Key Map of British Columbia



## **APPENDIX D.**

### **BC ENV SITE REGISTRY**

As Of: NOV 01, 2020      BC Online: Site Registry      20/11/06  
For: PA84632 TERRAWEST ENVIRONMENTAL INC      15:30:42  
Folio:      Page 1

Area Nil Search

As of NOV 01, 2020, no records from Site Registry  
fall within 0.5 kilometers of coordinates  
Latitude 48 degrees, 53 minutes, 26 seconds, and  
Longitude 123 degrees, 21 minutes, 13.8 seconds.

You have been charged for this information.

Sites may be revealed by searching with alternate search methods. For example,  
a site not revealed in an Area search may be revealed by searching with another  
piece of information such as PID, PIN, address or Crown Lands File Number



## **APPENDIX E.**

### **SELECT AERIAL PHOTOGRAPH EXCERPTS**

**Note:** Green arrow indicates approximate Subject Property.



1946

**Note:** Green arrow indicates approximate Subject Property location.



1975



**Note:** Green arrow indicates approximate Subject Property location.



2005

## **APPENDIX F.**

### **SITE INSPECTION PHOTOGRAPHS**





**Photo 1.** Viewing west within the southern section of the Site.



**Photo 2.** One drinking water wells was installed in 1993. It has been tested but not used.



**Photo 3.** Viewing west from the central, elevated section of the Site. Forested lands with the sheep farm pasture beyond.



**Photo 4.** Viewing north/northwest, forested undeveloped land



**Photo 5.** A small unnamed creek crosses the northern section of the Site. Porlier Pass Rd beyond.





**Photo 6.** Viewing north towards western neighbouring property (residential/agricultural)



**Photo 7.** Viewing south towards the firehall located south of the Site, across Georgeson Bay Rd.



**Photo 8.** The eastern neighbour contains a Seniors residual property.