

April 2015



Spune'luxutth' Tribe Land Use Plan

Prepared by:

PENELAKUT TRIBE



With support from:

KERR WOOD LEIDAL ASSOCIATES LTD.



KERR WOOD LEIDAL
consulting engineers

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Revision History

Revision #	Date	Status	Revision	Author



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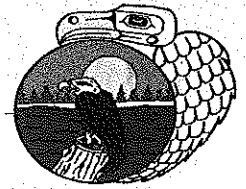
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Penelakut Tribe



April 20, 2015

A Message of Acknowledgement:

Our story comes from the many generations of strong Penelakut people that have lived and built their lives, raised their families and left a great legacy on this land. It is through their strength and survivance we carry on into the future and leave our positive lasting heritage in preparation of new generations. The heart of the Hul'qumi'num people is the ability to survive and adapt through our culture, stories history and language. It is our hope to carry on planning and preparing together, as a people, so that our home grows and develops in a way that will sustain our future generations as it has for us.

The Land Use Plan is an important work compiled by our community for our community. Having a policy to help direct Chief and Council on development on the land, we have made a path toward our future. Thanks to everyone who participated and helped shape our final document.

We acknowledge and thank our Land Use Planning team, Crystal Alcorn, Elizabeth Lau, Catherine Simpson and Ruth Sauder. Crystal gathered and compiled information from the people to have the plan compiled with recommendations by us, for us. Elizabeth and Catherine provided steady support and direction and for the technical compilation of the plan. Ruth oversaw and helped direct the project.

This is another step completed leading us towards achieving our goals as directed by our community in the Comprehensive Community Plan. Thanks to all those who participated.

In gratitude,

A handwritten signature in cursive script, appearing to read 'Earl Jack Sr.', written in dark ink.

Chief Earl Jack Sr.

Penelakut Tribe



April 18, 2015

This is an exciting time for us as a people. We have the opportunity to take charge of our own path and pave a way for our children to follow. In planning for our land, we are planning for our most precious resources, our children. The three C's have been echoing in my mind as we have formulated this document; "Chance, Change and Community". We have had the chance to work together to articulate a common goal: to plan and build the framework for the future development of our home. Planning gives us the ability to bring about long lasting meaningful change to our community.

I am very grateful to have had this opportunity to work with our people. This has been a learning experience and I have had great mentors; Elizabeth Lau, Catherine Simpson and Ruth Sauder. Each day brought new and exciting awareness of what a community driven plan is all about. I am grateful for everyone who participated and contributed their dreams and vision to the final document. This is for us, our while community. I heard a Tlingit Elder say, "You better get planning, or it'll get planned for you." So, again, thank you for planning for you ☺

I look forward to the next steps and future planning,

Crystal Alcorn
Land Use Planning Coordinator
Penelakut Tribe



Section 1

Introduction





“Penelakut’s Land Use Plan recognizes the unique characteristics of our land. It defines how we are currently using this land and its resources, and the ways in which we want our community to grow and develop. It also specifies areas that should be preserved and protected.”





1. Introduction

Our land provides us with food, fresh water, beaches, ocean views, wildlife, and a place to live. Each of these contributes to our vibrant community. It connects us to our ancestors, and is the basis upon which our community can grow and prosper.

Spune'luxutth' Tribe's Land Use Plan recognizes the unique characteristics of our land. It defines how we are currently using this land and its resources, and the ways in which we want our community to grow and develop. It also specifies areas that should be preserved and protected.

It is the result of almost a year of conversations about our land, and is a major step in implementing our Comprehensive Community Plan (CCP). Members of all ages have participated actively in this process, including our youth and elders. Perspectives from those living on Penelakut Island and Tsussie have been included and we have welcomed ideas from our members living off-reserve as well.

Our Plan was developed by first understanding our land, then by designating areas according to use, and finally by linking the Plan to our vision for the future. It provides a solid foundation for guiding land use planning decisions, as well as facilitating future growth and development. The Plan is organized into nine sections:

1. **Introduction** – explains the purpose of the plan, and the areas of focus
2. **Context** – explains how the land use plan fits into broader community plans, and recognizes Spune'luxutth's unique history
3. **Vision of the Land** – highlights the broad direction for the community, and key principles for land use decision-making
4. **Consultation Process** – describes the extensive community engagement activities that occurred throughout the planning process
5. **Land Allocations** – explains the ownership of our land, challenges we are encountering, and next steps needed to move forward with planning and development
6. **Existing Conditions** – outlines the current state of Spune'luxutth's land and resources
7. **Land Use Designations** – identifies objectives and policies for land use planning across Spune'luxutth's reserves
8. **Future Development Areas** – identifies areas for directing future growth
9. **Implementation** – describes a plan for how the objectives and policies will be achieved, recognizing that this is a living document



1.1 Study Area

The **focus** of Spune'luxutth' Tribe's Land Use Plan is on the community's reserve land. This includes the primary Tribe settlements on **Penelakut Island** and at **Tsussie**, in addition to reserve land on **Galiano Island** and **Tent Island**. A map of this study area is presented in Figure 1.

A preliminary marine use boundary has been designated around Penelakut Island, recognizing the community's relationship with the water and its historical, current and future importance. This will be explored in further detail as part of a complimentary future study.

Over time Spune'luxutth' may choose to expand the land use plan beyond the reserve boundaries to encompass the whole traditional territory or areas outside of the reserve that may be acquired for economic development purposes. Notes of interest for this broader scope have been included in the Plan, as reflected by feedback from the community during the consultation process.

1.2 Who will Use the Land Use Plan?

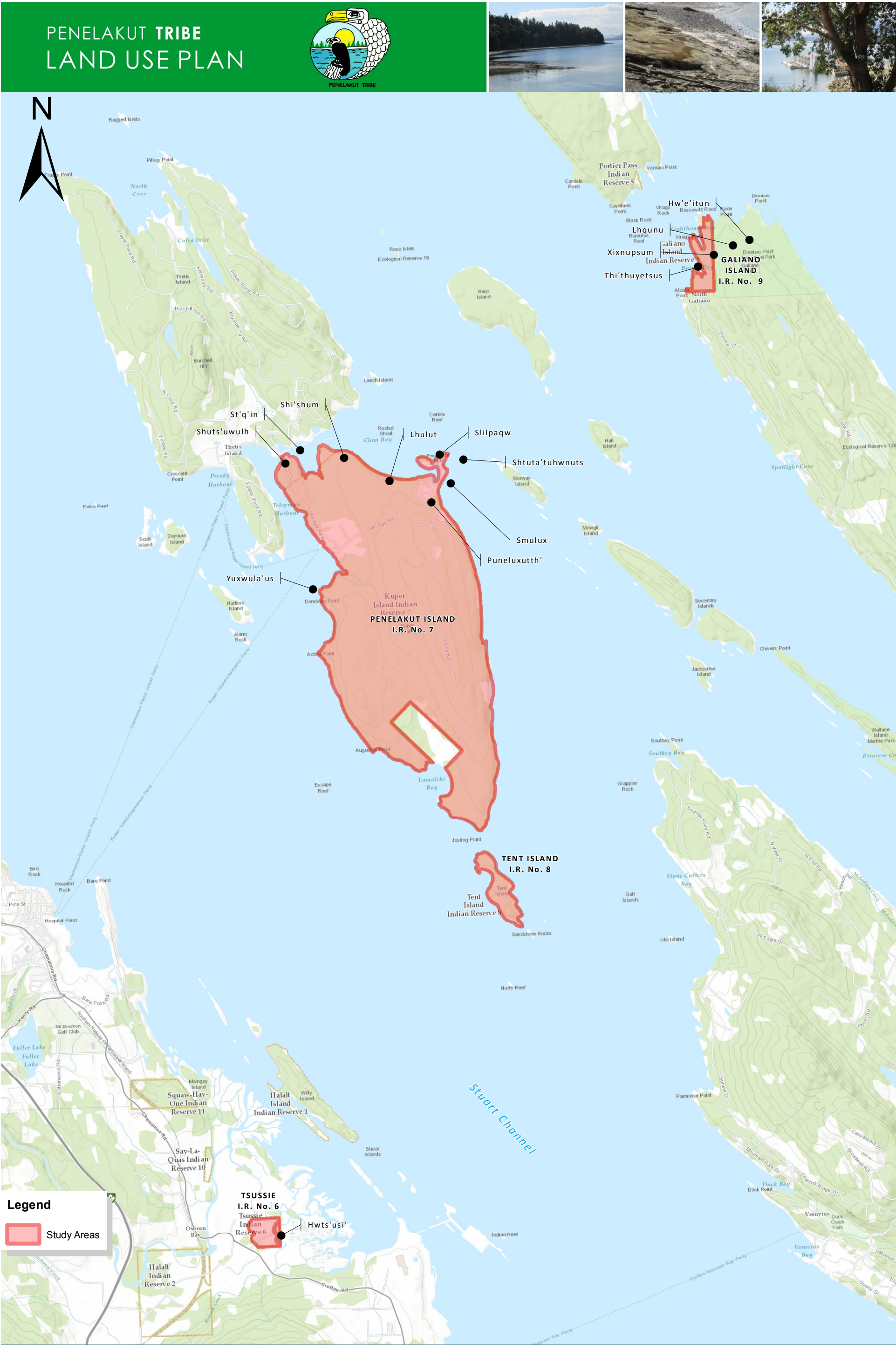
The Land Use Plan has been developed specifically for the following groups:

- Chief and Council
- Staff
- Tribe members

It also provides important context and future direction for:

- Existing and prospective businesses/industry
- Developers
- Neighbouring organizations

The Plan will be used to inform zoning of our land, which is the next step in the land use planning process.





1.3 Acknowledgements

We would like to thank the community groups and membership for participating in the creation of this Land Use Plan, including:

- Chief and Council
- Elder's Group
- Penelakut Island Elementary School
- Penelakut Administration Staff
- Land Use Plan Working Group members
- Families and individuals who participated
- Local businesses who donated door prizes

A special thank you to Crystal Alcorn, our Land Use Planning Coordinator, who worked very hard leading this process and tirelessly encouraged participation.



Section 2

Context





An Excerpt from Two Houses Half-Buried in Sand - Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island

Book by Beryl Mildred Cryer and compiled and Edited by Chris Arnett

An Excerpt from Story of Legends Attached to Names of Cowichan Villages, told by Mary Rice and Tommy Pielle

"First, I'll tell you about the name 'Puneluxutth'. That name means 'two-logs half-covered' with sand. Longer ago than I can tell you, there were no people living in this land. Then the sun made a few people, one here, one therein different places; but, 'member, they were not big and tall. The first men and women were very small, like this- she held up a mummy-like thumb. Well, as I told you, there was no one on Kuper Island, only the birds and animals; but the island looked just as it does today. At the north end was that long point that makes up one side of the bay.

At the head of this bay, up on the bank, there was a spring of nice water coming right up out of the ground, and by that spring were two great cedar logs, lying on the ground and half covered with sand washed up by the waves when the water was high. I don't know how many years those logs had been there, with only birds flying near, and the animals coming to drink at the spring. When, one morning, the sun was shining down oh, so hot, it shone down on those two logs and they got hotter and hotter. A maple tree was growing near and it gave a little shade to one of the logs, but the other was right out in the sun.

Bye-and-bye the bark on this log began to crack, and soon it began to move as though something in the log was trying to come out. Suddenly there was a loud crack! The bark split open, and out came a little man! He crawled out of the log and sat in the sun, getting strong. Now, the water was far out that morning, and as the sun got hotter and hotter the sand got very dry and hard; and as the little man sat up on his log watching the sun drying up the water, he saw the sand between the two logs open, just as the bark had done and out of the sand came a little woman! My, he was glad to see someone who would be a friend. He got down from his log, and together they walked over the sand until they came to the spring. Here they sat down and drank the fresh, clean water, and ate some blackberries, growing near.

"This is a good place," said the man, "I think we better make our house here." So the two little people got busy, taking the bark off of cedar trees and fastening it together until at last they had made a little house by the spring. "What name shall we give our house?" asked the woman. "We will name it by those logs where we were made," he told her. So those two first people called their house 'Puneluxutth'-two logs half covered with sand.

...to be continued in Section 5.



2. Context

2.1 Comprehensive Community Plan

Spune'luxutth's overarching planning document is the Comprehensive Community Plan. Developed in phases between 2008 and 2014, this living document established community-wide priorities and action items, leading the Tribe on a path to self-government.

The Land Use Plan is an important **implementation** step following adoption **of the Tribe's CCP** in 2014. The Land Use Plan supports three key themes from our CCP including protecting our lands and resources, strengthening governance and becoming more economically self-reliant. It also directly achieves two objectives outlined as action items in the CCP, in addition to supporting a number of other objectives:

- Goal 3, Objective 13: *Developing land use policies*
- Goal 2, Objective 5: *Developing a land use plan that encompasses future development*

This Land Use Plan supports the direction of our members for the use of these land and natural resources. It allows us to assert our rights and uphold our community values during development of the Tribe's reserve land.





“The ocean and the land, when stewarded, will sustain our lives as Spune’luxutth’ Mustimuhw. We will have reverence for our land and sea.” This is an important message throughout the CCP Process, and illustrates the connection to land use planning very well.

2.2 Strategic Plan

The Land Use Plan is also **aligned with Council’s Strategic Plan**, which was developed in 2014. The purpose of the Plan is to respect the vision and aspirations of the community, and guide Council in its decision making approach towards meeting its goals. It establishes values, priorities, and goals; shapes policy needs; and guides the application of resources to meet goals.

Two of the top 10 strategic priorities are:

- *the acquisition, sustainable development and protection of our lands*
- *ensuring appropriate housing is available to members*

The Land Use Planning process is one way that Spune’luxutth’ has worked towards achieving both of these priorities.

This is further reinforced through Spune’luxutth’ Governance Principles and Values which include:

- *Preservation of our land for future generations. Spune’luxutth’ has a responsibility to ensure the health and well-being of our members. It also has a responsibility to preserve, protect, and enhance the heritage of our ancestors. The emphasis placed on traditional ways of doing and thinking must be reflected in our decision-making processes and structures.*
- *Transparency, accountability and communications. Spune’luxutth’ provides important services and programming to our members. It also regulates activities on our land, by enacting laws, regulations and procedures. These programs and regulations are intended to protect and enhance the quality of life for all members. Actions of our Government must be founded on effective communication and openness with the community about the immediate and future impact of decisions.*

This Land Use Plan is intended to reflect the heritage of our ancestors and ensure this land is preserved for future generations. Having a Plan in place that is guided by the membership, and shared with openness, allows everyone to work together towards our shared community vision. It also allows those outside the community to understand our principles and values.



2.3 History¹

Spune'luxutth' Villages were historically found on Kuper Island (now known as Penelakut Island), Galiano Island, and on Vancouver Island near the mouth of the Chemainus River.

The term 'Penelakut' is used to refer to all the Hul'qumi'num people who, at one time or another, have lived on Kuper Island. There were three permanent winter villages on Kuper Island:

- Penelakut Spit
- Telegraph Harbour
- Lamalchi Bay

There were also villages on Galiano Island, another winter village, and at Chemainus Harbour, primarily used during the summer months.

Penelakut Spit extends off the northeast end of Kuper Island, and was the site of the largest Hul'qumi'num Village on the Gulf Islands. Penelakut comes from the Hul'qumi'num name for this place, Pune'luxutth', which means 'log buried on the beach' (perhaps a reference to houses being partly buried by sand on the beach). This village had fifteen or more large houses on the beach, located almost at sea level in the area just to the south of the spit.

Telegraph Harbour was on the northwest coast of Kuper Island. The Hul'qumi'num name for this place is Yuxwul'a'us, meaning 'place with eagles.' This area had abundant food sources, including beach foods such as clams, cockles, oysters, sea urchins, and crabs. Today, this is the site of the ferry landing and the (now demolished) Kuper Island Residential School.

Lamalchi Bay was on the southwest coast. 'Lamalchi' is the anglicized version of the Hul'qumi'num name for this place, Hwlumeltsu, meaning 'lookout place' and residents of this village were referred to as the 'Lamalchis'. This site has not been occupied since the early part of the 20th Century, when the residents were amalgamated with residents at the Penelakut Spit village. The village was destroyed and in 1864 Sir James Douglas (Governor of the Crown Colony of Vancouver Island) forbade any settlement on this site.

There was a Penelakut winter village at Bare Point, near Chemainus Bay and just south of the town of Chemainus (close to where the Chemainus Sawmill is now situated). The name for this place is Sunuwnets.

Finally, there was a Penelakut village at the Virago Point-Race Point area in Porlier Pass, on the northern tip of Galiano Island (site of the current Galiano Island No. 9 Reserve). This village was named Xinupsum, meaning 'caught by the neck' or 'caught in the neck'. This was a small village, with only a few permanent houses, and mostly occupied during summer months for food gathering purposes. This village was linked to the Cowichan village at Green

¹ Summarized from the Hul'qumi'num Treaty Group's summary of Penelakut, September, 2014
http://www.hulquminum.bc.ca/hulquminum_people/penelakut with place names updated by the Land Use Plan Working Group (2015)



Point, which has the same name, was destroyed and in 1864 Sir James Douglas forbade any settlement on this site.



FINISH OF BOAT SAILING RACES, PENELAKUT, KUPPER ISLAND, B.C.
Title: "Finish of boat sailing races, Penelakut, Kuper ...

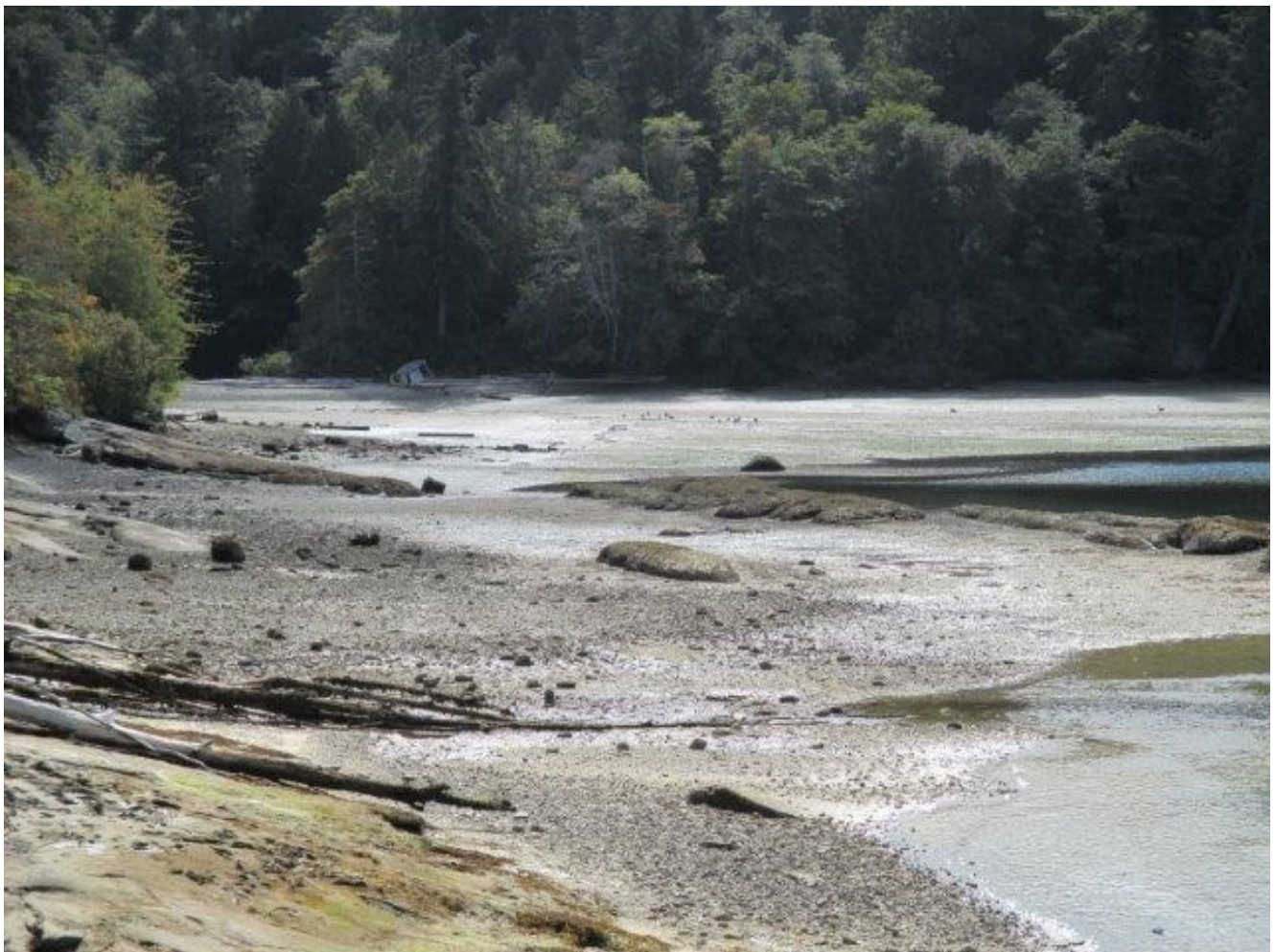


Title: Canal Between Thetis and Kuper Islands.



Section 3

Vision of the Land





The top four Land Use Principles, in order of importance, are:

- 1. We live, work, learn, play and gather on our land**
 - 2. Our land provides for our physical and spiritual needs**
 - 3. Our land is our home for generations; it sustains our community and our self-reliance**
 - 4. We use the knowledge that was passed down from generations to manage, protect and sustain our land**
-



3. Vision of the Land

The Vision of the Land is made up of the community-wide vision and a series of land use principles. Together, these provide direction for desired long term outcome of this planning process, and should be reflected on regularly during implementation.

3.1 Community Vision

The Spune'luxutth' Vision was created as part of the CCP process, and was used to inform the Land Use Planning process. The vision statement is the dream of Spune'luxutth' Tribe members and what we believe are the ideal conditions for the community.

In with the Tide

SPUNE'LUXUTTH' is a healthy, safe and independent community guided by our **strong culture**. Our **vibrant** local **economy** and our extensive community facilities, services and programs sustain our *independence, safety, health* and our people. We **live off the ocean**, and our water and land are *clean and pristine*. Our **traditional language** and our cultural customs are alive and *celebrated*, and our **Elders are active and respected** in our community. A **diversity of housing** allows our Elders, youth and families to **stay in the community** and grow through different stages of their lives. Members are supported by a strong community that takes *care of each other*.

The vision from our members describes a community that is independent, healthy, housed, educated and living our culture. The desire is to have a vibrant economy, improved infrastructure, transparent leadership and a clean environment.



3.2 Land Use Principles

Through the land use planning process, we developed land use principles to guide our future decisions. The **top four principles**, in order of importance, are as follows:

1. We live, work, learn, play and gather on our land
2. Our land provides for our physical and spiritual needs
3. Our land is our home for generations; it sustains our community and our self-reliance
4. We use the knowledge that was passed down from generations to manage, protect and sustain our land

Other relevant considerations to recognize include:

- ensuring a safe community
- reflecting our pride
- remembering the past and our traditional ways (including how we have relied on the land and water for our livelihood)
- keeping our land, water, and natural resources clean and pristine
- keeping harmony and balance between residential uses and sustainable economic development



Section 4

Consultation Process





4. Consultation Process

Consultation was an integral part of the Land Use Planning Process. The community was involved in engagement initiatives from project initiation to completion, including:

- Working Group Sessions
- Chief and Council Meetings
- Community-Wide Meetings
- Community Group Meetings
- School Group Meetings
- Family Meetings
- Surveys and Interviews
- Newsletters, Maps and Posters
- Social Media

These sessions were facilitated by the Land Use Planning Coordinator. Stories of the land were also collected as part of this process, which have been shared throughout the report.

4.1 Working Group Sessions

A land use planning working group was established to help guide the process. The group was made up of residents from both Penelakut Island and Tsussie, an Elders representative, a Council representative, and a student representative. They met regularly to help gather information, provide feedback on presentations, participate in information-gathering, engage in mapping exercises, and review the draft report. Members also actively helped communicate with other community members, raising awareness about the process and soliciting input on key elements.

4.2 Chief and Council Meetings

Three meetings were held with Spune'luxutth' Chief and Council. The first was to introduce the plan and planner to the committee. The second was to gather information and complete a full working session where the administration could discuss and record their ideas and suggestions on future development. The third meeting will be held on April 21st, 2015. This will finalize the completion of the land use plan and we hope to have Chief and council adopt the policy into our framework.

4.3 Community-Wide Meetings

Five community wide meetings were held during this phase: the Christmas dinner, the AGM, an open house at the Chemainus Legion for off-reserve and Tsussie members, and an open house at the Spune'luxutth' Administration Office. The final community wide meeting will be



held on April 29th 2015. This is where we will present the report of the finalized 'Land Use Plan' to our members.

The Christmas dinner was held on December 18th, 2014. The Christmas community dinner is always very well attended; it was a great time to introduce the Land Use Plan to members whom we couldn't otherwise reach. Many people stopped to talk and inquire about the project. There were maps and notices displayed across the Gym and members were encouraged to learn more about the Land Use plan and to book a Family group meeting. Surveys were available for those unable to book. 27 people chose to complete a survey on-site. Anyone who participated was eligible to put their name in for a draw. Prizes were generously donated by local shops in Chemainus.

The AGM was held on January 21st, 2015. Crystal Alcorn (Land Use Planning Coordinator) and Elizabeth Lau (Consultant) presented what the community has shared and their desires on how they would like to see the Spune'luxutth' land grow and develop. Community members were encouraged to come and visit the information booth and fill out a survey or book a time to discuss the Land Use Plan with Crystal.

The meeting at the Chemainus Legion was held on January 14, 2015. The open house was held to give an opportunity for off-reserve and Tsussie members to provide input on the Spune'luxutth' Tribe's Land Use Plan. The members that came engaged in meaningful conversation and had their main concerns heard, regarding future development and historical pollution. This meeting was facilitated by Crystal Alcorn (Land Use Planning Coordinator).

The community meeting held in the boardroom of the Spune'luxutth' Administration Office on March 3rd. Crystal Alcorn (Land Use Planning Coordinator), Elizabeth Lau (Consultant) and Jeanie Lanine (Lawyer) hosted the event. Attendance of community members was minimal. Crystal, Elizabeth, and Jeanie used the evening to discuss outcomes and possibilities of future land development associated with the Land Use Plan.

4.4 Community Group Meetings

Information sessions were held with various community groups such as the Mothers Group, Men's Group, Health Staff, and the Elder's group.

At each session, an explanation of the Land Use Plan and its importance was voiced. Each participant was invited to book full Family Group information and mapping session, where we could share a meal and further discuss the possibility of growth for our community. Each participant also received a survey, with detailed information on contacting Crystal with questions or concerns.

4.5 School Group Meetings

Six class group meetings were held during the Planning process. The teachers of each class were very eager to accept Crystal into the classrooms to discuss future enhancement of



Spune'luxutth'. The presentation was very well received by the students and they actively participated in the mapping of future development, primarily of Penelakut Island.

Four group meetings were held with the youth from Penelakut Island Elementary School. 58 youth participated in the question and mapping process, a few were very hands on and excited with the idea of helping to develop a Land Use Plan. Their ideas were great! Their vision to grow and expand our home is amazing and thoughtful

10 students that attend Chemainus Secondary School participated in an early morning information session. Crystal introduced the idea of a Land Use Plan and showed maps of our core territory; Penelakut Island, Tent Island, Galiano Island, and Tsussie reserves. Each student was given a survey to complete, and contact information for Crystal, to share with their families.

16 Adult/youth students from the Penelakut Island Learning Center participated in 2 mapping/planning sessions. The class was very welcoming and were willing to participate in the mapping and planning process. Common themes that kept emerging throughout the meeting was 'Land Ownership' and 'Title', and Beaches as a food sources and recreational area. The class was equally as accommodating in part 2 of the mapping process and the team work was fantastic!

4.6 Family Meetings

Three Family Meetings were successful in coming to fruition. 35 individuals participated in a meal, mapping and planning sessions. Each family had significant ideas and dreams for the future expansion of Penelakut Island. The emerging themes were: land ownership, economic development, housing and our children's future. 5 group meetings were unfortunately cancelled due to various reasons. The community has had a very busy season: sports/recreation, Big House, illness, family obligations and time. Re-scheduling wasn't able to happen due to various reasons also.

4.7 Surveys and Interviews

The surveys were made available in December. On December 12, 2014 surveys were distributed door to door on Tsussie reserve in hopes of gathering interest from members. Crystal Alcorn (Land Use Planning Coordinator) informed members of the importance on community consultation and requested groups/ family meetings to gather input. Several students at the Penelakut Island Learning Center who had missed the class meeting participated with surveys. A few off-reserve members did utilize the surveys as well. The Christmas dinner was successful in that 27 surveys from community members were completed. A member of our Working Group had offered to gain more support on our Tsussie reserve to take and complete surveys, 7 more were done. Staff at the Spune'luxutth' Tribe Administration office participated in a morning information session and 10 surveys were completed.



Three one on one interviews were completed with Spune'luxutth' Elders to confirm spelling, wording, and historical context of the island. Land ownership and title was a major issue throughout the planning process and halted many of the meetings. Elders were asked for their input and most were very supportive of the land to grow and expand our villages to accommodate growth.

4.8 Social Media

'Spune'luxutth Tribes Land Use Planning' Facebook page was developed specifically for this project. Crystal Alcorn created the page in order to gather community interest and engagement. 135 people are currently on the members list. Information on the 'Land Use Planning' process was kept up regularly. Questions were posted and had some response from members. Announcements of meetings and special newsletters were posted on the Land Use Planning page and also the 'Penelakut Community Forum' Facebook page

4.9 Newsletters, Maps and Posters

Monthly newsletters and special announcement notices for open houses were sent to the community through door to door delivery. Each month, we prepared a brief summary of the Land Use Plan to keep membership up-to-date on the progress. Every notice also informed membership on opportunities to participate by making an appointment for group meetings or dropping in to complete a survey.

Maps and posters were also used to share information and gather input throughout the process. They were used to inform the Land Use Plan maps in this report.



Section 5

Land Allocations





An Excerpt from Two Houses Half-Buried in Sand - Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island

...continued from Section 2

"Have you ever been to Puneluxutth?" asked Tommy Piele. I shook my head, "Not for many years," I told him.

"well, one day you must go and see that place; go to that bay, where the big houses are: seven of them, all big, big, standing by the water, and near them is that spring where the first little house was made, and near that are the two big cedar logs."

"Still there?" I exclaimed.

"Yes, still there, just as they always were, and they will always stay there, I think. Why, our grandfather, Xulqalustun, that old chief told us that his grandfather 'membered those logs, so we know they are the same two logs that those little people saw, and that out of one of them came the first little man.'..."

..."And now I must tell you about another name. I think that Yuxwula'ua will be the next. That place is on Kuper Island, too, but it is not the same side as Puneluxutth' - not far from the Indian school. I can 'member when there was lots of houses there but they are all gone now. Well, that name 'Yuxwula'us' means 'Eagle', and I will tell you why it was given that name.

"As I told you before, the sun made just a few people; first the two at Puneluxutth', then two at Yuxwula'us, and these two little people- just like those others- made their house by a spring of water. For many, many years these two lived alone in their house, and no little children came to make them glad, but at last, when they were getting quite old, a baby girl was born. My, how happy they were! And how proud they felt whenever they looked at that fat, brown baby. 'this is the finest baby in the land,' said the old father. "Of course," the old woman told him, 'there are no other babies! There are no other people!' 'I had not thought of that,' said the man. 'When we get very old who will look after our baby? Will there be no husband for her?' The two old people looked at each other and felt very unhappy, to think of their baby being left all alone. Then the woman said, 'Perhaps someone will come before we have to die. We can but wait.' The old man nodded his head and said, 'Yes, we can but wait.'

...continued in Section 6



5. Land Allocations

For Spune'luxutth', as with most First Nations communities, the *Indian Act* is the primary regulatory framework for managing land within reserves. This legislation controls how reserve lands and resources are managed, including use and development for personal, community and economic development purposes. For a growing number of communities, a recent second alternative for land management is being explored: the First Nations Land Management regime. This second alternative is something that Spune'luxutth' has expressed a potential interest pursuing.

A solid foundation must be in place prior to exploring this alternative, and that requires that we confirm our land allocations. This is also a need that has been expressed by our members repeatedly. As part of the Land Use Planning Process, we explored land allocations to get a better understanding of the challenges and how we can best begin to resolve these challenges. Options regarding the resolution of these uncertainties have been discussed in general below, as an opportunity to set the stage for further conversations and actions.

5.1 Analysis

As part of the planning process, Spune'luxutth' has been working with a map from approximately 1950. This map, known in the community as the "Cardex Map," shows that most of the reserve land has been allocated to members. It was believed to be an accurate reflection of ownership interests on Penelakut Island.

Cedar Law (Jeanie Lanine) was engaged as part of the Land Use Planning Process to provide more information about land ownership. This included Penelakut Island's Cardex holdings, and confirming their legal status. Cardex holdings are a record of historical individual interests in reserve land, in this case on Penelakut Island. They were created by BCR and approved by the Minister under the *Indian Act*. They do indicate lawful possession, although they require a survey to provide a legal registration number for development purposes and in many cases the boundaries are in dispute.

Cedar Law also indicated that if almost the whole of Penelakut Island has in fact been allocated to members, this leaves the Tribe little land for community purposes or economic development. The Tribe will need to determine whether they should buy back lots from members, and also whether some lots have reverted to the Tribe as a result of estate transfers.

In order to confirm the status of the Cardex holdings, information from the Federal Government was accessed through a search on the Indian Land Registry. It was discovered that the Cardex map is in fact *not* an accurate map of the legal interests registered on Penelakut Island. The legal title to the majority of the Island remains with Spune'luxutth' Tribe.



This altered the land use planning process significantly. It raised concerns about which members hold legal title to lands on Penelakut Island, as well as how the community would react to this news and the impacts to the land use planning process.

A training session was held with staff to be able to understand how to: identify legal interests on the reserve; determine who the legal title holders are; and indicate if the lands are subject to unresolved estates issues. Staff learned how to research and confirm title, and how to identify estates matters.

A map was provided by the Federal Government to identify all registered interests on both Penelakut Island and Tsussie and staff are now working with community to provide information about these matters. An initial information session was held as part of the Land Use Planning process, however further steps are needed to resolve outstanding estates issues.

5.2 Status of Land Allocations

Penelakut Island

The hereditary land holdings (the Cardex Map) identifies 34 historic family plots on Penelakut Island, based on mapping from 1950. Historic family plots have not, in many cases, been registered as legal interests. In addition, there have been a number of potential changes over the last 65 years and some discrepancies were identified by Natural Resources Canada (NRCan). NRCan will complete surveying of some parcels this summer to provide additional information to help Chief and Council make informed decisions.

When looking at registered parcels, based on the map provided by the Federal Government, there are around 20 on Penelakut Island. A number of those have been reverted back, and are now held by the Tribe. These have been shown in Figure 2. There are also a few outstanding interests. Any parcels not registered are identified as Band land.

Tsussie

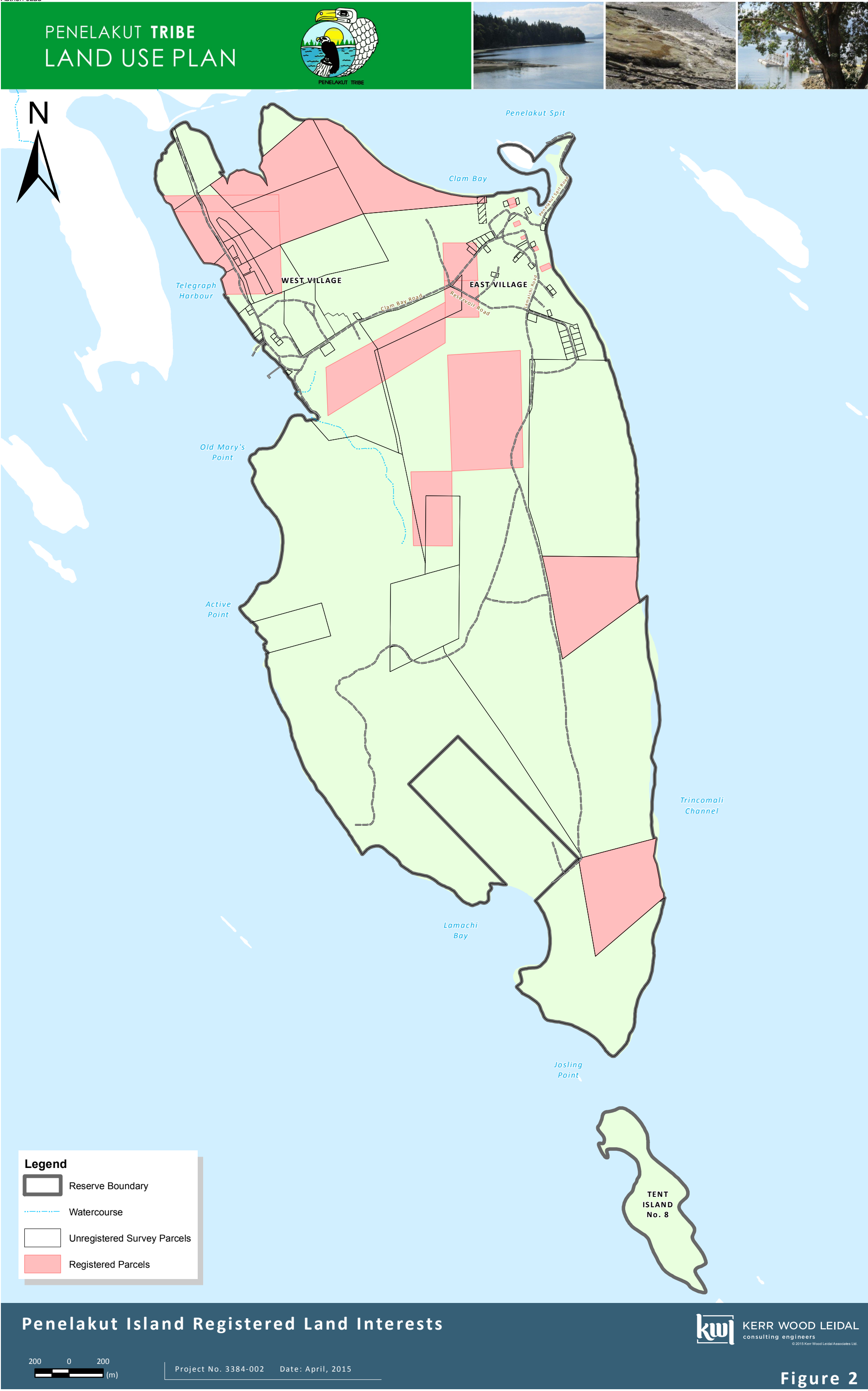
On Tsussie, 1990s mapping showed parcels with lawful possession (those with Certificates of Possession), 'No Evidence of Title Issued' (NETI) parcels, and Tribe parcels. There have been a number of changes since this time, and new maps have been provided by the Federal Government. These changes are primarily related to lawful possession parcels being transferred to Band administered land, and many NETI parcels since confirmed as CP.

Currently on Tsussie there are 24 lawful possession parcels (including those that have been separated into sub-lots). There are also 13 Band Administered Parcels (two of which are also noted as Band Land), and 3 'NETI' parcels (road rights of way and the parcel at Crofton Rd. and Tsussie Rd. that's used for the pump station and bus stop. Tsussie land allocations have been shown in Figure 3.



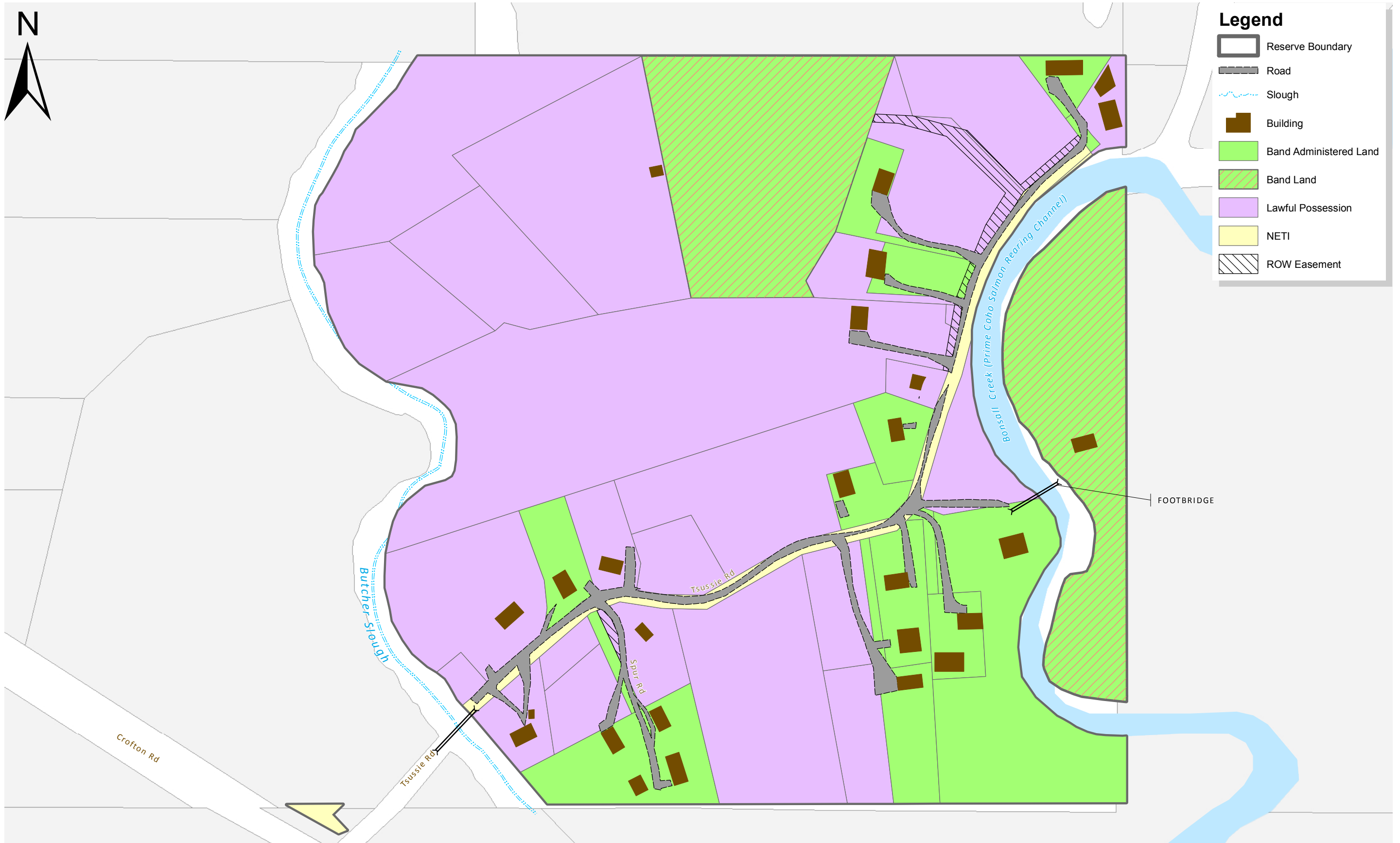
Priorities

There are a number of uncertainties regarding land allocations within Spune'luxutth's reserves, primarily on Penelakut Island but with some questions about Tsussie land as well. Addressing any potential issues is an important part of the process towards self-governance, and is necessary before preparing a zoning bylaw or moving forward with economic development initiatives. **Some key next steps include: continuing to understand and share registered land interests with members, based on the Indian Land Registry; determining legal title holders, and reviewing with Council; confirming unresolved estate issues; and, resolving estate issues with Council's direction.**

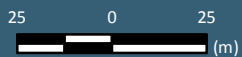




PENELAKUT TRIBE LAND USE PLAN



Tsussie Certificate of Possession Parcels



Project No. 3384-002 Date: April, 2015



Section 6

Existing Conditions





An Excerpt from Two Houses Half-Buried in Sand - Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island

...continued from Section 5

"Now, quite near their little house was a great fir tree. It was not very high, for the wind had broken off the top, one stormy night; but it was very big around, and up on the broken top a great eagle had made its nest. Every year that eagle came and made its nest, and the little people would sit on the rocks and watch the bird as it sat hatching its eggs, and they would hear the young birds crying for food, and see their little heads looking over the edge of the nest, waiting for the old birds to bring them something to eat, and at last, when they grew strong, the little eagles would fly away, and the old tree would be empty for another year.

"One day the old man and his wife were sitting watching the nest, and their baby, wrapped in the softest cedar bark, was hanging in its cradle on a low branch beside them, when there came a queer noise, 'Ya-a-a-a, Ya-a-a-a!' 'What was that?' asked the man. 'At first I thought it was our baby crying.' 'No,' answered his wife, 'it was not our baby, she is asleep, but, I too, thought it was a baby crying.' They sat and listened, and again came the cry. 'It comes out of the air,' whispered the little woman in a voice of fear. She ran to where the baby was sleeping and lifted it down. 'That must be a bad thing,' she said, 'I will take our child in the house!' Just then the cry came once more and, looking up, they saw the eagle flying round and round, coming lower and lower, until she settled, at last, on the edge of the nest. 'See!' exclaimed the man, 'the eggs must be hatched; she has food in her beak.' They stood watching while the eagle fed her little ones, then as she flew away, again came that cry.

"It comes from the nest," said the woman, "and it is the voice of a baby! Can the eagle have stolen some poor woman's baby? Are there, perhaps, other people in this land whom we have not seen?"

"I will climb up and look before the eagle comes back," said her husband, and running to the tree, he quickly began climbing. When he got to the top he pulled himself over the broken edge and looked into the nest. 'Ah!' he called, 'you were right, it is a baby, a small baby boy, fat and brown as our child. Bring me some bark to tie him in and I will bring him down from here.'

"He climbed down to meet his wife, who had quickly taken their baby from its cradle, and was bring the cradle for him to put the new baby in. It did not take him long to tie the child safely in the cradle and, hanging it on his back, he started down the tree. He had just time to reach the ground before the great eagle came swooping down upon him. Shrieking and clawing, the bird fought those two little people for her baby, but at last the woman got a long stick and with this she hit at the bird whilst her husband ran into the house with the child, and, seeing that she could not get into the house, the eagle flew up to her nest.

...continued in Section 7



6. Existing Conditions

In order to effectively designate land uses and areas for future development, it was essential to first assess our current situation and define areas of importance. Some existing conditions were documented through previous work, while others were captured during the consultation process. This section summarizes the existing conditions and constraints which informed the land use planning process, looking primarily at Penelakut Island and Tsussie. It also identifies serviceable areas for future development based on current infrastructure capacity. Maps have been prepared showing key features, which are all layered to identify potential areas for future development.

6.1 Reserves

Penelakut has 4 reserves:

- **Penelakut Island**, our primary settlement area;
- **Tsussie**, our second settlement area which is on Vancouver Island along the lower reaches of the Chemainus River;
- **Tent Island**, a small piece of land located immediately south of Penelakut Island; and,
- **Galiano Island**, a portion of which is part of Penelakut's land

Three of our reserves are located within the Cowichan Valley Regional District (CVRD), Penelakut Island, Tsussie and Tent Island. Galiano Island is part of the Capital Regional District (CRD). A table summarizing characteristics of each reserve is provided below (Table 6-1), with the map (Figure 1) in Section 1 also illustrating these areas.

Table 6-1: Spune'luxutth' Reserves

Reserve	Location	Size (ha)
Penelakut Island	Entire Kuper Island, except Lot 1 on Stuart Channel	556.70
Tsussie	Eastern portion of Section 6, Range 8, at the mouth of the Bonsall Creek into Stuart Channel	15.50
Tent Island	Tent Island in Stuart Channel	34.40
Galiano Island	On N.W. tip of Galiano Island on Portier Pass	29.10

Penelakut Island is our primary reserve, and the largest at approximately 557 hectares. Tsussie, a 16 hectare community, is located on Vancouver Island approximately 5 km southeast of the town of Chemainus and along the estuary of Bonsall Creek. Both Tent Island and Galiano Island are approximately 30 hectares each and are currently undeveloped.



6.2 Population

The Spune'luxutth' Tribe makes up about 13% of the Hul'qumi'num population. As of March 2015, there are 939 registered Spune'luxutth' members and over 55% of the membership lives within the community². Two communities are populated, Penelakut Island and Tsussie.

The population on-reserve has shown significant growth over the last two decades and trends will likely continue. From 2006-2011, the population grew by 23% compared to a British Columbia growth rate of 7% and a lower Canadian growth rate of 6%. This translates into a straight line growth rate of 4.6% per year, which is even higher if you look at trends going back another 10 years (from 1996). Population growth for Spune'luxutth' on-reserve is described in Table 6-2.

The majority of the on-reserve population is made up of Spune'luxutth' members, however there is also a non-member population of approximately 10 people (in 2011).

Table 6-2: Spune'luxutth' On-Reserve Population (1991-2011)³

Year	Penelakut	Tsussie	Total	% Change
1991	271	73	344	--
1996	185	86	271	- 21%
2001	302	67	369	36%
2006	361	73	434	18%
2011	446	88	534	23%

Looking at the age characteristics of the population, Spune'luxutth's membership is very young with a median age of 26.5. A breakdown of population by age is provided in Table 6-3.

Table 6-3: Age Characteristics (2011)

Age	Population	Proportion
0-19	200	37%
20-64	310	58%
65 and over	25	5%
Total	534	100%

² As of March 2015 data from AANDC's First Nations Profile for Penelakut Tribe

³ Cowichan Valley Regional District Census Population (1986-2011), based on Statistics Canada



6.3 Housing

On Penelakut Island, there are currently 122 homes with a population of almost 450 people. There are two main areas of development which are commonly identified as the East Village and West Village. The East Village has 65 homes and the West Village has 57 homes⁴. These are shown in Figure 5 (next page).

Within Tsussie, there are approximately 90 people living in 24 homes⁴. These are shown in Figure 6.

Age, and more importantly condition, are indicators of when homes need to be upgraded/replaced. Most homes were built between 1981 and 2000. A summary of housing is provided in Figure 4, based on age. Of the 146 homes on Penelakut Island and Tsussie, almost 50% need major repairs and the remainder require either regular maintenance or minor repairs. Of these, 55 are owned by the Tribe.

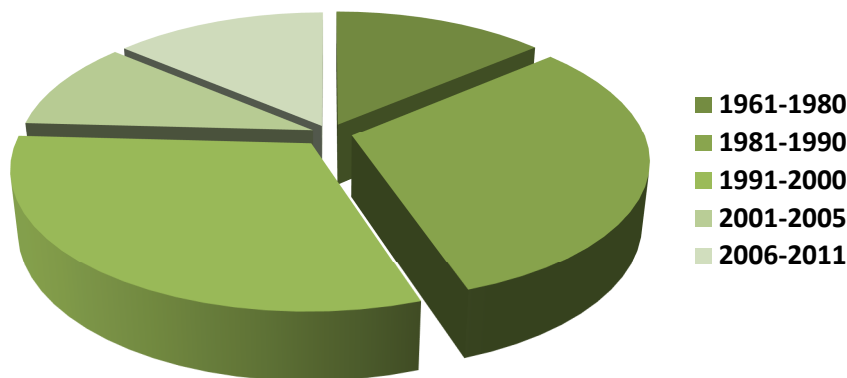


Figure 4: Ages of Houses

Given the population on-reserve, and the number of homes in each settlement, this means there is an average of 4.2 people per household, which is significantly higher than the Canadian and British Columbia average of 2.5 people per household. Additional information about household size was collected through the land use planning consultation process, indicating an average of closer to 6 people per household in many instances.

Spune'luxutth' homes are primarily single family and duplexes. A six-plex and two duplexes were recently built to begin addressing housing demands, however there is a growing need for additional on-reserve housing.

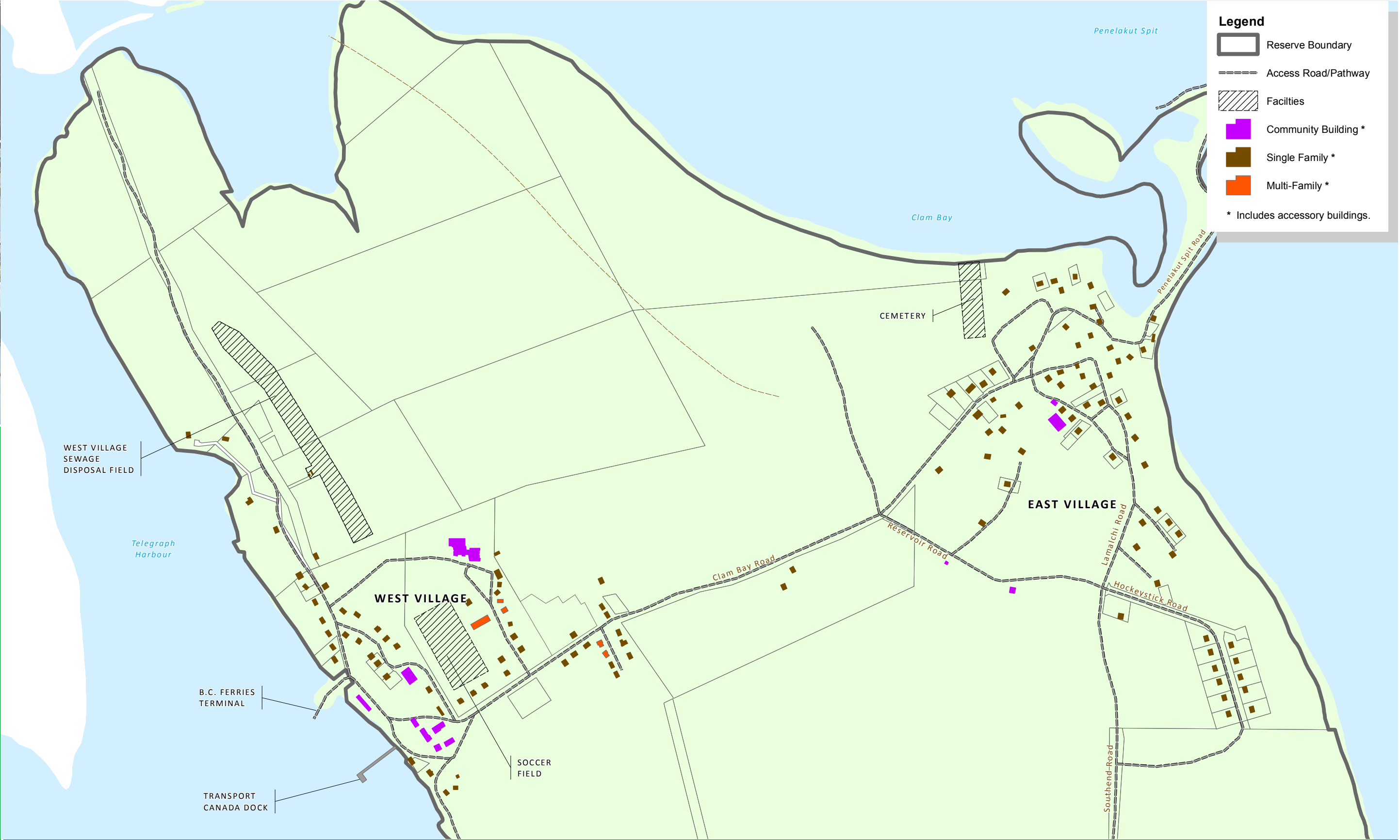
⁴ Spune'luxutth' Tribe Comprehensive Community Plan (2014 and verified by 2015 Housing Field Audit)

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PENELAKUT TRIBE
LAND USE PLAN





PENELAKUT TRIBE LAND USE PLAN



Tsussie Existing Housing



Project No. 3384-002 Date: April, 2015



6.4 Growth Projections

A growth rate of 4.5% per year has been used to project Spune'luxutth's on-reserve population over the next 20 years. This mid-range growth rate was selected based on previous population trends, and is intended for long term planning purposes. Spune'luxutth's on-reserve population is expected to reach over 660 people by 2016 and almost 1,300 people by 2031. This will necessitate an additional 6 housing units by 2016, and double the existing housing stock over the next 15-20 years, assuming household sizes remain the same. The table below illustrates these population and housing projections over the next 20 years, in 5 year increments.

Table 6-4: Spune'luxutth' On-Reserve Population Projections (2011-2031)

	2011 (Base)	2016	2021	2026	2031
Population	534	665	829	1,033	1,288
Households	127*	152	197	307	268

* updated to 146 homes in 2014 with projections by people per household from there

Major housing challenges include shortage of homes for members in the community (now and in the future), overcrowding, a lack of quality and diversity, and a need for Elders live-in facilities. The condition of existing homes is also adds to this. Furthermore, the very young population means that over the short term children living with their parents will also be looking for home of their own.

If household sizes decrease, which is likely as children are ready to move out on their own and as variations in housing type becomes available, the need for housing units will increase faster. In fact, this could mean housing twice as much housing is needed compared to projections above.

6.5 Areas of Significance

In planning for the future, it's important to recognize areas that should be preserved and protected, such as sacred sites, frequently flooded areas, and geological features (like cliffs, forests and beaches). These lands may provide a connection to our history and culture, or supply the natural resources we use for building, feeding and sustaining our community. They may also be places we know that aren't safe for putting our homes, businesses or community amenities.



Areas of significance were an important point of conversation during Land Use Planning consultation. A variety of areas have been identified, as noted below.

- **Beaches** – a natural and very valued feature on Penelakut Island for food, culture and recreation
- **Bathing sites** – these are locations that need to be protected from development; their privacy kept in tact
- **Forests** – because of their importance for collecting medicinal herbs and food
- **Bluffs** – a significant natural feature on Penelakut Island
- **South end** – including the swing, and swimming area where community members gather in the summer
- **Wetlands** – in Tsussie, which are prone to flooding
- **Big house** – for spiritual and cultural purposes
- **School road**
- **Band Office**
- **Park at Galiano Island** – adjacent to Dionisio Point Provincial Park
- **Water** – specifically related to protecting the Aquifer on Penelakut Island
- **Historic places**
- **Middens** – these are an archaeological feature on Tsussie
- **Cultural sites** – throughout Penelakut Island, Tsussie and Galiano Island
- **Creeks/waterways**
- **Residential School** – this site, as a memory of the past
- **Tent Island** – a frequently used camping area for members
- **Old Mary's Point** – an old burial ground

These were ranked in order of importance as illustrated in Figure 7. Beaches, bathing sites and forests (for medicine collection) were noted as being the most important for preservation.

Penelakut and Tent Islands' areas of significance have been presented in Figure 8, Tsussie's areas of significance have been presented in Figure 9, and Galiano Island's areas of significance have been presented in Figure 10.

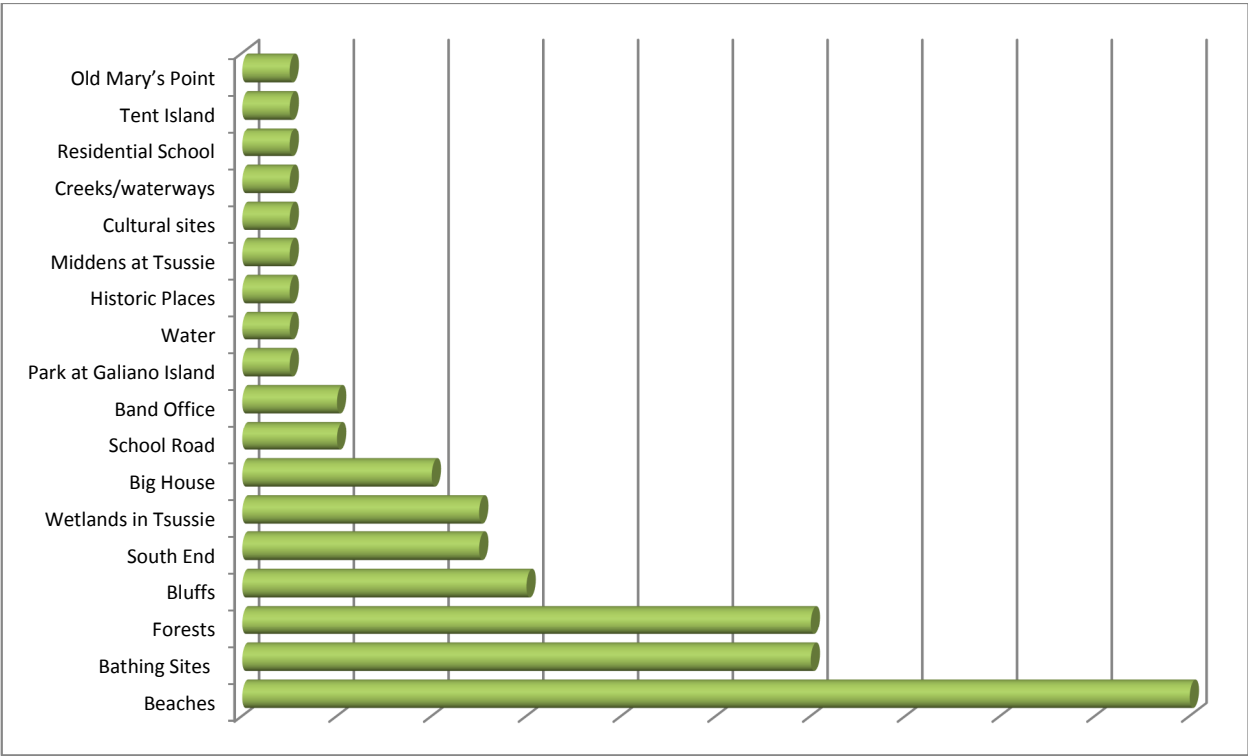
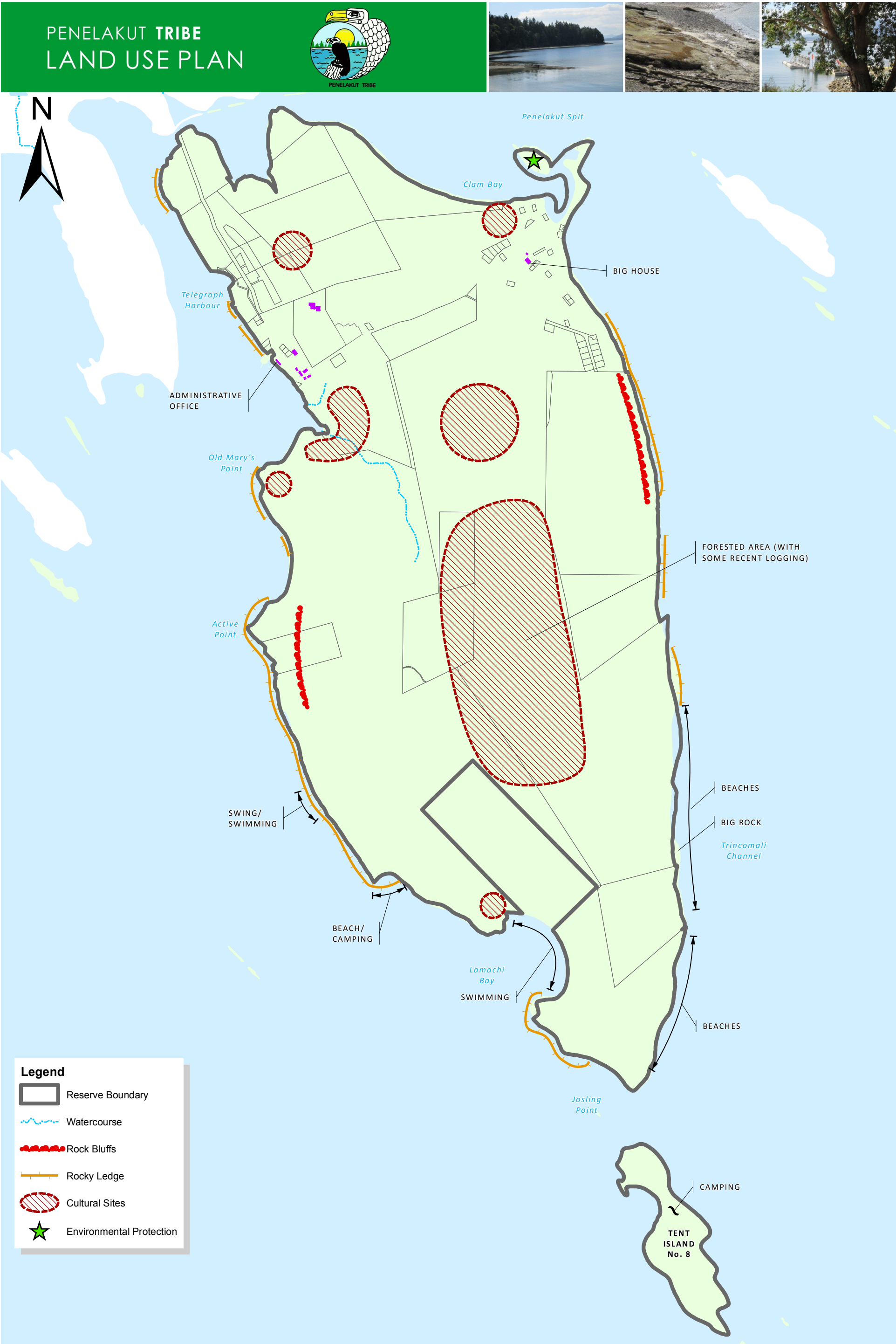


Figure 7: Areas of Significance by Importance

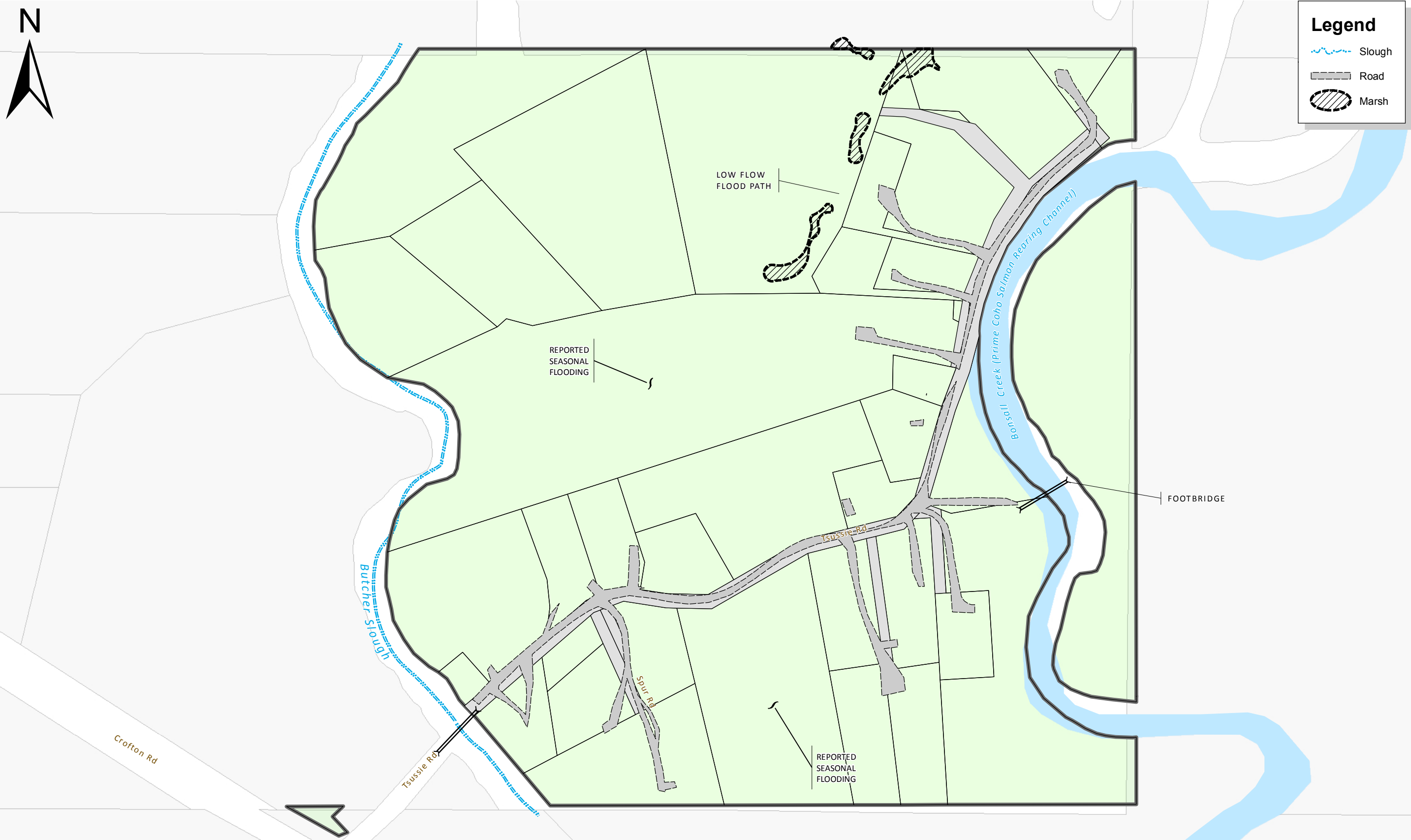


Penelakut and Tent Islands Areas of Significance

Figure 8



PENELAKUT TRIBE LAND USE PLAN



Tsussie Areas of Significance



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Galiano Island Areas of Significance

Figure 10



6.6 Infrastructure

Community Buildings and Facilities

Spune'luxutth' has a number of community buildings that provide services such as health care, education, childcare, administration to the community. All the community buildings are located on Penelakut Island. The Big House and Fire Hall are in the East Village of Penelakut Island. The partially complete longhouse, Penelakut Island Elementary School, Administration Office, Kw'umut Lelum Health Centre, Adult Learning Centre, preschool and daycare facilities are located within the West Village. There is also a soccer field near the elementary school. These buildings are illustrated in Figure 11. Water and sewer facilities are also situated throughout the Island as described in subsequent sections.

Road Access and Network

We rely on BC Ferries service to access our community on Penelakut Island, and the Ferry landing is located on the shore of the West Village near the Administration Office. The current schedule includes eight round trips per day and one of the sailings on Thursday is reserved for hazardous goods. There is also a Transport Canada Dock South of the Administration Office.

All roads on Penelakut Island are gravel surfaced. A main gravel road connects the East and West villages and a number of narrower local roads extend to existing residential areas. The southern end of the island can be reached via narrow minor roads which are in poor condition, making their use difficult and at certain times of year unusable.

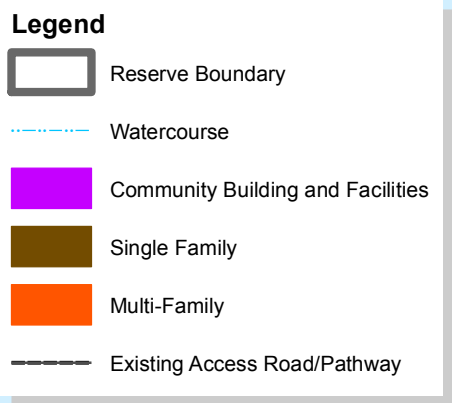
There are a number trails on Penelakut Island connecting residential areas and to the school and community buildings. There is no provision for pedestrians or bikes on the existing roads and safety is of concerns of the residents.

A map of the road network for Penelakut Island is also illustrated in Figure 11.

Tsussie No. 6 can be accessed off Crofton Road. Tsussie Road Bridge was built in 2010 to provide secure access to the community. Portion of Tsussie Road runs adjacent to Bonsall Creek and was subject to flooding due to seasonal storms and tides in the past. To provide unimpeded access to the homes, Tsussie Road was raised in 2011 and upgraded with bituminous surface treatment (BST). Spur Road, a narrow gravel road provide access to a few homes up a small rise in Tsussie. Roads in some places don't follow their designated rights of way.

A map of the road network for Tsussie is illustrated in Figure 12, showing both current road alignments as well as designated rights of way.

PENELAKUT TRIBE



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PENELAKUT TRIBE
LAND USE PLAN



Tsussie Buildings and Road Network



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Figure 12



Water Systems

Both Penelakut Island and Tsussie are serviced by community water systems.

Water supply for Penelakut Island is obtained from two groundwater wells in the East Village area. There has been concern with the yield of the existing wells and a study is currently being carried out to assess the condition of water supply for the community. A steel bolted reservoir in the East Village provides storage to meet domestic demand but does not meet the fire flow requirement. Water quality testing is conducted by First Nation Health Authority routinely on both Reserves. Fire protection on Penelakut Island is provided by a series of hydrants locating throughout the developed areas on Penelakut Island. A map of the water system for Penelakut Island is illustrated in Figure 13.

Tsussie has a municipal servicing agreement with Halalt First Nation for provision of water to the homes. There is no current limit on the housing connections at Tsussie. Standpipes are also located along Tsussie Road to provide fire water during an emergency. A map of the water system for Tsussie is illustrated in Figure 14.

Sanitary Sewer Systems

Both Penelakut Island and Tsussie are serviced by community sewer systems.

The West Village on Penelakut Island is serviced by a community sewer system comprised of three sewage lift stations at the ferry dock, on Clam Bay Road, and at the end of Clam Bay Road. A Rotating Biological Contactor system is used to provide secondary treatment to the sewage and the treated effluent is discharged under pressure to a community sewage disposal field. The West Village sewage system has reached its capacity which puts an restriction on further development on Penelakut Island. Sewage from homes in the East Village is collected and pumped to a small septic field. The communal septic field is at its capacity thus limiting future development to occur in the area. A study is currently being undertaken to evaluate sanitary sewer servicing options for East Village as well as West Village to meet the future growth of the community. A map of the sewer system for Penelakut Island is illustrated in Figure 15.

A community sewer system was constructed on Tsussie to mitigate ongoing health and safety hazards. Tsussie has a municipal servicing agreement with the Municipality of North Cowichan for discharge of sewage into the Crofton sewer system at approximately 3km southeast of the Reserve. Based on the capacity of the Crofton sewer treatment system, the servicing agreement with North Cowichan stipulates maximum 180 equivalent population can be connected to the community sewer system. A map of the sewer system for Tsussie is illustrated in Figure 16.



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PENELAKUT TRIBE LAND USE PLAN



Legend

Reserve Boundary

Slough

Road

Building

Parcels

Road ROW/Easement

Water Infrastructure

Existing Fire Hydrant

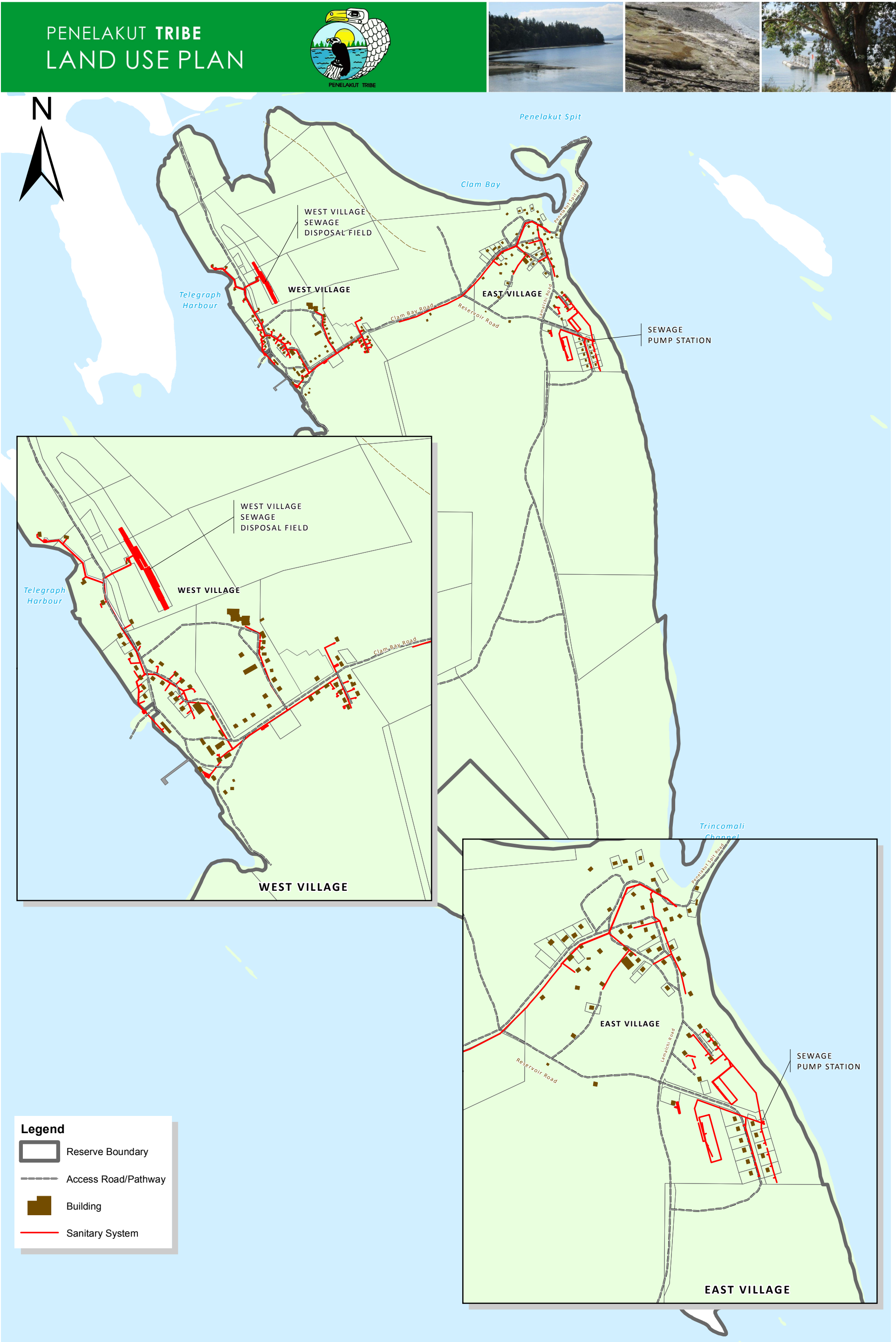
Existing Water Valve

Tsussie Water System



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Figure 14



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PENELAKUT TRIBE LAND USE PLAN



Tsussie Sanitary System



Project No. 3384-002 Date: April, 2015

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Figure 16



Stormwater Management

Road side ditches collect stormwater runoff on Penelakut Island and direct it to various discharge points on the island. The ditches require routine maintenance to remove overgrown brushes. Flooding is not generally a concern on Penelakut Island.

As Tsussie is located within the Bonsall Creek estuary, flooding is prevalent during seasonal storm and high tidal events. Existing ditches route the flood water ponding in the fields back to Bonsall Creek. The culverts discharging into Bonsall Creek are equipped with flap gate which closes when the water level in the creek rises. Due to the highly porous soil in the area, flooding at Tsussie cannot be deterred; however, duration of flooding is minimized by existing ditches and flow controlled outfalls which enable the water to drain back into the creek after storm events.

Solid Waste Management

Solid waste on Penelakut Island and Tsussie is currently collected twice per week by the band run garbage collection truck. A municipal type servicing agreement is in place for disposal of waste to the Bings Creek Solid Waste Management Complex operated by Cowichan Valley Regional District (CVRD). Penelakut has implemented a recycling program to harmonize with the solid waste management at the regional district. Recyclables are collected at the household weekly and deposited at the CVRD facility.

Hydro

Both Tsussie and Penelakut Island are serviced by BC Hydro.

6.7 Constraints

A number of constraints have been evaluated as part of the land use planning process in an effort to identify and protect areas that should remain undeveloped. This is in addition to the Areas of Significance noted above. These constraints are based on information currently available, and may not include all potential hazards on Spune'luxutth's reserves. Further studies are recommended to confirm these details, and the impact of development, prior to any major investments or development.

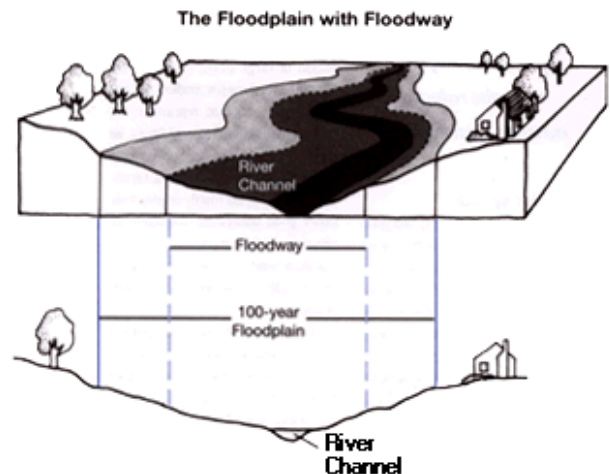
Maps of existing information have been provided wherever possible for each of Spune'luxutth's four reserves: Penelakut Island, Tsussie, Tent Island, and Galiano Island. Where maps are not included, information is unavailable or not applicable.



Floodplain

Floodplains are land, often low and flat, located adjacent to a water body that periodically flood when the water level reaches a certain height. Where a river channel and floodway more frequently control a waterway's active path, a floodplain is usually affected during and after a major storm event⁵.

Land uses in these areas should be considered carefully, as development can affect natural flood and erosion control. For land use planning purposes, floodways should be limited to passive uses such as natural parks, bike and walking trails. Wherever possible, they should be completely protected from development. Any construction in these areas should be built to higher standards and be flood-proofed.

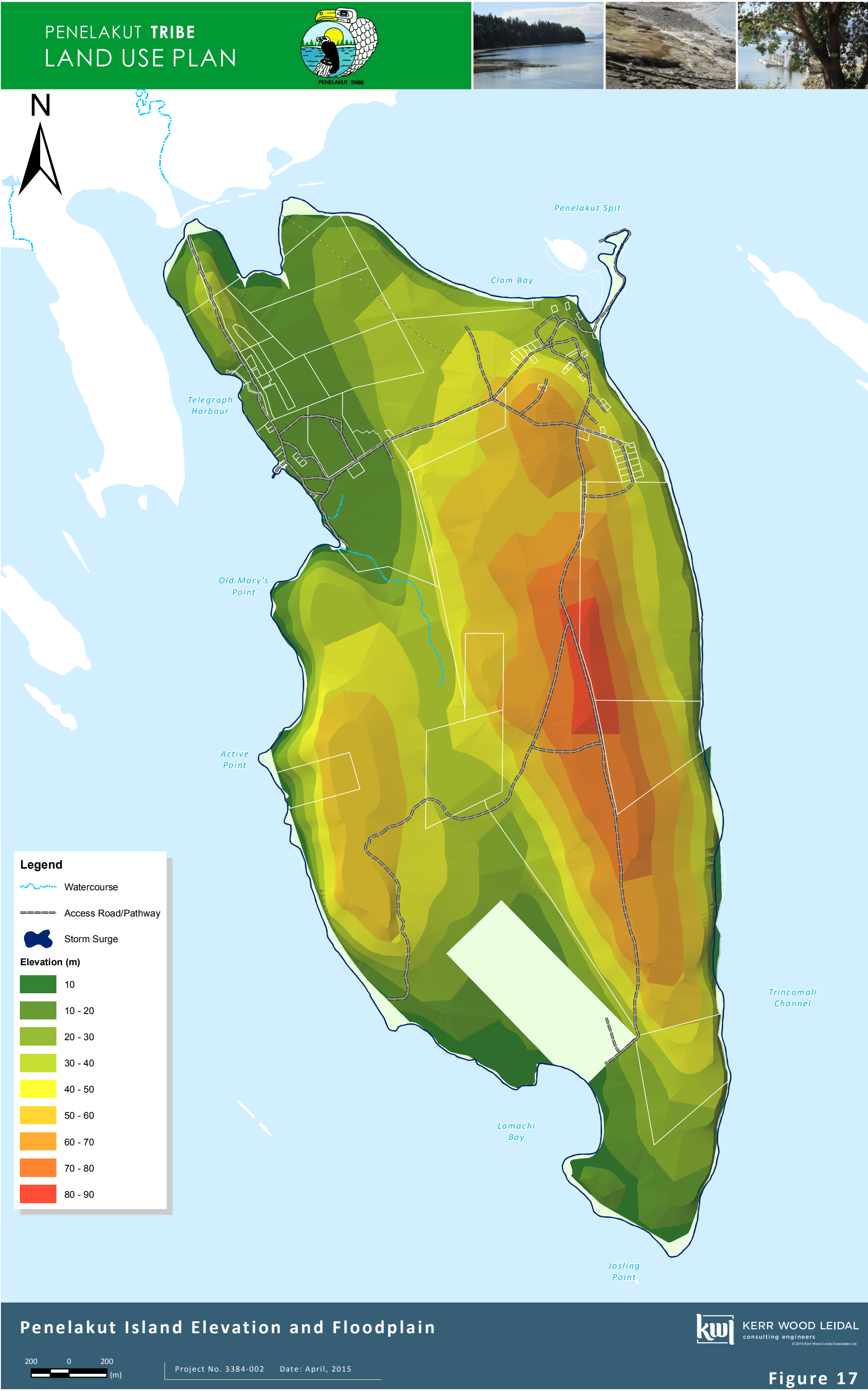


Penelakut Island is surrounded by the Stuart Channel in the Gulf of Georgia, which connects out to the Pacific Ocean. The attached elevation map (Figure 17) for Penelakut Island shows the low-lying areas, however there is no defined floodplain area on the island.

For future development, it will be important to consider not only floodplain levels for various storm events (i.e. 1 in 10 and 1 in 100 year), but also the impacts of climate change on sea level. Studies forecast that mean sea level rise for the central Vancouver Island area can range from 45cm to 117cm by 2100. With the rising sea surface temperatures, higher than usual storm surges are noted in the BC Coastal region. Increased frequency and intensity of storm surges can be expected in the future and coupled with the rising of the sea level and extreme tidal heights, potential risk of flooding along the coastal region on Penelakut Island is an important considerations for the land use plan. A buffer of approximately 3-5m elevation along the coast could be considered to restrict development within potential flood zone. Figure 17 illustrates a 4m buffer for storm surges and sea level rise.

Bonsall Creek runs through the eastern portion of Tsussie, connecting up to the Stuart Channel. Immediately west of Tsussie is Butchers Sough, a wetland that runs along the reserve boundary and also connects to Stuart Channel. There is reported seasonal flooding within the majority of Tsussie that remains undeveloped, and a low flow path identified. Most of Tsussie is also within the 20 year flood level, meaning that there is a 1 in 20 chance that water level will rise to the flood elevation during any year. These are important considerations that necessitate special construction standards throughout the community, should Council chose to support further development in the area as desired by community members.

⁵ Image from Friends of the River, October 2014: <http://www.friendsoftheriver.org/fotr/BeyondFloodControl/no5.html>





PENELAKUT TRIBE LAND USE PLAN



Tsussie Elevation and Floodplain



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Conservation and Protection Areas

Water bodies are an important part of our natural ecosystem. They provide food, transportation, and often safe drinking water. Spune'luxutth', being an oceanside community, has always used land in a way that is intertwined with the water.

Drinking water on Penelakut Island comes from an underground aquifer. Clean water is an important consideration, as access to such resources on the Island is limited. Although not always immediately apparent, certain land uses and development can have an impact on the watershed, and therefore drinking water quality. The ability to interact with this important resource should be protected and managed wherever possible as part of the land use planning process. As such, a watershed protection area has been designated to restrict the use of land within this area and prevent this water source from being contaminated.

With respect to other conservation and protection areas on Penelakut Island, beyond those noted in previous subsections, a 30 m buffer of environmentally sensitive land has been noted for consideration around the Island in an effort to prevent erosion, and protect the ecosystem. In low-lying areas, this will also act as a natural buffer from potential flooding/storm surges. Discussions with Chief and Council indicate that while this 30 m buffer may be appropriate in some areas, it is not necessary along the western portion of the Island. In addition, there is one known watercourse which runs from approximately the middle of the Island towards the northwest. No information is currently available on whether this is fish bearing or not, however a similar buffer has been identified. Further to the buffers, the Penelakut Spit and the area between Active Point and the bluffs are environmentally sensitive. There is also a marsh on the North end of the Island that has been designated for protection, a wetland in the East Village, and another mid-Island.

There is a contaminated area on the Island that has been designated soil remediation site. Approximately 1,000 m³ of contaminants may exist within the groundwater, surface soil and soil. Initial testing completed, and detailed testing is underway. This area, which was previously a waste disposal site, has been noted as hazardous and would require potentially significant remediation prior to any development.

The watershed protection area, and environmentally sensitive areas, on Penelakut Island are illustrated in Figure 19.

Archaeological features have been found throughout Tsussie, although information on their exact locations is not available. This is an ongoing consideration when undertaking future development. As noted in the floodplain subsection, Bonsall Creek runs through the eastern portion of Tsussie and connects up to the Stuart Channel in the Gulf of Georgia. Bonsall Creek is a prime Coho Salmon rearing channel, making it an important resource to protect. An environmentally sensitive area of 30 m has also been designated along the majority of the Stuart Channel adjacent to Tsussie as a buffer from development to protect sensitive ecosystems. A buffer along the edge of Butchers Slough has also been identified. Of further



note for development is protecting the low flow flood path that results from seasonal flooding sporadically through Tsussie.

The watershed protection area, and environmentally sensitive areas, on Tsussie are illustrated in Figure 20.

Tent Island, immediately South of Penelakut Island, is also situated within the Stuart Channel. There are no known water sources on this Island, or watercourses running through it. Like on Penelakut Island and Tsussie, a 30 m buffer of environmentally sensitive land has also been designated around Tent Island for flood protection and to protect sensitive ecosystems. This is illustrated in Figure 19 along with Penelakut Island.

A 30 m buffer of environmentally sensitive land has been designated on Galiano Island adjacent to the water, however it excludes the two residential areas. There are no other known conservation and protection areas on Galiano Island, however this area is currently free from development.

Geological Features

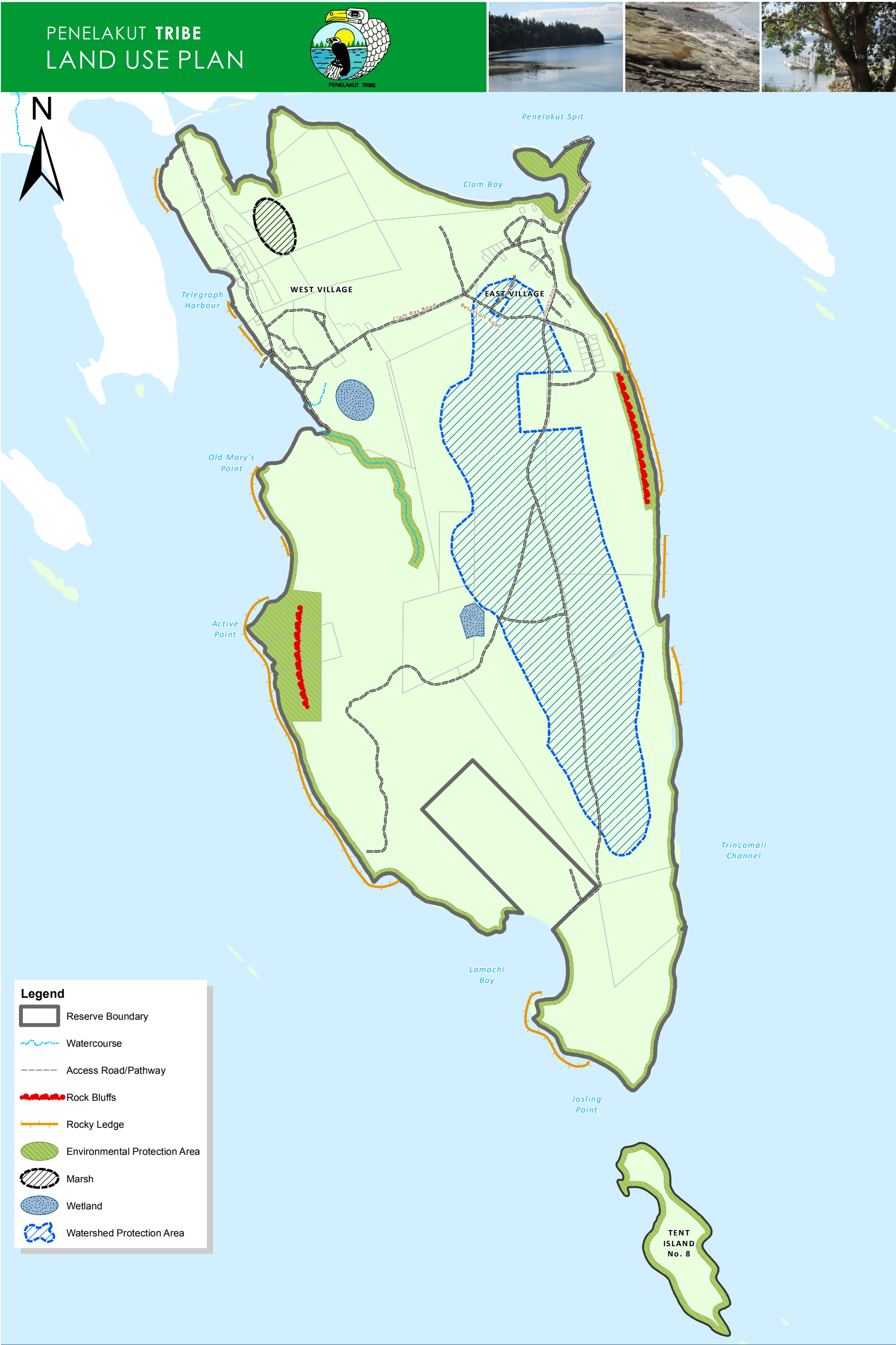
Geological features are important to note, specifically where they have the potential to be hazardous to development. Typical hazard areas are those that are unsafe for development due to naturally occurring processes such as slopes and erosion, land slips, rock falls, mud and debris flows. These areas, as with the flood hazard areas, should be protected from development.

Penelakut Island has rock bluffs and ledges around many edges of the Island. Natural beaches are also present around the Island. A map of these areas was provided previously in Figure 19. For land use planning purposes, planned development should be set back from these areas to mitigate potential landslides unless geotechnical information becomes available stating otherwise. Further studies should be undertaken before development is considered adjacent to these areas.

There are no other known geological features on Tsussie, Galiano Island, or Tent Island.

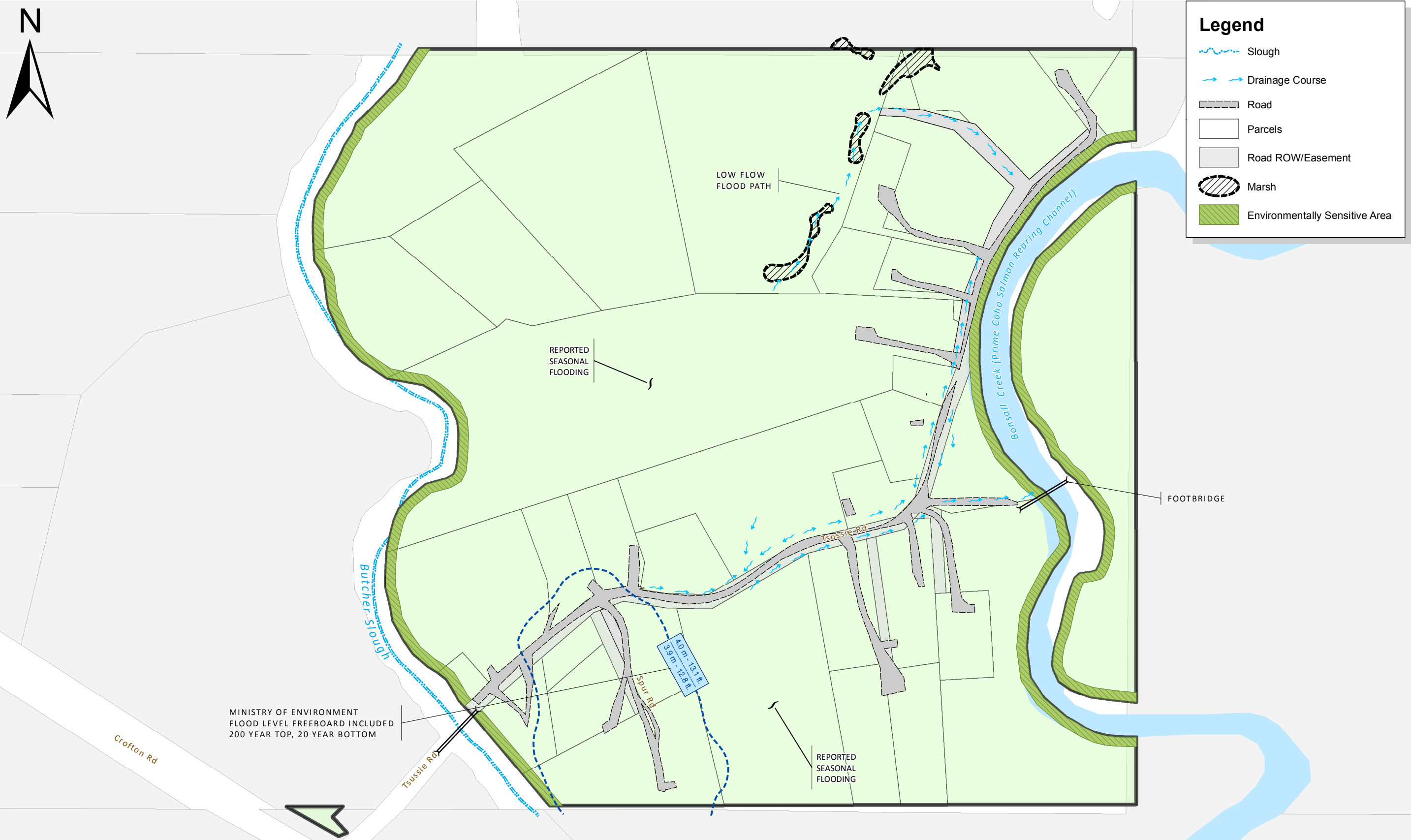
6.8 Developable Areas

Based on the areas of significance, constraints, and current infrastructure servicing, developable areas have been identified for each of Penelakut's reserves. These areas show where development *could* occur or be intensified, however it does not mean that development is desired or should happen in these areas. Further discussion about desired areas for future development is provided in Section 7. Figures 21 – 23 illustrate these developable areas for Penelakut Island and Tent Island, Tsussie, and Galiano Island respectively. It should be noted that developable areas for Tsussie include land that is within the 20 and 100 year floodplain, and that further consideration of these areas should be given.





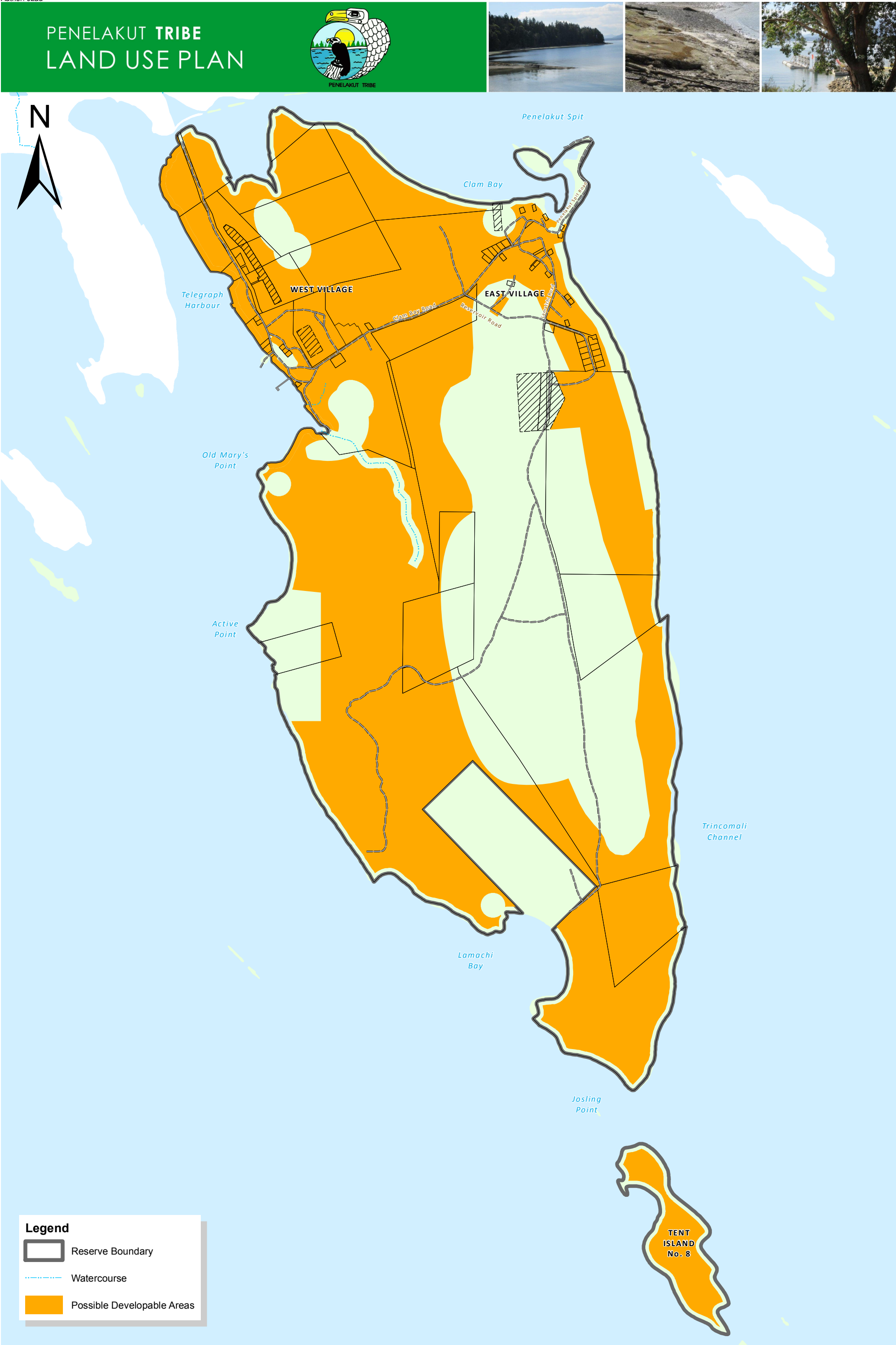
PENELAKUT TRIBE LAND USE PLAN



Tsussie Conservation Protection Areas



Project No. 3384-002 Date: April, 2015



Path: R:\3300-3399\3384-002\430-GIS\MXD-Rp\3384002_Fig22_Tsussie_Developable.mxd Date Saved: 20/04/2015 10:27:25 AM
Author: J.Lau



PENELAKUT TRIBE
LAND USE PLAN



Legend

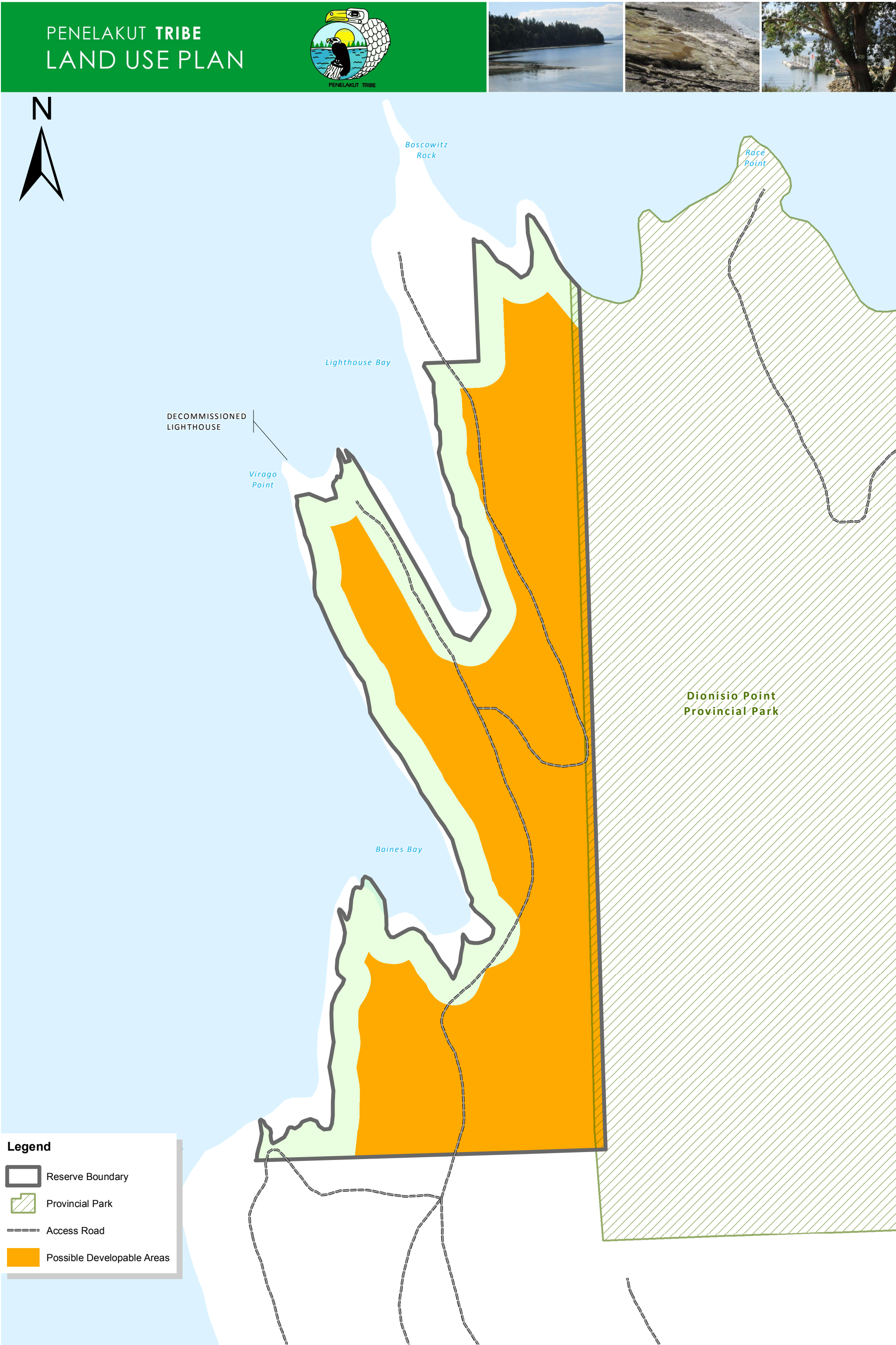
- Reserve Boundary
- Slough
- Road
- Building
- Possible Developable Areas
- Subject to Special Development Standards

Tsussie Developable Lands

Project No. 3384-002 Date: April, 2015

kwl KERR WOOD LEIDAL
consulting engineers
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Figure 22





Section 7

Land Use Designations





An Excerpt from Two Houses Half-Buried in Sand - Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island

...continued from Section 6

"Now those two were so happy with their two babies. 'Our child need never be alone now that we have this man child to take care of her,' said the mother, and she sat thinking of the days when these two fat little ones would have a house and babies of their own.

"One day, when the children were growing, big and strong, just beginning to walk, the baby that belonged to the two old people crawled away from her mother and, sometimes wading a few steps, sometimes falling down and crawling, it got to the edge of the rocks and, rolling over, fell into the water. As it fell, the eagle, sitting in her nest, saw it, and, with a loud cry, flew after it, catching its little leg with her beak just as it went under water. Holding the baby by the leg, the eagle flew up to the rocks beside the little house, and, she put her feet on the rocks, what do you think happened?"

"Siemtunaat looked inquiringly at me, but before I could hazard a guess, Tommy Pielle exclaimed: "I'll tell you what happened. That great eagle turned into a woman!"

He looked triumphantly at his sister, but she scowled at him and turned a broad shoulder on him.

"Yes, he's right," she said. "That eagle turned right into a woman. I can tell you those people were frightened; but the woman was so nice. She went up to the old woman and, 'We will be friends,' she said. 'Only give me my baby back my baby boy. Oh, I have cried for him! She ran into the house and came out with her little boy in her arms. 'How fine he is!' she cried. 'Bring out your little one and we will see them together!'"

"So those babies played together and grew up together, and when they were old enough they built a little house of their own, where they lived until they were very, very old, with their children and their grandchildren all living near them in the same place. And these two gave their home the name 'Yuxwula'us, the Eagle,' after the mother who had been turned into an eagle, but who turned back to a woman again when she saved that little baby."



7. Land Use Designations

Spune'luxutth's land use designations are as follows:

- **Community** – land owned by and used for the community, such as recreation, administration, education, health and social services, protective services, cultural activities, and infrastructure
- **Cultural** – land used by community members for cultural purposes, such as medicinal gathering, bathing sites, and burial areas
- **Environmental Protection Areas** – land preserved and protected from development, either for conservation or because of natural hazards, such as sacred sites, cliffs, water sources, floodplains, and environmentally sensitive areas. In some instances, this land may be suitable for passive recreation
- **Natural Areas** – land intended to remain undeveloped, but which isn't specifically identified for preservation and protection. It is an ideal place for active and passive outdoor recreation
- **Residential** – land used primarily for housing, ranging from individual homes and mobile units to more dense buildings like townhouses or small apartments
- **Commercial/Industrial** – land used primarily for economic development activities such as tourism, stores, offices, restaurants and resorts, as well as more intensive purposes such as clam processing, fish farming, and manufacturing
- **Agricultural** – land used primarily for agricultural production such as rearing livestock and the production of crops
- **Marine** – the area immediately adjacent to Spune'luxutth's land, used primarily for aquiculture and water-based community/cultural uses.

These land uses are permitted according to the areas illustrated in Figures 24 – 26, as described in the subsections below. Background and policies have been identified for each land designation, including a clear definition of permitted uses in the immediate future.

7.1 General Policies

Some policies span all reserves and uses, while others are area-specific. These are described below, and apply regardless of the specific land use.

Overarching

Overarching land use policies for all Spune'luxutth' reserves are as follows:

- 7.1.1** Support food sustainability, by preventing the overuse of land and resources.
- 7.1.2** Ensure an adequate supply of land to meet current and future requirements across a range of land uses.



- 7.1.3** Acquire additional land outside of the current reserves to support community growth and direction according to Spune'luxutth's vision and land use principles.
- 7.1.4** Require any new development to connect to one of the Tribe's community water and sanitary sewer systems, or develop a separate system where affordable.
- 7.1.5** Require energy conservation and efficiency measures as part of all new development, recognizing the need for affordability.
- 7.1.6** Any new development adjacent to watercourses, specifically within an environmental protection area must:
 - Demonstrate to the satisfaction of Chief and Council, as well as administrative staff, that ecosystems will not be harmed
 - Be built to appropriate standards as to protect occupants from potential flooding
 - Be subject to a geotechnical review where slopes may be considered potentially hazardous

Penelakut Island

General land use policies for Penelakut Island are as follows:

- 7.1.7** Support a range of land uses as shown on the Penelakut Island Land Use Map (Figure 24).
- 7.1.8** Encourage higher densities and mixed-uses (residential, commercial and community) in the West Village, with a combination of infill and greenfield development.
- 7.1.9** Encourage additional residential development in the East Village, including infill development.
- 7.1.10** Encourage new residential and local commercial development between the East and West Villages along Clam Bay Road, following intensification and development of the East and West Villages.
- 7.1.11** Encourage tourism-based commercial development in the Old Mary's Point area, while respecting the existing cultural site.
- 7.1.12** Encourage light industrial development, related to aquaculture, in the Clam Bay area. Environmentally responsible development, with appropriate buffers from other uses, is essential.



- 7.1.13** Encourage development of the South End of the Island, following the development of all other neighbourhoods on Penelakut Island. Phase development into stages, with a focus on community and rural residential uses along the southwest shore, community-based agriculture in the middle, and rural residential and tourism-based commercial along the southeast shores.
- 7.1.14** Permit uses which promote economic development, while respecting and balancing the needs of community members.
- 7.1.15** Ensure sufficient infrastructure capacity, particularly water, prior to the design and construction of new buildings

Tsussie

General land use policies for Tsussie are as follows:

- 7.1.16** Support a range of land uses as shown on the Tsussie Land Use Map (Figure 25).
- 7.1.17** Focus land uses in this area towards residential, community and agricultural purposes.
- 7.1.18** Encourage additional residential development, including infill, throughout the neighbourhood.
- 7.1.19** Facilitate the development of community facilities to serve local residents, including community-based agriculture, community services, and administration.
- 7.1.20** Encourage light industrial development directly related to supporting agricultural operations, with appropriate measures taken to address seasonal flooding.
- 7.1.21** Continue working towards acquiring land adjacent to the current reserve boundaries for economic development purposes.

Tent Island

General land use policies for Tent Island are as follows:

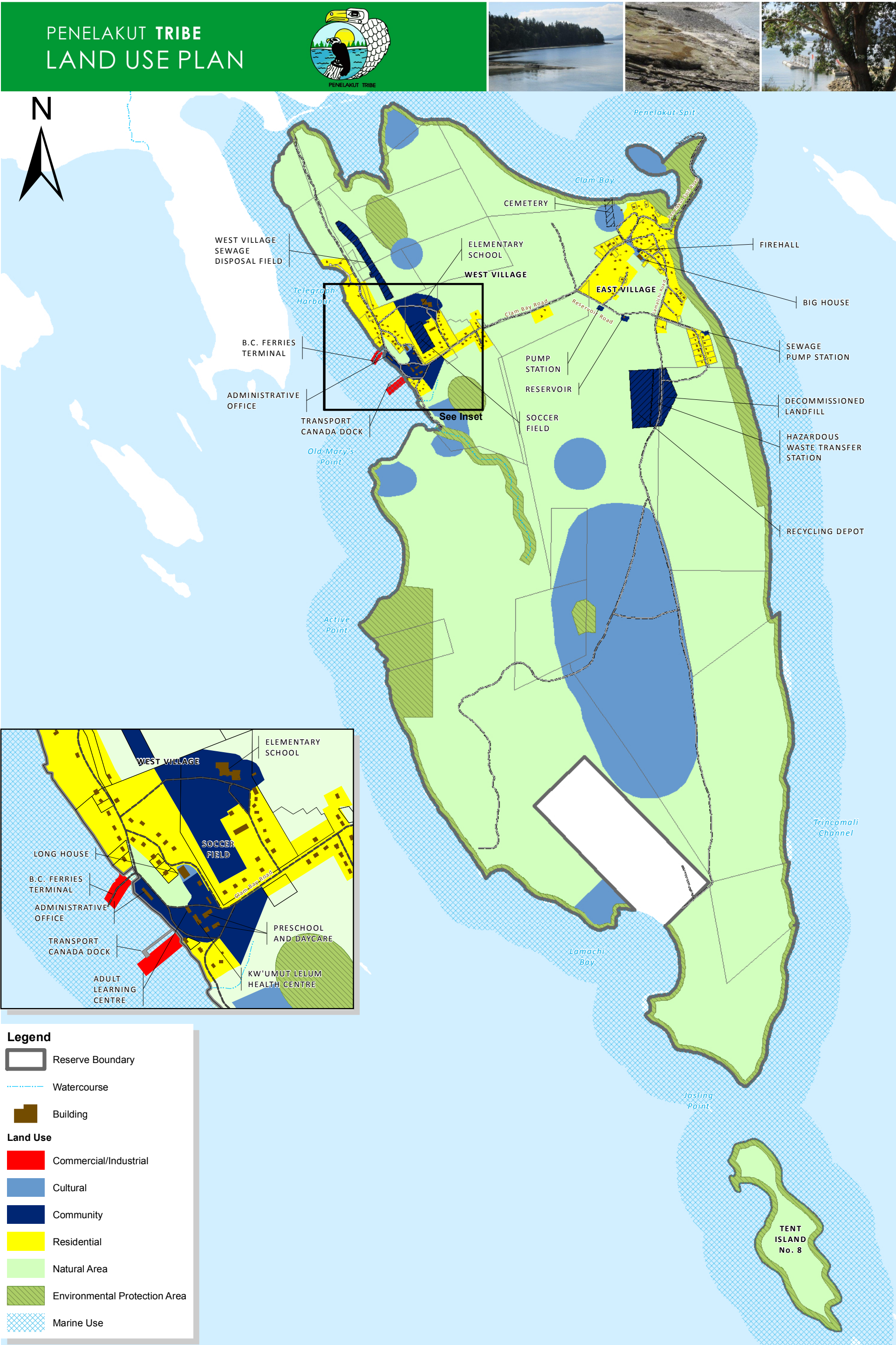
- 7.1.22** Support the specific land uses as shown on the Tent Island Land Use Map (Figure 24).
- 7.1.23** Focus land uses in this area towards active and passive community and commercial campgrounds and natural areas in support of conservation.



Galiano Island

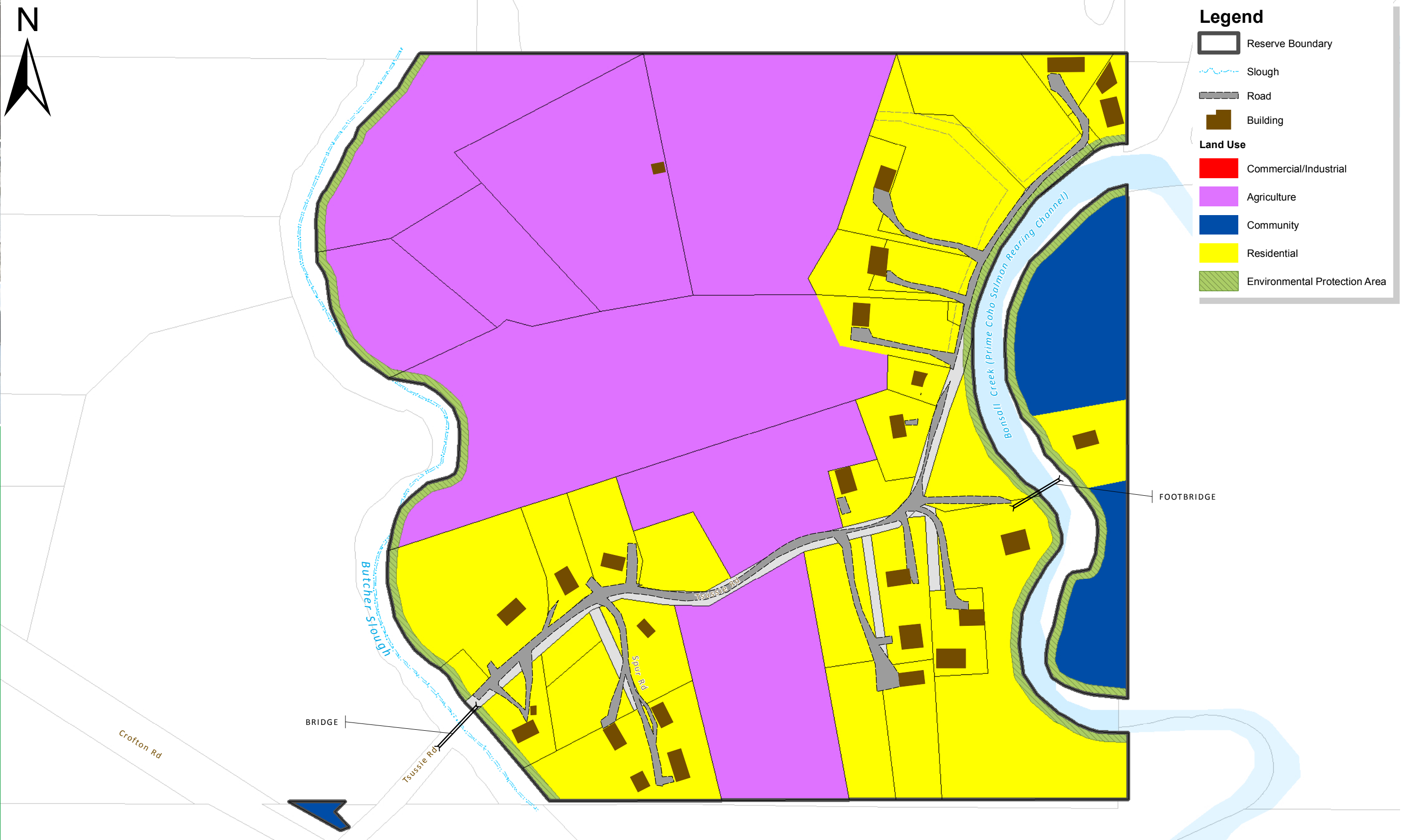
General land use policies for Galiano Island are as follows:

- 7.1.24** Support the specific land uses as shown on the Galiano Island Land Use Map (Figure 26).
- 7.1.25** Consider future land uses in this area related to tourism commercial, both land and water-based, with the majority of the reserve remaining as natural areas.





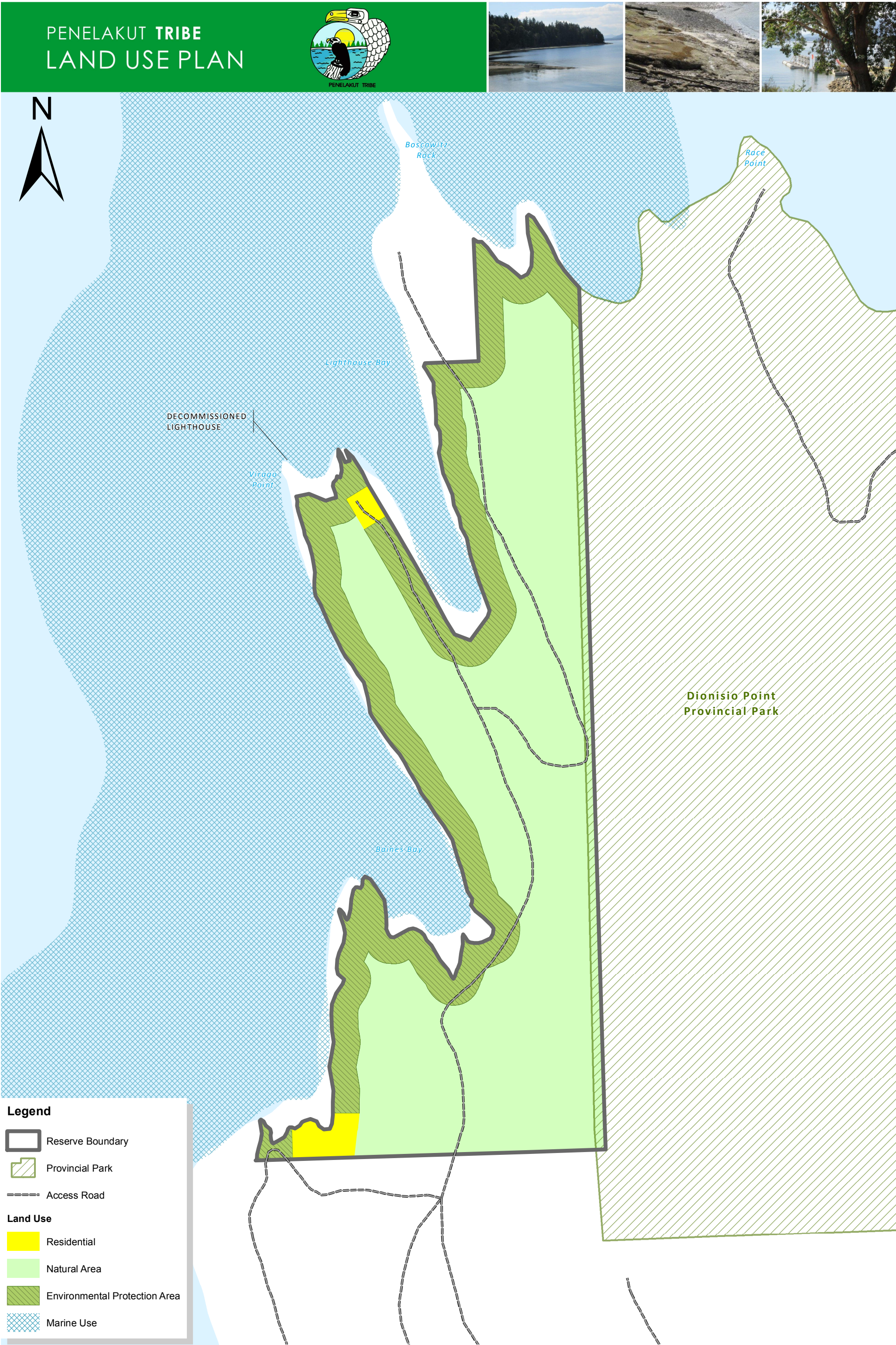
PENELAKUT TRIBE LAND USE PLAN



Tsussie Land Use Plan



Project No. 3384-002 Date: April, 2015





7.2 Community

We live, work, learn, play and gather on our land. Community facilities for Spune'luxutth' currently include the Administration Office, Penelakut Island Elementary School, Big House, partially complete Longhouse, Fire Hall, Kw'umut Lelum Health Centre, Adult Learning Centre, preschool and daycare facilities, and soccer field. Infrastructure is also considered a community use, including the recycling depot, water systems, sewer systems and the road network (including a bridge in Tsussie). In recent years, we have taken significant steps to expand our community infrastructure, protecting our health and safety while improving the quality of life for our members.

The top 3 places that members travel to most frequently are the Administration Office, Ferry Terminal and Point, which means that these are key hubs of the community. Other places commonly traveled to include the South End, Penelakut Island Learning Centre, the Penelakut Island Elementary School, and the East Village. A full summary of common travel routes, based on consultation during the Land Use Planning Process, is presented in Figure 27.

Members also expressed a desire for more community facilities, including a community and cultural centre, a gallery, a youth centre, a fitness centre, a treatment/rehabilitation centre, a multi-purpose building, an education centre, a new Band office to name a few. Additional health and social services are desired for the future, such as Elder's health services, an emergency centre, mental health services, physical health training, and family programs. Infrastructure goals from the CCP include improved road safety, water treatment and source protection, and improved drainage.

Community uses consist of land generally owned by, and used for, the community. These uses are linked to the provision of services such as recreation, administration, health care, education, and infrastructure.

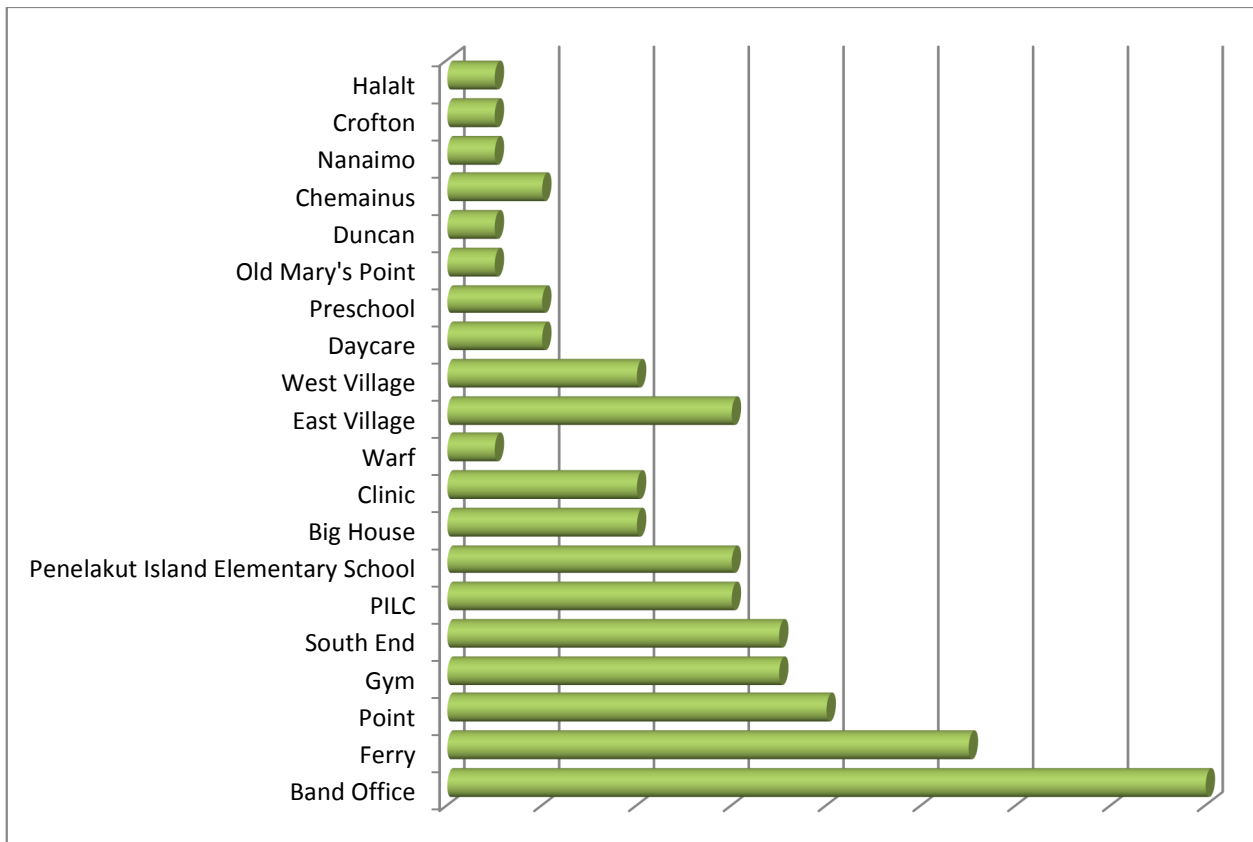


Figure 27: Most Frequently Traveled Places

Permitted Uses

Permitted uses under the community land use designation include:

- Administration
- Education
- Childcare
- Health Services
- Social Services
- Protective Services
- Elder's Housing
- Community Gathering Space
- Public Works
- Infrastructure
- Recreation
- Community Gardens and Farms
- Lighthouses



Policies

The policies below are intended to guide community and cultural uses in a manner that supports Spune'luxutth's needs. The community policies are as follows:

- 7.2.1** Designate land for community uses as shown on the Land Use Map in Figures 24 – 26.
- 7.2.2** Cluster administrative, health, social and other key service facilities within walking distance of each other wherever possible.
- 7.2.3** Encourage the joint use of community facilities for member use.
- 7.2.4** Protect potential sites being considered for future community uses.
- 7.2.5** Enable the provision of essential services that maintain a healthy, safe and vibrant community.
- 7.2.6** Ensure sufficient infrastructure capacity to support existing and future community needs.

7.3 Cultural Areas

Our land provides for our physical and spiritual needs. For thousands of years we have lived off the ocean, fished from Bonsall Creek, harvested along the tidal flats at the mouth of River and gathered in our forests. Our culture is an important part of who we are, and so is remembering the past and our traditional ways including how we have relied on the land and water for our livelihood. Cultural land and facilities for Spune'luxutth' currently include a cemetery, multiple burial areas, a Big House, a partially complete Longhouse, medicinal gathering sites and bathing sites.

Cultural uses consist of land generally owned by the community, and used by members, for cultural purposes such as spiritual practices, cultural ceremonies, medicinal gathering, bathing, and burials. These uses have been identified generally, as there is a desire for specific sites to remain private.



Permitted Uses

Permitted uses under the cultural areas land use designation include:

- Cemeteries
- Burial Sites
- Medicinal Gathering Areas
- Bathing Sites
- Community Gathering Spaces
- Spiritual Practice Facilities
- Cultural Activities
- Traditional Knowledge Centres

Policies

The policies below are intended to guide cultural uses, preserving the heritage of the Tribe. The cultural policies are as follows:

- 7.3.1** Designate land for cultural uses as shown on the Land Use Map in Figures 24 – 26.
- 7.3.2** Protect cultural areas from future development, ensuring an adequate buffer and setback from adjacent uses.
- 7.3.3** Enable the sharing of our culture and traditions through ecotourism activities and culturally significant commercial uses.

7.4 Environmental Protection Areas

Our land is our home for generations; it sustains our community and supports our self-reliance. Keeping our land, water, and natural resources clean and pristine is essential. Environmental protection areas in Spune'luxutth' currently include beaches, rock bluffs and ledges, wetlands and marshes, forests and other environmentally sensitive areas. Living on the ocean means that flooding is also an ongoing challenge, particularly in Tsussie.

Environmental Protection Areas consist of land generally owned by the community, being preserved and protected from development. This could be for conservation or because of food sources, wildlife, natural hazards, water sources, floodplains, and environmentally sensitive areas. Where possible these areas can then be used for passive recreation.



Permitted Uses

Permitted uses under the environmental protection areas land use designation include:

- Beaches
- Rock Bluffs and Ledges
- Wetlands
- Marshes
- Forests
- Environmentally Sensitive Areas
- Passive Recreation

Policies

The policies below are intended to guide the use of natural areas, making such space available for passive recreation where feasible and protecting the beauty and integrity of the local ecosystem. The natural area policies are as follows:

- 7.4.1** Designate land for Environmental Protection Areas as shown on the Land Use Map in Figures 24 – 26.
- 7.4.2** Establish a setback of up to 30 meters from watercourses as an environmentally sensitive area, to be adjusted on a parcel by parcel basis should studies be undertaken to indicate a smaller setback is appropriate. This setback does not apply to the shoreline adjacent to the West Village of Penelakut Island, or further north along the shoreline.
- 7.4.3** Preserve environmental protection areas from development, protecting ecosystems, natural resources and community safety.
- 7.4.4** Restrict, wherever possible, the use of environmentally sensitive areas to passive recreation such as trails and naturalized parks.

7.5 Natural Areas

We have lived off the land for generations, and continue to enjoy undeveloped natural areas.

Natural uses consist of land generally owned by the community, being kept in or close to its original state, but not designated for environmental protection. Where possible these areas can then be used for active and passive outdoor recreation.

Permitted Uses

Permitted uses under the natural areas land use designation include:

- Forests



- Open Spaces
- Active and Passive Recreation

Policies

The policies below are intended to guide the use of natural areas, making such space available for active and passive recreation where feasible and protecting the beauty and integrity of the natural environment. The natural area policies are as follows:

- 7.5.1** Designate land for natural areas as shown on the Land Use Map in Figures 24 – 26.
- 7.5.2** Protect a minimum of 30% of Spune'luxutth's reserve land as natural areas.
- 7.5.3** Consider using some natural areas for active and passive recreation, where appropriate, such as trails, parks and play fields.

7.6 Residential

We live on our land, which has been our home for generations. Residential areas in Spune'luxutth' currently include land on Penelakut Island and Tsussie. There is strong need for an increase in housing supply, diversity and quality. Almost half of homes on-reserve needs major repairs, while the remainder require regular maintenance or minor repairs. The majority of homes are single family, although there is one six-plex and a duplex on Penelakut Island. There is a need for more diversity in housing types.

Current household populations are on average six people per home, which is significantly higher than the Canadian and BC averages. Furthermore, there is a high demand for housing, which is expected to increase in the immediate and long term future due to projected growth rates in the community. Major housing challenges include shortage of homes for members in the community, overcrowding, a lack of quality and diversity, and a need for Elders live-in facilities. The biggest challenge, however, is the need for resolution on land allocations (i.e. historical family plots). Housing development in the past has taken place on Tribe-owned land and majority of this area has been developed. There are very few registered properties on Penelakut Island and the titles for the remainder lands are unresolved thus limiting housing development opportunities.

When asked where new development is most desired, residents during the Land Use Planning process indicated the West Village, East Village and South End as being the most desirable. The full range of preferences are illustrated in Figure 28. Infrastructure services currently exist in the West and East Villages, making these ideal locations for new growth, particularly shorter term. With respect to the type of units, single family homes and apartments (for singles and couples) are most desired. These preferences are illustrated in Figure 29.



Residential uses primarily consist of housing, ranging from individual homes, duplexes and mobile units to more dense buildings like townhouses or small apartments.

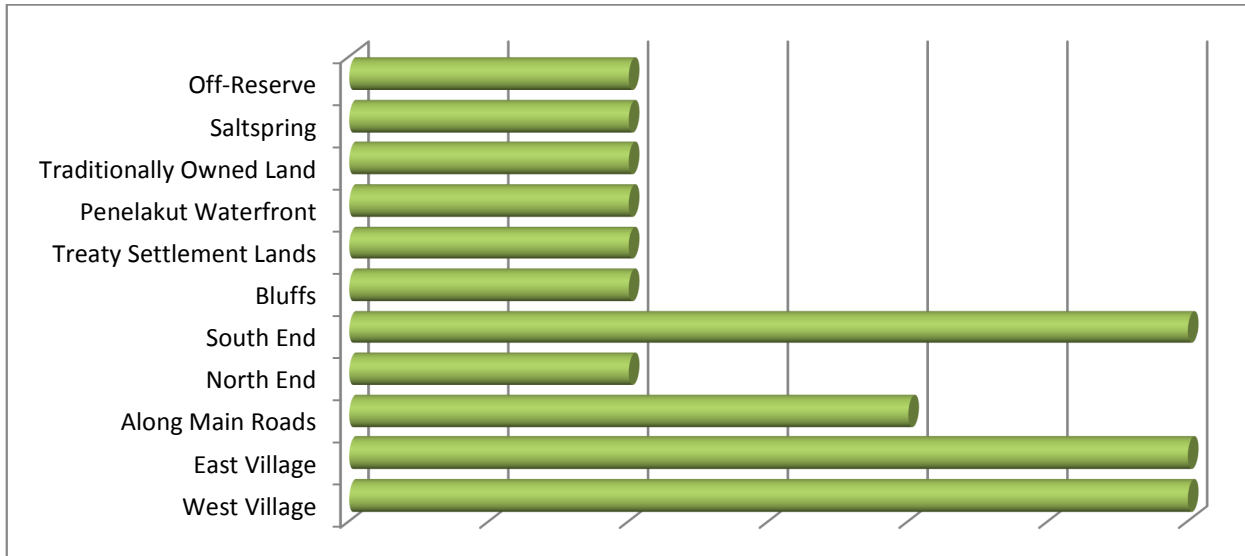


Figure 28: Preferred Areas for New Residential Development

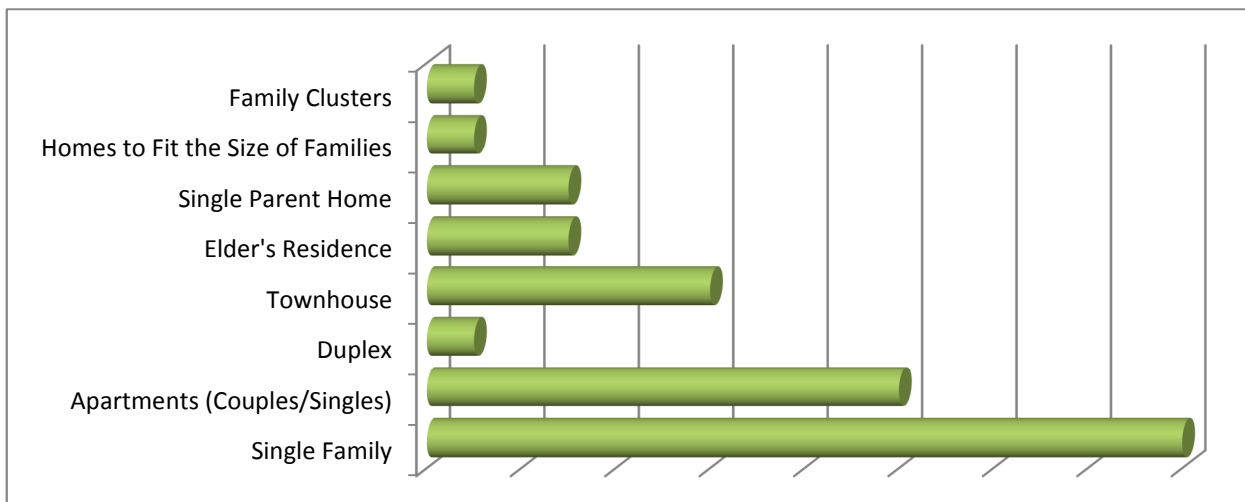


Figure 29: Preferred Types of New Residential Development



Permitted Uses

Permitted uses under the residential land use designation include:

- Single Family Dwellings
- Duplexes
- Three-Six Plexes
- Low Rise Apartments
- Elders' Housing
- Community Care Facilities
- 1-3 Story Mixed-Use Buildings

Policies

The policies below are intended to guide residential uses, supporting a wide variety options. The residential use policies are as follows:

- 7.6.1** Designate land for residential uses as shown on the Land Use Map in Figures 24 – 26.
- 7.6.2** Ensure there is sufficient land for a variety of housing types and locations, meeting demands over the next 20 years.
- 7.6.3** Support appropriate home sizes depending on the users and their needs.
- 7.6.4** Ensure there is sufficient infrastructure capacity (eg. water and sewer) to meet existing and future housing demands
- 7.6.5** Invest efficiently and strategically in new infrastructure to support community growth.
- 7.6.6** Restrict new development within the 20 and 100 year floodplain, necessitating that such development will be constructed to standards that resident(s) will be protected from potential flooding and associated hazards.
- 7.6.7** Ensure that new development is compatible with adjacent uses.
- 7.6.8** Ensure that high quality minimum housing standards are met, going beyond AANDC's requirements.
- 7.6.9** On Penelakut Island:
 - Enable land that accommodates larger homes that reflect the size of families (i.e. an average of 6 people per household).
 - Space new homes with enough distance between to acknowledge privacy needs of members.



- Encourage new homes to be clustered by family group.

7.6.10 On Tsussie:

- Require an archaeological assessment prior to any new development.
- Require flood protection measures, ensuring buildings are constructed to an appropriate standard.
- Establish a land owner's committee, consisting of a Chief and Council representative, administration, and land owners
- Require special studies, such as drainage, prior to adjusting land uses from Agricultural to Residential

7.7 Commercial & Industrial

A vibrant local economy is a key part of Spune'luxutth's vision, and directly supports community independence and self-sufficiency. Economic development, and specifically creating jobs for members, is the top priority in the CCP. Commercial and Industrial facilities for Spune'luxutth' currently include the BC Ferry Terminal and the Transport Canada Dock. Other businesses previously in operation include oyster farming, clam harvesting, a store, and selective logging. There is a strong desire for new commercial and industrial ventures both on reserve land and outside of Spune'luxutth's reserves, and a willingness from many members to open the community to economic development ventures for non-members. It will be important, however, to keep harmony and balance between sustainable economic development and our residential uses.

Commercial and industrial uses consist of land used primarily for low and medium intensity economic development activities such as stores, offices, restaurants and resorts clam processing, fish farming, and light manufacturing.

Permitted Uses

Permitted uses under the commercial/industrial land use designation include:

- Water Transportation Facilities
- Eco Tourism
- Oyster Farming Facilities
- Clam Harvesting and Processing
- Fish Farming Facilities
- Fish Hatchery Facilities
- Zoos
- Marinas
- Convenience Stores
- Gas Stations



- Restaurants
- Cafes
- Indoor and Outdoor Markets
- Retail Stores
- Rental Cabins
- Hotels/Motels
- Resorts
- Campgrounds
- Offices
- Carving Shops
- Light Manufacturing
- Mixed Use (Residential/Commercial)

Policies

The policies below are intended to guide commercial/industrial uses, facilitating economic development. The commercial and industrial policies are as follows:

- 7.7.1** Designate land for commercial/industrial uses as shown on the Land Use Map in Figures 24 – 26.
- 7.7.2** Concentrate new commercial development in clusters, considering mixed use buildings where feasible.
- 7.7.3** Encourage a sufficient commercial/industrial land base to stimulate economic development on Penelakut Island.
- 7.7.4** Support uses which provide employment opportunities for members.
- 7.7.5** Ensure there is sufficient infrastructure capacity (eg. water and sewer) to meet existing and future demands, requiring developers to expand infrastructure systems to support proposed uses.
- 7.7.6** Invest efficiently and strategically in new infrastructure to support growth, recognizing that where capacity is limited it will be allocated first to meet residential needs.
- 7.7.7** Focus mixed-use and higher density housing within the West Village.
- 7.7.8** Ensure that new development is compatible with adjacent uses, ensuring appropriate buffers and setbacks from other uses.
- 7.7.9** Encourage commercial/industrial uses that respect the culture and heritage of the Tribe.



7.7.10 Require energy conservation and efficiency measures as part of all new commercial/industrial development, recognizing the need for affordability.

7.8 Agricultural

Traditional foods were once abundant, providing for the community's sustenance. Today, practices have changed but community members still recognize the importance of having local sources of food. Most of the land in Tsussie is used for agriculture, which is a very appropriate use considering the frequency flooding in many areas.

In fact, increasing local food production is an important concept for Spune'luxutth', and a goal from the CCP. Many ideas were brought forward during the CCP process such as a community kitchen, community farms and community gardens on both Penelakut Island and Tsussie. These were further reinforced during the land use planning process, in addition promoting agriculture for economic development.

Agricultural uses consist of land used primarily for agricultural production such as rearing livestock and the production of crops. This includes community gardening and farming.

Permitted Uses

Permitted uses under the commercial/industrial land use designation include:

- Rearing livestock
- Crop production
- Community gardens
- Community farming
- Eco Tourism
- Agritourism
- Zoos

Policies

The policies below are intended to guide agricultural uses, facilitating local food sustainability and economic development. The agricultural policies are as follows:

- 7.8.1** Designate land for agricultural use as shown on the Land Use Map in Figures 24 – 26.
- 7.8.2** Encourage an agricultural land base to stimulate economic development in Tsussie.
- 7.8.3** Promote local food sustainability for Spune'luxutth's members through community farming and gardens.
- 7.8.4** Support uses which provide employment opportunities for members.



- 7.8.5** Minimize conflicts between agricultural and adjacent uses by ensuring appropriate buffers (setbacks and screening).

7.9 Marine

We have and continue to rely on the water for our livelihood. Marine uses in Spune'luxutth' currently include clam harvesting and water-based recreation. There is a strong desire to expand these uses as part of economic development ventures, while preserving the integrity of these valuable resources.

Marine uses consist of area immediately adjacent to Spune'luxutth's land, used primarily for aquiculture, water-based community/cultural uses, and the protection of aquatic habitat.

Permitted Uses

Permitted uses under marine land use designation include:

- Water Transportation (Taxis, Ferries, Barges, Personal and Commercial Boating)
- Oyster Farming
- Clam Harvesting
- Mollusc Harvesting
- Fishing and Fish Farming
- Marinas
- Water-based Recreation

Policies

The policies below are intended to guide marine uses. The marine use policies are as follows:

- 7.9.1** Designate land for marine uses as shown on the Land Use Map in Figures 24 – 26.
- 7.9.2** Establish a 300 m area from the shoreline of Penelakut Island land as an initial Marine use area.
- 7.9.3** Require consultation and approval from the Tribe in advance of any development activities in this area.
- 7.9.4** Develop a marine use plan that provides additional detail on marine uses, further defining the appropriate marine area within Spune'luxutth's jurisdiction.



Section 8

Future Development Areas





Sh'muloo: A Story of the Seasons

Augie Sylvester, Penelakut Elder

March 10/15

Sh'muloo was a boy. Couldn't do nothing. Couldn't complete nothing, couldn't catch sea urchins, couldn't get clams, couldn't shoot ducks, couldn't hunt deer, couldn't catch salmon. Everything he tried to do he couldn't do. He couldn't do anything! But it wasn't his own fault. He couldn't be taught. His parents were crying, crying hard. They went to the Indian doctor and asked "Can you make him good for something?" The doctor said "Go away! Don't think about this boy no more that you call "good for nothing!" The doctor worked on him and he became that rock. He controls the weather, day and night tides. Tell him to make it blow for a week or month or snow. Make it too cold for enemies to attack. Go to the rock, he'll give. Made him good for something.





8. Future Development Areas

Future Development Areas have been identified as land that is currently unused or underutilized, but which is suitable and desirable for a particular land use (or combination of uses) in the future. These areas are indicated in Figures 30 – 32, and described below. These areas have been classified as follows, and are explained further in the reserve-based subsections further below:

- **Future Residential** – lower density residential dwellings, as described in Section 7.5
- **Future Community** – Tribe-based uses which enable the provision of community services, as described in Section 7.2
- **Future Mixed Use** – a mixture of uses, ranging from combined residential and commercial to a variety of residential, commercial and community. This includes a variety of building types and densities.
- **Future Commercial** – tourism, retail and service-based uses, as described in Section 7.6
- **Future Light Industrial** – light manufacturing and processing uses, as described in Section 7.6
- **Future Marine** – water-based uses, such as tourism and aquiculture, generally complimentary to land-based uses

More specific ideas from the Land Use Planning consultation process are illustrated in the concept plans presented in Figures 33 – 35. Further ideas were developed during the CCP process, many of which have been included here. They are the result of the vision and desires of our community members. These areas have also been phased in order to direct new development in an orderly and more affordable way, aligning with our community-wide vision and land use principles.

Further refinement of these areas will be needed, for example through more detailed neighbourhood concept plans, closer to the time of development. This will allow the Tribe to further develop the concepts that emerged as part of this process to a point where development can occur.

8.1 Penelakut Island

Penelakut Island currently has two major neighbourhoods: the West Village and the East Village. Over time, there is a desire to further develop these areas and to create other neighbourhoods. The vision for each area is noted below, in order of phasing:

1. **West Village.** This area is the primary gateway to the community, and is expected to continue to be the main arrival point for both residents and visitors. Currently a community and residential centre, this area will continue to expand and intensify with a mix of uses. This will be achieved by filling vacant sites with a variety of housing



types, additional community services, and commercial ventures primarily focused on tourism, retail, and entertainment. New housing will be focused first within the centre of the West Village, and then move northward along the road. Natural areas, such as the waterfront and the wetland, will continue to be preserved. The neighbourhood will be walkable, with roads developed to allow both cars and people to travel safely. Additional roads may be needed off main feeder routes. This neighbourhood will welcome both residents and visitors.

2. **East Village.** This area is the secondary residential neighbourhood, and has significant opportunities for additional single family and duplex residential development along Reservoir Road, Lamalchi Road and alongside streets. There are a few scattered community uses, with no new proposed facilities except for infrastructure necessary to support residential growth. Additional roads may be needed as housing is developed. This neighbourhood is intended for residents.
3. **Central Village.** This area between the East and West Villages is primarily vacant, with a few scattered homes. It will be developed into a mixed use residential, community and commercial neighbourhood. Community uses will include recreation, community safety, and other services like a library. Commercial uses will be focused on services, like a grocery store, that support local needs. Additional roads will be needed, as well as connections to either the East or West Village water and sewer services. This neighbourhood is intended for residents.
4. **Old Mary's Point.** This area is currently a cultural site, surrounded by undeveloped natural areas. Set back from the point, but situated in part on the water, this area will focus on intensive tourism-based commercial development. A portion will be land-based while the remainder will be marine-based. It will connect to the West Village by roads and trails. An EcoTrail will also depart from this area, following the western edge of the Island. This area will welcome both residents and visitors.
5. **Clam Bay.** This area has been used historically for clam harvesting. There is interest in utilizing this area for related light industrial development on-shore and within the marine use area. Environmentally responsible development is essential to ensure ecosystems remain intact and that harvesting occurs in a sustainable manner. Buffering from adjacent/nearby uses will be necessary. This area may be for Tribe-owned, member-owned or investor-owned business.
6. **South End.** This area is primarily undeveloped, with a privately owned parcel currently outside of the reserve boundary. It will be developed in sections as the last area on the Island because new infrastructure systems will be necessary for the majority of intended development. Along the water near the current swing and swimming area, a community campground will be developed. Just north of that, a rural residential neighbourhood will be built along the existing road. Infrastructure upgrades will be needed, including water, sewer, and roads. There is a desire to re-



acquire the parcel which is privately owned, for us as agriculture-based community uses such as a garden or farm. The current cultural area will be preserved. On the west portion of this neighbourhood, another cluster of rural residential development will be built, along with destination-based tourism commercial uses. The west end of this neighbourhood is intended for residents, while the east end will welcome both residents and visitors.

Clustering new development to align with infrastructure servicing will be very important. New infrastructure will be needed as certain demands are reached in existing neighbourhoods, and new systems will be required for the areas on the south end of the Island. Water availability, and ensuring that the aquifer remains sustainable, will be important considerations for developing on the Island. Studies underway will help to identify appropriate capacities, however considerations may need to be made at certain thresholds of growth for alternate servicing arrangements. Fire protection is another important consideration. Geotechnical studies may also be necessary, particularly in advance of development in the South End.

8.2 Tsussie

Tussie consists of one neighbourhoods, with primarily rural residential and agricultural uses. There is a desire to maintain this character into the future, while also promoting some development. The vision for each area of the neighbourhood is noted below:

1. **Residential Throughout.** Additional residential development will occur through most of the areas currently designated for residential uses, with a focus on infill (more homes within current parcels. This may require additional roads.
2. **Future Community.** There are a few parcels noted for future community uses. These are currently designated as residential, and held by members as CP land. There is interest in potentially acquiring some or all parcels for future community services such as an administrative office, community centre, etc.
3. **Community Agriculture.** This area, which is in part affected by seasonal flooding, is agricultural land. There is an interest in transforming this land into community-based agriculture such as gardens.
4. **Light Industrial.** This area is affected by seasonal flooding, however with appropriate construction standards it may be possible to utilize the land for light industrial uses directly in support of agricultural operations. It is not considered viable for future residential development.
5. **Entry Way.** This area is a corner parcel currently outside of the reserve, however the Tribe is in the process of acquiring the land. It is intended for a commercial use that serves both residents and visitors passing by along Crofton Road.



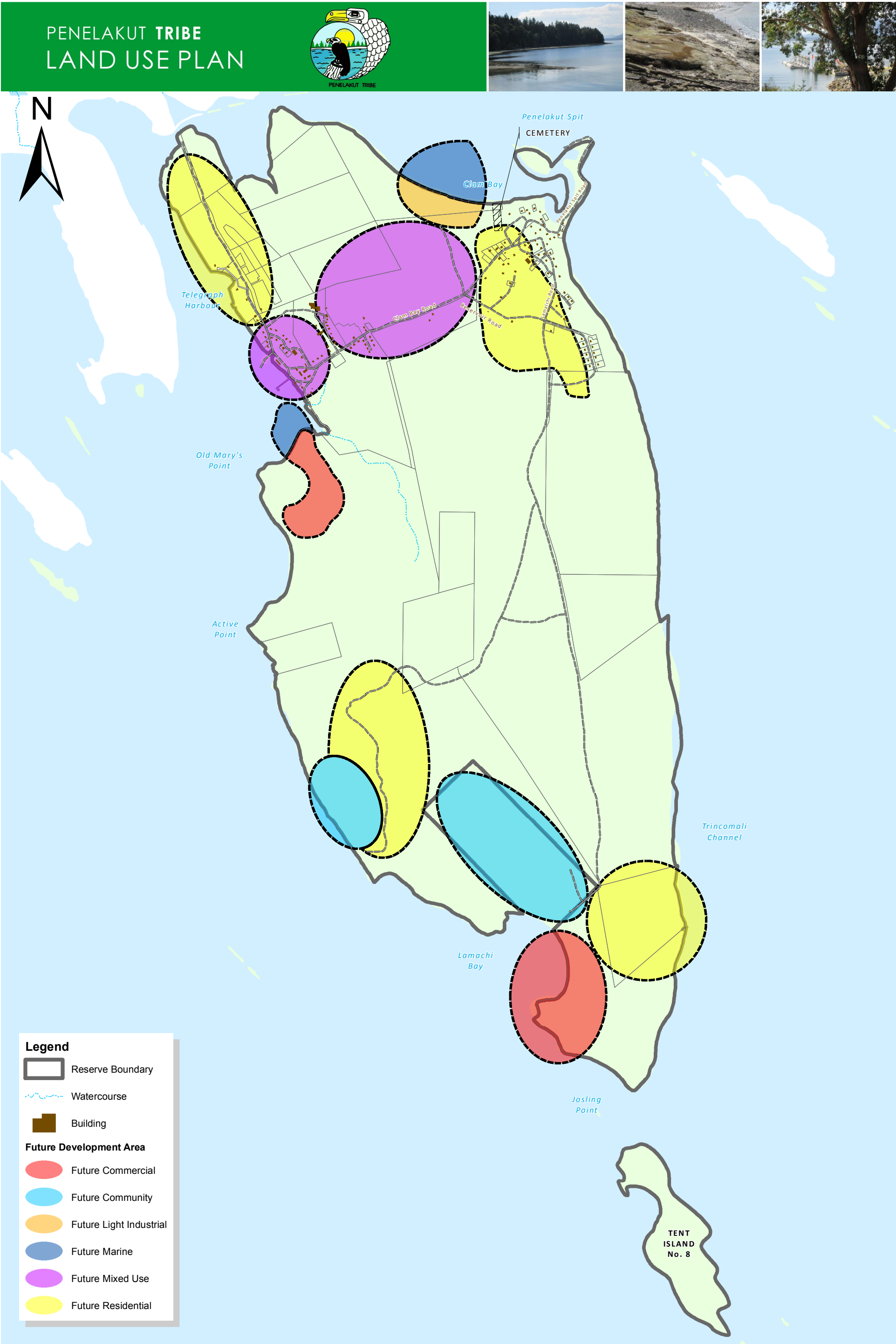
Flooding is an ongoing concern throughout most of Tsussie, and will need to be addressed as part of any new development. There is, however, no limit to the number of water connections. According to the current servicing agreement for sewer, there is a limit of 180 people equivalents which allows for significant increases in residential development.

8.3 Tent Island

There is interest in preserving Tent Island as primarily natural space, and continuing to use a portion of the land for commercial and/or community camping use.

8.4 Galiano Island

There is an interest in transforming Galiano Island from a completely naturalized forest area to a place that is partially developed. Future development is intended to be tourism commercial related, with some water-based and some land-based improvements. The intention is to reflect the culture of Spune'luxutth', utilizing the natural surroundings for daily and longer term stays. This area will welcome both residents and visitors, however is focused on services for visitors.



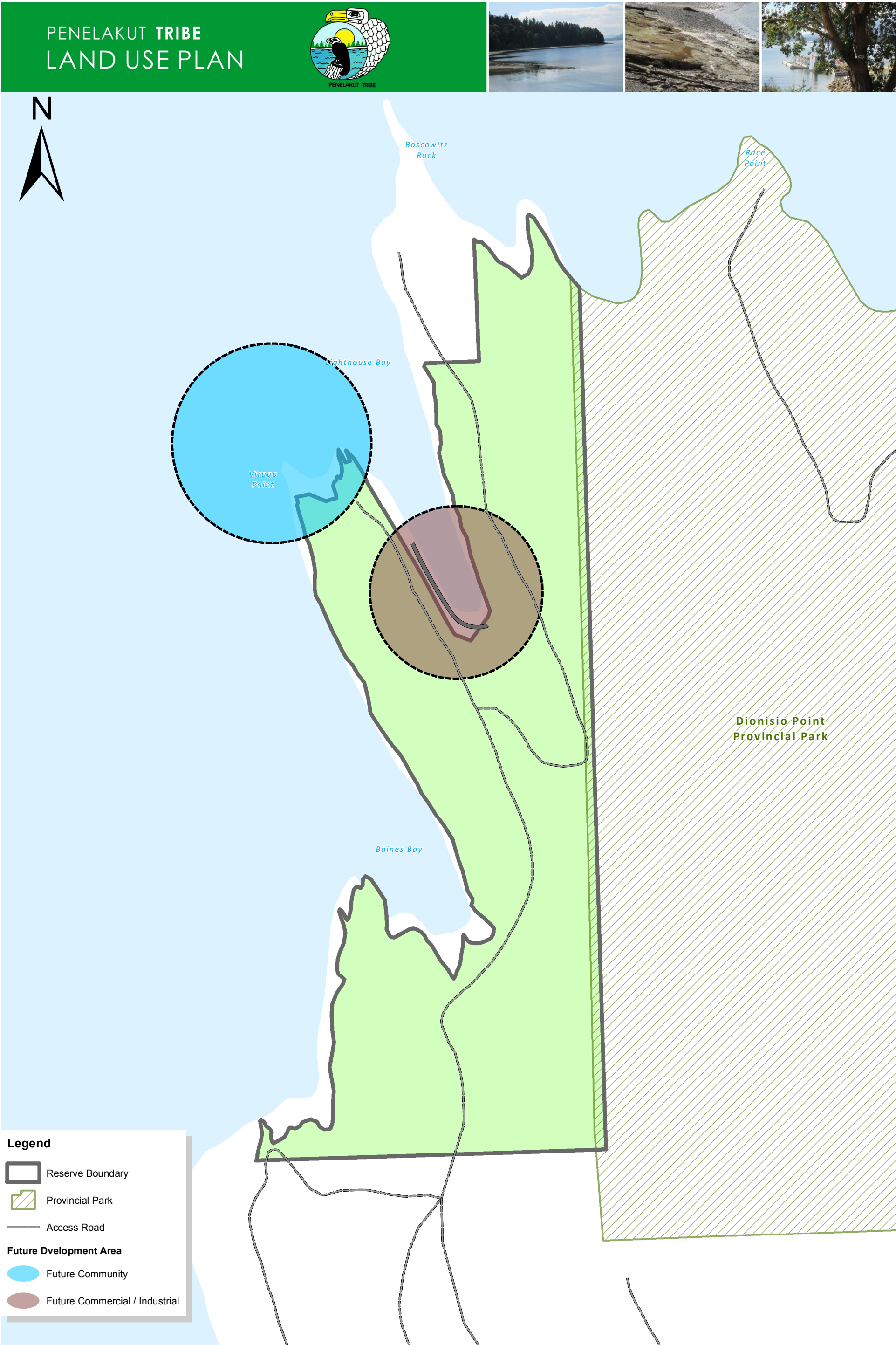


Tsussie Future Development Areas




Project No. 3384-002 Date: April, 2015




Figure 31

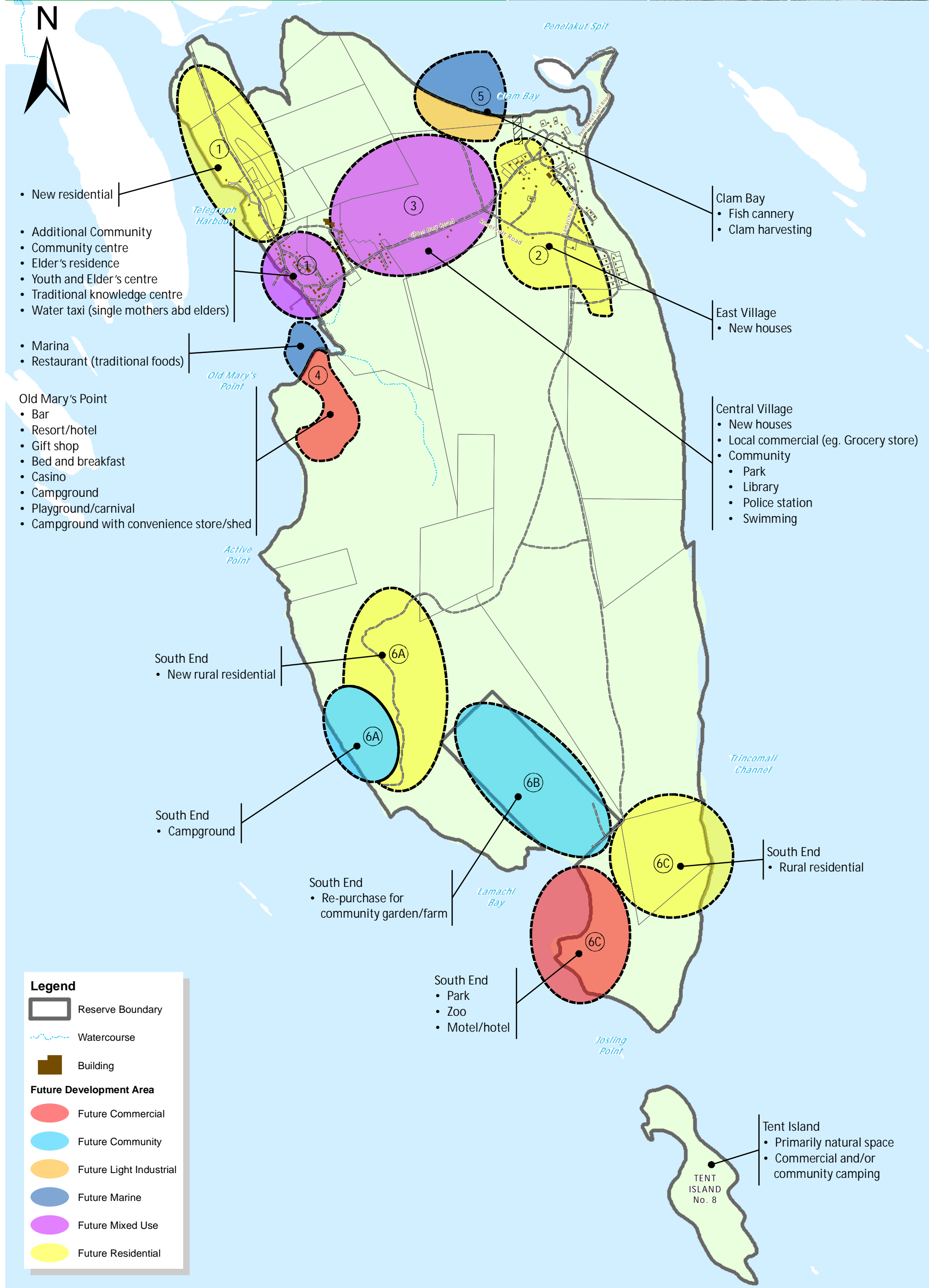


PENELAKUT TRIBE LAND USE PLAN



PENELAKUT TRIBE





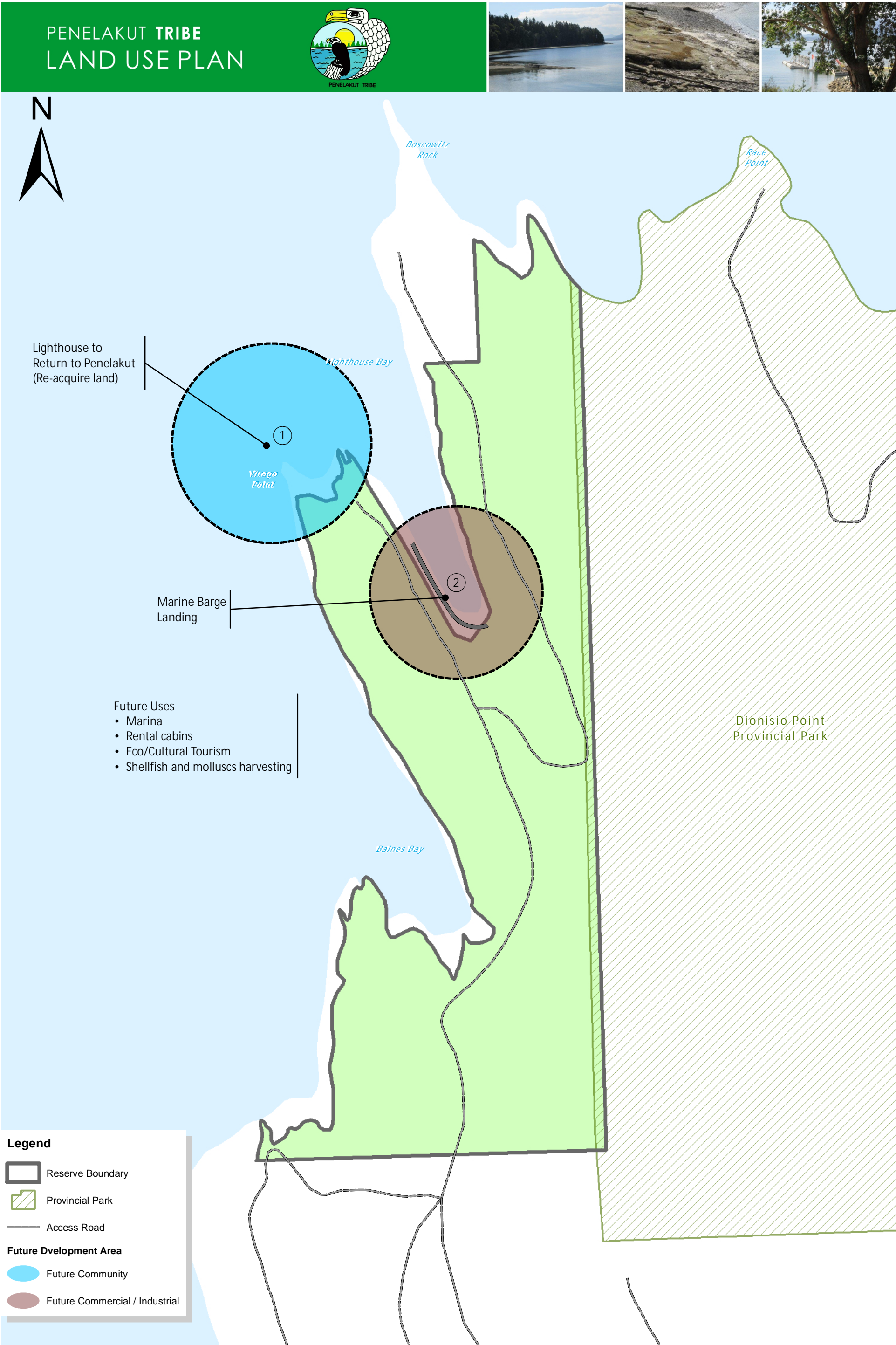
PENELAKUT TRIBE LAND USE PLAN



Tsussie Future Development Ideas



Project No. 3384-002 Date: April, 2015



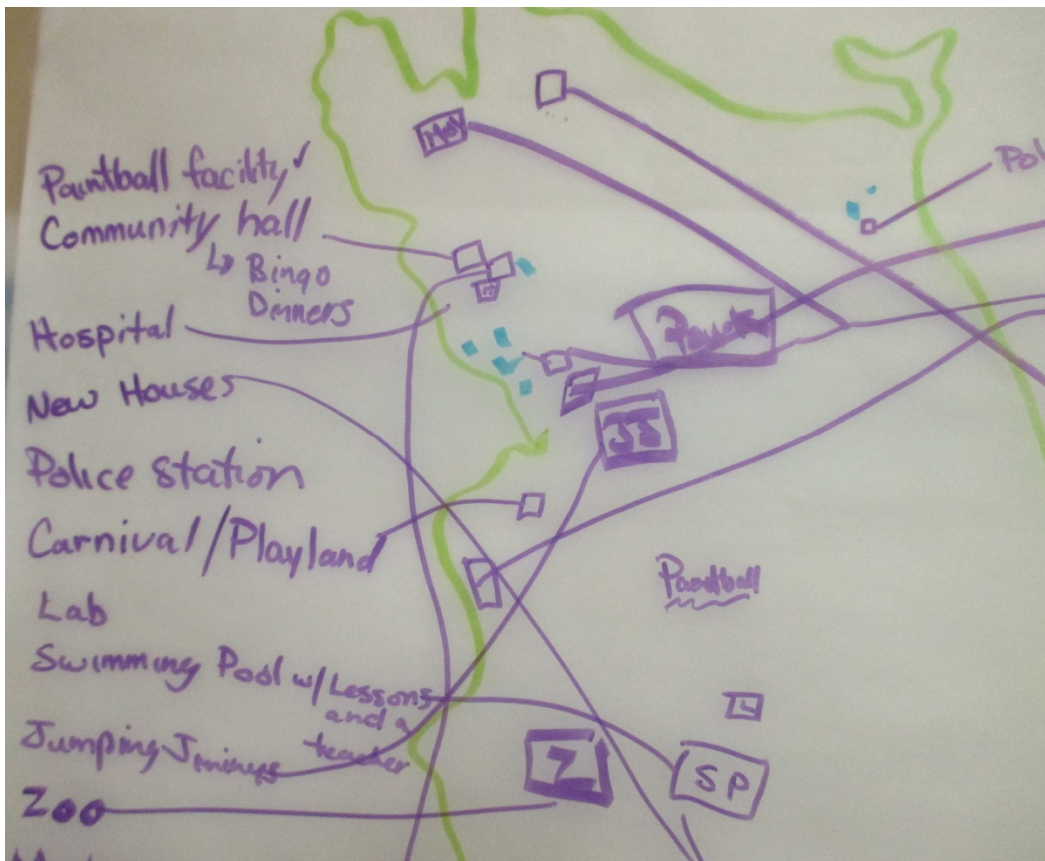
Galiano Island Future Development Ideas



Section 9

Implementation







9. Implementation

The following action items have been identified to support the successful implementation of this Land Use Plan.

- **Resolve land allocations on Penelakut Island and Tsussie.** Decisions are needed regarding the validity/jurisdiction of hereditary land holdings, and resolution of outstanding interests related to registered parcels and lawful possession.
- **Develop a Marine Use Plan.** This can provide additional details on water-based uses, further defining the appropriate marine area within Spune'luxutth's jurisdiction. It will also lay the groundwork for future economic development ventures that may affect these areas.
- **Ensure all land use decisions are consistent with this plan.** Should a decision be made in contravention with the plan, consider whether it is a one-time situation related to the specific circumstances of the development, or whether the plan should be updated to reflect a change in the community's desired vision, guiding principles or policies.
- **Share the Land Use Plan** with neighbouring communities and jurisdictions. Publicizing the Plan beyond the membership to create greater awareness.
- **Maintain alignment between this Land Use Plan and the Comprehensive Community Plan.** This should include an annual check, with a more in-depth update every several years.
- **Monitor progress, and report annually (or more frequently) to Chief and Council.** This monitoring is important for evaluating the effectiveness of ongoing implementation. It also enables Chief and Council to keep community members informed.
- **Develop a zoning bylaw and development procedures.** This is the next step in the community planning process, to further guide the use of our land towards our vision. It should be done in advance of desired economic development initiatives.
- **Consider renewing this plan every 5 years**, with annual updates as needed.
- **Require a Council Resolution to adjust the Land Use Plan** in response to evolving community needs. The Plan should remain consistent with future development.