

Three related rezoning applications: a comparison

All three properties lie within the same Watershed, Aquifer and Stream Protection (WASP) Development Permit Area. The two residential applications were scrutinised by the Island's advisory committees and Council on water and watershed grounds; the cidery, upstream of both and the only light industrial effluent generating use, has been advanced without the same scrutiny. The 1986 covenants below were not identified by the planning process in any of the three rezonings. The notes on the proposed new covenants record what was said on the public record, not any discussions still in progress.

Note further that all three properties already fall within the WASP Development Permit Area, the designation supposed to govern development affecting the watershed, aquifer and streams. Yet each has additionally been asked for conservation covenants, and in none is it set out what they add beyond what WASP already requires, or why the designation alone was not treated as sufficient. That the process reaches repeatedly for further protection here speaks to what committee discussions have themselves returned to: a recognition, perhaps, that this is a particularly complex and sensitive water area that the ordinary application of the framework does not fully meet.

Application	Use & water-risk character	Position in the system	Technical reports filed with the application	Scrutiny / assessment by the committees	Existing covenant (1986)	Conservation / new covenant
Lot 7 Adams Road (RZ-2025-0015)	Residential. Subdivision into four lots, 1-hectare average (Rural Residential 3(c)); current zoning permits two.	Downstream. Grafton Lake watershed; within the WASP DPA.	The application: rezoning application; site plan. Technical studies filed: Watercourse Assessment; Well Report (EDS, documenting the artesian well). Through the process: a Council-ordered site visit, Islands Trust groundwater reports, a revised site plan, and a committed hydrogeological study.	APC (9 Oct 2025): support reserved pending hydrogeological testing, septic design, water-supply adequacy, covenant strength. PECAAC (4 Feb 2026): awaiting hydrogeological reporting and assurance the recharge area, wetlands and watershed would be protected.	Covenant P106532 (1986). Held by the Province (Minister of Environment). Not identified in the rezoning. A Crown-derived instrument (see notes).	Conservation covenant / P4 Parkland; 83% protection option supported by PECAAC.
1355 Westside Road (OCP/RZ-2025-0113)	Residential. OCP amendment and rezoning; 34 modular homes.	Midstream. Grafton Lake watershed; WASP DPA; wetland complex below the property.	The application: application form; executive summary; site plan; supporting submissions. Technical studies filed: groundwater letter of engagement; environmental report; wastewater plans and VCH approvals; arborist report (sixteen documents in all). Through the process: reporting revised and resubmitted; a referral to the Ministry of Environment on the septic side brought further certified input and a reorganised design.	PECAAC (4 Feb 2026): riparian/stream protection by covenant or parkland dedication; larger SPEA buffer; environmental monitoring; 50% conservation. APC (3 Feb 2026): recommended deferral pending the OCP update and the Watershed Management Plan.	Covenant P106531 (1986), the same instrument that also burdens 620 Laura Road. Held by BIM. Not identified in the rezoning. Its existence was raised by a member of the public at the APC (3 February 2026), and again by the same member of the public in a letter in the 9 March 2026 Council package; the new staff report prepared for that meeting still did not address the covenant.	Restrictive covenant or parkland dedication recommended; 50% conservation (Conservation Development Policy).
620 Laura Road (RZ-2026-0014), the cidery	Commercial. Cidery; light-industrial, effluent-generating (Winery/cidery process wastewater is a high-strength, low-pH light-industrial stream — see for instance Metro Vancouver Fermentation Operations Bylaw No. 294, 2015). Proposed to make TUP permanent without consideration to date of effluent character.	Upstream of both. Grafton Lake watershed; WASP DPA; Murray Creek runs through the site.	The application: Land Use Bylaw Amendment Application (the applicant's submission) and the temporary use permit (TUP-2021-0017). Technical studies filed: none. In over five years of operation, no studies have been filed or placed on the public record; instead, a claimed history of untroubled operation is proffered.	None required to date. The application is being moved toward first reading, with the public hearing proposed to be waived.	Covenant P106531 (1986), the same BIM-held instrument as 1355, on the lot now being rezoned. Not surfaced by the planning process.	Two covenants contemplated (planner, 25 May 2026 Council): one over "portions of" the Murray Creek riparian area, one over the heritage orchard, both under the Conservation Development Policy. Not a defined percentage or parkland dedication of the kind proposed for the other two (see notes).

The two applications that filed environmental and water studies have been paused, pending the Official Community Plan update and the Grafton Lake Watershed Management Plan. The one that filed neither is being moved toward first reading, with the public hearing proposed to be waived.

Points arising on the covenants and conservation measures:

1. The existing 1986 covenants were not surfaced.

All three rezonings proceeded without the planning process identifying the 1986 covenants on the lots. On 1355 and 620, the same BIM-held instrument (P106531) was raised by a member of the public at the APC (3 February 2026) and again in the 9 March 2026 Council package; the staff report still did not address it. These are questions that should be identified and resolved before an application reaches Council.

2. The Adams covenant is a Crown-derived instrument.

Covenant P106532 names the Province (Minister of Environment) in a form referencing the Greater Vancouver Regional District, now the Metro Vancouver Regional District. Which body now holds and administers it, and whose consent any discharge or modification would require, is not clear on the title. That a covenant on this ground was held by the Minister of Environment may not be incidental to the questions of water and watershed these applications raise.

3. Linked covenants

All three 1986 covenants were registered in the same instant (19 November 1986, 15:08), the Laura Road and 1355 Westside Road covenants on title (both P106531) are instances of the same instrument, and each (including Adams Road P106532) is marked "inter alia," reaching beyond the lots considered here, suggesting a linked arrangement whose purpose may reward consideration.

4. The orchard covenant is routed through an agricultural category.

On the orchard, what was asked for was active care of the heritage trees, with "parameters for the necessary care" and a business plan prioritising horticultural expertise. The planner described protecting it "as an area for agriculture" under the Conservation Development Policy, a category directed at agricultural land use, which does not in itself capture conservation or the active management of the heritage collection that was asked for. Expert, active care of a heritage tree collection is a heavier and more specialised ongoing obligation than the parkland dedication the committees were already wary of taking on; who would carry, fund and enforce that care, and what would follow if it lapsed, is not addressed.

5. Perpetual protection depends on the covenant being administered.

The orchard covenant is being put forward as a way of protecting the heritage trees in perpetuity. Protection of that kind depends on the covenant being administered and enforced over time; the record before the committee, including covenants on these same properties that went unsurfaced and unaddressed in these very rezonings, does not demonstrate that this is reliably done.

Sources: Advisory Planning Commission minutes, 9 October 2025 (adopted 13 November 2025) and 3 February 2026; Parks, Environment and Climate Action Advisory Committee minutes, 4 February 2026; Regular Council minutes, 9 March 2026 (motion 26-97) and 25 May 2026 (public comment and Council discussion of the proposed covenants); Land Title records for the three properties (covenants P106531 and P106532, registered 19 November 1986); Bowen Island Municipality application pages and document sets for RZ-2026-0014, OCP/RZ-2025-0113 and RZ-2025-0015, bowenislandmunicipality.ca and bowenisland.civicweb.net; Watershed, Aquifer and Stream Protection DPA (OCP Bylaw No. 282, 2010; LUB Amendment No. 301, 2011). Covenant terms and the full registration history are the subject of records requests in progress.