

D. Cooper FLNR Arch Brch Oct 18 17 Response BL 214-215.pdf
MOTI Oct. 16 17 Respone BL 214-215.pdf
FLNR Resource Op Oct 12 17 Response_BL 214 and 215_NP.pdf
CRD Parks and Enviro. Services Response Nov 30 17.pdf
T Watkins CRD Parks and Envir. Services Response Letter Nov. 30 17.pdf
SP LTC Nov. 14 17 Response (1).pdf
SS LTC Nov. 2 17 Response (2).pdf
GL LTC Response Nov 6 17.pdf
Islands Trust Bylaw Enforcement Response Nov 1 17.pdf
Min Agr - J. Hatfield Oct. 25 17 Response BL 214 - 215.pdf
SA LTC Response Oct. 19 17.pdf

Sharon Lloyd-deRosario

From: Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>
Sent: Wednesday, October 18, 2017 2:08 PM
To: Sharon Lloyd-deRosario
Subject: RE: North Pender Island Local Trust Committee Bylaws No. 214 & 215 Referral - For Response

Hello Sharon,

Thank you for your referral regarding North Pender Island Local Trust Committee Bylaws No. 214 & 215. The use and/or zoning of land does not affect Archaeology Branch interests. The locations of new areas for proposed waste transfer, composting and recycling uses on five properties located on Pender Island may have archaeological implications.

The location identified as part of PCL G (DD 47659I) OF SEC 18 PENDER IS COWICHAN DISTRICT EXC PTS IN PLS 2648 9912 37908 VIP54314 & VIP72243, PID 009683917 has no known archaeological sites recorded on it.

The location identified as a Portion of L 1 SEC 18 PENDER IS COWICHAN DISTRICT PL VIP59806 may overlap with archaeology site DeRt-55 in the south east corner (see screenshot below). DeRt-55 is protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. Given the subsurface nature of archaeological deposits, boundaries of archaeological sites are difficult to determine without extensive subsurface testing. Therefore, any mapped boundaries are considered to be approximate and it is possible that the site is more or less extensive than currently mapped.

Prior to any land-altering activities, an Eligible Consulting Archaeologist should be engaged to determine the steps in managing impacts to the archaeological site. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

If a permit is required, proponents should be advised that the permit application and issuance process takes approximately 8-10 weeks and should plan their development schedule accordingly.

If work is planned that is outside of the red area as shown in the screenshot below, the Archaeology Branch cannot require the proponent conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent. However, the Archaeology Branch strongly encourages engaging an archaeologist prior to development as the site may extend beyond the limits indicated on the attached screenshot.

If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

The location identified as Lots 8 and 9, Section 18 Pender Island Cowichan District Plan 6294 PIDs 005837804 and 005837782, 1has no know archaeological sites recorded on it. There are some small areas of archaeological potential at the north end of the properties but they are not dense enough to warrant archaeological study or other investigation.

The location on Hamilton Cove does not have any known archaeological sites recorded on it but there is a site (DeRt-11) just around the corner to the south on Hamilton Beach. If any deposits suspected to be archaeological are encountered, all land altering activities must be halted and the Archaeology Branch contacted for direction.

The fifth location, PT OF L 6 SEC 7 PENDER IS COWICHAN DISTRICT PL 1695 LYN OF THE E OF A BDY PARA TO & PERPLY DISTANT 260 FT FROM THE ELY BDY OF SAID L, PID 002885182, has no known archaeological sites recorded on it and no archaeological potential.

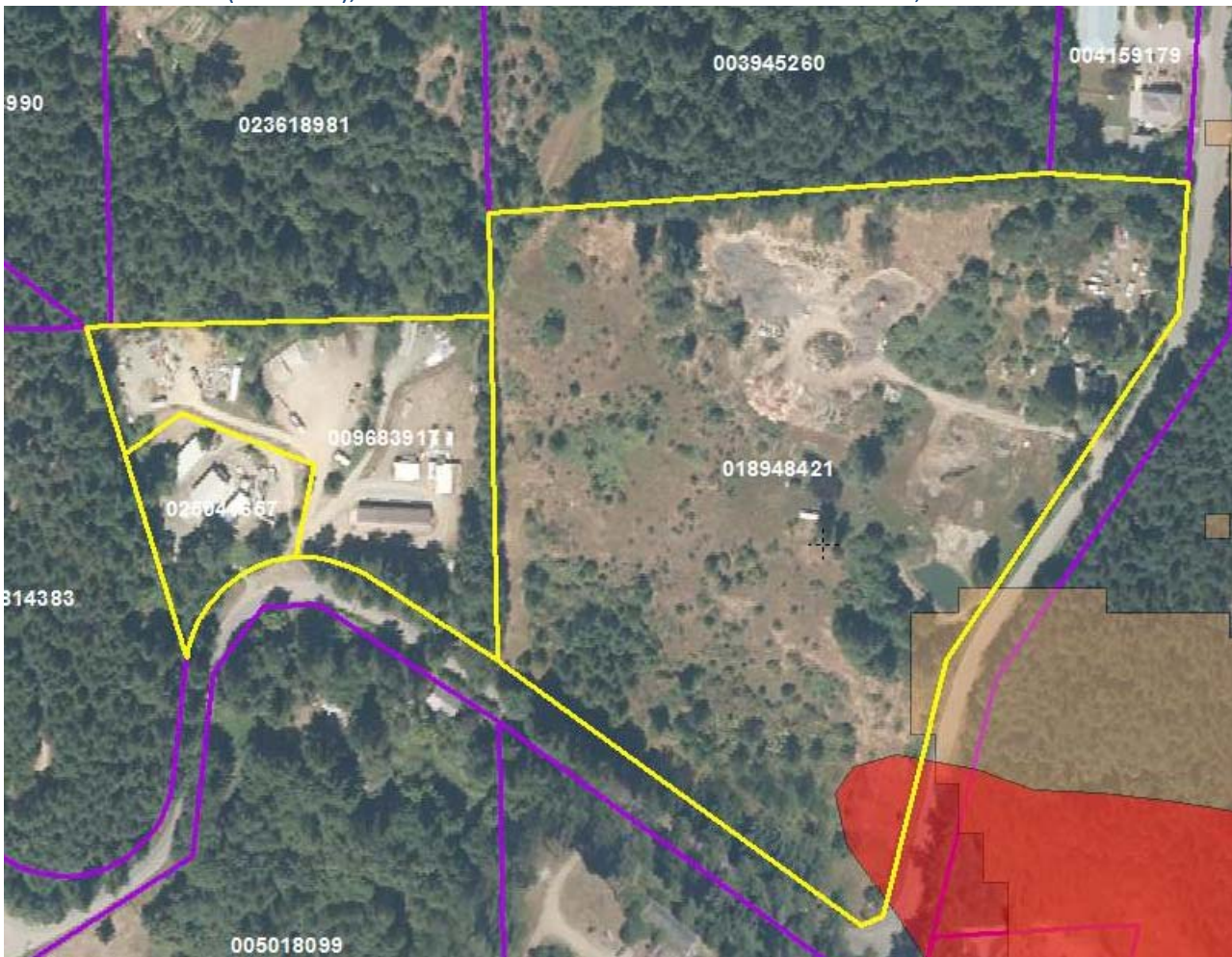
There is always a possibility for unknown archaeological sites to exist in any of these locations. If a suspected archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted at 250-953-3334 for direction.

Please let me know if you have any questions regarding this information.

Kind regards,

Diana

Portion of Parcel G (DD47659), PID 009683917 and Part of Lot 6 PID 018948421, the red area is DeRt-55.



Lots 8 and 9



Hamilton Cove



Medicine Bay location.



Diana Cooper | Archaeologist/Archaeological Site Inventory Information and Data Administrator

Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3

Phone: 250-953-3343 | Fax: 250-953-3340 | Website: <http://www.for.gov.bc.ca/archaeology/>

From: Sharon Lloyd-deRosario [mailto:sloydderosario@islandstrust.bc.ca]

Sent: Wednesday, October 4, 2017 3:22 PM

To: McIntyre, Cathie BCA:EX; Christine Condron (ccondron@crd.bc.ca); shenderson@crd.bc.ca; chief@penderfire.ca; Chris Laughlin (Chris.Laughlin@viha.ca); Koch, David TRAN:EX; Drew, Miles ISLT:IN; Cooper, Diana FLNR:EX; orlando.schmidt@gov.bc.ca; Lapcevic, Pat FLNR:EX; Roden, Jacqueline FLNR:EX; Bednard, Gordon ALC:EX

Cc: Jason Youmans; Starke, Justine ISLT:IN

Subject: North Pender Island Local Trust Committee Bylaws No. 214 & 215 Referral - For Response

Good afternoon; please find attached a North Pender Island Local Trust Committee Bylaws No. 214 & 215 referral package for your review and response. Please respond with any comments you may have by completing the bylaw referral form response summary, found on page 3 of the attached package.

I look forward to hearing from you.

Thank you

Sharon Lloyd-deRosario

Legislative Clerk | Deputy Secretary, Local Planning Services

Islands Trust

200-1627 Fort St.

Victoria BC V8R 1H8

In Victoria 250-405-5167

Enquiry BC Toll-free call 1-800-663-7867

or from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca

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Sharon Lloyd-deRosario

From: Berube, Nikki TRAN:EX <Nikki.Berube@gov.bc.ca>
Sent: Monday, October 16, 2017 2:03 PM
To: Sharon Lloyd-deRosario
Subject: FW: North Pender Island Local Trust Committee Bylaws No. 214 & 215 Referral - For Response
Attachments: Bylaws No. 214-215 Referral Pkg.pdf

Good Afternoon Sharon,

Please accept this as official response from the Ministry of Transportation and Infrastructure concerning the referral request for North Pender Bylaws 214 & 215.

The Ministry has no objections to the bylaws pending the following condition(s) be met:

- Commercial (i.e waste transfer) facilities should hold a commercial access permit from the Ministry of Transportation and Infrastructure. Any new or existing commercial facilities without a permit should obtain a permit from this office.

There are no other conditions to be met at this time.

Should you have any questions or concerns please let me know. Feel free to forward any associated bylaw documentation to this office at your convenience.

Have a great day,

Nikki Bérubé

District Development Technician
Ministry of Transportation and Infrastructure – Vancouver Island District
Ph: 250-952-5562 Cell: 778-679-1973
Fx: 250-952-4508



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For employees, by employees

From: Sharon Lloyd-deRosario [<mailto:slloydderosario@islandstrust.bc.ca>]
Sent: Wednesday, October 4, 2017 3:22 PM
To: McIntyre, Cathie BCA:EX; Christine Condron (ccondron@crd.bc.ca); shenderson@crd.bc.ca; chief@penderfire.ca; Chris Laughlin (Chris.Laughlin@viha.ca); Koch, David TRAN:EX; Drew, Miles ISLT:IN; Cooper, Diana FLNR:EX; orlando.schmidt@gov.bc.ca; Lapcevic, Pat FLNR:EX; Roden, Jacqueline FLNR:EX; Bednard, Gordon ALC:EX
Cc: Jason Youmans; Starke, Justine ISLT:IN
Subject: North Pender Island Local Trust Committee Bylaws No. 214 & 215 Referral - For Response

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Thank you

Sharon Lloyd-deRosario
Legislative Clerk | Deputy Secretary, Local Planning Services
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BYLAW REFERRAL FORM RESPONSE SUMMARY

- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Outlined Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area
(Island)

Dr. Grant Bracher P. Ag
(Signature)

OCTOBER 12 2017
(Date)

214 & 215

(Bylaw Number)

DR. GRANT BRACHER ^{ECOSYSTEM}
(Name and Title) ^{BIOLOGIST}

MIN. OF FORESTS LANDS & NATURAL
(Agency)
RESOURCE OPERATIONS

BYLAW REFERRAL FORM RESPONSE SUMMARY

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- Approval Recommended Subject to Conditions Outlined Below
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- Approval Not Recommended Due to Reason Outlined Below

Please see attached letter for response summary

North Pender Island Local Trust Area

(Island)

(Signature)

(Date)

214 & 215

(Bylaw Number)

(Name and Title)

(Agency)

Tom Watkins, Manager ERM Policy + Planning

Capital Regional District



Making a difference...together

Parks & Environmental Services
625 Fisgard Street, PO Box 1000
Victoria, BC, Canada V8W 2S6

T: 250.360.3078
F: 250.360.3079
www.crd.bc.ca

November 30, 2017

File: 3900-20
Bylaws

North Pender Island Local Trust Committee
c/o Justine Starke, Island Planner
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Dear Ms. Starke:

RE: NORTH PENDER ISLAND – BYLAWS NO. 214 AND 215 REFERRAL PACKAGE

Thank you for the opportunity to comment on the proposed Bylaws 214 and 215 for the North Pender Island Local Trust Area. We offer the following feedback:

Proposed Bylaw 214

Schedule 1, Section 1.2 (Goals)

We recommend to expand your new goal as follows (in italics):

- 19) To minimize waste and maximize recycling *and resource recovery* in the management of solid waste and discarded materials.

Schedule 3, Section 5.2.12.7 Guidelines (14)

- You may wish to consider allowing more than one access for waste transfer uses to support design for traffic circulation, as proposed in Guideline 16.

Proposed Bylaw 215

2.1 Section 1.1. Definitions

- You may wish to replace the word “collecting” with “receiving” solid waste and recyclable materials. This would be consistent with the Capital Regional District’s Bylaw 2810, Salt Spring Island Transfer Station Regulation Bylaw.
- We also suggest to use the definition of “solid waste” from the Environmental Management Act, Part 3, Section 23.

We would like to commend the North Pender Island Local Trust Committee for their proactive approach to community planning for waste management facilities in their trust area.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tom Watkins', written over a horizontal line.

Tom Watkins, Manager, Policy & Planning
Environmental Resource Management

Appendix A: Bylaw Referral Form Response Summary

cc: Anke Bergner, Planner, Environmental Resource Management



BYLAW REFERRAL FORM RESPONSE SUMMARY

- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Outlined Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reason Outlined Below

Declined to respond

North Pender Island Local Trust Area
(Island)

214 & 215

(Bylaw Number)

S.L. deRosario
(Signature)

S.L. deRosario / Deputy Secretary
(Name and Title)

Nov. 14/17
(Date)

S. Pender Is. LTC
(Agency)

Sharon Lloyd-deRosario

From: Claire Olivier
Sent: Wednesday, November 08, 2017 7:19 AM
To: Sharon Lloyd-deRosario
Cc: Seth Wright; Daniela Murphy
Subject: North Pender Local Trust Committee - Referral of Proposed Bylaws 211, 212, 214 and 215

Hi Sharon,

At their November 2, 2017 regular meeting, the SSI LTC resolved that interests were unaffected by the proposed bylaws. Original referral responses are in the mail.

See you this morning!

Claire

Claire Olivier
Legislative Clerk/Deputy Secretary
Islands Trust
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
On Salt Spring Island 250-538-5606
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BYLAW REFERRAL FORM RESPONSE SUMMARY

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North Pender Island Local Trust Area

(Island)

214 & 215

(Bylaw Number)

S. L. deRosario
(Signature)

S. L. deRosario / Deputy Secretary
(Name and Title)

Nov. 6/17
(Date)

Galiano IS. LLC
(Agency)

Sharon Lloyd-deRosario

From: Justine Starke
Sent: Wednesday, November 01, 2017 3:02 PM
To: Sharon Lloyd-deRosario
Subject: FW: BE feedback on proposed North Pender 214 (OCP) & 215 (LUB)

Bylaw Enforcement referral response for BL 214/215

From: Robert Barlow
Sent: Wednesday, November 01, 2017 2:42 PM
To: Justine Starke
Cc: Miles Drew
Subject: FW: BE feedback on proposed North Pender 214 (OCP) & 215 (LUB)

Justine,

Here are Bylaw Enforcement questions and comments in *blue italics*:

OCP bylaw 214:

1. 5.2.12.3 General Applicability – b. Alteration of land. *Any sort of alteration? All sorts of alterations?*
2. Guidelines for the Form and Character of Industrial Development – 18) Storage of waste should be sited as far from adjacent residential and commercial uses as possible. *As far as possible from existing uses – uses that were existing prior to the waste management new development permit? Perhaps it should say as far as possible from lot boundaries of adjacent residentially and commercially zoned lots. This will anticipate future development of those lands.*

LUB bylaw 215:

1. “commercial composting” means the use of land, buildings or structures for commercially processing organic matter through the controlled biological decomposition of organic materials – *what does “controlled” mean here? Is the word necessary given that the operator must adhere to standards for composting in various Acts.*
2. “full service waste transfer” means the use of land, buildings or structures for:
 - (1) collecting, storing, sorting, compacting and transferring solid waste;
 - (2) commercial recycling;
 - (3) commercial composting; and
 - (4) public drop off waste transfer*This means that the public can drop off material considered waste but not material that can be recycled. Will the public understand the difference? Will they sort accordingly or will they mix waste and recyclable material (either on purpose or out of ignorance or laziness)? If they do mix, does the commercial business contravene the bylaw if they accept such mixed material? The commercial business will be required to sort the waste and remove recyclables to comply with the CRD Land Fill Bylaw. Will this result in the public simply abusing the system to avoid taking their recyclables to a different location? What might be considered waste at one time might become recyclable at a later time (or vice versa). How does this bylaw account for that? Is a material considered recyclable by definition whatever the facility decides they want to recycle?*

3. “limited waste transfer” means the use of land, buildings or structures for collecting, storing, sorting and transferring solid waste and commercial recycling, and excludes commercial composting, public drop off waste transfer, or public drop off of recycling
Does the word “collecting” really mean “receiving”? Using the word “collecting” appears to indicate that the business actively travels the LTA in search of appropriate materials and collects them when and where they are found but does not permit them to receive the material from commercial haulers.
4. “public drop off waste transfer” means the drop off of solid waste and organic materials by the general public. - *Should it be simply “public drop off of waste”? What does the “transfer” refer to?*
5. “recycling facility” means the use of land, buildings or structures for collecting, storing, sorting, compacting and transferring recyclable materials that originate from commercial, institutional, demolition or construction sources, as well as from household residential sources.
Same comment in regards to the word “collecting”.

Robert Barlow

Bylaw Enforcement Administrative Assistant
Islands Trust

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BYLAW REFERRAL FORM

RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

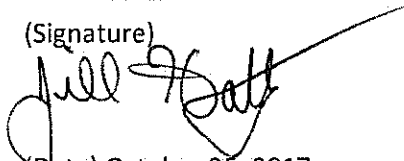
Approval Not Recommended Due to Reason Outlined Below

The requirements in the letter from the Agricultural Land Commission dated October 19, 2017 requiring the parcel, found in 2.7 subsection 8.8.8 site specific zone I1b, partially within the ALR be removed from consideration as a potential site for the waste transfer facility as other suitable non-ALR sites are available.

The proposed provisions for the protection of agriculture adjacent to the proposed sites: 488(1) C; 5.2.12.2 (d) and Guidelines for the protection of farming (13) are consistent with Ministry of Agriculture guidelines.

(Island) North Pender Island Local Trust Area (Bylaw Number) 214 & 215

(Signature)



(Date) October 25, 2017

(Name and Title)

Jill Hatfield P.Ag; Regional Agrologist

(Agency) BC Ministry of Agriculture

BYLAW REFERRAL FORM RESPONSE SUMMARY

- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Outlined Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

S. L. deRosario

(Signature)

Oct. 19/17

(Date)

214 & 215

(Bylaw Number)

S. L. deRosario / Deputy Secretary

(Name and Title)

Saturna IS. LTC

(Agency)