



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: April 6, 2017
Time: 10:00 am
Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

	Pages
1. CALL TO ORDER	10:00 AM - 10:05 AM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	10:05 AM - 10:30 AM
4. COMMUNITY INFORMATION MEETING	
none	
5. PUBLIC HEARING	
none	
6. MINUTES	10:30 AM - 10:40 AM
6.1 Local Trust Committee Minutes Dated February 23, 2017 (for Adoption)	4 - 9
6.2 Section 26 Resolutions-without-meeting Report Dated March 2017	10 - 10
6.3 Advisory Planning Commission Minutes	
none	
7. BUSINESS ARISING FROM THE MINUTES	10:40 AM - 10:45 AM
7.1 Follow-up Action List Dated March 2017	11 - 12
8. DELEGATIONS	
none	
9. CORRESPONDENCE	10:45 AM - 11:00 AM
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
9.1 L. Henshaw Email Dated February 15, 2017 re Streams & Wetlands	13 - 14
9.2 I. Henshaw Email Dated February 18, 2017 re SaveBrowningHarbour.com	15 - 17

10.	APPLICATIONS AND REFERRALS	11:00 AM - 11:30 AM	
10.1	Salt Spring Island Local Trust Committee Bylaws No. 488, 489 & 490 Referral (for Response)		18 - 21
10.2	NP-RZ-2017.1 (PIPRC) - Staff Report		22 - 62
11.	LOCAL TRUST COMMITTEE PROJECTS	11:30 AM - 11:50 AM	
11.1	Short Term Vacation Rentals (STVRs) - Staff Memo - Bylaws No. 203, 204 & 205 (for consideration of Adoption)		63 - 73
12.	REPORTS	11:50 AM - 12:10 PM	
12.1	Work Program Report (attached)		
12.1.1	<u>Top Priorities Report Dated March 2017</u>		74 - 74
12.1.2	<u>Projects List Report Dated March 2017</u>		75 - 77
12.2	Applications Report Dated March 2017 (attached)		78 - 81
12.3	Trustee and Local Expense Report Dated February 2017 (attached)		82 - 82
12.4	Adopted Policies and Standing Resolutions (attached)		83 - 84
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Report		
12.8	Trust Fund Board Report February 2017		85 - 86
13.	NEW BUSINESS	12:10 PM - 12:20 PM	
13.1	CRD- Gulf Islands Regional Trails Plan - Open House Invitation		87 - 93
14.	UPCOMING MEETINGS	12:20 PM - 12:30 PM	
14.1	Next Regular Meeting Scheduled for April 27, 2017, at 4:00 pm, at the Pender Community Hall, Pender Island		
14.2	Special LTC Meeting Scheduled for April 8, 2017, at 11:30 am, at the Anglican Parish Hall, 4703 Canal Road, Pender Island re: Community Information Meeting NP-RZ-2016.2 (Port Browning) & NP-RZ-2016.3 (Mill Bay Marine Group) - Bylaws 206, 207 & 208		
15.	TOWN HALL	12:30 PM - 12:40 PM	

16. CLOSED MEETING (Distributed Under Separate Cover) 12:40 PM - 1:05 PM

16.1 Motion to Close Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (a & d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated January 26, 2017*
- *Appointment of APC Members*

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT 1:05 PM - 1:05 PM



DRAFT

North Pender Island Local Trust Committee Minutes of a Regular Meeting

Date: February 23, 2017
Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Members Present George Grams, Chair
Dianne Barber, Local Trustee
Derek Masselink, Local Trustee

Staff Present Justine Starke, Island Planner
Robert Kojima, Regional Planning Manager
Shannon Brayford, Recorder

Others Present Seventeen (17) members of the public present

1. CALL TO ORDER

At 9:45 am Chair George Grams called the meeting to order. He acknowledged that the meeting was being held in the territory of the Coast Salish people. He also introduced the Local Trust Committee (LTC) and members of the staff present.

2. APPROVAL OF AGENDA

It was recommended that Items 10 and 11 be moved ahead in the agenda to items 3 and 4, and that the agenda be renumbered accordingly.

NP-2017-020

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee approve the agenda as amended.

CARRIED

3. APPLICATIONS AND REFERRALS

3.1 NP-TUP-2016.2 (Coburn) – Staff Report

Regional Planning Manager (RPM) Robert Kojima provided an overview of the report, noting that minimal modifications will be required to obtain a certificate of occupancy, that the applicants are in the process of meeting those requirements, and that those requirements are conditions in the Temporary Use Permit (TUP).

NP-2017-021

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit NP-TUP-2016.2 (Coburn) for a period of three years.

CARRIED

3.2 NP-RZ-2016.4

RPM Kojima provided an overview of the application and the staff report, including recommended conditions for the application. He also provided an overview of the process, should the LTC direct staff to proceed.

NP-2017-022

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to proceed with the application NP-RZ-2016.4 (PICSS) and to prepare draft bylaws.

CARRIED

4. LOCAL TRUST COMMITTEE PROJECTS

11.1 Housing: Secondary Suites – Staff Reports

Planner Starke provided an overview of the project and the staff report. She included information on how other Southern Gulf Islands have handled the matter and reviewed the proposed Project Charter, should the LTC direct staff to proceed.

NP-2017-023

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee endorse the Project Charter, dated February 14, 2017 for the Secondary Suites Housing Project.

CARRIED

5. TOWN HALL

Michael Sketch read a written statement regarding Browning Harbour Agricultural Land Reserve (ALR) land and requesting Trustee Masselink to recuse himself from consideration of that application. He further read a second written statement regarding the history of Browning Harbour ALR land and the circumstances under which industrial zoning was granted.

Dale Henning requested information on the upcoming site visits regarding the waste and resource management projects, including the sites that will be visited and when the reports from those visits will be available. He also requested being able to attend the site visits and was informed that the visits are private appointments. Dale Henning asked Trustee Barber if she had already decided against the Burdett application.

Chair Grams and RPM Kojima provided information on the obligations for trustees to keep open minds. It was noted that having an opinion is allowable as long as the decision-maker is not immovable.

Dale Henning asked for information on how a project will proceed once a site is selected for rezoning.

Planner Starke provided information on the land use authority of the Local Trust Committee and emphasized the trust committee will not be determining who operates any facility, be it from the private or public sector.

RPM Kojima provided examples of the types of operations currently being run throughout the Capital Regional District.

Dale Henning requested information on the policy regarding a Trustee being involved in decision making if they neither own property nor pay property taxes.

Chair Grams provided an overview of the requirements for serving as a Trustee, noting that property ownership is not a requirement.

Note: A break was held from 10:24 am until 10:27 am. Trustee Masselink and Planner Starke departed the meeting at this time to attend to a different meeting on the island.

Noreen Brackett spoke to the Waste and Resource Management project and its potential impact on in-land water sources. She spoke in favour of keeping the facility on the Burdett property.

Peter Taylor provided a history of the Burdett property and spoke against the statements made that the property could be returned to agricultural function.

Michael Sketch spoke to Dale Henning's comments and noted that a Not-For-Profit could be established to run a Waste and Resource Management facility. He encouraged the LTC to play an advocacy role in the establishment of a facility.

Mike Burdett provided information on the operation of a waste and resource management facility, the volume of waste generated by the island, and the size required for such a facility.

Candice Zell spoke against the operation of a waste facility in a commercial and residential area.

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated January 26, 2017 (For Adoption)

By general consent, the Local Trust Committee Meeting Minutes of January 26, 2017 were adopted as presented.

8.2 Section 26 Resolution-Without-Meeting Report

None

8.3 Advisory Planning Commission Minutes

None

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated February 2017

Received for information.

10. DELEGATIONS

None

11. CORRESPONDENCE

9.1 Email Dated February 12, 2017 from L. Henshaw re: The Ocean

Chair Grams thanked Lou Henshaw for her correspondence.

12. REPORTS

12.1 Work Program Report (attached)

12.1.1 Top Priorities Report Dated February 2017

Received for information.

12.1.2 Projects List Report Dated February 2017

Received for information.

12.2 Applications Report Dated February 2017 (attached)

RPM Kojima provided an overview of the applications.

12.3 Trustee and Local Expense Report Dated December 2016 (attached)

RPM Kojima provided an overview of the report.

12.4 Adopted Policies and Standing Resolutions (attached)

Received for information.

12.5 Local Trust Committee Webpage

Trustee Barber noted that a member of the public gallery had asked how to send correspondence to the LTC.

RPM Kojima provided an overview of the website's features and how to submit correspondence.

12.6 Chair's Report

Chair Grams reported that the Salt Spring Island incorporation project has been delayed due to a business freeze prior to the Provincial election and will not move forward until the summer.

He further reported that the Islands Trust is making progress with First Nations Relationship building efforts.

12.7 Trustee Report

Trustee Barber reported that she is looking forward to the upcoming site visits and is pleased with the waste resource management project's progress.

12.8 Trust Fund Board Report

None

13. NEW BUSINESS

13.1 Provincial Private moorage Policy Update – Staff Memo

RPM Kojima provided an overview of the Staff Memo including a report on the policy update and the anticipated implications for Local Government Bylaws and applicants.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for April 6, 2017, at 10:00 am at the Pender Community Hall

Chair Grams noted that the meeting time has been changed from 9:45 am to 10:00 am.

15. TOWN HALL

Lou Henshaw reported that damage due to a storm has resulted in erosion on the shoreline of her property. She requested information on her options for reducing the impact.

RPM Kojima provided information on the Green Shores Initiative, the services available, and how those services can be accessed by property owners.

Chair Grams recommended that Planner Starke send email correspondence to Lou Henshaw with information on accessing the Green Shores Initiative.

Michael Sketch requested Chair Grams encourage the Trust Executive to work to educate the public on the importance of the role of an off-island Chair.

Further, addressing the budget of the Waste Management Project, Michael Sketch noted that an Agrologist's services was refused on the basis of budget constraints. He recommended a local professional and encouraged the LTC to contact him.

Dale Henning asked if an opportunity for public debate would be held regarding the Waste and Resource Management Project, noting that Town Halls are not allowing for full discussion of the matter.

RPM Kojima provided information on the role of Public Hearings and Community Information Meetings.

Chair Grams provided information on the role of Town Halls and also provided information on other islands' successes with community-led debates independent from the Islands Trust.

Ann Burdett and **Mike Burdett** requested that the LTC address the issue of having erroneous information published online through correspondence and comments recorded in the town hall minutes.

Lou Henshaw recommended that Dale Henning work with another community organizer to arrange a forum for public debate.

16. CLOSED MEETING

None

17. ADJOURNMENT

By general consent, the meeting was adjourned at 11:19 am.

Chair Grams, Chair

Certified Correct:

Shannon Brayford, Recorder



Islands Trust

Print Date: March 30, 2017

Resolutions Without Meeting

North Pender Island

Resolution #	Action	Resolution Description	Resolution Date
2017-01	In Favour	THAT North Pender Island Local Trust Committee hold a Special Local Trust Committee Meeting for a scheduled Community Information Meeting on April 8, 2017.	02-Mar-2017
2017-02	In Favour	THAT North Pender Island Local Trust Committee rescind the adoption of January 26, 2017, meeting minutes; AND THAT the minutes be amended by deleting the bracketed words "(By Phone)" beside George Grams name at the top of page 1; AND THAT the minutes be Adopted as amended.	14-Mar-2017

Follow Up Action Report

North Pender Island

24-Nov-2016

Activity	Responsibility	Target Date	Status
Waste Management: 1.staff to schedule site visits and meetings with land owners, for trustees, CRD staff, and IT staff to attend. Trustee attendance should be guided by procedural correctness. [DONE] 2.staff to continue to refine the list of suitable sites for waste management, based on the results of site visits, and consultation with owners and stakeholders (DONE) 3. That the North Pender Island Local Trust Committee direct staff to draft regulations for the purpose of discussion, based on Option 1, as presented in the staff report dated November 7, 2016 (ON-GOING)	Justine Starke	28-Apr-2017	On Going

26-Jan-2017

Activity	Responsibility	Target Date	Status
1.NPI LTC Bylaw No. 209 read a first time. (Done) 2.NPI LTC Bylaw No. 210 read a first time. (Done) 3.NPI LTC endorses the Islands Trust Policy Statement Directive Policies Checklist for proposed Draft Bylaw Nos. 209 and 210. 4.staff to enter into a cost recovery agreement to cover the extraordinary cost associated with holding a separate public hearing for Bylaws 209 and 210.	Sharon Lloyd-deRosario Justine Starke	31-Mar-2017	On Going

Follow Up Action Report

Top Priority - First Nations Interests:

- Staff to organize a public educational event in September focused on the archaeological findings of the canal excavation between the two islands during the summers of 1984-85-86.

Justine Starke

31-May-2017

On Going

23-Feb-2017

Activity	Responsibility	Target Date	Status
Minutes of January meeting approved as presented	Regina Robinson	28-Feb-2017	Done
10.1 NP_TUP-2016.2 (Coburn) approved for issuance (nb: revised permit as attached to staff report)	Sharon Lloyd-deRosario	28-Feb-2017	Done
10.2 NP-RZ-2016.4 (PICSS) - proceed with drafting bylaws as recommended	Phil Testemale	28-Feb-2017	Done
11.1 Secondary Suites Review - Project Charter endorsed as presented (add date of endorsement and post to webpage)	Justine Starke	28-Feb-2017	Done
Change future meeting start times to 10:00 am	Sharon Lloyd-deRosario Justine Starke Regina Robinson	28-Feb-2017	Done
9.1 Correspondence: provide Green Shore links to Lou Henshaw	Justine Starke	28-Feb-2017	On Going



Regina Robinson

From: Lou Henshaw [REDACTED]
Sent: Wednesday, February 15, 2017 12:44 PM
To: dibarber@shaw.ca; Justine Starke; George Grams; Derek Masselink; Peter Luckham; [REDACTED]
Subject: Fw: Fwd: Streams and wet lands

COPIED TO
PLANNER

LTC

LTC

Hi Diane, these are the streams I keep harping on. [REDACTED] is Lou Henshaw's daughter, wouldn't you know they would do that to her as well and Oh yes, [REDACTED] property as well and did a real job on this one. When [REDACTED] was doing it with [REDACTED] he bragged to me they were leaving off [REDACTED] waterfall and [REDACTED] waterfall that go into the bay. This type of stuff has gone on with me since 1975 and I have a book full of it. Why doesn't the trust do the right thing and correct the map. This would ease our pain a little, the trust never sleeps. My daughter knows the streams that were left off.

I felt sorry for [REDACTED] at the trust meeting last. They have not found it necessary to attend any meetings till they had an issue with land use. They did not understand the rules and I must admit I did not fully understand George Grams as sometimes I can't hear everything he says. At 83 I guess getting hard of hearing and he speaks very quickly and quietly.

[REDACTED] did not fully understand when they were allowed to speak and they were taking exception to the fact [REDACTED] is allowed to start up his machinery at six thirty and go till 10.30 so it was basically against the noise bylaw and felt it was affecting them directly above in their home. They had a few other complaints I didn't understand as well and were there way before the meeting.

Some old timers on the island, like myself and [REDACTED] are not knowledgeable to the politics of Pender. Anyway they got shutdown but were terribly nervous about being there. Turned out not so good in my opinion. Not many people know who [REDACTED] are. I just found the native type plaque he bought me when we first opened the pub in 1977, an opening gift. He had the cafe at the Driftwood when we first arrived, a wonderful professional chef, great food. He taught me how to cook steaks in a pub and make the diamonds on the steak, easy, just turn it. Then he took over the stand and was written up in Provincial papers for the best hamburger in British Columbia. His very large house is [REDACTED] and I suppose he never dreamed that many years ago there would be zoning for machinery yards below him.

[REDACTED] cooked at the stand with [REDACTED] first had a connection to Pender through [REDACTED] and owned I believe the [REDACTED] property in partnership with [REDACTED] the [REDACTED] [REDACTED] was a best customer by boat for many years after we opened. There was a [REDACTED] and I can't remember that one. [REDACTED] rented Cabin [REDACTED] every summer for the two months holidays so he could be with [REDACTED] as all [REDACTED] lived here then. It must have been in the forties as it was used as a haven for soldiers who came home from war with problems and had nowhere to go, many came through that property and found comfort. What a place to come to. [REDACTED] owned Clam Bay Farm at one time. They had trust problems, can't remember what, they erected a 4 by 8 sign to annoy the trust and it said it was going to be Pender International airport. [REDACTED] I never knew the issue, just saw the sign. I believe they had problems with trustee [REDACTED] and I was a problem to him as well because he wouldn't legalize my pub as I started legal through CRD as they were zoning body then. He refused to transfer my pub zoning and did every single other person, just not me but gave the trust something to fight me about for many years. Think they made it legal in 94 or maybe 05.

Every year [REDACTED] swims from Browning to the Spit [REDACTED] Just found the 9th annual poster for the event. These are the old timers of Pender. Just a bit of Pender history.

[REDACTED]

To [REDACTED]

Thank you for your time.

Begin forwarded message:

[REDACTED]

[REDACTED]

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7998 / Virus Database: 4756/13957 - Release Date: 02/15/17

RECEIVED
FEB 20 2017

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☒ LTC

Regina Robinson ISLANDS TRUST

From: Lou Henshaw [REDACTED]
Sent: Saturday, February 18, 2017 4:28 PM
To: dibarber@shaw.ca; George Grams; Derek Masselink; Peter Luckham; Justine Starke; [REDACTED]
Subject: SaveBrowningHarbour.com

Re Pender Island, My name is Lou Henshaw and I am no stranger to problems with Islands Trust as I have been on the radar with them against me since 1975. During the lengthy C2 Battle was the worst as it lasted many years with them playing with our zoning and downzoning us. I finally ended up at a lawyer who was the best land use lawyer in Victoria and had the whole View Royal bylaw overturned. There was no solution other than a court case which I was afraid to go ahead with as The Group, as I called them had already launched a boycott on my pub and used [REDACTED] Cafe as the new pub. Someone told me you could get liquor without food there, just like a pub, and yes I knew they were not legal, and also knew it would only get worse so I let the issue go, tried to reason. I wasn't getting any solution and finally MacMillan Bloedel land manager [REDACTED] phoned me and said their lawyers were willing to work for me at half price because they didn't like the way I was being treated. That lawyer is now a judge so cant deal with him. They were the largest law firm in Vancouver and wanted to go to court as these trustees didn't want to reason. [REDACTED] trustees said to drop my lawyer and they would make me same as everyone else except for the pub. They lied, the bylaw was different and trust later told me I should have paid attention.

They claimed I had the best case for damages because they thought most of what they had done to us had not been legal. They were trying to downzone us to 24 units regardless of size of our commercial property. I fought back, [REDACTED] fought back, Pender Lodge fought back, Inn on Pender didn't and ended up with four extra acres for the Inn in same year, said they had to because they were split zoned. Municipal affairs, their boss told me not true. Otter Bay got four acres, no one in the world I can find knows how that happened.

It was initiated by the APC as when [REDACTED] became chairman his first words were we must do something about these C2s and the battle started, my lawyer got the minutes for his first meeting where he said they must do something about us, went on for years. B&B and the APC were his helpers. One lady who has a B&B on Buck Lake knocked on the B&B door of a friend who has a B&B at Hope Bay, said she was doing a survey to see how many vacancies she had on the long weekend so she could help [REDACTED] for zoning. She was sent packing and my friend phoned me.

When [REDACTED] had his court cases it was a B&B who started it all against STVR. My daughter and I asked her at the July 1st parade why she did it as my daughter told her she shot us all in the foot, she answered yes, she also shot herself in the foot as [REDACTED] sent business to every business on the island. He was the economy of the island. Not much work here now other than building new homes for all the rich people coming to the island.

I see on some court cases the Pender Trust Protection have contributed to the legal bills, I have a memo that says they paid \$4000 towards a court case for the trust, maybe for [REDACTED] Who are theses people. Where do they get their money? Do they get government grants? I want an answer on this one. [REDACTED]

[REDACTED]

Islands Trust has not made any attempt to try and stop it and the business keeps operating, Has since 2012 when they bought the property. [REDACTED]

[REDACTED] I have been told he is now the local agrologist for this area and he is living between Vancouver Island and Pender. [REDACTED]

[REDACTED]

I have found the original document when [REDACTED] got zoning for the tank farm and that is all he was zoned for. Looking over old maps that piece has had about 5 different letters for zoning. [REDACTED] did everything right. We stupidly gave him permission to go on our land for the pipes and dock. He signed a letter that we could go on his land if we needed to. It was a very friendly operation. [REDACTED] my husband and [REDACTED] my son used our equipment to move the tanks and we even gave him our fuel tank which I believe was white, 3000 gallons and new. He promised in front of the trustees at our meeting he would build us a fuel dock, it was a superb setup fuel would go up and fuel down to sell. All legal, except we didn't know he didn't put the tanks where he was supposed to and put them on his ALR land and had only been given permission to put a minimal road through the ALR and the tanks on his rural land. Check aerial photo at SaveBrowningHarbour.com.

After ten years of complete non performance, he wouldn't pay for anything and we couldn't get insurance on the derelict dock and the fuel was leaking steadily into the bay we launched a lawsuit in Supreme court but left us with two pails under the leaks and a derelict dock. Besides that there were many serious spills and I got blamed because of the marina but was him. I called in trustees [REDACTED] because it couldn't be left and environment wasn't interested. They said they couldn't do anything because they had no jurisdiction over the ocean, only land. By 1993 the dock was so bad and so much fuel still leaking into the bay environment ministry got involved and Fire Marshall in Nanaimo, they came down, wrote all of us a letter, shut it down, and bring up to standard if they wanted to keep operating as [REDACTED] was operating the fuel business by truck from 86 to 93. At the same time his wife was distributing Save the Ocean bumper stickers. The fuel ate the Styrofoam in our docks, I made a DVD, what a mess. Anyone interested in looking at it, be my guest, people wouldn't believe the things that happen on Pender, wouldn't anywhere else. After \$45,000 in lawyers he left.

The original legal document for the tank farm was signed by [REDACTED] and [REDACTED] of the CRD as they were the zoning body then. [REDACTED] signed my letter for legally zoning my pub. [REDACTED] chaired the meeting. The trust was not involved yet and don't know what legal capacity the trustees [REDACTED] had when they asked me to let [REDACTED] do it and said they had the power of Jesus Christ, very intimidating. I opened the pub in 1977, The tank farm built in 1976. [REDACTED] always worked the tank farm from his house side of property. He had 18 cows and a bull up to the fenceline of my marina. They often broke the fence and greeted the people tenting in my front yard. No road was ever opened.

The neighbours were never notified of anything to do with that property over the years and we thought it was only zoned for a tank farm. They say it in the OCP and that process was a joke as I just found a paper all about the mixups preparing the people for a public hearing I think Bylaw 82, will email.

One other problem we have with all our properties is the trust has put us all on the Wetland Map of Pender Island, which makes most of our land useless to do anything with, I have explained that in previous emails. I know Madrone in 2010 did a Riparian and water report for Robert Kojima and I thought they must have done the Wetland Map for Pender Island (Google) as well as I have been arguing they must have. When I look at that map carefully in the small print I see it was done by PICA and the Trust Protection Society, some from aerial shots and not Madrone. Apparently they hired people on Pender with no technical knowledge I have heard in that field of wetland.



Back to the incorrect map which destroys all our property values and Justine Starke agreed in an email to me it is incorrect but don't have money to fix. I bring it up at every meeting and Derek just sits there with a blank look and apparently he was the one who did it along with [REDACTED] Why should we pay to correct, he was not qualified to do it nor was [REDACTED] Furthermore he was apparently the agrologist who worked on the [REDACTED] farm, the applicant and does he have the legal papers for this, I want to know. He is supposed to be my trustee as well, don't think so.





Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 488-489-490 Date: March 14, 2017

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 60 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Salt Spring Island Local Trust Committee
Islands Trust, 1-500 Lower Ganges Road, Salt Spring Island, BC, V8K 2N8

PURPOSE OF BYLAW:

Proposed Bylaw No. 488 amends Salt Spring Island Official Community Plan Bylaw No. 434 by introducing a new definition of "General Employment" as a basis for zoning changes in Land Use Bylaw No. 355 (LUB 355) and by introducing a policy context for the Salt Spring Island Local Trust Committee to entertain future rezoning applications in certain areas of Salt Spring Island and by modifying development permit guidelines to address new uses envisioned in Proposed Bylaw No. 489 including the addition of new development permit guidelines for the protection of farming.

Proposed Bylaw No. 489 amends LUB 355 by replacing Section 9.7 with a new "General Employment" zoning structure which reworks the existing industrial land use framework by adding permitted uses, amending site coverage, setback regulations as well as zone variations. In addition, a total of 54 properties are potentially rezoned by this draft bylaw; however, some of the properties are currently zoned for commercial and industrial uses and the rezoning is more reflective of the new "General Employment" zoning approach rather than a substantive change to permitted uses on those properties.

Proposed Bylaw No. 490 amends LUB 355 by amending the zoning classification of some existing Waste Management Facilities to reflect that use.

A copy of the most recent staff report and proposed bylaws may be found at the following link:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/projects-initiatives/industrial-land-uses/>

For your reference [Land Use Bylaw No. 355](#) and [Official Community Plan Bylaw No. 434](#) and their current amendments can be accessed at these links.

GENERAL LOCATION:

Salt Spring Island Electoral Area F

LEGAL DESCRIPTION:

Salt Spring Island Electoral Area F

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

Bylaw No. 488

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw. Email your response to ssiinfo@islandstrust.bc.ca.

(Signature)

Name: Rob Milne

Title: Island Planner

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Community, Sport & Cultural Development
Ministry of Forest Lands & Natural Resource Operations – Environment
Ministry of Jobs, Tourism & Skills

Non-Agency Referrals

North Salt Spring Waterworks District
SSI Chamber of Commerce
SSI Fire Protection District
SS Farmer's Institute
SSI Farmland Trust
SSI Agricultural Alliance
Cusheon Lake Stewardship Committee
SSI Water Council Society
SSI Water Preservation Society

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

Regional Agencies

CRD – J. Arnett, All referrals
CRD – K. Campbell, Senior Manager
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation Commission
CRD – Ganges Sewer Commission
CRD – Fulford Water Service Commission
Vancouver Island Health Authority

First Nations

Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
St'z'uminus First Nation

Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

PLEASE TURN OVER

BYLAW # 488 - 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

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

488
(Bylaw Number)

(Title)

(Agency)

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☐ Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

490
(Bylaw Number)

(Title)

(Agency)

DATE OF MEETING: April 6, 2017

TO: North Pender Island Local Trust Committee

FROM: Phil Testemale, A/Planner 2
Southern Team

COPY: Robert Kojima, Regional Planning Manager
Justine Starke, Island Planner

SUBJECT: Preliminary Report for an Rezoning

Applicant: Pender Island Parks and Recreation Commission (CRD)

Location: Thieves Bay Community Park

RECOMMENDATION

1. That the North Pender Island Local Trust Committee direct staff to proceed with the application NP-RZ-2017.1 (PIPRC) and to prepare a draft bylaw to include setback and height provisions.

REPORT SUMMARY

The purpose of this report is to provide background information to the proposed bylaw amendment and seek direction from the North Pender Local Trust Committee (LTC) to proceed, or not proceed, with application NP-RZ-2017.1(PIPRC).

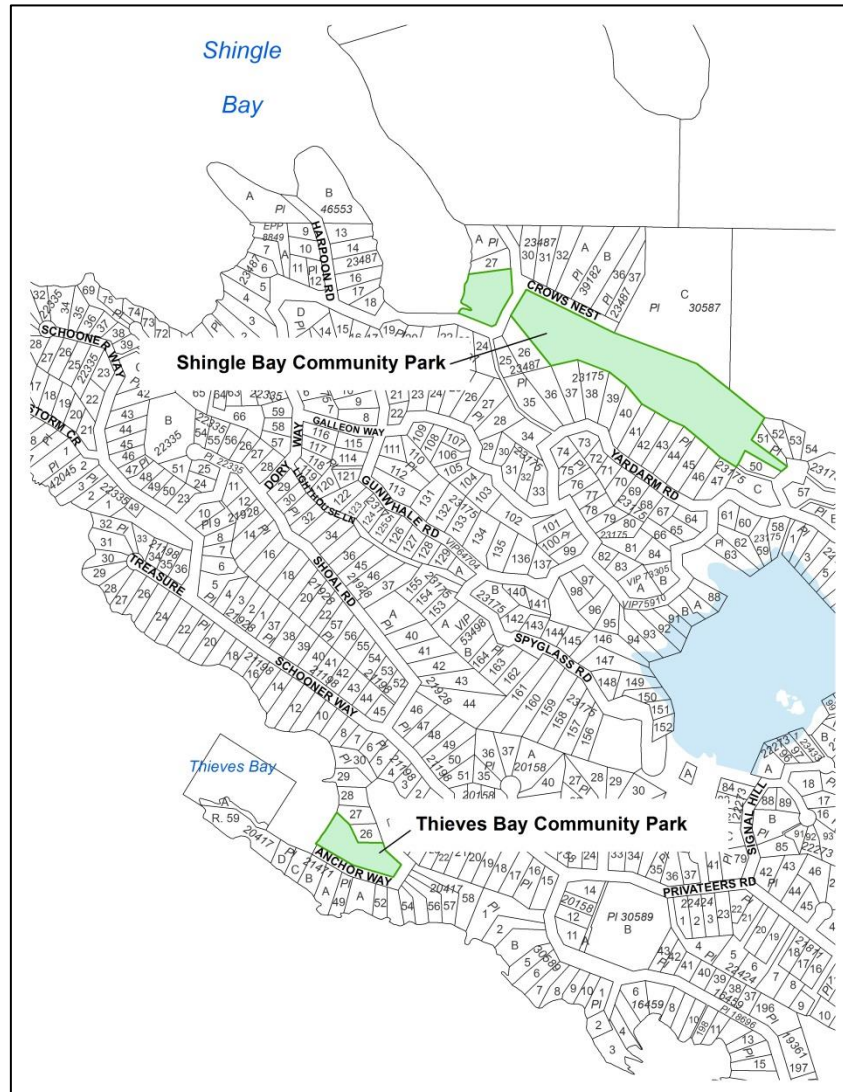
The application would amend North Pender Island Land Use Bylaw no. 103, 1996 to add '*picnic shelters*' as an allowable use in the **Community Park 1 (CP1)** and **Community Park 2 (CP2)** Zones. The amendment will allow the Pender Island Parks and Recreation Commission (PIPRC) to construct a shelter at Thieves Bay in the immediate term, as well as other parks such as Shingle Bay and Danny Martin in the future.

Although not part of the application, Staff's recommendation is that the amendments include setback and height provisions for the zones.

The above recommendation is supported as the PIPRC are responding to a community need to provide picnic shelters in community parks to enhance the public enjoyment of park facilities. The proposal would otherwise be a technical amendment to the Land Use Bylaw (LUB); however this is not part of the current LTC work program. The proposed additional use is a reasonable as it will allow greater use and access to North Pender's parks which is consistent with, and supportive of, the mandate of the Commission. The amendment is compatible with other uses as well as the overall intent of the two zones. Furthermore setback and height provisions for will limit impacts to neighbouring properties and as well as adding certainty.

Figure 1 - Subject Property

Note: At this time PIPRC is proposing to construct a picnic shelter only at Thieves Bay and possibly in other parks the future.



BACKGROUND

The proposal is to amend the Land Use Bylaw to include *picnic shelters* as an allowable use in the **Community Park 1 (CP1) Zone** and the **Community Park 2 (CP2) Zone**. The application is the result of the PIPRC making enquiries about constructing a picnic shelter at Thieves Bay. As the use is not explicitly listed in the buildings and structures permitted, staff presented PIPRC with three options in order to proceed:

- They could apply for a Temporary Use Permit (TUP) for three (3) years, plus a possible further three (3) with renewal that would allow the use in order to bridge until a technical review of the LUB;
- Wait for the technical amendment to the Land Use Bylaw with the nearest date being with the next term for the LTC;

- Or, they could apply for the zoning amendment (current application).

The PIPRC did not want to make a significant investment using a TUP as it would have some uncertainty with renewal. As the timeframe for a technical amendment was at least two (2) years, that option was not viable. Therefore, the option for the PIPRC to rezone, although somewhat protracted, became the best option. The PIPRC has applied to the Executive Committee for sponsorship in order to cover the cost of this application.

Staff's recommendation for setback provisions is based on an assessed need to have a minimum standard for buildings and structures that limits potential impacts on neighbouring properties.

The PIPRC is a public commission appointed by the CRD with a role to administer the community parks of the island through implementation of the Community Parks Master Plan (2008). This role and the Master Plan are discussed further below.

The PIPRC has used the volunteer services of an architect to derive a preliminary design for the picnic shelter and a siting proposal for Thieves Bay Park that are discussed further in "Issues and Opportunities" (below). It is noted that the design and siting are not part of the proposed zoning amendment; rather they are submitted to be illustrative and are for discussion purposes.

At Thieves Bay, the only buildings and structures are a washroom (outhouse), a play structure (swing set - to be relocated), six (6) picnic tables, a dedicated bench and a parking area

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The relevant policies of the Islands Trust Policy Statement (ITPS) are as follows:

5.1 Aesthetic Qualities

5.1.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area

5.2 Growth and Development

5.2.3 (") address policies related to the aesthetic, environmental and social impacts of development.

5.8 Health and Well-being

5.8.6 (") address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

In summary, the proposal is supported by the ITPS policies.

Official Community Plan:

The relevant OCP objective is as follows:

2.6 Conservation Areas, National Parks, Community Recreation and Future Park Objectives

7) *To work cooperatively with Parks Canada, the Pender Islands Parks Commission and conservancy groups in advancing the goals of this plan.*

In summary, the proposal is supported by the OCP objective.

Development Permit Areas

There are no Development Permit Areas designated on the upland portion of Thieves Bay. For information only, neither the upland portion of Shingle Bay or Danny Martin Park has DPA designations.

Land Use Bylaw:

The proposed amendments for **Community Park 1 (CP 1)** and **Community Park 2 (CP2)** are as follows:

8.16 Community Park 1 (CP1) Zone

8.16.2 Permitted Uses and Structures

- (1) In addition to the uses permitted in Section 3.1 of this Bylaw, the following uses and no others are permitted in the Community Park 1 (CP1) Zone:
 - (a) playgrounds and playing fields; and
 - (b) picnic facilities.
- (2) No buildings or structures other than playground structures, playing field fences and goalposts, picnic tables, ***picnic shelters*** and toilets may be constructed.

8.16.4 Setbacks

- (1) ***No building or structure, with the exception of playing field fences and picnic tables, may be located:***
 - (a) ***within 7.6 metres of any front or rear lot line; or***
 - (b) ***within 3 metres of any interior side lot line, nor within 4.5 metres of any exterior side lot line.***

8.16.5 Height and Size of Buildings

- (1) ***No building or structure, with the exception of playing field fences, may exceed 5.7 metres in height.***

8.17 Community Park 2 (CP2) Zone

8.17.2 Permitted Uses and Structures

- (1) In addition to the uses permitted in Section 3.1 of this Bylaw, the following uses and no others are permitted in the Community Park 2 (CP2) Zone:
 - (a) playgrounds and playing fields; and
 - (b) picnic facilities.
- (2) No buildings or structures other than playground structures, playing field fences and goalposts, picnic tables, ***picnic shelters***, toilets and buildings and structures accessory to sports events may be constructed.

8.17.4 Setbacks

- (1) **No building or structure, with the exception of playing field fences and picnic tables, may be located:**
- (a) **within 7.6 metres of any front or rear lot line; or**
- (b) **within 3 metres of any interior side lot line, nor within 4.5 metres of any exterior side lot line.**

8.17.5 Height and Size of Buildings

- (1) **No building or structure, with the exception of playing field fences and buildings and structures accessory to sports events, may exceed 5.7 metres in height.**

Issues and Opportunities

Role of the PIPRC

The PIPRC is a public commission appointed by the CRD Regional Board consisting of the CRD Director and six (6) North Pender and two (2) South Pender Island volunteers. They have delegated powers for the development, maintenance and operation of community parks property. In short:

The commission is designated by the CRD with the responsibility caring for and creating community parks and trails on North and South Pender Islands. (www.CRD.bc.ca)

Given that the PIPRC is a local government body that is accountable to the local community, staff recommend that the bylaw permit the structures in all parks and that the LTC defer to the commission the decision making, consultation and priority setting for which specific parks or category of parks are appropriate for the proposed structures. As such much of the parks planning responsibility falls to the PIPRC, and the LTC's role is limited to facilitating the requested use through amending the LUB.

Parks Master Plan

The PIPRC has adopted a *Community Parks and Trails Master Plan 2008* (Attachment 2) which is a guiding document with the following purpose:

The PIPRC Master Plan establishes a guide for the acquisition, development, operation and maintenance of the Pender Islands' community parks. It is intended to provide both direction and focus for community parks and trail systems planning. (p.4)

The Parks Master Plan is also intended to work in concert with the Islands Trust North and South Pender Islands Official Community Plans and with Regional, Provincial and National parks bodies and their plans as appropriate. The commission strives toward flexible and responsive interaction with the Pender Islands community's needs and concerns. (www.CRD.bc.ca)

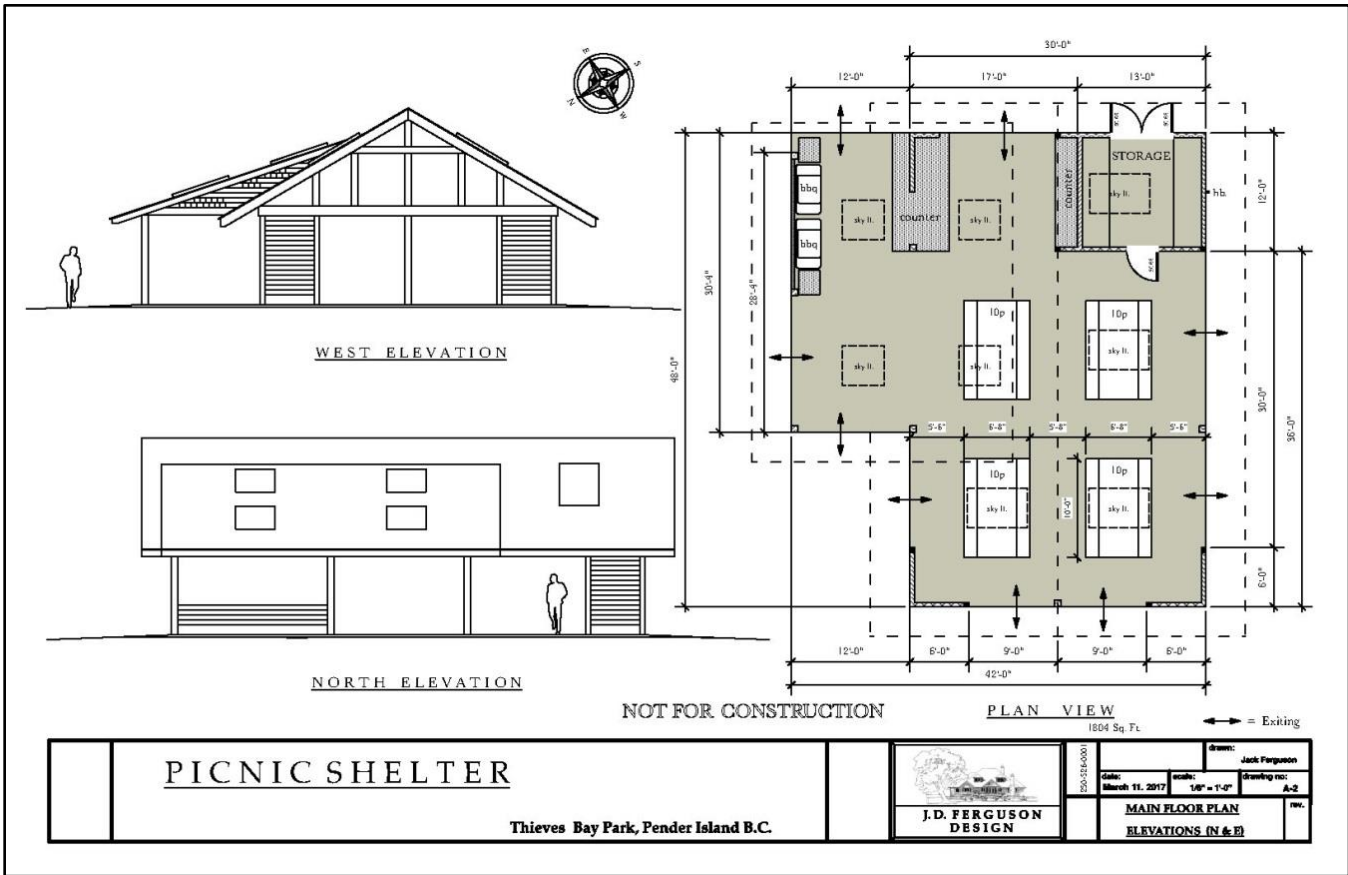
The plan establishes six (6) categories of parks (p. 6) of which the Thieves, Shingle and Danny Martin are assumed to be considered are 'Recreation Parks.' These are defined as: "areas that provide opportunities for various recreational activities that depend upon the outdoors environment or the natural landscape." (p. 5)

Design of Shelter

As stated above, the design of the picnic shelter is provided only for information, context and discussion. Notwithstanding, the proposal is the impetus for creating setback and height limits that the zones currently do not contain.

The proposed shelter will allow higher use of recreational parks for extended periods of time by providing a sheltered and organized space for gathering, cooking and eating. The picnic shelter would be 167 m² (1804 ft²) in size and 5.7 m (19 ft) in height and is shown in Figure 2. The structure is open in design with a seating capacity for 40 people, two barbeques, counter space and a 15 m² (156 ft²) enclosed storage room. It is assumed that this or a similar design for the shelter would be used at Shingle Bay and/or Danny Martin parks where and when a similar need is assessed. The Master Plan (above) has a policy (5.2.1 – p. 7) that indicates a range of levels of accessibility which, in part, this design facilitates.

Figure 2 – Design (Elevations and Plan) for proposed Thieves Bay Shelter



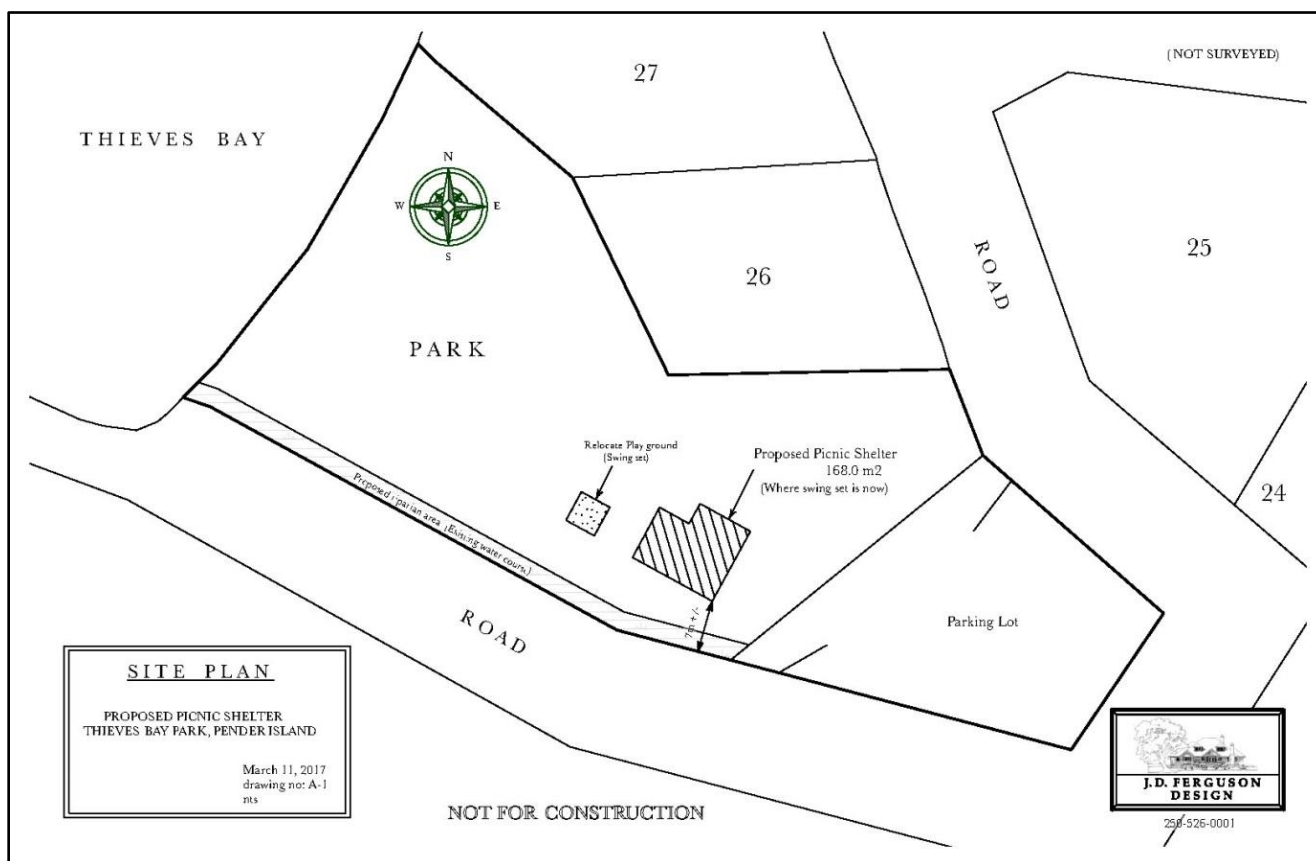
Siting of Structure

The proposed siting for Thieves Bay is shown in Figure 3. The PIPRC will be required to apply for a Building Permit and conform to the siting restriction of the LUB which currently is only for 5% lot coverage in both zones. There are no setback or height requirements for buildings and structures as the proposed use has not previously been contemplated for these zones. Given the potential impacts to neighbours with a building of this size and height proposed, staff's recommendation on page 1 is that the zoning amendment establishes minimum setback and height requirements. The proposed setbacks outlined above would be consistent with the **Community**

Service (CS) zone (7.6 metres for front and rear yard, 3.0 metres for interior side, and 4.5 for exterior side setbacks). The proposed height limit of one storey and 5.7 metres is derived from the actual proposal. These limits would apply only to picnic shelters and the noted height exemptions would allow for existing fences, buildings and structures, particularly at Dany Martin.

As stated above, there are no DP requirements for any of the three parks.

Figure 3 – Siting for proposed Thieves Bay Shelter



Alternatives

If it was deemed that shelters may not be suitable for other parks, the LTC could opt for site specific zoning to allow picnic shelters only at Thieves Bay, Shingle Bay and Danny Martin. This would require that the LTC direct staff to draft the bylaw amendments with site specific requirements permitting the use at these locations only.

A further alternative would be for the LTC to direct staff to limit the size for picnic shelters, by including a maximum size in the bylaw amendments.

Consultation

Statutory Requirements

In accordance with regular statutory requirements, a public hearing is required and it is normal practice to hold a Community Information Meeting (CIM) prior to that. In this circumstance, staff is recommending scheduling a CIM in conjunction with the Public Hearing. This will be scheduled after draft bylaws are complete.

The public hearing notice would be posted in the newspaper as per statutory requirements in advance of the public hearing.

The following agencies have been identified for referring draft bylaws for comment; the LTC may also direct staff to include other agencies not listed. Additionally, the LTC may choose to refer the proposal to the Advisory Planning Commission.

- Ministry of Community, Sport and Cultural Development
- Ministry of Transportation and Infrastructure
- Island Health
- CRD, Building Inspection Services
- CRD, Electoral Area Director
- North Pender Island Fire Rescue
- Mayne Island Local Trust Committee
- Saturna Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- South Pender Island Local Trust Committee

This application does not require an Official Community Plan amendment and therefore there is no First Nation referral requirement.

The PIPRC Master Plan has the following relevant policy for community consultation:

8.7 Property owners with land near or adjacent to parks are consulted and their concerns addressed when park development or change of use is under consideration.(p.10)

Rationale for Recommendation

The rationale for the recommendation on page 1 is based on the merit of the proposal which is responding to a community need and which will enhance the public enjoyment of park facilities. The proposed additional use will allow greater use and access to North Pender's parks which is consistent with, and supportive of, the mandate of the Commission. The amendment is compatible with other uses as well as the overall intent of the two zones. Furthermore setback and height provisions will limit impacts to neighbouring properties and as well as adding certainty.

Alternatives

1. Request further information

The LTC may request further information be provided prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

Resolution:

That the North Pender Island Local Trust Committee request that the applicant submit to the Islands Trust
_____.

2. Site Specific Zoning

The LTC may choose to apply the specific use to Thieves Bay, Shingle Bay and Danny Martin Parks only.

Resolution:

That the North Pender Island Local Trust Committee direct staff to proceed with the application NP-RZ-2017.1 (PIPRC) and to prepare a draft bylaw to permit the picnic shelter use at Thieves Bay, Shingle Bay and Danny Martin Park specifically.

3. Size Restriction

The LTC may choose to apply a size restriction for the picnic shelter use.

Resolution:

That the North Pender Island Local Trust Committee direct staff to proceed with the application NP-RZ-2017.1 (PIPRC) and to prepare a draft bylaw to permit the picnic shelter with a maximum size of ## m².

4. Deny the application

The LTC may deny the application.

Resolution:

That the North Pender Island Local Trust Committee deny application NP-RZ-2017.1 for the following reasons:_____

5. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

Resolution:

That the North Pender Island Local Trust Committee hold application NP-RZ-2017.1 in abeyance for the following reasons:_____

Submitted By:	Phil Testemale, A/Planner 2	March 23, 2017
Concurrence:	Robert Kojima, Regional Planning Manager	March 23, 2017

ATTACHMENTS

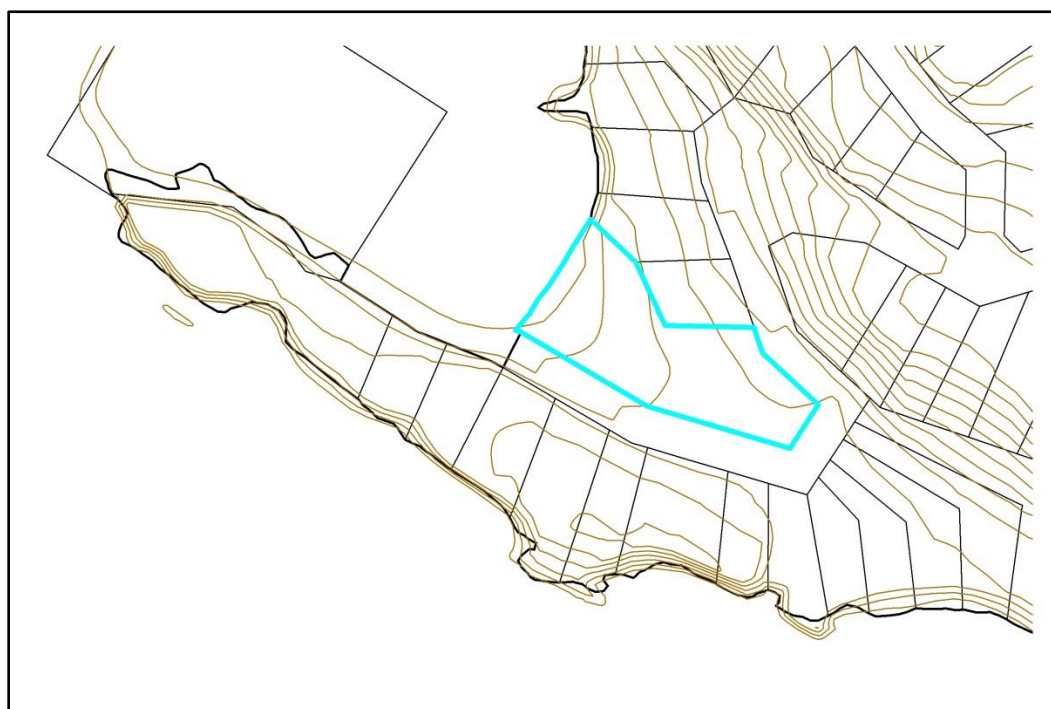
1. Maps, Plans, Photographs
2. Community Parks and Trails Master Plan 2008 (Pender Island Parks Commission)

ATTACHMENT 1 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

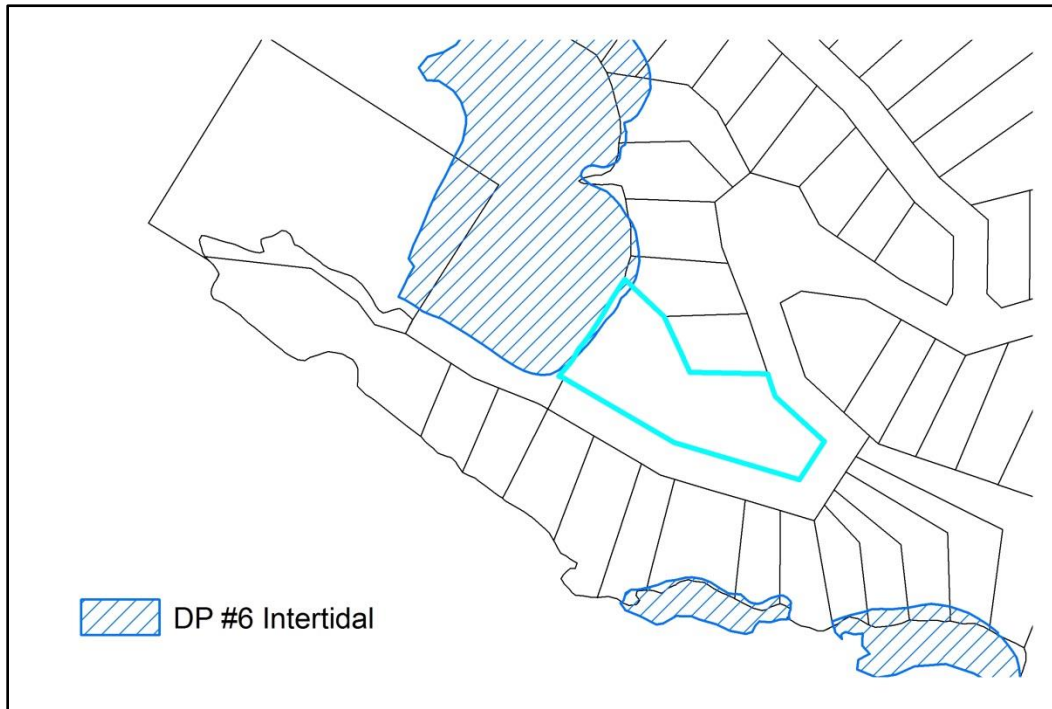
2.1 ORTHOPHOTO WITH ZONING – THIEVES BAY PARK



2.2 TOPOGRAPHY – THIEVES BAY PARK



2.3 DEVELOPMENT PERMIT AREAS – THIEVES BAY PARK





Pender Islands Parks Commission

COMMUNITY PARKS AND TRAILS MASTER PLAN 2008

PENDER ISLANDS PARKS COMMISSION
Box 86
Pender Island, BC V0N 2M0
www.crd.bc.ca/penderparks

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TIFF (Uncompressed) decompressor
are needed to see this picture.

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PENDER ISLANDS PARKS COMMISSION

1. INTRODUCTION

The Pender Islands Parks Commission (PIPC) is a volunteer and community-driven Capital Regional District (CRD) appointed commission, with responsibility for the community parks and trails on North and South Pender Islands in British Columbia.

The mission of the PIPC is to appropriately manage, protect and develop PIPC park resources, balancing the needs of sensitive ecosystems with the needs of a rural island community and the impact of a substantial seasonal influx of visitors. As well, the PIPC recommends new land acquisitions for the present and future enjoyment of those who may use or explore them.

The PIPC Master Plan establishes a guide for the development, operation and maintenance of Pender Islands' community parks, and for recommending new land acquisitions. It is intended to provide both direction and focus for the community parks and trail system, planning in concert with the Islands Trust North and South Pender Islands Official Community Plans and with Regional, Provincial and National parks bodies and their plans as appropriate. This is to be achieved while remaining flexible and responsive to the needs and concerns as expressed by the Pender Islands community. This Plan is revised every five years.

2. LEGAL STATUS

The legal status that supports PIPC is outlined below. More details can be found in History (Appendix A).

- 2.1 The PIPC is made up of the CRD Director representing the Southern Gulf Islands Electoral Area plus six (6) North Pender Island and two (2) South Pender Island volunteers appointed by resolution of the CRD Regional Board.
- 2.2 Bylaw 3522, April 9, 2008, delegates administrative powers to the PIPC for the development, maintenance and operation of all community park properties acquired for the community through the CRD, and to recommend land acquisitions of community interest, as appropriate on the Pender Islands (see list of properties in Appendix B).
- 2.3 Bylaw 3436, May 2, 2007, establishes a separate Pender Island Recreation Commission, with the responsibility to undertake community recreational programming, organize the recreational programs and expense the appropriate funds.
- 2.4 The PIPC has legal responsibility for park resources through easements, permits, leases and Licenses of Occupation, primarily with the Ministry of Highways and Transportation and/or private landowners.

- 2.5 The PIPC, through the CRD, has a registered charitable status in the form of the CRD charitable tax number, may issue tax receipts for donations and may apply for and receive other charitable funding on that basis.

3. MISSION

The mission of the PIPC is to appropriately manage, protect and develop PIPC park resources, balancing the needs of sensitive ecosystems with the needs of a rural island community and the impact of a substantial seasonal influx of visitors. As well, the PIPC recommends new land acquisitions for the present and future enjoyment of those who may use or explore them. The objectives are as follows:

- 3.1 to maintain records on the parks, trails, and other lands managed by the PIPC;
- 3.2 to inform the community about the PIPC park and trail resources and the sensitive ecosystems within which they are found or through which they traverse;
- 3.3 to encourage people to participate in healthy, low-impact experiences of nature and outdoor activities within the community parks and trails;
- 3.4 to establish and operate a permit process for special event use of community parks by groups, in order to mitigate the impact of events on parks;
- 3.5 to encourage community members to participate with the PIPC in environmental stewardship projects to care for and protect community parks, including ecological restoration activities of damaged native ecosystems;
- 3.6 to represent community views on parks to relevant government bodies or other organizations and cooperate with them in the fulfillment of common goals;
- 3.7 to acknowledge sites of ecological, historical or archeological significance and acquire and/or protect them as appropriate;
- 3.8 to develop a network of trails to link parks and provide routes for park users which allow them the opportunity to traverse large sections of the Pender Islands by trails;
- 3.9 to maintain and develop the PIPC park resources using low-impact methods to achieve the goal of minimal disturbance to the Islands' natural environment, historical features and rural character, with sensitivity to user safety, restricted mobility and other special needs;
- 3.10 to follow an ecosystem-based approach for the protection, enhancement, and restoration of biological systems in ecologically sensitive areas. The conservation of rare, threatened, and endangered species of plants and wildlife may take precedence over other uses of parks and trails.

4. TYPES OF PARKS

The PIPC is responsible for CRD community parks and trails on the Pender Islands. It may also be responsible for the management of parks and trails from government bodies such as the Islands Trust Fund. The PIPC bears no responsibility for other parks on the

Pender Islands, and is not responsible for Medicine Beach, CRD Regional Parks (Brooks Point, Gowlland Point), Provincial Parks, or Gulf Island National Park Reserve. Within PIPC community parks, a wide range of parks have been identified using the following categories:

- 4.1 Wilderness Park - an area that is preserved so as to provide opportunities for an ecologically undisturbed area to continue, or for ecological restoration to occur;
- 4.2 Nature Appreciation Park - an area that remains in its natural state but where low impact development is allowed (i.e. basic toilet facilities, interpretive signs, and trails) intended to provide easy access for hiking or observance of the natural environment;
- 4.3 Linear Park or Trail - a park corridor or trail that provides opportunities to walk through a natural setting. It may occur between points of interest and/or as a dedicated trail within a subdivision or other designated area. These parks or trails usually do not exceed 2-3 meters wide;
- 4.4 Ocean Access – a trail connecting a public thoroughfare to the foreshore, typically along a Ministry of Transportation road right-of-way, so as to provide opportunities for the public to access the shoreline or ocean view sites;
- 4.5 Recreation Park - an area that provides opportunities for various recreational activities that depend upon the outdoors environment or the natural landscape (i.e. swimming, children's play areas, picnics, water sports, ball sports or other similar activities);
- 4.6 Heritage Park - an area set aside to preserve and maintain structures or other historical relics to provide knowledge and awareness of the human history of the Islands and/or maintain the integrity of the site as far as possible within the resources of the PIPC.

5. MANAGEMENT, MAINTENANCE, AND DESIGN POLICIES

5.1 Management of the PIPC

- 5.1.1 The PIPC meetings will occur monthly and notice will be given to the public in advance. Presentations by the public are always welcome.
- 5.1.2 Annually, the PIPC will prepare 5-yr operating and capital budgets covering all anticipated costs of acquisition, development, maintenance and operation of community parks, together with estimates of expected revenues, to be submitted to the CRD for approval.
- 5.1.3 Operating procedures will be reviewed at regular intervals.
- 5.1.4 When a vacancy occurs within the Commission, it will advertise for candidates and make recommendations to the Electoral Area Director, for selection to fulfill representation of North and South Pender Islands.

- 5.1.5 The PIPC Master Plan, maps and brochures on community parks will be regularly updated with full review every five years. The PIPC website will be updated regularly and will include the revised Master Plan with its acceptance.

5.2 Management of Parks and Trails

The PIPC has developed management policies consistent with the official community plans of North and South Pender Islands, the Islands Trust Policy statements and CRD policies and regulations.

- 5.2.1 Community parks and trails will provide a range of levels of accessibility, with some sites addressing the requirements of those with restricted mobility.
- 5.2.2 Relevant CRD by-laws are in effect in all community parks. The PIPC reserves the right to establish and/or enforce the opening and closing hours of community parks and trails.
- 5.2.3 Bicycles are not permitted on any community parks or trails, consistent with CRD operating by-law 1578.
- 5.2.4 The PIPC will follow CRD policy regarding the removal of abandoned vehicles and other chattel in community parks based on risk and available resources.
- 5.2.5 Where a community park property is covenanted, the covenant will be adhered to by the PIPC.
- 5.2.6 Parks and trails are to be named for the geographical location of the park where possible. A park may be named for a person in special cases, such as for donated land (see 7.5) and for memorials (see 10.1).

5.3 Maintenance Guidelines

A Commissioner is designated as Maintenance Supervisor. This Commissioner assigns and supervises work done by contractors and reports on maintenance issues at the monthly meetings. All Commissioners are assigned parks and trails to inspect on a monthly basis and report any problems to the Maintenance Supervisor.

- 5.3.1 Designated work in parks will be consistent with the PIPC maintenance procedures and standards.
- 5.3.2 Public safety will be paramount in the building, operating, and maintaining of park structures and trails.
- 5.3.3 Trees will not be felled in parks, except for reasons of public safety or for the protection or enhancement of park facilities, and wetlands are not to be disturbed through drainage or other projects.
- 5.3.4 Work may be contracted out with preference to local residents. Volunteers may be used for certain tasks at the discretion of the PIPC provided that

the requirements of the CRD regarding liability for volunteers are fulfilled through appropriate registration.

- 5.3.5 Low environmental impact park maintenance methods will be employed in the maintenance of parks and in the construction and maintenance of trails as is feasible.

5.4 Design

Design issues relate to the placement of trails, amenities, and signage in order to maintain a rural atmosphere and protect ecologically and culturally sensitive areas.

- 5.4.1 Circular routes for trails shall be used, where appropriate, in order to make full use of the designated area.
- 5.4.2 Where suitable, benches shall be placed at appropriate view and rest points.
- 5.4.3 The location and structure of toilets shall be as unobtrusive as possible.
- 5.4.4 Signs shall be appropriate in size, consistent in design and script, and in harmony with natural surroundings.
- 5.4.5 Bike racks shall be installed at parks and trailheads where deemed necessary.
- 5.4.6 Trails and their routing are to be sensitive to ecological and cultural values.
- 5.4.7 Heritage components in Heritage Parks need to be sensitively maintained in order to preserve their heritage value as much as possible.
- 5.4.8 All new parks and trails will be established with access from a public thoroughfare or by the foreshore, or by linking with existing trails.

6. FINANCIAL RESOURCES AND MANAGEMENT

The PIPC operates as a volunteer community body and no salaries are paid to Commissioners. The PIPC exercises fiscal responsibility and effective planning to ensure that park resources are provided and maintained at an acceptable cost to the taxpayer.

6.1 Sources of Funds

The primary source of funding for local community parks is derived from the annual taxation of land and improvements on Pender Islands. Other funding may come from donations, grants, and cash paid by a developer in lieu of dedicated parkland. The CRD, as the parent body for the PIPC, can issue tax receipts in favor of donors to the PIPC.

6.2 Budget

Annual and 5-yr operating and capital budgets are prepared each year and are available for public view. Maintenance and operating budgets vary from year to year and are

subject to CRD approval. Funds are used to maintain parks resources to an acceptable standard and are disbursed under the discretion of the PIPC.

6.3 Liability Insurance

Liability insurance protection for lands under the jurisdiction of the PIPC and for the Commissioners and other volunteers is provided by the CRD.

7. SOURCES OF PARKLAND

The community parks and trails managed by PIPC are derived from the following major sources:

7.1 Land Dedicated As Parkland at the Time of Subdivision

Under Section 941 of the Local Government Act, the developer is required, in specified circumstances, to assign 5% of the development area as dedicated parkland. The land that is acceptable for parkland is delineated in Protocol Agreements between the PIPC and the Islands Trust Local Trust Committees from either North or South Pender Island and administered by the PIPC.

7.2 Money Provided In Lieu Of Parkland

The PIPC acknowledges that Section 941 may allow a developer to provide cash in lieu of dedicated parkland, but will at each occasion oppose such a provision and work closely with Island Trust planners, Local Trust Committees, neighbours, and the developer to obtain a land dedication. If cash in lieu is provided as a last resort option, it will be placed in a reserve fund for the purchase of parkland on North and South Pender Islands.

7.3 Land from Other Organizations and Agencies

Where dedicated parkland is held by neighbourhood organizations as remnants of an initial land division, these organizations may place this land under the administration of the PIPC. Land from government agencies may be acquired for park use purposes by the PIPC.

7.4 Land Obtained by Easement, Lease or License of Occupation

In order to provide public access through land held by other agencies or owned by private parties, the PIPC may enter into agreements with owners of such properties to do so. This is the method commonly used to provide for public footpaths and ocean accesses on land held by the Crown. For many ocean accesses, a License of Occupation is obtained by the PIPC from the Ministry of Transportation on public road right-of-ways upon completion of a required Shore Access Improvement Checklist.

7.5 Land Obtained by Donation

Land may be donated to PIPC as parkland by an owner and be administered by the PIPC. The donation of properties, in particular within high housing density areas, is encouraged. When land is given as a gift, there may be tax implications that would benefit the donor. The PIPC has prepared a tax information pamphlet available to the public.

7.6 Direct Purchase of Land

Where deemed to be in the best public interest and to meet local needs, the PIPC may recommend to the CRD to directly purchase property for use as parkland. Selection criteria may include land adjacent to designated PIPC parkland, land where a trail extension may occur, land to be used for the provision for a specific facility, and others.

8. COMMUNITY INVOLVEMENT AND COMMUNICATION

The PIPC takes a number of steps to ensure that members of the community have an opportunity to become involved and help direct its actions:

- 8.1 An internet web site (<http://www.crd.bc.ca/penderparks>) provides the public with information about the PIPC, master plan, policies, regulations, history, land donation, special event use, meetings and descriptions of all community parks. It also provides links to other sites with information relevant to the Southern Gulf Islands.
- 8.2 A Community Parks Guidebook and a Community Parks and Trails Map (see Appendix C) are published and revised as needed to provide information on the location, attributes and amenities of PIPC parks and trails.
- 8.3 The regular business meetings of the PIPC are open to the public and are publicized through notices posted at the CRD and Islands Trust offices and at the Pender Island Library. Minutes of these meetings are made available on the PIPC website and at the Pender Island Library.
- 8.4 At least annually, the PIPC presents information on parks, gathers information from the public, presents new ideas and encourages dialogue on the parks planning and development process.
- 8.5 News articles are prepared regularly for local media to inform residents when issues of general interest arise.
- 8.6 Members of the PIPC are available to meet with other organizations, agencies or public groups to discuss interests and concerns relating to the PIPC.
- 8.7 Property owners with land near or adjacent to parks are consulted and their concerns addressed when park development or change of use is under consideration.
- 8.8 The PIPC serves as a focal point in representing public views concerning community parks to all agencies that are or may become involved in the development of these resources on the Pender Islands.
- 8.9 The PIPC maintains open communications with all other organizations and community groups having an interest in parks.

9. LIAISON WITH OTHER ORGANIZATIONS

The PIPC seeks to liaise with other government bodies and with groups interested in parks (see Appendix D).

- 9.1 Such liaison includes but is not limited to the CRD, Island Trust Fund, Provincial and National Park bodies, other Southern Gulf Islands Parks and Recreation Commissions, and organizations on the Pender Islands with an interest in local parks;
- 9.2 The PIPC seeks to integrate its activities with organizations with similar mandates to optimize results and to minimize needless duplication of efforts;
- 9.3 The PIPC may also be called on to represent community views on the PIPC parks to relevant government bodies or other organizations and, where appropriate, to work with them in the fulfillment of common goals.

10. MEMORIALS

The PIPC welcomes donations from members of the public who wish to memorialize a present or previous resident of the Pender Islands in a form that enhances public enjoyment of community parks. It is important that such memorials are well placed and maintained, and the PIPC will work closely with donors to achieve the donor's goals as appropriate. The following guidelines provide direction for the donor and the PIPC with regard to the form of a memorial.

10.1 Donations of Properties

The donation of properties is welcomed by the PIPC and an information pamphlet is available to assist donors. If land is given as a gift, there may be tax implications that would benefit the donor. Parks may be named for deceased persons if the parkland was donated for that specific purpose. Parks and trails may also be named for the donor of the parkland.

10.2 Park Benches and Picnic Tables

Park benches and picnic tables enhance public enjoyment of the parks. The placement of such structures along a trail or within a park has associated costs of construction, installation, and maintenance. The costs will be determined at the time of the request and will be covered by the donor. The design of the structures will be approved by the PIPC.

10.3 Other Structures

Donations for a memorial structure that is felt by the PIPC to be of service to the community may be accepted. Such an item requires a detailed proposal to the PIPC. The PIPC work may be contracted out to residents of the Pender Islands wherever possible (see 5.3.4) and all work will meet the PIPC construction and installation standards (5.3.1).

10.4 Plantings

The PIPC welcomes the donation of native/indigenous plants, shrubs or trees as memorials. The plantings must grow naturally within the specific ecological zones of a particular park. The PIPC may work with the donor to determine where the plantings are best placed.

10.5 Trail Enhancements

The PIPC may accept the donation of monies to be used toward the purchase of memorial trail enhancements such as viewing binoculars, orientation plates, and/or interpretive signs that will enhance public enjoyment of selected viewpoints, and where their use does not infringe upon the privacy of neighbours. The viewing binoculars would be non-coin operated models. The content of orientation plates and interpretive signs will be provided by the PIPC and/or the donor, approved by the PIPC, and their construction is to meet the PIPC standards.

10.6 Memorial Book

The PIPC maintains a Memorial Book to record monetary or other donations, available for viewing at the Pender Islands Public Library. A suitable inscription explaining the nature of the donation and its association with the person being memorialized is placed by the PIPC within the Memorial Book.

11. PARKS FOR THE FUTURE – STRATEGIES

The PIPC is dedicated to long-term planning of management and expansion of the current and future community parks and trails system as allocated under the CRD. Under this mandate, the PIPC receives feedback from the public, monitors the demographic census, and is prepared for future park dedications on North and South Pender Islands.

The PIPC has conducted regular public questionnaires and participated at various public/community events for the purpose of gathering information about needs and interests regarding community parks and trails. Over the years, questionnaires have been returned by a high percentage of the population, serving as a guideline to what the public feels the PIPC should be doing (see Appendix E Questionnaire Results 2003 to 2005).

Additionally, the PIPC has undertaken an examination of the demographics of the Pender Islands in order to better understand how its services are distributed across the current population (see Appendix F).

The PIPC has established protocol agreements between the North Pender Island and South Pender Island Local Trust Committees of Island Trust regarding the provision of parkland. The goal of these agreements is to coordinate administrative procedures to ensure acquisition and development of appropriate lands for community parks. The PIPC works with Island Trust Trustees and Planners to ensure new subdivisions and land developments fulfill the public parkland dedications. A recently updated PIPC commentary and list of NPI and SPI sub-dividable lands potentially subject to Park

dedication, as found on the Island Trust Schedule “D” documents, is outlined in Appendix G.

From these results, the PIPC proposes the following parks and trails acquisition and development strategies to serve the future needs of the community:

- 11.1 Priority shall be given to the establishment of linear trails that would provide interconnected hiking paths, links between current trails or park sites, circular routes, or a foreshore contribution to a loop walk;
- 11.2 Priority will be given for the PIPC to be well prepared, through investigation, mapping, and fieldwork, to negotiate for optimum parkland to be obtained for the public at the time of subdivision of land by a developer;
- 11.3 Walking trails will be developed where possible to allow new access to ocean beaches, views, wilderness and nature appreciation sites of significance on the Islands;
- 11.4 Cooperative agreements with other agencies or individuals, to establish linking trails in parks and protected areas, will be encouraged;
- 11.5 The establishment of neighbourhood parks, by obtaining crown land or donations of land, will be encouraged.



PENDER ISLANDS PARKS COMMISSION MASTER PLAN 2008

APPENDIX A History

1975 - Under the statutory authority of a Letters Patent dated August 28, 1975, the Regional Board of the Capital Regional District (CRD) was given the responsibility to acquire, develop, operate and maintain community parks in the Outer (now Southern) Gulf Islands. Five subsequent Letters Patent were subsequently enacted reflecting changes in CRD and its composition.

1987 - In October 1987, the administrative powers of the Regional Board were delegated by Bylaw 1577 to a local authority through the establishment of a Parks and Recreational Commission. This Commission was to be made up of the CRD Director representing the Outer Gulf Islands Electoral Area plus eight (8) North and South Pender Island electors appointed by resolution of the Regional Board. The Commission was delegated with administrative powers relating to community parks and park properties, the construction, equipping, operation and maintenance of recreational facilities, and the organization and conduct of recreational programs.

1987 - Bylaw 1578, October 28, 1987 - establishes guidelines for the operation of parks on the Pender Islands. This bylaw included specific rules and regulations related to park use.

1993 - License Agreement 1st April 1993, with termination date of March 31st, 1998, between the Pender Island Youth Sports Association and the CRD for the use of Danny Martin Park.

1997 - Bylaw 2515, October 8, 1997 - establishes a Parks Commission for the Pender Islands. At this time the recreation and hall responsibilities were seen as requiring such focused attention as to warrant a separate commission resulting in the formation of the Pender Island Recreation and Agricultural Hall Association (PIRAHA). The PIPC mandate is to develop, maintain and operate all community parks on the Pender Islands.

1997 - Bylaw 2518, October 8, 1997 - sets out the mandate of PIRAHA to be responsible for the organization and conduct of recreation programs on the Pender Islands. The agreement is for a term of 5 years renewable for a further 5 years.

1998 - Pender Islands Community Parks Master Plan is established. This plan sets out the mandate, role of the Parks Commissioners, philosophy, goals and objectives, sources of parkland, types of park resources, budget strategy and parks for the future strategy. It is to be revised every 5 years.

1998 - Bylaw 2660, November 25, 1998, amends the Parks Regulations Bylaw particularly in reference to penalties for breaking the regulations.

1998 - License Agreement commenced 1st April 1998, with termination date of March 31st, 2003, between the Pender Island Youth Sports Association and the CRD for the use of Danny Martin Park.

1999 - Bylaw 2747 December 5, 1999, Procedural Bylaw No.1 to regulate the Proceedings of the Capital Regional District Board. This Bylaw sets out the manner in which the CRD meetings and committees are to be organized and run.

2001 - Bylaw 2875, March 14, 2001 amends CRD Bylaw 2515. It limits the number of consecutive two-year terms a commissioner may serve to three and the maximum term the Chair may serve to two consecutive years. Under unique circumstance the Director may extend these terms.

2002 - Bylaw 2970 March 27, 2002 repeals Bylaw 2515 and establishes the continuation of the Parks Commission for the Pender Islands.

2003 - Bylaw 3123 November 2003 amends Bylaw 2970 to allow no limits on terms served as commissioner or Chair.

2003 - Pender Islands Community Parks Master Plan updated and expanded following Commissioner and community groups' input, an open house, and public questionnaire.

2003 - License Agreement commenced 1st April 2003, with termination date of March 31st, 2008 between the Pender Island Youth Sports Association and the CRD for the use of Danny Martin Park.

2004 - License Agreement commenced 1st April 2004, with termination 31st March 2009, between the Pender Island Youth Sports Association and the CRD for the use of the Disc Park.

2006 - New agreement completed January 2006 between the Ministry of Transportation (MoT) Vancouver Island District and the CRD regarding public accesses to water, giving guidelines for the creation, tenure, authority, and development of MoT right of ways.

2007 - Bylaw 3436, May 2, 2007 establishes the Pender Island Recreation Commission.

2008 - Bylaw 3522, April 9, 2008, and Bylaw 3489, November 14, 2007, repeal Bylaw 2970 and establishes the continuation of a community parks commission for the Pender Islands.

2008 - Pender Islands Community Parks Master Plan 2008 completed July 2008.



PENDER ISLANDS PARKS COMMISSION MASTER PLAN 2008

APPENDIX B Community Parks, Trails, and Ocean Accesses

1. Numerical List

No.#	Park/Trail Name	No.#	Park/Trail Name	No.#	Park/Trail Name
1	Shingle Bay Park	30	Irene Bay OA	59	Plumper Way Viewpoint
2	Thieves Bay Park	31	Percival Cove OA Zolob Road OA	60	Yardarm Rd./Shingle Bay Trail
3	Capstan Lane Park	32	Grimmer Bay OA	61	Masthead Cr./Shingle Bay Trail
4	Abbott Hill Park	33	Wilson Road Viewpoint	62	Mumford Rd Viewpoint
5	Danny Martin Park	34	Niagara Road OA	63	Buck Lake Trail
6	Disc Park	35	Walden Road OA	64	Higgs Road Viewpoint
7	Lively Peak Park	36	Fawn Creek Park/ OA	65	Schooner at Reef Park
8	Compass Cr / Starboard Cr. Trail	37	Enchanted Forest Park	66	Compass Cr./Tiller Cr. Trail
9	Heart Trail/Ketch/Prior Park	38	Mortimer Spit Park & OA	67	Fire hall/Disc Park Trail
10	Schooner Way/Chart Dr. Trail	39	Lilias Spalding Heritage Park	68	Galleon Way Park
11	Bosun Way/Galleon Way	40	Castle Road Trail	69	Privateers Schooner Trail
12	Grover Sergeant Memorial Cairn Trail	41	Bridge Park (South) Viewpoint	70	Ursula Peopel Park
13	Magic Lake Swim Hole Park	42	William Walker Trail		
14	Magic Lake Picnic Site Park	43	William Walker Rd. OA		
15	Mount Menzies Park	44	Boundary Pass Drive OA		
16	George Hill Park	45	Ancia Rd/Conery Cr. OA		
17	Mount Elizabeth Park	46	Gowlland Point OA		
18	Peter Cove (north) OA	47	Craddock Road OA		
19	Skeeles Road View	48	Canal Road OA		
20	Oaks Bluff Park	49	Heart Trail Extension/ Ketch/Disc Park		
21	Gardom Pond Trail	50	Found Road OA		
22	Bricky Bay OA	51	Seawest Viewpoint		
23	Bridges Road OA	52	Sandy Sievert Park		
24	Mackinnon Road OA	53	Southlands Dr./Tilley Rd. Viewpoint		
25	Harpoon Rd/ Panda Bay OA	54	Wallace Road OA		
26	Boat Nook OA	55	Tracy Road Viewpoint		
27	Starvation Bay OA	56	Welcome Bay OA		
28	Peter Cove (south) OA	57	Bidgood Ocean Access		
29	Capstan Lane/Rope Rd Trail	58	Craddock Rd./ Gowlland P Rd. Loop Trail		

OA = Ocean Access

2. Alphabetical List

Park/Trail Name	No.#	Park/Trail Name	No.#	Park/Trail Name	No.#
Abbott Hill Park	4	Harpoon Rd/ Panda Bay OA	25	Starvation Bay OA	27
Ancia Rd/ Conery Cr. OA	45	Heart Trail Extension/ Ketch/Disc Park	49	Thieves Bay Park	2
Bidgood OA	57	Heart Trail/ Ketch/Prior Park	9	Tracy Road Viewpoint	55
Boat Nook OA	26	Higgs Road Viewpoint	64	Ursula Poepel Park	70
Bosun Way/ Galleon Way	11	Irene Bay OA	30	Walden Road OA	35
Boundary Pass Drive OA	44	Lively Peak Park	7	Wallace Road OA	54
Bricky Bay OA	22	MacKinnon Road OA	24	Welcome Bay OA	56
Bridge Park (South) Viewpoint	41	Magic Lake Picnic Site Park	14	William Walker Rd.OA	43
Bridges Road OA	23	Magic Lake Swim Hole Park	13	William Walker Trail	42
Buck Lake Trail	63	Masthead Cr./ Shingle Bay Trail	61	Wilson Road Viewpoint	33
Canal Road OA	48	Mortimer Spit Park & OA	38	Yardarm Rd./ Shingle Bay Trail	60
Capstan Lane Park	3	Mount Elizabeth Park	17		
Capstan Lane/ Rope Rd Trail	29	Mount Menzies Park	15		
Castle Road Trail	40	Mumford Rd Viewpt.	62		
Compass Cr / Starboard Cr. Trail	8	Niagara Road OA	34		
Compass Cr./ Tiller Cr. Trail	66	Oaks Bluff Park	20		
Craddock Rd./ Gowlland Pt. Rd. Loop T	58	Percival Cove OA	31		
Craddock Road OA	47	Peter Cove (north)OA	18		
Danny Martin Park	5	Peter Cove(south)OA	28		
Disc Park	6	Plumper Way Viewpoint	59		
Enchanted Forest Park	37	Privateers/ Schooner Trail	69		
Fawn Creek Park/ OA	36	Sandy Sievert Park	52		
Fire hall/Disc Park Trail	67	Schooner at Reef Park	65		
Found Road OA	50	Schooner Way/ Chart Drive Trail	10		
Galleon Way Park	68	Seawest Viewpoint	51		
Gardom Pond Trail	21	Shingle Bay Park	1		
George Hill Park	16	Skeeles Road Viewpoint	19		
Gowlland Point OA	46	Southlands Dr./ TilleyRd. Viewpoint	53		
Grimmer bay OA	32				
Grover Sergeant Memorial Cairn Trail	12	Spalding Heritage Park	39		

OA= ocean access

3. Trail Attributes

No.#	Park/Trail Name	Area	Time One-Way, Attributes, Facilities
1	Shingle Bay Park	Magic Lake Galleon Way	ocean access, view, stairs, bridge, ramp, handrails, grass, wheelchair portion, 2 picnic tables, toilet, mud beach, swings, includes trail to Masthead #61
2	Thieves Bay Park	Magic Lake Anchor Way	ocean access, view, wheelchair portion, picnic tables, benches, swings, sandy beach, toilet, parking, boat ramp, small boat storage, grass
3	Capstan Lane Park	Magic Lake	15 min, trail, ecological interest, steps, bridge, ramp, entrances off both Capstan Lane and trail from Rope Rd.
4	Abbott Hill Park	Magic Lake Spyglass Rd.	steep, rough trail, rock faces
5	Danny Martin Park	Magic Lake Schooner Way	portion of ecological interest, wheelchair portion, picnic tables, locked toilet, grass, baseball
6	Disc Park	Magic Lake Galleon Way	15 min, toilet, trails, ecological interest, bridges, benches, shelter, water tap, parking area
7	Lively Peak Park	Magic Lake Ketch Road	15 min, rough steep trail, slippery, viewpoint, bench
8	Compass Cr / Starboard Cr. Trail	Magic Lake	5 min, steep linker trail, leading to linker trail to Buck Lake at Compass Cr. end
9	Heart Trail/Ketch/ Prior Park	Magic Lake	20 min, trail, ecological interest, stairs, handrails, Ketch Rd. ramp, toilet at Prior Park campground
10	Schooner Way/ Chart Dr. Trail	Magic Lake	5 min, linker trail, steps, handrail
11	Bosun Way/ Galleon Way	Magic Lake	20 min, ecological interest, bridge, Disc Park access
12	Grover Sergeant Memorial Cairn	North Pender Is. Clam Bay Rd.	10 min trail to cairn, ramps, wet land area, gate/fence
13	Magic Lake Swim Hole Park	North Pender Is. Pirates Road	view, ecological interest, steps, handrails, seasonal toilet, grass, wheelchair portion, swim float
14	Magic Lake Picnic Site Park	Magic Lake Schooner Way	view, ecological interest, steps, wheelchair portion, picnic tables, grassy area, boat launch by hand
15	Mount Menzies Park	North Pender Is. Hooson Rd.	25 min, viewpoint, bench, ecological interest, loop trail, map, steps, rough ground
16	George Hill Park	North Pender Is. Ogden Rd.	30 min, steep trail, steps, ramps, handrails, ecological interest, 2 viewpoints, 3 benches
17	Mount Elizabeth Park	North Pender Is. Clam Bay Rd.	15 min, rough trail
18	Peter Cove (north) OA	North Pender Is. Trincomali Pl.	view, ecological interest, steps, handrails, sandy beach
19	Skeeles Road Viewpoint	North Pender Is. Razor Point Rd.	5 min, trail, bench, viewpoint, no ocean access
20	Oaks Bluff Park	North Pender Is. Pirates Rd.	30 min, steep trail, steps & stairs, handrails, ramp, 2 benches, ecological interest, 2 viewpoints, bike rack, parking area on Pirates Rd.
21	Gardom Pond Trail	North Pender Is. Harbour Hill Rd.	15 min, trail, viewpoint, ecological interest, ramps, bench, guide map
22	Bricky Bay OA	North Pender Is. Armada Rd	5 min, trail, view, ecological & historical interest, stairs, ramp, handrail, sandy beach
23	Bridges Road OA	North Pender Is. Stanley Point	view, ramp, stairs, handrails, sandy beach
24	MacKinnon Road OA	North Pender Is. MacKinnon Rd	stairs, hand rail, sandy beach

25	Harpoon Rd/ Panda Bay OA	Magic Lake	5 min, sandy beach, view, ecological interest, stairs, handrail
26	Boat Nook OA	Magic Lake Schooner Way	6 min, trail, wheelchair portion, stairs, handrail, historical interest, viewpoint, bench
27	Starvation Bay OA	North Pender Is. Trincomali Bedwell Dr.	view, sandy beach, steps, handrail, ecological interest, bench
28	Peter Cove (south) OA	North Pender Is. Trincomali Plumper Way	5 min, trail, view, sandy beach, boat launch by hand, wheelchair portion
29	Capstan Lane/ Rope Rd Trail	Magic Lake	5 min, linker trail to Capstan Lane Park, steps
30	Irene Bay OA	North Pender Is. Irene Bay Rd	1 min, view, ecological interest, wheelchair portion, grass, sandy beach, boat launch by hand
31	Percival Cove/ Zolob Rd. OA	North Pender Is. Otter Bay Rd	4 min, trail, ocean access, stairs, ramps, handrail, sandy
32	Grimmer Bay OA	North Pender Is. Otter Bay Rd.	view, stairs, handrail, sandy beach
33	Wilson Road Viewpoint	North Pender Is. Hooson Rd.	5 min, view, trail
34	Niagara Road OA	North Pender Is. Otter Bay Rd.	10 min, trail, stairs, handrail, sandy beach
35	Walden Road OA	North Pender Is. Stanley Point	10 min, stairs, handrail, pebble beach
36	Fawn Creek Park/ OA	South Pender Is. Ainslie Point Rd.	15 min, ocean access, ecological interest, stairs, bridges, seasonal stream, ramps, steep trail
37	Enchanted Forest Park	South Pender Is. Spalding Rd.	25 min, trail, waterfall view, ecological interest, interpretive signage, bridges, ramps, handrails, bike rack, 2 benches, wetland
38	Mortimer Spit Park & OA	South Pender Is. Canal Rd.	ocean access, ecological interest, wheelchair portion, toilet, boat launch by hand, pebble beach
39	Spalding Heritage Park	South Pender Is. Castle Rd.	5 min, ecological & historical interest, stairs, bridges, 2 benches, grassy area
40	Castle Road Trail	South Pender Is. Castle Rd.	30 min, steep rough trail to Spalding Hill viewpoint, rock faces, views, steps, ecological interest
41	Bridge Park (South) Viewpoint	South Pender Is. Ainslie Point Rd.	5 min, trail, view, ecological interest, steps, bank erosion, no ocean access
42	William Walker Trail	South Pender Is. Canal Rd.	30 min, steep trail, views, ecological interest, steps, bridges, bike rack, parking lot & toilet at Mt Norman entrance off Canal Road
43	William Walker Rd. Ocean Access	South Pender Is. Canal Rd.	5 min, view, sandy beach, ramps, steps, handrails
44	Boundary Pass Drive OA	South Pender Is. Boundary Pass	5 min, trail, ecological interest, stairs, handrail, bench, view
45	Ancia Rd/Conery Cr. OA	South Pender Is. Boundary Pass	5 min, view, ecological interest, steep stairs, handrail
46	Gowlland Point OA	South Pender Is. Gowlland Pt. Rd.	view, stairs, handrails, bike rack, wheelchair portion, bench, pebble and sandy beach
47	Craddock Road OA	South Pender Is. Craddock Rd.	2 min, stairs, ecological interest, view, pebble beach
48	Canal Road OA	South Pender Is. Canal Rd.	5 min, steep trail, view, steps, rope handrail
49	Heart Trail Extension/Ketch/ Disc Park	Magic Lake Ketch Road	10 min, steep linker trail, steps, bridge, toilet at Disc Park at Galleon Way

50	Found Road OA	North Pender Is. Clam Bay Rd.	30 min, trail, view, ecological interest, ramps, handrail, steep in places, rock faces, 2 benches, steps, sand/pebble beach
51	Seawest Viewpoint	North Pender Is. Hooson Rd.	10 min, in Tyndall Woods area steps, rough trail, view, bench, no ocean access
52	Sandy Sievert Park	Magic Lake Spyglass Rd./ Gunwhale Rd.	5 min, trail, stairs, bridge, handrails, bench, ecological interest, entrances off both Spyglass and Gunwhale roads
53	Southlands Dr./ Tilley Rd. Viewpoint	South Pender Is. Southlands Dr.	10 min, trail, view, bench
54	Wallace Road OA	North Pender Is. Medicine Beach	5 min, trail, ecological interest, steep steps, ramp pebble beach
55	Tracy Road Viewpoint	North Pender Is. Armadale Rd.	5 min, trail, view, steep cliff
56	Welcome Bay OA	North Pender Is. Clam Bay Rd.	10 min, trail, view, stairs, ramp, handrail, pebble beach
57	Bidgood OA	South Pender Is. Gowlland Pt. Rd.	10 min, steep trail, bench, steps, rope handrail, view pebble beach
58	Craddock/ Gowlland Pt. Loop T	South Pender Is. Gowlland Pt. Rd.	15 min, trail, gorse in areas, entrances off both Craddock and Gowlland Pt. Rd.
59	Plumper Way Viewpoint	North Pender Is. Trincomali	1 min, trail, view point, no beach access, rock faces, bench
60	Yardarm Rd./ Shingle Bay Trail	Magic Lake Galleon Way	10 min, steep trail to Shingle Bay Park on Galleon Way
61	Masthead Cr./ Shingle Bay Trail	Magic Lake	10 min, trail to Shingle Bay Park on Galleon Way, toilet, ecological interest
62	Mumford Rd Viewpoint	North Pender Is. Canal Road	5 min, steep in places, bench, view, steps, no ocean access, access from Canal Road
63	Buck Lake Trail	Magic Lake	20 min, linker trail, 2 benches, 2 stairs, handrails, ramps, seasonal waterfalls, view platforms, ecological interest
64	Higgs Road Viewpoint	South Pender Is. Higgs Road	view, wheelchair portion, no public access to beach
65	Schooner at Reef Park	Magic Lake	1 min, trail, view, bench
66	Compass Cr./ Tiller Cr. Trail	Magic Lake	5 min, Buck Lake shoreline linker trail, steep section
67	Fire hall/Disc Park Trail	Magic Lake	10 min, linker trail to Disc Park, ecological interest, on Schooner Way
68	Galleon Way Park	Magic Lake	5 min, trail, wet land, ecological interest
69	Privateers/ Schooner Trail	Magic Lake	20 min, linker trail, ecological interest
70	Ursula Poepel Park	Magic Lake	Undeveloped



PENDER ISLANDS PARKS COMMISSION MASTER PLAN 2008

APPENDIX C Community Parks and Trails Map – reduced scale



Pender Islands Parks Commission Community Parks and Trails Map

Website: crd.bc.ca/penderparks

The Pender Islands Parks Commission (PIPC) manages community parks, trails and ocean accesses on the North and South Pender Islands delegated to it by the Capital Regional District (CRD). Other parks on the islands are managed by agencies such as Parks Canada – Gulf Islands National Park Reserve (GINPR), Islands Trust Fund (ITF), and CRD Regional Parks. Some of our trails interconnect with theirs to form a trail system.

The longer PIPC trails may encompass more than one ecological zone and reflect the natural ecosystems of Eastern Vancouver Island and the Gulf Islands as a whole. Some parks celebrate the contribution of humans in the history of the islands. Parks provide recreational and educational opportunities for everyone. Protecting them means that the future generations will be able to observe the amazing natural history of this area.

Most PIPC parks and trails are now marked by wooden posts at or near the entrance. The PIPC has created a Community Parks Guide available at local retail outlets indicating the location and features of these community parks and trails. The Guide includes estimated time to allow on a trail, amenities, and street locations. Further information about community parks and trails can be obtained at the PIPC website <http://www.crd.bc.ca/penderparks>.

Fire: The risk of a fire on a forested island is extreme. No fires are permitted on community parks and trails. Report all fires by calling 911. Always be extra cautious with smoking materials and observe no smoking signs.

Dogs: Keep dogs under control at all times, preferably by keeping them on a leash. Please keep them away from areas where children play especially at the swim hole and baseball diamond. Please clean up after your pet.

Privacy: Be aware that many parks and trails are next to residential areas. Please respect private property and stay on the trail or park.

Caution: Many of the trails are unimproved with exposed roots and rocks reflecting the PIPC's low environmental impact trail construction. The terrain can be rugged and steep in places and care should be taken especially when the ground is slippery. Be alert for wood ticks when walking through areas of high grass and underbrush. **ATM's and bikes are not permitted on any parks or trails.** You use the parks and trails at your own risk.

Parks and Trails

3. Capstan Lane Park
4. Abbott Hill Park
7. Lively Peak Park
8. Compass Crescent/Starboard Crescent Trail
9. Heart Trail/Ketch/Prior Park
10. Schooner Way/Chart Drive Trail
11. Bosun Way/Galleon Way
15. Mount Menzies Park
16. George Hill Park
17. Mount Elizabeth Park
21. Gardom Pond Trail
29. Capstan Lane/Rope Road Trail
37. Enchanted Forest Park
40. Castle Road Trail
42. William Walker Trail
49. Heart Trail Extension/Ketch/Disc Park
52. Sandy Sievert Park
58. Craddock Drive/Gowlland Point Road Trail
60. Yardarm Road/Shingle Bay Trail
61. Masthead Crescent/Shingle Bay Trail
63. Buck Lake Trail
65. Schooner at Reef Park
66. Compass Crescent/Tiller Crescent Trail
67. Firehall/Disc Park Trail
69. Schooner/Privateers Trail

Ocean Access

18. Peter Cove (North) Ocean Access
22. Brickly Bay Ocean Access
23. Bridges Road Ocean Access
24. Mackinnon Road Ocean Access
25. Harpoon Road/Panda Bay Ocean Access
26. Boat Nook Ocean Access
27. Starvation Bay Ocean Access
28. Peter Cove (South) Ocean Access
30. Irene Bay Ocean Access
31. Percival Cove Ocean Access
32. Grimmer Bay Ocean Access
33. Niagara Road Ocean Access
35. Walden Road Ocean Access
36. Fawn Creek Park/Ocean Access
38. Mortimer Spit Park/Ocean Access
43. William Walker Road Ocean Access
44. Boundary Pass Drive Ocean Access
45. Ancia Road Ocean Access
46. Gowlland Point Ocean Access
47. Craddock Drive Ocean Access
48. Canal Road (South) Ocean Access
50. Found Road Ocean Access
54. Wallace Road Ocean Access
55. Tracy Road Ocean Access
56. Welcome Bay Ocean Access
57. Bidgood Ocean Access

Ocean Viewpoint – No Access

19. Skeeles Road Viewpoint
20. Oaks Bluff Viewpoint
33. Wilson Road Viewpoint
41. Bridge Park (south) Viewpoint
51. Seawest Viewpoint
53. Southlands Drive/Tilley Road. Viewpoint
59. Plumper Way Viewpoint
62. Mumford Road Viewpoint
64. Higgs Road Viewpoint

Recreation Park

1. Shingle Bay Park
2. Thieves Bay Park
5. Danny Martin Park - baseball
6. Disc Park – disc golf
13. Magic Lake Swim Hole Park
14. Magic Lake Picnic Site Park - boating

Heritage Park

12. Grover Sergeant Memorial Cairn Trail
39. Lilius Spalding Heritage Park

Nature Appreciation Park with Interpretive Signs

17. Mount Elizabeth Park
37. Enchanted Forest Park
50. Found Road Ocean Access (planned)
56. Welcome Bay Ocean Access



Map of the Pender Islands

Legend:

- Ocean Access
- Ocean Viewpoint
- Park and Trail
- Nature Appreciation (interpretive signs)
- Recreation Park
- Heritage Park
- PIPC Parks
- Other Parks

Map Labels:

- North Pender Island:** Clam Bay (Davidson), Port Washington, Hope Bay, Navy Channel, Outer Bay, Ella Bay, Port Browning, Hamilton Beach, Browning Dock, Rafter Place Road, Harbour Hill Drive, Mount Norman / Basement (HNPB), Greenhouse Lake (GNPB), Tilly Point, Wallace Point, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64.
- South Pender Island:** Magic Lake, Pender Sound, Pumpkin Sound, Badwell Harbour, Swains Channel, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64.
- Magic Lake Area:** Magic Lake, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64.



PENDER ISLANDS PARKS COMMISSION MASTER PLAN 2008

APPENDIX D Liaison with Community Groups and Individuals

1. Summary of distribution of Draft Master Plan 2008 for public feedback

Advertisement of the Plan occurred in the Pender Post for 3 months, on our web page, and at 3 public events.

The number of Draft Plans distributed was 71 copies, with 46 copies mailed out and 25 copies handed out to individuals. Copies were distributed to the public at 3 events: Saturday Market April 12, 2008 (10 copies), SPI-LTC meeting May 3, 2008 (7 copies), Earth Day May 17, 2008 (8 copies).

Fourteen feedback forms were received, by mail (8 copies), by email (1 copy), and in the community box (5 copies). The respondents were groups (7), government agencies (2), individuals (1), and anonymous (4). The response rate from the public was 19.7%.

2. Groups who received the Draft Master Plan 2008 by mail for public feedback

AGENCIES AND ORGANIZATIONS	PENDER ISLAND COMMUNITY GROUPS
Capital Regional District - Electoral Area Director	Let's Go Walking
Capital Regional District - Parks Manager	Magic Lake Property Owners Association
CRD Parks and Recreation Commissions on Mayne, Galiano, and Saturna	Magic Lake Sewer and Water
Gulf Islands National Park Reserve	Parent Advisory Council
Islands Trust, North Pender Island Transportation APC	Paths on Pender (PoP)
Islands Trust, South Pender Island Trustees	PAWS (Animal Welfare Society)
Islands, Trust North Pender Island Trustees	Pender Is. Chamber of Commerce
Ministry of Transportation, Vanc. Is. District	Pender Is. Child Care Society (PICCS)
Pender Is. Ambulance Service	Pender Is. Community Services Society (PICCS)
Pender Is. Auxiliary Coast Guard	Pender Is. Conservancy Association (PICA)
Pender Is. Elementary and Secondary School	Pender Is. Farmers' Institute
Pender Fire Protection Society	Pender Is. Field Naturalists
Pender Is. Fire Rescue	Pender Is. Health Care Society
Pender Is. Recreation Commission	Pender Is. Lions Club
Royal Canadian Legion - Branch #239	Pender Is. Museum Society
RCMP Pender Islands Detachment	Pender Is. Newcomers' Club
	Pender Is. Playgroup
	Pender Is. Public Library
	Pender Is. Recreation and Agricultural Hall Association (PIRAHA)
	Pender Is. Recycling Society
	Pender Is. Search and Rescue
	Pender Is. Women's Institute
	Pender Is. Young Naturalists Club
	Pender Is. Youth Sports Association



PENDER ISLANDS PARKS COMMISSION MASTER PLAN 2008

APPENDIX E PIPC Fall Fair Questionnaire Results 2003-2004-2005

Questionnaires on the establishment, management, usage and condition of the community parks and trails on the Pender Islands have been distributed and collected by the PIPC at the Fall Fairs held every August at the Community Hall. Over this 3-yr period, over 40 public questionnaires were completed and the results have been compiled below. PIPC intends to use public questionnaires again in the future.

Of the 40 questionnaires returned, 25 were completed by residents and 15 by non-residents of the Pender Islands. The most popular area of trail use was the Magic Lake area, which was greater than all other areas combined. As this area has the highest population density, it is well matched by having the highest density of trails and parks. Regarding how many parks/trails people had visited at least once, respondents listed an average of 19 trails per person had been explored thus far. This shows that people are using a wide variety of trails and have explored more trails than found in the immediate vicinity of their residence. The frequency that people are using community parks and trails showed that weekly and monthly use were the most popular categories, indicating that people are using the trails on a regular basis throughout the year.

The majority of respondents found the trail and park standards to be acceptable and the suggested upgrades included making more trails accessible for mobility-impaired users, including wheelchairs, and also trail improvements for wet weather use. When asked what people liked most about the parks and trails, the top answers were the variety of trails available and the well marked/organized trail system. Many people were appreciative that the parks simply existed for their use, and that several trails were linked to one another.

Recommendations regarding less favourable trail attributes included not enough mobility-impaired accessible trails, not enough trails linked to form longer walking opportunities (some trails too short), not enough trails available, and overly rugged trails during the winter season. For trail signage improvements, several responders suggested signs for no littering, no smoking, and for viewpoint locations might be helpful although others requested that fewer signs were better and that the trailhead signposts were well placed and sufficient. There were several requests for trail information signs at the trailheads to indicate trail length, difficulty, attributes, etc.

The favorite parks cited most often were Oak Bluffs, George Hill, Mt. Menzies, and the Disc Golf Course. The reasons listed behind the nominations included beautiful viewpoints, trails are close to home, nature appreciation (birds, whales, forest), good exercise, and the length of the trail. Ocean access points that were most frequented were Gowlland Point, Shingle Bay, and Mortimer Spit. Many respondents suggested specific areas in which they would like to see a new trail established, including Oak Bluffs to Beaumont, Enchanted Forest to Greenburn Lake, to the top of Mt. Elizabeth, Shingle Bay to Irene Bay, shoreline walking around Percival Cove, and Port Washington Road to Hope Bay. Only about half of the respondents had visited the PIPC website, indicating that further advertising to increase awareness of the web site existence and content may be useful.

The major ideas suggested as future guidelines for the PIPC from the 3 yrs of questionnaires were the establishment of more parks throughout the Penders, linking trails together to form longer walking opportunities, and making trails more accessible for mobility-impaired users.



PENDER ISLANDS PARKS COMMISSION MASTER PLAN 2008

APPENDIX F Demographic Statistics and Park Resources

The PIPC monitors the changes occurring in the makeup of the population of the Pender Islands to ensure that the park and trail system reflects the interests and capabilities of the majority of the Islands' residents.

From the 2006 Census, the breakdown of age groups for the Pender Islands (rounded to the nearest 5 people) is available from the CRD website, among other places, and have been compiled in Table 1.

Table 1. Census Results 2006 Pender Islands.

Age Group	2006 Permanent Residents	2001 Permanent Residents	2006 Change in population	2006 census Age group % of total population
0-4	65	50	+15	3
5-9	90	52	+38	4
10-14	65	56	+9	3
15-19	70	54	+16	3
20-24	35	62	-27	1.5
25-29	40	67	-27	2
30-34	55	83	-28	2.5
35-39	105	115	-10	5
40-44	125	149	-24	5.5
45-49	165	186	-21	7.5
50-54	200	217	-17	9
55-59	295	184	+111	13
60-64	265	162	+103	12
65-69	225	146	+79	10
70-74	160	137	+23	7
75-79	130	110	+20	6
80-84	80	67	+13	3.5
85+	50	32	+18	2.5
Total	2220	1929	+291	100%

Over the last five years there have been a variety of shifts in the age-based constituent population of the Penders. The 2006 census reveals that approximately 11% of the population is 19 or under, 33% of the population is 20-54 yrs, and 50% of the population is 55 and over.

In comparison to the 2001 census, the under 19 yrs section has grown by about 78 children while the 20-54 yrs section has lost numbers with some age groups shrinking in excess of 30%. In the 55 and up age groups, there have been some marked increases especially in the 55-59 and 60-64 age groups where the increase is greater than 60% over the 2001 census levels. The 65-69 age group also increased by approximately

55%. While the number of people in various age groups changed over the last 5 yrs, the total population grew with 291 new permanent residents, an increase of 30% from 2001. The graphs below outline the 2006 census data (Fig. 1) and show a comparison between 2001 and 2006 as compared with 2001 (Fig. 2).

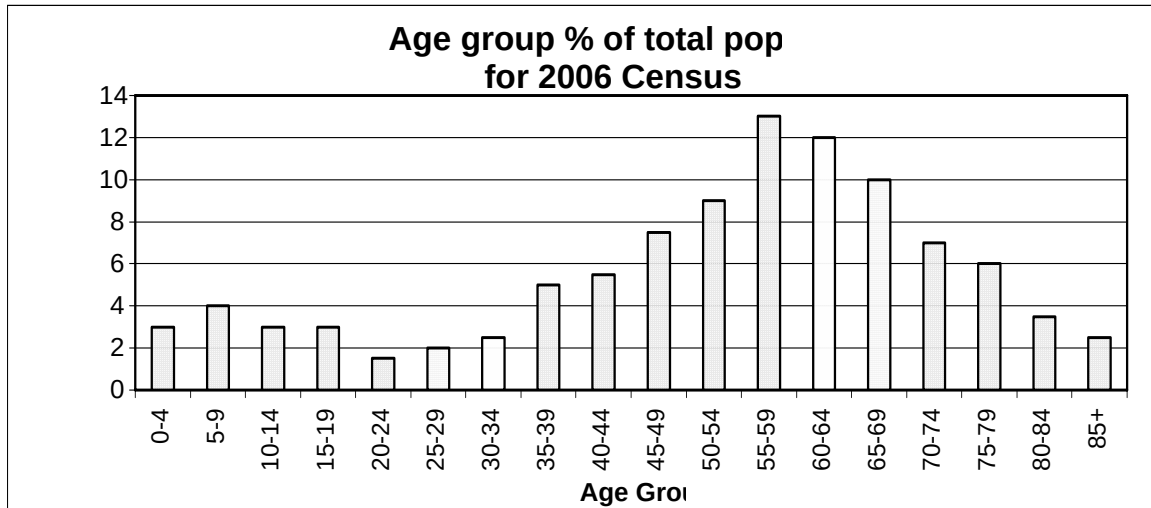


Fig. 1. Pender Islands 2006 census results.

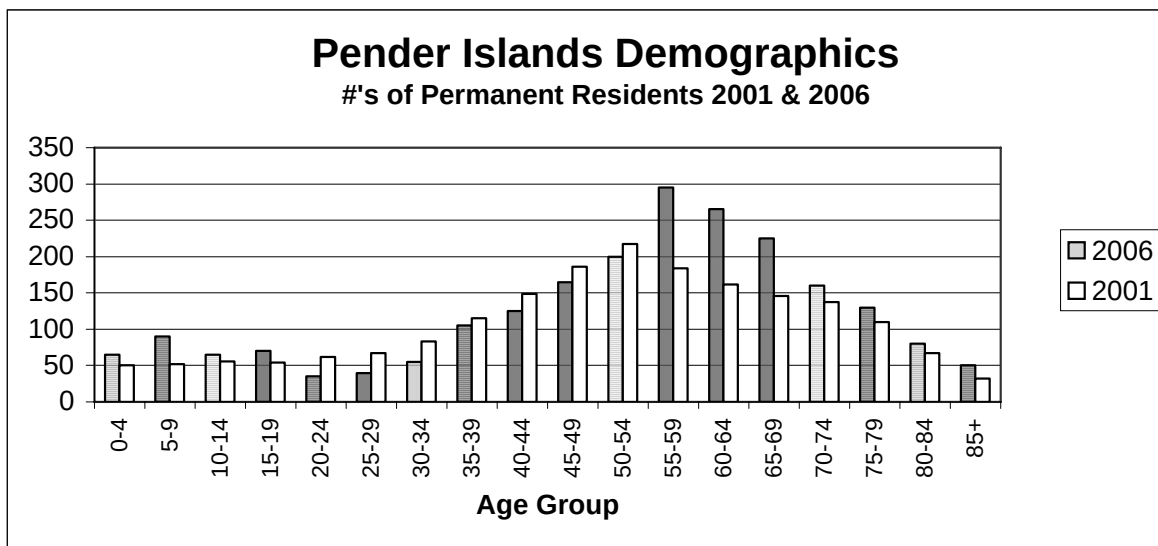


Fig. 2. Comparison of Pender Islands 2006 and 2001 census results.



PENDER ISLANDS PARKS COMMISSION MASTER PLAN 2008

APPENDIX G Principles and lists regarding sub-dividable lands potentially subject to Park dedication on the Pender Islands

1. PIPC principles

- 1.1 When sub-dividable properties subject to park dedication are developed, the designation of linear trails that provide links and loops between existing trails and possible future trails, off road trails, trails to the foreshore, and trails to viewpoints on ridges, bluffs or hills are the most desirable for the public. These trails can result from the appropriate application of the 5% park dedication at the time of subdivision.
- 1.2 All sub-dividable oceanfront properties subject to park dedication need to allow public access to either the foreshore or a viewpoint at the foreshore. Ministry of Transportation ocean access roads are required at a set distance along the foreshore. If the authorities do not accept a MoT foreshore access, the 5% park dedication or part thereof may, at the discretion of the PIPC, be used for this purpose.
- 1.3 All sub-dividable properties subject to park dedication must provide public access to community trails and parks in such a way as to allow unfettered public access.
- 1.4 Where a 5% park dedication lies within a strata development, there needs to be unfettered public access to the community park with public parking adjacent to the community park. Public access and parking must be arranged so as to allow access by those with mobility difficulties and those engaged in park maintenance.
- 1.5 Ridges or hills on sub-dividable properties subject to park dedication may provide an opportunity for linear trails along or over ridge lines to viewpoints and links to other trails.
- 1.6 Community parks and trails obtained from 5% park dedication should fit into the whole network of public green spaces on the Pender Islands and provide opportunities for values such as nature appreciation and education, fitness, and environmental conservation.

2. List of sub-dividable lands potentially subject to park dedication on North and South Pender Islands

The following lists of sub-dividable lands are revised regularly and follow the Islands' Trust "Schedule D" document for designated lands. The PIPC has listed several possible park dedication projects for each property.

2.1 South Pender Island properties:

1. Gowlland Point Rd., Plan 7022 Lot 1 Sec 20 Parcel 005802938
Oceanfront lot. Linear trail to foreshore park, public access through any strata lands to the park, beach access.
2. Gowlland, Craddock and Southland Rds., Plan 33227 Lot 1 – Parcel 000231207

- Oceanfront lot, multi-access property, foreshore access or viewpoint potential. Loop trails to connect with Southlands/Tilley trail and Craddock/Gowlland Loop trail. Off road linear trail from Gowlland Pt Road to Craddock Drive
3. 8914 Gowlland Point Rd., Plan 25300 Parcel 000140787
Oceanfront lot. Foreshore access point or viewpoint. Linear trail to connect with a trail through Plan 33227 to Craddock Drive or Southlands. Possibly off road trail along Gowlland Point Road
 4. 9801 Tilly Point Rd., Plan 17522 Lot 1 Parcel 003949591,
Oceanfront lot. Foreshore access from Tilly Point Rd.
 5. 8907 Tilly Point Rd., Plan 32109 Lot 2 Parcel 001098594
Oceanfront lot. Viewpoint Park on ridge – Public access from Tilly Point Road
 6. Gowlland Point Rd., NW ¼ Sec 1 Parcel 009673300
Oceanfront lot with surveyed access road. Property adjacent to Whalewych Farm, Greenburn Lake GINPR, and Camp Bay Property is zoned Forest upland and Rural Residential on the waterfront edge. Public access is desired up the access road and via a linear trail to the beach at Camp Bay. Other trails from this property to GINPR lands at Greenburn Lake, Spalding Road and Boundary Pass Drive would create a linking trail system.
 7. 9929 Spalding Rd., NW Parcel 009673300
Oceanfront lot. Linear trail from Spalding Rd to Camp Bay. Linear trail to viewpoint on Hermit Hill and on to Boundary Pass Dr. Linear trail to adjacent property described in #6.
 8. 9908 Jennens Rd., NW ¼ of SW 1-4 Parcel 009673423
Oceanfront lot and farm. Access trail to Property #7. Linear trail along fence line from Higgs Rd farm gate to Jennens Rd farm gate. This part of the property is not ALR and there is a functional farm road on it at present. There is also a piece of this property zoned RR that touches Gowlland Point Rd between Plan 22375 Part 1 and 205071 Part 1 that could be a trail entrance.
 9. Spalding Rd., SE ¼ Sec 5 Parcel 009691804
Oceanfront lot. Property behind Enchanted Forest. Access at two places from Spalding Rd. Access may also be possible via access road next to the property at 9834 Spalding Rd. Complexity of Zoning - mostly Forest. There are 2 Resource Protect areas – likely the ponds. There is a small RR zoned waterfront area. There is also a large section zoned A. Ocean Access point in Bedwell Harbour, linking linear trails from west end of Enchanted Forest Park to link with Mt Norman section of GINPR and connect to William Walker Trail. Trail to small pond. Trail to Richardson's Bluff. Loop trails preferable.
 10. Castle Rd., Plan VIP 66416 Lot B Parcel 023981237
Upland lot behind subdivision. Linking trail from the top end of Castle Rd trail to PIPC park land across from Heritage Park. Linear trail to Spalding Hill and connecting trails to William Walker Trail.
 11. Canal Rd., VIP 66416 Section A Parcel 023981211
Oceanfront lot access. East Side road would likely be extended to foreshore. Ocean access to Little Bay. Trail to Conery Cr.
 12. Canal Rd., VIP 65698 Lot 1 Parcel 009673474
Upland and oceanfront hook lot. Property adjacent to Mt Norman GINPR. Contains William Walker trail, which needs to be kept intact. Off-road trail along Canal Rd. Connecting trails to #9 and #10 Connecting trails between Canal Rd OA and Pioneer Trail OA.
 13. Canal Rd., VIP 68591 Lot B Parcel 009673539

- Upland lot. Contains William Walker trail, which needs to be kept intact. Off-road trail along Canal Rd Connecting trails to Spalding property #10.
14. Conery Cr., Fractional South ½ of Sec 3, except parts in Plans 14109, 48351 and VIP 80429 Parcel 004871324
Oceanfront lot. Linear trail connecting Conery Cr. and Boundary Pass Drive. Trail to ocean viewpoint.
 15. Canal Rd., VIP 63593 Lot A Parcel 023474327 Oceanfront lot.
 16. 9856 Canal Rd., VIP 63593 Lot B, Parcel 023474327
Oceanfront lot to the left of Canal Road OA.
 17. 9868 Canal Rd., VIP 65698 Lot 2, Parcel 023852933
Oceanfront lot on Canal Road between Canal Road OA and Pioneer Trail OA.
 18. VIP 65698 Lot 3, Parcel 023852941. Oceanfront lot to the right of Pioneer Trail OA.
 19. 9888 Canal Rd., VIP 63594 Lot 2, Parcel 023474475. Oceanfront lot on Canal Rd.
 20. Canal Rd., VIP 63594 Lot 1, Parcel 023474467
Oceanfront lot next to William Walker OA and across from William Walker Trail.

2.2 North Pender Island properties:

1. 7950 Plumper Way, Lot 23, Plan 1084, ID008045453
Area 28572 sq m. Possible viewpoint at bluff/headland, covenant property, zoned rural residential. Trail/easement from existing trail.
2. 5830 Wallace Rd., Section 7: ID 009674063
Area 243964 sq m. Watershed, Islands Trust Fund Board covenant and acquisition, Amenity zoning with remainder as park with covenants. Linear trail from Medicine Beach to Pirates Rd., viewpoint. Zoned Rural.
3. 4709 Canal Rd. Plan 23566 Lot 1 ID 003122379
Area 29153 sq m. Property with Inn on Pender, linker trail between Heart Trail and towards the Driftwood Centre. Zoned Tourist Commercial.
4. 3601 East Bedwell Harbour Rd. Plan 47837 Lot I ID 02756873
Area 369423 sq m. At end of road, park dedication for watershed and creek protection. Linear trail between Bedwell Harbour Rd. and Shingle Bay Park. Linear park along Shingle Creek. Zoned Rural.
5. 6601 Razor Point Rd., SE ¼ Sec 12 ID 008942749;
Area 108430 sq m, 61 acres. At end of road, covenant, linear park with OA or to viewpoint. Zoned Rural Residential.
6. Razor Point Rd., NE ¼ Sec 12 ID 008942714
Area 134490 sq m. At end of road, adjacent to #5. Waterfront lot, zoned rural.
7. 5609 Razor Point Rd., SE ¼ Sec 14 ID 009674802
Area 646492 sq m. Adjacent to GINPR and Loretta's Wood. Covenant on the meadows, Jurisdictional extension of the skid road to Mt. Menzies, Protection of the cliffs. Linear access to allow public from GINPR Loretta's Wood to Razor Point Rd. Split zone – Agriculture and Rural.
8. 4506 Bedwell Harbour Rd., NW ¼ Sec 14 ID 009674756;
Area 643223 sq m. Adjacent to #9 on Hooson Rd. Several possible trails linking it to #9, GINPR Loretta's Wood, and property #7. Split zone – Agriculture and Rural.
9. 5442 Hooson Rd., Plan 6524 Lot A
Area 198066 sq m. Linear trail on the south side, joining Community Hall/Hamson property to GINPR Loretta's Wood. Zoned Rural.
10. 4308 Clam Bay Rd., Plan 21029 Lot 2 ID 000185185
Area 24511 sq m. Possible foreshore access. Zoned Rural Residential.
11. Clam Bay Rd. and Armadale Rd. Plan 22622 Lot A ID 006032656

- Area 161904 sq m. Zoned Rural Residential. Linear trail joining Clam Bay Rd and Armadale Rd.
12. Clam Bay Rd., Plan 5063 Lot 2 ID 006032656
Area 161904 sq m. Adjacent to Clam Bay Farm. Ocean access trail, to join with Found Rd. by the foreshore. Zoned Rural.
 13. 2218 Clam Bay Rd., Plan 28410 Lot A Sec 23 and Plan 21950 F Parcel D Sec 23 Edgewood Estates. Zoned Rural, with a small area zoned Agriculture that crosses Found Rd. Linear trail from Clam Bay Rd to George Hill along the ridgeline.
 14. Clam Bay Rd., Exc W 600' 885021
May be part of Edgewood Estates. Zoned Rural Residential
 15. 2201 Paisley Rd., wly 600' Plan 885021
Adjacent to Edgewood Estates and George Hill. Protected park area extending from George Hill on north triangle of property and including cliff face. Possible linear trail from George Hill to Clam Bay Rd, forming loop with possible Edgewood trail. Zoned Rural Residential.
 16. 2203 Port Washington Rd., VIP 60590 Lot C (west lot) ID 023014237
Area 32753 sq m. Zoned Rural Residential.
 17. 2209 Port Washington Rd., VIP 60590 Lot A (east lot) ID 026120895
Area 43071 sq m. Possible linear trail to Otter Bay Rd. and golf course. Zoned Rural Residential.
 18. Stalker Rd., Plan 2141 Lot 1 ID 006393489
Area 72932 sq m. Linear trail, linking Stalker Rd. with Mackinnon Rd. Possible foreshore access. Zoned Rural Residential.
 19. Mackinnon Rd., Plan 2925 Am A ID 003650421
Area 36622 sq m. Linear trail Mackinnon Rd. to Stalker Rd. Zoned Rural Residential.
 20. 2301 Mackinnon Rd., Plan 17303 lot 1 (west lot) ID 003926133
Area 15901 sq m. Adjacent to ferry terminal. Hook lot, ocean viewpoint. Zoned Rural Residential.
 21. 2305 Mackinnon Rd., Plan 17403 lot 2 (middle lot) ID 003926168
Area 14777 sq m. Hook lot, ocean viewpoint, zoned Rural Residential.
 22. Mackinnon Rd., Plan 17403 lot 3 (east lot) ID 003926184
Area 11787 sq m. Adjacent tpo Otter Bay Marina. Hook lot, ocean viewpoint, zoned Rural Residential.
 23. 3308 Amies Rd., Plan DD 357241 Lot E ID 009675761
Area 336549 sq m. Crosses Amies Rd. Possible viewpoint southwards, or linear trail linking Amies Rd. to Port Washington Rd. Split zone, Agricultural to north and Residential to south.

File No.: NPI Bylaw 203/204/205:
6500-20 STVRs

DATE OF MEETING: April 6, 2017

TO: North Pender Island Local Trust Committee

FROM: Robert Kojima, Regional Planning Manager
Southern Team

COPY: Justine Starke, Island Planner
Miles Drew, Manager, Bylaw Enforcement
Warren Dingman, Bylaw Enforcement Officer

SUBJECT: Final Report – Short Term Vacation Rentals on North Pender Island

Applicant: N/A

Location: N/A

RECOMMENDATION

1. That the North Pender Island Local Trust Committee Bylaw No. 203, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 2, 2016,” be adopted.
2. That the North Pender Island Local Trust Committee Bylaw No. 204, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2016,” be adopted.
3. That the North Pender Island Local Trust Committee Bylaw No. 205, cited as “North Pender Island Local Trust Committee Fees Bylaw No. 173, 2007, Amendment Bylaw No. 1, 2016”, be adopted.

REPORT SUMMARY

The purpose of this report is to present Bylaws 203, 204, and 205 for consideration of adoption. Bylaw 204 will permit STVRs as home businesses in residential zones; Bylaw 203 will amend the Official Community Plan to enable STVRs as accessory uses in residential zones, and introduce Temporary Use Permit guidelines for STVRs. Bylaw 205 will amend the fees bylaw to reduce the fee for STVR TUP applications to \$900.

The overall objective of this project was to engage in a community planning process that considers options to improve the stock, availability, and impacts of affordable housing on North Pender Island. The North Pender Island Local Trust Committee’s (LTC) first priority was consideration of the use of residential zones for tourist accommodations, known as STVRs (Short Term Vacation Rentals). The scope of this work has been guided by a “[project charter](#),” which can be reviewed on the North Pender Island Local Trust Area web page: www.islandstrust.bc.ca/npender/housing.

BACKGROUND

A public hearing was held on November 5, 2016. Following the hearing, the LTC made minor amendments, gave Third Reading to the bylaws, forwarded the bylaws to Executive Committee for approval, and Bylaw 203 to the Minister for approval. EC approved the bylaws on January 18th, and the Minister approved Bylaw 203 on March 13th. The bylaws are now in front of the LTC for final consideration and adoption.

If the LTC chooses to adopt the bylaws, staff intends to undertake the following steps to implement the policies and regulations:

- Review existing enforcement files
- Send letters to operators with existing enforcement files seeking compliance, either by conforming with the regulations, ceasing the use, or applying for a TUP, as the case may be.
- In anticipation of a number of TUP applications over the next year or so, staff will prepare checklists and procedures, and anticipate batching applications.

Rationale for Recommendation:

The proposed amendments reflect the results of the referral and consultation process with the community. There are not further changes recommended prior to consideration of adoption.

ALTERNATIVES

1. Make other amendments to the bylaw(s)

The LTC may make minor amendments to the bylaw(s) provided, the amendments would not alter use or increase density. However as the bylaws have been approved by EC, amendments may trigger a new EC approval.

Possible Resolutions:

That North Pender Island Local Trust Committee proposed Bylaw 203, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 2, 2016,” be amended as follows

That North Pender Island Local Trust Committee proposed Bylaw No. 204, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2016,” be amended as follows

2. Proceed no further

The LTC may decide to proceed no further with Bylaws 203 and 204.

Resolution:

That the North Pender Island Local Trust Committee proceed no further with Bylaw 203 and 204.

NEXT STEPS

1. Staff consolidate the bylaws
2. Bylaw enforcement staff review existing open files and contact operators seeking compliance.
3. Planning staff implement program to facilitate TUP processing

Submitted By:	Robert Kojima, Regional Planning Manager	March 29, 2017
Concurrence:		March 29, 2017

ATTACHMENTS

1. Proposed Bylaw 203
2. Proposed Bylaw 204
3. Proposed Bylaw 205

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 203

A BYLAW TO AMEND THE NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

WHEREAS the North Pender Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the North Pender Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the North Pender Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the North Pender Island Local Trust Committee wishes to amend the North Pender Island Official Community Plan Bylaw No. 171, 2007;

AND WHEREAS the North Pender Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the North Pender Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 2, 2016”.

2. SCHEDULES

North Pender Island Official Community Plan No. 171, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this 30th day of June , 2016.

READ A SECOND TIME this 22nd day of September , 2016.

| PUBLIC HEARING HELD this 5th day of November , 2016.

READ A THIRD TIME this 24th day of November , 2016.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this 18th day of January , 2017.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this 13th day of March , 2017.

ADOPTED this day of , 20.

SECRETARY

CHAIRPERSON

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 203**

SCHEDULE 1

The North Pender Island Official Community Plan No. 171, 2007 is amended as follows:

1. Amending Policy 2.1.1.2 by adding “except where authorized by a Temporary Use Permit” to the end of the sentence after the word “use.”
2. Inserting a new policy after Policy 2.1.1.2: “Short term vacation rentals may be permitted as accessory home businesses where the operator or other person responsible for the vacation rental is living on the same property in a permitted dwelling or cottage.”
3. Amending Policy 2.1.2.2 by adding “except where authorized by a Temporary Use Permit” to the end of the sentence after the word “use.”
4. Inserting a new policy after 2.1.2.2: “Short term vacation rentals may be permitted as accessory home businesses where the operator or other person responsible for the vacation rental is living on the same property in a permitted dwelling or cottage.”
5. Amending Section 6: Temporary Use Permits as follows:
 1. Delete the preamble in its entirety and replace with the following:

“An Official Community Plan may designate areas where temporary uses may be allowed. A temporary use permit may allow a use not permitted by zoning, specify conditions under which the temporary use may be carried on, and allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued. A permit may be issued for a period of up to three years and may be renewed only once, after which a new application is required.”
 2. Add a new Policy 6.4 as follows:
 - 6.4 “In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a short term vacation rental permit:
 - 6.4.1 For the purpose of a temporary use permit, “short term vacation rental” means the use of a dwelling or cottage as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier.
 - 6.4.2 The Local Trust Committee may consider issuance of a short term vacation rental permit provided the proposal would not alter the residential appearance of the residence.
 - 6.4.3 The Local Trust Committee should consider the cumulative effects on the neighbourhood and Island of all the temporary use permits issued for short term vacation rentals.
 - 6.4.4 The landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use. A pump test or other report may be requested in the application process. Where there is inadequate groundwater, a rainwater cistern may be required as a

condition of the permit. If the lot is served by a community water system, the application should be referred to the water system for information.

- 6.4.5 The landowner should demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles.
- 6.4.6 If the proposal is located on a property identified as containing a sensitive ecosystem, the permit should require that the landowner provide information for guests indicating the location of the sensitive areas, and information on how to avoid impacting the sensitive features.
- 6.4.7 The Permit should restrict advertising to one unilluminated sign, with a maximum area of 0.6 m².
- 6.4.8 The permit should require that the owner or other contact be available on North or South Pender Island by telephone 24 hours/day, seven days per week.
- 6.4.9 The permit should require the owner or manager provide neighbours within a 200 metre radius of the vacation rental with the owner or manager's phone number, and a copy of the temporary use permit.
- 6.4.10 The permit should require the landowner post the following information for guests:
 - a) remind guests that the property is located in a residential area;
 - b) information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted);
 - c) emergency service contact information, and to provide a means for contacting them;
- 6.4.11 The Local Trust Committee may consider issuing a permit to operate a short term vacation rental in an accessory building if the total floor area of all buildings on the property do not exceed 185 m², and if the building has received an occupancy permit for residential use under the BC Building Code.
- 6.4.12 In addition to any other conditions the LTC may consider appropriate, in some situations the permit may:
 - a) Limit the number of bedrooms that can be used for short term vacation rentals;
 - b) require mitigating measures to address neighbours' concerns, such as retention of existing screening and fencing, or installation of additional screening;
 - c) require the landowner/operator to post contact information and permit information at the entrance to the property;
 - d) prohibit camping or occupancy of RVs on the property;
 - e) prohibit the rental or provision of motorized personal watercraft;

- f) prohibit watercraft that has been brought from off island to be used on Magic Lake or Buck Lake;
- g) prohibit outdoor fires; and
- h) establish the dates during which the use may occur.

6.4.13 A temporary use permit for a short term vacation rental on a parcel in the Agricultural Land Reserve may require the approval of the Agriculture Land Commission prior to the permit being issued.”

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 204

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW, 1996

The North Pender Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the North Pender Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2016”.

2. North Pender Island Local Trust Committee Bylaw No. 103, cited as “North Pender Island Land Use Bylaw 103, 1996,” is amended as follows:

2.1 Section 1.1 – Definitions, is amended to add the following:

“short term vacation rental” means the use of a dwelling or cottage, or a portion of a dwelling or cottage, as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier. For this purpose, a dwelling or *cottage* used as *short term vacation rental* shall be considered an accessory *home business*, subject to the regulations established in Section 3.5.

2.2 Section 1.1 – Definitions, is amended to Include “short term vacation rental” under the home business definition, so the new definition reads:

“home business” means an accessory commercial use conducted on a residential lot and includes: short term vacation rentals, bed and breakfast and any profession, trade, business, artistic endeavour, where such activities are clearly accessory to a principal residential use.”

2.3 Section 3.5 – Home Business Regulations, is amended as follows:

3.5.1- add the word “cottage” so that it reads, “Home businesses must be conducted entirely within a dwelling, cottage or permitted accessory building except that this restriction does not apply to the use of land for a pottery kiln or for outdoor activities associated with a kindergarten, nursery school, daycare or horticulture.”

3.5.2 – Add “with the exception of short term vacation rentals,” so the regulation reads, “With the exception of short term vacation rentals, the combined floor areas of all home businesses on a lot must not exceed 65 m².”

3.5.4 – For clarity, add “In the case of a short term vacation rental, the operator or another person responsible for the vacation rental must live in a permitted dwelling or cottage on the property.”

Add a new Section 3.5.11 – “No more than one dwelling or one cottage may be used for a short term vacation rental on a lot.”

READ A FIRST TIME THIS	30 th	DAY OF	JUNE	2016
READ A SECOND TIME THIS	22 nd	DAY OF	SEPTEMBER	2016
PUBLIC HEARING HELD THIS	5 th	DAY OF	NOVEMBER	2016
READ A THIRD TIME THIS	24 th	DAY OF	NOVEMBER	2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	18 th	DAY OF	JANUARY	2017
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 205

A BYLAW TO AMEND NORTH PENDER ISLAND LOCAL TRUST COMMITTEE FEES BYLAW NO.173, 2007

The North Pender Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the North Pender Island Local Trust Committee Area under *the Islands Trust Act*, enacts as follows:

A. North Pender Island Local Trust Committee Bylaw No. 173 cited as "North Pender Island Local Trust Committee Fees Bylaw No 173, 2007" is amended as follows:

1. Section 3.1, Table 2 - Permits is amended by:

1.1. Replacing Number 10, Column 1: "Temporary commercial and industrial use permit," with "Temporary Use Permit."

1.2. Adding a new line 11 as follows:

11. Temporary Use Permit in respect of a short term vacation rental	\$900
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1.3. Renumbering Number 11 as 12 and replacing Column 1: "Temporary commercial and industrial use permit renewal," with "Temporary Use Permit renewal (including in respect of a short term vacation rental)."

1.4. Renumbering subsequent lines accordingly

B. This bylaw may be cited as "North Pender Island Local Trust Committee Fees Bylaw No. 173, 2007, Amendment Bylaw No. 1, 2016".

C. Severability

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this 27th day of October, 2016.

READ A SECOND TIME this 27th day of October, 2016.

READ A THIRD TIME this 27th day of October, 2016.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this 18th day of January, 2017.

ADOPTED this day of, 200_.

Chair

Deputy Secretary



Top Priorities

North Pender Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Land Use Planning for Waste Management	Identify land to be zoned for solid waste transfer facilities. Involves coordination with the Capital Regional District Solid Waste Management planning process.		Justine Starke	
2	Housing	This is a broad scope project focused on housing; the first priority was consideration of vacation rentals in residential zones (COMPLETED). The LTC will now consider permitting secondary suites on North Pender.	03-Feb-2015	Justine Starke	
3	First Nations Interests	LTC to consider First Nations issues and interests affecting North Pender.	24-Nov-2016		



Projects

North Pender Island

Description	Activity	R/Initiated
Potable Water		29-Oct-2015
Conservation Subdivisions	Continue exploring 2013-2014 work on conservation subdivisions. Consult with community on recommendations for LUB and OCP amendments.	03-Feb-2015
Agricultural Projects	Consider implementing agricultural initiatives identified in OCP, including an Area Farm Plan	22-Jan-2009
Other OCP projects: 1. View corridor review 2. Parks and Conservation area review 3. Pedestrian and Cycle paths - DONE 4. Groundwater protection strategy 5. Include advocacy policies for ultra vires regulations removed from the LUB (commercial airstrips, private marinas, use of personal watercraft) 6. Marine riparian areas		22-Jan-2009
Agricultural Building Watercourse Setbacks		28-Jul-2011
Geological Hazard Mapping	Continue work on proposed DPA for Hazardous Areas	22-Feb-2012

**Projects****North Pender Island**

Description	Activity	R/Initiated
LUB Amendments	·review of industrial zoning, including waste management ·tourist commercial zoning review ·home industry regulation ·review of commercial (C1) zoning ·incorporate TUP's into zoning ·landscape screening review ·review of marine zoning regulations in conjunction with overall shoreline development review ·amendments to permit renewable energy ·review of floor area calculations, applicable for cottages in support of alternative, energy efficient building designs, and review maximum floor area restriction ·height exemptions for agricultural or forestry buildings ·max floor area for principal dwellings	22-Mar-2012
Road Side Signs		26-Apr-2012
Applications after the fact	options to address situations where construction work has occurred without the required permits or approvals	28-Jun-2012
LUB/OCP Amendments Related to Roadway and Transportation Initiatives	·NZEV designation ·Level 2 Charging Stations ·Additional Car Stop Locations ·Additional Bicycling-Walking Routes ·Heritage Roads ·Road standards in subdivision servicing regulations ·Related policy and regulatory options	20-Sep-2012

Item 10.1 LUB Technical Amendments Project: Bylaw Enforcement Manager to provide a report regarding the applicability of the NPILTC Bylaw Infraction Investigations Bylaw No. 54, 1990, including recommended amendments.

Projects

North Pender Island

Description	Activity	R/Initiated
Shoreline information communications (QR Codes)	Investigate incorporating shoreline information and classification into new Gulf Islands app and using QR code for smart phones	
Climate Change Adaptation and Community Resilience	Review available baseline data and consider policy and regulatory land use changes to address climate change adaption and community resilience	22-Jan-2009



Islands Trust

Print Date: March 30, 2017

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2016.1	Mainroad South Island Contracting Planner: Phil Testemale	11-Jan-2016	3323 PORT WASHINGTON RD\n\nTo change from a TUP to a permanent zoning for a highway works yard.
Planning Status			
Status Date: 20-Mar-2017 Waiting for direction on Waste Transfer (April 24 Spec. Meeting) prior to 1 st reading.			
Status Date: 14-Feb-2017 Applicant has provided 2006 site profile supplemented by testing by SNC Lavolin conducted in Feb 2017. (date?)LTC agenda for First Reading.			
Status Date: 09-Jan-2017 Applicant has provided drainage plan.			
File Number	Applicant Name	Date Received	Purpose
NP-RZ-2016.2	PORT BROWNING MARINA RESORT LTD INC.NO. BC1037734 Planner: Phil Testemale	09-May-2016	4605 OAK RD\nRezone the water lot adjacent to the current Marina
Planning Status			
Status Date: 14-Feb-2017 Bylaw Referrals sent to Agencies and FN. CIM Meeting tentative schedule for April 8, 2017			
Status Date: 14-Feb-2017 Awaiting full AIA report - resolution to endorse ITPS req'd			
Status Date: 18-Jan-2017 On Jan 26 agenda for First Reading			

File Number	Applicant Name	Date Received	Purpose
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**Applications**

NP-RZ-2016.3 MILL BAY MARINE 20-May-2016 4602 and 4606 and 4605 Oak Road\n\n005-636-639\nRequest that area zoned SD(a) passing through lots 3 and 4 be re-aligned to be adjacent to the westerly boundaries AND rezone the part of lot 3 that sits NE of Oak Rd to be C3(a).

Planner: Justine Starke

Planning Status

Status Date: 14-Feb-2017

Bylaw Referrals sent to Agencies and FN. CIM Meeting tentative schedule for April 8, 2017

Status Date: 14-Feb-2017

Waiting for full AIA report. Resolution to endorse ITPS req'd

Status Date: 18-Jan-2017

On Jan 26 LTC agenda for First Reading

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2016.4	PENDER ISLAND COMMUNITY SERVICE SOCIETY PICSS c/o RAE	27-Oct-2016	4605 BEDWELL HARBOUR RD\nOCP AND LUB Amendment from Rural to Community Service Zoning
Planner: Phil Testemale			

Planning Status

Status Date: 14-Feb-2017

Preliminary Staff Report on Feb 23, 2017 Agenda.

Status Date: 13-Jan-2017

DAI letter sent to applicant.

Status Date: 09-Jan-2017

DIA Letter being prepared. February agenda for Preliminary Staff Report

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2017.1	PENDER ISLAND PARKS AND RECREATION COMMISSION (CRD)	24-Jan-2017	THIEVES BAY PAK/SHINGLE BAY PARK\nAMEND LUB 103 TO ADD PICNIC SELTER AS A PERMITTED USE AND STRUCTURE
Planner: Phil Testemale			

Applications

Planning Status

Status Date: 23-Mar-2017

Preliminary Staff Report on April 6 Agenda

Status Date: 15-Feb-2017

File under review.

Status Date: 01-Feb-2017

File opened and forwarded to planner and LTC

Subdivision

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2012.4	Edgewood Estates c/o Graham Ross	29-Nov-2012	2218 CLAM BAY RD \nTo create 11 lots including remainder
Planner: Kim Stockdill			

Planning Status

Status Date: 21-Mar-2017

PLA extension requested by applicant. Staff comments sent to MOTI stating no amendments to Island Trust conditions in PLA are required.

Status Date: 29-Sep-2015

Subdivision exempt from DPAs (PLA condition no. 3)

Status Date: 20-Aug-2015

Applicant provided Environmental Assessment on Eagle's Nest.

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2016.2	PORT BROWNING MARINA RESORT	06-Jun-2016	4605 and 4602 OAK Rd\nBoundary adjustment
Planner: Phil Testemale			

Planning Status

Status Date: 05-Oct-2016

PLA rec'd from MoTI

Applications

Status Date: 15-Sep-2016

Waiting for PLA

Status Date: 27-Jun-2016

Subdivision referral report sent to MoTI

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2017.1	DAVID G RICHARDSON EDNA M HEMSWORTH	16-Mar-2017	3210 ARMADALE RD - proposed subdivision to create 2 residential parcels
Planner: Phil Testemale			

Planning Status

Status Date: 16-Mar-2017

File opened and forwarded to planner

Islands Trust
LTC EXP SUMMARY REPORT F2017
Invoices posted to Month ending February 2017

650 North Pender	Invoices posted to Month ending February 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-650	LTC "Trustee Expenses"	1,500.00	262.90	1,237.10
LTC Local				
65200-650	LTC - Local Exp - LTC Meeting Expenses	4,000.00	2,888.14	1,111.86
65210-650	LTC - Local Exp - APC Meeting Expenses	600.00	551.97	48.03
65220-650	LTC - Local Exp - Communications	500.00	0.00	500.00
65230-650	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>5,600.00</u>	<u>3,440.11</u>	<u>2,159.89</u>
Projects				
73001-650-4054	North Pender Waste Management Review	10,000.00	9,923.33	76.67
73001-650-4073	North Pender STVR Review	4,000.00	1,356.02	2,643.98
73001-650-4074	North Pender Affordable Housing Review	4,000.00	0.00	4,000.00
TOTAL Project Expenses		<u>18,000.00</u>	<u>11,279.35</u>	<u>6,720.65</u>

North Pender Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	January 27, 2005	NP-LTC-05-05	Advisory Planning Commission Appointments	The LTC will appoint Advisory Planning Commission members as representative of various local areas on North Pender and/or representative of various community organizations
2.	May 25, 2006	NP-LTC-80-06	Communications Policy	Policy Number NP-LTC-01-06 (Communications Policy) establishes guidance for the preparation and dissemination of routine non-statutory notices, extraordinary notices and trustee newsletters.
3.	May 25, 2006	NP-LTC-82-06	Enforcement Policy - STVR	1. THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs that have one or more of the following characteristics will be subject to enforcement: 1. They are advertised on the internet, newspapers or other media; 2. They are not managed by the property owner; 3. More than one dwelling on the lot is simultaneously made available for STVR; 4. While the property is rented persons are also staying in tents, trailers or RVs; 5. There are issues related to health and safety; 6. There is a written complaint by owners or residents about bona fide nuisance issues such as noise or parking congestion related to the STVR; 7. The owner of the property uses more than one property on North Pender Island as a STVR. 2. THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the North Pender Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time;
4.	August 30, 2007	NP-LTC-146-07	Special Occasion License Policy	THAT where a Liquor Control and Licensing Branch Special Occasion License referral relates to property on which North Pender Island Land Use Bylaw No. 103 permits public assembly uses, such as restaurants, community halls or church halls, and there are no issues related to parking or past complaints, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
5.	April 28, 2011	NP-LTC-50-11	Adopting In Camera Minutes	It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff that they will adopt In Camera minutes when there are other reasons to close a meeting to the public.

6.	September 10, 2015	NP-LTC-63-15	Enforcement Policy - storage and disposal of waste and vehicles	THAT North Pender Island Local Trust Committee authorizes bylaw enforcement officers to commence bylaw investigations and enforcement without written complaint if bylaw violations related to disposal or storage of waste or recyclable materials or storage of vehicles or vehicle parts are observed by the bylaw enforcement officer while doing inspections for other issues or if it is reliably reported to the officer that such activity may be taking place.
7.				



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality February 2017

Regional Conservation Plan – LTC input

The Regional Conservation Plan guides the work of the Islands Trust Fund. The Plan's objectives and goals shape how we pursue our mission based on good science, the regional context and the resources available. Our current five year plan – extended for a further two years – will conclude this year. We are pleased to report that most of its goals have been, or are about to be, achieved.

The Trust Fund Board has approved the project charter for developing a new Regional Conservation Plan. This time, we are looking at a ten year plan with action items being developed and reviewed every two to three years. First steps include background research and preliminary consultations with trustees, partners and planners over the spring. We very much welcome the input of local trust committees and Bowen Island Municipality. We will be in touch with a formal way to provide feedback, but feel free to contact us for more information or send us your ideas informally.

New Board Member: Robin Williams

At our February meeting we welcomed a new Board member appointed by the Province: Robin Ashley Williams. Robin is a resident of Salt Spring Island who has been very actively involved in his community. Prior to his retirement, Mr. Williams was the President and Owner of Rombus Digital Systems and Ashley Fraser Technologies. Active in his community, Robin is the elected Chair for the Capital Regional District (CRD) Salt Spring Island Transportation Commission. He brings a range of expertise and experience that will be of great value to the Board. We are now back up to our full complement of six members.

Moore Hill, Thetis Island - New Nature Reserve

We are excited to announce the acquisition of a new 21 hectare nature reserve of unspoiled waterfront forest on Thetis Island. Moore Hill forms one of the highest peaks on Thetis and features sandstone cliffs with caves that provide bat habitat. This hill is ecologically rich and is culturally significant to the Penelakut Tribe. The acquisition involved an Ecological Gift from the former owner, a significant private donation, a major grant and partnership with Cowichan Community Land Trust and the Thetis Island Nature Conservancy.

Fairyslipper Forest campaign

This project is moving into its crucial final fund-raising stage. Thetis Islanders have already provided huge support through donations and pledges, so the balance required to close the purchase will likely have to be found from off-island sources. To that end, applications have been submitted to appropriate funding agencies. Deep appreciation is due to Lisa Gordon and everyone who contributed to her retirement campaign which raised \$3,000 towards the Fairyslipper Forest acquisition.

Summary of Current Island-by-Island Activities

Bowen

Bowen Island Conservancy has just completed site remediation work in the David Otter Nature Reserve and installed a new sign. ITF staff are working with a contractor to revise the management plan for the Singing Woods Nature Reserve.

Denman

The Islands Trust Fund Manager and the Director of Trust Area Services met recently with staff of the Ministry of Forests, Lands and Natural Resources to explore options for the protection of provincially managed parcels on Denman Island that have identified conservation values.

Gabriola

A survey of Western Screech Owls is being carried out during February in the Elder Cedar Nature Reserve. We are waiting to hear about potential funding to cover the cost of a boardwalk around the iconic large western redcedar. Two new signs for the entry points are being created to remind visitors about leashing dogs. A management plan for Burren's Acres Nature Reserve has been approved and posted to the ITF website.

Galiano

Restoration activities including tree planting plus weeding of last year's planting are taking place in March in the Trincomali Nature Reserve.

Gambier

Gambier Island Conservancy will be carrying out restoration work in the Long Bay Wetlands Nature Reserve. This will involve planting and caging new western redcedar seedlings in the old gravel pit and in the areas that have been previously logged.

Lasqueti

A Species at Risk survey on all three Lasqueti Island nature reserves has begun. The revision of the management plan for the Kwel Nature Reserve is underway.

Salt Spring

The Trust Fund Board approved a conservation covenant on Salt Spring Island to be held with the Salt Spring Island Conservancy.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca



Regional Parks
490 Atkins Avenue
Victoria, BC, Canada V9B 2Z8

T: 250.478.3344
F: 250.478.5416
www.crd.bc.ca/parks

February 14, 2017

File: 6130-30
Gulf Islands

North Pender Island Local Trust Committee
c/o Islands Trust
200 1627 Fort Street
Victoria BC V8R 1H8

Dear North Pender Local Trust Committee:

RE: CAPITAL REGIONAL DISTRICT – GULF ISLANDS REGIONAL TRAILS PLAN

The Capital Regional District (CRD) is undertaking a planning process to develop a Regional Trails Plan for the Gulf Islands. This plan will identify a conceptual route for a regional trail on each of Galiano, Saturna, Mayne, North and South Pender, and Salt Spring islands, as well as provide policies to guide implementation and trail development. CRD has met with Islands Trust staff to gather key background information and to understand Islands Trust interests generally.

Please find enclosed Project Bulletin #1, which outlines the project scope and the planning process being used to gather input and ideas from interested individuals, for your reference.

The CRD will be hosting public open houses on the islands in March 2017 and wanted to provide Local Trust Committees with advance notice. These sessions will be advertised in local publications and on the CRD website. A poster that outlines the open house dates and locations is also enclosed. We would appreciate any assistance you can provide in letting islanders know of the upcoming open houses.

At the open houses, the CRD will provide background information and will seek input on proposed trail routes and criteria for prioritizing trail development. Information and comment forms will also be available for those who cannot attend an open house on the CRD website at: www.crd.bc.ca/project/gulf-islands-regional-trails-plan

Once the Regional Trails Plan is drafted, the CRD will circulate a copy to the Local Trust Committee for comment and will provide opportunities for public review.

The CRD invites local trustees to drop in at an open house and we request that the Local Trust Committee provide any information or comments regarding specific community interests or challenges that it believes the CRD should be aware of at this stage in the planning process.

Sincerely,



Mike Walton
Senior Manager, Regional Parks

Enclosures (2)

cc. Brett Hudson, Manager, Planning, Resource Management & Development (email)
Carolyn Stewart, Park/Trail Planner, Regional Parks (email)
Robert Kojima, Regional Planning Manager - Southern Team, Islands Trust (email)

Gulf Islands Regional Trails Plan



Making a difference...together



Mayne Island, photo: Oriana Graber

Inside this Bulletin

- Background
- What's Planned
- Timeline
- Map
- Demonstration Project
- Experience the Gulf Islands Initiative
- Get Involved

The Capital Regional District is developing a regional trails plan for Galiano, Mayne, North and South Pender, Salt Spring and Saturna Islands. The plan will identify a conceptual regional trail route on each of the islands, and include direction for implementation.

Background

The Board-approved *CRD Regional Parks Strategic Plan 2012-2021* includes an action that CRD staff “In partnership with other public agencies, local government and private landowners, initiate planning for the regional trails system on Salt Spring Island and Southern Gulf Islands.” Planning for a system of trails on the Southern Gulf Islands was initiated in 2013 and public input was gathered regarding potential trails in 2014. This information will be used to inform the development of the plan in 2017.

What’s Planned

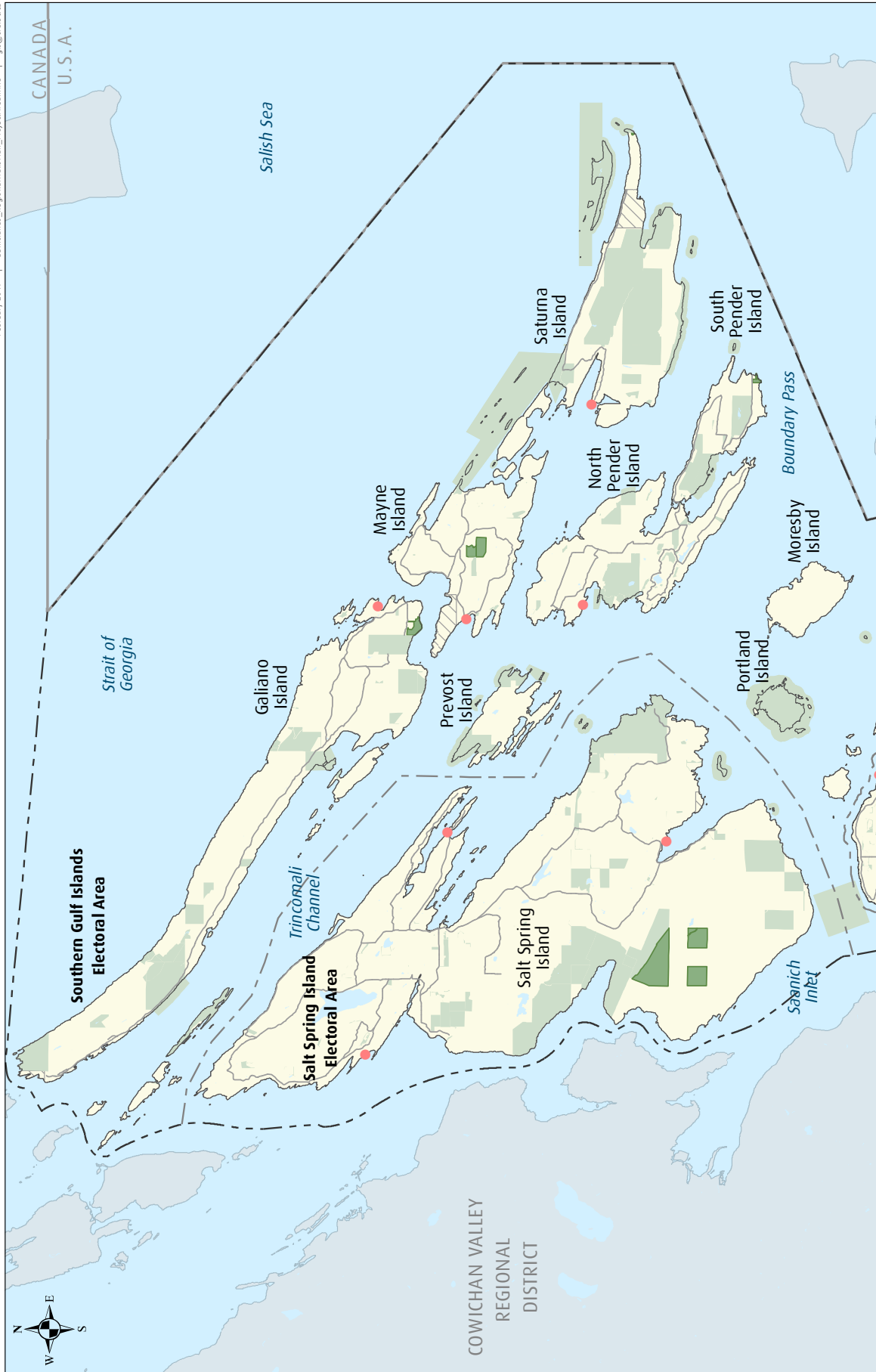
Regional Trails in the CRD are envisioned to be major routes for recreation and active transportation that connect communities and key regional destinations. The Gulf Islands Regional Trails Plan will identify a regional trail route on each of Galiano, Mayne, North and South Pender, Salt Spring and Saturna islands. The project area is shown on the map (page 3).

In general, each regional trail route will provide a ‘spine’ or ‘loop’ that other trails can connect with to create a broader network. The goal is that each regional trail will connect the ferry terminal to at least one key destination on the island. Where possible and feasible, preference will be given to locating the regional trail along road rights-of-way. Although the preference for regional trails is to be separate from roads, in some cases on-road sections may be required. In addition to identifying the general route for the regional trail on each island, the plan will also include policies relating to trail priorities and development.

Detailed individual trail planning, design and construction is outside of the scope of this project.

Timeline





Capital Regional District

Gulf Islands Regional Trails Plan

Project Area

- Regional Park
- Other Park
- First Nation Reserve
- Lake / Ocean
- Municipal / Electoral Area Boundary
- Capital Regional District Boundary
- International Boundary
- Major Road
- Ferry Terminal

Kilometres

0 2 4 6

Projection: UTM ZONE 10N NAD 83



Important: This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of this map for any purpose. **This map is not for navigation.** The CRD will not be liable for any damage, loss, or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

Regional Trail Demonstration Project

A project has been initiated on Mayne Island to plan and develop a regional trail from the Village Bay ferry terminal to Miners Bay. The trail will be designed to accommodate pedestrians and cyclists. This demonstration project will inform the design and development of future routes identified in the Gulf Islands Regional Trails Plan. Construction of the demonstration trail will occur at a later date, when funding is secured.

Experience the Gulf Islands Initiative

The intent of the Experience the Gulf Islands (ETGI) initiative is to enhance the social, environmental and economic sustainability of the islands. The ETGI Concept Plan recognizes that having regional trails will advance the intent of the ETGI initiative and recommends a coordinated approach by the various local and regional trail planning groups. Find out more at sustainableislands.ca.



Making a difference...together

For more information:

CRD Regional Parks

T: 250.478.3344 | crdparks@crd.bc.ca

www.crd.bc.ca/project/gulf-islands-regional-trails-plan

Get Involved

The CRD will engage the public through two rounds of consultation: one prior to drafting the plan and the second to review the draft. The trail plan will be finalized in 2018, following public consultation. Trail construction on the islands will take place over many years as funding is identified. Watch newspapers and the website for project announcements

crd.bc.ca/project/gulf-islands-regional-trails-plan



Trail use in the Capital Regional District

OPEN HOUSES on Gulf Islands Regional Trails Plan



Wayne Island Photo Oriana Graber

The Capital Regional District is developing a regional trails plan for the Gulf Islands. The plan will identify a conceptual regional trail route on each of the main islands and provide direction for implementation. You are welcome to drop in at one of the open houses to provide comments.

Date	Time	Island	Location
Tuesday, March 7	3:30-6:30 pm	North & South Pender	Community Hall
Thursday, March 9	3:30-6:30 pm	Salt Spring	Artspring
Tuesday, March 21	12-3 pm	Saturna	Community Hall
Wednesday, March 22	1-4 pm	Mayne	Community Hall
Tuesday, March 28	1-4 pm	Galiano	Community Hall

You may also provide your feedback online by March 31, 2017.

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CRD

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