



# North Pender Island Local Trust Committee

## Regular Meeting Agenda

Date: May 22, 2014  
Time: 9:45 am  
Location: Pender Island Community Hall  
4418 Bedwell Harbour Road  
North Pender Island, BC

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### Pages

1. Call to Order 9:45 AM - 10:00 AM
2. Approval of Agenda
  - 2.1 Additions/Deletions
  - 2.2 Questions from the public on Agenda Items
3. Community Information Meeting  
none
4. Public Hearing  
none
5. Previous Meetings 10:00 AM - 10:15 AM
  - 5.1 Local Trust Committee Minutes
    - 5.1.1 North Pender Island Local Trust Committee Meeting Minutes of April 24, 2014 (attached) 4 - 13  
For consideration to Adopt
  - 5.2 Public Hearing Records and Community Information Meeting Notes to be Received
    - 5.2.1 North Pender Island Local Trust Committee Public Hearing Record of April 24, 2014 (attached) 14 - 15
    - 5.2.2 North Pender Island Local Trust Committee Community Information Meeting Notes of April 24, 2014 (attached) 16 - 16
  - 5.3 Section 26 Resolutions-without-meeting  
none
  - 5.4 Advisory Planning Commission/Task Force to be

received

none

- |      |                                                                                                          |                     |         |
|------|----------------------------------------------------------------------------------------------------------|---------------------|---------|
| 6.   | <b>Business Arising from the Minutes</b>                                                                 | 10:15 AM - 10:20 AM |         |
| 6.1  | <b>Follow-up Action List (attached)</b>                                                                  |                     | 17 - 19 |
|      | FUAL report dated May 2014                                                                               |                     |         |
| 7.   | <b>Delegations</b>                                                                                       | 10:20 AM - 10:30 AM |         |
| 7.1  | <b>John Hastings re: Einar's Hill Bypass</b>                                                             |                     |         |
| 8.   | <b>Correspondence</b>                                                                                    | 10:30 AM - 10:40 AM |         |
|      | <i>[Correspondence regarding an application(s) or project(s) is listed with the application/project]</i> |                     |         |
| 8.1  | <b>Letter from Peter Pare re: Amendment to Magic Ferry Designated Route</b>                              |                     | 20 - 21 |
| 9.   | <b>Applications, Permits, Bylaws and Referrals</b>                                                       | 10:40 AM - 11:30 AM |         |
| 9.1  | <b>NP-ALR-2014.1 (Piskor) Staff Report (attached)</b>                                                    |                     | 22 - 31 |
| 9.2  | <b>NP-RZ-2012.2 (Clam Bay) Memo (attached)</b>                                                           |                     | 32 - 38 |
| 9.3  | <b>North Pender Island Local Trust Committee Proposed Bylaw No. 194 (attached)</b>                       |                     | 39 - 49 |
|      | For consideration to Adopt                                                                               |                     |         |
| 10.  | <b>Local Trust Committee Projects</b>                                                                    | 11:30 AM - 11:45 AM |         |
| 10.1 | <b>Conservation Subdivision - Verbal Update</b>                                                          |                     |         |
| 11.  | <b>Reports</b>                                                                                           | 11:45 AM - 12:30 PM |         |
| 11.1 | <b>Work Program Report &amp; Memo (attached)</b>                                                         |                     | 50 - 55 |
|      | Work Program report dated May 2014                                                                       |                     |         |
| 11.2 | <b>Applications Report (attached)</b>                                                                    |                     | 56 - 59 |
|      | Application report dated May 2014                                                                        |                     |         |
| 11.3 | <b>Bylaw Enforcement</b>                                                                                 |                     |         |
|      | none                                                                                                     |                     |         |
| 11.4 | <b>Expense/Budget Reports (attached)</b>                                                                 |                     | 60 - 60 |
|      | LTC expense report dated March 2014                                                                      |                     |         |
| 11.5 | <b>Adopted Policies and Standing Resolutions (attached)</b>                                              |                     | 61 - 61 |
|      | For information                                                                                          |                     |         |

**11.6 North Pender LTC Web Page**

North Pender Island Local Trust Committee Web page can be found at:

[www.islandstrust.bc.ca/islands/local-trust-areas/north-pender](http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender)

**11.7 Chair's Report**

**11.8 Trustee Report**

**12. Other Business**

12:30 PM - 12:35 PM

**12.1 Upcoming Meetings**

The next North Pender Island Local Trust Committee Meeting will be held on Thursday, June 26, 2014, at 9:45 am, at the Pender Island Community Hall (Upstairs).

**13. Town Hall Meeting**

12:35 PM - 12:45 PM

**14. Adjournment**

12:45 PM - 12:45 PM

**MINUTES OF THE NORTH PENDER ISLAND  
LOCAL TRUST COMMITTEE BUSINESS MEETING  
HELD ON THURSDAY, APRIL 24, 2014, AT 9:45 A.M.  
PENDER COMMUNITY HALL (LOUNGE),  
4418 BEDWELL HARBOUR ROAD,  
NORTH PENDER ISLAND, B.C.**

|                 |                      |                                  |
|-----------------|----------------------|----------------------------------|
| <b>PRESENT:</b> | <b>Peter Luckham</b> | <b>Chair</b>                     |
|                 | <b>Gary Steeves</b>  | <b>Local Trustee</b>             |
|                 | <b>Ken Hancock</b>   | <b>Local Trustee</b>             |
|                 | <b>Robert Kojima</b> | <b>Regional Planning Manager</b> |
|                 | <b>Zorah Staar</b>   | <b>Recording Secretary</b>       |

**REGRETS:**           **None**

There were twenty-seven (27) members of the public in attendance.

**1. CALL TO ORDER**

Chair Luckham called the meeting to order at 9:47 am and made introductions. He also acknowledged that we were meeting on traditional Coast Salish territory.

**2. APPROVAL OF AGENDA**

**2.1 Additions/Deletions**

The agenda was amended as follows:

- item 9.1 (Wallace Point NAPTEP) was moved to the end of section 9
- item 9.2 more correspondence was added

The amended agenda was adopted by consensus.

**2.2 Questions from Public on Agenda Items**

None

**3. COMMUNITY INFORMATION MEETING**

See separate April 24, 2014, Community Information Meeting Notes for North Pender Island Local Trust Committee Proposed Bylaw No. 194 (Technical Land Use Bylaw Amendments).

#### **4. PUBLIC HEARINGS**

See separate April 24, 2014, Record of the Public Hearing for North Pender Island Local Trust Committee Proposed Bylaw No. 194 (Technical Land Use Bylaw Amendments).

#### **5. PREVIOUS MEETINGS**

##### **5.1 Local Trust Committee Minutes**

##### **5.1.1 North Pender Island Local Trust Committee Draft Meeting Minutes of March 27, 2014**

The March 27, 2014, minutes were amended as follows:

- page 3, item 9.2, 3<sup>rd</sup> line – after “information from”, remove “to”;
- page 7, item 11.7, 1<sup>st</sup> line – remove “really”.

The amended March 27, 2014, minutes were adopted by consensus.

##### **5.2 Public Hearing Records and Community Information Meeting Notes**

None

##### **5.3 Section 26 Resolutions-without-meeting**

There had been Resolutions-without-meeting to add NP-TUP-2014.1 (Colliers) and associated correspondence to today’s agenda, and to reschedule the May Local Trust Committee Business Meeting from May 29 to May 22.

##### **5.4 Advisory Planning Commission/Task Force Minutes**

None

#### **6. BUSINESS ARISING FROM THE MINUTES**

##### **6.1 Follow-up Action Report**

Regional Planning Manager (RPM) Kojima reviewed the April, 2014, Follow-up Action Report.

#### **7. DELEGATIONS**

None

## **8. CORRESPONDENCE**

None

## **9. APPLICATIONS, PERMITS, AND REFERRALS**

### **9.2 NP-TUP-2014.1 (Collier)**

Regional Planning Manager (RPM) Kojima noted the April 16, 2014, Memorandum, which provided an update on Temporary Use Permit application NP-TUP-2014.1 (Colliers). This application was to allow commercial guest accommodation on the property known as “the Timbers”. At their January 30 meeting, the Local Trust Committee requested various items of information from the applicant, many aspects of which had now been provided (some very recently and therefore not yet reviewed). Staff had also provided all community correspondence received to date. RPM Kojima noted that this was unsolicited correspondence, in the sense that the Trustees had not yet done any public notification and request for comment.

Alex Conconi and Justen Harcourt were present for the applicant, and firstly explained why they believed the hydrological information provided was sufficient. They also noted that it was taking them longer than expected to provide the degree of detail and professional opinions requested by the Trustees.

Trustees Steeves and Hancock did not believe the hydrological information provided was sufficient to support the proposed commercial uses, because there had been no well drawdown test, the estimate of required water use per person was very low, not all of the proposed uses were addressed, and there was insufficient information about the potential negative impact on neighbouring wells.

Trustee Steeves expressed various concerns about the application: technical/land use planning issues such as hydrology (see above); a first legal issue with the applicant’s number of dwellings appearing to exceed the density allowed by a covenant with the Local Trust Committee (5 dwellings instead of 3, plus cottages); a second legal issue with the dock (see below); a third legal and liability issue re: the Timbers access road being over neighbouring property and for “residential” use only; other neighbor issues, i.e. adjacent landowners being opposed to the proposed commercial uses; and also the fundamental issue of the Timbers property not appearing to be an appropriate rural/residential location for the proposed commercial accommodation resort.

Trustee Hancock expressed various concerns about the application: the current site plan being incomplete; weddings and banquets appearing to be a proposed commercial use, but not yet included in the temporary use permit application or hydrology analysis (and also opposed by neighbours); the large dock with a structure on it being subject to a bylaw enforcement complaint for non-compliance; close neighbours being in longtime opposition to the proposed uses, and any supportive letters being from farther away; Official Community Plan and Land Use Bylaw provisions that made stronger neighbourhoods a priority, along with rural lifestyle; wider community opposition to the proposed uses, over a number of years; gaps in the information provided, but a reluctance to suggest that the applicant spend more time and money on it since Trustee Hancock felt the above factors could prevent him from being comfortable with the application; and limits on Islands Trust ability to enforce the detailed temporary use permit conditions likely required, meaning that neighbours would (unfairly) have to do this.

Chair Luckham also expressed concerns: this being a temporary use permit application rather than a rezoning application, which put a burden on Island Trustees and Staff to make decisions without full information and discussion; not enough information having yet been provided by the applicant; and a temporary use permit not being the right tool to support this ongoing use.

Justen Harcourt and Alex Conconi (for the applicant) said that they were surprised by some of the above concerns, and did their best to address them.

RPM Kojima noted that the Local Trust Committee could make a decision at any time for a particular application to proceed no further.

**NP-2014-042**

**It was MOVED and SECONDED**, by the North Pender Island Local Trust Committee, that temporary use permit application NP-TUP-2014.1 (Colliers) proceed no further.

**CARRIED (unanimously)**

Note: See also Trustee comments under item 13. Town Hall (below).

A break then occurred, from approximately 12:03 to 12:21 pm.

**9.3 NP-RZ-2012.2 (Clam Bay)**

Regional Planning Manager (RPM) Kojima summarized the April 15, 2014, Staff Report for rezoning application NP-RZ-2012.2 (Clam Bay Farm): that as requested, the report attached Draft Bylaw No.195 (to amend the Land Use Bylaw), and Draft Bylaw No.197 (to amend the Official Community Plan). The report also attached two draft covenants, a mitigation plan regarding construction traffic and a veteran tree and an expanded farm plan. The Draft Bylaw No.195 included a maximum floor area of 300 m<sup>2</sup> (7535 ft<sup>2</sup>) for the main dwelling.

Applicant Bo Helliwell and Farm Manager Dan Hodgins were present. Bo Helliwell did not recollect a firm Trustee decision to include a bylaw provision on maximum floor area.

Trustees Steeves and Hancock suggested that this be left in the bylaw for the community to consider at the future Public Hearing.

Dan Hodgins noted the plan to retain a commercial kitchen in the farm house.

The Local Trust Committee agreed, by consensus, to revise the covenant wording to allow this.

**NP-2014-043**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee direct Staff to add a restriction in the permanent covenant (for Clam Bay Farm) on tree removal in the area between the shoreline and the adjacent fence depicted on the siting plan.

**CARRIED**

The Trustees also agreed by consensus to revise page 6 of the temporary covenant for Clam Bay Farm, to provide that it would be discharged once construction has been completed, occupancy has been granted, “and the covenant has been fulfilled”.

**NP-2014-044**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee give First Reading to Draft Bylaw No. 195, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2014.”

**CARRIED**

**NP-2014-045**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee give First Reading to Draft Bylaw No. 197, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2014.”

**CARRIED**

**NP-2014-046**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee direct staff to schedule a Community Information Meeting and a Public Hearing for NP-RZ-2012.2 (Clam Bay), for a future regular Local Trust Committee meeting.

**CARRIED**

It was further understood that the draft Bylaws would now be referred to agencies.

## 9.1 Wallace Point NAPTEP Application – April 2014 Updates

Regional Planning Manager (RPM) Kojima noted the April 1, 2014, Memorandum from the Islands Trust Fund, which had agreed to hold a Natural Area Protection Tax Exemption (NAPTEP) covenant for a Wallace Point property on North Pender Island. The Islands Trust Council would now consider the covenant. RPM Kojima said that the property also involved subdivision and development permit applications, and other outstanding issues.

## 10. LOCAL TRUST COMMITTEE PROJECTS

### 10.1 Land Use Bylaw Technical Amendments

RPM Kojima noted the April 10, 2014, Memorandum regarding Proposed Bylaw No. 194, and the related Community Information Meeting and Public Hearing that occurred earlier today. Bylaw No. 194 would amend the Land Use Bylaw for technical corrections, such as erroneous cross-references, typographical errors, outdated regulatory references, inconsistencies, and to improve clarity.

#### **NP-2014-047**

**It was MOVED and SECONDED**, that North Pender Island Local Trust Committee Proposed Bylaw No. 194, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2014” be given Third Reading.

**CARRIED**

#### **NP-2014-048**

**It was MOVED and SECONDED**, that North Pender Island Local Trust Committee Proposed Bylaw No. 194, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2014” be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

**CARRIED**

## 11. REPORTS

### 11.1 Work Program Report

There were no changes to the Work Program. Regarding the Shoreline Review project, RPM Kojima noted that the pamphlet was done, the school workshop might not be feasible at this time, and the Quick Response (QR) code work was in progress by the local trustees.

### 11.2 Applications Report

RPM Kojima reviewed the Applications Report dated April 2014.

### 11.3 Bylaw Enforcement Report

None

#### 11.4 Expense/Budget Reports

The March 2014 Local Trust Committee Expense Report was available (for the fiscal year just ending, with more expense posting still to occur).

#### 11.5 Adopted Policies and Standing Resolutions

For information

#### 11.6 North Pender LTC Web Page

RPM Kojima said that the Islands Trust website had apparently now been improved, with regard to searching for past minutes and other documents.

#### 11.7 Chair's Report

Chair Luckham reported that he had attended Columbia Institute workshops on food security and climate change. There had also been a recent Association of Vancouver Island Coastal Communities (AVICC) gathering where he ran for Director-at-Large (unsuccessfully, but it was an interesting process).

#### 11.8 Trustee Reports

Trustee Steeves said that he had been less active than usual due to a recent illness, but had been busy dealing with the items on today's agenda. He had also contacted some of the local realtor offices regarding signage issues and might possibly chair a related meeting if this was appropriate.

Trustee Hancock commented: that at the Columbia Institute for Civic Governance, he had attended a very interesting workshops on "Catalyzing Communities" (e.g. re: a non-hierarchical task force on housing, and a community group organizing for political change); that the recent AVICC (Association of Vancouver Island Coastal Communities) gathering adopted a preliminary economic impact study regarding ferries, which is something the province should be doing; and that the April 23 Community Stewardship Day focusing on our sensitive shorelines had been highly successful, with Islands Trust staff Lori Foster helping a great deal.

Trustee Steeves thanked Trustee Hancock for this huge effort.

### 12. OTHER BUSINESS

#### 12.1 Upcoming Meetings

The next regular meeting of the Local Trust Committee had been re-scheduled from May 29 to Thursday, May 22, 2014, (9:45 am, Community Hall Lounge).

## 12.2 2013 – 2014 Annual Report Submission

Staff had prepared a draft submission for the Islands Trust Annual Report, which was revised by removing the words “or referrals”, inserting “liquor” before “license referral”, and including mention of the two publications produced and two events organized by the Local Trust Committee in cooperation with others.

### **NP-2014-049**

**It was MOVED and SECONDED**, that North Pender Island Local Trust Committee approves their submission for the 2013 – 2014 Annual Report, as amended.

**CARRIED**

## 12.3 Einar's Hill

Trustee Hancock described a recent Einar's Hill accident that he had witnessed and assisted with, and he expressed great concern about the number of other accidents and close calls that this location appeared to involve.

The Trustees agreed by consensus that Trustee Hancock could contact the Local Manager for the Ministry of Transportation & Infrastructure, to inquire about a road safety assessment being done for Einar's Hill.

## 13. TOWN HALL MEETING

**Ben McConchie** commented: that the Clam Bay Farm rezoning application materials referred to young people on Pender as “entitled” and the Farm not being able to maintain employment from them, therefore bringing in other workers seemed necessary; that community letters re: The Timbers temporary use permit application had talked about the need to create jobs for local people through the intended commercial uses; and that McConchie wondered how the Trustees and Planners analyzed job creation and other economic factors when making decisions.

Trustee Hancock commented: that he took great exception to any comments about insufficiency of younger island workers, and that the issue with farming was the business case (i.e. how to provide an income from it); that economic development for our island was under the jurisdiction of the regional district, whereas the Islands Trust mandate was preserving and protecting our environment and rural communities; that the Islands Trust was not supposed to consider the tax base or job creation per se, but rather community sustainability in a larger sense; that economic factors were one of various community benefits to be considered with an application, but this needed to be balanced with other elements of a healthy community; that Pender had a relatively low unemployment rate; and that as a volunteer, Hancock had assisted with a recent study of local economic factors by the Capital Regional District's (CRD's) Southern Gulf Islands Economic Development Commission (to be released).

Trustee Steeves added that consideration of economic factors depended on what the application was, and if the Local Trust Committee approved a proposed land use just for economic reasons, this could be overturned. Economic development, per se, was not within the jurisdiction of the Islands Trust.

**Sara Steil** commented that the proposed “Woofers” workers for Clam Bay Farm (WWOOF – World Opportunities on Organic Farms) did not receive any wages but rather just room and board, which was of economic benefit to the Farm.

Chair Luckham said that these workers were not just from other countries, but could be Canadian as well.

Trustee Steeves said that if Clam Bay Farm in fact proceeded towards hiring Woofers, a temporary use permit application for temporary farm worker accommodation would be required.

**Sara Steil** also expressed concern about future cement trucks crossing Clam Bay Farm near the sensitive veteran tree, suggesting that some local trucks involved leaking, polluting, and unsafe driving. Finally, Steil thanked the Trustees for creating the Community Stewardship Day on shorelines, and she provided a copy of potential Marine Shoreline Management and Marine Riparian Area provisions that could be considered for inclusion in the North Pender Island Official Community Plan.

**NP-2014-050**

**It was MOVED and SECONDED**, that North Pender Island Local Trust Committee amend the Work Program Projects List to include consideration of Marine Riparian Areas in the Official Community Plan.

**CARRIED**

**Anne Burdett** asked about short term vacation rentals (STVR's) on other islands, and a reference at a past meeting to the Mayne Island Local Trust Committee having considered temporary use permits (TUP's) for this purpose.

Chair Luckham responded that one such Mayne TUP for an STVR had been approved, with neighbour support and because all factors were favourable, whereas another application was not successful.

Trustee Hancock confirmed that no one on North Pender had yet applied for a TUP for an STVR.

RPM Kojima said that Saturna Island was considering amending its OCP to include TUP guidelines for STVR's, and Galiano Island was considering similar amendments.

#### 14. IN CAMERA MEETING

**NP-2014-051**

**It was MOVED and SECONDED**, that pursuant to Section 90(d), (f) and (g) of the Community Charter, the North Pender Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting the November 28, 2013, In-Camera Meeting Minutes and to consider membership appointments to the Advisory Planning Commission; and that Staff and Recording Secretary remain present.

**CARRIED**

Note: See separate In Camera Meeting Minutes of the same date.

#### 15. RECALL TO ORDER

##### 15.1 Rise and Report from Closed Meeting

**NP-2014-052**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee re-open the meeting to the public.

**CARRIED**

It was reported that during the In-Camera portion of the meeting, the Local Trust Committee adopted the November 28, 2013, In-Camera minutes; re-appointed Valerie Butcher, Sharon Card, Bob Erho, Amanda Griesbach, Julie Roper, Reg Smith and Marika Kenwell to the North Pender Island Advisory Planning Commission for a one-year term beginning April 24, 2014; and also appointed Michael Symons to the APC for a one-year term.

#### 16. ADJOURNMENT

**NP-2014-053**

**It was MOVED and SECONDED**, that the North Pender island Local Trust Committee adjourn the meeting at 2:36 pm.

**CARRIED**

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RECORDER

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CHAIR

**RECORD OF THE NORTH PENDER ISLAND  
LOCAL TRUST COMMITTEE PUBLIC HEARING  
APRIL 24, 2014, 2014, 9:57 AM  
PENDER ISLAND COMMUNITY HALL (LOUNGE),  
4418 BEDWELL HARBOUR ROAD,  
NORTH PENDER ISLAND, BC**

|                 |               |                           |
|-----------------|---------------|---------------------------|
| <b>PRESENT:</b> | Peter Luckham | Chair                     |
|                 | Gary Steeves  | Local Trustee             |
|                 | Ken Hancock   | Local Trustee             |
|                 | Robert Kojima | Regional Planning Manager |
|                 | Zorah Staar   | Recording Secretary       |

**REGRETS:**           **None**

There were twenty-seven (27) members of the public in attendance (largely for other matters before the Trustees today).

**4. PUBLIC HEARING**

**4.1 North Pender Island Local Trust Committee Bylaw No. 194**

Chair Luckham called this Public Hearing to order at 9:57 am, as part of a regular Local Trust Committee Meeting of the same date. The purpose of the Public Hearing was to receive community input regarding Proposed Bylaw No. 194 (cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2014”). This Hearing immediately followed a Community Information Meeting on the same proposed bylaw.

Chair Luckham read out the procedures and rules for Public Hearings, pursuant to the Local Government Act.

Regional Planning Manager (RPM) Kojima confirmed the Notice of Public Hearing had been published, posted, and distributed as required, and referrals had been sent to other agencies. In response, the South Pender Island and Mayne Island Local Trust Committees said their interests were unaffected, the Ministry of Transportation & Infrastructure had no objection, and there were no First Nations responses or public submissions to date.

Chair Luckham then invited members of the public to comment about Proposed Bylaw No. 194.

**Dennis Perch** stated as follows (summarized): that he was submitting a letter today with his concerns; that he believed the current Land Use Bylaw was flawed because it did not specifically refer to short term vacation rentals (STVR's); that this was inconsistent with the Official Community Plan (which prohibited STVR's as a primary use), and with some past statements by Islands Trust representatives, and in the Islands Trust Policy Statement; and that the current Land Use Bylaw amendments should have included some clarity on the issue of STVR's.

Chair Luckham called three times for additional comments or written submissions about Proposed Bylaw No. 194. There being none, he declared the Public Hearing closed at 10:08 am.

**I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.**

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**RECORDER**

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**DATE**

**NOTES OF THE NORTH PENDER ISLAND  
LOCAL TRUST COMMITTEE COMMUNITY INFORMATION MEETING  
HELD ON APRIL 24, 2014, 9:51 AM  
PENDER ISLAND COMMUNITY HALL (LOUNGE),  
4418 BEDWELL HARBOUR ROAD,  
NORTH PENDER ISLAND, BC**

|                 |                      |                                  |
|-----------------|----------------------|----------------------------------|
| <b>PRESENT:</b> | <b>Peter Luckham</b> | <b>Chair</b>                     |
|                 | <b>Gary Steeves</b>  | <b>Local Trustee</b>             |
|                 | <b>Ken Hancock</b>   | <b>Local Trustee</b>             |
|                 | <b>Robert Kojima</b> | <b>Regional Planning Manager</b> |
|                 | <b>Zorah Staar</b>   | <b>Recording Secretary</b>       |

**REGRETS:**           **None**

There were twenty-seven (27) members of the public in attendance. (largely for other matters before the Trustees today).

### **3. COMMUNITY INFORMATION MEETING**

#### **3.1 North Pender Island Local Trust Committee Bylaw No. 194**

Chair Luckham called the meeting to order at 9:51 am, as part of a regular Local Trust Committee Meeting. Chair Luckham noted that the purpose of this Community Information Meeting was to share information and invite community members to ask questions about or informally comment on North Pender Island Local Trust Committee Proposed Bylaw No. 194 (cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2014”). The Bylaw was attached to the agenda package.

Regional Planning Manager (RPM) Kojima commented that Bylaw No. 194 proposed a series of technical amendments to the North Pender Island Land Use Bylaw. He noted that these amendments included greater clarity and also updating of legislative and agency references, that a reference to boat houses was removed, and greater certainty provided in the Bed & Breakfast and dock provisions. Some out-of-date cross-references and old maps were removed and errors were corrected. Some changes were made to the water zoning around major docks (to align with water leases).

Chair Luckham invited any questions or comments from community members. There being none, he declared the Community Information Meeting completed at 9:56 am.

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**RECORDER**

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**DATE**



Islands Trust

Print Date: May-14-2014

## Follow Up Action Report w/ Target Date

### North Pender Island Nov-29-2012

| No. | Activity                                                                                                         | Responsibility | Target Date | Status   |
|-----|------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| 1   | Item 11.6: Trustee Hancock will undertake updating 'Buying Property on North Pender...' brochure for spring 2013 | Ken Hancock    | Jan-31-2013 | On Going |

### Nov-28-2013

| No. | Activity                                                                                                                                          | Responsibility              | Target Date | Status   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------|----------|
| 2   | Item 10.2 - Shoreline Review: Cost estimates and information content for shoreline QR to be determined for implementation in the 2014 fiscal year | Ken Hancock<br>Gary Steeves | Jan-30-2014 | On Going |

### Jan-30-2014

| No. | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                 | Responsibility | Target Date | Status   |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| 3   | 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.                                                                                                                                                                                                                | Miles Drew     | Mar-27-2014 | On Going |
| 4   | Item 10.2 conservation subdivision review<br>1. report back on options for range of OCP or LUB amendments that would require a conservation subdivision approach for new subdivisions - DONE<br>2. arrange a workshop/charrette to further engage interested property owners, explain options, produce rough concept layouts and identify issues and concern - ON-GOING<br>3. staff to report back with a revised project charter - DONE | Justine Starke | Mar-27-2014 | On Going |

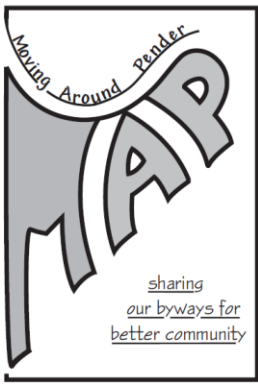
## Mar-27-2014

| No. | Activity                                                                                                                                                                            | Responsibility | Target Date | Status   |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| 5   | Item 9.2 NP-RZ-2012.1: staff to proceed with application and prepare a draft bylaw, and staff to advise applicant of information requested as identified in the staff report - DONE | Justine Starke | May-14-2014 | On Going |
| 6   | Item 12.3 Letter to Realtors: Trustee Steeves to write a letter to the local realtors regarding their road side signs                                                               | Gary Steeves   | Apr-24-2014 | Done     |

## Apr-24-2014

| No. | Activity                                                                                                                                                                                                                                                 | Responsibility                          | Target Date | Status   |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------|----------|
| 7   | minutes adopted as amended                                                                                                                                                                                                                               | Lori Foster                             | Apr-30-2014 | Done     |
| 8   | NP-TUP-2014.1 colliers - application to proceed no further                                                                                                                                                                                               | Lori Foster<br>Robert Kojima            | Apr-30-2014 | Done     |
| 9   | NP-RZ-2012.2 (Clam Bay):<br>1. revise permanent covenant to include tree cutting restrictions<br>2. revise covenant to allow commercial kitchen<br>3. first reading to bylaws 195 and 197, schedule cim and public hearing for future ltc meeting - DONE | Kim Farris<br>Sharon Lloyd-deRosario    | May-09-2014 | Done     |
| 10  | Bylaw 194 - third reading, referred to EC                                                                                                                                                                                                                | Robert Kojima<br>Sharon Lloyd-deRosario | May-09-2014 | Done     |
| 11  | Annual report adopted as amended                                                                                                                                                                                                                         | Robert Kojima                           | Apr-25-2014 | Done     |
| 12  | Trustee Hancock to contract MoTI area manager concerning safety issues on einar's hill                                                                                                                                                                   | Ken Hancock                             | May-21-2014 | On Going |
| 13  | project's list to be amended to include marine riparian areas                                                                                                                                                                                            | Robert Kojima                           | Apr-25-2014 | Done     |
| 14  | in camera minutes adopted as presented                                                                                                                                                                                                                   | Lori Foster                             | Apr-30-2014 | Done     |
| 15  | APC appointments:<br>-all re-appointed (except Marion Thomson)<br>- Michael Symons appointed<br>- letters thanking unsuccessful applicants and urging them to re-apply in the future<br>-letter to departing member(s) thanking for service to           | Sharon Lloyd-deRosario                  | Apr-30-2014 | Done     |





# Moving Around Pender Alternative Transportation Society

Mr Gary Steeves

May 2, 2014

Mr Ken Hancock

Pender Island Trustees

Dear Gary and Ken

I am writing on behalf of MAP, Pender Island's Alternative Transportation Society, to request an amendment to the designated route for multimodal transportation on North Pender; the Magic Ferry Route. The requested amendment is to include Einar's Hill Bypass as part of the designated route.

As you will remember MAP, on behalf of the citizens of the Pender Islands, submitted a transportation plan (attached) and a proposal for designation of a route joining the Otter Bay Ferry Terminal and Magic Lake Estates, our major population center, along which pedestrians and cyclists could transit safely. This proposed route was incorporated as an amendment into the Official Community Plan (OCP) in April 2013 (see attached) and the CRD and the Ministry of Transportation and Infrastructure (MOTI) were notified of this inclusion. The major impetus for the proposal and its incorporation into the OCP was the identification by Pender Residents of this route as their first priority for a safe alternate transportation thoroughfare in the Transportation Survey that MAP conducted (summary attached). Fear of walking and cycling on Pender's roads was identified as the major impediment to pedestrians and cyclists. A second important rationale for the designated route is the desire to reduce Pender's carbon footprint by encouraging more walking and cycling.

MAP has done a safety survey of portions of the Magic Ferry Route (attached) and Einar's Hill has been identified as a particularly dangerous spot due to the steep, tightly banked, blind corner. As you are also aware MAP recently proposed an alternate route to bypass Einar's Hill, and working with the Experience the Gulf Island Initiative requested funding to develop this route, which largely follows a statutory right of way [SRW], so that pedestrians and cyclists can bypass this danger spot.

As the trustees pointed out MAP incorrectly identified the proposed bypass route as part of the Magic Ferry Route in our submission for funding and this clarification has now been incorporated into the altered proposal (see attached). While the OCP amendment identified the specific roadway of primary concern for MOTI, MAP has always considered that bypasses could

be an ideal way to provide safer walking/cycling routes as is stated in several places in the Transportation Plan. The Einar's Hill Bypass was specifically identified in MAP's transportation plan (Appendix 6, page 87 where it is described as an off-the-road alternative) and in presentations to the LTC. Recent ambiguity regarding the status of the bypass and its relationship to the "Magic-Ferry" route should be clarified by officially recognizing the bypass as a potential part of the plan. This may not require another OCP amendment as MOTI has limited interest in the development of off road trails and the bypass should not impact their planning with regard to roadside improvements.

Besides being safer than a roadside trail the bypass has the added advantage that the development of a trail via the SRW is within our community's control while roadside improvements are dependent on MOTI funding.

Clearly to fully implement the bypass into the Magic Ferry Route we will need approval from MOTI for a license of occupation for the SRW and from the Gulf Island National Parks Reserve for a small portion of the route that crosses park. However we believe that the development of this trail along a safe and dedicated route located entirely on public land is safer than a road-side trail down the steep and dangerous Einar's Hill. The bypass is a quiet and comfortable alternative for those people who would like to avoid traffic. While we await funding for the proposal we are requesting that bypass be recognized by our trust committee as a potential part of the Magic Ferry Route.

We also know that there are some concerns in the community about the potential environmental impact of the proposed bypass. MAP believes that there would be no negative impact given that the proposed trail follows, for the most part, an old logging road and more than half of it is on already developed land. However as part of the implementation of the project we are planning on a full environmental assessment.

Peter Paré

On behalf of MAP

Cc Justine Starke (Pender Island planner)

Dean Mills (Chair MAP)

**Date:** May 13, 2014

**File No.:** NP-ALR-2014.1  
(Piskor)

**To:** North Pender Island Local Trust Committee  
For the meeting of May 22, 2014

**From:** Justine Starke  
Island Planner  
Local Planning Services

**CC:** Robert Kojima, Regional Planning Manager

---

**Re: NP-ALR.2014.1 (Piskor) - Application for non-farm use in the Agricultural Land Reserve**

**Owners:** Richard Piskor

**Applicants:** same

**Location:** 4321 Port Washington Road

**Legal:** Portion pender island, except plan 7412, that part shown outlined in red, & except plan 7419, 14758, 17530, 29180, & 38353.  
PID: 004-459-181

## Preliminary Report

### BACKGROUND:

This application is for a non-farm use to permit a cottage in the Agricultural Land Reserve (ALR). The subject property is zoned Agriculture (AG) and the North Pender Land Use Bylaw permits a dwelling unit and a cottage. There is an existing cottage on the property and the owner would like to build a dwelling unit. Under the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, an application for non-farm use is required to permit more than one detached residential dwelling unit. The property is currently being used for hay and has been classified with Farm Status by BC Assessment. The owners have started a farm business to

supply organic hops to local breweries. The small residence is proposed to be located on non-arable land, identified in the farm development plan approved by BC Assessment as area for farm buildings, adjacent to the existing one room 600 square foot cottage. The additional residence will assist the property owners in their farm plan to commercially grow organic hops. Please review the supplemental application information provided in Appendix 1.

**Figure 1: Proposed House Site with Cottage in background**



### SITE CONTEXT:

The subject property is located to the west of Hope Bay, with frontage on Bedwell Harbour Road as well as on Port Washington Road. Surrounding properties are zoned Rural Residential to the

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east, Rural to the south and north, and Agricultural to the west. The property is 2.730 ha (6.7 ac) in size. The residence plan is for a footprint of 960 square feet and a total floor area of 1760 square feet, incorporating a green roof and earth moderated design. The foundation wall will be tucked back into the bank as close to Port Washington Road as possible to minimize impact on the landscape. A site visit was conducted on May 8, 2014; it was observed that the proposed house site is adjacent the existing cottage, on disturbed land that does not appear to be suitable for agriculture.

Figure 2: Subject Property

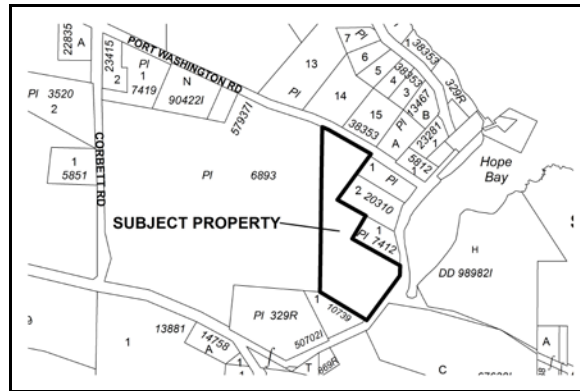


Figure 3: Farm Development Sketch

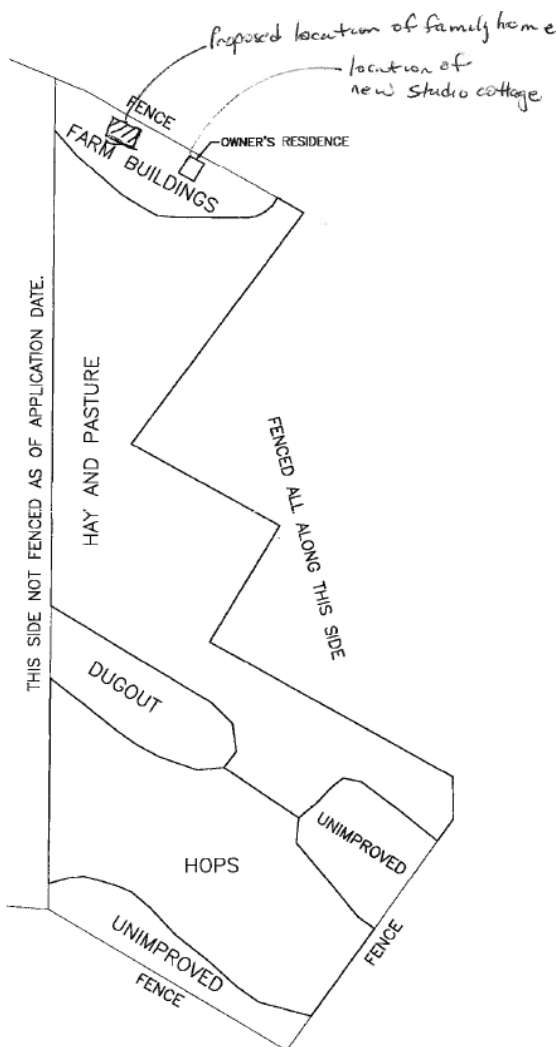
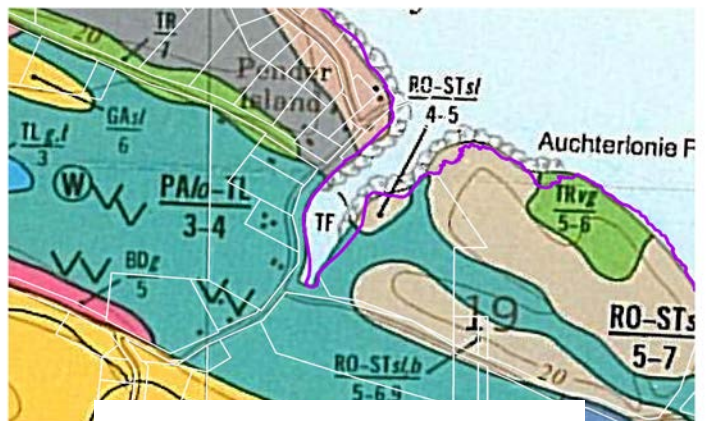


Figure 4: Orthophoto of Subject Property



Figure 5: Soils



Note: Map of Soils may not be to scale.

## Soil Type:

According to Agriculture Canada's "Soils of the Gulf Islands of British Columbia," (Report No. 43, 1998), most of the property, including those areas that are most level with active agriculture, are composed of the Parksville-Tolmie soil type. This soil type has poor drainage and is

**Figure 6: Soil test pit and view of building site from fields.**



characterized as "sandy loam to loamy sand marine or fluvial deposits over silty clay to silty clay marine deposits."

The northern most part of the property, where the building envelopes are, is steep and appears to be the Trincomali soil type. The Trincomali soil type drains "moderately well to imperfect" and is characterized as "gravelly sandy loam to gravelly loamy sand mariane, fluvial, or glaciofluvial deposits over compact, unweathered till." Note that the scale and alignment of "Figure 5: Soils" may not be accurate but can be used as an indication of soil types in the area.

Analysis of the soil and agricultural capability of the property is provided upon review by the staff at the Agricultural Land Commission. Please also see the attached soil analysis in Appendix 2, performed on the agricultural portion of the property as part of the farm planning for hops production.



**Figure 7: Hops Plants**



**Figure 8: Proposed house site from road.**

## CURRENT PLANNING STATUS OF SUBJECT LANDS:

### Trust Policy Statement:

Islands Trust commitments to agriculture in the Policy Statement include:

- 4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.*
- 4.1.2 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.*
- 4.1.3 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.*

Directive Policies in the Policy Statement applicable for this application include:

- 4.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.*
- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.*

### Official Community Plan:

Development Permit Areas:

- The property is subject to Development Permit Area 10 "Riparian and Aquatic." The proposed development is outside of this Development Permit Area. Farm operations are exempt from the requirements of the DPA.

The North Pender Official Community Plan objectives that relate to this application are as follows:

- o To balance the preservation of environmentally sensitive areas and at-risk species and their habitats with agricultural best practices.*
- o To support initiatives that protect agricultural land and that maintain farmland in active production.*
- o To support efforts of producers to supply a local food source.*
- o To support farming as an important traditional land use, lifestyle and livelihood on North Pender Island.*
- o To support the economic viability of farms without compromising the agricultural land capability.*
- o To preserve agricultural land, to limit the non-farm use of agricultural land, and to prevent the conversion of agricultural land to uses that may degrade or impair the land's long-term agricultural potential or productivity.*
- o To accommodate a level and type of residential use on agricultural land that is consistent with farming.*
- o To protect farmland as a resource for agriculture, a source of heritage, and a distinct landscape defining the community without impairing agricultural change in response to changing conditions.*

The Official Community Plan 171 Policies that apply to the subject proposal are as follows:

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*2.2.2 The average parcel size on land within the Agricultural designation shall be 16 hectares (40 acres) and density shall be limited to one dwelling and one cottage per parcel. Applications to the ALC for subdivision that are consistent with average parcel size may be supported.*

*2.2.13 The Local Trust Committee should not support applications to the ALC for non-farm use, except where it can be demonstrated that the proposed non-farm use would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the land, and the proposed non-farm use is consistent with zoning or a policy in this plan.*

#### Land Use Bylaw:

The subject property is zoned Agriculture (Ag)

The North Pender Zoning Bylaw 103 permits the following uses in the Agriculture zone:

#### **8.3.2 1(a) Agriculture;**

*(b) one dwelling per lot;*

*(c) on lots 1.2 ha in area and larger, one cottage;*

*(d) accessory home business and accessory home industry; and*

*(e) agri-tourist accommodation as an accessory use, subject to subsection*

#### Islands Trust Fund:

There are no Trust Fund covenants on the property or on adjacent lands.

#### Sensitive Ecosystems and Hazard Areas:

There is a Riparian and Aquatic Sensitive Ecosystem Development Permit Area on the southern extent of the property. This has been previously discussed under “Official Community Plan” above. According to the Islands Trust mapping, there is mature forest at the northern boundary and a small area showing low slope hazard. During the site visit it was observed that the mature forest has been heavily fragmented.

#### Archaeological Sites:

There are no registered archaeological sites in the provincial database on or in close vicinity to the subject property.

#### Covenants:

There are no covenants registered on title.

#### Bylaw Enforcement:

There are no bylaw enforcement files associated with this property.

#### Climate Change Mitigation and Adaptation:

By increasing the number of farmers on the land, active agriculture is better protected. As climate change continues to evolve, this may benefit local food security.

#### Shoreline

While the subject property is not on the waterfront, the southeastern corner is across the road from the mouth of Hope Bay, which displays a pebble beach shoreline type.

#### ALR Use, Subdivision, and Procedure Regulation:

The “ALR Use, Subdivision, and Procedure Regulation” permits for each parcel a number of uses related to agriculture, including:

- One secondary suite within a single family dwelling, and
- One manufactured home, up to 9 m in width, for use by a member of the owner's immediate family.

### **COMMUNITY INFORMATION MEETING**

There is not a community information meeting scheduled for this application.

### **RESULTS OF CIRCULATION:**

As an ALR application for non-farm use, there is no statutory requirement for notification.

### **STAFF COMMENTS:**

The Agricultural Land Commission Act permits additional dwellings on land that is within the Agricultural Land Reserve when the additional dwellings are necessary for farm use or when it is demonstrated that the use can improve agriculture on the property. The applicants' rationale for requesting a residential non-farm use is that it will assist the growing farm with help, either by family members or other farm workers. The requested use is permitted by zoning, and the dwellings are both modest in scale and sited within a homeplate on the least arable portion of the property.

The North Pender OCP supports initiatives that protect agricultural land and that maintain farmland in active production, as well as initiatives that ensure the economic viability of farms where the agricultural land capability is not compromised. The OCP supports accommodating residential uses on agricultural land that are consistent with farming. While the subject property is smaller than the minimum parcel size, the lot size is a remnant of past policies that predate current regulations. The parcel size is large enough according to the Land Use Bylaw to permit a dwelling and a cottage. OCP Policy 2.2.13 states that the LTC should not support applications to the ALC for non-farm use unless it is demonstrated that the proposal would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the land, and so long as the proposed non-farm use is consistent with zoning. The current proposal is consistent with the density permitted by zoning and the buildings would be clustered away from the productive sections of the property. The dwelling is proposed to have a footprint that is less than 1000 ft<sup>2</sup> and will support an organic farm operation in supplying hops to local breweries.

### **OPTIONS:**

The North Pender LTC has the option to forward ALR applications to the ALC without comment or with support or to not forward the application to the ALC at all. In this case the recommended options for the NPLTC would be to:

1. Forward the application to the ALC with no comment or with support.
2. Not forward the application to the ALC.

### **RECOMMENDATIONS:**

THAT the North Pender Island Local Trust Committee direct staff to forward the application for non-farm use to permit a cottage in the Agricultural Land Reserve (NP-ALR-2014.1 - Piskor) to the Agricultural Land Commission with support for approval.

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Prepared and Submitted by:

May 13, 2014

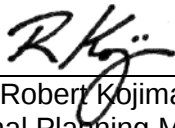
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Justine Starke

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Date

Concurred in by:



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Robert Kojima  
Regional Planning Manager

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May 13, 2014

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Date

Appendices:

Appendix 1: Supplemental application letter

Appendix 2: Soil Analysis for Hops Production

## Appendix1: Supplemental Application Letter

**From:** Richard Piskor  
**Sent:** Tuesday, May 13, 2014 8:22 AM  
**To:** Justine Starke  
**Cc:** rknox1; HopeBayHopFarm@shaw.ca  
**Subject:** Submission to Islands Trust and ALC for Residence

Justine: Thanks again for dropping over last week to see Hope Bay Hop Farm. It was too bad that the weather was so miserable and that there was so little time for discussion.

As you probably determined, this whole process is a bit confusing for us, and we wanted to make sure that we fully understand the process and that we can move forward properly and in full compliance with the appropriate rules and regulations. To that end, we want to clarify again that the application forwarded through the Islands Trust to the ALC for their approval, is being made for non-farm use to build a residence as allowed under local AG zoning.

Photos and supporting documents were forwarded to you by dropbox at <https://www.dropbox.com/sh/oqsuls01885dw3t/AADiH4YEqMHRQPLuSEUskmf7a>  
Additional details on the residence include the following:

- The residence will be located on non-arable land, identified in the farm development plan approved by BC Assessment as area for farm buildings, adjacent to the existing one room 600 square foot cottage.
- The residence plan is for a footprint of 960 square feet and a total size of 1760 square feet, incorporating a green roof and earth moderated design. The foundation wall will be tucked back into the bank as close to Port Washington Road as possible to minimize impact on the landscape.

A brief outline of our Farm Development Plan:

- Hope Bay Hop Farm will use organic methods to produce all crops while working toward federal organic certification. The Farm Development Plan was created following discussions with local Victoria microbreweries, Pender Island farmers and Vancouver Island Hop farmers. A thorough review of local cost factors and relevant literature was conducted, including papers from Colorado State University, University of Vermont Department of Agriculture, Wisconsin Trade and Agricultural Development, Ontario Ministry of Agriculture and Food, The Canadian Organic Grower and Crannog Ales British Columbia. See bibliography for full citations.
- Of particular interest were discussions with local Victoria microbreweries. There is currently a shortage of hops in general and high demand for locally grown and especially organic hops. The Cascade variety was identified as the preferred plant and both wet hops and dry hops would be of interest. Pricing levels were determined based on these discussions and discussions with other BC hop producers.
- We believe that given the small scale of the operation, there is a need to maximize the use of hand labour, especially during harvest. Larger operations can utilize mechanization for harvesting, crop maintenance and infrastructure processes, however a small farm such as ours can be successful without the large outlay for equipment which would be significantly under utilized. Friends and local labour can be counted on at harvest time and two farmers working

together can perform most other tasks using less machinery. Trellising will be built at a reduced height to reduce the need for specialized machinery. In addition, to maintain organic status, and enhance sustainability practices, materials such as beetle killed pine poles and recycled irrigation and cabling will look to be sourced for the hop yard. This will reduce the cost and amount of infrastructure materials used, while optimizing human versus machine labour.

- Based on our financial projections, we expect that hops production would evolve over a five year period, with first harvest in two years and targeting profitability in the third year with the second harvest. Hop yard size would slowly be expanded over this period, reaching full-scale production in the fifth year. At the same time, a small area will be set aside to test other specialty crops, depending on market direction.

We recognize the short time line before the upcoming Islands Trust meeting, and want to ensure that our application can be supported for non-farm use to build the residence, allowed under AG zoning bylaw part 8.3.2(1)(b). It is absolutely critical that we move forward in a manner that is appropriate. Should additional information be required, please advise.

Thank you again for your help.

Richard Piskor  
Rod Knox  
Hope Bay Hop Farm  
Pender Island

## Appendix 2: Soil Test

Rod Knox  
1234 Union Rd  
Victoria, BC  
V8P 2S6

23Sep13 1:30p  
Land  
soil  
1

W110354

TEL: 250-380-9577  
E: accumap@telus.net  
rod.knox@flir.com

Arrival temp.: 17.0C  
Paid Visa Batch 618

Sample: Soil for Growing Hops Soil Pit @ 5-7" 18Sep13 14:00p

| Element | Sample | Units | Recommended rates |
|---------|--------|-------|-------------------|
|---------|--------|-------|-------------------|

### MAJOR ELEMENTS

|            |     |             |     |           |
|------------|-----|-------------|-----|-----------|
| Calcium    | Ca  | ..... 596   | ppm | 600-1000  |
| Magnesium  | Mg  | ..... 158   | ppm | 120-360   |
| Potassium  | K   | ..... 43.8  | ppm | 50-250    |
| Nitrogen   | TKN | ..... 0.242 | %   | 0.15-0.30 |
| Phosphorus | P   | ..... 6.58  | ppm | 20-30     |
| Sodium     | Na  | ..... 22.5  | ppm |           |
| Sulphate   | S04 | ..... 2.01  | ppm | 20-40     |

### MINOR ELEMENTS

|            |    |             |     |         |
|------------|----|-------------|-----|---------|
| Aluminum   | Al | ..... 1120  | ppm |         |
| Boron      | B  | ..... 0.351 | ppm | 1.3-2.0 |
| Cobalt     | Co | ..... 0.088 | ppm | ----    |
| Copper     | Cu | ..... 0.098 | ppm | 1.6-3.0 |
| Iron       | Fe | ..... 10.2  | ppm | 25-50.0 |
| Manganese  | Mn | ..... 21.3  | ppm | 30-50.0 |
| Molybdenum | Mo | ..... 0.142 | ppm |         |
| Zinc       | Zn | ..... 0.699 | ppm | 5.1-8.0 |

|                |  |            |       |          |
|----------------|--|------------|-------|----------|
| E.C.           |  | ..... 14.4 | uS/cm | <1000    |
| pH             |  | ..... 6.80 |       | 5.5-7.50 |
| Organic Matter |  | ..... 7.33 | %     | 10-15    |

### Comments: Nitrogen

Add 75lb/Acre N for first year. Later, 100-150lb/acre are needed.

Phosphorus: low; add 60-100lb/acre P205. mix well in soil

Potassium: low. Add 80lb/Acre K20.

Zinc: low; add 10lb/acre, broadcast.

Sulfur: low. Add 30 lb/acre S.

R. Bilodeau  
Analytical Chemist

H. Hartmann  
Sr. Analytical Chemist

M.B. LABS LTD

T: 656-1334 F: 656-0443 E: mblabs@pacificcoast.net W: www.mblabs.com



# Memorandum

Date: May 13, 2014

To: North Pender Local Trust Committee  
For the May 22, 2014 LTC Meeting

From: Kim Farris, Planner 1

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

Re: Islands Trust Policy Statement Checklist

File Number: NP-RZ-2012.2 (Clam Bay)

This memo will provide an update on the status of this application and provide information on the attached Island Trust Policy Statement (ITPS) directives checklist. Background information on the property, the proposal and the earlier professional reports are provided in previous staff reports (these are available in past agendas and on the LTC webpage: ([Current Applications](#)))

At the April 24<sup>th</sup>, 2014 regular meeting the Local Trust Committee (LTC) passed the following resolutions:

**NP-2014-043**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee direct Staff to add a restriction in the permanent covenant (for Clam Bay Farm) on tree removal in the area between the shoreline and the adjacent fence depicted on the siting plan.

**NP-2014-044**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee Draft Bylaw No. 195, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2014."

**NP-2014-045**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee give First Reading to Draft Bylaw No. 197, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2014."

**NP-2014-046**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee direct staff to schedule a Community Information Meeting and a Public Hearing for NP-RZ-2012.2 (Clam Bay), for a future regular Local Trust Committee meeting.

**Islands Trust Policy Statement:**

The policy statement checklist used for the Executive Committee bylaw submission report is attached to this report for the LTC to review. The proposed bylaws and application was either in compliance with or not applicable to the policies found in the checklist; there were no inconsistencies.

The bylaws were consistent with a majority of the ecosystem preservation and protection policies (ecosystems, forest ecosystems, and coastal and marine ecosystems); policies for stewardship of resources (agricultural land, forests, and freshwater resources) and policies for sustainable communities (aesthetic qualities, growth and development, transportation and utilities, cultural and natural heritage, economic opportunities, and health and wellbeing).

The checklist will be forwarded to the Executive Committee after Third Reading of both bylaws.

**Next Steps:**

Referrals were sent to agencies on April 30, 2014. At the time of writing this memo, only one agency response from the Ministry of Transportation and Infrastructure (MOTI) has been received. The MOTI referral stated MOTI has no objections to the proposed rezoning and covenants, subject to dedication of Clam Bay Road through the property, at a width of 20 metres (to match adjacent dedications). The collected referral responses will be forward to the North Pender LTC at a subsequent LTC meeting.

A Legal Services Request was sent to the Islands Trust legal counsel in order to provide an estimated cost for a general legal review of the temporary and permanent covenants. A LTC resolution is required in order to proceed with the cost recovery process.

A Public Hearing for the two proposed bylaws will be scheduled on June 26, 2014 at the regular LTC meeting.

**Recommendation:**

1. THAT North Pender Island Local Trust Committee has reviewed and agrees with the Islands Trust Directive Policy Checklist as attached to the memo dated May 13, 2014.
2. THAT North Pender Island Local Trust Committee enter into a cost recovery for the legal services review in order to review the temporary and permanent covenant associated with the NP-RZ-2012.2 application.

Attachments: ITPS Checklist



Islands Trust

## **POLICY STATEMENT DIRECTIVES ONLY CHECK LIST**

**Bylaw and File No:**                      **Bylaw Nos. 195 & 197 (NP-RZ-2012.2)**

### **PURPOSE**

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

### **POLICY STATEMENT**

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

### **DIRECTIVES ONLY CHECK LIST**

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

**Part III Policies for Ecosystem Preservation and Protection**

| CONSISTENT | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                  |
|------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>3.1</b>   | <b>Ecosystems</b>                                                                                                                                                                                                                                                                                                 |
| ✓          | <b>3.1.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.                                   |
| ✓          | <b>3.1.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity. |
| ✓          | <b>3.1.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.                                                |
|            | <b>3.2</b>   | <b>Forest Ecosystems</b>                                                                                                                                                                                                                                                                                          |
| ✓          | <b>3.2.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.                                |
|            | <b>3.3</b>   | <b>Freshwater and Wetland Ecosystems and Riparian Zones</b>                                                                                                                                                                                                                                                       |
| N/A        | <b>3.3.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.                                          |
|            | <b>3.4</b>   | <b>Coastal and Marine Ecosystems</b>                                                                                                                                                                                                                                                                              |
| ✓          | <b>3.4.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.                                                                                                                                               |
| ✓          | <b>3.4.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.                                                                                  |

**PART IV: Policies for the Stewardship of Resources**

| CONSISTENT | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                        |
|------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>4.1</b>   | <b>Agricultural Land</b>                                                                                                                                                                                                                                                |
| ✓          | <b>4.1.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.                                                           |
| ✓          | <b>4.1.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses. |
| N/A        | <b>4.1.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.                                                           |

| CONSISTENT | NO.    | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ✓          | 4.1.7  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture                                                     |
| ✓          | 4.1.8  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.                                                                                                                                                                |
| N/A        | 4.1.9  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.                                                                                                                                                                                                                                                            |
|            | 4.2    | <b>Forests</b>                                                                                                                                                                                                                                                                                                                                                                                                                      |
| ✓          | 4.2.6  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.                                                                                                                                                                                                                   |
| ✓          | 4.2.7  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.                                                                                          |
| ✓          | 4.2.8  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.                                                                                                                                                                |
|            | 4.3    | <b>Wildlife and Vegetation</b>                                                                                                                                                                                                                                                                                                                                                                                                      |
|            | 4.4    | <b>Freshwater Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                         |
| ✓          | 4.4.2  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for. |
| N/A        | 4.4.3  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses                                                                                                                                                                                                                                   |
|            | 4.5    | <b>Coastal Areas and Marine Shorelands</b>                                                                                                                                                                                                                                                                                                                                                                                          |
| N/A        | 4.5.8  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.                                                                                                                                                                                                                                                    |
| N/A        | 4.5.9  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.                                                                                                                                                                             |
| N/A        | 4.5.10 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.                                                                                                                                    |
| N/A        | 4.5.11 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.                                                                                                                                                                               |

|     |       |                                                                                                                                                              |
|-----|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | 4.6   | <b>Soils and Other Resources</b>                                                                                                                             |
| N/A | 4.6.3 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils. |

### **PART V: Policies for Sustainable Communities**

| CONSISTENT | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                                           |
|------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>5.1</b>   | <b>Aesthetic Qualities</b>                                                                                                                                                                                                                                                                                                                 |
| ✓          | <b>5.1.3</b> | 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.                                                                     |
|            | <b>5.2</b>   | <b>Growth and Development</b>                                                                                                                                                                                                                                                                                                              |
| ✓          | <b>5.2.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.                                                                                                                               |
| N/A        | <b>5.2.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character. |
| ✓          | <b>5.2.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.                                                                                |
| N/A        | <b>5.2.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.                             |
|            | <b>5.3</b>   | <b>Transportation and Utilities</b>                                                                                                                                                                                                                                                                                                        |
| N/A        | <b>5.3.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.                                                  |
| ✓          | <b>5.3.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.                                                                                                                                                   |
| N/A        | <b>5.3.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.                                                                                                                                                |
| N/A        | <b>5.3.7</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.                   |
|            | <b>5.4</b>   | <b>Disposal of Waste</b>                                                                                                                                                                                                                                                                                                                   |
| N/A        | <b>5.4.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.                                                                                                                                       |

| CONSISTENT | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                                                                          |
|------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>5.5</b>   | <b>Recreation</b>                                                                                                                                                                                                                                                                                                                                                         |
| N/A        | <b>5.5.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.                                                                                                                                                     |
| N/A        | <b>5.5.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas. |
| N/A        | <b>5.5.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.    |
| N/A        | <b>5.5.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.                                                                          |
| N/A        | <b>5.5.7</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.                                                                                                                                                                               |
|            | <b>5.6</b>   | <b>Cultural and Natural Heritage</b>                                                                                                                                                                                                                                                                                                                                      |
| ✓          | <b>5.6.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.                                                                                                                                                                  |
| ✓          | <b>5.6.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.                                                                                                                         |
|            | <b>5.7</b>   | <b>Economic Opportunities</b>                                                                                                                                                                                                                                                                                                                                             |
| ✓          | <b>5.7.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.                                                                                                                                 |
|            | <b>5.8</b>   | <b>Health and Well-being</b>                                                                                                                                                                                                                                                                                                                                              |
| N/A        | <b>5.8.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.     |

| POLICY STATEMENT COMPLIANCE |                                                                       |
|-----------------------------|-----------------------------------------------------------------------|
| ✓                           | <b>COMPLIANCE WITH TRUST POLICY</b>                                   |
|                             | <b>NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:</b> |



# Memorandum

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Date May 8, 2014 File Number 6500-20-LUB Technical Amendments

To North Pender Island Local Trust Committee

From Robert Kojima  
Regional Planning Manager

Re Bylaw 194 – Technical Amendments

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At the meeting of April 24<sup>th</sup> the LTC held a public hearing on Bylaw 194, gave Third Reading and forwarded the bylaw to Executive Committee for approval. The bylaw was approved by EC at its meeting of May 6<sup>th</sup>. The bylaw may be considered for final adoption.

Recommended Resolution:

THAT Bylaw No. 194, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2014", be adopted.

Attachment: Proposed Bylaw No. 194

pc Justine Starke

# PROPOSED

## NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

### BYLAW NO. 194

\*\*\*\*\*

#### A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW 103, 1996

\*\*\*\*\*

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 the North Pender Island Local Trust Committee wishes to amend Land Use Bylaw 103, 1996;

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:

A. Bylaw No. 103, cited as "North Pender Island Land Use Bylaw 103, 1996" is amended as follows:

1. Part 1, Interpretation, Section 1.1, the definition of 'home business' is amended by deleting "and cottage uses" such that it reads: ' "home business" means an accessory commercial use conducted on a residential lot and includes: bed and breakfast and any profession, trade, business, artistic endeavour, where such activities are clearly accessory to a principal residential use.'
2. Part 1, Interpretation, Section 1.1, the definition of 'natural boundary' is amended by deleting "and in the case of a lot having a surveyed high water mark means the high water mark" and inserting "in vegetation, as well as in the nature of the soil itself" such that it reads: ' "natural boundary" means the visible high water mark of the sea, a lake, a stream or other body of water, where the presence and action of water are so common and usual and so long continued in all ordinary years as to mark upon the soil or rock of the bed of the body of water a character distinct from that of the bank, in vegetation, as well as in the nature of the soil itself.'
3. Part 1, Interpretation, Section 1.1, the definition of 'lot' is amended by deleting "*Condominium Act*" and inserting "*Strata Property Act*" such that it reads: ' "lot" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Strata Property Act*.'
4. Part 2, General Provisions, Subsection 2.1.1 is amended by inserting "Encompassed in this area of application are the entire land area of all islands, islets, reefs, rocks, and the seabed, and also all surface waters and air spaces." at the end such that it reads: 'The provisions of this Bylaw apply to North Pender Island and those portions of the North Pender Island Local Trust Area shown on Schedule "A", which forms part of this Bylaw. Encompassed in this area of application are the entire land area of all islands, islets, reefs, rocks, and the seabed, and also all surface waters and air spaces.'
5. Part 2, General Provisions, Subsection 2.4.1 is amended by deleting "Investigation" and inserting "Enforcement" such that it reads: 'The Islands Trust Bylaw Enforcement Officer or any other person designated by the North Pender Island Local Trust Committee to administer this Bylaw is authorized to enter, at any reasonable time and after having given prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed.'
6. Part 2, General Provisions, Subsection 2.4.2 is deleted in its entirety
7. Part 2, General Provisions, Subsection 2.5.1 is amended by deleting "not exceeding \$5,000" and inserting "as provided in the *Offense Act*" such that it reads: 'Every person who commits an offence against this Bylaw is

liable, upon summary conviction, to a fine and penalty as provided in the *Offense Act* and the costs of prosecution.'

8. Part 3, General Regulations, Article 3.1.1(6) is amended by deleting "in the Forest Land Reserve" and inserting "under the Private Managed Forest Land Act" such that it reads: 'the use of land under the Private Managed Forest Land Act for forest management activities related to timber production or harvesting; and'
9. Part 3, General Regulations, Subsection 3.4.4 is amended by deleting "a boat house, which may not exceed 5.4 metres in height and one storey," such that it reads: 'An accessory building or structure may not exceed 4.6 metres in height and one storey, except for a pumphouse, which may not exceed 3 metres in height, and a building used for farm or forestry purposes, which may not exceed 10 metres in height.'
10. Part 3, General Regulations, Article 3.5.8(5) is amended by inserting "or cottage" at the end such that it reads: 'a bed and breakfast home business must be conducted solely within a principal dwelling or cottage.'
11. Part 3, General Regulations, Subsection 3.7.2 is amended by inserting "anchor pads or abutments up to 1.5 metres in width for the purpose of securing a dock structure or wharf to the upland, up to 3 metres length of a dock walkway or ramp," such that it reads: 'Walkways and stairs to access a dock or the foreshore and not exceeding a height of 1 metre and a width of 1.2 metres, anchor pads or abutments up to 1.5 metres in width for the purpose of securing a dock structure or wharf to the upland, up to 3 metres length of a dock walkway or ramp, and pumphouses are exempt from Subsection 3.7.1, and pumphouses used exclusively for housing an individual water system are exempt from the setback provisions specified in Part 8 of this Bylaw.'
12. Part 3, General Regulations, the following Information Note be inserted after Subsection 3.7.2 "Walkways and stairs to access a dock or the foreshore are not exempt from interior or exterior side lot line setbacks or requirements for a development permit where applicable."
13. Part 3, General Regulations, Subsection 3.16.1 is deleted in its entirety
14. Part 4, Subdivision Regulations, Subsection 4.2.1 is amended by inserting at the end "unless the applicant grants a covenant complying with Section 3.11 of this Bylaw in respect of every such lot, prohibiting further subdivision of the lot." such that it reads: 'The Approving Officer must not approve a boundary adjustment, which would increase the area of any lot to the point where the new lots created could be subdivided into more lots than would be permitted under this Bylaw without the boundary adjustment unless the applicant grants a covenant complying with Section 3.11 of this Bylaw in respect of every such lot, prohibiting further subdivision of the lot.'
15. Part 4, Subdivision Regulations, Subsection 4.6.3 is amended by deleting "water recharge areas identified in Schedule "D" of the North Pender Island Official Community Plan" and inserting "watershed basins" such that it reads: 'No watercourse or water body may be diverted, altered or used for surface drainage purposes so as to transfer water between watershed basins.'
16. Part 7, Establishment of Zones, Subsection 7.2.3 is amended by deleting "Water C (WC)" and inserting "Water 3 (W3)" such that it reads: 'The Water 3 (W3) Zone established by this Bylaw extends to the boundary of the North Pender Island Local Trust Area, except as shown on Schedule "A".'
17. Part 8, Zone Regulations, Subsection 8.2.8, the table of site specific regulations is amended for the R(b) zone reference by:
  - a. deleting "(DD503141)" and inserting "(DD50314-I)" in the Legal Description column such that it reads: 'That Part of Parcel K, (DD50314-I), Section 22 and 23, Cowichan Land District, lying west of District Plan 5063, Pender Island, lying within the Rural (R) Zone', and

- b. deleting “(f)” at the end and inserting “(c)” in the Site Specific Regulations column such that it reads: ‘Despite article 8.2.2(1), the only permitted uses are in this location are the uses permitted by 8.2.2(1) (a), (b), and (c).’
18. Part 8, Zone Regulations, Subsection 8.2.8, the table of site specific regulations is amended for the R(c) zone reference by deleting “8.2.2(1)(a), (c), (d), (e) and (f) and 8.2.2(2).” and inserting “8.2.2(1)(a), (b), (d) and 8.2.2(2).” in the Site Specific Regulations Column such that it reads: ‘Despite 8.2.2, the only permitted uses in this location are the uses permitted by 8.2.2(1)(a), (b), (d) and 8.2.2(2).’
19. Part 8, Zone Regulations, Article 8.2A.3(1) is amended by deleting “(b)” and inserting “(c)” such that it reads: ‘There may not be more than one dwelling and one cottage on any lot, subject to 8.2A.2(1)(c).’
20. Part 8, Zone Regulations, Article 8.2A.5(2) is amended by deleting “or the Forest Land Reserve,” such that it reads: ‘If a lot line adjoins the Agricultural (AG) Zone the setbacks in respect of that lot line required by clauses 8.2A.5(1)(a) and (b) must be increased by 3 metres.’
21. Part 8, Zone Regulations, Article 8.2A.7(1) is amended by deleting “3.13” and inserting “3.13.2” such that it reads: ‘On lots 8 hectares or larger, every lot must have a landscape strip for environmental protection complying with Section 3.13.2.’
22. Part 8, Zone Regulations, the following information note be inserted after Clause 8.3.2(1)(c) “Residential use of a cottage in the Agricultural Land Reserve is permitted by a member of the owner’s immediate family as defined in the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, or where the cottage is deemed necessary for farm use by the North Pender Island Local Trust Committee, or where permitted as a non-farm use by the Agricultural Land Commission.”
23. Part 8, Zone Regulations, Clause 8.3.2(1)(e) is amended by deleting “8.3.6” and “Land Reserve Commission” and inserting “8.3.7” and “Agricultural Land Commission” respectively such that it reads: ‘agri-tourist accommodation as an accessory use, subject to subsection 8.3.7, and as permitted by the Agricultural Land Commission.’
24. Part 8, Zone Regulations, Article 8.3.5(3) is amended by deleting “8.3.4” and inserting “8.3.5” such that it reads: ‘The provisions of articles 8.3.5(1) and (2) in respect of front lot lines do not apply to temporary roadside stands for the sale of agricultural products.’
25. Part 8, Zone Regulations, Subsection 8.3.8, the table of site specific regulations is amended for the AG(c) zone reference by deleting “8.3.6” in both locations and inserting “8.3.7” such that it reads: ‘Despite 8.3.7(3) and 8.3.7(5), the agri-tourist accommodation use may accommodate up to, but not exceed, 25 Guests accommodated in 17 Bedrooms in 7 buildings.’
26. Part 8, Zone Regulations, Subsection 8.5.9, the table of site specific regulations is amended for the C2(c) zone reference by deleting the Legal Description and inserting “Lot B, Section 17, Plan VIP87395”
27. Part 8, Zone Regulations, Subsection 8.5.9, the table of site specific regulations is amended for the C2(d) zone reference by deleting the Legal Description and inserting “Lot A, Section 17, Plan VIP87395”
28. Part 8, Zone Regulations, Subsection 8.18.3, the table of site specific regulations is amended by deleting the ECO(a) zone reference in its entirety
29. Part 8, Zone Regulations, Section 8.19 is amended by inserting a new subsection 8.19.7 as follows:  

“Density  
(1) A maximum of one private float, wharf, ramps and walkway is permitted per abutting upland lot.  
(2) A maximum of one boat launching ramp is permitted per abutting upland lot.”

30. Part 8, Zone Regulations, Subsection 8.19.7 Site Specific Regulations is renumbered to 8.19.8
31. Part 8, Zone Regulations, Clause 8.22B.1(1)(c) is amended by deleting "(c)" and inserting "(b)" such that it reads: 'pavings necessary for the establishment or maintenance of uses permitted by clause 8.22B.1(b); and'
32. Part 8, Zone Regulations, Article 8.23.9(1) is amended by deleting "8.23.2(1)(l)" and inserting "8.23.2(1)(i)" such that it reads: 'Despite Subsection 6.1.2 (Off-street Parking), the minimum number of parking spaces required in the CD1 zone for the accessory dwelling unit permitted in 8.23.2(1)(i) above is one.'
33. Schedule A, Area Covered by Land Use Bylaw No. 103, 1996 is amended in accordance with the map attached to and forming part of this bylaw as Plan 1
34. Schedule C, Zoning Maps for Particular Locations is deleted in its entirety
35. Schedule D, Zoning Map for North Pender Island is amended in accordance with the maps attached to and forming part of this bylaw as Plans 2, 3, 4, 5 and 6.

- B. This Bylaw may be cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2014".
- C. 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                   | 27 <sup>th</sup> | day of | February | , 2014 |
| READ A SECOND TIME this                  | 27 <sup>th</sup> | day of | March    | , 2014 |
| PUBLIC HEARING HELD this                 | 24 <sup>th</sup> | day of | April    | , 2014 |
| READ A THIRD TIME this                   | 24 <sup>th</sup> | day of | April    | , 2014 |
| APPROVED BY THE EXECUTIVE COMMITTEE this | 6 <sup>th</sup>  | day of | May      | , 2014 |
| ADOPTED this                             |                  | day of |          | , 20   |

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Chair

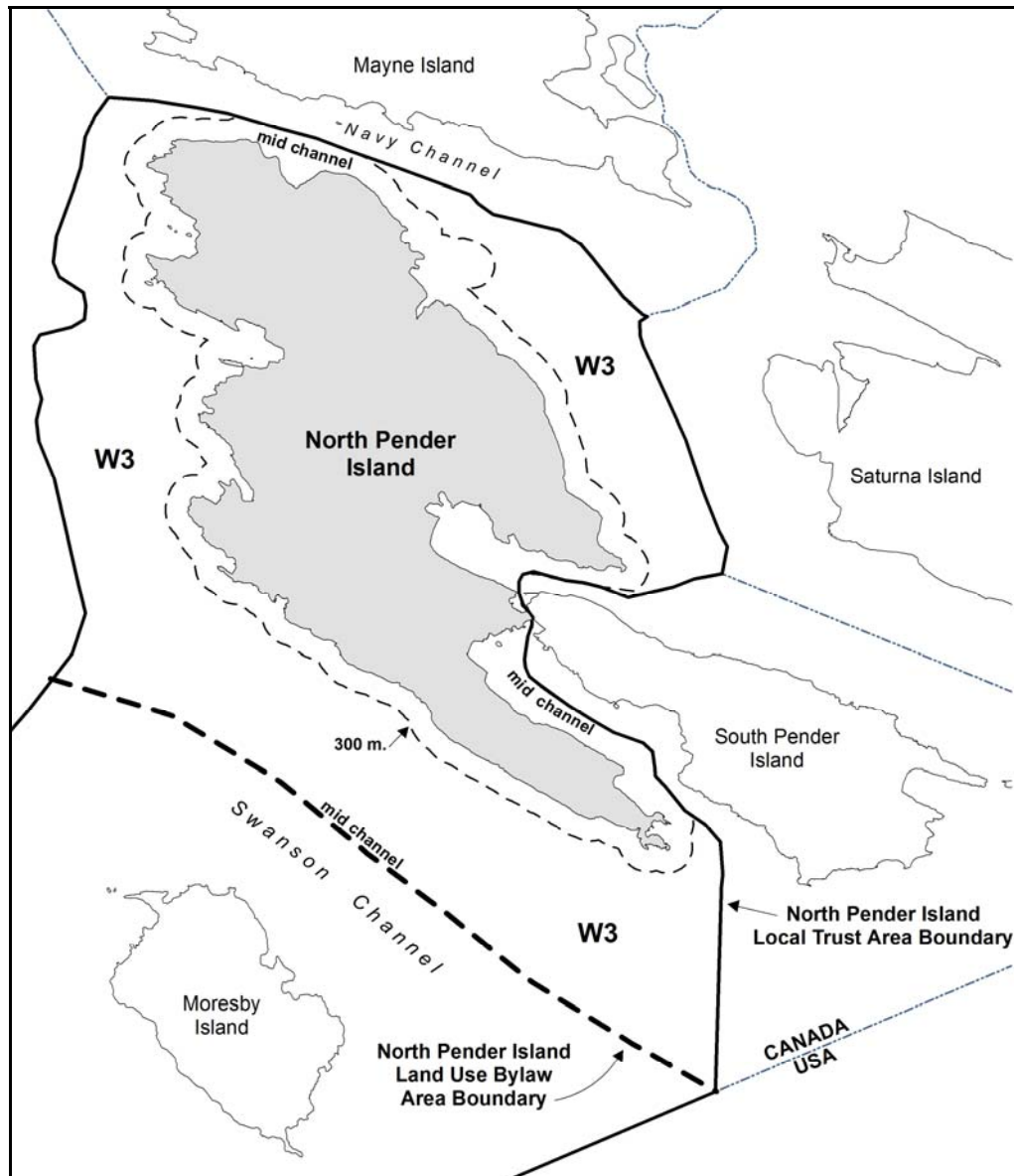
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Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE**

**BYLAW No. 194**

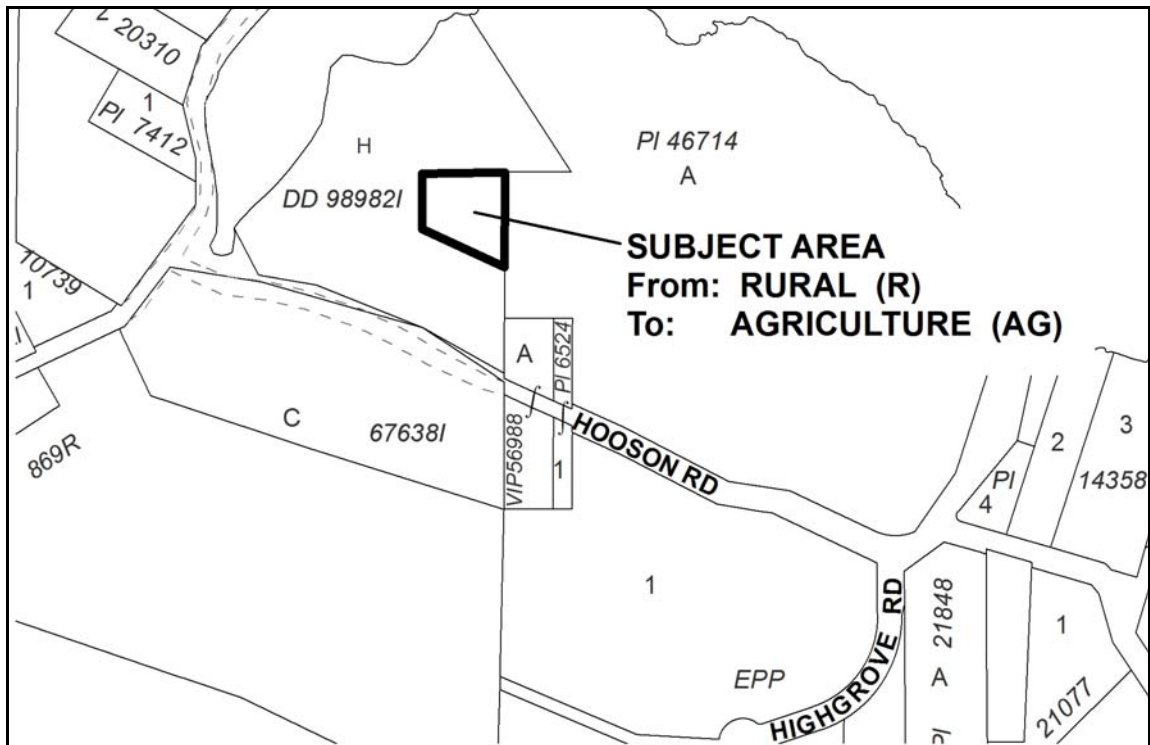
**PLAN No. 1**



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 194

Plan No. 2

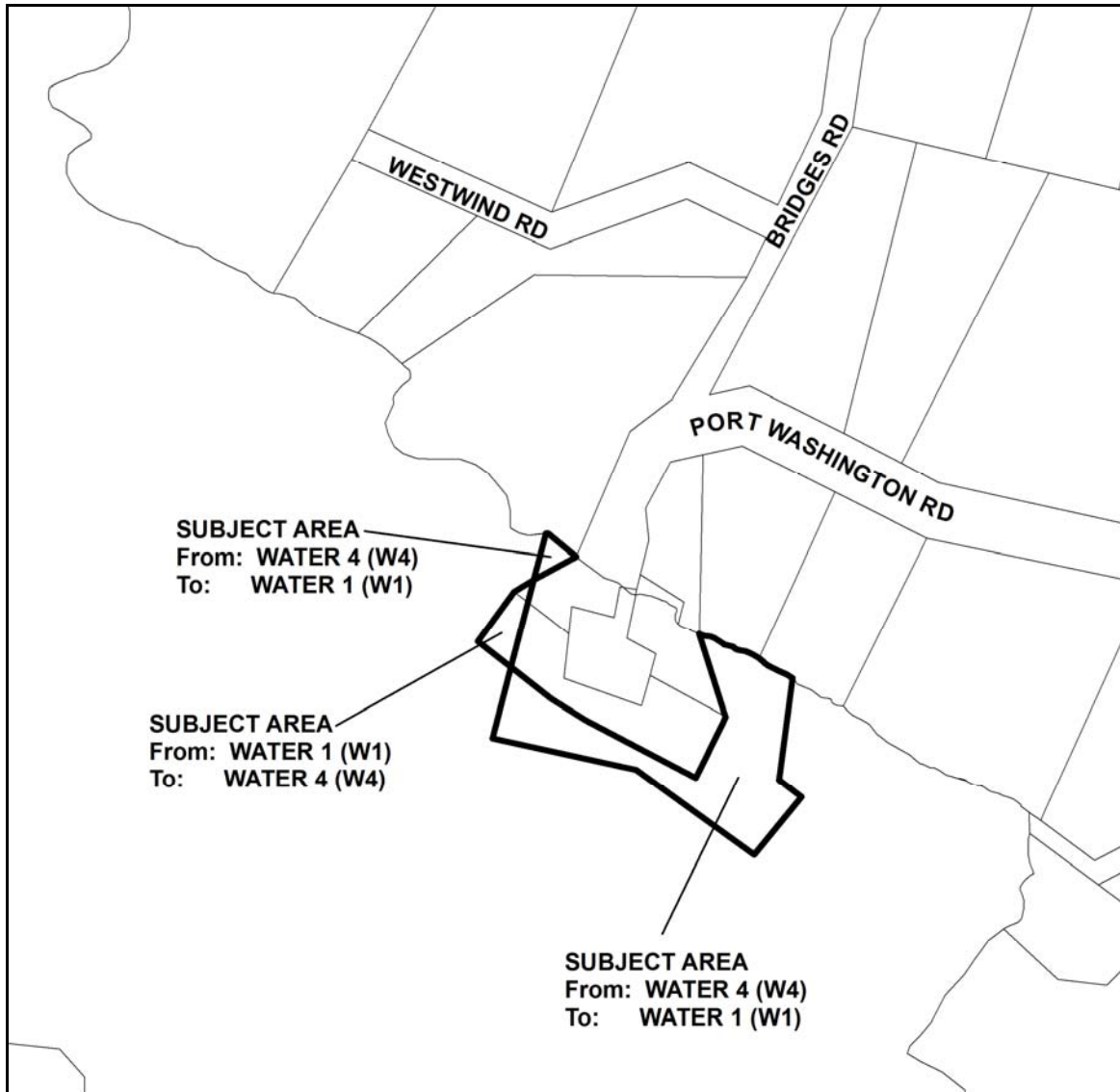




**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE**

**BYLAW No. 194**

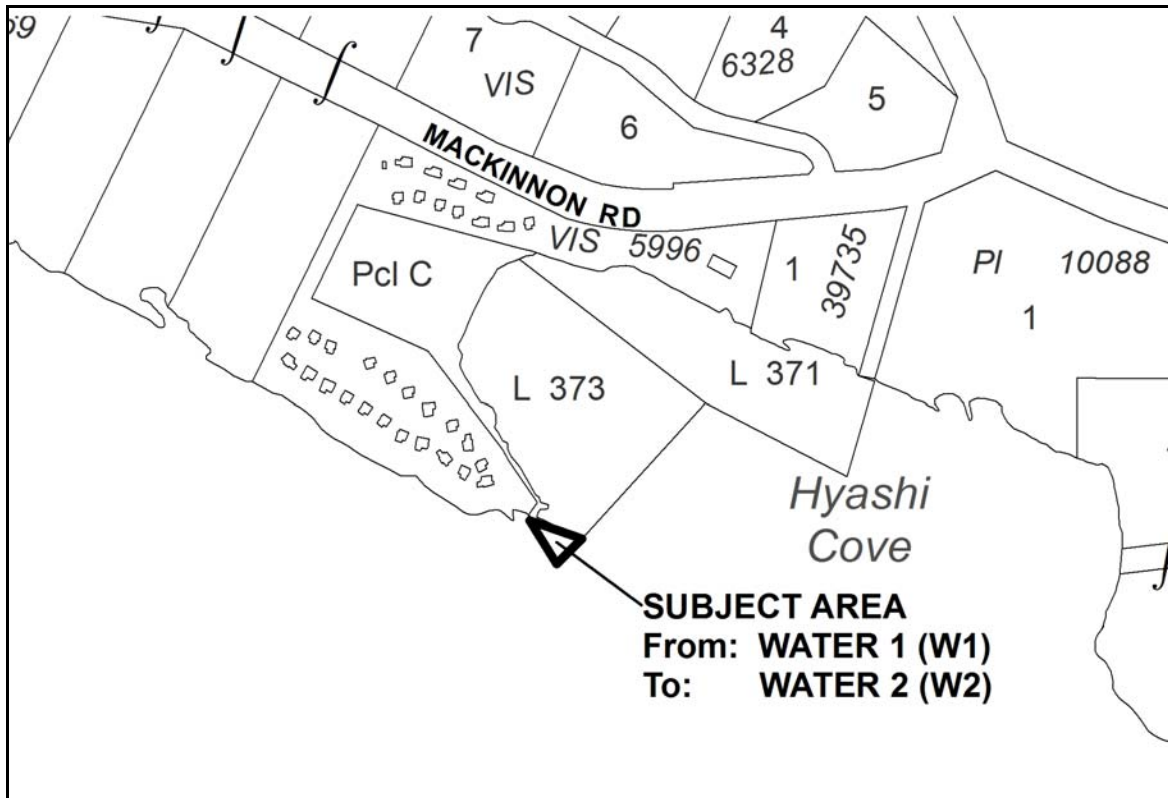
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NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 194

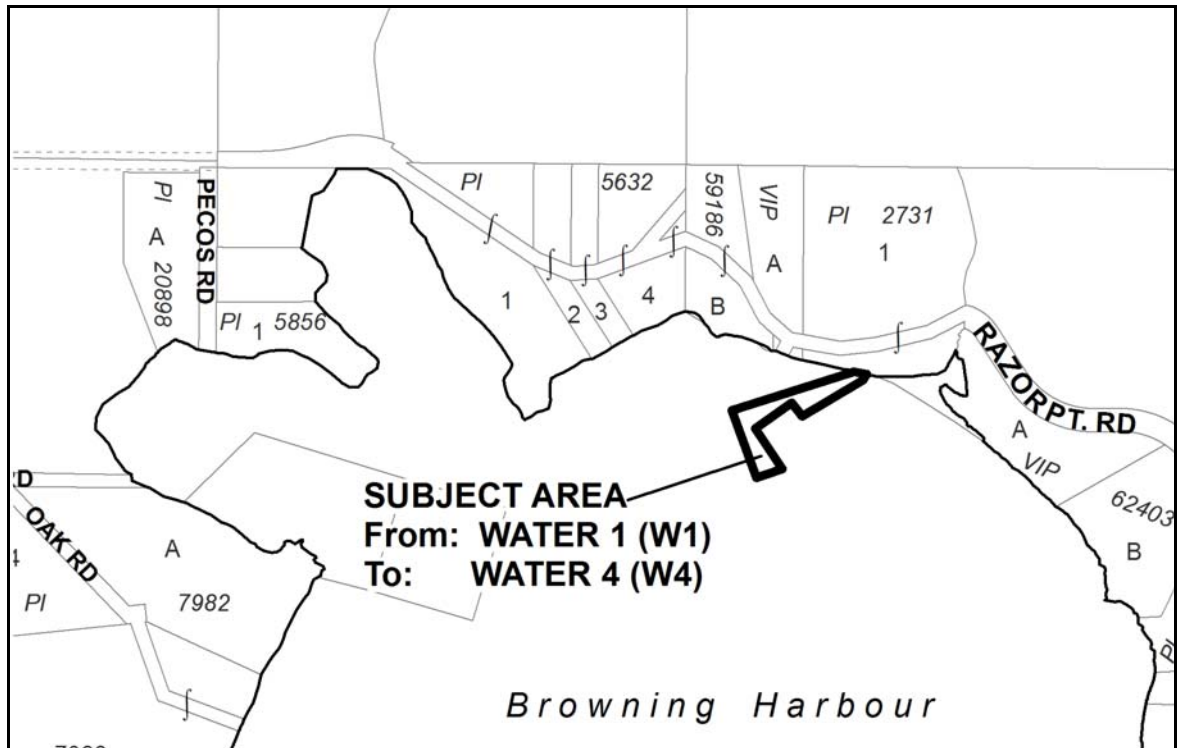
Plan No. 5



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 194

Plan No. 6



# MEMORANDUM

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**File No.:** NPLTC Top Priorities

**Date:** May 7, 2014 for the meeting of May 22, 2014

**To:** North Pender Island Local Trust Committee

**From:** Justine Starke, Island Planner

**CC:** Robert Kojima, Regional Planning Manager

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**Re: Work Program Update**

The purpose of this memo is to provide the LTC with an update of the current status of its Work Program Top Priorities and provide context for potential amendments to the Top Priorities. The North Pender Island Local Trust Committee currently has three top priorities:

1. Shoreline Review
2. Conservation Subdivision Review
3. LUB Amendments

Shoreline Review:

The shoreline project has been a focus this term. Please refer to the attached Top Priority summary to track project progress. The planning work associated with this project's objectives is largely complete. The shoreline has been mapped for geomorphological characteristics and this mapping has been received by the LTC. Additional mapping of Eelgrass and Forage Fish habitat was produced as part of a Trust Fund Board initiative. A consolidated map of shoreline features was created, in addition as part of the South Pender LTC's shoreline initiative, MapIT was updated with the inclusion of a separate shoreline panel, with links to information in a 'How Do I Care For My Shoreline' section of the website. The 'Sharing Our Shorelines Booklet' has been completed, copies printed and a version posted to the website. A powerpoint summary was created for use in presentations. A succinct description of shoreline features were summarized in the 'Shoreline Matters' brochure intended to be used for education to introduce the locations of sensitive marine habitats and draw attention to opportunities for preserving and protecting marine ecosystems. Although the Top Priorities identify a school workshop and integration of QR codes as part of this project, staff work on this project is essentially complete and the project may be removed from the Top Priorities. If the LTC wishes to consider new or additional work on this project it should be initiated as a new project. There is approximately \$1500 remaining in the 2014-15 fiscal budget for this project and for the conservation subdivision design project; however staff recommend that this amount be reserved for completion of the conservation subdivision review. .

Conservation Subdivision:

The purpose of this project is to encourage property owners to apply a conservation approach for the design and layout of future subdivisions to minimize adverse impacts from development. This has included a review of the subdivision regulations in the North

Pender Island Land Use Bylaw and related policies in the North Pender Island Official Community Plan. Next steps involve a workshop with large lot property owners to produce rough conceptual layout plans and to identify issues of concern. There is approximately \$1500 remaining in the 2014-15 fiscal budget for this project (shared with the shoreline project). Currently, the LTC has endorsed staff proceeding with holding a workshop for landowners (currently being scheduled for June). Following the completion of the workshop staff will report back to the LTC with the outcome of the workshop and options for proceeding.

Land Use Bylaw Amendments:

This project has been limited to technical amendments and has resulted in Bylaw 194, which has received approval by Islands Trust Executive Committee and is on the current agenda for consideration of adoption. There is approximately \$1000 remaining in the 2014-15 fiscal budget for this project. The NPILTC may want to consider further Land Use Bylaw amendments or removing this project from its Top Priority list.

Recommendations:

1. THAT the North Pender Island Local Trust Committee remove the Shoreline Project and the Land Use Bylaw Amendments from the Top Priority list and replace them with two projects from the long list.
2. THAT the North Pender Local Trust Committee identify any additional projects the LTC wishes to add to the Top Priorities and direct staff to prepare preliminary staff reports or project charters.

## Top Priorities - North Pender Island

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| Priority Level | Description      | Activity                                                                                                                                                                                                                                                                                                                                                                                     | Date Rec'd  | Target Date | Responsibility                  |
|----------------|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|---------------------------------|
| 1              | Shoreline Review | <ul style="list-style-type: none"> <li>• develop school/community workshop - ON_GOING</li> <li>• develop tri-fold brochure - DONE</li> <li>• develop powerpoint from materials - DONE</li> <li>• develop compiled map of shore features - DONE</li> <li>• investigate incorporating shoreline information into new Gulf Islands app and using QR code for smart phones - ON-GOING</li> </ul> | Sep-22-2011 | Sep-01-2014 | Robert Kojima<br>Justine Starke |

| Priority Level | Description                     | Activity                                                                                                                                                                                                                                                                                       | Date Rec'd  | Target Date | Responsibility                  |
|----------------|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|---------------------------------|
| 2              | Conservation Subdivision Review | <ul style="list-style-type: none"> <li>• identify natural and cultural features to be prioritized for protection</li> <li>• community engagement</li> <li>• engage key stakeholders, including property owners of larger lots</li> <li>• review options to implement in LUB and OCP</li> </ul> | Feb-28-2013 | Oct-01-2014 | Robert Kojima<br>Justine Starke |

| Priority Level | Description    | Activity                         | Date Rec'd  | Target Date | Responsibility                  |
|----------------|----------------|----------------------------------|-------------|-------------|---------------------------------|
| 3              | LUB Amendments | limited to technical corrections | Oct-31-2013 |             | Robert Kojima<br>Justine Starke |



## Top Priorities

### North Pender Island

| No. | Description                     | Activity                                                                                                                                                                                                                                                                                                                                                                               | Received/Initiated | Responsibility                  | Target Date | Status      |
|-----|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------|-------------|-------------|
| 1   | Shoreline Review                | <ul style="list-style-type: none"><li>• develop school/community workshop - ON_GOING</li><li>• develop tri-fold brochure - DONE</li><li>• develop powerpoint from materials - DONE</li><li>• develop compiled map of shore features - DONE</li><li>• investigate incorporating shoreline information into new Gulf Islands app and using QR code for smart phones - ON-GOING</li></ul> | Sep-22-2011        | Robert Kojima<br>Justine Starke | Sep-01-2014 | On<br>Going |
| 2   | Conservation Subdivision Review | <ul style="list-style-type: none"><li>• identify natural and cultural features to be prioritized for protection</li><li>• community engagement</li><li>• engage key stakeholders, including property owners of larger lots</li><li>• review options to implement in LUB and OCP</li></ul>                                                                                              | Feb-28-2013        | Robert Kojima<br>Justine Starke | Oct-01-2014 | On<br>Going |
| 3   | LUB Amendments                  | limited to technical corrections                                                                                                                                                                                                                                                                                                                                                       | Oct-31-2013        | Robert Kojima<br>Justine Starke |             | On<br>Going |



## Projects

### North Pender Island

| No. | Description                                                                                                                                       | Activity                                                                                                                                                                                                                                                                                                                                                                                                    | Received/Initiated | Status   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|
| 1   | 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                                                                                                                                                                                                                                                              | Jan-22-2009        | On Going |
| 2   | Agricultural Projects                                                                                                                             | Consider implementing agricultural initiatives identified in OCP, including an Area Farm Plan                                                                                                                                                                                                                                                                                                               | Jan-22-2009        | On Going |
| 3   | Other OCP projects:                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                             | Jan-22-2009        | On Going |
|     | 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                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                             |                    |          |
| 4   | Agricultural Building Watercourse Setbacks                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                             | Jul-28-2011        | On Going |
| 5   | Geological Hazard Mapping                                                                                                                         | Continue work on proposed DPA for Hazardous Areas                                                                                                                                                                                                                                                                                                                                                           | Feb-22-2012        | On Going |
| 6   | LUB Amendments                                                                                                                                    | <ul style="list-style-type: none"> <li>• review of industrial zoning, including waste management</li> <li>• tourist commercial zoning review</li> <li>• home industry regulation</li> <li>• review of commercial (C1) zoning</li> <li>• incorporate TUP's into zoning</li> <li>• landscape screening review</li> <li>• review of marine zoning regulations in conjunction with overall shoreline</li> </ul> | Mar-22-2012        | On Going |

- 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

|   |                                                                      |                                                                                                                                                                                                                                                                                                                                             |             |          |
|---|----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|
| 7 | Road Side Signs                                                      |                                                                                                                                                                                                                                                                                                                                             | Apr-26-2012 | On Going |
| 8 | Applications after the fact                                          | options to address situations where construction work has occurred without the required permits or approvals                                                                                                                                                                                                                                | Jun-28-2012 | On Going |
| 9 | LUB/OCP Amendments Related to Roadway and Transportation Initiatives | <ul style="list-style-type: none"> <li>• NZEV designation</li> <li>• Level 2 Charging Stations</li> <li>• Additional Car Stop Locations</li> <li>• Additional Bicycling-Walking Routes</li> <li>• Heritage Roads</li> <li>• Road standards in subdivision servicing regulations</li> <li>• Related policy and regulatory options</li> </ul> | Sep-20-2012 | On Going |



## Applications w/ Status - North Pender Island

### Status: Open

## Applications

### Agricultural Land Reserve

| File Number   | Applicant Name | Date Received | Purpose                                                                      |
|---------------|----------------|---------------|------------------------------------------------------------------------------|
| NP-ALR-2014.1 | Richard Piskor | Apr-15-2014   | 4321 PORT WASHINGTON RD<br>To construct a family home near existing cottage. |

**Planner:** Justine Starke

#### Planning Status

**Status Date:** May-13-2014

Staff Report on May 22 Agenda

**Status Date:** May-08-2014

Site Visit

**Status Date:** May-05-2014

Reviewed application, contacted applicant

### Rezoning

| File Number  | Applicant Name              | Date Received | Purpose                                                              |
|--------------|-----------------------------|---------------|----------------------------------------------------------------------|
| NP-RZ-2012.1 | Michael and Anne<br>Burdett | Nov-09-2012   | Waste transfer/sorting facility with commercial recycle & composting |

**Planner:** Justine Starke

#### Planning Status

**Status Date:** Apr-28-2014

ALR Boundary Defined

**Status Date:** Apr-15-2014

Site Visit

**Status Date:** Mar-28-2014

applicants requested to provide additional information

| File Number  | Applicant Name                                      | Date Received | Purpose                                                                                   |
|--------------|-----------------------------------------------------|---------------|-------------------------------------------------------------------------------------------|
| NP-RZ-2012.2 | Clam Bay Holdings Ltd<br><b>Planner:</b> Kim Farris | Nov-27-2012   | To rezone to permit clustered residential uses and remove agri-tourism accommodation uses |

### Planning Status

**Status Date:** Apr-30-2014

bylaws referred to agencies and FNs, re-drafted covenants forwarded to applicant for review

**Status Date:** Apr-24-2014

First reading of bylaws and direction to schedule hearing at June LTC meeting

**Status Date:** Apr-14-2014

Draft bylaws and covenants to be reviewed at April LTC

| File Number  | Applicant Name | Date Received | Purpose                                                                                                                                                                                                                   |
|--------------|----------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NP-RZ-2013.1 | Ron Henshaw    | Jan-18-2013   | 3418 SOUTH OTTER BAY RD - applies to portion of property with 4402 Otter Bay Rd address Allowing for present use (gravel storage & sales; construction debri, and sorting & recycling & transfer of materials & garbage). |

**Planner:** Justine Starke

### Planning Status

**Status Date:** Mar-07-2014

draft operations plan received. Reviewed by staff, suggested revisions and information still pending identified - returned to applicant for consideration

**Status Date:** Jul-08-2013

geotech report rec'd

**Status Date:** May-01-2013

hydrologist report rec'd

| File Number  | Applicant Name                                                                            | Date Received | Purpose                                                                                                                                                                         |
|--------------|-------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NP-RZ-2013.2 | JC Cosh & JF Wood c/o Karl Hamson for the Elder Project<br><b>Planner:</b> Justine Starke | Jul-08-2013   | 4601 BEDWELL HARBOUR RD To amend the LUB to rezone the rural portion of the lot to allow for a 24 unit seniors housing complex plus necessary support structures and facilities |

### Planning Status

**Status Date:** Sep-17-2013

letter sent to applicant regarding information required

**Status Date:** Sep-03-2013

proceed working on application as sr's and special needs housing

**Status Date:** Aug-14-2013

Preliminary report prepared for August LTC meeting

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## Subdivision

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| File Number   | Applicant Name                                                                        | Date Received | Purpose                           |
|---------------|---------------------------------------------------------------------------------------|---------------|-----------------------------------|
| NP-SUB-2012.3 | cRJ Wey &<br>Associated Land<br>Surveying (Philpot)<br><b>Planner:</b> Justine Starke | Jul-24-2012   | Proposed 3 lot Strata Development |

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## Planning Status

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**Status Date:** Oct-17-2012

PLA issued

**Status Date:** Sep-17-2012

response sent to MOTI

**Status Date:** Sep-06-2012

File forwarded to Planner

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| File Number   | Applicant Name                                                    | Date Received | Purpose                                                 |
|---------------|-------------------------------------------------------------------|---------------|---------------------------------------------------------|
| NP-SUB-2012.4 | Edgewood Estates<br>c/o Graham Ross<br><b>Planner:</b> Kim Farris |               | 2218 CLAM BAY RD To create 11 lots including remainders |

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## Planning Status

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**Status Date:** May-29-2013

Applicant to determine location of strata road access prior to initiating the required DP

**Status Date:** Apr-11-2013

PLA received from MOTI

**Status Date:** Feb-26-2013

fees received, SD review drafted

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| File Number | Applicant Name | Date Received | Purpose |
|-------------|----------------|---------------|---------|
|-------------|----------------|---------------|---------|

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NP-SUB-2014.1

Lloyd Eakins

000-295-655 3214 CLAM BAY RD 018-313-647 3209 ARMADALE RD  
To adjust the property lines between the two subject properties.

**Planner:** Kim Farris

### **Planning Status**

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**Status Date:** Apr-17-2014

Subdivision referral sent to MOTI

**Status Date:** Mar-14-2014

received fee, processed, gave to Planner

**Status Date:** Feb-25-2014

sent fee request and application to applicant

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***Islands Trust***  
LTC EXP SUMMARY REPORT F2014  
Invoices posted to Month ending March 2014

| 650 North Pender               | Invoices posted to Month ending March 2014 | Budget          | Spent           | Balance         |
|--------------------------------|--------------------------------------------|-----------------|-----------------|-----------------|
| 65000-650                      | LTC "Trustee Expenses"                     | 1,500.00        | 1,437.46        | 62.54           |
| <b>LTC Local</b>               |                                            |                 |                 |                 |
| 65200-650                      | LTC - Local Exp - LTC Meeting Expenses     | 4,000.00        | 4,071.51        | -71.51          |
| 65210-650                      | LTC - Local Exp - APC Meeting Expenses     | 1,000.00        | 60.54           | 939.46          |
| 65220-650                      | LTC - Local Exp - Communications           | 500.00          | 102.86          | 397.14          |
| 65230-650                      | LTC - Local Exp - Special Projects         | 2,000.00        | 1,402.14        | 597.86          |
| 65240-650                      | LTC - Local Exp - Miscellaneous            | 500.00          | 0.00            | 500.00          |
| <b>TOTAL LTC Local Expense</b> |                                            | <u>8,000.00</u> | <u>5,637.05</u> | <u>2,362.95</u> |
| <b>Projects</b>                |                                            |                 |                 |                 |
| 73001-650-4004                 | North Pender Shoreline Protection          | 5,000.00        | 4,615.21        | 384.79          |
| 73001-650-4018                 | North Pender Subdivision Review            | 4,000.00        | 4,229.96        | -229.96         |
| <b>TOTAL Project Expenses</b>  |                                            | <u>9,000.00</u> | <u>8,845.17</u> | <u>154.83</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                 | <p>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:</p> <ol style="list-style-type: none"> <li>1. They are advertised on the internet, newspapers or other media;</li> <li>2. They are not managed by the property owner;</li> <li>3. More than one dwelling on the lot is simultaneously made available for STVR;</li> <li>4. While the property is rented persons are also staying in tents, trailers or RVs;</li> <li>5. There are issues related to health and safety;</li> <li>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;</li> <li>7. The owner of the property uses more than one property on North Pender Island as a STVR.</li> </ol> <p>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;</p> |
| 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |