



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: February 27, 2014
Time: 9:45 am
Location: Pender Island Community Hall
4418 Bedwell Harbour Road
North Pender Island, BC

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 Draft Meeting Minutes of January 30, 2014 (attached) 4 - 14
For Consideration to Adopt
 - 5.2 Public Hearing Records and Community Information Meeting Notes to be Received
none
 - 5.3 Section 26 Resolutions-without-meeting
none
 - 5.4 Advisory Planning Commission/Task Force to be received
none
6. Business Arising from the Minutes

6.1	Follow-up Action List	10:15 AM - 10:20 AM	15 - 17
	FUAL Report dated February 2014 (attached)		
7.	Delegations		
	none		
8.	Correspondence	10:20 AM - 10:30 AM	
	<i>[Correspondence recieved concerning applications and/or projects is considered with the application/project]</i>		
8.1	Letter dated Jan. 22/14 from G. Hanson re: Sq. Footage of Guest Cottages on Lots of 10 Acres or More (attached)		18 - 19
8.2	Letter from M. Simons re: Cottage Sq. Footage (attached)		20 - 20
9.	Applications, Permits, Bylaws and Referrals	10:30 AM - 12:00 PM	
9.1	NP-RZ-2012.2 (Clam Bay Farm) Staff Report (attached)		21 - 48
10.	Local Trust Committee Projects		
	none		
11.	Reports	12:00 PM - 12:30 PM	
11.1	Work Program Report		49 - 51
	Work Program Report dated February 2014 (attached)		
11.2	Applications Report		52 - 56
	Applications Report dated February 2014 (attached)		
11.3	Bylaw Enforcement		
	none		
11.4	Expense/Budget Reports		57 - 57
	Expense Report dated January 2014 (attached)		
11.5	Adopted Policies and Standing Resolutions (attached)		58 - 58
	For Information		
11.6	North Pender LTC Web Page		
	The North Pender Island Local Trust Committee Web Page can be viewed at:		

11.7 Chair's Report

11.8 Trustee Report

12. Other Business

12.1 Upcoming Meetings

The next meeting of the North Pender Island Local Trust Committee will be held on March 27, 2014, at 9:45 am, at the North Pender Island Community Hall, Lounge.

13. Town Hall Meeting	12:30 PM - 1:00 PM
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14. Adjournment	1:00 PM - 1:00 PM
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**MINUTES OF THE NORTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON THURSDAY, JANUARY 30, 2014, AT 9:45 AM
PENDER COMMUNITY HALL (LOUNGE),
4418 BEDWELL HARBOUR ROAD,
NORTH PENDER ISLAND, B.C.**

PRESENT:	Peter Luckham	Chair
	Gary Steeves	Local Trustee
	Ken Hancock	Local Trustee
	Robert Kojima	Regional Planning Manager
	Zorah Staar	Recording Secretary
REGRETS:	Andrea Pickard	Island Planner

There were twenty (20) members of the public initially in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:45 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 to:

- add late item 8.2 (Letter from Ted Robbins of CRD)
- add attachment for agenda item 10.2 (Conservation Subdivision Review)

The amended agenda was adopted by consensus.

2.2 Questions from Public on Agenda Items

None

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARINGS

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes

None

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

Regional Planner Manager (RPM) Kojima noted that there had been resolutions-without-meeting to receive and/or adopt previous meeting notes and minutes, and to write a letter to the Chair of the Translink Board.

5.4 Advisory Planning Commission/Task Force Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

RPM Kojima reviewed the January 22, 2014, Follow-up Action Report.

Trustees Hancock and Steeves commented about gathering Shoreline Project QR (Quick Response) Code information, relating to the interesting history of certain shoreline areas.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Experience the Gulf Islands – Einar's Hill Bypass

The Moving Around Pender Alternative Transportation Society (MAP) had forwarded their "Proposal for a multi-modal bypass trail of Einar's Hill – An Experience the Gulf Islands Trail Project". John Chapman was present on behalf of MAP to discuss this proposal for a pedestrian/bicycle bypass trail on public right-of-ways through the forest, intended to be funded through the Capital Regional District.

The Trustees provided feedback, clarifying that so far, the Official Community Plan only expressed support for a designated bike route on the existing road, and that the Local Trust Committee did not have any jurisdiction or budget to help with public consultation on the foregoing proposal.

NP-2014-001

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee request Trustee Steeves to write a letter summarizing the Local Trust Committee points made today regarding the Experience the Gulf Islands Einar's Hill Bypass Proposal.

CARRIED

- 8.2 Letter dated January 23, 2014, from Ted Robbins of Capital Regional District – Integrated Water Services re: Harbours Commission

Ted Robbins had written to respond to an October 31, 2013, Local Trust Committee resolution, which requested that the CRD Harbour Commission refer to the LTC proposed bylaw amendments affecting community interests.

NP-2014-002

It was MOVED and SECONDED that, given the Capital Regional District failure to notify the Islands Trust of a pending legislative change, and in light of Section 2.0 Co-operation, Paragraph 4 of the Protocol between the CRD and the Islands Trust, which states "Both Parties agree to notify and consult the other Party on legislative,... initiatives", that the North Pender Island Local Trust Committee seek the advice of the Executive Committee of the Islands Trust as to whether the Capital Regional District Protocol and Bylaw No. 63 require enforcement, amendment or extinguishment.

CARRIED

9. APPLICATIONS, PERMITS, AND REFERRALS

- 9.1 Development Permit Application NP-DP-2014.1 (Rempel)

Regional Planning Manager Kojima referred to the Staff Report dated January 16, 2014, commenting as follows: that NP-DP-2014.1 (Rempel) was an application for a development permit to authorize construction of a new single-family dwelling within a sensitive woodland ecosystem Development Permit Area (DPA). This included the demolition of an existing cabin, installation of a new septic system, and improvements to the site access. The environmental professional's mitigation recommendations were incorporated in the draft Development Permit.

Owner Steve Sipos was present to answer questions.

The Trustees complimented Steve Sipos and Consultant Ken Rempel on the modest scale of the proposal, and the good job minimizing impacts on this special property.

NP-2014-003

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee approve Development Permit NP-DP-2014.1 (Rempel) .

CARRIED

9.2 NP-TUP-2014.1 (Colliers International)

Regional Planning Manager Kojima referred to the Staff Report dated January 14, 2014, commenting as follows: that NP-TUP-2014.1 (Colliers International) was an application for a Temporary Use Permit to allow commercial rental of a property known as “The Timbers”; that this included guest accommodation in five dwellings, and use of the accessory structures and outdoor areas for hosting of events; that there was previous Bylaw Enforcement and litigation with the Islands Trust arising from this property; and that this was a preliminary report, with Staff seeking direction on whether to proceed to request additional information from the applicant (re: current and proposed uses, noise, traffic, water, the dock, mitigation, etc.).

Alex Conconi and Consultant Justen Harcourt were present to answer the Trustees’ many questions for the Applicant. Mr. Conconi suggested that the proposal would benefit the community economically, and that a 3-year Temporary Use Permit for the requested commercial rentals could be a “controlled experiment”.

The Trustees also allowed four (4) community members with various opinions to be heard (Michael Symons, Janet Laurencelle, Mel MacDonald, and Jane Perch).

NP-2014-004

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee request the Applicant for Temporary Use Permit application NP-TUP-2014.1 (Colliers International) to provide more clarification regarding the current and proposed use of all buildings and structures on the property, including the total number of beds, and visitor capacity for the five cottages.

CARRIED

NP-2014-005

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee require the Applicant for NP-TUP-2014.1 (Colliers International) to provide a written summary of the consultation that was undertaken and include copies of any and all correspondence received from the public.

CARRIED

NP-2014-006

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee require the Applicant for NP-TUP-2014.1 (Colliers International) to provide confirmation from a building or fire professional that all of the buildings and structures for the proposed use meet the BC Building and Fire Codes and Health standards for water as outlined in the Staff Report dated January 14, 2014.

CARRIED

NP-2014-007

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee require the Applicant for NP-TUP-2014.1 (Colliers International) to provide a report from a professional Hydrogeologist with experience in groundwater hydrology that confirms there is an available supply of potable water in a sufficient quantity for commercial use as outlined in the applicant's proposal, that the water supply meets or exceeds the Guidelines for Canadian Drinking Water Quality, and that identifies any potential impacts to nearby wells.

CARRIED

9.3 Mayne Island LTC Bylaw Referrals for Bylaws 159 (OCP) & 160 (LUB)

There was a Bylaw Referral from the Mayne Island Local Trust Committee.

NP-2014-008

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee finds that its interests are unaffected by Mayne Island Local Trust Committee Proposed Bylaw No. 159 cited as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2013" and Bylaw No. 160. cited as "Mayne Island Land Use Bylaw No 146, 2008".

CARRIED

9.4 Salt Spring Island LTC Bylaw Referrals for Bylaws 472, 474 (OCP) & 475 (LUB)

There was a Bylaw Referral from the Salt Spring Island Local Trust Committee.

Trustee Steeves had spoken with the Salt Spring Planner, about the eelgrass and marine impacts of a breakwater and dock, and its potential removal.

NP-2014-009

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee finds that its interests are unaffected by Salt Spring Island Local Trust Committee Proposed Bylaw No. 472 cited as “Salt Spring Island Land Use Bylaw, 1999,” and Proposed Bylaw No. 474 cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008,” and Proposed Bylaw No. 475 “Salt Spring Island Land Use Bylaw, 1999.”

DEFEATED

NP-2014-010

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee advise the Salt Spring Island Local Trust Committee that its interests are unaffected by Salt Spring Island Local Trust Committee Proposed Bylaw No. 274 cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008,” and Proposed Bylaw No. 475 “Salt Spring Island Land Use Bylaw, 1999.”

CARRIED

NP-2014-011

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee ask Staff to advise the Salt Spring Island Local Trust Committee that approval of Proposed Bylaw No. 472 cited as “Salt Spring Island Land Use Bylaw, 1999,” is not recommended because of the inappropriate location of a dock, and deleterious impact on our shared marine ecosystem.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Land Use Bylaw Technical Amendments

Regional Planning Manager Kojima reviewed the Staff Report dated January 10, 2014, re: Land Use Bylaw Technical Amendments, commenting as follows: that the Report included a fairly detailed table of identified technical corrections for the Land Use Bylaw; that the table was followed by discussion; and that LTC direction was sought on three issues (maps, water zone boundaries, and farm building heights).

The Trustees noted that of the 51 proposed technical Land Use Bylaw amendments, 31 were reference updates, and 17 involved mapping issues. There was Trustee discussion of potentially allowing rezoning for accessory campgrounds in a Rural zone (deferred), and potentially allowing Bed & Breakfasts in cottages.

NP-2014-012

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee request Staff to prepare a draft amendment to Bylaw No.103 cited as "North Pender Island Land Use Bylaw 103, 1996" to provide for Bed & Breakfast (B & B) use in cottages.

CARRIED

NP-2014-013

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee requests the Bylaw Enforcement Manager to provide a report regarding the applicability of the bylaw cited as "North Pender Island Trust Committee Bylaw Infraction Investigations Bylaw No. 54, 1990", including recommended amendments.

CARRIED

NP-2014-014

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee directs Staff to prepare a draft bylaw to amend the North Pender Island Land Use Bylaw cited as "North Pender Island Land Use Bylaw 103, 1996" including proposed amendments Nos. 1 to 51 as outlined in the Staff Report dated January 10, 2014, except for Nos. 29 to 45 related to Schedule C maps.

CARRIED

NP-2014-015

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee directs Staff to include an amendment to Bylaw No. 103 cited as "North Pender Island Land Use Bylaw 103, 1996" to delete the Zoning Maps for Particular Locations in Schedule C.

CARRIED

Trustee Steeves thanked Planner Pickard for all her detailed work on the above technical Land Use Bylaw amendments, and a very effective report.

10.2 Conservation Subdivision Review

Regional Planning Manager (RPM) Kojima referred to the Staff Report dated January 22, 2014, commenting as follows: that a summary of the Conservation Subdivision survey results was attached; that Planner Pickard and RPM Kojima had been meeting with stakeholders and doing research; and that Staff now sought direction on options.

Trustee Hancock said that he was pleased with the positive survey results, which included support for Conservation Subdivision approaches including environmental resource protection. The key was landowner understanding. There was also the issue of better managing roads in subdivisions (e.g. not overbuilding), which Hancock asked to be looked at separately. Finally, he suggested working further with interested landowners.

NP-2014-016

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee direct Staff to prepare a report for the Conservation Subdivision Project that identifies a range of Official Community Plan and Land Use Bylaw amendments with the objective of requiring a conservation design for new subdivisions, including a new development permit area.

CARRIED

NP-2014-017

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee direct Staff to arrange a workshop or design charrette to further engage interested property owners, explain options, produce rough conceptual layout plans, and identify concerns.

CARRIED

NP-2014-018

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee direct Staff to come back with a revised Project Charter.

CARRIED

11. REPORTS

11.1 Work Program Report

There was a Work Program Report dated January, 2014 (unchanged).

11.2 Applications Report

Regional Planning Manager Kojima reviewed the Applications Report dated January, 2014.

NP-2014-019

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee direct Staff to inform the Applicant for NP-RZ-2012.2 (Clam Bay Holdings Ltd.) that the Local Trust Committee will be considering house size limits for the two proposed dwellings on the property.

CARRIED

11.3 Bylaw Enforcement Report

It was noted that the court decision on the Port Washington Shed litigation was still undelivered by the presiding Judge, 19 months after the trial.

11.4 Expense/Budget Reports

There were Expense Budget Reports dated December, 2013.

11.5 Adopted Policies and Standing Resolutions

For Information

11.6 North Pender LTC Web Page

There was a new North Pender photo header for the webpage:
www.islandstrust.bc.ca/islands/local-trust-areas/north-pender

11.7 Chair's Report

Chair Luckham reported that a draft Islands Trust budget involving a 0% tax increase had just been sent out for comment.

11.8 Trustee Reports

Further on budget issues, Trustee Steeves said that new Islands Trust budget was \$7.1 million, achieved by transferring \$250,000 from reserves into operating, and doing a lot of tightening and slashing of budget lines. The budget represented about 10% of the average property tax bill (or less).

Trustee Hancock reported that he had been making progress on the Stewardship Day planned for Saturday, April 19, 2014. The morning would involve the community beach clean-up, lunch, and then the speakers. So far Trustee Hancock had positive responses from the Gulf Islands National Park Reserve, National Marine Conservation Area, Habitat Acquisition Trust, the Islands Trust Fund, and Islands Trust Chair Sheila Malcolmson (re: oil spill preparedness).

12. OTHER BUSINESS

12.1 Upcoming Meetings

The next regular meeting of the North Pender Island Local Trust Committee is scheduled for Thursday, February 27, 2014 (9:45 am, Community Hall Lounge).

12.2 Email dated January 7, 2014 from Clare Frater re: Grant Notification

There was an opportunity for local governments to apply for Healthy Communities Capacity Building Grants (deadline: March 14, 2014).

12.3 Advisory Planning Commission (APC) Membership Terms

There was a January 9, 2014 Memo about expiring APC terms.

NP-2014-020

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee direct Staff to send a letter to current Advisory Planning Commission members, thanking them for their service and asking them if they are prepared to serve another term, and if there are any vacancies, that Staff be directed to advertise for Advisory Planning Commission Expressions of Interest.

CARRIED

13. TOWN HALL MEETING

Gordon Hanson expressed concerns about the North Pender Island limit on the size of guest cottages, which was smaller than limits on South Pender and some other islands. Hanson needed to build a cottage, but because of site limitations, it didn't make sense for him to do so unless it could be larger.

Trustee Steeves said that the Local Trust Committee Work Program had many projects ahead of any reconsideration of cottage size, which no one else had yet requested.

Chair Luckham said that Mr. Hanson could apply for rezoning, and if there was an early indication of little chance of success, then all but \$100 of the fee could be refunded.

Sara Steil suggested that the Advisory Planning Commission (APC) Bylaw be amended to include a conflict of interest clause.

Trustee Hancock said he had confidence in the North Pender Island APC, that people were aware of conflict of interest issues.

14. ADJOURNMENT

The meeting was adjourned by consensus at approximately 2:59 pm.

RECORDER

CHAIR



Follow Up Action Report w/ Target Date

North Pender Island Jul-28-2011

No.	Activity	Responsibility	Target Date	Status
1	Item NP-DP-2010.4 (TWA): cross ref to NP-SUB-2008.5 - staff to: • when completed, provide supporting documents on the subdivision requirement to the LTC including the registered covenants • work with applicant to consolidate the existing covenants into one • discuss with applicant amending the terms of the consolidated covenant to: change the buffer areas from 'trees' to 'trees and native vegetation'; add a no buildings or structures within the DPAs clause; exempt danger trees; and add a penalty clause • report back regarding the PIPRC trail when completed • forward responses from the AO and Dam Safety Officer re: the Ryzuk Drainage report when received	Andrea Pickard	Sep-22-2011	On Going

Nov-29-2012

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

May-30-2013

No.	Activity	Responsibility	Target Date	Status
3	Item 8.2 Correspondence: the LTC allocates up to \$400 for the purchase of a series of reports from Pender Community Transition regarding climate change adaptation and community resilience \$300.00 paid in November 2013 - Nancy Roggers	Nancy Roggers	Jun-27-2013	On Going

Aug-29-2013

No.	Activity	Responsibility	Target Date	Status
4	Item 9.1- NP-RZ-2013.2: staff to allocate up to \$2000 from the special projects budget for expenses related to preparation of legal documents	Nancy Roggers	Sep-23-2013	On Going

Nov-28-2013

No.	Activity	Responsibility	Target Date	Status
5	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 Gary Steeves	Jan-30-2014	On Going

Jan-30-2014

No.	Activity	Responsibility	Target Date	Status
6	Staff to forwarded request that EC review protocol agreement re CRD	Robert Kojima	Feb-06-2014	Done
7	9.1 NP-DP-2014.1 (Sipos) approved	Sharon Lloyd-deRosario	Feb-07-2014	Done
8	9.2 NP-TUP-2014.1 (Colliers). Applicant requested to provide: 1. clarification regarding the current and proposed use of all buildings and structures on the property 2. A written summary of consultation that was undertaken and copies of all correspondence 3. confirmation of compliance with BCBC, fire and health regulations for water for commercial use 4. Hydrologist provide a report confirm availability of sufficient quantity of potable water for proposed commercial use, and identifies any potential impacts on nearby wells	Robert Kojima	Mar-27-2014	Done

9	9.3 Mayne Island bylaw no 159 and 160 - interests unaffected	Sharon Lloyd-deRosario Gary Richardson	Feb-27-2014	Done
10	9.4 1. SSILTC bylaws 474 and 475 - interests unaffected 2. SSILTC bylaw 472 - not recommended	Sharon Lloyd-deRosario	Feb-07-2014	Done
11	10.1 LUB amendments 1. include amendment to permit B and Bs in cottages 2. prepare draft bylaw as recommended, except for #s 29 to 45 3. delete zoning maps for particular locations 4. request bylaw enforcement manager provide a report regarding applicability of bylaw infractions investigation bylaw 5. do not proceed with farm or forestry amendments at this time	Andrea Pickard	Mar-27-2014	On Going
12	10.2 conservation subdivision review 1. report back on options for range of OCP or LUB amendments that would require a conservation subdivision approach for new subdivisions 2. arrange a workshop/charrette to further engage interested property owners, explain options, produce rough concept layouts and identify issues and concern 3. staff to report back with a revised project charter	Andrea Pickard	Mar-27-2014	On Going
13	NP-RZ-2012.2 (clam bay farm) - confirm with applicants that LTC will be considering floor area limits on house sizes	Robert Kojima	Feb-07-2014	Done
14	APC - write to existing apc members thanking them for service and if they would be interested in serving another term. If there are any vacancies advertise for EOIs.	Sharon Lloyd-deRosario	Feb-07-2014	Done



Attention: Andrea Picard

North Pender Island Trustees
Gary Steeves, Ken Hancock
Peter Luckham

FAX 250-405-5155 (2 pages)



January 22, 2014

Dear Sirs:

re: Guest Cottage sq. footage for 10 acre lots and above for North Pender

As you are aware, the permitted maximum sq. footage for cottages in the Trust area varies widely - particularly as it pertains to larger lot sizes. On Saturna Island for example, Guest Cottages of 92.9sq m (1 000 sq ft) are allowed on lots 1.21 hectares or larger. Mayne Island is 93 sq m (1 001 sq ft) allowed on lots 1 hectare (2.4 acres) or larger. Our own sister island - South Pender Island permits two (2) residences and two (2) guest cottages on lots ten (10) acres and above. Saltspring Island is amending their cottage bylaw to 90 sq metres on lots 2 hectares or larger.

However, on North Pender Island where I have owned 11 ½ acres (4.45 hectares) lot for 35 years, I am permitted a 56 sq m (603 sq foot) cottage. I feel this anomaly is grossly unfair for a 11 ½ acre parcel and extremely arbitrary from a planning point of view.

One half of the Tricomali Water System is on my property. It is a piping distribution system, two wells and large Header Tanks that sit 13ft in the air next to my building site on the highest point of land on my property. I have exercised stewardship over my portion of the Trinco Water System over the years. I built a road to the site of the replacement Header Tanks and allowed the Tricomali Water District to use this non-easement access to carry out their replacement of new tanks.

I wish to request consideration be given to amending the cottage bylaw for larger lot sizes to bring North Pender in line with our sister Gulf Islands at 92 sq metres (1 000 sq feet).

A 56 sq m (603 sq ft) maximum is simply unfair, particularly to the larger lot sizes. The 10 acre parcels certainly won't affect density by bringing the permitted cottage size in line with our neighboring Islands. I wish to build a cottage in the spring and design it to 92 sq metres.



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If you require additional information please do not hesitate to contact me.

Sincerely,
Gordon Hanson

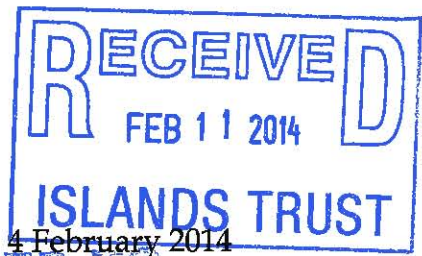
Gordon Hanson

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North Pender Island Local Trust Committee
Attn: Trustees Peter Luckham, Ken Hancock, Gary Steeves
c/o Islands Trust
1627 Fort St, Victoria, BC V8R 1H8

Dear North Pender Island Trustees:

I am writing in support of the recent request submitted by my neighbour, Gordon Hanson, that the Trust revise the size limitation for second dwellings on North Pender.

As pointed out in Mr. Hanson's letter to you, the present second dwelling size restriction of 56 square metres is significantly smaller than that found on other islands in the Trust jurisdiction, including South Pender Island. It is anomalous to have such different land use regulations for two islands that are so intimately connected as to be virtually one.

It would cause no density impact to raise the size limit to 93 square metres, which is consistent with the limits on other Outer Gulf Islands. This would be more fair to the property owners on North Pender and might also contribute to affordable housing stock here. Whether the more generous allowances for multiple dwellings, as well as larger sized second dwellings, as are currently allowed on South Pender could be considered as well, but at least the second dwelling size limit should be amended.

Please make this an action item going forward. While it may not be as urgent as some matters presently before the Trust and staff, it should not be a particularly burdensome change to enact as the definitions, etc. have already been developed as implemented on other islands in the Trust area.

Thank you for your time, attention, and anticipated cooperation in this matter.

Regards,

Michael Symons

Pender Island

STAFF REPORT

February 18, 2014

File No.: NP-RZ-2012.2
(Clam Bay)

To: North Pender Island Local Trust Committee
For the meeting of February 27, 2014

From: Robert Kojima, Regional Planning Manager
Kim Farris, Planner 1

CC: Andrea Pickard, Island Planner

Re: Bylaw Amendment Application

Owner: Clam Bay Holdings Ltd.
Applicant: Bo Helliwell, Blue Sky Architecture Inc.
Location: 3202 Clam Bay Road, PID: 006-612-148
That Part of Parcel K (DD 50314-I) of Sections 22 AND 23, Pender Island,
Cowichan District, Lying Westerly of Plan 5063

THE PROPOSAL:

This is a supplemental report, addressing impact assessment information recently provided by the applicant, comments from the regional agrologist, and following up on direction from the LTC at the November meeting. 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 - NPILTC](#))

The rezoning application includes the following proposed changes to the three site-specific zoned portions of the property:

1. To permit two (2) dwelling units and two (2) cottages on the Rural(b) zoned portion in the north. This will cluster development potential from the other Rural portion of the parcel to an amended site-specific Rural zone.
2. To remove agri-tourist accommodation use.
3. To permit temporary farm worker accommodation on the site-specific Agricultural zoned portion of the property.
4. To rezone the southern site-specific Rural zoned portion of the property to Ecological (ECO). Additionally the owners are proposing granting a voluntary conservation covenant to the Trust Fund Board for this portion of the property.

Prior to this report, the LTC has received the following information:

1. Environmental Assessment Report (Masselink Environmental Design)
2. Groundwater Assessment Report (Hy-Geo Consulting)

3. Farm Plan (prepared by the farm managers)
4. Archaeological Impact Assessment (Coast Interior Archaeology)
5. Plans clarifying the current and proposed use of buildings on the property (see table 1 attached)

In addition:

6. The Farm Plan and Staff Report was referred to the Regional Agrologist for comment (letter attached)
7. Ministry of Transportation & Infrastructure staff have confirmed that dedication of Clam Bay Road should be a condition of rezoning (subject to confirmation through referral).

At the November meeting, the LTC requested the following:

8. That the conservation covenant proposal, including the Rural-zoned portion north of Clam Bay Road, be made a condition of rezoning. This has been considered and approved by the Trust Fund Board (letter attached).
9. Provision of a report from an arborist and engineer addressing the impact of the increased use of and improvements to the driveway on the veteran Douglas-fir's root system, consideration of alternate routes and potential impacts, and construction recommendations (reports attached).
10. Recommendations from the regional agrologist on the need for farmworker accommodation (letter attached).
11. Clarity on the build-out plans for the proposed two dwellings and cottages in the Rural(b) zone, including maximum floor areas and home sites (a plan is attached).
12. Staff suggested that the applicant should address energy saving features, a memo from the applicant is attached;
13. Trustees also requested clarity on OCP policies 2.1.2.4 (dwellings equivalent to lots), 2.2.5 (farmworker accommodation) and 3.2.1 (Water systems). These are discussed below.

STAFF COMMENTS:

The following comments are intended to address the issues raised at the November meeting:

Trust Fund Board Covenant

At the TFB meeting of January 2014 the Board approved the covenant proposal, subject to negotiation of an acceptably worded covenant, contribution of \$35,000 endowment to manage the covenant, and payment of costs of registering the covenant. The LTC has previously indicated that registration of this covenant would be a condition of rezoning. The LTC should be satisfied prior to consideration of final adoption that the TFB's conditions have been met.

Arborist and Engineer's Reports

The applicants have provided two reports, one from Gary Carrothers Consulting (P.Eng.) and the other from Guy and Associates (Arborist). Taken together, the reports recommend that in order to protect the root system of the veteran tree, the existing driveway alignment be shifted slightly to the east and that upgrades to the driveway should be made in the form of a floating driveway in this area, with work to be conducted under supervision of the arborist.

Regional Agrologist's Comments

A preliminary referral was sent to the Regional Agrologist to provide comments on the need for farm work accommodation. The ALC policy does not establish a limit on the number of

additional residences for farm help, however all must be necessary for farm use, local government must be convinced there is a need for any additional residences for farm help, and if there is any doubt with respect to need, an application for non-farm use should be made (Policy #9-2003). The agrologist and planning staff visited the property in January, toured the site, including the proposed farm worker buildings, with the farm manager, and the agrologist reviewed the farm plan with the manager. The agrologist's letter states that the proposed 8 farmworker units are more than would be needed for current labour requirements. The current requirements are for the managers and limited farmworker labour for vineyard pruning. However, if production expands in the future as is proposed, additional labour would be likely be needed for development and on-going operations. Based on the comments and the current practices on the farm, staff are recommending that occasional use of the manager's suite be permitted as necessary to farm use. The other units however do not appear to currently be necessary farm uses and should be converted to non-residential accessory uses. If farm labour demands increase in the future, the owner can apply to re-convert the space to farm worker accommodation through a temporary use permit. In a discussion with the regional agrologist and ALC staff, they have concurred with this recommendation.

Building Area and Siting

The applicant has provided a plan showing the proposed home sites and the maximum proposed floor area of the two dwellings. A copy of the plan is attached; the cottages would be clustered with one of the dwellings in the southern portion of the Rural-zoned area, with cottage floor area consistent with the current maximum in the LUB and a proposed maximum floor area for the dwelling of 275m² (3000 ft²). The other dwelling would be on the point and is proposed to have a maximum floor area of 685m² (7400 ft²). Recommendations on implementation are outlined below.

Low energy features

The applicant has provided a memo (attached) outlining the design features and fixtures that would minimize energy and water use in any new construction.

OCP Policies

Staff comments on the OCP policies are inserted below.

OCP policy 2.1.2.4 - Despite policy 2.1.2.3 above [one dwelling and cottage per lot], the Local Trust Committee may give consideration to applications to rezone lots to permit a second dwelling for the purposes of encouraging clustering and retaining rural lots for agricultural and forestry uses. Any such application is subject to the following criteria:

- a) The proposal is limited to one additional dwelling and one additional cottage, for a maximum density of two dwellings and two cottages. – this is currently proposed.*
- b) The lot is at least 8 hectares (20 acres) in area – the property as a whole is over 40 hectares (100 acres) in area, while the two discontiguous Rural portions together are 17 ha (40 acres). If the rezoning proceeds as proposed, further subdivision would not be permitted, thus the lot area will continue to exceed 8 hectares.*
- c) The lot is rezoned to permit no subdivision. – if the application proceeds staff are recommending that no future subdivision be permitted.*
- d) Prior to approval, the Local Trust Committee should satisfy itself that any relevant land use issues are addressed, including, but not limited to, slope stability, potable water, septic*

disposal capability, appropriate clustering, environmental impacts, visual impacts, archaeological resources, climate change impacts and the cumulative impacts of such applications on the availability of future housing.

- The proposed building sites are in areas with no steep slope hazard, based on Islands Trust steep slope hazard mapping.
- The applicant has provided a groundwater assessment stating that the existing well is capable of meeting the total estimated residential water demand, the report also states that the well meets or exceeds the Guidelines for Canadian Drinking Water except for several aesthetic parameters which can be addressed through treatment.
- In terms of septic disposal, there appear to be ample areas for several additional septic fields, these would be requirements of any building permit.
- Three of the four proposed dwellings would be clustered within this portion of the site; overall the proposal would cluster development potential from the southern Rural zone to this Rural-zoned area.
- Environmental impacts and recommendations have been identified in a professional report.
- Visual impacts of new development would be minimal, if any, from adjacent properties and while visible from the water, would be mitigated by the design and clustering. Clustering development on the northern, Rural zoned portion would mitigate visual impacts from development under the current subdivision and zoning regulations, which would permit development near Clam Bay Road.
- Climate change mitigation would be addressed through incorporation of the features outlined in the applicant's memo, construction would be set well back from the natural boundary, addressing sea level rise impacts.

e) *The Local Trust Committee may give consideration to permitting the dwellings to be attached where energy savings can result. – site-specific zoning could permit the cottages to be attached.*

OCP policy 2.2.5 - The Local Trust Committee may consider zoning regulations permitting additional accommodation for farm help, provided the accommodation is necessary for farm purposes, provides cooking and washing facilities, and is temporary in nature, limited in size, and consistent with the recommendations of the Regional Agrologist.

In a previous report, staff's interpretation was that permitting seasonal farmworker accommodation in the existing units would not be in conflict with Policy 2.2.5. Trustees questioned this interpretation. Staff have subsequently sought legal advice, and have confirmed that any new construction for farmworker accommodation should be physically temporary in nature to be consistent with this policy. However, use of the existing buildings for farmworker accommodation would likely be consistent with policy 2.2.5, provided the farmworker use was restricted such that it is not used continuously. The Ministry of Agriculture's *Guide for Bylaw Development in Farming Areas* also supports the use of existing buildings for temporary farmworker accommodation as an alternative to temporary accommodation such as mobile or manufactured housing.

OCP policy 3.2.1 - The Local Trust Committee shall regulate land use to protect groundwater resources and ensure that 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 groundwater.

The applicant provided a groundwater assessment prepared by Hy-Geo Consulting that evaluated the quality and quantity of available groundwater for all the proposed uses and identified any potential risks to groundwater or surface water. The report determined that the proposed uses would not have any adverse effects the quality or quantity of the groundwater in the region. The assessment also determined that the well located on the property (WID 16407), and which is proposed to provide water for the new construction, meets or exceeds the Guidelines for Canadian Drinking Water except for the elevated levels of turbidity, total dissolved solids, sodium, chloride, fluoride, iron and manganese which can be readily treated by installing point-of-use treatment systems for each residence. This well also exceeds the quantity requirements several-fold. This would appear to be consistent with OCP policy 3.2.1.

In summary, staff's advice is that the application could proceed as currently proposed without an OCP amendment. The LTC could however, at its discretion, request that a companion OCP amendment be drafted.

Implementation Recommendations

Staff are recommending that the professional report recommendations and OCP policies be implemented through the following measures:

1. Zoning amendment bylaw. If the application proceeds, the zoning should include the following:
 - a. Amending the site-specific R(b) zone to permit a maximum of two dwellings and two cottages within that zone
 - b. Size of dwellings may be limited to a maximum floor area (alternately this could be achieved through a covenant restriction – see below)
 - c. Regulations could permit the cottages to be attached.
 - d. 1 dwelling unit (the caretaker's residence) permitted in the AG zone. The old farm house would be converted to a non-residential accessory use (kitchen, offices, storage).
 - e. Rezoning of the southern Rural(b) zone to ECO zone.
 - f. Amending the minimum lot areas to preclude subdivision.
 - g. No commercial guest accommodation permitted, existing accommodation would be removed or converted to accessory buildings (see Table 1 attached).
 - h. Temporary farmworker accommodation permitted in the AG zone in the managers' suite, limited in floor area and to occasional use (specific restrictions may be included in a covenant). Additional temporary farmworker accommodation can be provided through temporary use permit.
2. S. 219 Covenant. If the application proceeds, a s.219 covenant should be granted to the LTC prior to final adoption, for the following:
 - a. Protection of the yew tree at Observatory Point
 - b. Implementation of other relevant recommendations of the environmental assessment report relating to construction and development.
 - c. Attaching the plan delineating home sites in the R(b) zone and limiting floor area (if not restricted through zoning).
 - d. Requiring highway dedication of Clam Bay Road.

- e. Specific restrictions on temporary farmworker accommodation related to the use of the managers' suite, prohibition of use of the vineyard suites and craft house for accommodation except through a temporary use permit.
 - f. Prohibition of commercial guest accommodation.
 - g. Identification of buildings to be removed and the timing of deconstruction or conversion of buildings to accessory use.
 - h. Implementation of relevant recommendations of the groundwater assessment, specifically that the tested well be the water source for all new development and that treatment recommendations be implemented.
 - i. Implementation of relevant energy efficiency and water saving features in new construction.
3. Conservation covenant: registration of a conservation covenant, with endowment, acceptable to the Trust Fund Board prior to consideration of final adoption of zoning.
 4. Driveway: the arborist and engineer's reports made specific recommendations with respect to the portion of the driveway adjacent to the veteran Douglas-fir tree. Islands Trust Fund staff have stated that their preference is that this work be completed prior to registration of the conservation covenant. Consequently, staff are recommending construction of the recommended floating driveway be undertaken under supervision of the arborist prior to final adoption of the bylaw, with written confirmation provided by the arborist that the driveway portion adjacent to the veteran Douglas-fir has been installed as recommended in the report and under the arborist's supervision.

The LTC generally has the following options:

- Direct staff to proceed with the application, preparing draft bylaws and to proceed with agency referrals.
- Request further changes to the proposal.
- Proceed no further with this application.

Staff are recommending that the application proceed, based on the following considerations:

- The use of the property for commercial guest accommodation would cease; this use, while permitted for over a decade has not appeared to provide much in the way of benefit to either the farm operation in the form of "agri-tourism", or to the wider community in terms of providing general tourist accommodation. In fact, the condition of many of the units indicates that they haven't been rented for years.
- Non-agricultural uses would be reduced or eliminated on the ALR portion of the property and there is the intention, expressed through the farm plan, to continue to expand agricultural production.
- The future residential uses and activities would be clustered on the non-agricultural portion of the property.
- The property would be retained as a single lot in the future, with the potential for future subdivision removed. Subdivision is not a theoretical issue, as separate PLAs were issued for subdivision of both Rural(b) portions of the lot in the past.
- There would be no increase in residential development potential from what could be achieved currently through subdivision.
- A significant portion of the property, including two veteran trees, would be protected by conservation covenant granted to the Trust Fund Board. The conservation covenant would also provide an extension of the existing covenant area to the east.

- Dedication of Clam Bay Road would be achieved without subdivision; currently the portion of the road through the property is undedicated.

RECOMMENDATION:

1. THAT the North Pender Island Local Trust Committee direct staff to proceed with the application NP-RZ-2012.2 (Clam Bay) and to prepare a draft bylaw for referral as outlined in the staff report of February 18th, that staff work with the applicants to prepare a draft covenant as outlined in the staff report of February 18th, and that a conservation covenant, and endowment, acceptable to the Trust Fund Board be registered prior to consideration of final adoption.

Prepared and Submitted by:



Regional Planning Manager

February 18, 2014

Date

Attachments: Table 1 – Existing structures – Current and proposed uses
Correspondence – Islands Trust Fund
Correspondence – Regional Agrologist
Report – Guy and Associates
Report – Gary Carrothers Consulting
Home site plan
Energy Features memo

Table 1: Existing Structures – Current & Proposed Uses

Map Location	Structure	Current Use	Proposed Use	Comments
A	Farm House	Principal Dwelling	Commercial Kitchen, Office Space, and Storage	Family will use house as accommodation until new home is built. After that time rooms will be converted to office space, storage and kitchen will be turned into a commercial kitchen for processing food from farm operations.
B	Office/Suite	Office/Chef Suite	Manager (farm worker) Suite, Staff Lunch & Locker Area	Once offices are moved into the Farm House, lower area will be converted to staff lockers and lunch area. Upstairs suite will be for Manager use on an as needed basis (Managers do not live on site).
C	Craft House	Farm Worker Accommodation	Temporary farmworker accommodation	Currently 5 bedrooms available for farm workers with common space and facilities. Recommendation is that this be converted to a non-residential accessory building, but may be considered appropriate for future temporary farmworker accommodation through TUP.
D	Vineyard Suites (old Chicken Coop)	Guest Accommodation	Temporary farmworker accommodation	Currently 2 bedrooms. Recommended to be converted to accessory building or removed.
E	Barn	Barn	Barn	Current and proposed uses for equipment storage, drying, and slaughtering facility.
F	Caretaker/ Captains House	Caretaker Accommodation	Dwelling unit - caretaker Accommodation	Dwelling unit will be used year-round by the caretaker. This is proposed to be the sole dwelling unit in the Agriculture-zoned portion of the property.
G	Pumphouse	Guest Accommodation (north) and (pumphouse south)	Accessory building	Pumphouse includes a storage/workshop area for plumbing supplies and fittings.
H	Gazebo and accessory building	Accessory building	Accessory building	N/A
I	Heritage House/ Old Farm House	Guest Suite	To be demolished	N/A
J	Sod Roof Cabin	Guest Suite	To be demolished	N/A
K	Boat House & Oar House & Bathhouse	Guest Suites, Washroom Facility	Boat House (accessory building)	Proposed for kayak, canoe, and boat storage. May be demolished if unuseable.
L	Cistern	Cistern	Cistern	N/A
M	Propane/Fuel	Propane/Fuel	Propane/Fuel	N/A
N	Sauna	Sauna		
O	Paint, Tractor, Incinerator	Accessory Building	Accessory Building	N/A
P	Lumber storage	Accessory Structure	Accessory Structure	N/A
Q	Storage	Accessory Building	Accessory Building	N/A
R	Electrical	Accessory Building	Accessory Building	N/A
S	Greenhouse	Accessory Building	Accessory Building	N/A
T	Dock	Dock	Dock	N/A

Refer to Plan A 101 (Composite Site Plan) for locations of buildings

January 29, 2014

File Number: NP-COV-2013.1

Helliwell + Smith, Blue Sky Architecture
4090 Bayridge Avenue
West Vancouver, B.C. V7V 3K1

Dear Sarah Brar,

Re: Conservation Proposal, Clam Bay Holdings Ltd, PID 006-612-148

We are happy to inform you that the Trust Fund Board passed the following motion at its January 2014 meeting:

That the Trust Fund Board approve Clam Bay Holdings Ltd.'s proposal to covenant approximately 9.56 ha of the land described as "That part of parcel K (DD 50314-I) of Sections 22 and 23, Pender Island, Cowichan District, Lying westerly of Plan 5063, Parcel Identifier 006-612-148" subject to:

- a. Negotiation of a conservation covenant, including a Rent Charge and Statutory Right of Way that are satisfactory to the Board;*
- b. Agreement from Clam Bay Holdings Ltd. to a contribution to the Covenant Management and Defense Fund as an endowment in the amount of \$35,000; and,*
- c. Agreement from the applicant to cover the costs for registering the covenant.*

The next steps for your application process are as follows:

1. Confirm that your client is willing to provide an endowment in the amount of \$35,000 to assist in the monitoring and management of the conservation covenant area.
2. Confirm that your client is willing to pay the registration fees for the covenant and associated documents.
3. Advise Islands Trust Fund staff whether you wish us to approach the Pender Islands Conservancy Association to act as a co-holder for the covenant.

Once we have confirmation regarding the above items we will provide you with a draft conservation covenant for your review. Upon receipt of the draft conservation covenant, the next steps are to:

1. Review the draft covenant with your lawyer and tax advisor. If your lawyer or tax advisor has questions regarding the covenant please invite him or her to contact the Trust Fund Board (TFB) office.

2. Hire a certified land surveyor to do complete a survey of the covenant area and provide us with a certified digital copy.
3. Complete a baseline report of the covenant area according to the "Trust Fund Board Baseline Report Standard June 2012" available at http://www.islandstrustfund.bc.ca/media/43688/baseline_standard_and_guidelines.pdf. Note that this report must be done by an Environmental Professional that has been approved by TFB staff and should only be completed AFTER the surveyor has established the boundaries of the covenanted area(s).
4. Send a digital copy and a hard copy of the baseline report to Islands Trust Fund staff.

Once we are in receipt of a final covenant document and associated baseline report and survey, Islands Trust Fund staff will provide the document to the Trust Fund Board at its next available meeting for consideration. Meeting dates are posted at <http://www.islandstrustfund.bc.ca/about-us/meetings.aspx> and items for consideration should be received at least three weeks in advance. Subject to Board approval, the Trust Fund Board Chair will sign the covenant and provide it to Helliwell + Smith, Blue Sky Architecture for registration.

If your client is interested in applying to our Natural Area Protection Tax Exemption Program (NAPTEP), please let us know as the exemption must be approved by Trust Council.

Please quote the above noted file number on any correspondence or inquiries and note that, because the covenant is the requirement of a development process, Islands Trust Fund staff will keep the Islands Trust Local Planning Services informed about the application.

Should you have any questions, please contact me at (250) 405-5176. I look forward to working with you to protect this lovely piece of forest habitat.

Yours truly,



Kate Emmings
Ecosystem Protection Specialist

cc: North Pender Island Local Trust Committee



Kim Farris
Islands Trust
200 1627 Fort Street
Victoria, BC V8R 1H8

February 18, 2014

Subject: Farm Worker Accommodation for Clam Bay Farm, 3202 Clam Bay Road
North Pender Island

This report is in response to the Island Trust referral to comment on the “need” for farm worker accommodation at Clam Bay Farm, North Pender Island.

The October 22, 2013 Island Trust staff report (IT File - NP-RZ-2012.2) indicated there are now 22 bedrooms, and the Agriculture Land Commission’s (ALC) resolution # 46/96, Clam Bay Farm allowed a farm resort with accommodation for 25 guests within the Agricultural Land Reserve (ALR).

The current owner is requesting to convert the current buildings within the ALR to provide bedroom units for farm workers, an estate caretaker and farm manager as follows:

- 1 dwelling for a caretaker
- 1 manager's suite which includes a kitchen/dining/living room
- 2 bedrooms in the building known as the "vineyard suites"
- up to 5 bedrooms in the building known as the "Craft house"

The rezoning application is proposing to permit up to 4 residences (2 dwellings and 2 cottages) in the non-ALR Rural zone portion of the property which does not impact the agricultural use of the ALR but could used to house farm workers.

A site visit of Clam Bay Farm was conducted on January 09, 2014 and that time the main farm use is a 2 hectare vineyard operation, some timber production, a small poultry operation and two small greenhouses. Current farm labour requirements are low. Peak farm work periods requiring extra labour for grape harvest, winter vineyard pruning and maintenance are both in winter and summer.

The proposal expansion of the farm from 2 ha to 14 ha (5 - 35 acres) will require some labour for the development phase, and labour for on-going farm business operations. The workers required to meet those demands and whether they need to be housed depend on;



- how much of the proposed development identified by the applicant takes place
- the type of farm and intensity of the farm activities
- how much labour can be contracted out or supplied by a local labour force
- how much mechanization is used to conduct the farm business operations.

As an example, if farm business is to concentrate on livestock production less labour will be required than an intensive berry/vegetable farm.

The information provided by the farm manager and attached to the application does not lay out a business plan that clearly identifies the current or future labour requirements in relation to specific farm tasks, peak periods of harvest, etc. A 5 year farm business plan specifying labour requirements to farm tasks would identify how many and when workers are needed, and from that information whether housing the workers is required.

During the farm visit, the farm manager indicated that winter pruning of the 5 acres requires about 4 people over 1 month to complete that task; however, that did not clarify if it was 4 people working 8 hour shifts 7 days a week for 30 days and other farm tasks were being conducted by other workers. A clear farm business plan outlining the current and future farm labour need is recommended.

Summary

With respect to the “need” for farm worker accommodation at Clam Bay Farm, the proposed 7 farm worker bedroom units, 1 caretaker and 1 manager’s suite would seem to exceed what is required at the current farm development given the information provided and observed during the site visit of Clam Bay Farm. If Clam Bay Farm does develop to a 14 ha berry/vegetable farm with on farm processing etc., housing for 8 temporary workers would likely be adequate.

The applicant’s proposal to increase housing density on the Rural Zone does not reduce the existing residential building footprint in the ALR/Ag Zone. However, the removal of buildings in the ALR/Ag Zone and replacing them with removable mobile units will not increase the farm’s agricultural production capacities.

The Ministry’s 2013 [Guide for Bylaw Development in Farming Areas](#) provides guidance to local governments on regulating housing in the ALR for temporary farm workers on the basis of the type of farm operation, housing types, farm residential footprint, time and user restrictions and decommissioning housing for temporary farm workers.



Rob Kline, P. Ag.
Regional Agrologist
Sector Development Branch
BC Ministry of Agriculture

cc. Gord Bednard, Regional Planner, ALC
Elizabeth Sutton, Land Use Planner, ALC
Bronwyn Sawyer, Land Use Planner, Ministry of Agriculture



February 11, 2014

HELLIWELL + SMITH • Blue Sky Architecture Inc

4090 Bayridge Ave, West Vancouver, BC V7V 3K1

t 604 921 8646

Attention: Sarah Brar, MArch, IA AIBC

Dear Sarah:

Re: Clam Bay Farm - Veteran Tree Assessment

Background:¹

The land owner is currently in the process of a rezoning application that seeks to shift some density from the farm to the northern R(b) zone (see Site Map attached as Appendix-1) to allow for additional residences and cottages to be built in that area. The North Pender Island Local Trust Committee is requesting a supplemental report prepared by an Arborist to address questions of access to those sites via the existing road along the western edge of the property. The existing road currently runs next to a veteran Douglas Fir tree and the Committee has provided a list of specific advice/issues they would like addressed relating to this condition:

Resolution NP-LTC-107-13

It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff to request the applicant for NP-RZ-2012.2 to provide a supplemental report containing specific advice from an arborist and an engineer to address:

- *the extent of the veteran Douglas-fir's root system;*
- *potential impacts to the veteran Douglas-fir and root system in relation to the existing location of the road;*
- *the feasibility of alternate routes for the road within the vicinity;*
- *potential impacts to the veteran Douglas-fir, in relation to relocating the road away from the tree;*
- *any other associated impacts in relation to relocating the road; and;*
- *recommendations on any construction and design options to minimize impacting the veteran Douglas-fir tree.*

The land owner hopes to upgrade and maintain the subject road as the primary access to the new dwelling sites. It is not intended to be used as access for the farm. **The road would also be used during construction and provide fire fighting access to the dwelling sites post construction.** Another thing to note, the area this tree is located in, R(b) south, is to be protected with an

¹ Source: E-mail from Sarah Brar to Jeremy Gye, January 14, 2014.



environmental covenant. An environmental assessment has deemed the area as environmentally sensitive and the covenant is a requirement of the rezoning application.

Methodology:

I attended the site on the morning of January 25, 2014 and conducted a visual assessment of the tree and its immediate environs. The tree was measured and its health and structure evaluated. Relevant dimensions were noted, including the diameter of the tree, the distance from the access-road and off-sets from the road to other trees in the immediate vicinity.

Observations:

Tree and Road Location:

The tree was located approximately 400m in from Clam Bay Road on the east side of the access road that runs along the west boundary of the subject property. The access road is a 8' wide unfinished track constructed to provide access for light farm vehicles. The road is flanked by forest on both sides. Figure-1 below indicates the spatial relationship between the subject tree, access road and adjacent trees. A diagram indicating the location of these trees in plan view is attached as Appendix-2 (source: Gary Carrothers Consulting).

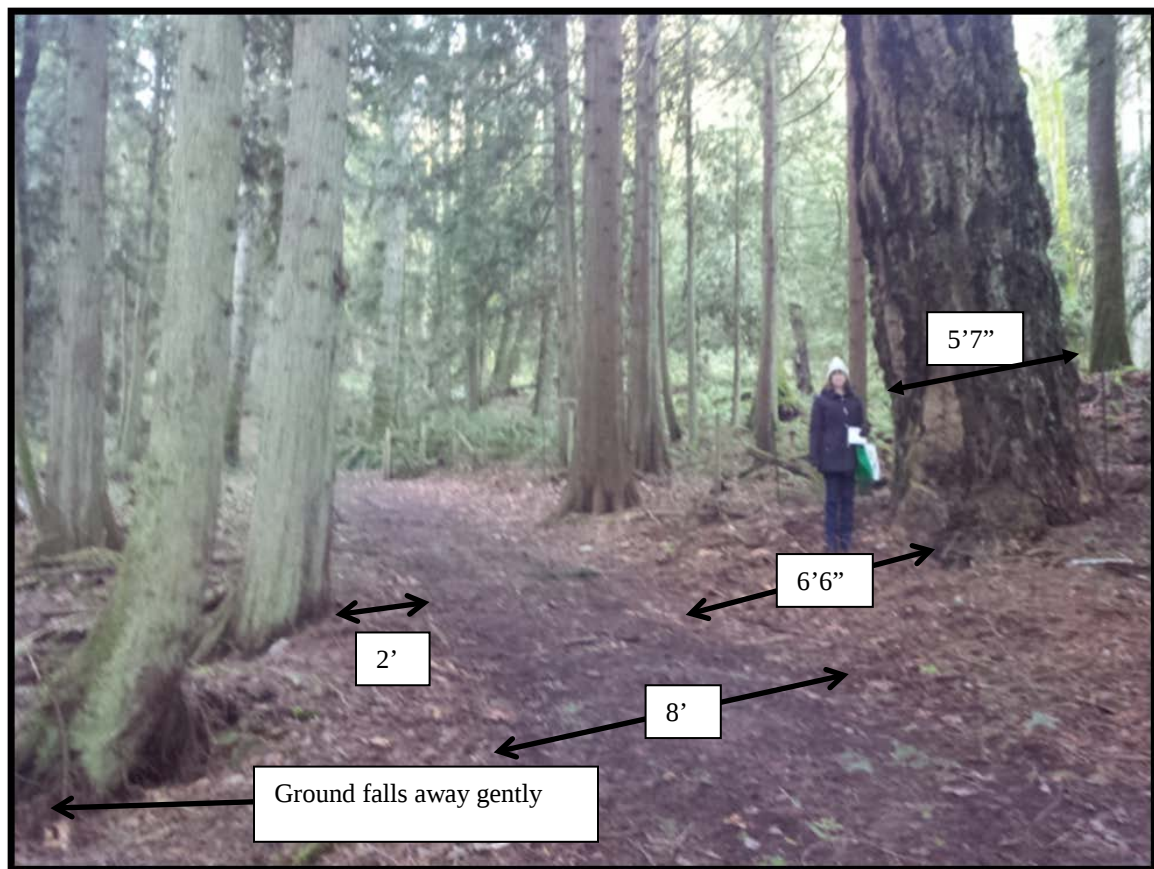


Figure-1 (Base of subject Fir, access road and adjacent Cedars, looking North)



The location of the road within dense cedar forest negates any opportunity for relocating the road away from the veteran fir. The best alignment for the access road, in terms of limiting impacts to high value trees, including the veteran fir, is where it currently sits. (See discussion of the Alternate Road Alignment provided by Gary Carrothers Consulting below.)

Tree Size and Condition:

The subject tree is a first-growth Douglas Fir that pre-dates European contact. The tree is dominant in the forest canopy. The tree stands approximately 50m in height with a canopy spread of approximately 20m. Using a standard multiplier of 18x the stem diameter, **the radial extent of the root system is estimated to be approximately 30m**. It should be noted, however, that trees of this species and age within a forest ecosystem develop symbiotic root associations with other trees (generally, but not exclusively, of the same species) through a fungal network known as *mycorrhizae*. These associations greatly expand the effective nutrient gathering capacity of the tree. **Forest soils are complex, biodynamic living ecosystems that have taken many hundreds of years to develop. They are sensitive to disturbance and should be managed with care when undertaking road construction or other works** (see Discussion section below).

The tree appears to be in good biological health, judging by the amount of foliage in the canopy. The percentage of the tree length that is branched and supporting active leaf mass is estimated at 65%--a healthy ratio. There are no visible fungal fruiting bodies or other pathological anomalies that can be seen from the ground.

The height-to-girth ratio (a measure of structural resilience) is calculated to be 29%, which is an acceptable ratio for a tree of this species, age and crown structure. The tree has a slight and self-correcting lean toward the west of between 2 and 5 degrees.

Taken as a whole, a visual assessment of the tree indicates that it is in good condition. (See Figures 2 and 3)



Figure-2 (Subject Fir)



Figure-3 (Canopy of Subject Fir)

Discussion:

The current access road will need to be widened and upgraded to support heavy trucks and equipment that may be needed for the site preparation and construction of the proposed cottages. In the longer term, the road must support fire-response vehicles. A typical road-bed requires the excavation of all organic soils down to a firm bearing mineral soil or bedrock. If this approach was utilized here, a significant fraction of the roots and growing soils of the veteran fir and many other significant forest trees would be destroyed. An alternate approach is required that will preserve the tree roots and the soils in which they grow in an undisturbed condition. Such an approach exists and has been successfully field tested in several model developments within the Capital Region and beyond. This approach involves “floating” the road over the sensitive root area. In this particular case, this approach will be made easier by the presence of the existing roadway. The modified approach recommended for this site consists of the following procedure:

1. Any trees growing within the widened roadbed must first be removed and their stumps carefully extracted. Within the 30m limit of the protected root zone of the veteran fir, this should be done under the supervision of the arborist.
2. The organic litter-layer above the root horizon is then carefully removed under supervision of the arborist. This material can be carefully distributed onto the forest floor adjacent to the work area. The excavated depth of this layer can range from as little as 100mm to as deep as 300mm, depending upon existing conditions, including the depth of the soil



- horizon. The excavated width of this layer must be wide enough to accommodate adequate reinforcement of the finished road shoulder. (The finished road grade may be 300mm or more proud of the surrounding grade.)
3. Depending on the quality of the mineral soil and organic fraction beneath the coarse litter layer, a layer of geo-grid and geo textile may be required to help support the base course of blast rock on which the new road will be founded. The base course will span the entire width of the new roadway.
 4. The base course specified by the civil engineer is then placed and bedded into place by the excavator. Most of this material will sit "proud" of the prevailing grade and so the width of the road must be wide enough for larger vehicular traffic to navigate safely.
 5. The final layer of road-base aggregate is then applied to the top of the blast-rock and compacted.

The advantage of this approach to the road construction is that it leaves intact and undisturbed the living soils and fine roots of the adjacent trees. It also interferes less with the historical hydrologic patterns and moisture regime of the underlying forest soils. In this way, the roadway enhancements needed to supply the proposed development can be achieved without measurable impact to the veteran fir, its root system or the broader forest ecosystem of which it is a part.

Alternative Road Alignment:

I have reviewed the report prepared by Gary Carrothers Consulting and examined the alternate road location indicated in Figure-2 of that report. **I concur with the observations of the consultant that the *alternate* route would result in the loss of at least a dozen significant conifers (likely more) and greater disturbance to the forest soils and ecosystem than would Option 1.**

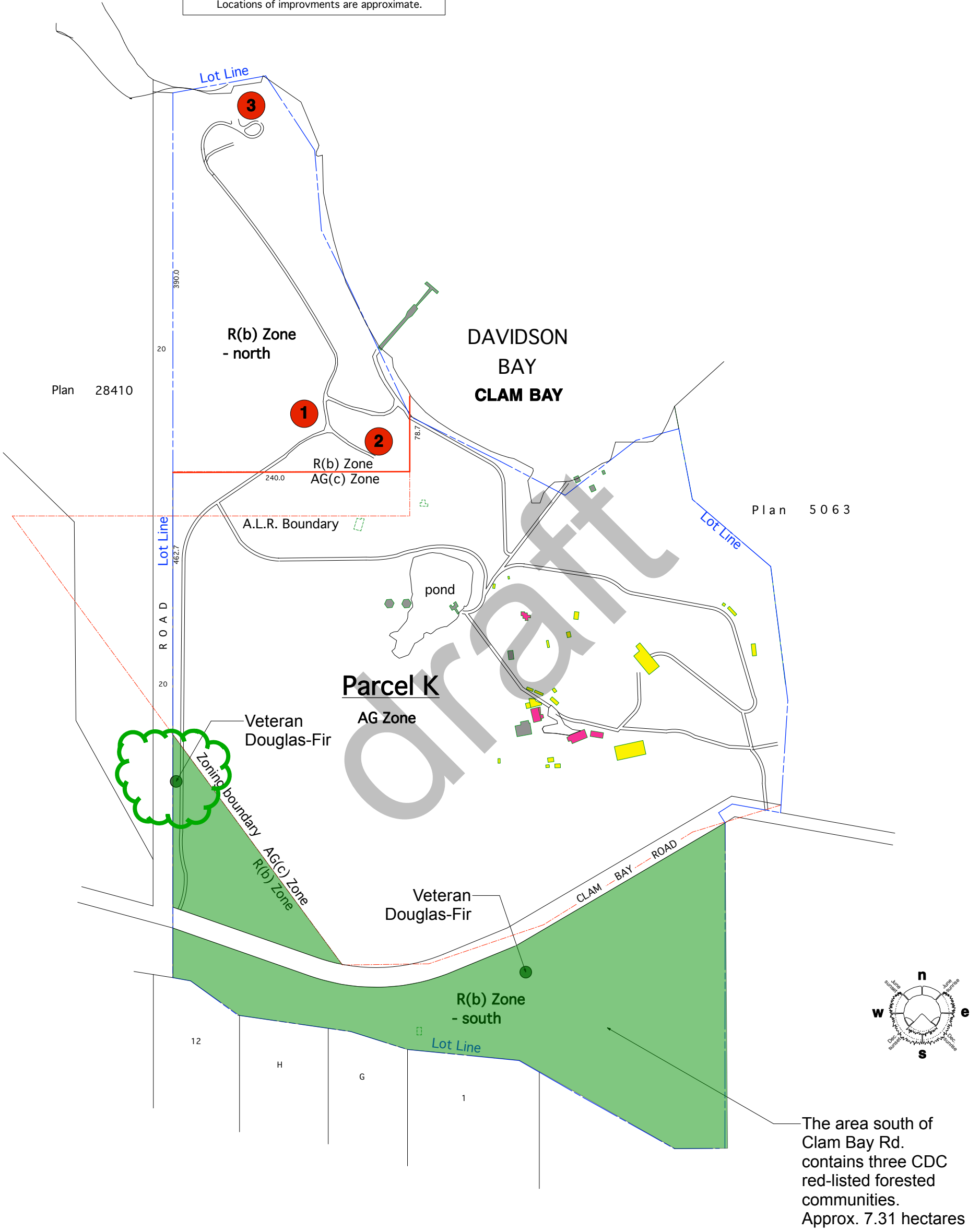
Respectfully submitted,

Jeremy Gye - President
Gye and Associates, Urban Forestry Consultants Ltd.

Consulting Arborist (Diploma, American Society of Consulting Arborists, 1997)
ISA Certified Arborist (Certification No. PN-0144A)
ISA Municipal Specialist (Certification No. PN-0144AM)
Certified Tree Risk Assessor (TRACE No. 0016)
Certified Master Woodland Manager (Small Woodlands Program of BC)

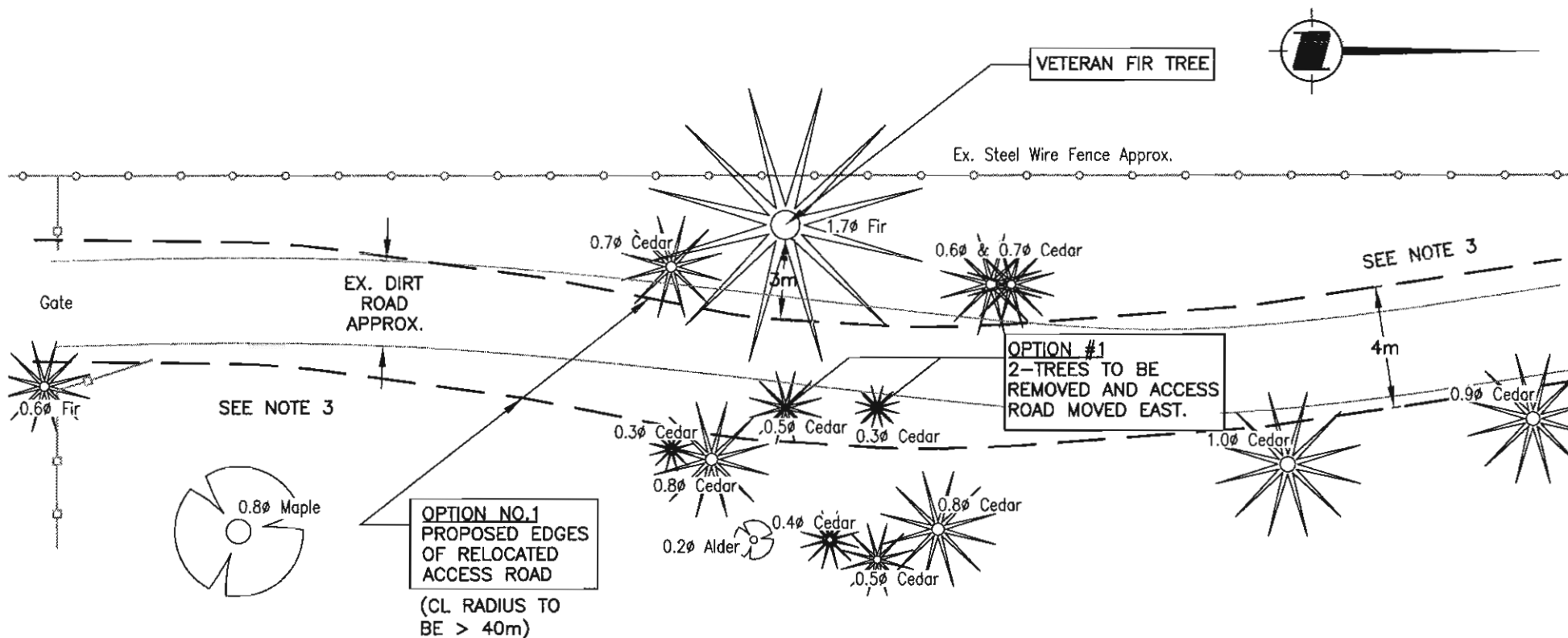
SITE AREAS
Total parcel area = 42 ha.
AG(c) Zone (Agriculture)= 25.9 ha.
R(b) Zone in south part (Rural) = 9.56 ha.
R(b) Zone in north part (Rural) = 7.2 ha.
Note: Dimensions are in metres. Locations of improvements are approximate.

- PROPOSED BUILDING SITES
FOR DWELLINGS & COTTAGES
- PROPOSED COVENANT AREA
- VETERAN DOUGLAS-FIR TREE



NOTE: Veteran tree locations are approximate.

PROJECT		NOTES:		NO. REVISION		DATE
CLAM BAY FARM NORTH PENDER ISLAND B.C.		This set of drawings and the design as shown remain the property of Helliwell + Smith Blue Sky Architecture Inc.. Contractor and all sub-trades shall verify all dimensions on site. Do not scale these drawings. Report any discrepancies to Helliwell + Smith Blue Sky Architecture Inc.		01	Issued Conservation Proposal to ITF	October 1, 2013
		Contractor shall be responsible for all conditions on the job and shall notify this office of any variations of the conditions immediately. All work completed on site to conform to the British Columbia Building Code 2006.				
SHEET TITLE:		FIRST ISSUED	DRAWN BY	 HELLIWELL+SMITH BLUE SKY ARCHITECTURE INC. 4090 BAYRIDGE AVE. WEST VANCOUVER BRITISH COLUMBIA CANADA, V7V 3K1 PHONE (604) 921-9846 FAX (604) 921-0755		SHEET NO.
Environmentally Sensitive Areas Site Plan		SCALE 1:5000 (scales on 24"x36" sheet) 1:10,000 (scales on 11"x17" sheet)	CHECKED BY			01
			ks, srh			
			ks, bh			
						39



PLAN OF VETERAN DOUGLAS FIR TREE AREA
SCALE 1:200

NOTES:

1. THIS PLAN IS VERY APPROXIMATE. TREE LOCATIONS SHOWN ARE BASED ON A PACE SURVEY ONLY. THIS PLAN IS NOT TO BE USED FOR FINAL DESIGN OR ANY CONSTRUCTION.
2. OPTION NO. 1 WOULD REQUIRE DESIGN OF A FLOATING DRIVEWAY AND CONSTRUCTION SUPERVISION BY ARBORIST.
3. WIDENING OF ACCESS ROAD AVAILABLE TO PROVIDE 2 VEHICLE PASSAGE.
4. REFER TO GARY CARROTHERS CONSULTING REPORT DATED FEB 11, 2014.

GARY CARROTHERS CONSULTING

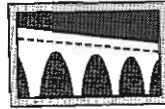
Suite 208-2750 Quadra Street
Victoria, B.C., V8T 4E8
Phone (250) 388-6919
Email: engineer@southisle.ca

FIGURE No. 1 - Tree Survey Plan

Access Road Assessment
3202 Clam Bay Road, Pender Island, BC
Feb 11, 2014 File No. 0523
Scale 1:250

GARY CARROTHERS CONSULTING

Suite 208, 2750 Quadra Street
Victoria, B.C.
V8T 4E8



Phone: (250) 388-6919
Fax: (250) 381-6919
engineer@southisle.ca

File: 0523

Date: February 11, 2014

Helliwell & Smith - Blue Sky Architecture Inc.
4090 Bayridge Avenue
West Vancouver, B.C. V7V 3K1
Attention: Bo Helliwell, Architect
Telephone: 1-(604)-921-8646

Via Email Only

**Re: Access Road Assessment for Proposed Residences at
3202 Clam Bay Road, North Pender Island, B.C.**

1.0 Introduction

Gary Carrothers Consulting (GCC) was retained this year to assess the road access for new residences proposed at the northern R(b) zone of Clam Bay Road site. The key consideration was the impact(s) on an existing large fir tree. This tree is described as a first growth large 1.7 metre diameter douglas fir. We have been advised that the North Pender Local Trust Committee requested a civil engineer's report on the affects of having a road immediately adjacent to this tree and to consider an alternative route(s) in the vicinity. The committee also requested an arborist report. The architect has engaged Gye and Associates to complete this work. The arborist report is to be reviewed in conjunction with our report.

2.0 Site Review

Our staff visited the site on February 4, 2014. A sketch of the approximate locations of the mature trees, fencing and a gate in close proximity to the veteran fir tree was prepared (see Figure No. 1 attached). As can be seen, there is currently a narrow dirt road that passes to the east of the veteran fir tree. We understand that this road has been in use for many years without impact on the many adjacent trees. In order to provide good service for the proposed residences, it is expected that the access road would be improved to a minimum traveled width of 4.0m wide with high side drainage swale and gravel shoulders.

The architectural design team have indicated to us that the existing mature trees on site are to be maintained as much as possible. In order to assess the alternative route option, we walked through the mature forest from Clam Bay Road, and to the east of the existing dirt road. The area reviewed is shown roughly in Figure No. 2. Photographs and video were used to record the conditions observed.

.../2

3.0 Access Road Construction Options

3.1 Option No. 1 - Upgrade Existing Access Road from Clam Bay Road. If a new improved access road were built over the existing dirt road alignment, we would recommend the following general work at the veteran fir tree area:

- Under arborist supervision, remove two trees at east side of current road and across from the veteran fir tree (VFT). Relocate (or shift) current alignment away from veteran fir tree by about 1 metre to the east.
- Edge of future road to be about 3 metres from the VFT. No significant excavation proposed in the critical root zone of the veteran douglas fir tree. Work to be supervised by the arborist.
- Access road design to be a "floating driveway" to provide for the long term root health of the tree.
- Construction fencing would be required around all trees to be retained. Given that the approaches of the access road would be moved away from the VFT, it is not expected that permanent protective fencing after construction would be necessary.

3.2 Option No 2 - Alternative Access Road Route from Clam Bay Road. A possible alternative access road route was reviewed in the forest to the east of the current access road alignment. At the upper portion of the alternative route (near Clam Bay Road) it is expected that 4 -6 mature coniferous trees are to be removed to allow for new road construction. In the middle to north end of this route, another 4-6 mature conifers are expected to be removed. Of particular concern with this option, is the steep natural bank which appeared to be over 20% grade locally. Earth works (cutting and filling), ditching and possible blasting would be needed with this route which would further impact the environment (including other trees).

4.0 Conclusion

The current access road was constructed many years ago and thus the many adjacent mature trees have had a period to adjust to the road construction. We believe that with good civil engineering design, and arborist supervision in construction, the existing access road to the proposed residences can be improved and the impacts on the existing veteran fir tree minimized. If you have any questions regarding this letter report, please do not hesitate to contact us.

Yours truly,
Gary Carrothers Consulting



Gary K. Carrothers, P. Eng.

GKC/ec/gkc

Z:\Files - Active\523 - Clam Bay Farm\WP&SS\Letter\L523-SBrar-01.wpd

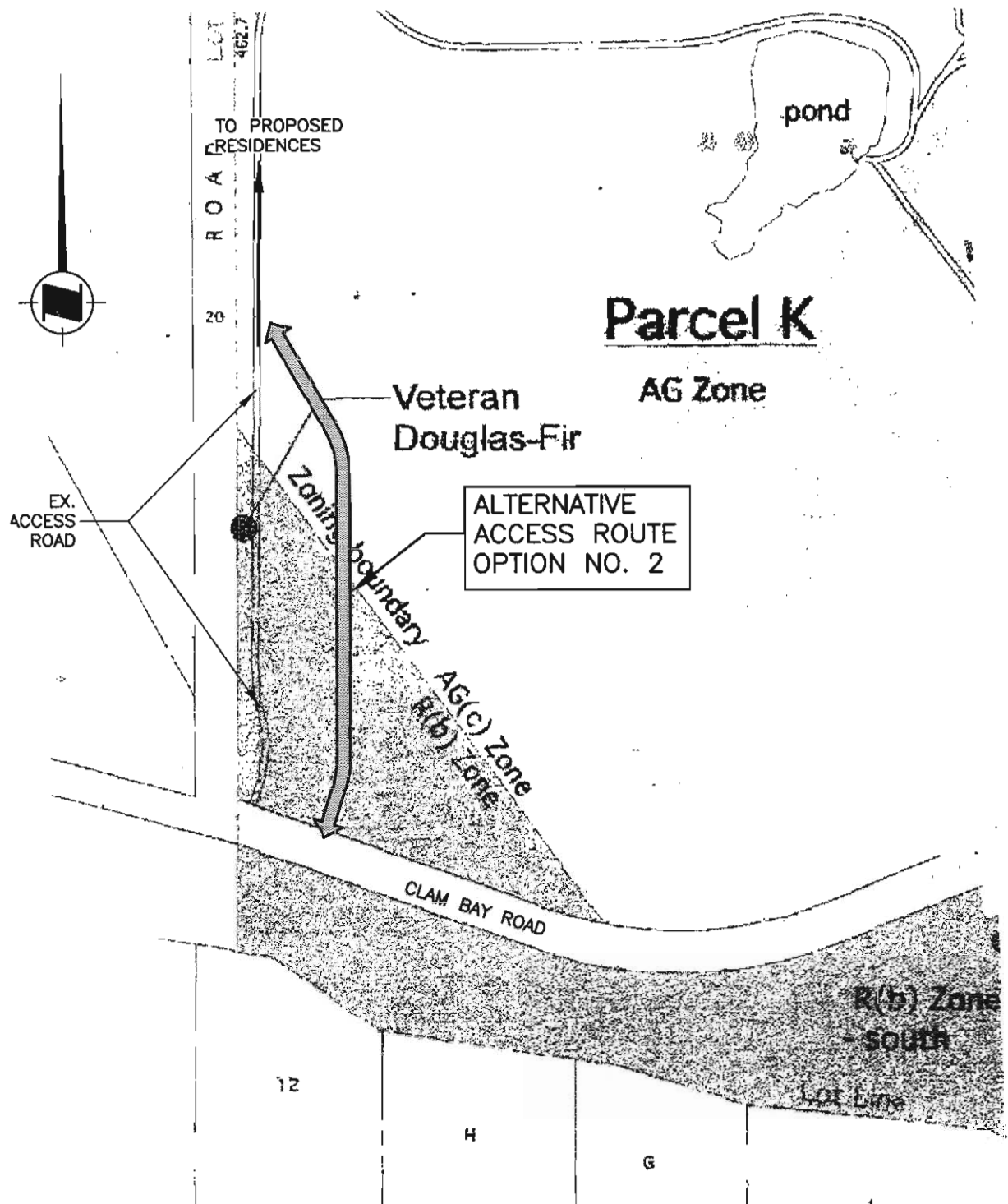
Attachments



1. THIS PLAN IS VERY APPROXIMATE. TREE LOCATIONS SHOWN ARE BASED ON A PACE SURVEY ONLY. THIS PLAN IS NOT TO BE USED FOR FINAL DESIGN OR ANY CONSTRUCTION.
2. OPTION NO. 1 WOULD REQUIRE DESIGN OF A FLOATING DRIVEWAY AND CONSTRUCTION SUPERVISION BY ARBORIST.
3. WIDENING OF ACCESS ROAD AVAILABLE TO PROVIDE 2 VEHICLE PASSAGE.
4. REFER TO GARY CARROTHERS CONSULTING REPORT DATED FEB 11, 2014.

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Access Road Assessment
3202 Clam Bay Road, Pender Island, BC
Feb 11, 2014 File No. 0523
Scale 1:250



REFERENCE PLAN FROM BSA ENVIRONMENTAL SITE PLAN DATED OCT 2013

OPTION NO. 2 PLAN

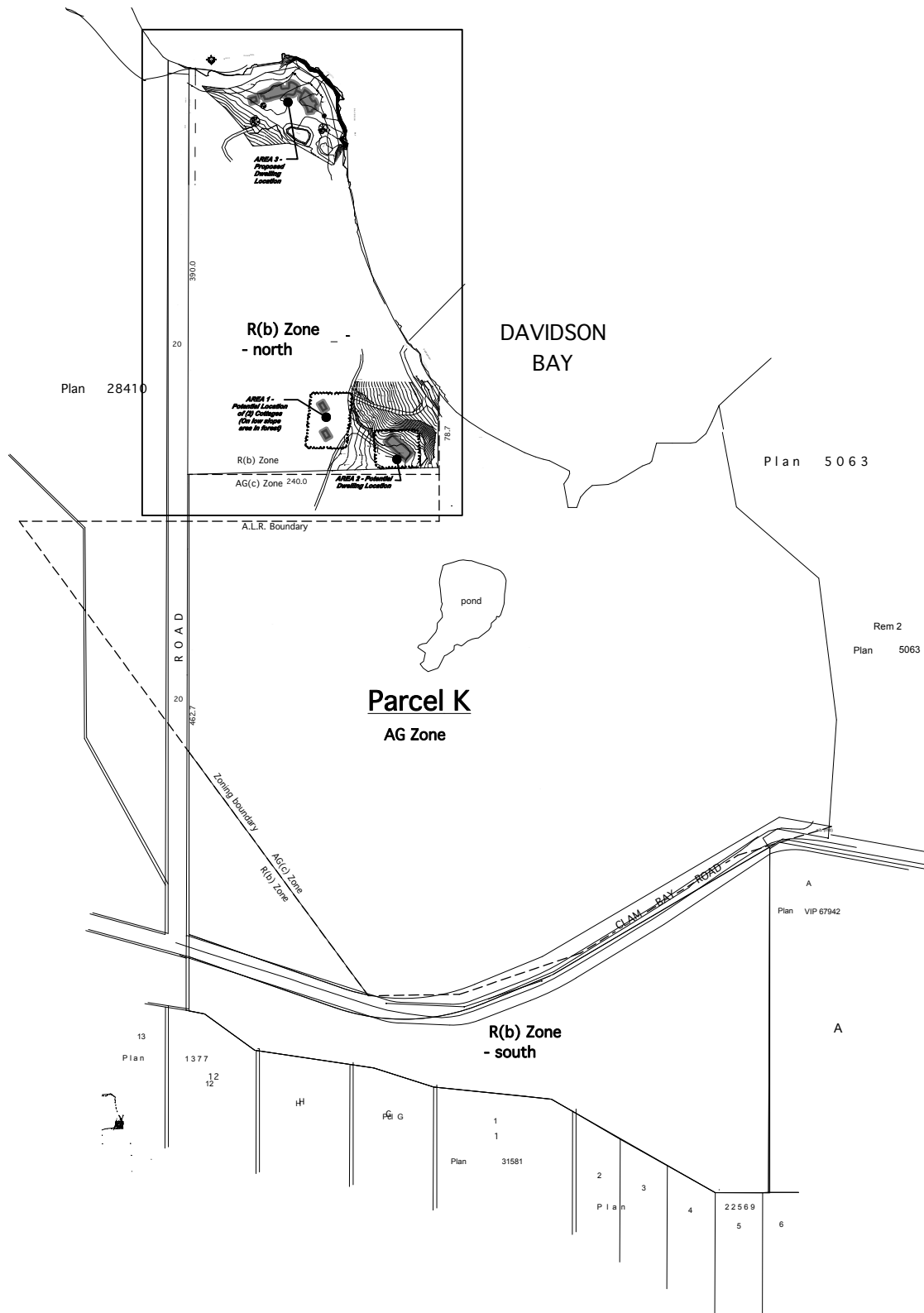
NOT TO SCALE

GARY CARROTHERS CONSULTING

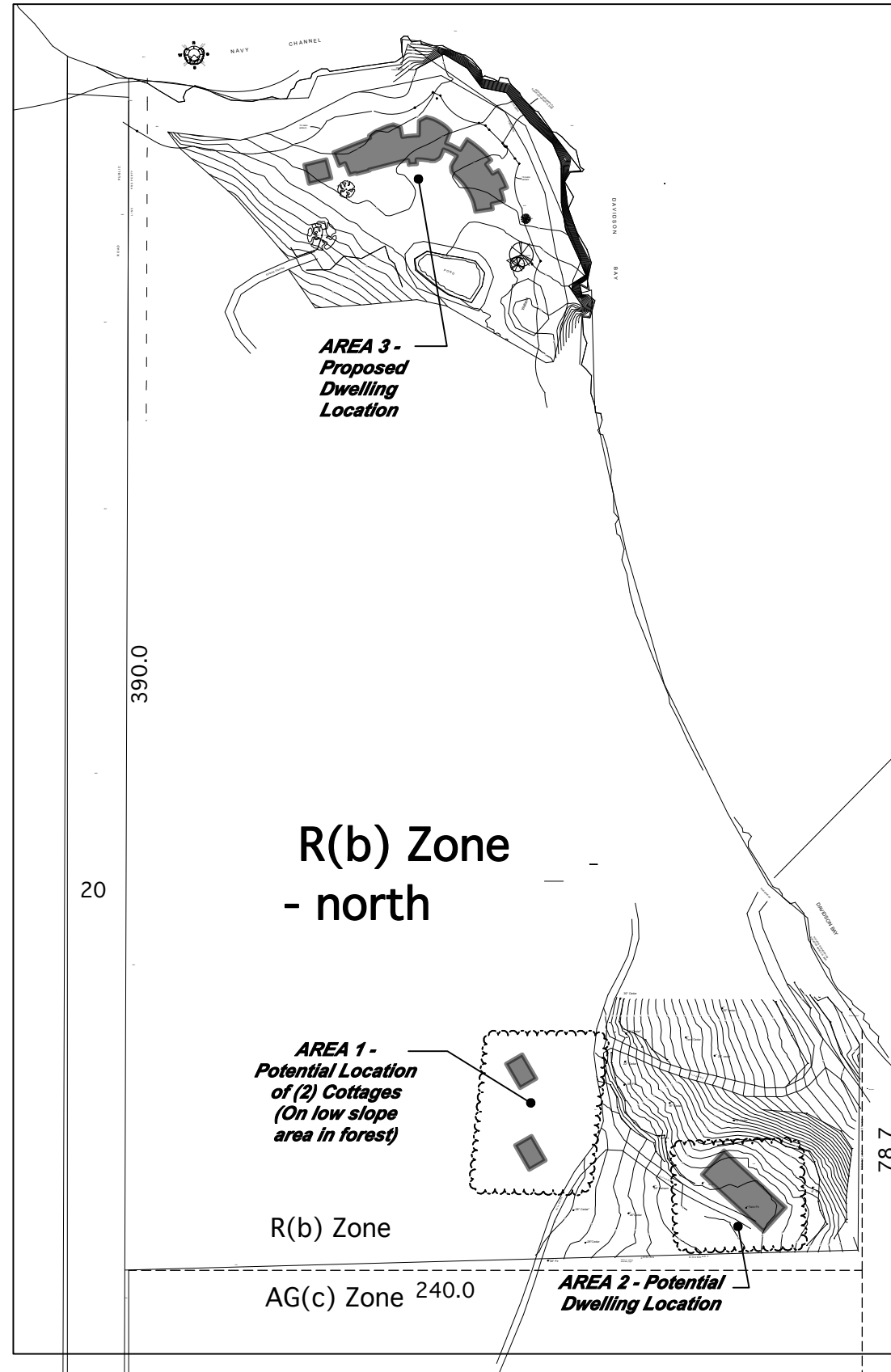
Suite 208-2750 Quadra Street
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FIGURE No. 2 - Option #2 Route

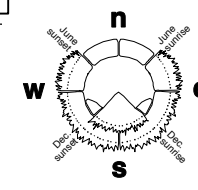
Access Road Assessment
#3202 Clam Bay Road, Pender Island, BC
Feb 11, 2014 File No. 0523
Scale 1:250



1 SITE PLAN Entire Site - POTENTIAL BUILDING LOCATION
SCALE 1:3000 (scales on 22"x34" sheet)



2 ENLARGED SITE PLAN R(b) Zone - POTENTIAL BUILDING LOCATION
SCALE 1:1000 (scales on 22"x34" sheet)



- POTENTIAL DWELLING SIZES**
- AREA 1 - (2) COTTAGES, MAX. 56 M² (600 SQFT) EACH (PER NPILTC BYLAW)
 - AREA 2 - (1) DWELLING, APPROX. 275 M² (3000 SQFT), (PER NPILTC BYLAW, NO FLOOR AREA RESTRICTION)
 - AREA 3 - (1) DWELLING, APPROX. 685 M² (7400 SQFT), (PER NPILTC BYLAW, NO FLOOR AREA RESTRICTION)

NOTES:
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Contractor shall be responsible for all conditions on the job and shall notify this office of any variations of the conditions immediately. All work completed on site to conform to the British Columbia Building Code 2012.

**CLAM BAY FARM
PENDER
ISLAND, B.C.**

SHEET TITLE:
Potential
Building
Locations

DRAWN BY:

SCALE:

FIRST ISSUED:

CHECKED BY:

**HELLIWELL+SMITH
BLUE SKY
ARCHITECTURE
INC.**

**4090 BAYRIDGE AVE.
WEST VANCOUVER
BRITISH COLUMBIA
CANADA, V7V 3K1**

**PHONE (604) 921-8646
FAX (604) 921-0755**

SHEET NO.

Memo

Project: **Clam Bay Farm**
3202 Clam Bay Road, North Pender, BC

Date: **January 9, 2014**

RE: **Details of a Low-Energy Approach**

This memo seeks to outline potential strategies for a “low-energy approach” to proposed future residential development as a result of a successful rezoning application. These details are provided based on a comment outlined in the *Minutes of the North Pender Island Local Trust Committee Business Meeting* held on Monday, November 28, 2013. “Regional Planning Manager Kojima said that another area for further clarity, to be provided by the applicant/owners, are details of a low-energy approach.” (Page 7)

1 Design Features

- 1.1 Large overhangs provide solar shading
- 1.2 Operable clerestory windows provide natural light to interior spaces as well as natural ventilation through convection.
- 1.3 Inclusion of concrete heat sink walls to retain and release heat.

2 Electricity

- 2.1 Active solar hot water system.
- 2.2 Build home “Solar Ready” following Canadian Solar Industries Association (CANSIA) guidelines.
- 2.3 Photovoltaic electrical generation system.
- 2.4 Central, computerized control systems capable of unified automation control of lighting loads.
- 2.5 Interior and exterior light fixtures are LED.
- 2.6 Air tight, insulation contact-rated recessed lights are used in all insulated ceilings, or insulated ceilings have no recessed lights.
- 2.7 High energy efficient appliances.

3 Water Efficiency

- 3.1 Dual Flush toilets.
- 3.2 Insulate hot water lines with flexible pipe insulation.
- 3.3 Hot water recirculation line with insulated hot water lines and pump systems.
- 3.4 Low flow faucets for all kitchen faucets and lavatories, all showers & tub/showers.
- 3.5 Install water saving appliances including dishwashers and clothes washers.
- 3.6 Install grey water system collecting waste from sinks, shower and/or kitchen to capture and treat for use in toilets or irrigation.

4 Building Materials

- 4.1 All windows and doors are ENERGY STAR labeled or equivalent.
- 4.2 Insulated Concrete Form (ICF) system used for foundation.
- 4.3 Minimize thermal bridging in wall construction.
- 4.4 Use expanding foam around window and door openings and all exterior wall penetrations.
- 4.5 All sill plates sealed with foam sill gaskets or a continuous sandwiched bead of acoustical sealant.
- 4.6 High density and R-Value wall & roof insulation.

5 Heating, Ventilation, and Air Conditioning (HVAC)

- 5.1 Zoning from a HVAC source utilizing two or more thermostatically controlled zones or zoning from separate systems programmed through separate thermostats.
- 5.2 High efficiency, heating appliance.
- 5.3 Ground source heat pumps for heating and cooling.
- 5.4 Thermostat that indicates the need for the air filters to be changed or cleaned.
- 5.5 All ductwork joints and penetrations sealed with low toxic mastic or aerosolized sealant system.
- 5.6 Programmable ENERGY STAR thermostat with dual set back and continuous fan settings.

HELLIWELL+SMITH • BLUE SKY ARCHITECTURE INC
4090 BAYRIDGE AVE WEST VANCOUVER CANADA V7V 3K1
Tel (604) 921-8646 Fax (604) 921 0755
e-mail: bsa@blueskyarchitecture.com

5.7 HVAC with appliance with variable speed fan.

5.8 All ventilation fans (bath or in-line type) to meet minimum ENERGY STAR requirements.

5.9 Active Heat Recovery Ventilator or Energy Recovery Ventilator with balanced installation.

6 Landscaping

6.1 Efficient irrigation technology that utilizes automatic soil moisture-based sensor technology.

6.2 Permeable paving materials for driveways and walkways.

6.3 Incorporate drought resistant landscaping.

6.4 Attach water cistern system to downspouts.



Top Priorities

North Pender Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Shoreline Review	• develop school/community workshop - ON_GOING • develop tri-fold brochure - ON-GOING • develop powerpoint from materials - DONE • develop compiled map of shore features - DONE • investigate incorporating shoreline information into new Gulf Islands app and using QR code for smart phones	Sep-22-2011	Robert Kojima Andrea Pickard	Sep-01-2014	On Going
2	Conservation Subdivision Review	• identify natural and cultural features to be prioritized for protection • community engagement • engage key stakeholders, including property owners of larger lots • review options to implement in LUB and OCP	Feb-28-2013	Andrea Pickard	May-01-2014	On Going
3	LUB Amendments	limited to technical corrections	Oct-31-2013	Andrea Pickard		On 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: 1. View corridor review 2. Parks and Conservation area review 3. Pedestrian and Cycle paths 4. Groundwater protection strategy 5. Include advocacy policies for ultra vires regulations removed from the LUB (commercial airstrips, private marinas, use of personal watercraft)		Jan-22-2009	On Going
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	• review of industrial zoning, including waste management • tourist commercial zoning review • home industry regulation • review of commercial (C1) zoning	Mar-22-2012	On Going

- incorporate TUP's into zoning
- landscape screening review
- review of marine zoning regulations in conjunction with overall shoreline development review
- amendments to permit renewable energy
- review of floor area calculations, applicable for cottages in support of alternative, energy efficient building designs
- height exemptions for agricultural or forestry buildings and boat sheds
- 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	• NZEV designation • Level 2 Charging Stations • Additional Car Stop Locations • Additional Bicycling-Walking Routes • Heritage Roads • Related policy and regulatory options	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-2012.1	Michael & Anne Burdett Planner: Andrea Pickard	Dec-21-2012	4606 RAZOR POINT RD Application by Owner in Non-Farm Use in the ALR
Planning Status			
Status Date: Feb-14-2014			
ALC decision received - conditional support			
Status Date: Feb-01-2013			
LTC resolution to forward to ALC			
Status Date: Jan-22-2013			
on Jan agenda			

Development Permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2014.2	Stewart Ross Millett Planner: Kim Farris	Jan-09-2014	4833 BUCCANEERS RD Anchoring of a swimming float and connecting floating walkway.
Planning Status			
Status Date: Feb-20-2014			
Received additional info from applicant. Drafting notice and permit for variance notification.			
Status Date: Jan-17-2014			
processed application, sent receipt via email and snail mail. Emailed app. pkg. to LTC.			
Status Date: Jan-10-2014			

signed application and title received

Rezoning

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2012.1	Michael and Anne Burdett Planner: Andrea Pickard	Nov-09-2012	Waste transfer/sorting facility with commercial recycle & composting

Planning Status

Status Date: Feb-17-2014

ALC approval received

Status Date: Jan-09-2013

on hold until ALC application completed

Status Date: Nov-09-2012

Application sent to Local Trustees and Planner

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

Planning Status

Status Date: Feb-18-2014

agrologists comments received, supplemental staff report prepared by Feb agenda

Status Date: Dec-18-2013

Site visit schedule with Regional Agrologist

Status Date: Oct-23-2013

staff report prepared for October agenda

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2013.1	Ron Henshaw Planner: Andrea Pickard	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).

Planning Status

Status Date: Jul-08-2013

geotech report rec'd

Status Date: May-01-2013

hydrologist report rec'd

Status Date: Mar-08-2013

direction to proceed with more information requested from applicant

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2013.2	JC Cosh & JF Wood c/o Karl Hamson for the Elder Project Planner: Andrea Pickard	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 regardin 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

Subdivision

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2011.1	Richard Wey & Associates Land Surveying Inc Planner: Kim Farris	May-16-2011	4606 OAK RD & 4602 OAK RD Boundary adjustment

Planning Status

Status Date: Oct-23-2013

file closure letter sent - to close Nov 29

Status Date: Feb-27-2012

DP approved

Status Date: Jan-10-2012

DP application rec'd - xref NP-DP-2012.1

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

NP-SUB-2012.3

cRJ Wey &
Associated Land
Surveying (Philpot)
Planner: Andrea Pickard

Jul-24-2012

Proposed 3 lot Strata Development

Planning Status

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

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

Planning Status

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

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
NP-TUP-2014.1	Colliers Internation Consulting Planner: Andrea Pickard	Jan-02-2014	6901 SHARK RD To operate cabin rentals for less than 30 days and host events.

Planning Status

Status Date: Jan-30-2014

LTC requests further information from applicant

Status Date: Jan-20-2014

preliminary report on Jan agenda

Status Date: Jan-02-2014

Opened file, processed fees, sent to LTC, requested mailing list from mapping.

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

650 North Pender	Invoices posted to Month ending January 2014	Budget	Spent	Balance
65000-650	LTC "Trustee Expenses"	1,500.00	1,299.84	200.16
LTC Local				
65200-650	LTC - Local Exp - LTC Meeting Expenses	4,000.00	2,735.31	1,264.69
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	800.00	1,200.00
65240-650	LTC - Local Exp - Miscellaneous	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>8,000.00</u>	<u>3,698.71</u>	<u>4,301.29</u>
Projects				
73001-650-4004	North Pender Shoreline Protection	5,000.00	1,915.21	3,084.79
73001-650-4018	North Pender Subdivision Review	4,000.00	4,217.99	-217.99
TOTAL Project Expenses		<u>9,000.00</u>	<u>6,133.20</u>	<u>2,866.80</u>

North Pender Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

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