



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: November 28, 2013
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 - 9:55 AM
2. **Approval of Agenda**
 - 2.1 **Additions/Deletions**
 - 2.2 **Questions from the public on Agenda Items**
3. **Community Information Meeting** 9:55 AM - 10:25 AM
Liquor Control Board License: NP-LCB-2013.1 (Pender Island Golf & Country Club)
4. **Public Hearing**
None
5. **Previous Meetings** 10:25 AM - 11:05 AM
 - 5.1 **Local Trust Committee Minutes**
 - 5.1.1 **North Pender Island Local Trust Committee October 31, 2013 Meeting Minutes (attached)** 4 - 12
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 (attached)	13 - 15
7.	Delegations	
	None	
8.	Correspondence	
	None	
9.	Applications, Permits, Bylaws and Referrals	11:05 AM - 12:35 AM
9.1	Salt Spring Island Local Trust Committee Bylaw No. 470 Referral (attached)	16 - 17
9.2	Salt Spring Island Local Trust Committee Bylaw No. 471 Referral (attached)	18 - 19
9.3	NP-LCB-2013.1 (PIGCC) Report (attached)	20 - 24
9.4	NP-RZ-2012.2 (Clam Bay) Report (attached)	25 - 34
10.	Local Trust Committee Projects	12:35 AM - 1:05 PM
10.1	Conservation Subdivision Review (discussion)	
10.2	Shoreline Review (discussion)	
-----BREAK-----		
11.	Reports	1:20 PM - 1:45 PM
11.1	Work Program Report	
11.1.1	Work Program Report dated November 2013 (attached)	35 - 37
11.2	Applications Report	
11.2.1	Applications Report dated November 2013 (attached)	38 - 42
11.3	Bylaw Enforcement	
	None	
11.4	Expense/Budget Reports	
11.4.1	LTC Expense Report dated October 2013 (attached)	43 - 43
11.5	Adopted Policies and Standing Resolutions (attached)	44 - 44
	For Information	

11.6 North Pender LTC Web Page

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

www.islandstrust.bc.ca/islands/local-trust-areas/north-pender

11.7 Chair's Report

1:45 PM - 2:00 PM

11.8 Trustee Report

12. Other Business

12.1 Upcoming Meetings

The next regular meeting of the North Pender
Island Local Trust Committee meeting will be held
on January 30, 2014, at 9:45 am, at the Pender
Island Community Hall, Lounge.

13. Town Hall Meeting

14. Motion to Close Meeting

THAT, pursuant to Section 90(d),(f) and (g) of the
Community Charter, the North Pender Local Trust
Committee resolves to close the meeting to the public for
the purpose of adopting the October 31, 2013 In Camera
Minutes; and that staff and Recording Secretary remain
present. (distributed under separate cover)

15. Recall to Order

Rise and Report from the Closed Meeting

16. Adjournment

2:50 PM - 2:50 PM

**MINUTES OF THE NORTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON MONDAY, OCTOBER 31, 2013, 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
	Andrea Pickard	Islands Trust Planner
	Kim Farris	Islands Trust Planner
	Miles Drew	Bylaw Enforcement Manager
	Zorah Staar	Recording Secretary

REGRETS: None

There were eight (8) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:45 am. Planner Kim Farris was welcomed to her first North Pender Island Local Trust Committee meeting.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The proposed agenda was amended as follows:

- to add an email submission to item 9.1 (NP-DVP-2013.3); and
- to move discussion of items 9.3 and then 9.2 to the start of section 9.

By consensus, the amended agenda was then adopted.

Note: Item 14. (In Camera Meeting) was subsequently advanced to occur under item 11.3.

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

5.1.1 Local Trust Committee September 23, 2013 Meeting Minutes

The September 23, 2013 minutes were amended as follows:

- page 2, item 5.1, last paragraph, 3rd line – to replace “refusal of a mining reserve” with “refusal to grant an exemption from the Mineral Tenures Act”;
- page 6, item 11.6, 2nd last line – to replace “Scholar” with “Professor”;
- page 6, item 11.7, 2nd line – to replace “a Tofino motion” with “a resolution from Tofino; and 3rd line – to replace “a motion” with “a resolution”.

The amended September 23, 2013 minutes, by consensus, were then adopted.

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

None

5.4 Advisory Planning Commission/Task Force Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard reviewed the Follow-up Action Report.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Memo dated October 18, 2013 from South Pender Island Local Trust Committee re: Canal Erosion and Boat Speed

In response to this Memo, Trustees Steeves and Hancock noted the role of other agencies to respond to increased Pender Canal erosion and boat speeds.

Resolution NP-LTC-79-13

It was Moved and Seconded that the North Pender Island Local Trust Committee thank the South Pender Island Local Trust Committee for taking initiative on the canal erosion and boat speed issue, and would be pleased to send a representative to a future meeting, which should include Transport Canada, the Department of Fisheries & Oceans, and the Capital Regional District.

CARRIED

9. APPLICATIONS, PERMITS, AND REFERRALS

9.1 NP-DVP-2013.3 (Bronson)

Planner Farris reviewed the Staff Report dated October 17, 2013, and commented as follows: that NP-DVP-2013.3 (Bronson) was an application to legalize the siting of a dwelling at 3823 Cutlass Court, by reducing the interior side lot line setback from 3.0 metres to 2.8 metres; that the house was built in the 1970's by previous owners; and that there had been no objection to the circulated notice.

Resolution NP-LTC-80-13

It was Moved and Seconded that the North Pender Island Local Trust Committee approve Development Variance Permit NP-DVP-2013.3 (Bronson).

CARRIED

9.2 NP-RZ-2012.2 (Clam Bay)

Planner Farris reviewed the Staff Report dated October 22, 2013, and commented as follows: that NP-RZ-2012.2 involved a Clam Bay Farm rezoning application, made by applicant Bo Helliwell on behalf of the owners; that the application included shifting density to the Rural portion of the property (e.g. for new dwellings), removing agri-tourism as a use of the Agricultural portion and allow for farmworker housing; that the application had been amended to comply with the OCP policy and request two dwellings and two cottages instead of three ; and that archaeological, environmental, groundwater, and farm plan had been provided.

The Trustees discussed the details of the Staff Report, and asked questions of Bo Helliwell (Applicant) and Dan Hodgins (Clam Bay Manager), who were present at the meeting. Bo Helliwell described efforts to work with the Islands Trust Fund on conservation issues. Hodgins said that the Clam Bay owners intended to have an operating farm, which required farmworker housing.

Trustee Hancock made comments on various issues including the following: seeking road dedication if possible; water quality responsibility under the Official Community Plan (OCP); an OCP requirement that farmworker accommodation be temporary; the Local Trust Committee not being able to hold conservation covenants; and a triangular section of the land becoming a conservation zone.

Trustee Steeves made comments on issues including the following: the application seeming to involve too much density; layout conflicts with archeological features; and the applicants not appearing to accept all aspects of the professional reports.

Resolution NP-LTC-81-13

It was Moved and Seconded that the North Pender Island Local Trust Committee request Staff to provide a subsequent report clarifying or updating the following:

1. the status and extent of any proposed Trust Fund Board covenant;
2. the use and changes to all farm buildings;
3. referral of the Farm Plan and Staff Report to the Regional Agrologist for preliminary comments;
4. potential OCP amendments re: temporary structures for farm workers and water quality at the time of rezoning;
5. alternative options for access to the residential versus agricultural portions of the property;
6. a Local Trust Committee covenant related to construction activities/impacts; and
7. asking the Ministry of Transportation & Infrastructure about possible road dedication.

CARRIED

9.3 NP-LCB-2013.1 (Pender Island Golf & Country Club)

Planner Pickard reviewed the Staff Report dated October 18, 2013, and commented as follows: that the Pender Island Golf & Country Club had applied to amend their liquor primary license, including covering the golf course in its entirety, and allowing patrons to move between locations; that this remedied the problem of people buying a beverage on the course and not being able to take it into the clubhouse; and that the Liquor Control & Licensing Branch was asking the Local Trust Committee to provide input after community consultation.

Peter Testemale was present on behalf of the applicant. The Trustees discussed how to consult with the community about the requested changes.

Resolution NP-LTC-82-13

It was Moved and Seconded as follows:

1. THAT the North Pender Island Local Trust Committee direct Staff to schedule a community information meeting for NP-LCB-2013.1 to be held in conjunction with the November 28, 2013 regular LTC business meeting; and
2. THAT notification of the community information meeting be advertised in the Island Tides newspaper, posted on the North Pender bulletin boards, and posted as Latest News on the North Pender Islands Trust webpage.

CARRIED

9.4 2013 – 10 04 Islands Trust Strategic Plan Referral to LTC

The Islands Trust Strategic Plan Briefing dated October 3, 2013 requested Local Trust Committee input and recommendations.

Resolution NP-LTC-83-13

It was Moved and Seconded that the North Pender Island Local Trust Committee anticipates completion of Strategic Plan activities pursuant to 1.6.3, 2.3.2, and 3.3.2 to be on target for this term.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Conservation Subdivision Review

Trustee Hancock suggested that the November 23, 2013 Conservation Subdivision Review workshop be videotaped, to capture the considerable expertise of the presenters. Planner Pickard was asked to call David Ohnona of Pender. In addition, Trustee Hancock said that he was working with Planner Pickard on graphic design and advertising for the event.

Resolution NP-LTC-84-13

It was Moved and Seconded that the North Pender Island Local Trust Committee direct Staff to retain a videographer for the Conservation Subdivision design workshop on November 23, 2013 and authorize an expenditure up to \$1,000.

CARRIED

11. REPORTS

11.1 Work Program Report

11.1. 1 Work Program Report dated October 2013

Planner Pickard suggested adding an item to the Top Priorities.

Resolution NP-LTC-85-13

It was Moved and Seconded that the North Pender Island Local Trust Committee amend the Work Program by adding a new Top Priority 3: "Identified Technical Corrections in the Land Use Bylaw."

CARRIED

11.2 Applications Report

11.2.1 Applications Report dated October 2013

Planner Pickard reviewed the available Applications Report.

Note: The Town Hall session then occurred; see minutes under Item 13.

11.3 Bylaw Enforcement Report

11.3.1 Motion to Close Meeting

Resolution NP-LTC-86-13

It was Moved and Seconded, pursuant to Section 90(d), (f) and (g) of the Community Charter, that the North Pender Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting the May 30, 2013 and September 23, 2013 North Pender Island Local Trust Committee In Camera Minutes, and to consider legal advice on a potential litigation issue, and further that Staff and the Recording Secretary remain present.

CARRIED

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

Resolution NP-LTC-97-13

It was Moved and Seconded that the North Pender Island Local Trust Committee re-open the meeting to the public.

CARRIED

11.3.2 Recall to Order

Rise and Report from the Closed Meeting

It was reported that during the In Camera portion of the meeting, the Local Trust Committee adopted In Camera minutes from May 30 and September 23, 2013.

11.4 Expense/Budget Reports

11.4.1 Local Trust Committee Expense Report September, 2013

For information

11.5 Adopted Policies and Standing Resolutions

This report remained unchanged

11.6 North Pender LTC Web Page

The North Pender Island Local Trust Committee home page can be found at: www.islandstrust.bc.ca/islands/local-trust-areas/north-pender, no changes were requested.

11.7 Chair's Report

None

11. 8 Trustee Reports

Trustee Steeves and Hancock commented that they had met with Member of the Legislature, Gary Holman, regarding ferry issues and roads/highways issues.

12. OTHER BUSINESS

12.1 Proposed 2014 North Pender LTC Meeting Schedule and Memorandum

Resolution NP-LTC-98-13

It was Moved and Seconded that the North Pender Island Local Trust Committee adopt the 2014 meeting schedule as presented.

CARRIED

12.2 CRD Sea Bus Initiative

Resolution NP-LTC-99-13

It was Moved and Seconded that the North Pender Island Local Trust Committee request that the CRD Harbours Commission refer any proposed bylaw amendments to the North Pender Island Local Trust Committee as provided in the CRD/Islands Trust Protocol Agreement.

CARRIED

12.3 Upcoming Meetings

The next regular meeting of the Local Trust Committee was scheduled for Thursday, November 28, 2013 (9:45 am, Community Hall Lounge).

On Saturday, November 23, 2013, the North Pender Island Local Trust Committee will be holding a Local Trust Committee Special Meeting to have a Community Information Meeting regarding the Conservation Subdivision Review Project (details to follow).

13. TOWN HALL MEETING

Note: The Town Hall session occurred just after item 11.2.1

Sara Steil commented as follows: that she questioned the plan of the new owners of Clam Bay Farm to use WWOOF (World Wide Opportunities on Organic Farms) unpaid workers instead of employing local individuals; that she wondered about the accuracy of the Clam Bay Hydrogeologist's report without the number of bedrooms being known; and that she also had concerns about the footprint of the proposed rezoning, and the use of the land.

Trustee Hancock agreed that the sizes and number of bedrooms for the proposed new Clam Bay dwellings were not yet known.

14. MOTION TO CLOSE MEETING

See Item 11.3.1

15. RECALL TO ORDER

See Item 11.3.2

16. ADJOURNMENT

The meeting, by consensus at approximately 2:50 pm, was adjourned

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:	Andrea Pickard	Sep-22-2011	On Going

- 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

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	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

Sep-23-2013

No.	Activity	Responsibility	Target Date	Status
5	Item 10.1 Conservation Subdivision Review: • schedule a community meeting for a Nov weekend if possible • prepare an 'introduction to conservation subdivision' information sheet	Andrea Pickard	Oct-31-2013	Done

6	Item 10.1 Conservation Subdivision Review: prepare a trustee newsletter including a section that will be used for a Pender Post advertisedment	Ken Hancock Gary Steeves	Oct-31-2013	Done
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7	Item 10.2 Shoreline Review: obtain cost estimate and further information from shoreline biologist regarding preparing a green shores brochure	Robert Kojima	Oct-31-2013	Done
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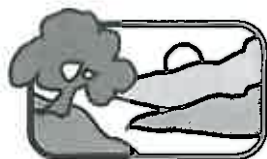
Oct-31-2013

No.	Activity	Responsibility	Target Date	Status
8	Item 5.1 - Minutes of Sept 23: adopt as amended and posted to website	Lori Foster	Nov-28-2013	Done

9	Item 8.1 - Memo from SPILTC: respond to SP that NPILTC would send representative to future meeting	Andrea Pickard	Nov-28-2013	Done
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10	Item 9.1 - NP-DVP-2013.3: issue the permit as drafted with the erroneous address blacked out	Sharon Lloyd-deRosario	Nov-28-2013	On Going
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11	Item 9.2 - NP-RZ-2012.2: staff to report back with more clarification or updates on:	Kim Farris	Nov-28-2013	On Going
	- the status and extent of the proposed TFB covenant - the uses and changes to all the farm buildings - preliminary comments from the Regional Agrolgists regarding the farm worker numbers/accommodation - potential need to amend the OCP regarding 'temporary' farm workers accommodation and water quality requirements at the time of rezoning - alternative options for access to the residential vs agricultural portions of the property - an LTC covenant related to construction activity/impacts and - the possibility of MOTI wanting road dedication			
12	Item 9.3 - NP-LCB-2013.1: schedule a CIM for the Nov LTC meeting and circulate the notice:	Lori Foster Sharon Lloyd-deRosario	Nov-28-2013	Done
	- by advertisement in the Islands Tide newspaper - posting on local bulletin boards, and - posting under Latest News on the webpage			
13	Item 9.4 - Islands Trust Council Strategic Plan: forward the NPILTC resolution for this item to the Executive Committee and the Financial Planning Committee. Forwarded to Marie Smith November 13, 2013	Lori Foster	Nov-28-2013	Done
14	Item 10.1 - Video of Conservation Subdivision Workshop: investigate the cost to retain a videographer for the Nov 23 CIM and authorize up to \$1000 expenditure	Andrea Pickard Nancy Roggers	Nov-28-2013	Done
15	Item 11.1 - Work Program: add LUB technical corrections to the top priority list	Andrea Pickard	Nov-28-2013	Done
16	Item 12.1 - 2014 Meeting Schedule: adopt as drafted	Lori Foster	Nov-28-2013	Done
17	Item 12.2 - CRD Sea Bus Initiative: request the CRD Harbours Commission to refer any propsoed bylaws to the NPILTC as per the CRD/IT protocol agreement	Andrea Pickard	Nov-28-2013	On Going
18	Item 14 - In Camera: adopt the Sep 23 and May 30 minutes as drafted	Lori Foster	Nov-28-2013	Done



Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring **Bylaw No.:** 470 **Date:** October 17, 2013

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held in the near future.

APPLICANTS NAME / ADDRESS:

Polaris Land Surveying.

PURPOSE OF BYLAW:

To amend Land Use Bylaw No. 355 to rezone a portion of the waters fronting Lot 1, Section 2, Range 2 West, North Salt Spring Island, Plan 29481 from Shoreline 7 (S7) to Shoreline 6 (S6) to permit a private wharf or dock (s) associated with upland residential use.

GENERAL LOCATION:

250 Collins Road, west coast of Salt Spring Island.

LEGAL DESCRIPTION:

Lot 1, Section 2, Range 2 West, North Salt Spring Island, Cowichan District, Plan 29481.

SIZE OF PROPERTY AFFECTED:

7.7 ha.

ALR STATUS:

No

OFFICIAL COMMUNITY PLAN DESIGNATION:

Shoreline Recreation

OTHER INFORMATION:

See attached staff report. Upland residential may be a future strata, propose a maximum 70 square meter dock.

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

(Signature)

Name: Leah Hartley

Title: Regional Planning Manager

This referral has been sent to the following agencies:

Federal Agencies

Fisheries and Oceans, Canada
Coast Guard

Provincial Agencies

Ministry of Environment
Ministry of Forests, Lands and Natural Resource Operations

First Nations

Cowichan Tribes
Halalt First Nation
Hul'qumi'num Treaty Group
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe
Stzuminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

Regional Agencies

CRD Building Inspection
CRD Parks and Recreation Commission
SSI Fire-Rescue
Trust Fund Board

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Local Trust Area

(Island)

470

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area **Bylaw No.:** 471 **Date:** November 1, 2013

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held in the near future.

APPLICANTS NAME / ADDRESS:

N/A

PURPOSE OF BYLAW:

To amend the Salt Spring Island Official Community Plan Bylaw No. 434 - Part G - to allow a Temporary Use Permit to be issued for a residential use.

GENERAL LOCATION:

Salt Spring Island

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

Staff Report and Bylaw 471 attached.

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

(Signature)

Name: Justine Starke

Title: Island Planner

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
BC Assessment Authority

First Nations

Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation - Te'Mexw Treaty Association
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation & Penelakut Tribe

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee

Regional Agencies

Capital Regional District
CRD Building Inspection
CRD Engineering Services
Vancouver Island Health Authority

Non-Agency Referrals

BC Ambulance Service
Ganges Sewer Committee
North Salt Spring Waterworks District
RCMP
School District 64
SSI Chamber of Commerce
SSI Fire-Rescue
SSI Transportation Commission
SSI Copper Kettle
SSI Land Bank Society

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island
(Island)

(Signature)

(Date)

471
(Bylaw Number)

(Title)

(Agency)



STAFF REPORT

November 15, 2013

File No.: NP-LCB-2013.1
(PIGCC)

To: North Pender Island Local Trust Committee
For the meeting of Nov 28, 2013

From: Andrea Pickard

CC: Robert Kojima, Regional Planning Manager

Re: Liquor Control and Licensing Branch Referral for the Pender Island Golf and Country Club

Owner: Pender Island Golf and Country Club, Inc. No. 7046

Applicant: Peter Testemale, President

Location: 2305 Otter Bay Road

Lot A, Section 17, Pender Island, Cowichan District, Plan VIP52327, PID: 017-337-178 and Parcel F (DD78736I) of Section 17, Pender Island, Cowichan District, Except Parts in Plans 22933 and 36581, PID: 009-675-698

THE PROPOSAL:

The Pender Island Golf and Country Club (PIGCC) has submitted an application to the Liquor Control and Licensing Branch (LCLB) to amend their liquor licenses from having a food primary license for 97 patrons for the club house restaurant/patio and a liquor primary for one patron to serve the golf course by way of a takeout window or golf cart. The proposed license amendment would change the liquor primary license to have total capacity of 100 to cover the golf course in its entirety and the food primary license would be cancelled.

At the October 31st meeting of the North Pender Island Local Trust Committee (LTC) a preliminary report was received regarding this referral from the Liquor Control and Licensing Branch. At that meeting the LTC decided to proceed with gathering input from the public and directed staff to schedule a community information meeting and advertise a notice in the Island Tides newspaper and post a notice on the bulletin boards and the North Pender webpage. A copy of the notice is attached to this report.

As the local government, the LTC is required to comment on the application by way of a resolution and to provide an opportunity for the public to express their views about the application. Through the referral process, the comments and recommendations are then forwarded to the general manager of the LCLB for their consideration.

In addition to comments on any public input received, the LTC is required to comment on:

- The potential for noise if the application is approved and
- The impact on the community if the application is approved.

STAFF COMMENTS:

In response to the notice no submissions or inquiries were received prior to writing this report. If submissions are received they will be brought to the Nov 28th meeting.

The LCLB requires the local government respond by way of a resolution and the resolution must include:

- Comments on potential for noise if the application is approved,
- The impact on the community if the application is approved,
- Indication that views of residents were gathered,
- The views of residents,
- The method used to gather the views of residents,
- Comments and recommendations with respect to the views of residents,
- Recommendations as to whether the application should be approved, and
- The reasons for its recommendations.

In order to facilitate the above a draft resolution is included; however, the LTC will need to complete the details based on pending information and comments. Response options are shown in italics for your convenience.

RECOMMENDATIONS:

1. THAT the North Pender Island Local Trust Committee directs staff to send a response to the Liquor Control and Licensing Branch regarding the Pender Island Golf and Country Club application that states:
 - a. The potential impacts due to noise if the application is approved (*would be none, would be minimal, or would be significant due to....*),
 - b. The impacts on the community if the application is approved would be (*negligible or beneficial because.... or detrimental because....*),
 - c. The Local Trust Committee has solicited public input to gather the views of residents (*and ## residents provided written or verbal comments*),
 - d. The views of residents were generally (*in support or in opposition or neutral..... or of the ## comments received # were supportive, # were opposed or had concerns and # were neutral*) about the application,
 - e. A notice of the application was advertised in the newspaper, posted on local bulletin boards, and posted on the North Pender webpage and residents were invited to provide written submissions or attend a community information meeting,
 - f. A community information meeting was held on November 28, 2013 to gather input from residents about the application,

- g. The Local Trust Committee agrees with the views of residents that *(the application should be supported or the application should be denied or the application should include the following restrictions.....)*
 - h. The Local Trust Committee recommends the application *(be approved or not be approved)*, and
 - i. The Local Trust Committee recommendations are based on *(generally supportive community input or the concerns raised by the community)*
2. THAT the North Pender Island Local Trust Committee directs staff to include a record of the community information meeting with the response to the Liquor Control and Licensing Branch regarding the Pender Island Golf and Country Club application.

Prepared and Submitted by:



November 15, 2013

Date

Concurred in by:



Regional Planning Manager

November 15, 2013

Date



**NOTICE
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
APPLICATION FOR LIQUOR PRIMARY LICENCE
PENDER ISLAND GOLF & COUNTRY CLUB**

An application has been made to the Liquor Control and Licensing Branch by the Pender Island Golf & Country Club for an amendment to their liquor-primary licence. As the local government, the North Pender Island Local Trust Committee is required to provide recommendations and comments on the application. The comments and recommendations would be forwarded to the general manager of the Liquor Control and Licensing Branch to consider when making an application decision.

In order to receive public comment, and to provide an opportunity for the public to ask questions of the applicant, the North Pender Island Local Trust Committee has scheduled a **Community Information Meeting**.

The Community Information Meeting will be held on Thursday, November 28, 2013, starting at 9:45 am, at the Community Hall, 4418 Bedwell Harbour Road, Pender Island.

The property subject to this application is located at 2305 Otter Bay Road and consists of two parcels legally described as PID 017-337-178, Lot A, Section 17, Pender Island, Cowichan District, Plan VIP52327, and PID 009-675-698, Parcel F (DD78736I) of Section 17, Except Parts in Plans 22933 and 36581. The subject property is split zoned: Agricultural (AG), a site-specific Agriculture zone to allow the golf course (AG(b)), and Rural (R). The portions of the subject property zoned agriculture are also located in the Agricultural Land Reserve (ALR).

Currently the golf course has both a food primary and liquor primary license. The food primary license has a total capacity of 97 persons for the club house with 77 seated inside and 20 on the patio. The liquor primary license has a capacity for one, which is to serve the outdoor area of the golf course by way of the mobile golf carts or a take-out window. The current application would change the liquor primary license to a total capacity of 100 to cover the golf course in its entirety and the food primary license would be cancelled.

Copies of background documents may be inspected on the Islands Trust website: <http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender.aspx> and at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. and between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday inclusive, excluding Statutory Holidays, commencing November 21, 2013 and continuing up to and including November 27, 2013.

Written comments concerning the application may be delivered to:

1. the office of the Islands Trust by mail at #200 - 1627 Fort Street, Victoria, B.C. V8R 1H8, or by Fax (250)405-5155, prior to **4:30 p.m. Wednesday November 27, 2013**; or
2. by delivery to the Local Trust Committee at the Community Information Meeting starting at **9:45 am November 28, 2013**.

Reasonable efforts will be made to provide email comments, if they are opened and received, to the North Pender Island Local Trust Committee for consideration, but the public should not rely on email as a means of providing a written comment. Email submissions should be sent to information@islandstrust.bc.ca.

Written submissions made in response to this notice will be available for public review.

Inquiries regarding the proposed application may be directed to the Islands Trust Office, North Pender Island Planner, at (250) 405-5158 or apickard@islandstrust.bc.ca, or for Toll Free access, request a transfer via Enquiry BC (in Vancouver 660-2421 and elsewhere in BC 1-800-663-7867).

The North Pender Island Local Trust Committee may consider a resolution concerning this application during the regular business meeting immediately following the Community Information Meeting on November 28, 2013 at the Community Hall on North Pender Island.

Sharon Lloyd-deRosario
Deputy Secretary



STAFF REPORT

November 20, 2013

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

To: North Pender Island Local Trust Committee
For the meeting of November 28, 2013

From: Kim Farris,
Planner 1

CC: Robert Kojima, Regional Planning Manager
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:

The application is for a bylaw amendment to rezone the split zoned property to shift density from the southern site-specific Rural zoned portion of the property to the northern site-specific zoned Rural portion and to remove the agri-tourist accommodation use. The zoning amendment proposal has two priorities: to facilitate a change in use and to cluster density on the northern rural portion of the subject property.

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

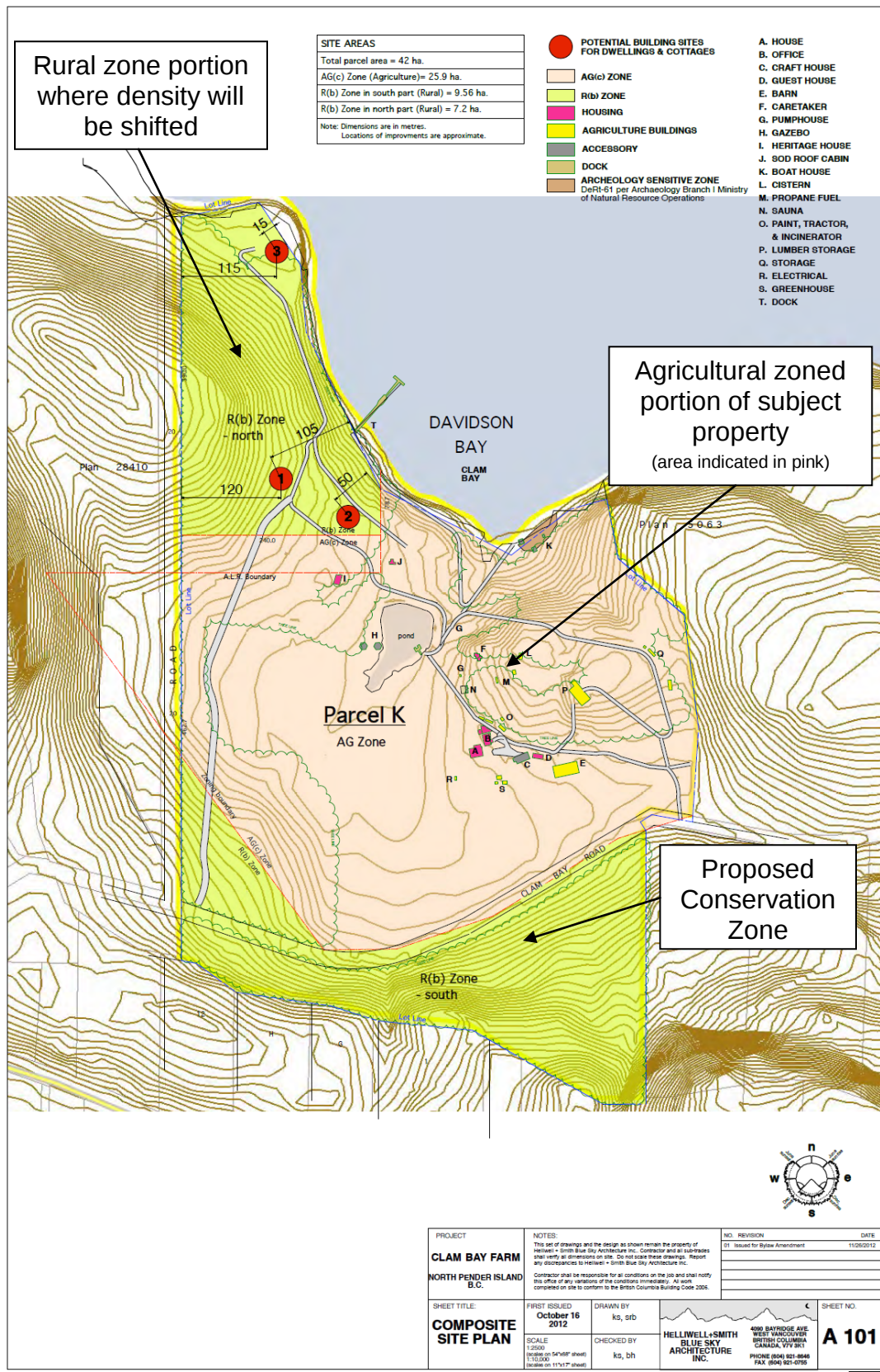
1. To permit two (2) dwelling units and two (2) cottages on the Rural zoned parcel to the north. This will cluster density from other portions of the parcel to an amended site-specific Rural zone.
2. To remove agri-tourist accommodation use. This will reduce the number of accommodation units in the site-specific Agricultural zone.
3. Permit farm worker accommodation on the site-specific Agricultural zoned portion of the property.
4. 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 the portion south of Clam Bay Road.

A preliminary staff report was presented at the LTC meeting on February 28, 2013. The applicant then amended the rezoning proposal from three dwellings and three cottages to two

1. the status and extent of any proposed Trust Fund Board covenant;
2. the use and changes to all farm buildings;
3. referral of the Farm Plan and Staff Report to the Regional Agrologist for preliminary comments;
4. potential OCP amendments re: temporary structures for farm workers and water quality at the time of rezoning;
5. alternative options for access to the residential versus agricultural portions of the property;
6. a Local Trust Committee covenant related to construction activities/impacts; and
7. asking the Ministry of Transportation & Infrastructure about possible road dedication.

- provide clarification or updated information on the key issues associated with the proposal, and
- seek direction from the LTC to proceed with the application.

Figure 2: Site Plan of Subject Property



STAFF COMMENTS:

The following comments are to address the concerns raised at the October 31, 2013 North Pender LTC meeting.

1. Trust Fund Board Covenant

The applicant has applied to the Trust Fund Board (TFB) to conserve the portion of the property south of Clam Bay Road. The application has been amended to also include the protection of the veteran Douglas-Fir tree north of Clam Bay Road. The conservation proposal to the TFB is voluntary and for that reason the specific details on the conservation process are confidential.

2. Farm Building Use & Density

Table 1: Development Potential (Uses/Densities)

Portion of Subject Property	Pre-2001 Zoning	Current Zoning	Proposed Zoning
Rural Zoning – North	-1 dwelling unit -1 cottage -3 B + B rooms	-1 dwelling unit -1 cottage -0 B + B rooms	-2 dwelling units -2 cottages
Rural Zoning – South	-2 dwelling units -2 cottages -6 B & B rooms	-1 dwelling unit -1 cottage -0 B + B rooms	-0
Agricultural Zoning	-1 dwelling unit -1 cottage (with ALC approval) -3 B & B rooms	-1 dwelling unit -agri-tourism: 25 Guests in 17 bedrooms in 7 buildings	-1 dwelling unit (caretaker house) -farm worker accommodation: -Manager suite (1 bdrm) -Vineyard suites (2 bdrm) -Craft House (5 bdrm)
Totals	-4 dwelling units -4 cottages -12 guest rooms (24 guests)	-3 dwelling units -2 cottages -17 guest rooms	-3 dwellings -2 cottages -8 rooms (manager suite, vineyard suites, & craft house)

Table 2: Existing Structures – Current & Proposed Uses

Map Location	Structure	Current Use	Proposed Use	Comments
A	Farm House	Family Home	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) as needed (Managers do not live on site.
C	Craft House	Farm Worker Accommodation	Farm Worker Accommodation	5 bedrooms for farm workers with dining area. Accommodaiton will be seasonal.
D	Vineyard Suites (old Chicken Coop)	Guest Accommodation	Farm Worker Accommodation	2 bedrooms for farm workers. Accommodaiton will be seasonal
F	Caretaker/ Captains House	Caretaker Accommodation	Dwelling unit - caretaker Accommodation	Dwelling unit will be used year-round by the caretaker.
G	Pumphouse	Pumphouse	Pumphouse	Pumphouse includes a storage/workshop area for plumbing supplies and fittings.
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	Guest Suites	Boat House	Use for kayak, canoe, and water craft storage.
K	Bathhouse	Washroom Facility	Washroom Facility	N/A

Table 3: Existing Structures – Bedroom & Kitchen Density

Map Location	Structure	Bedrooms		Kitchens	
		Current	Proposed	Current	Proposed
A	Farm House	4	0	1	1
B	Office/Suite	1	1	1	1
C	Craft House	5	5	1	1
D	Vineyard Suites	2	2	0	0
F	Caretaker/ Captains House	2	2	1	1
G	Pumphouse	1	0	0	0
I	Heritage House	4	0	1	0
J	Sod Roof Cabin	1	0	0	0
K	Boat House & Oar House	2	0	0	0
K	Bathhouse	0	0	0	0
TOTAL		22	10	5	4

3. Regional Agrologist Preliminary Comments

A preliminary referral was sent to the Regional Agrologist to provide comments on the need for farm work accommodation. The referral included the staff report dated October 22, 2013 and the Farm Plan. The referral was inconclusive as the Regional Agrologist requires further information to provide comments on the need for farm worker accommodation. The regional agrologist has indicated that the following information will be requested: the area being actively and proposed to be farmed, farm income generated by the farm activities, and whether labour saving methods are being employed. This information can be provided by applicant to the Regional Agrologist concurrently with the referral of a draft bylaw.

4. Potential OCP Amendments

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.

Policy 2.2.5 was intended for new construction and for accommodation to be 'temporary', consistent with ALC policy; for example, a mobile home unit. In this case, the buildings proposed to be used as farm worker accommodation (office/suite, vineyard suites, and the craft house) are existing buildings. The office suite will be used on an occasional basis for the manager's use only. The craft house has been used as farm worker accommodation for over 10 years and will be used seasonally. The vineyard suites were used as guest accommodation and are proposed to be used as farm worker accommodation on a seasonal basis. Staff are of the opinion that because there is no additional accommodation being proposed, the zoning proposal is not in direct conflict with OCP policy 2.2.5.

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 to evaluate the quality and quantity of available groundwater for all the proposed uses and identified any potential risks to groundwater or surface water. It was determined the proposed uses would not have any adverse effects of the groundwater. The assessment also determined the well located on the property (WID 16407) 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. The elevated levels of fluoride and sodium are potential health concerns can be treated by installing point-of-use treatment systems are recommended for each residence. Staff are of the opinion that this meets OCP policy 3.2.1 because this area on North Pender is not known to have a problem with the quality of groundwater and the zoning proposal will not increase the density or intensify the use overall on the property; the zoning proposal is to shift the density. Although the assessment did find elevated levels of fluoride and sodium, these can be addressed by installing point-of-use treatment systems at time of building.

5. Access

There are two existing accesses on the portion of property north of Clam Bay Road. Concerns were expressed at the October 31, 2013 LTC meeting with regards to road enhancement work and increased vehicle traffic on the western private road to access the proposed dwelling units and cottages. The applicant expressed concerns with the property owners using the farm road (east access) to access the residential areas as portions of the road are not safe especially around the pond (Picture 1) and the vehicle traffic during construction may disrupt the agricultural uses.

Picture 1: Agricultural road around pond



There is also a concern with the location of the western road in relation to the veteran Douglas-Fir (as seen in Picture 2). The roughed in road is in close proximity to the Douglas-Fir which may impact the root system of the tree, specifically during construction. Relocating the road away from the veteran tree may be an option but this would involve land clearing and removing trees. The extent of the veteran Douglas-Fir's root system is also unclear. Relocating the road away from the veteran tree may still damage the root system. For that reason, staff are recommending the applicant 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 tree

Picture 2: Veteran Douglas-Fir & Road Access



6. LTC Covenant

Staff recommend working with the North Pender LTC and applicant to draft a covenant to address the recommendations made in the environmental assessment to minimize impacts to land and Yew Tree during the construction stage. The covenant would be temporary in nature and could be amended or discharged from the property title once the construction activities (land clearing, road widening and construction of the two dwellings and two cottages) are complete.

7. MOTI Road Dedication

A preliminary referral was sent to the Ministry of Transportation and Infrastructure (MOTI) to comment on dedicating the portion of Clam Bay Road that bisects the subject property. MOTI responded by indicating they would likely proceed to have a dedication of Clam Bay Road through the property as a requirement of the rezoning. Once the official referral with draft bylaw has been sent, MOTI can confirm their intention and requirements.

Preliminary Timeline:

The following outlines a minimal timeline for the process that is very tight and does not factor in any contingency time for requiring additional reports, a Community Information Meeting or Public Hearing held outside of the regular LTC schedule, or significant changes to the proposal.

January: Prepare draft bylaw, staff to refer draft bylaw for agency comments. Draft bylaw considered at LTC meeting, revised if necessary. Draft bylaw given may be given First Reading and staff directed to schedule a community information meeting.

- February:* Community Information meeting, remaining agency comments received, further reading and staff directed to schedule Public hearing.
- March:* Public hearing (at LTC meeting or separately), further revisions considered then proposed bylaw given Second and Third Reading.
- April:* Forward proposed bylaw to Islands Trust Executive Committee for approval.
- May:* Proposed bylaw returns for adoption.

Communications/Consultations:

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

- First Nations:
 - o Cowichan Tribes
 - o Halalt
 - o Lake Cowichan
 - o Lyackson
 - o Malahat (TE'Mexw Treaty Association)
 - o Pauquachin
 - o Penelakut
 - o Semiahmoo
 - o Stz'uminus
 - o Tsartlip
 - o Tsawout
 - o Tsawwassen
 - o Tseycum
- Agricultural Land Commission
- Ministry of Agriculture – Regional Agrologist
- Ministry of Forest, Lands & Natural Resource Operations, Archaeology Branch
- Ministry of Transportation and Infrastructure
- Vancouver Island Health Authority
- CRD, Building Inspection Services
- CRD, Electoral Area Director
- Pender Island Fire Rescue
- Islands Trust Fund
- Mayne Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- Saturna Island Local Trust Committee
- South Pender Island Local Trust Committee

The overall intent of the zoning amendment proposal is to shift density, enhance agricultural activities, and protect sensitive ecosystems on the subject property. The proposal is consistent with the OCP policies 2.2.5 and 3.2.1 and subsequent information requested by the North Pender LTC has been provided. Further comment from agencies, such as the ALC, through the formal referral process may provide further clarification; therefore staff recommend proceeding with the application and directing staff to prepare a draft bylaw and to proceed with the formal agency referrals.

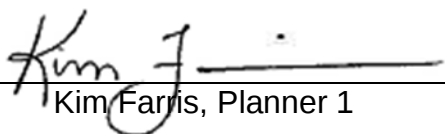
Based upon the discussion above, the LTC has generally the following options:

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

RECOMMENDATIONS:

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 and work with the applicants to prepare suitably worded covenants

Prepared and Submitted by:



Kim Farris, Planner 1

November 20, 2013

Date

Concurred in by:

Robert Kojima

Regional Planning Manager

November 20, 2013

Date



Islands Trust

Print Date: Nov-20-2013

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	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		May-01-2014	On Going
3	LUB Amendments	limited to technical corrections	Oct-31-2013	Andrea Pickard		On Going



Islands Trust

Print Date: Nov-20-2013

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			
	4. Groundwater protection strategy			
	5. Include advocacy policies for ultra vires regulations removed from the LUB (commercial airstrips, private marinas, use of personal watercraft)			
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	Jun-28-2012	On Going
9	LUB/OCP Amendments Related to Roadway and Transportation Initiatives	Sep-20-2012	On Going

options to address situations where construction work has occurred without the required permits or approvals

- NZEV designation
- Level 2 Charging Stations
- Additional Car Stop Locations
- Additional Bicycling-Walking Routes
- Heritage Roads
- Related policy and regulatory options



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	Dec-21-2012	4606 RAZOR POINT RD Application by Owner in Non-Farm Use in the ALR
Planner: Andrea Pickard			

Planning Status

Status Date: Feb-01-2013

LTC resolution to forward to ALC

Status Date: Jan-22-2013

on Jan agenda

Status Date: Jan-07-2013

staff report completed

Development Permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2010.4	TWA	Apr-19-2010	RAZOR POINT RD of a 15 lot subdivision, request a variance for lots 8 (vary sec. 4.10.3 of LUB) and 13 & 14 (vary sec. 4.12.1 of LUB)
Planner: Andrea Pickard			

Planning Status

Status Date: Feb-28-2012

decision deferred until amending the consolidated covenant is investigated and the AO and DSO comment on the drainage rpt

Status Date: Jan-26-2012

jan meeting cancelled, on Feb agenda

Status Date: Jan-10-2012

on Jan agenda, draft covenant and drainage rpt included

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
NP-LCB-2013.1	Pender Island Golf & Country Club Planner: Andrea Pickard	Oct-10-2013	Golf Course - to amend liquor license

Planning Status

Status Date: Nov-01-2013

notices to be posted and CIM for Nov 28 meeting

Status Date: Oct-23-2013

on Oct agenda

Status Date: Oct-22-2013

emailed electronic receipt

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: 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: Oct-23-2013

staff report prepared for October agenda

Status Date: Sep-09-2013

Farm Plan Received

Status Date: Jul-30-2013

Meeting with applicant to review progress of development approval information requirements and changes to proposal. Information and staff report scheduled for October LTC meeting

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 debris, and sorting & recycling & transfer of materials & garbage).

Planner: Andrea Pickard

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	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

Planner: Andrea Pickard

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

Subdivision

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2008.5	Richard Wey & Associates	Apr-15-2008	6621 HARBOUR HILL DR (TWA): To Create 15 lots

Planner: Andrea Pickard

Planning Status

Status Date: Dec-20-2012

groundwater report rec'd

Status Date: Mar-30-2012

DFO confirmed file is closed

Status Date: Mar-12-2012

pending owner commenting on requested covenant amendments and Gardom Pond issues to be clarified

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

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)	Jul-24-2012	Proposed 3 lot Strata Development
Planner: Andrea Pickard			

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		2218 CLAM BAY RD To create 11 lots including remainders

Planner: Kim Farris

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

Islands Trust

LTC EXP SUMMARY REPORT F2014

Invoices posted to Month ending October 2013

650 North Pender	Invoices posted to Month ending October 2013	Budget	Spent	Balance
65000-650	LTC "Trustee Expenses"	1,500.00	1,180.85	319.15
LTC Local				
65200-650	LTC - Local Exp - LTC Meeting Expenses	4,000.00	1,677.39	2,322.61
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	0.00	2,000.00
65240-650	LTC - Local Exp - Miscellaneous	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>8,000.00</u>	<u>1,840.79</u>	<u>6,159.21</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	0.00	4,000.00
TOTAL Project Expenses		<u>9,000.00</u>	<u>1,915.21</u>	<u>7,084.79</u>

Updated: May 10, 2011

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.