



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: August 29, 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 - 10:00 AM | |
| 2. | Approval of Agenda | | |
| 2.1 | Additions/Deletions | | |
| 2.2 | Questions from the public on Agenda Items | | |
| 3. | Community Information Meeting | | |
| 4. | Public Hearing | | |
| 5. | Previous Meetings | 10:00 AM - 10:15 AM | |
| 5.1 | Local Trust Committee Minutes | | |
| 5.1.1 | Draft Minutes from June 27, 2013 North Pender Local Trust Committee Meeting (attached) | | 4 - 11 |
| 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 | 10:15 AM - 10:20 AM | |
| 6.1 | Follow-up Action List (attached) | | 12 - 14 |
| 7. | Delegations | | |
| 8. | Correspondence | 10:20 AM - 10:45 AM | |

8.1	July 15 2013, Email from V. Butcher re: National Marine Conservancy Area & Marina Exclusions (attached)	15 - 15
8.2	July 29 2013, Email from S. Stiel re:PICA's Shoreline Finale (attached)	16 - 18
9.	Applications, Permits, Bylaws and Referrals	10:45 AM - 12:00 PM
9.1	NP-RZ-2013.2 (Hamson) (attached)	19 - 32
9.2	NP-DVP-2013.2 (Johnson) (attached)	33 - 44
9.3	NP-DP-2013.1 (Lund & Doyle) (attached)	45 - 65
10.	Local Trust Committee Projects	12:00 PM - 1:00 PM
10.1	Shoreline Review	
10.1.1	Forage Fish Habitat -TFB (attached)	66 - 99
10.1.2	Shoreline Feature Map	100 - 100
10.2	Conservation Subdivision Review (Presentation)	
11.	Reports	1:00 PM - 1:30 PM
11.1	Work Program Report (attached)	101 - 103
11.2	Applications Report (attached)	104 - 109
11.3	Bylaw Enforcement none	
11.4	LTC Expense/Budget Reports (attached)	110 - 110
11.4.1	2014-15 Budget Requests (attached)	111 - 114
11.5	Adopted Policies and Standing Resolutions (attached for information)	115 - 115
11.6	North Pender LTC Web Page View the North Pender Island Home Web Page at: www.islandstrust.bc.ca/islands/local-trust-areas/northpender	
11.7	Chair's Report	
11.8	Trustee Report	
12.	Other Business	1:30 PM - 2:00 PM
12.1	Upcoming Meetings The next North Pender LTC meeting will be held Monday , September 23, 2013, at the Pender Island Community Hall, Lounge, at 9:45 am.	

13. Town Hall Meeting

14. Adjournment

2:00 PM - 2:00 PM

**Local Trust Committee
Minutes Subject to Approval By
the Local Trust Committee**

DRAFT

**MINUTES OF THE NORTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON THURSDAY, JUNE 27, 2013, AT 9:45 AM
PENDER COMMUNITY HALL (LOUNGE),
4418 BEDWELL HARBOUR ROAD,
NORTH PENDER ISLAND, B.C.**

PRESENT:	Gary Steeves	Local Trustee
	Ken Hancock	Local Trustee
	Peter Luckham	Chair
	Andrea Pickard	Island Planner
	Zorah Staar	Recording Secretary

REGRETS: None

There were three (3) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:55 am, acknowledging that we were meeting on traditional Coast Salish territory. He introduced the members of the committee and the attending Islands Trust staff.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The proposed agenda was amended to add late item 9.2 - Salt Spring Island Local Trust Committee Bylaw No. 468 Referral.

The agenda as amended 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 for adoption

5.1.1 Minutes of May 30, 2013 Local Trust Committee Business Meeting

The May 30, 2103 Local Trust Committee Business Meeting minutes were amended as follows:

- page 3, item 6.1, second paragraph, and page 7, item 13, first line – change booklet name to “Sharing Our Shorelines”
- page 7, item 11.7, change final phrase to read: “...and that both Kinder Morgan and the Community Carbon Marketplace were going to do presentations.”

The May 30, 2013 minutes as amended were then adopted by consensus.

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 available Follow-up Action Report.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Amanda Griesbach Letter re: STVR's (Short Term Vacation Rentals)

Planner Pickard noted the letter that Amanda Griesbach had sent to the Chamber of Commerce, and copied to the Local Trust Committee.

9. APPLICATIONS, PERMITS, AND REFERRALS

9.1 NP-DVP-2013.1 (Proctor c/o Pohl)

Planner Pickard reviewed the Staff Report dated June 19, 2013, commenting that the first variance requested for NP-DVP-2013.1 (Proctor c/o Pohl) was to renovate a larger accessory building to a height of 6.7 metres rather than the 4.6 metre limit, including a second storey; the second variance was to allow an existing very small accessory building to be sited 8.3 metres from the natural boundary of the sea (rather than the 15 metre setback); the first building was a 648 square foot carport, shop and studio; it needed a roofline change to improve functionality and appearance, and to avoid the need for additional construction on the lot; the second building was a 50 square foot marine storage shed built by previous owners, which needed to be close to the water; there had been one neighbour submission, in support of the variance; and that one amendment to the draft permit was needed.

Trustee Steeves and Hancock had viewed the site, and they asked some questions of the owner (Roger Proctor/HBH Island Holdings Ltd.) and the applicant (Eric Pohl), who were both present.

Resolution NP-LTC-60-13

It was Moved and Seconded that the North Pender Island Local Trust Committee revise draft Development Variance Permit NP-DVP-2013.1 (HBH Island Holdings Inc./Proctor c/o Pohl), section 2.b), to read as follows: " Subsection 3.7.1 is varied to reduce the siting setback to the natural boundary of the sea from 15 metres to 8.3 metres for an existing accessory building no larger than 5 square metres in area and 3 metres in height.

CARRIED

Resolution NP-LTC-61-13

It was Moved and Seconded that the North Pender Island Local Trust Committee Development Variance Permit NP-DVP-2013.1 (HBH Island Holdings Inc./Proctor c/o Pohl), as amended be approved.

CARRIED

9.2 Salt Spring Island Local Trust Committee Bylaw No. 468 Referral

Planner Pickard confirmed that the Salt Spring Island Local Trust Committee Proposed Bylaw No. 468 was for a CRD-constructed wetland for sewage treatment purposes. The reason the bylaw was referred before the Agricultural Land Commission decision was because there are time pressures involved for funding requirements.

Resolution NP-LTC-62-13

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. 468.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Conservation Subdivision Review

Planner Pickard reviewed the draft Project Charter prepared for the Conservation Subdivision Review project, the purpose of which was considering bylaw and policy amendments to encourage a conservation approach for the design and layout of future subdivisions. As requested, project objectives had been added re: prioritizing larger lots with significant subdivision potential, promoting connectivity, and recognizing sustainable resource management. The budget and timeline had also been adjusted as suggested, and the budget allocation of \$4,000 had just been added to the LTC Budget Report.

Rather than for this subdivision project, there was consensus to address maximum dwelling size in future general discussions about potential Land Use Bylaw amendments. It was also agreed to revise the Stakeholders table to call the right-hand column “Possible interests, expectations, concerns”, and to have the first section under it (for large lot property owners) read as follows:

- Preservation of development potential
- Opportunities to reduce development costs
- Unique marketing opportunities
- New or changed requirements.

Trustee Hancock noted that landowners elsewhere applying a conservation approach to developing a new subdivision were experiencing a win-win situation, where lots were considered desirable and sold in a timely fashion.

Resolution NP-LTC-63-13

It was Moved and Seconded that the North Pender Island Local Trust Committee endorse the Project Charter for the Conservation Subdivision Review project.

CARRIED

11. REPORTS

11.1 Work Program Reports

11.1.1 North Pender Island Local Trust Committee Work Program

Regarding the Shoreline Review, Trustee Hancock described the new “Gulf Islands App” smart phone application by a private company, which could perhaps include Islands Trust shoreline mapping overlaid on local Parks Commission ocean access sites (with QR codes on site markers). Chair Luckham was supportive but cautioned about potential interaction between Islands Trust shoreline efforts and private marketing content.

Resolution NP-LTC-64-13

It was Moved and Seconded that the North Pender Island Local Trust Committee direct Staff to work with Trustee Hancock to investigate incorporating shoreline information into the new Gulf Islands App, using QR codes for smart phones.

CARRIED

Planner Pickard was requested to amend the Shoreline Review activities accordingly, and also to remove “ferry terminal zoning” from the LUB Amendment activities in the Projects list.

11.2 Applications Report

11.2.1 North Pender Island Applications Report

Planner Pickard reviewed the Applications Report files. She also noted that an application was about to be received to rezone a 5.94 acre rural property, for the non-profit development of seniors housing units. This was on the lot between the airstrip and the Driftwood Centre.

Karl Hamson (the rezoning Applicant until a non-profit society was established) was present. He described the proposal, which was still being developed through community consultation and research.

Planner Pickard said that once she had received the rezoning application and initial materials, she would be asking for additional information prior to the August Local Trust Committee meeting.

11.3 Bylaw Enforcement Report

None

11.4 Expense/Budget Reports

11.4.1 Trustee and Local Expenses Report

Presented for information

11.4.2 Local Trust Committee Budget 2012/2013

Presented for information

Trustee Steeves noted that it would be useful to receive updated expense reports sooner (when possible).

11.5 Adopted Policies and Standing Resolutions Report

Presented for information

11.6 North Pender LTC Web Page

Routine webpage updates were discussed, including adding the Local Trust Committee endorsement of the Conservation Subdivision Project Charter, and adding the seniors rezoning application (when received).

Trustee Steeves also suggested that it be made easier to find out Local Trust Committee Chairs.

11.7 Chair's Report

Chair Luckham noted that the recent Mayne Trust Council meeting had been excellent, and preparations were underway for the upcoming Lasqueti meeting. Also, the Islands Trust Fund Board was offering to double any donations to them for the Brooks Point Peninsula Project, and to provide tax receipts.

11.8 Trustee Reports

Trustee Steeves reported he would like the Islands Trust Fund Board to respond to all application referrals, at least with "interests unaffected" (Planner Pickard and Chair Luckham offered to relay this). Trustee Steeves reported he had been attempting to advocate with the Vancouver Island Health Authority about their decision not to renew a Pender Doctor contract; that the Ministry of Health was also putting pressure on the Pender Clinic not to issue as many ferry Travel Assistance Program forms, which was causing hardship; and he was still waiting to hear from the Gold Commissioner about mining.

Trustee Hancock reported he had attended a Solid Waste Advisory Committee meeting re: the new Provincial Stewardship Program; that this Program largely privatized recycling handling, and reduced funding for island recycling centres

by approximately 75%; Pender Recycling would likely not be able to compete with commercial recyclers, and would be very negatively affected. Trustee Hancock added that we needed the CRD to advocate on our behalf; and the Islands Trust would probably also be called upon to advocate with the province.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Next Local Trust Committee Business Meeting

The next Local Trust Committee Business Meeting was scheduled for Thursday, August 29, 2013 at 9:45 am, Community Hall Lounge.

Also, there was no longer a scheduling conflict for a September meeting.

Resolution NP-LTC-65-13

It was Moved and Seconded that the North Pender Island Local Trust Committee schedule a Business Meeting for Monday, September 23, 2013.

CARRIED

12.2 Islands Trust Briefing re: Trustees Acting as Liaison to Other Community Groups

The Trustees discussed the above briefing, which advised caution where a Trustee could have conflicting interests, and also suggested a motion if a Trustee planned in future to participate in a group as a liaison from the Local Trust Committee.

12.3 Proactive Bylaw Enforcement of Illegal Structures on the Foreshore

The Trustees discussed a related Memorandum and Briefing, and did not support the Local Planning Committee invitation for an individual Local Trust Committee to take on the work of developing a pilot enforcement strategy for illegal structures on the foreshore (with no budget to do so). The North Pender Island Local Trust Committee would continue to support enforcement of Land Use Bylaw violations wherever possible.

13. TOWN HALL MEETING

Sara Steil thanked the Local Trust Committee for their support of the June 23 “From Whelks to Whales” child and adult shoreline workshop; the next Pender Conservancy workshop was on September 21, re: “What Nature May Be Telling Us About Adapting to Climate Change”. Sara Steil wondered about the fall Stewardship Day.

Trustee Hancock responded that he would be starting work on planning the Stewardship Day, for an October date still to be confirmed.

Trustee Steeves added that it should be noted how thankful the Local Trust Committee was for the shoreline education programs organized by Sara Steil and the Pender Islands Conservancy Association.

14. ADJOURNMENT

The meeting was adjourned by consensus at approximately 12:32 pm.

RECORDER

CHAIR



Islands Trust

Print Date: Aug-22-2013

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

Apr-25-2013

No.	Activity	Responsibility	Target Date	Status
3	Item 12.5 Mining: staff to submit the applicable form to the Chief Gold Commissioner requesting a reservation from mineral claims for the NPI Local Trust Area immediately after the May elections and appointment of Ministers - follow up discussion at next LTC meeting	Andrea Pickard	May-30-2013	On Going

May-30-2013

No.	Activity	Responsibility	Target Date	Status
4	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 Rogers	Jun-27-2013	On Going

Jun-27-2013

No.	Activity	Responsibility	Target Date	Status
5	Item 5.1.1 Minutes of May 30: adopt the minutes as amended	Sharon Lloyd-deRosario	Aug-29-2013	Done
6	Item 9.1- NP-DVP-2013.1 (Proctor c/o Pohl): amend the permit to refer to the size of the existing building (done) and approve the DVP as amended	Sharon Lloyd-deRosario	Aug-29-2013	Done
7	Item 9.2 - SSI Bylaw 468 Referral: respond to SSI that NPILTC interests are unaffected	Sharon Lloyd-deRosario	Aug-29-2013	Done
8	Item 10.1 - Conservation Subdivision Review: amend the project charter as discussed and update it to show the LTC endorsement	Andrea Pickard	Aug-29-2013	Done
9	Item 11.1 - Work program: add to the shoreline project for staff to work with Trustee Hancock to investigate incorporating shoreline information into the new Gulf Islands app using QR code for smart phones	Andrea Pickard	Aug-29-2013	Done
10	Item 11.1 - Work program: amend the LUB amendments project to remove ferry terminal zoning	Andrea Pickard	Aug-29-2013	Done
11	Item 11.6 - Website: add the Conservation Subdivision Review under projects and also the Project Charter under latest news	Andrea Pickard Stephanie Somers	Aug-29-2013	Done

12	Item 12.1 - Upcoming meeting: schedule a regular LTC business meeting for Monday September 23	Sharon Lloyd-deRosario	Aug-29-2013	Done
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From: vbutcher@shaw.ca
To: Gary Steeves; Ken Hancock
Cc: Peter Luckham; Robert Kojima; Andrea Pickard;
straitofgeorgianmca@pc.gc.ca; Otter Bay; Port Browning
Subject: National Marine Consevrancy Area and Marina Exclusions North
Pender Island
Date: Monday, July 15, 2013 10:41:12 AM



Dear Trustees:
Re: National Marine Conservation Area:

We are extremely disturbed and concerned that the North Pender Island Local Trust Committee voted to recommend to Parks Canada that the three marinas on North Pender NOT be excluded from the NMCA as recommended by Parks Canada without any consultation with the marina operators. The Committee also voted to recommend that the 200 meter buffer zone also recommended by Parks Canada not be granted.

We would appreciate responses to the following questions regarding the decision you have unilaterally decided to make.

- Why was it made without consultation with marina operators?
- What is the impact on the operation of the marinas that do not have this buffer zone or exclusion but will apparently be operating within the NMCA versus those that are excluded?
- What is the potential financial impact on the marinas not excluded?
- Why are three North Pender marinas being singled out for different treatment than other marinas in B.C. which will have the exclusion and buffer zone? Is it just because of Local Trust issues? If so, please explain the issues.

We require answers to these questions prior to the end of August when we will be setting the Agenda for our AGM.

Magic Lake Property Owners AGM is on Sept 21st 2013 at 2.00 pm in the Pender Island School we request you attend, and we ask that you be prepared to answer questions from the floor from our members.

Yours Truly

Valerie Butcher
President
Magic Lake Property Owners Society

CC: P. Luckham Islands Trust; R. Kojima Islands Trust; A Packard Islands Trust
Otter Bay marina & resort; Port Browning Marina & Resort; Parks Canada

From: Sara & Dick Steil <steils@shaw.ca>
Date: 29 July, 2013 11:54:21 AM PDT
To: Gary Steeves <gsteeves@islandstrust.bc.ca>, Ken Hancock <khancock@islandstrust.bc.ca>, Peter Luckham <pluckham@islandstrust.bc.ca>
Cc: Andrea Pickard <apickard@islandstrust.bc.ca>
Subject: PICA's Shoreline Finale - What Nature May be Telling us About Adapting to Changing Climate - September 21

To the North Pender Island Local Trust Committee

Request to assist with notification to the islanders in general to take advantage once again of the valuable information that will be forthcoming at the following event: -

Saturday, September 21, 2013 "What Nature May be Telling us About Adapting to Changing Climate" 1:30 to 4:30 PM Upstairs at the Community Hall

Once again for the benefit of the community, PICA has requested the return Nikki Wright of SeaChange & Leanna Boyer from the Mayne Island Conservancy to provide an amazing opportunity to learn and realize the importance of 'what we can learn from nature' at this critical time in the life of the Earth. Climate Change will affect all of us and the way we live – so take this opportunity to become more aware of: Shoreline Dynamics; Sea Level Rise, Interrelationships with shorelines and possible consequences.

See attached poster

Thank you
Sara Steil
PICA – Marine Rep & Event Co-coordinator

"What Nature May be Telling us About Adapting to Changing Climate"
With Nikki Wright of SeaChange & Leanna Boyer of the Mayne Island Conservancy



Pocket Beach photo by Nikki Wright

Saturday, September 21, 2013
An invitation to all islanders & visitors
Join Nikki & Leanna for
“What Nature May be Telling us About Adapting to Changing Climate”
1:30 to 4:30 PM Upstairs at the Community Hall

Providing an important opportunity to learn about adapting to Changing Climate.

Once again for the benefit of the community, PICA has requested the return Nikki Wright of SeaChange & Leanna Boyer from the Mayne Island Conservancy to provide an amazing opportunity to learn and realize the importance of ‘what we can learn from nature’ at this critical time in the life of the Earth. Climate Change will affect all of us and the way we live – so take this opportunity to become more aware of: Shoreline Dynamics; Sea Level Rise, Interrelationships with shorelines and possible consequences

Let’s get together and learn how to preserve, protect and respect what Mother Nature has to offer us and for future generations as we face the impacts of climate change.

Mark your calendars and take advantage of this opportunity

Questions? Contact Sara at 629-6885

The Pender Islands Conservancy Association (PICA) Uplands and Near-shore Apocalypse Follow-up Series
Co-Sponsored by the Pender Islands Trust Protection Society

"What Nature May be Telling us About Adapting to Changing Climate"
With Nikki Wright of SeaChange & Leanna Boyer of the Mayne Island Conservancy



STAFF REPORT

July 30, 2013

File No.: NP-RZ-2013.2
(Hamson)

To: North Pender Island Local Trust Committee
For the meeting of August 29, 2013

From: Andrea Pickard, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: Bylaw Amendment for Seniors and Special Needs

Owner: James Cosh and John Wood as Executors of the Will of Charles Earl Hastings

Applicant: Karl Hamson, on behalf of the Elder Project

Location: Lot A, Section 15, Pender Island, Cowichan District, Plan 14705
PID: 003-733-491
4601 Bedwell Harbour Road

THE PROPOSAL:

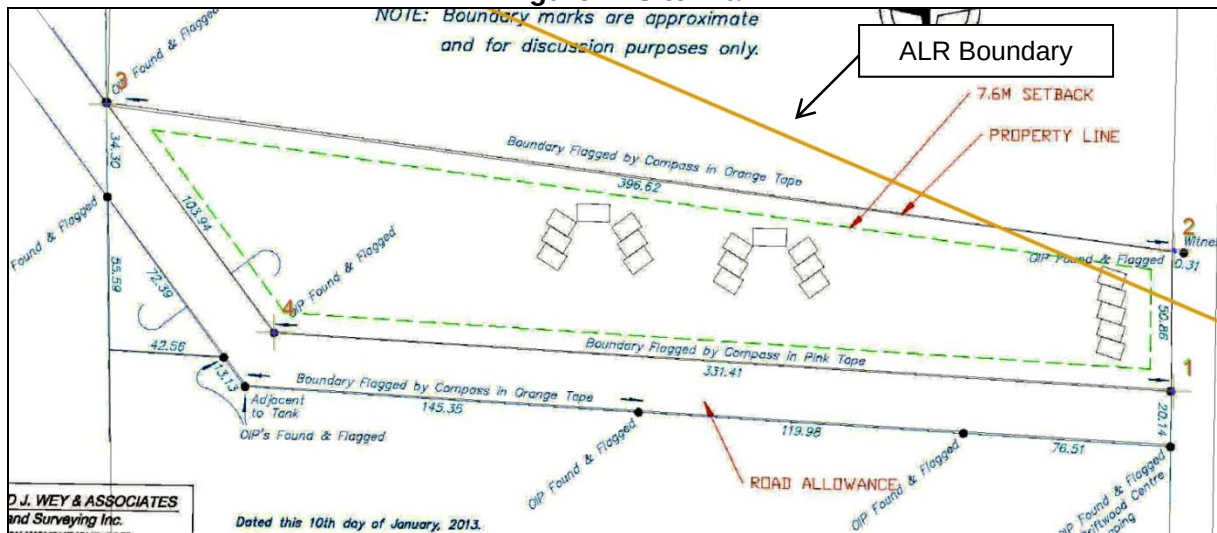
The purpose of the application is to amend the North Pender Island Land Use Bylaw (LUB) to permit up to 24 residential units for the phased development of a seniors and special needs housing complex. The applicant Karl Hamson is representing a larger group that has initiated the 'Penders Elder Project', which is currently in the process of being established as a non-profit society.

The application is for up to 24 units although the proposed development would be phased over time in response to community needs. The first phase would consist of four or five attached units, located towards the front of the property. Additional clusters of units would be developed further westward on the property to meet future demands. The development would also include some level of common facilities and the necessary services (water, sewage treatment, access).

The applicants have hosted a community information meeting prior to submitting the rezoning application to assess community needs and get community input into the proposal. After submitting the application further community consultation has resulted in a possible redirect of the development from solely a seniors and special needs housing project to a broader 'Pender Elder and Family Village' project for the purpose of developing a more diverse residential community including children and non-senior adults. The proposal at this time is that each unit would require at least one resident to be 50 years of age or more. If target residents could include children and non-senior adults then the proposed development may be reduced to a total of 20 units with some being proposed as two bedrooms. Up to ten units are now proposed for the first phase of development.

The applicants have also applied to Executive Committee to have the application fee waived as a non-profit society and a proposal that serves the community's interest.

Figure 1: Site Plan



SITE CONTEXT:

The property is a split zoned property with predominantly Rural (R) zoning with a small area of Agriculture (AG) zoning that is approximately 250 m² in area and located in the north-east corner of the 2.4 ha (5.94 ac) property. Additionally an area of approximately 1200m² is hooked across an unconstructed road dedication in the south-west corner of the property abutting National Park Reserve land.

Based on GIS data the property rises gently from Bedwell Harbour Road gaining approximately 18 m of elevation before it changes to a steeply inclined rise for an additional 28 m gain in elevation. The steepest area is located on the hooked portion in the south-west corner.

The subject property is located immediately north of the Driftwood commercial centre and south of the private airstrip land.

Figure 2: Subject Property

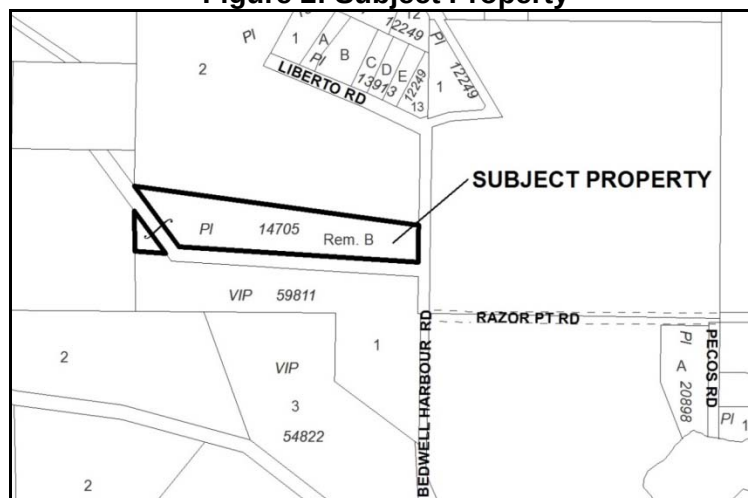


Figure 3: Orthophoto



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

Directive policies relevant to this application include:

Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:

- 5.2.4....any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.3.7...the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
- 5.8.6...their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

Official Community Plan

The subject property is designated predominately as Rural with a small portion designated Agriculture in the OCP.

The Residential Land Use policies include:

- 2.1.D – Except where specifically authorized elsewhere in this plan, consideration may not be given to applications to rezone land within the Rural Residential and Rural designations to a higher density without amendment to this plan.
- 2.1.F – Subject to policies in Subsection 2.3 of this plan (Seniors and Affordable Housing policies) consideration may be given to applications to rezone land within the Rural Residential and Rural designations to a higher density where the additional density takes the form of seniors and affordable housing.

The OCP policies in section 2.3 – Community Service Land Uses are directly relevant to this application and have been noted in the table below with a comment. Although the proposal is for seniors and special needs, one of the key objectives of the non-profit society is affordability and the relevant policies for affordable housing have been included for discussion purposes at this time. At this time the proposed cost structure is based on non-profit, break even model and does not entail subsidized housing. The OCP also defines ‘senior’ as being aged 65 or older.

2.3.7	The LTC will support efforts by organizations or agencies to conduct a seniors housing needs assessment within the community.	• The Affordable Housing Task Force included a needs assessment in their 2008 report
2.3.8	Applications for rezoning to a higher density than permitted by current zoning may be considered within the Rural Residential and Rural land use designations, subject to the other policies in this plan, where the application would result in the provision of seniors housing.	• The proposed development is within the Rural zone
2.3.9	Any additional density greater than that permitted by current zoning shall be in the form of units reserved exclusively for occupancy by seniors.	• Proposal would require at least one resident per unit to exceed a minimum age requirement (ie: 50, 55, 60, or 65 years of age) or have special needs
2.3.10	Any application should include an assessment demonstrating the need for the proposed type and number of seniors housing units in the community.	• Included in 2008 task force report although not with this level of specific detail
2.3.11	The number of units should not exceed the number identified as needed for the community by a seniors housing needs assessment.	• The Affordable Housing Task Force did not address this specifically, nor has the application information
2.3.12	Any application should result in units being located on land suitable for development, including in areas with modified ecosystems, accessible to existing services and on reasonably level terrain.	• Proposed location is adjacent to main commercial centre. First cluster developed is on the most accessible, flattest portion of the property that is a modified ecosystem. Subsequent clusters to be developed towards the centre of the lot
2.3.13	Developments should be encouraged to incorporate water conservation measures and energy efficient	• To be determined

building design elements.	
2.3.14 Applications may take the form of any of a range of housing options from fully independent units to supportive care.	Proposed units are independent or supported units
2.3.15 Applications may involve units in the form of clustered detached dwellings, duplexes or attached ground-oriented housing.	Proposal is 3 or 4 clusters of 6-8 attached units
2.3.16 Applications may include the provision of units through, public agencies or not-for-profit organizations.	Local non-profit society being formed
2.3.17 Applications shall include provision of a housing agreement limiting occupancy of the dwellings to seniors. Such a housing agreement may also include provisions limiting rental, lease, sale or share prices of the units.	Recommended as a condition of the rezoning – details to be determined
2.3.18 The Local Trust Committee may consider requiring development information for seniors housing rezoning applications through adoption of a development approval information bylaw.	The DAI bylaw has now been adopted and allows for requiring impact assessments
Seniors Housing Advocacy Policies:	
2.3.19 The Local Trust Committee will encourage agencies, organizations and ministries to support or undertake efforts that would allow seniors to remain in their own homes as long as possible.	n/a - although the proposed development may keep seniors in the community longer rather than leaving the island
Affordable Housing Policies	
2.3.20 Applications for rezoning to a higher density than permitted by current zoning may be considered within the Rural Residential or Rural land use designations, subject to the other policies in this plan, if the application would result in the provision of affordable housing and a housing agreement.	The proposed development is within the Rural zone and a housing agreement is recommended as a condition or rezoning
2.3.21 Any additional density greater than that permitted by current zoning shall be in the form of units reserved exclusively for occupancy as affordable housing.	Proposal would require at least one resident per unit to be senior or special needs and the non-profit model goal is the units are affordable, although they are not intended to be subsidised housing or base residency on affordability criteria
2.3.22 Applications for rezoning to a higher density to permit affordable housing may involve units in the form of clustered detached dwellings, duplexes or attached ground-oriented housing.	Proposal is 3 or 4 clusters of 6-8 attached units
2.3.23 Zoning should regulate the density, size and siting of units in order to maintain rural residential character.	To be determined

2.3.24	The form and character of any development may be controlled through designation as a development permit area or through the granting of a covenant.	• To be determined
2.3.25	Developments shall be encouraged to incorporate water conservation measures and energy efficient building design elements.	• To be determined
2.3.26	Applications for affordable housing shall include provision of a housing agreement ensuring that rental, lease, sale or share prices are fixed below average rates within the region.	• To be determined
2.3.27	Applications for affordable housing may also include provisions in the housing agreement limiting occupancy of the dwellings to rental, lease, co-housing or cooperative tenure.	• To be determined
2.3.28	Rezoning applications may be considered that would permit the creation an additional fee simple lot where one affordable dwelling is to be constructed by a non-profit organization on that lot.	• n/a subdivision not required
2.3.29	All applications for affordable housing shall site development on land with modified ecosystems and the development shall be in proximity and accessible to existing roads and services.	• Central location, undeveloped lot, mature forest ecosystem on western portion
2.3.30	The Local Trust Committee may consider requiring development information for affordable housing applications through adoption of a development approval information bylaw.	• See above

Land Use Bylaw

The property is split zoned rural (R) and agriculture (AG).

Adjacent properties are:

- North – a property split zoned Rural and Agriculture where the private airstrip is located.
- East – Agriculture zone.
- South – Commerical 1 where the Driftwood Commercial Centre is located, the Service Zone (SD) where the sewage disposal site for the Driftwood is located, and Commerical Two which is undeveloped. The latter two properties are designated as Community Service and Tourist Commercial in the OCP>
- West – National Park zone.

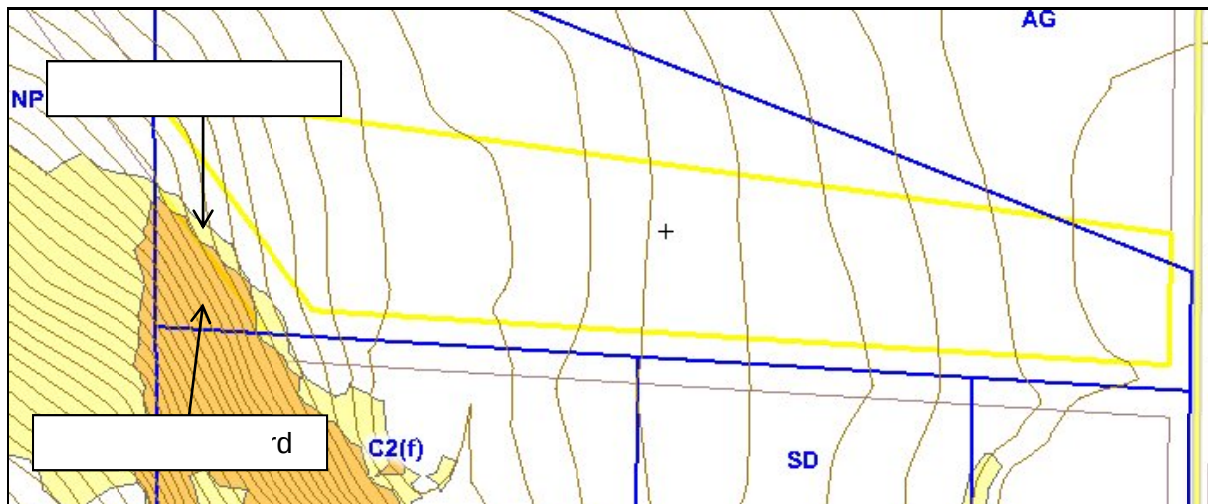
Islands Trust Fund:

There are no Islands Trust Fund properties or covenants in close proximity to the subject property and a referral is not required.

Sensitive Ecosystems and Hazard Areas:

There are no development permit areas applicable on the property. Sensitive ecosystem mapping shows the western portion of the property as having mature forest. Later phases of development or supporting services may encroach into this area.

Figure 5: Steep Slope Hazard Areas



The targeted residents would be seniors or people with special needs that would be less likely to continue to drive as a form of transportation; therefore the subject property was identified for

the development because of its proximity to the main commercial area. Increasing the permitted density on the property, having smaller residential units, and having shared walls in attached dwellings would contribute to a decline in greenhouse gas emissions relative to an equivalent number of single family dwellings.

Maintaining the existing tree cover as much as possible, and particularly on the upslope portion of the property would preserve the carbon sink, as well as the buffering capacity of the natural vegetation

Shoreline

The subject property is an in-land property approximately 400 metres from the shoreline; therefore impacts to the shoreline would be negligible. Water flow in the roadside ditching along Bedwell Harbour Road does drain into the sea at Bedwell Harbour; during and site preparation and construction phases adequate sediment control measures should be applied to prevent sedimentation of any surface water.

Other:

Level of Care:

The proposal is to provide alternative housing opportunities for seniors or special needs residents but not to provide a level of services that would require licensing under the *Community Care and Assisted Living Act* as either a licensed community care facility or assisted living residence. Prescribed services under the act that would trigger licensing by the Ministry of Health include:

- a) regular assistance with activities of daily living, including eating, mobility, dressing, grooming, bathing or personal hygiene;
- b) central storage of medication, distribution of medication, administering medication or monitoring the taking of medication;
- c) maintenance or management of the cash resources or other property of a resident or person in care;
- d) monitoring of food intake or of adherence to therapeutic diets;
- e) structured behaviour management and intervention;
- f) psychosocial rehabilitative therapy or intensive physical rehabilitative therapy.

The proposed development could be described as either fully independent or supported units. Supported units may coordinate some 'hospitality' services such as transportation, recreational activities or special events and have previously been referred to as congregate care. Individual residents could arrange for additional services independently as they require, such as meal preparation, house cleaning, or home care support services.

OCP and LUB:

The proposed rezoning could either be in the form of a site-specific Rural zone, or change the zoning of the property to the Community Service zone and redesignate the property as Community Service in the OCP. The supporting policies in the OCP do not require the property to be zoned and designated as Community Service, although staff would recommend this approach because it is more aligned with the long term vision of a non-profit society involvement and a facility operated as a community benefit. As currently proposed the application would not be consistent with the OCP policies, unless the proposal were revised to be seniors' (65 years or more) or affordable housing.

Agricultural Land Reserve:

A small triangular area in the north-east corner of the subject property is within the Agricultural Land Reserve (ALR). The applicant has contacted Agricultural Land Commission staff who

advised them if the plans are adjusted so the development does not fall within the ALR boundary then no application to the ALC is required. The current configuration would require a non-farm use or ALC exclusion application.

Needs Assessment:

In 2008 the North Pender Island Affordable Housing Task Force produced their final report. As part of that project they conducted a survey with 247 respondents or approximately 12% of the population. The full report is available on-line and will also be posted with the application information.

The report notes that there are limited ownership options and choices for seniors who want to continue to remain in the community and downsize from a single family home into a smaller accommodation. Rental housing is perceived as being too costly, not providing for long-term security, being difficult to find if you have a pet, and not being physically suitable for their needs. The survey conducted largely focused on affordability and basic housing needs (location, size).

A more detailed needs assessment focusing on data and input from seniors or special needs residents using existing or new data, should be provided to identify:

- the affordability measures to be applied,
- the level and types of support services needed (even those not proposed to be included with this development),
- the priority of support services needed,
- current demand for support services, such as home therapy and meals on wheels,
- date on the current housing supply (Plum Tree Court) such as the vacancy and turnover rate, and waiting list,
- preferred building or common features, such as exercise areas, pets permitted/restricted, workshops, arts and activity centres, internet services, kitchen and bathroom preferences, and
- other data as recommended by professionals or agencies working with seniors or housing issues.

Housing Agreement:

If the application proceeds, the LTC should consider generally the terms they want included in the housing agreement, a draft housing agreement would be prepared in advance of a public hearing, and the amending bylaw and housing agreement bylaw should not be adopted until the housing agreement is registered.

Typically the legal costs associated with drafting and registering a housing agreement would be recovered by way of a cost recovery agreement with the applicant. In this circumstance since the applicants are applying to have the application fee waived, the LTC could pass a resolution to fund these costs from the LTC budget – special projects.

A housing agreement cannot vary the use or density, would be registered on title and run with the land, and for it to be discharged or amended in the future a public hearing process would be required because it is related to rezoning of the land.

Section 905 of the Local Government Act allows for a local government to enter into a housing agreement and special needs housing respecting:

- a) the form of tenure of the housing units;
- b) the availability of the housing units to classes of persons identified in the agreement;

- c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons;
- d) rents and lease, sale or share prices that may be charged, and the rates at which these may be increased over time, as specified in the agreement or a formula specified in the agreement.

The form of tenure proposed for at least the first phase of the development is a life lease purchase. Canada Mortgage and Housing Corporation (CMHC) defines a life lease as “a legal agreement that permits purchasers to occupy a home for life (or until they are no longer capable of living there) in exchange for a lump sum payment and subsequent monthly payments to cover the on-going project management fees and maintenance and operating expenses (and in some cases rent, depending upon the size of the initial payment.)” Until a strata, ownership of the land remains with the sponsoring organization. Life leases are a hybrid form of ownership that lie somewhere on the continuum between owning and renting a property. For convenience some reports with more information on life leases will be posted online with information on the rezoning application.

Other Professional Reports:

If the LTC directs staff to proceed with the application, staff has identified the following information as being required from the applicant for the LTC’s consideration. The LTC should consider if any additional information is required for your consideration.

- A more detailed site plan showing access routes, general location and numbers of residential clusters, common facilities/buildings, and the size and number of parking spaces.
- A more detailed needs assessment focusing on data and input from seniors’ or special needs residents as outlined above.
- Proof of a potable water supply that meets or exceeds the Guidelines for Canadian Drinking Water Quality for the proposed use and density by a qualified Professional Engineer or Hydrogeologist.
- Proof of adequate septic disposal capacity to meet the Sewage Disposal Regulation under the *Health Act*.
- Confirmation from CRD Building Services and Pender Island Fire Protection they have no concerns with proposed access routes to and within the property.
- Confirmation from Ministry of Transportation regarding construction of any new road and access points within the dedicated roadway.
- Details regarding the proposed business plan, including: type of life leases proposed or any other options available to residents, estimated purchase price, mechanism to determine resale price, criteria for resident selection, and if any rental units (no purchase or lease expense) will be included in the preliminary or future phases of development.
- Applicants to provide results of any additional community input they obtain directly.
- Confirmation of establishment of a non-profit society including members who will be overseeing the development and/or the long term management of the development.
- Confirmation if the proposed development will include any water conservation measures above the required BC Building Code, such as on-site water storage or rain water collection.
- Confirmation if the proposed development will include any energy conservation measures above the required BC Building Code, such as solar panels or passive solar design.

COMMUNITY CONSULTATION:

Although the applicant has, and continues to, consult with the community, the LTC should determine if they want to hold a community information meeting separate from the public hearing.

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

- First Nations (required for all OCP amendments):
 - 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
- Parks Canada (adjacent park land)
- Ministry of Transportation and Infrastructure
- Agricultural Land Commission
- Vancouver Island Health Authority
- CRD, Building Inspection Services
- Pender Island Fire Rescue
- CRD, Electoral Area Director
- Mayne Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- Saturna Island Local Trust Committee
- South Pender Island Local Trust Committee
- Pender Islands Park and Recreation Commission

Furthermore the public hearing notice would be circulated to all property owners and tenants within 100 m of the subject property in advance of the public hearing.

STAFF COMMENTS:

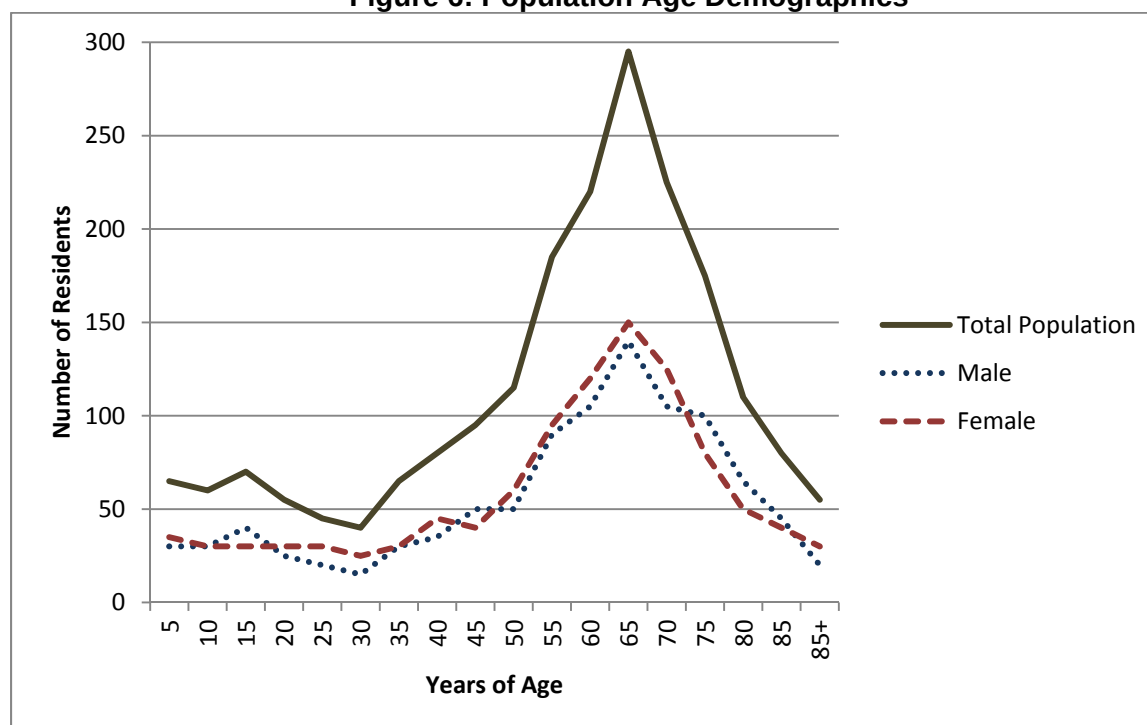
The Official Community Plan defines senior as a person age 65 and older; therefore the current proposal using 50 years as would not comply with the OCP policies. Furthermore, the age demographics of the island, as shown below, do not justify using such a young age for supporting the application on the basis of seniors' housing. Even when looking more broadly within the Islands Trust area, the southern islands have the highest median age, therefore even a larger portion of the population generally would be categorized as a senior if 50 years was used as the threshold. The concern would be that the housing development would not truly target seniors with potentially the highest need for alternative housing. Also allowing for children of any age would challenge referring to the development as 'seniors' housing' just in

order to meet the OCP policies. The proposal also does not comply with the affordable housing policies since potential residents would not be selected based on income or other affordability criteria; nor are the purchase or rental costs guaranteed to be fixed below average housing costs in the region through subsidy programs.

The LTC could alternatively consider the application as proposed. This would entail amending the OCP and zoning to allow for multi-family dwellings operated by a non-profit society, and allow for the society to establish criteria for selecting residents based on need. Rather than requiring a housing agreement, a covenant preventing any further stratification or subdivision of the property could be required to ensure it did not evolve to become market housing. The proposal would be considered on its own merits rather than requiring it to be revised to comply with the OCP policies. This option would also require an amendment to the OCP but based on the preliminary input obtained by the applicant this approach may be more aligned with the community's preference.

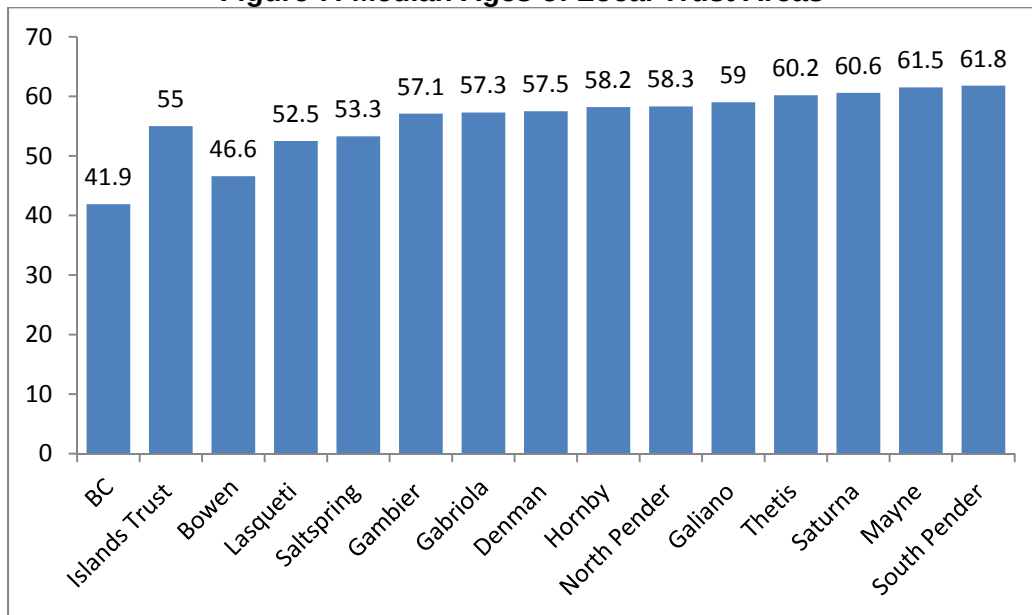
The current zoning for the island generally is quite restrictive in terms of the housing options that could be developed. The zoning permits detached single family dwellings only or accessory dwellings on commercial or industrial zoned properties. Secondary suites, duplexes, and multi-family units are not permitted anywhere on the island except at Plum Tree Court. It may be more appropriate for the LTC to allow for development of more housing options on this centrally located property to diversify the housing stock. Requiring it to be operated by a non-profit society that offers life leases as an option and with a mandate to serve those residents in the community with the most need could be considered.

Figure 6: Population Age Demographics¹



¹ Data Source: CRO0131546_DM.5 (2011): 2011 Census Profile of 12 Local Trust Areas, the Municipality of Bowen Island, the Islands Trust Area and BC, 2011 Census - 100% Data

Figure 7: Median Ages of Local Trust Areas²



OPTIONS:

The LTC should to direct staff on how to proceed, options include:

1. To proceed no further with the application
2. To direct the applicant to revise the proposal to align with the existing OCP policies for 65 years or older seniors' or affordable housing and direct staff to:
 - a. Draft a bylaw to amend the OCP land use map only to designate the subject property as Community Service,
 - b. Draft a bylaw to amend the LUB to zone the property as Community Service (or a site-specific Rural zone), and
 - c. Work with the applicant to draft a housing agreement.
3. To proceed with the application as proposed, (non-profit, multi-family housing) and direct staff to:
 - a. Draft a bylaw to amend the OCP policies to address non-profit housing and designate the subject property as Community Service on the land use map,
 - b. Draft a bylaw to amend the LUB to zone the property as non-profit Community Service housing (or site-specific Rural zone), and
 - c. Work with the applicant to draft a restrictive covenant to prevent stratification of the property and to include life leases as an option for residents.
4. To schedule a Community Information Meeting (CIM) with the objective of obtaining direct community input before proceeding further.

² Data Source: CRO0131546_DM.5 (2011): 2011 Census Profile of 12 Local Trust Areas, the Municipality of Bowen Island, the Islands Trust Area and BC, 2011 Census - 100% Data

RECOMMENDATIONS:

Staff recommends proceeding with option 3: to consider the application as proposed, as non-profit, multi-family housing without age restrictions or affordability criteria. This choice is partially based on the assumption that the community input received directly by the LTC will be substantially the same as input received by the applicants. However, as the LTC may appreciate there may be residents opposing, or with serious concerns, about the proposal who may have been uncomfortable to attend or speak out at the applicant's meetings. If the LTC was particularly concerned this may be the case then the option to hold a CIM before preparing draft bylaws may be preferred.

1. THAT the North Pender Island Local Trust Committee direct staff to advise the applicant for NP-RZ-2013.2 (Hamson) to:
 - Revise the site layout such that the residential development would not be located on the portion of the property subject to the Agricultural Land Reserve, and
 - To provide the information requested as identified in the Staff Report dated July 30, 2013.
2. THAT the North Pender Island Local Trust Committee direct staff to proceed with the application NP-RZ-2013.2 (Hamson) as non-profit, multi-family housing and draft bylaws to amend the Official Community Plan and Land Use Bylaw.
3. THAT the North Pender Island Local Trust Committee direct staff to prepare a draft restrictive covenant for NP-RZ-2013.2(Hamson) to prevent stratification of the proposed housing development and that life leases would be an option for potential residents.
4. THAT the North Pender Island Local Trust Committee allocates up to \$2,000 from its special projects budget for expenses to prepare legal documents for NP-RZ-2013.2 (Hamson).

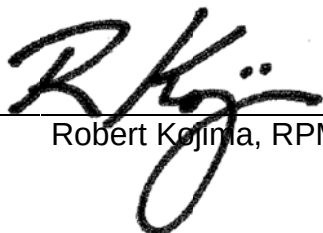
Prepared and Submitted by:



July 30, 2013

Date

Concurred in by:



Robert Kojima, RPM

July 31, 2013

Date



STAFF REPORT

August 16, 2013

File No.: NP-DVP-2013.2

To: North Pender Island Local Trust Committee
For the meeting of August 29, 2013

From: Kim Farris, Planner 1

CC: Robert Kojima, Regional Planning Manager
Andrea Pickard, Island Planner

Re: Development Variance Permit

Owner: Robert & Sharon Johnson
Applicant: Same
Location: Lot 17, Section 10, Pender Island, Cowichan District, Plan 22149
37141 Galleon Way

THE PROPOSAL:

This application seeks to vary Clause 8.1.5(1)(a) of the North Pender Island Land Use Bylaw No. 103, 1996 in order to legalize the siting of an existing single family dwelling unit. The proposed permit would reduce the front lot line setback from 7.6 metres (24.9 feet) to 7.0 metres (23.0 feet). There are no additions proposed with this variance as this permit would legalize the siting of an existing building that was built in 1980 by previous property owners.

The applicants were aware the building was non-conforming when they purchased the property in 1992 although were not told the specifics of the non-conforming status. Through a recent building permit application, the property owners were notified by the Capital Regional District (CRD) that the dwelling unit was located within the front lot line setback. The property owners have since applied for the Development Variance Permit asking to vary the front lot line setback to legalize the siting of the dwelling unit.

SITE CONTEXT:

The 0.1 ha subject property is located in Magic Lake Estates and is zoned Rural Residential (RR). Rural Residential zoned parcels surround the subject property and Buck Lake borders the west property lot line. The property slopes from Galleon Way down towards Buck Lake. There are three buildings on the subject property – a dwelling unit used seasonally by the property owners and two accessory buildings. One of the accessory buildings, a wood shed, is not located on the site survey (see Picture 4). Due to the slope topography, the driveway and wood shed are not visible from the road.

Figure 1 indicates the location of the subject property and Figure 2 and 3 show the locations of the existing dwelling unit.

Figure 1: Subject Property Map

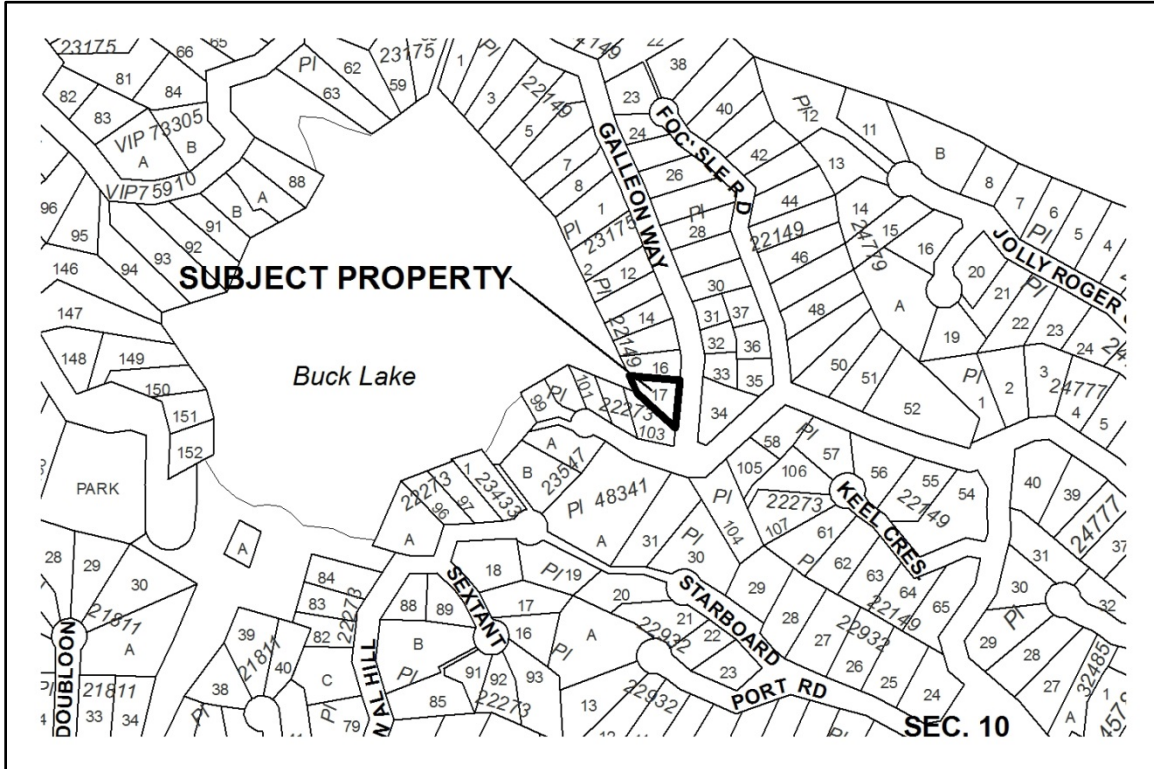
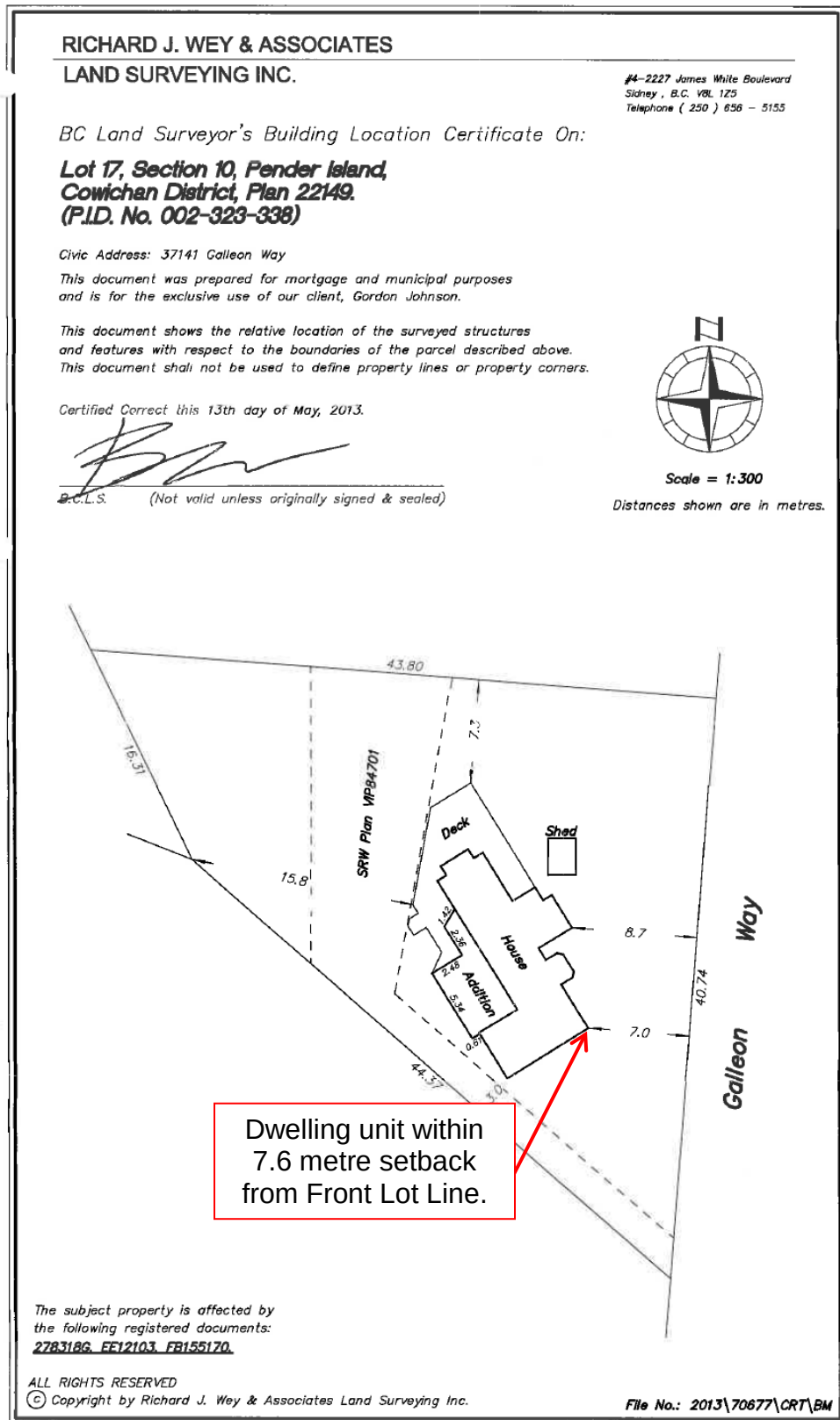


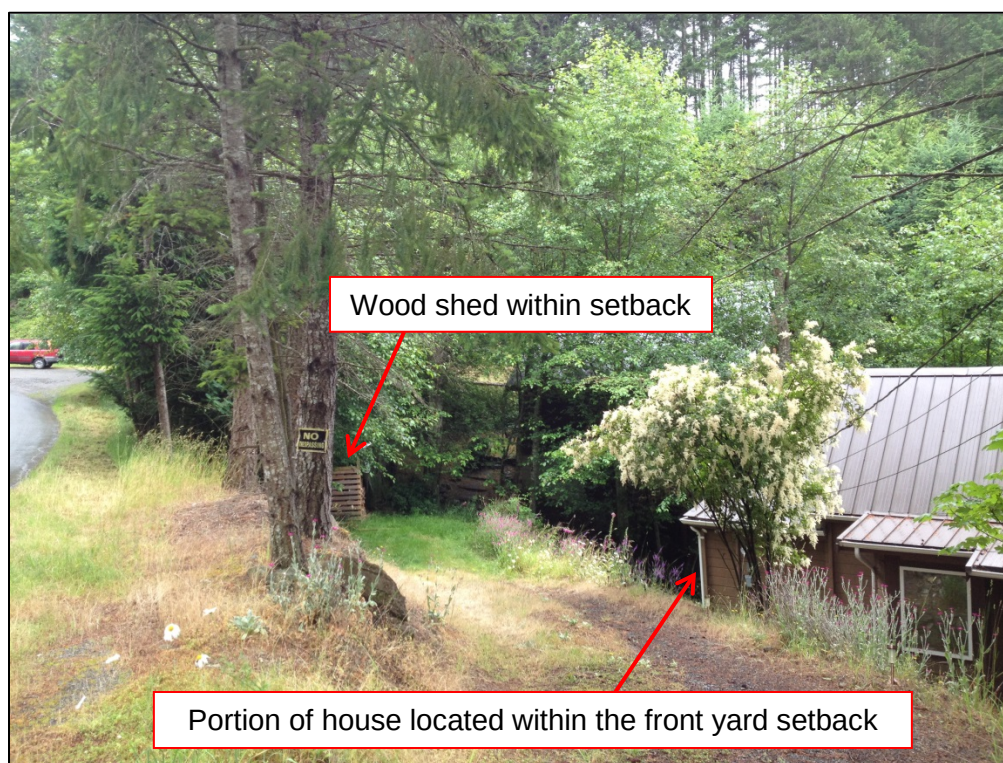
Figure 2: Orthophoto and 2 metre Contour Lines



Figure 3: Survey Site Plan



Picture 1: Looking south from Galleon Way



Picture 2: Looking north from driveway



Picture 3: Looking east towards driveway and Galleon Way



Picture 4: Wood shed within setback



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

There are no directive policies relevant to this application.

Official Community Plan:

The subject property is designated Rural Residential in the Official Community Plan (OCP); relevant policies include:

- 2.1.A – Maximum site coverage and setback and height limitations shall be regulated, and maximum floor area regulations may be established, to preserve rural character and to minimize resource and energy demands on the island.
- 2.1.1.1 – The principal use shall be residential. Accessory uses shall not detract from the rural character of the island.

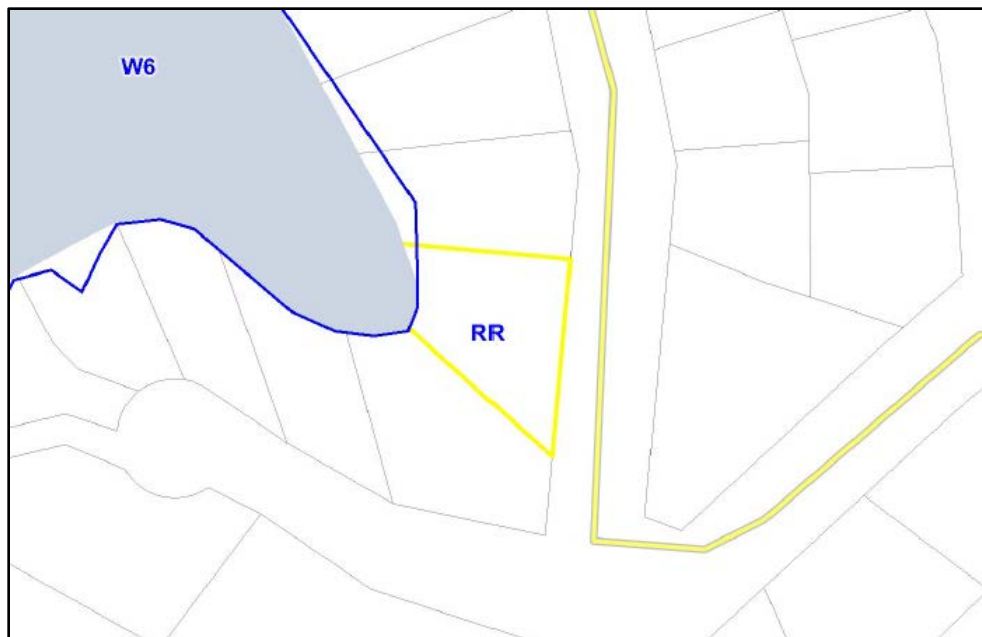
The property is located within the Riparian Area Regulations Development Permit Area (DPA). The dwelling unit was built prior to the DPA Guidelines were established therefore a development permit is not required.

Land Use Bylaw

The subject property is zoned Rural Residential (RR) in the North Pender Island Land Use Bylaw No. 103, 1996. The specific bylaws relevant to this application include:

- Clause 8.1.5(1)(a) – No building or structure may be located within 7.6 metres of any front or rear lot line.

Figure 4: Zoning Map



Islands Trust Fund:

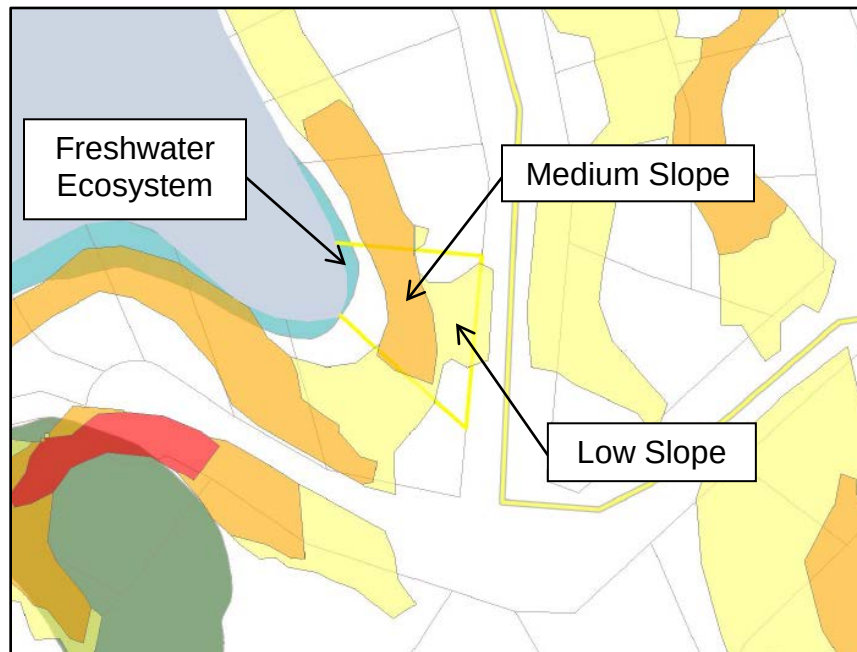
This application has no considerations for the Islands Trust Fund.

Sensitive Ecosystems and Hazard Areas:

The Islands Trust Sensitive Ecosystem Mapping (SEM) identifies a Freshwater sensitive ecosystem on the subject property bordering Buck Lake. The dwelling unit is not located within the Freshwater sensitive ecosystem therefore there are no associated impacts.

The steep slope hazard mapping shows low and medium hazards on the property where the existing dwelling unit is located (see Figure 5). There are no concerns associated with the slope and the existing dwelling unit.

Figure 5: Sensitive Ecosystem & Steep Slope Map



Archaeological Sites:

Based on information from the Provincial Remote Access to Archaeological Data (RAAD), there are no archaeological sites on or near the property. Notwithstanding the foregoing, and by copy of this report, the owners are advised that the unearthing of any archaeological resource should be reported to the Archaeology Branch.

Covenants:

There are no covenants registered on the property.

Bylaw Enforcement:

There are no bylaw enforcement files associated with this property.

Climate Change Mitigation and Adaptation:

This application has no direct bearing on climate change mitigation and adaptation.

RESULTS OF CIRCULATION:

Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m on August 28, 2013. At the writing of this report, no public submissions have been received. Any additional public submissions will be forwarded to the LTC and presented at the North Pend Island Local Trust Committee meeting on August 29, 2013.

ISSUES SUMMARY:

Applicant's stated rationale for the proposed variance. The applicants purchased the dwelling unit in 1992 and have since then made numerous additions to the home. In 2008 the property owners hired a contractor to work as an agent for their building permit. During the zoning review for the building permit, it was identified by the Islands Trust that a portion of the existing dwelling unit did not comply with the 7.6 metre front lot line setback. The correspondence from the Islands Trust concerning the existing non-conforming portion was directed to the agent. The property owners stated that this information was never forwarded to them by the contractor. Through the ongoing Building Permit process, the property owners were notified recently by the Capital Regional District that a variance was required to permit the siting of the existing dwelling unit. The property owners also stated that this was the first time they were notified of the variance requirement even though they had completed previous additions to the building.

The overall intent of the regulation being varied. The overall purpose of the setback regulations is to minimize impacts on adjacent property related to: building code requirements, aesthetic, and privacy concerns. Regulating setbacks also helps to provide a consistent pattern of development within a given zone.

Potential impacts of granting a variance. Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation, it is unlikely to generate expectations for other landowners. Each application is evaluated on its own merits.

STAFF COMMENTS:

This variance application is to legalize the siting of an existing dwelling that has been located on the property since 1980. The applicant has requested to vary Clause 8.1.5(1)(a) of the North Pender Island Land Use Bylaw to reduce the front lot line setback from 7.6 metres to 7.0 metres for the dwelling unit.

The dwelling unit was built by previous property owners and it is unknown as to why it was sited within the front lot line setback. The current property owners have made numerous additions to the home but have not extended the house closer to front lot line; therefore the additions did not increase the non-conformity of the home. The variance application was not derived from a bylaw enforcement complaint but rather communication between the CRD and the property owner.

Islands Trust staff mailed correspondence to the property owner's agent during the 2008 Building Permit. Although the proposed additions met the requirements of the LUB and OCP, it was determined that a portion of the original house did not meet the front lot line setbacks. Unfortunately this information was never forwarded from the agent to the property owners. After the applicants were notified of the requirement for a variance by the CRD earlier this year they immediately contact the Islands Trust to start the variance process.

The existing non-conforming portion of the building does not appear to negatively impact the adjacent property owners. The non-conformity has not increased since its original construction in 1980. As the property slopes down from Galleon Way towards Buck Lake, the non-conforming portion of the dwelling unit is only partially visible from the road. If the variance was denied, the removal of the non-conforming structure would bestow a considerable cost onto the current property owners and would also require approval of a Riparian Area Regulations Development Permit.

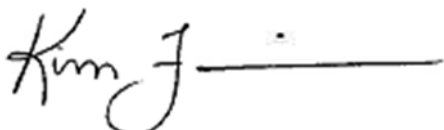
The property owners are aware that the existing wood shed is located within the front lot line setback and possibly within the interior side lot line setback. The wood shed was noted missing from the site survey after a site visit was completed by Island Trust staff. As the wood shed is a small accessory structure and is minor in nature, it was not asked to be resurveyed onto the site plan. It is the property owners' responsibility to either apply for a variance for the wood shed to legalize its siting or relocate or remove the accessory structure so it conforms to the Rural Residential zone setbacks.

Staff is of the opinion that the requested variance does not conflict with the intent of the North Pender Island LUB and OCP and that the encroaching dwelling unit in its existing location should be permitted.

RECOMMENDATIONS:

THAT Development Variance Permit NP-DVP-2013.2 (Johnson) BE APPROVED.

Prepared and Submitted by:



Kim Farris, Planner 1

August 16, 2013

Date

Concurred in by:



Regional Planning Manager

August 16, 2013

Date

PROPOSED



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT VARIANCE PERMIT

NP-DVP-2013.2

To: Robert Gordon Johnson and Sharon Doreen Johnson

1. This Development Variance Permit applies to the land described below

Lot 17, Section 10, Pender Island, Cowichan District, Plan 22149, PID: 002-323-338

2. North Pender Island Land Use Bylaw 103, 1996 is varied as follows:

- a) Clause 8.1.5(1)(a) is varied to reduce the front lot line setback from 7.6 metres to 7.0 metres for the siting of an one-storey single family dwelling.

All buildings and structures shall be consistent with Schedules 'A' which is attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "North Pender Island Land Use Bylaw No. 103, 1996" and to obtain other approvals necessary for completion of the proposed development, including approval of the Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER LOCAL TRUST COMMITTEE THIS ____ DAY OF ____, 201__.

Deputy Secretary, Islands Trust

Date of Issuance

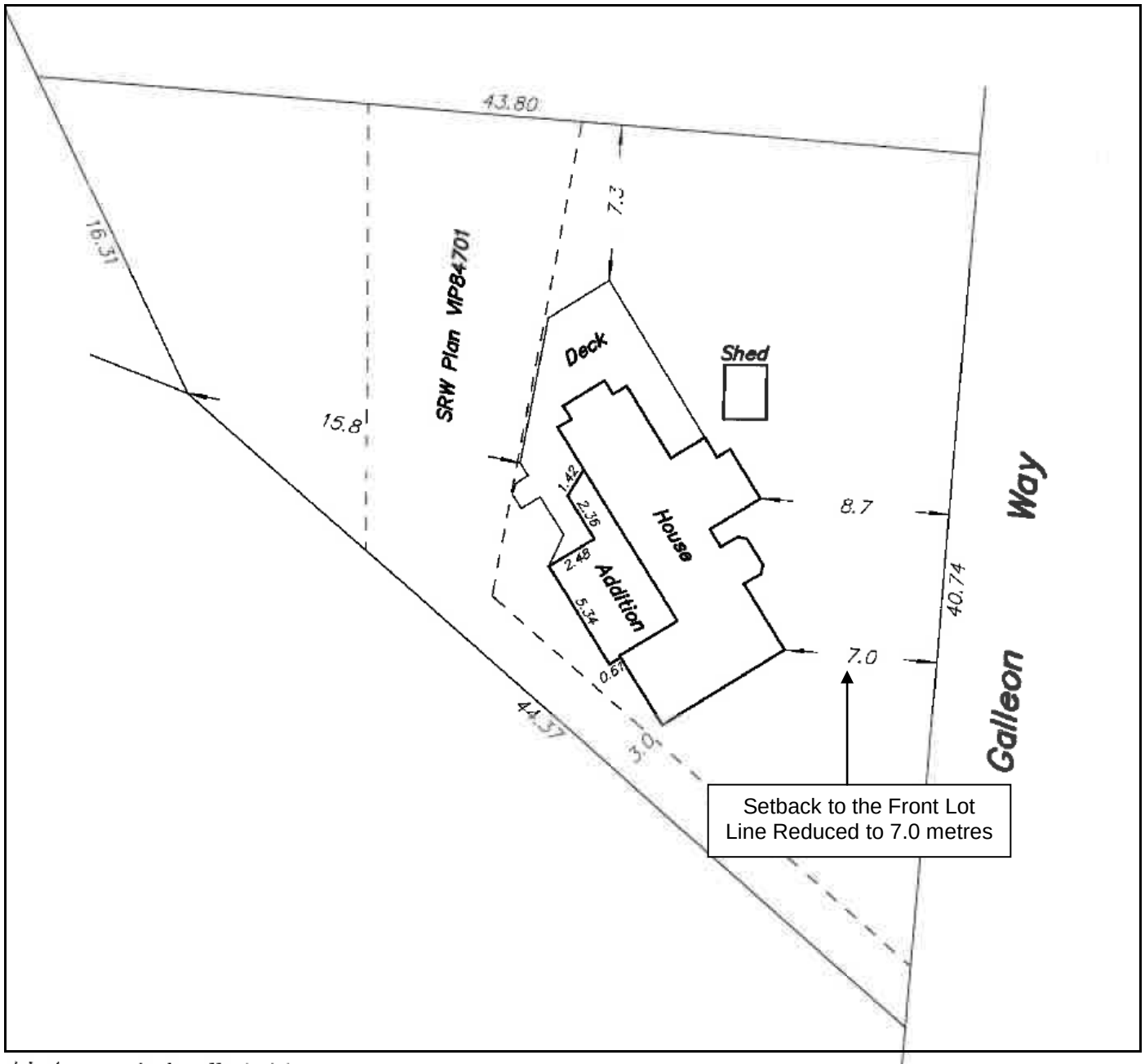
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____, 20__, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-DVP-2013.2

SCHEDULE 'A'

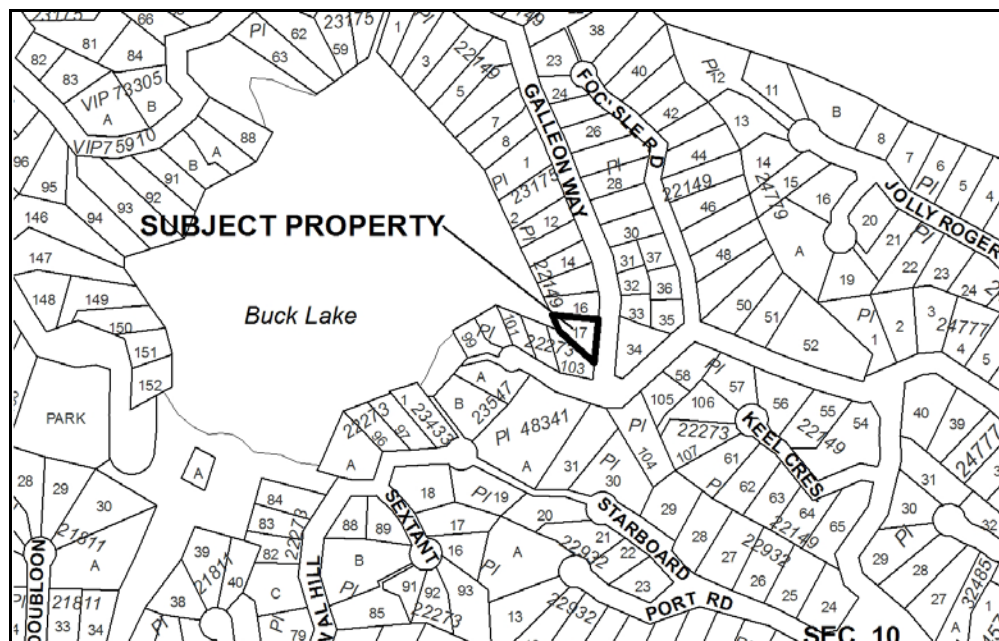


**NOTICE
NP-DVP-2013.2
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE**

NOTICE is hereby given that the North Pender Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 922 of the *Local Government Act*. The proposed permit would vary the North Pender Island Land Use Bylaw 103, 1996 by varying Clause 8.1.5(1)(a) to reduce the required setback to the front lot line from 7.6 metres to 7.0 metres for the purpose of legalizing the siting of an existing single family dwelling.

The property is located at 37141 Galleon Way and is legally described as Lot 17, Section 10, Pender Island, Cowichan District, Plan 22149.

The general location of the subject property is shown on the following sketch.



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing August 16, 2013 and continuing up to and including August 28, 2013.

For the convenience of the public only, and not to satisfy Section 922(5) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Pender Island, B.C., commencing August 16, 2013. Also, attached for your convenience is a copy of the proposed permit.

Enquiries or comments should be directed to Planner 1 Kim Farris at (250) 405-5194, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca before 4:30 pm, August 28, 2013.

The North Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at 9:45 a.m., **Thursday August 29, 2013** at the Pender Island Community Hall on North Pender Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.



STAFF REPORT

August 14, 2012

File No.: NP-DP-2013.1(Lund&Doyle)

To: North Pender Island Local Trust Committee
For the meeting of August 29, 2013

From: Andrea Pickard
Local Planning Services

CC: Robert Kojima, Regional Planning Manager

Re: Development Permit to construct within the sensitive woodland ecosystem DPA

Owner: Raymond Lund and Scott Doyle
Applicant: same
Location: 4817 Cannon Crescent
Lot 32, Section 8, Pender Island, Cowichan District, Plan 20817

THE PROPOSAL:

The purpose of this development permit application is for the construction of a new 37m² (400ft²), one-storey garage and to do improvements to the hard surfacing of the existing driveway and parking area. The property is significantly covered with a sensitive woodland ecosystem development permit area (DPA) and the property is currently developed with a single family dwelling and a driveway. Due to the topography a set of stairs is required to connect the driveway to the dwelling.

Currently a relatively narrow driveway descends from the road to a small parking area, from the parking area a step of stairs leads further downslope to the house site. There are a number of rocky mounds on the property consisting of conglomerated rock. The parking area abuts one smaller and one quite large rocky mound. The proposed garage siting is currently where the smaller mound is located, which is directly adjacent to the existing parking area.

A draft permit is attached for your consideration.

SITE CONTEXT:

The subject property is a 0.22 ha (0.54 ac) waterfront property south of Magic Lake and overlooking Swanson Channel. It is similar in size and shape to the surrounding properties. Based on GIS data the subject property rises steadily from sea level to 50 metres elevation at Cannon Crescent in a south-north direction.

The DPA applicable to this property is contiguous through 12 adjacent properties, is over 500 m in length and is contiguous with a number of cliff and herbaceous DPAs that are reflective of the steep, rocky southern exposure in the area. Further southward a similar mixture of woodland,

Figure 2: Building Elevation

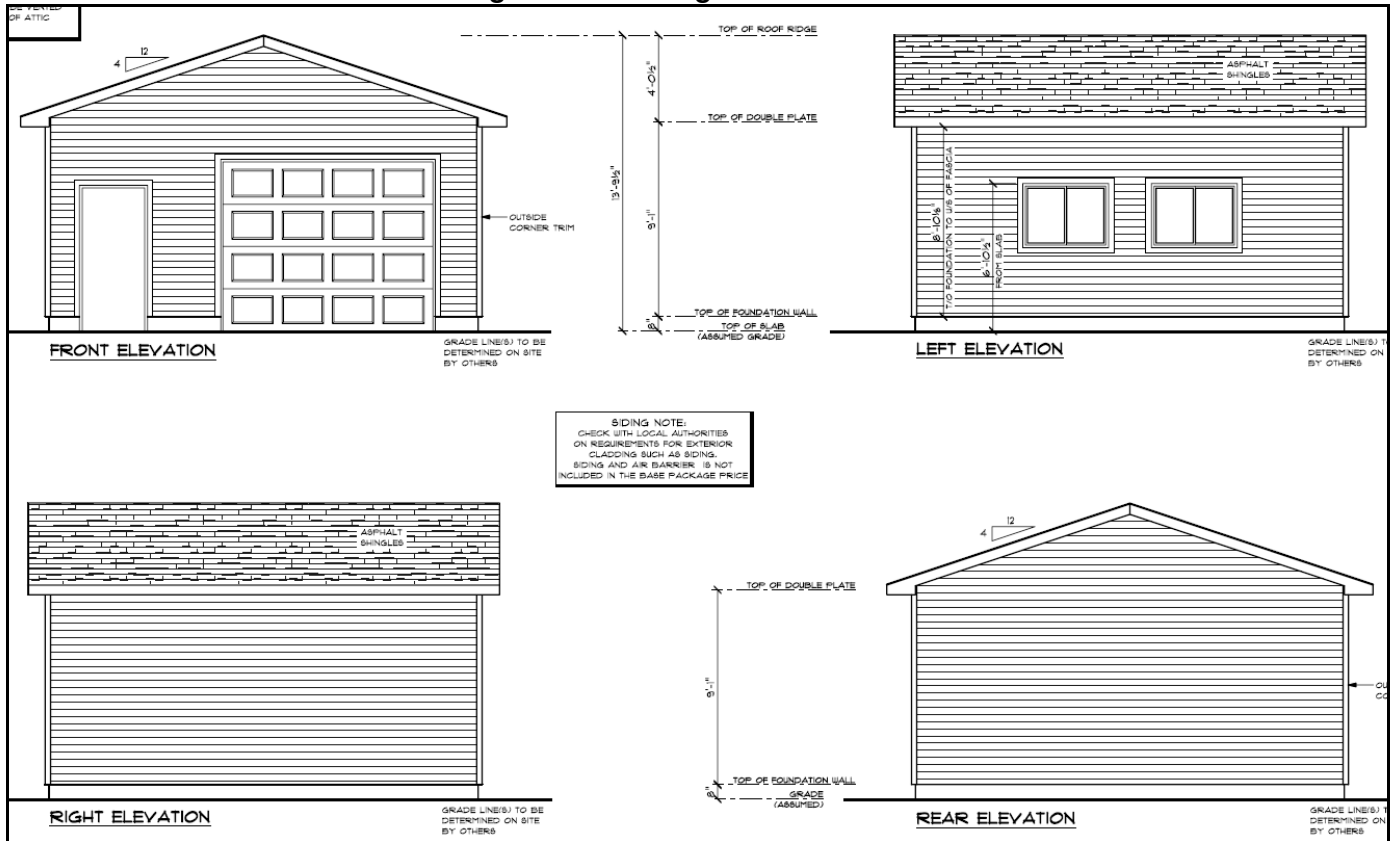


Figure 3: Subject Property Map

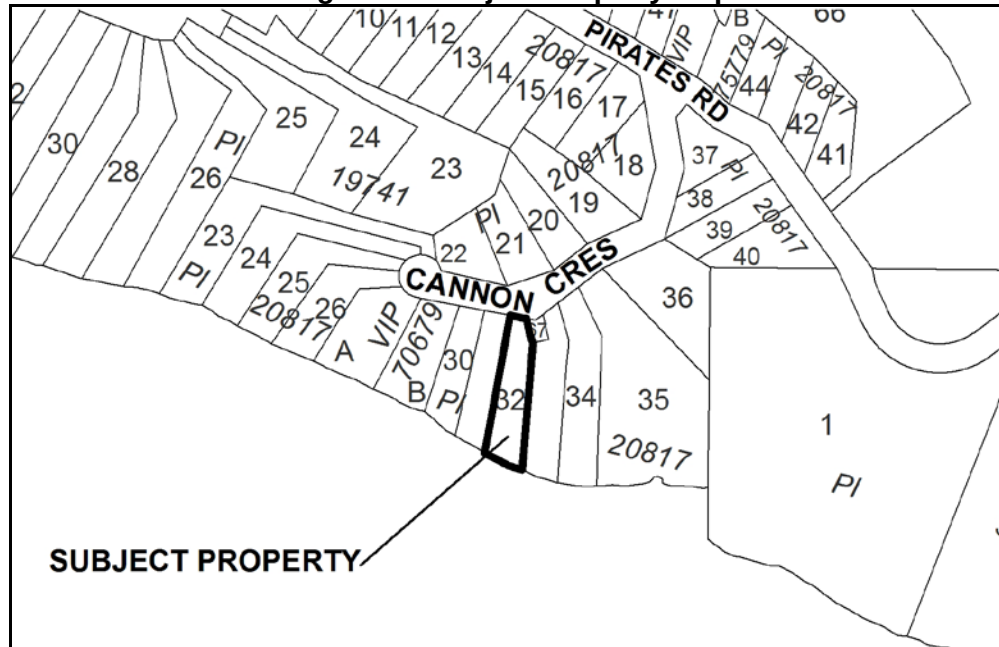


Figure 4: Subject Property with Orthophoto



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

Applicable directive policies in the Islands Trust Policy Statement include:

3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

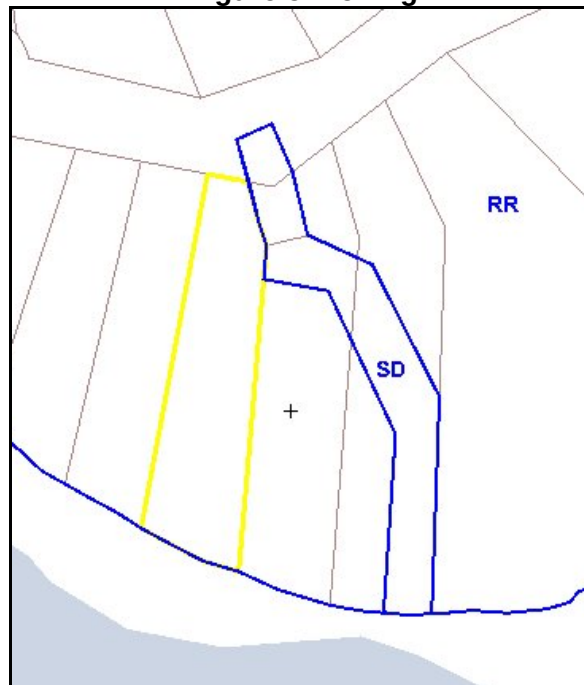
3.2.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development and land-use.

Official Community Plan: The subject property is designated Rural Residential (RR) in the OCP. The adjacent land zoned Service Zone is designated as Community Service in the OCP. The DPA guidelines checklist is attached for your information.

Land Use Bylaw:

The subject property is split zoned Rural Residential (RR) in the Land Use Bylaw (LUB). Neighbouring properties are also zoned RR except for a portion of the lands immediately to the east which are zoned Service Zone (SD) for the purpose of the Magic Lake Water and Sewer System outfall.

Figure 5: Zoning



Sensitive Ecosystems and Hazard Areas:

The subject properties contain development permit areas (DPA) for a sensitive woodland ecosystem.

The steep slope mapping identifies areas of low and moderate hazard. A portion of the existing dwelling is within a moderate steep slope hazard area. The proposed garage appears to be largely in a low hazard area, but may also extend into a moderate and no hazard area.

Figure 6: Sensitive Ecosystem Development Permit Areas



Figure 7: Two metre Contour Intervals and Steep Slope Hazard Areas



Archaeological Sites: There are no registered archaeological sites on the property or in the vicinity in the provincial database.

Covenants: There is a registered right-of-way on title, which is in favour of the Capital Regional District. The right-of-way affects the northern portion of the property only and the proposed development does not conflict with the terms and conditions.

Trust Fund Board: There are no conservation covenants on this or adjacent properties.

Climate Change Adaptation and Mitigation: The property is currently developed and the proposed development would not be impacted by climate change.

Shoreline Type: The adjacent shoreline is classified as low roc/boulder, which is a hard shore type that should be less prone to erosion. There are no anticipated impacts to the shoreline associated with this application.

Other:

Biologist's Report: A biologist's report was submitted with the application which concluded "Given the safety and access issues with the current driveway configuration the proposed development is reasonable. The limited scale of the design is sensitive to both the Woodland and Cliff/woodland ecosystems and will have limited impact on the integrity of these protected areas." The report also noted that:

- The redistribution of the conglomerate rock mounds may have some impact to the hydrology of the surrounding area,
- The habitat value for both woodland and cliff ecosystems on the property are low because the of the existing developments in the neighbourhood and on the property,
- The herbaceous layer was dominated by a variety of grasses with no flowering species associated with the woodland ecosystem evident at the time, and
- The driveway improvements will have minimal impacts to the integrity of habitats in the adjacent area.

The full report is attached.

Guidelines Checklist: The DP guidelines checklist is attached for your reference.

STAFF COMMENTS:

Due to the extent of the development permit area (DPA) coverage on the property and the topographical constraints there are no practical locations to construct a garage outside of the DPA. Although introduced species exist on the property, outside of the driveway access and house site land alterations appear to have been minimized during the past development of the property. The proposed garage is relatively small scale and except for the dwelling there are no other buildings on the site.

A number of the recommendations in the biologist's report relate to how the property owners could continue to minimize impacts through the day-to-day activity on the site and where suitable, the recommended mitigation strategies have been captured as a condition in the proposed permit.

Given the limited options, minimal area to be disturbed, and the information provided in the biologist's report, staff recommends issuance of a development permit for the proposed development.

RECOMMENDATIONS:

1. THAT North Pender Island Development Permit NP-DP-2013.1 (Lund & Doyle) BE APPROVED.

Prepared and Submitted by:



Andrea Pickard

August 14, 2013

Date

concurring in by:



Regional Planning Manager

August 14, 2013

Date

PROPOSED



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT NP-DP-2013.1

To: Raymond Lund and Scott Doyle

1. This Development Permit Amendment applies to the lands described below:

Lot 32, Section 8, Pender Island, Cowichan District, Plan 20817
PID: 003-600-360

2. This Development Permit authorizes the construction of an accessory building (garage) and improvements to the driveway access and parking area within a sensitive woodland ecosystem development permit area, subject to the following conditions:
 - (a) Development shall be substantially consistent with Schedule 'A', attached to and forming part of this permit.
 - (b) For certainty, the permit authorizes the removal of one Arbutus tree, and some smaller Douglas-fir trees (<10 years old) including the root systems from the area to be developed.
 - (c) For those trees that must be removed, the trunks and large limbs from removed trees to be left within the development permit area as large woody debris (branches and small limbs with a diameter less than 20 cm may be removed to reduce fire fuel loads).
 - (d) Design of storm water discharge from the garage and access within the development permit area shall ensure diffused discharge in a semi-natural manner to avoid impacting thin soils and sensitive plant communities.
 - (e) No irrigation systems shall be placed within the development permit area.
 - (f) Once construction is completed, the disturbed land within the development permit area shall be maintained free of invasive species, particularly Scotch Broom (*Cytisus scoparius*) and Oxeye Daisy (*Leucanthemum vulgare*), and be restored with native species representative of the woodland ecosystem.
 - (g) Any soils or rocks removed for site clearing shall be used to fill the man-made pond inside the development permit area, or deposited outside of the development permit area.

PROPOSED

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of North Pender Island Land Use Bylaw No. 103, 1996 and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS ____ day of ____, 20__

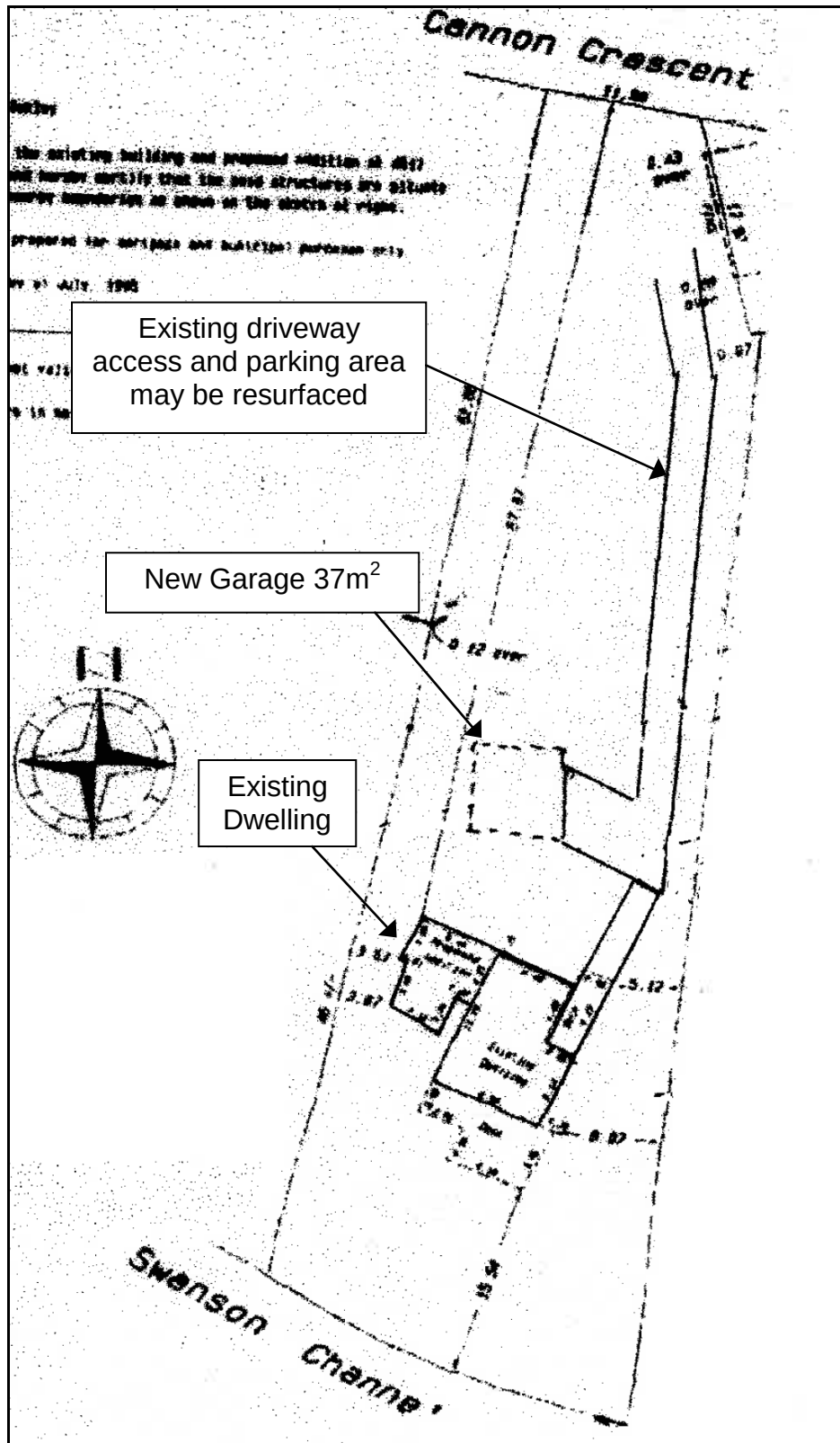
Deputy Secretary, Islands Trust

Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 20__ THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT NP-DP-2013.1 Schedule "A"



DPA Checklist: NP-DP-2013.1 (Lund & Doyle)
Construction of new garage and resurfacing of existing access

Guidelines	Comments
<i>Overall DPA Guidelines</i>	
1. Where lots are not subject to further subdivision, applicable guidelines should be considered to the extent reasonable within the constraints of the site and the lot.	No subdivision potential. Lot has significant DPA coverage with woodland ecosystem.
2. Avoid locating development in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.	No practical alternative sites on property.
3. The area cleared and disturbed for development should be minimized.	Access and driveway are pre-existing, garage is relatively small footprint and a slab floor will require minimal excavation.
4. Fewer, but larger, undisturbed areas should be retained, rather than small or isolated undisturbed areas.	Property is relatively small with existing developments being reasonably located. Rocky
5. Buildings and associated infrastructure should be sited with sufficient undisturbed space around significant mature or established trees to protect root systems.	No specific significant mature trees noted near area to be developed.
6. Undeveloped buffer areas should be retained around sensitive ecosystems, features or habitat where feasible. Buffer areas should be of sufficient width to limit access by invasive plants.	n/a
7. Natural features should be retained through incorporation into the design of the development. In particular, unique or special natural features such as native grasses, rare plants, unique land forms, rock outcroppings, mature trees, spits and dunes should be protected.	Development is largely guided by topographical constraints. Numerous rocky conglomerate mounds located throughout the property. One mound will be removed to accommodate garage.
8. Connections and corridors should be maintained to provide continuity between sensitive ecosystems and important habitat.	Steep cliff area adjacent to shoreline will remain unaffected. Steepness has resulted in limited development closer to the shoreline in the neighbourhood generally.
9. Use of drought resistant and native plants in landscaping should be encouraged. The planting or introduction of non-native plants should be avoided.	Condition included in the proposed permit: disturbed areas to be maintained invasive-free and be restored as woodland ecosystem.

Guidelines		Comments
10.	Soil removal and deposit within or adjacent to a sensitive ecosystems or habitat should be avoided.	Condition included in the proposed permit: any soils or rocks removed for site clearing shall be used to fill the man-made pond, or deposited outside of the DPA.
11.	Alteration of natural drainage systems in ways that increase or decrease the amount of water available to a sensitive ecosystem should be avoided.	Condition included in the proposed permit: garage and access resurfacing shall ensure diffused discharge of storm water.
12.	Septic fields should be located in such a manner that the possibility of pollution of sensitive ecosystems or habitat is avoided.	n/a – within the Magic Lakes service area.
13.	Driveways and other accesses should be limited to the number required for safe access, with shared driveway access where feasible. Driveway lengths and widths should be limited to the minimum necessary. The use of impervious surfaces should be discouraged.	Single access is pre-existing and is largely paved. Given the narrow and steep access hard surfacing is appropriate for safety purposes.
14.	Shoreline structural modifications should be limited in number and extent and should be necessary to support or protect a permitted or existing use or structure.	n/a
15.	Preference should be given to shoreline structures that have a lesser impact or enhance ecological functions, including vegetation enhancement, drainage control, beach enhancement, anchor trees, gravel placement. Harder construction measures should be avoided where possible.	n/a
16.	Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land, except for agriculture. Vegetation which helps stabilise banks, reduce erosion and provides habitat should be retained or enhanced.	n/a
17.	The permit conditions may include:	None recommended
	a) the construction of permanent or temporary fencing around sensitive features;	
	b) fencing, flagging and posting of notices during construction;	
	c) limits on blasting in sensitive areas;	
	d) limits on construction timing;	
	e) provision of works to maintain or restore the quantity or quality of water reaching environmentally sensitive areas or habitat;	

Guidelines		Comments
f)	restoration or enhancement of disturbed sensitive ecosystems and habitat	
18.	The LTC may consider variances to siting or size regulations where the variance could result in enhanced protection of an environmentally sensitive area.	None required or recommended.
<i>Woodland Ecosystem Guidelines</i>		
1.	Large mature and old trees, trees containing cavities, the root systems of trees, rare plant species, native grasses and associated understorey vegetation should be protected.	Trees to be removed are young Douglas-firs and one Arbutus that shows signs of disease. Authorization for removal in the proposed permit.
2.	Unnecessary removal of dead or declining trees, downed logs, snags and leaf litter should be avoided.	Minimal trees to be removed with large woody debris to be kept on site as a condition in the proposed permit.
3.	Consideration should be given to requiring fencing as a condition of a permit in order to manage access.	None recommended
4.	Where feasible, cut dangerous trees to a level where they are safe rather than removing entirely.	None recommended.
5.	Denning and nesting sites or rare, threatened or endangered species should be protected.	None noted
6.	Stairs, walkways and other access within a sensitive ecosystem adjacent to the shoreline should be limited to that required for safe access, with shared access where feasible. Stairs should incorporate landings, follow existing contours of the site, utilize small concrete pilings and have gaps between boards.	n/a



Sensitive Ecosystem Report - 4817 Cannon Crescent North Pender Island

Prepared by Michelle Masselink, Masselink Environmental Design

June 5, 2013

Project Overview

The new owners of 4817 Cannon Crescent are proposing to build a small garage and a paved turn-around area at the end of the existing driveway for vehicles on their property. Sensitive Ecosystem mapping indicates that a large portion of the property is designated as Woodland or Woodland/Cliff ecosystem.

The purpose of this report is to assess the potential effects of the proposed development on the sensitive ecosystems that exist on the property and to recommend alternative actions or strategies that will minimize damage. In the preparation of this report I have reviewed the proposed plans, and met with the property owners and viewed the property and proposed development area (May 22, 2013).



The aerial photograph on the right indicates the property boundary (in yellow) and the extent of the Woodland + Cliff ecosystem complex. The image on the left indicates the location of the Woodland ecosystem (in solid green) and the location of the Woodland + Cliff ecosystem complex (green and red stripes).

Site Analysis

The property is long, very narrow and situated on a steep south-facing slope. The existing house and driveway are located appropriately given the topography. There are stairs connecting the driveway to the house. There is also a path and another set of stairs leading to a viewing deck on the cliff.

The driveway enters the property at the top northwest corner and follows the east boundary down slope ending abruptly at the middle of the property at a slope break above the existing house. The driveway is long, narrow and steep consisting of gravel as it enters the property and asphalt as it turns and runs down slope to the house. The existing terminus offers a very tight turn around area for one small vehicle. Anyone arriving at the house with another vehicle is forced to backup the driveway in order to leave, as there is not enough room to turn around with two or more vehicles present. Given the steepness of the driveway, this is not easily done. The narrowness and steepness of the driveway also presents a serious challenge to emergency responders trying to access the home.

Woodland + Cliff ecosystem

Approximately three quarters of the property is covered in woodland or woodland/cliff ecosystems as indicated on the 2004 North Pender Island Sensitive Ecosystem map.

Woodland ecosystems are dry, open forests characterized by a mix of deciduous and coniferous tree species. Arbutus (*Arbutus menziesii*), Douglas-fir (*Pseudotsuga menziesii*) and Garry oak (*Quercus garryana*) dominated woodlands are among the most sensitive and biologically diverse woodland ecosystems in the Trust Area. Garry Oak was not observed on the property and most of the Arbutus trees in this area have dead limbs indicative of canker or fungal infection. The herbaceous layer was dominated by a variety of grasses. Flowering species usually associated with woodland ecosystems were not evident at the time of the site visit. Scotch Broom (*Cytisus scoparius*) has been successfully managed on this property but Oxeye Daisy (*Leucanthemum vulgare*) is present along the driveway.

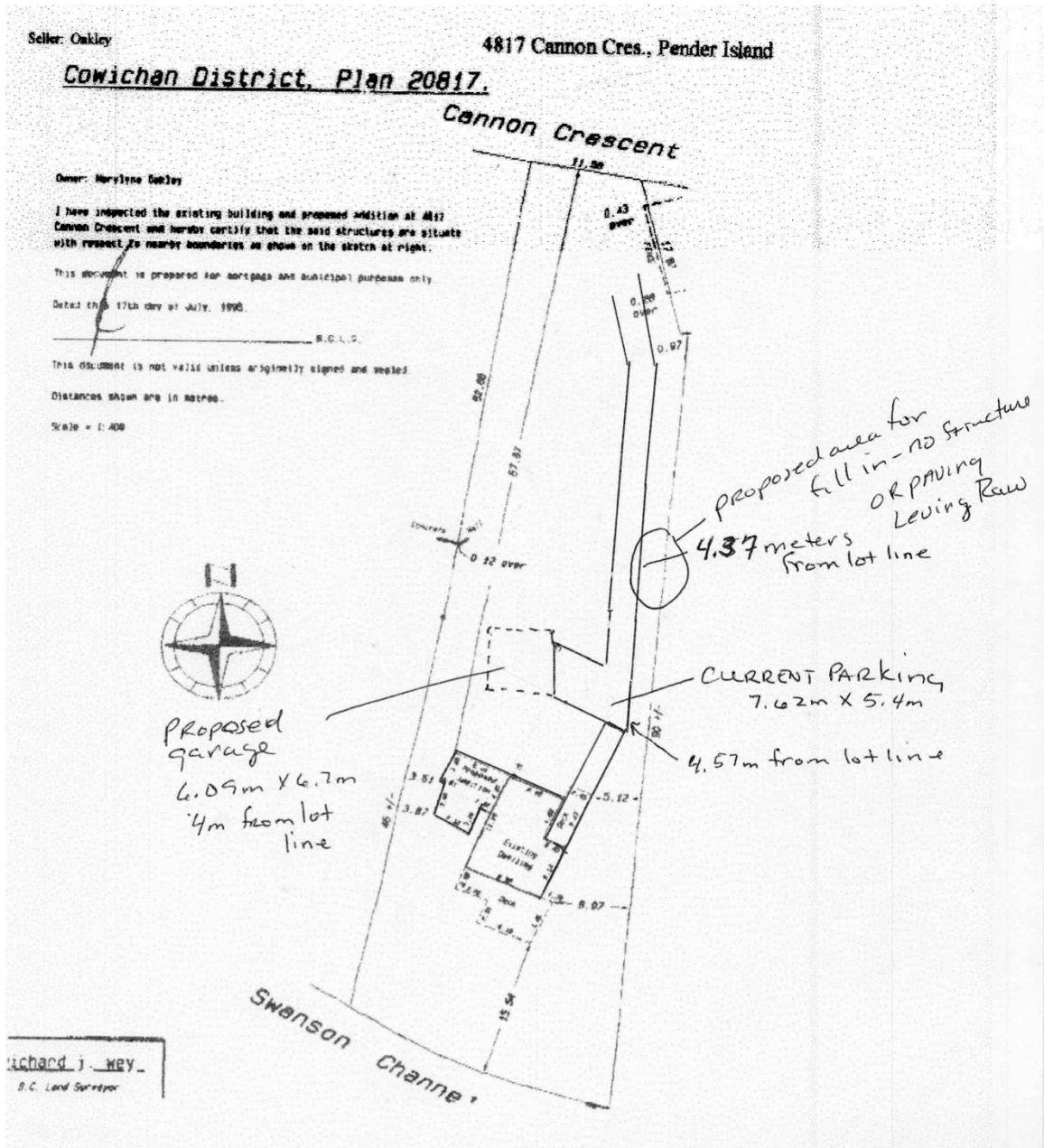
Cliff ecosystems are often found in combination with woodland or herbaceous ecosystems on North Pender Island. They are generally found on the island's steep, vertical or overhanging rock faces where vegetation is restricted to cracks and crevices. They can provide important sheltering and nesting sites for birds, bats, snakes and lizards. On this property exposed conglomerate rock or cliff areas were interspersed throughout the wooded areas. The only plant species of note was broad-leaved stone crop (*Sedum spathulifolium*). The cliff area at the southern edge of the property, above the high tide line, was not surveyed.



Photograph taken on May 22, 2013 looking approximately to the south down the driveway, which shows the nature of the Woodland ecosystem.



Photograph taken by the owners on June 5, 2013 looking northward up driveway. The orange line strung to the right of the driveway indicates the eastern property line. Note the rock outcropping in the upper left-hand corner of the photograph, which is part of the Woodland + Cliff ecosystem complex.



Proposed Development

The proposed plan sites the garage up slope of the house, directly to the northwest of the terminus of the existing driveway. The footprint for the garage is small by most standards, measuring 40.8m^2 (440 sq. ft.). It has been designed to fit the existing topography and minimize excavation. The plan also includes enlarging the lower portion of the driveway so as to create a small turnaround area. Removal of rock is required for both the garage and turnaround. It will be placed in a depression (man-made pond) immediately adjacent to the turnaround area. The driveway is to be repaved at the conclusion of the work to ensure adequate traction for vehicles during the winter months.



Photograph taken May 22, of the location of the proposed garage. Siting of the garage in this location requires the removal of the large conglomerate mound (centre) as well as the arbutus tree in the foreground and a few young Douglas fir trees behind it.



Photograph taken June 5, 2013 looking down driveway, orange tape indicates the property boundary. Depression in centre of photograph is the proposed location of the fill from the widening of the driveway turnaround.

Assessment

The Cliff/woodland ecosystem is largely untouched by the proposed development. Impacts of the proposed project on the Woodland ecosystem will include the loss of a small portion of area, the removal of an Arbutus tree (already diseased) and the removal of a few Douglas-fir trees (< than 10 years of age). The topography will be altered slightly by the redistribution of conglomerate rock humps in the proposed garage and turnaround areas. This in turn may lead to some impact to the hydrology/drainage of the surrounding area.

Overall, the habitat value of both the Woodland and Cliff/woodland ecosystem of this property are low because they have already been compromised by previous development in the neighbourhood and on the property (the house and driveway). There is a distinct lack of native vegetation, particularly in the herbaceous layer. The amendments to the driveway will have minimal impact to the integrity of habitats in the areas adjacent to the development. I propose the following mitigation strategies to help protect and improve the property's habitat value and ecosystem integrity.

Recommended Mitigation Strategies

- Care not to introduce invasive species through the bringing in and application of additional fill, gravel, topsoil, etc.
- Care to install measures that gently distribute any captured rainwater draining off of the driveway and garage in a manner that doesn't negatively impact the thin soils and plant communities of these sensitive ecosystems.
- Careful use of automotive or ice-removal agents or materials (oils, cleaners, salt, etc.) that could impact or compromise the health of the adjacent sensitive ecosystems.
- Re-establish native tree and plant species such as Gary Oak, Arbutus, camas. This may be accomplished through the planting of seedlings or by setting up deer-exclosure plots that allow native flora to re-establish naturally. I would suggest an exclosure plot in each ecosystem type (Woodland and Cliff/woodland).
- Continuation of the owner's program of invasive species removal, including the removal of Oxeye Daisy.
- Continue to limit access to rocky knolls and cliff areas so as not to disturb fragile mosses and plants.
- Where safe to do so, leave decaying or dying trees in place as they provide valuable habitat for cavity nesters.

Conclusion

Given the safety and access issues with the current driveway configuration the proposed development is reasonable. The limited scale of the design is sensitive to both the Woodland and Cliff/woodland ecosystems and will have limited impact on the integrity of these protected areas.



Memorandum

200 1627 Fort Street, BC V8R 1H8

Telephone 250. **405.5186** FAX: 250. 405.5151

Toll Free via Enquiry BC in Vancouver 604-660-2421.

Elsewhere in BC **1.800.663.7867**

itfmail@islandstrust.bc.ca

www.islandstrustfund.bc.ca

Date: June 27, 2013

To: North Pender and South Pender Local Trust Committees

From: Islands Trust Fund
Kate Emmings, Ecosystem Protection Specialist

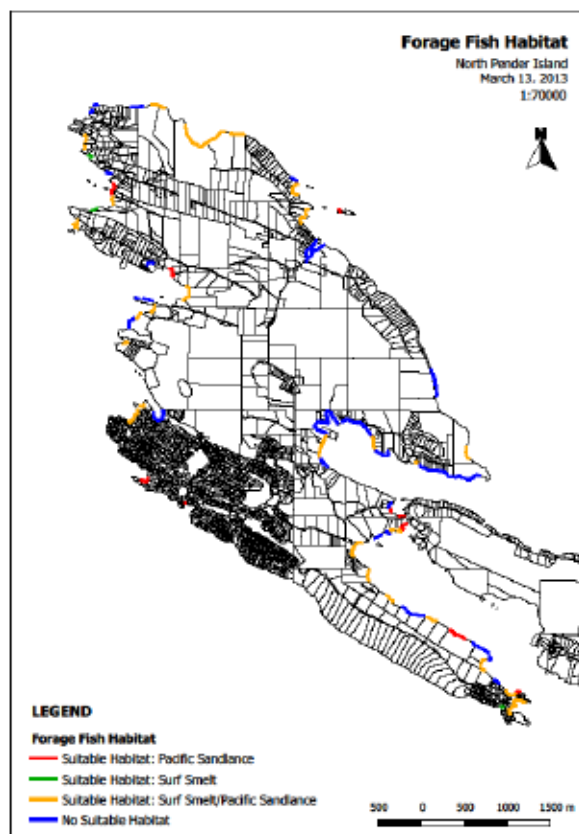
Re: Forage Fish Mapping Pilot Project, North and South Pender

Message:

The Trust Fund Board and the Islands Trust have completed Forage Fish Mapping for North and South Pender. The mapping identifies suitable spawning habitat for Surf Smelt and Sandlance. Interestingly, most of the habitat found in the Penders is mixed (i.e. it is suitable for both species). See excerpts below for a quick summary of the breakdown of habitat.

More information on Forage Fish, their importance in the marine food web and the distribution of potential spawning habitat on North and South Pender, is available in the attached report. Information on the Forage Fish Mapping Project can also be found at the Islands Trust Fund website at <http://www.islandstrustfund.bc.ca/initiatives/ecosystem-mapping.aspx>.

North Pender Potential Spawning Habitat



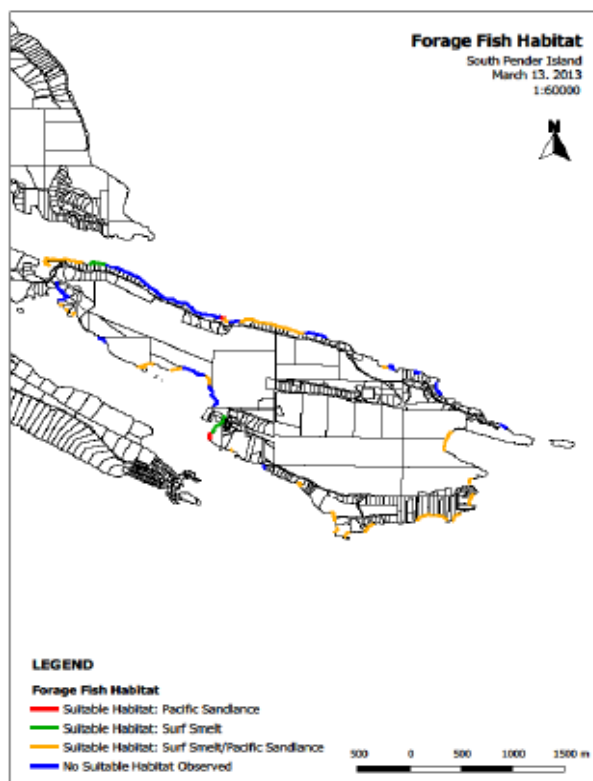
The total length of potential spawning habitat is 4,469 meters and classified as 500 m specific to Pacific sand lance (11 %), 62 m specific to surf smelt (1.4%), and 3907 meters as mixed surf smelt/Pacific sand lance spawning habitat (87.6%) (Table 1).

Table 1: Classification of N Pender Potential Forage Fish Beach Types

	PSL	SS	SS/PSL	Total
Length (m)	500	62	3907	4469
Length	11%	1.40%	87.60%	100%
Percentage				

PSL – Pacific sand lance
SS – Surf smelt

South Pender Potential Spawning Habitat



The total length of potential spawning habitat is 3,098.3 meters and classified as 73 m specific to Pacific sand lance (2.4%), 461.3 m specific to surf smelt (15%), and 2,564 meters as mixed surf smelt/Pacific sand lance spawning habitat (83%) (Table 2).

Table 2: Classification of S Pender Potential Forage Fish Beach Types

	PSL	SS	SS/PSL	Total
Length (m)	73	461.3	2564	3,098.30
Length	2.40%	15%	83%	100%
Percentage				

PSL – Pacific sand lance
SS – Surf smelt

North and South Pender Islands Beach Spawning Forage Fish Habitat Assessments



Photo: RC de Graaf

Prepared for the Islands Trust Fund

Prepared by:
Ramona C. de Graaf, BSc., MSc.
Marine Biologist
Forage Fish Specialist

Emerald Sea Biological

April 8, 2013

Beach Spawning Forage Fish Habitat Assessments North and South Pender July/Aug 2012

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Acknowledgements

For assistance in the field and with local logistics I would like to thank the Pender Islands Conservancy Association and Bonnie Parks. For laboratory assistance and technical overview, I would like to thank Mr. Dan Penttila, Salish Sea Biological, former Forage Fish Expert with the Washington Department of Fish and Wildlife.

1. Introduction

Beach spawning forage fish are a critical prey source for hundreds of marine predators in the Strait of Georgia. Pacific sand lance are often referred as the most important fish in the North East Pacific due to its unique role as forage to marine fishes, seabirds and marine mammals (Robards 1999). Surf smelt are also important prey to marine predators. Surf smelt are managed by Department of Fisheries and Oceans under the Surf Smelt Management Plan for commercial and recreational fishers and their population abundance in the Strait of Georgia is declining (Therriault et al 2002). Surf smelt and Pacific sand lance spawning habitats are protected under Section 35 of the Federal *Fisheries Act*.

1.1 Critical forage for marine ecosystem function

Pacific sand lance and surf smelt are important to the recovery of marine species at risk (from Humpback and Killer whales to Marbled Murrelets); the marine survival of salmon (such as Chinook and Coho); and the survival of provincially listed coastal cutthroat trout. Both Chinook and Coho feed on sand lance both as juveniles and as adults.

Numerous fish, seabird, and marine mammal populations are in precipitous decline in British Columbia; and scientists have started to look at the link between forage fish biomass reduction and these declining populations.

1.2 Connections to other valued ecosystem components

Forage fish depend on nearshore habitat for their survival. Herring spawn on marine vegetation such as eelgrass and seaweeds; and Pacific sand lance and surf smelt spawn high up the beach near the log line. Like numerous fish species, surf smelt and Pacific sand lance also require subtidal areas such as kelp forests for rearing.

2. Beach Spawning Forage Fish Habitat

Beach spawning forage fish of commercial, recreational and ecological value in the Strait of Georgia are the capelin, surf smelt (*Hypomesus pretiosus*) and Pacific sand lance (*Ammodytes hexapterus*). The Washington Department of Fish and Wildlife has conducted extensive surveys in Puget Sound and produced maps of spawning habitat (Penttila, D. 2007). Approximately 10% of Puget Sound beaches are used by surf smelt for spawning and 10% are used by Pacific sand lance (Penttila 2007). Unfortunately critical spawning habitat of these two forage fishes has not been mapped in British Columbia.

Surf smelt and Pacific sand lance depend on a healthy nearshore and beach habitat, and they are vulnerable to impacts from shoreline development. Beaches with natural erosion processes supplying appropriate sized gravels and extant marine riparian zones are an optimal state for spawning surf smelt and sand lance. Of primary importance for spawning is the mixture of gravels and sand.



3. Spawning Habitat Characteristics

3.1 Intertidal Elevation

The highest densities of embryos found to date have been in the upper beach slope between the high water seaweed wrack zone and the low high water seaweed wrack zone. Consistently, mixed embryo stages are found in samples taken from +1.5 m to +4.5 m above chart datum and can be found at the highest extent of the maximum high tides. Sand lance also spawn on the sand flat edge near the beach slope (Penttila 2001b, Penttila 2007, de Graaf unpublished data). This area of the intertidal has been sparsely sampled.

3.2 Sediment Characteristics

Both surf smelt and sand lance embryos can be found on certain beaches in the same beach sediment sample collected along the upper beach slope. Surf smelt are reported to spawn in sediments of fine “pea pebble”/sand to coarse pebble/sand beaches with the bulk of the pooled data set having material of 1-10 mm; although full grain size spectra show numerous sample sets with a wide range of pebble/sand including coarse pebble greater than 2.6 cm (Penttila 2001c).

Surf smelt do not spawn in coarse sand beaches without pebble due to the unique attachment pedestal of the osmerid egg (they are gravel-dependent spawners). Sand lance are reported to spawn in sediments of coarse sand/pebble with the bulk of the pooled data set (67%) having material of a median grain size of 0.2 – 0.4 mm and a portion of the data set (25%) being gravel-coarse sand from 1 – 7mm (Penttila 2001c; 2007). Recent findings in British Columbia reveal that sand lance embryos are also found in beaches bearing a high percentage of coarse pebble greater than 2.6 cm (de Graaf unpublished data). Sand lance embryos are found throughout the range of surf smelt bearing sediments as well as coarse sand. Pacific Sand lance do not spawn on fine silt and cobble (Penttila 2007). In British Columbia, both surf smelt and sand lance embryos can be found throughout a beach drift cell in the erosion, transport and accretion zones (de Graaf, unpublished data, presented at American Fisheries Society Conference Sept 2011). Over 40 years of government sponsored surveys in Puget Sound and carried out by Mr. Penttila has yielded important data on the spawning habitat of these two species. With recent attention to surveys in the Strait of Georgia and the outer coast of Vancouver Island, our understanding of beach spawning habitat types has increased.

3.3 Beach Biophysical Characteristics

Beaches in British Columbia bearing surf smelt and Pacific sand lance spawning sites are typically of sand/pebble in the upper component of the beach slope, a cobble component seaward, followed by a sand or mud flat toward the low tide zone. The width of the sand/pebble component (commonly referred to as the B1 component) is variable and can range from 0.5 m to over 10 m in width.

4. Spawning Seasons

Surf smelt are known to spawn year round in Puget Sound and also have distinct winter and summer spawning stocks (Penttila 2007). In British Columbia, summer and year round spawning beaches have been detected (de Graaf unpublished data). Sand lance spawning is from Nov – January with incubating embryos detected into February (30-45 day fall/winter incubation period). Data compilation for spawning periods for regions of British Columbia has begun due to the extraordinary effort of 30+ communities working with the author through the BC Shore Spawners Alliance (BCSSA). In the Islands Trust Area, communities are presently undertaking spawning surveys with the BCSSA as the Gulf Islands Forage Fish Initiative.

5. Threats to Beach Spawning Forage Fish Habitat

Shoreline modifications can negatively impact the nearshore marine food web in numerous ways, but are a primary threat to surf smelt and sand lance spawning beaches (Penttila 2007).

Many human activities impact and alter marine shorelines either through disruption of the sediment drift cell or by physical alteration of the beach, including: piers, pilings, docks, jetties, groins, breakwaters, riprap, seawalls and others. Diversion of sediment-bearing streams through culverts can also starve beaches of spawning sediment. Many of these activities render beaches unusable for spawning. These shoreline modifications can also limit sediment exchange in the shallow subtidal where sand lance are known to burrow.

The presence of overhanging vegetation in marine riparian zones is important for the ecological function of nearshore marine habitats providing insect prey for migrating fish (Levings and Jamieson 2001; Brennan and Culverwell 2004) and having a positive effect on summer surf smelt spawn survival (Penttila 2001a, Penttila 2007, Rice 2006). The loss of shade increases thermal stress and desiccation to incubating eggs as sediment temperatures rise resulting in increased mortality of buried eggs (Penttila 2007, Rice 2006). Vegetation buffers the drying effect of winds, and where beaches have lost riparian zones, eggs can also suffer a higher mortality than normal due to wind-induced desiccation effects.

Other threats to surf smelt and sand lance eggs include contamination from acute oil spill events and chronic oiling can result in 100% mortality of surf smelt eggs. Oiling from vessel operations near beaches can potentially cause mortality of incubating forage fish eggs (herring, sand lance, and surf smelt) (Penttila 2005).

6. Introduction to the North Pender and South Pender islands Beach Spawning Forage Fish Habitat Assessment

6.1 General Introduction

Over July 28 – August 4, 2012, surveys of unconsolidated sediment intertidal areas were conducted along North and South Pender shorelines. Data acquired by the author with the Pender Island Conservancy Association in 2010-2012 has also been incorporated into this report.

A sediment map was produced from the Coastal Resource Information Management System, DataBC (DataBC Catalogue 2013). The data layer used to produce the sediment map was the shoreline biophysical classification by repetitive shore type. All shore-units of unconsolidated sediments were investigated along the entire shoreline length of North and South Pender islands. Unconsolidated sediments include silt, mud, sand, and gravels.

6.2 Area Surveyed

The entire coastline of North and South Pender was surveyed with the exception of areas of consolidated sediment (rocky beaches, rock terraces etc.).

Areas surveyed included areas with drift cell attributes of erosional faces that graded into beach areas. These are areas with unconsolidated sediments of gravel/sand as well as mud/silt areas. Gravel is defined as pebble, cobble and boulder.

Areas of pebble and sand were assessed. Areas of mud/silt were assessed for the presence of upper bands of pebble and sand.

Negative beaches fall into three categories:

1. Areas with boulder or cobble on rock ramp were surveyed to ensure the presence/absence of pebble/sand bands. If areas of boulder and cobble did not yield pebble and sand, they were classified as “negative”.
2. Areas of mud/silt may have a thin layer (veneer) of pebble and cobble. Due to the lack of motility of mud/silt areas, these are classified as “negative”.
3. Pebble/sand beaches that failed to pass statistical analysis are also classified as “negative”.

6.3 Project Limitations

The project was limited to assessing beaches as potential spawning habitat for two species of beach spawning forage fish, surf smelt and Pacific sand lance. Data are compiled after one visit to the beach in summer months. The methods used in a forage fish habitat assessment do not allow one to determine the presence or absence of spawning activity as sediments are not collected for nor screened for the presence of embryos. Spawning surveys are conducted over two spawning seasons (24 months) and follow strict protocols (Moulton and Penttila 2001). The project undertaken grades beaches as being “potential” spawning beaches, but it does not confirm the presence or absence of spawning activity.

7. Methods

Forage Fish Habitat Assessments – Assessing Potential Forage Fish Spawning Habitat.

Actual forage fish spawning beaches are determined after a two-year embryo survey and the presence of two or more embryos in a sample (Moulton and Penttila 2001). In the absence of such comprehensive surveys, beaches may be classified as potential surf smelt/Pacific sand lance spawning habitat following a habitat assessment. The habitat assessment protocol used in this project, the Forage Fish Habitat Assessment, has been developed through a collaboration of forage fish biologists from British Columbia and Washington State. Due to the current transition of the Department of Fisheries and Oceans Habitat Program to the Fisheries Protection Program and numerous staff reassignments, the FFHA protocol vetting process has been stalled. Numerous Regional Districts in British Columbia have had shoreline areas assessed using this particular FFHA methodology for land-use planning decisions.

7.1 General Methodology

The FFHA entails a survey of habitat attributes for each area of unconsolidated sediments making up the upper component of intertidal beaches (beach berm/beach face and mid intertidal). Measurements are taken of physical variables of the beach as well as grain-size analysis. Additional variables are measured to assess human activities that may have directly modified the foreshore or adjacent backshore areas. Assessments are conducted by experienced beach spawning forage fish biologists/technicians.

Physical variables from potential beaches are compared to a database of habitats that were monitored using spawning surveys (over 2 years) and were positive or negative for spawning by surf smelt and/or Pacific sand lance in British Columbia and Washington State. The software program PRIMER-E, a multivariate statistical program, set at an 80% similarity threshold, is used to test potential beaches to this BC/WA database. The PRIMER-E software program is used extensively by ecologists to describe similarities and differences among biological communities, habitat types, or for monitoring biological communities and habitats.

Using statistical analyses, a statistical probability can be assigned to each beach measured. Beaches are assigned as being either surf smelt, surf smelt/Pacific sand lance, or Pacific sand lance. For shoreline property owners undertaking works that may impact the foreshore, a professional habitat assessment is required by the Department of Fisheries and Oceans (DFO). In the absence of a two-year spawning survey, a FFHA can provide a good indication of potential

surf smelt and sand lance habitat for use by landowner and other agencies in shoreline management.

7.2 Specific Methodology

7.2.1 Forage Fish Grain-Size Profile Types

The FFHA uses a method developed by Mr. Dan Penttila (former Washington Department Fish and Wildlife Forage Fish Expert) and Ms. R de Graaf to examine sediment types. Surf smelt beach grain-size profiles are divided into five grain-size types. Pacific sand lance beaches are classified into three grain-size types. In winter months, surf smelt and Pacific sand lance embryos can be found in the same beach sediment sample. Mixed surf smelt/Pacific sand lance beaches have grain-size profiles classified by mixed, winter surf smelt and Pacific sand lance beach types. This is because of the overlap of the use of sediment sizes and beaches by the two species. Pacific sand lance beach Type 1 is similar to Surf Smelt Type 1 and 2. Pacific sand lance beach Type 1 is a grain-size profile with coarser pebble than PSL Type 2 and Type 3. This grain-size type is common of beaches where surf smelt and Pacific sand lance spawn on the same beaches. It is also common of beaches where only Pacific sand lance spawn but have a high percentage of coarse pebble and lower percentage of small pebble and sand.

The standard beach types are fully described in the FFHA methodology. When the FFHA methodology evaluation process is completed by the Department of Fisheries and Oceans, complete details and a manual will be available.

7.2.2 Grain-Size Analysis and Statistical Testing

A series of 14 US standard sieves are used to divide 2 L of sediment into grain-size classes. Sediments were dried and weighed and percentage of weight in each sieve recorded. Cumulative frequency curves are generated. Cumulative frequency curves of North and South Pender island beaches being tested are compared to the Grain-Size Types using similarity tests (Kolmogorov-Smirnov) to a threshold of 80%.

7.2.3 Beach Metrics

The beach is assessed for sediment depths, widths, length, erosion sources, beach character, beach slope, overhanging shade vegetation, marine riparian vegetation, modification of foreshore and backshore and the presence of structures that modify both foreshore and backshore zones (Moulton and Penttila 2001; Therriault et al. 2002). The average depth of sediment is determined over three measurements taken along the beach unit (de Graaf and Penttila 2006). The width of the spawning zone is measured as the area of potential spawn deposition to the nearest 10

centimetres at the time of the survey (Moulton and Penttila 2001; de Graaf and Penttila 2006). The length of spawning sediments is measured as the length of the beach composed of appropriate unconsolidated sediments. Beach character is the sediment character of the upper beach and ranges from mud to boulder (Moulton and Penttila 2001). The slope of the upper beach is measured in degrees using a clinometer. Marine riparian overhanging shade is classified into percentage of the length of the beach unit (Moulton and Penttila 2001). The presence or absence at a beach unit of marine riparian vegetation is noted and categorized according to vegetation category. Vegetation categories are grasses, shrubs and trees and combinations of these categories (de Graaf and Penttila 2006). Modification of the foreshore is categorized as the presence of structures that may impede sediment movement, either from land-based erosion sources (bluffs, banks, creeks, rivers) or across the shore (Moulton and Penttila 2001). Modification of the foreshore is measured by a percentage of the total length of the beach unit being impacted (Moulton and Penttila 2001). The presence or absence of modification to the backshore region is noted (up to 30 meter landward of the high water mark) (de Graaf and Penttila 2006). Photo-logs for each beach consist of photos of backshore, marine riparian zones, foreshore, and sediment bands (Moulton and Penttila 2001).

7.2.4 Statistical Analyses of Beach Metrics:

A database of positive and negative beaches from British Columbia and Washington State is used to assess the probability that a beach would support forage fish spawning. Beach metrics are used in a Principal Component Analysis using PRIMER-E software. Beaches that cluster with known positives are tested for similarity. A threshold of 80% or greater has been successful in other forage fish habitat assessments where beaches were tested for and found to bear embryos. Beaches that cluster with known negatives are still entered into Grain-Size frequency curve analysis. Beach metrics of negative beaches commonly overlap with positive beaches. This is a reminder that models lack other variables important to the fish that we do not measure or cannot measure.

7.2.5 Habitat Coverage:

Beaches are categorized as having continuous sediment bands or discontinuous sediment bands. If the beach sediment bands are interrupted by bands of unfavorable habitat, they are scored as discontinuous if the interruption is less than 100 m. If the interruption is greater than 100 m, the area is assessed as separate beach units.

8. Results

8.1 North Pender

8.1.1 Statistical Analyses

In total, 82 beach areas were assessed. Principal Component Analysis using PRIMER-E and beach metrics clustered 54 beaches within 80% similarity to known positive beaches in BC and Washington State. 50 of these beaches had continuous habitat and 4 had discontinuous habitat. 32 beaches were comprised of unconsolidated sediments such as mud, silt, cobble that are not suitable as spawning habitat (Figure 1: North Pender Map of Assessed Potential Forage Fish Spawning Beaches).

8.1.2 Grain-Size Analyses

Grain-size analyses were used to test for likelihood of beaches to support spawning. All grain-size frequencies curves were classified to Type curves. All of the 54 beaches showed grain-size frequencies curves that were within 80% and higher similarity to known positive spawning beaches (Appendix A, Figures 3-8).

8.1.3 Length of Potential Forage Fish Spawning Habitat

The total length of potential spawning habitat is 4,469 meters and classified as 500 m specific to Pacific sand lance (11 %), 62 m specific to surf smelt (1.4%), and 3907 meters as mixed surf smelt/Pacific sand lance spawning habitat (87.6%) (Table 1).

Table 1: Classification of N Pender
Potential Forage Fish Beach Types

	PSL	SS	SS/PSL	Total
Length (m)	500	62	3907	4469
Length Percentage	11%	1.40%	87.60%	100%

PSL - Pacific sand lance

SS - Surf Smelt

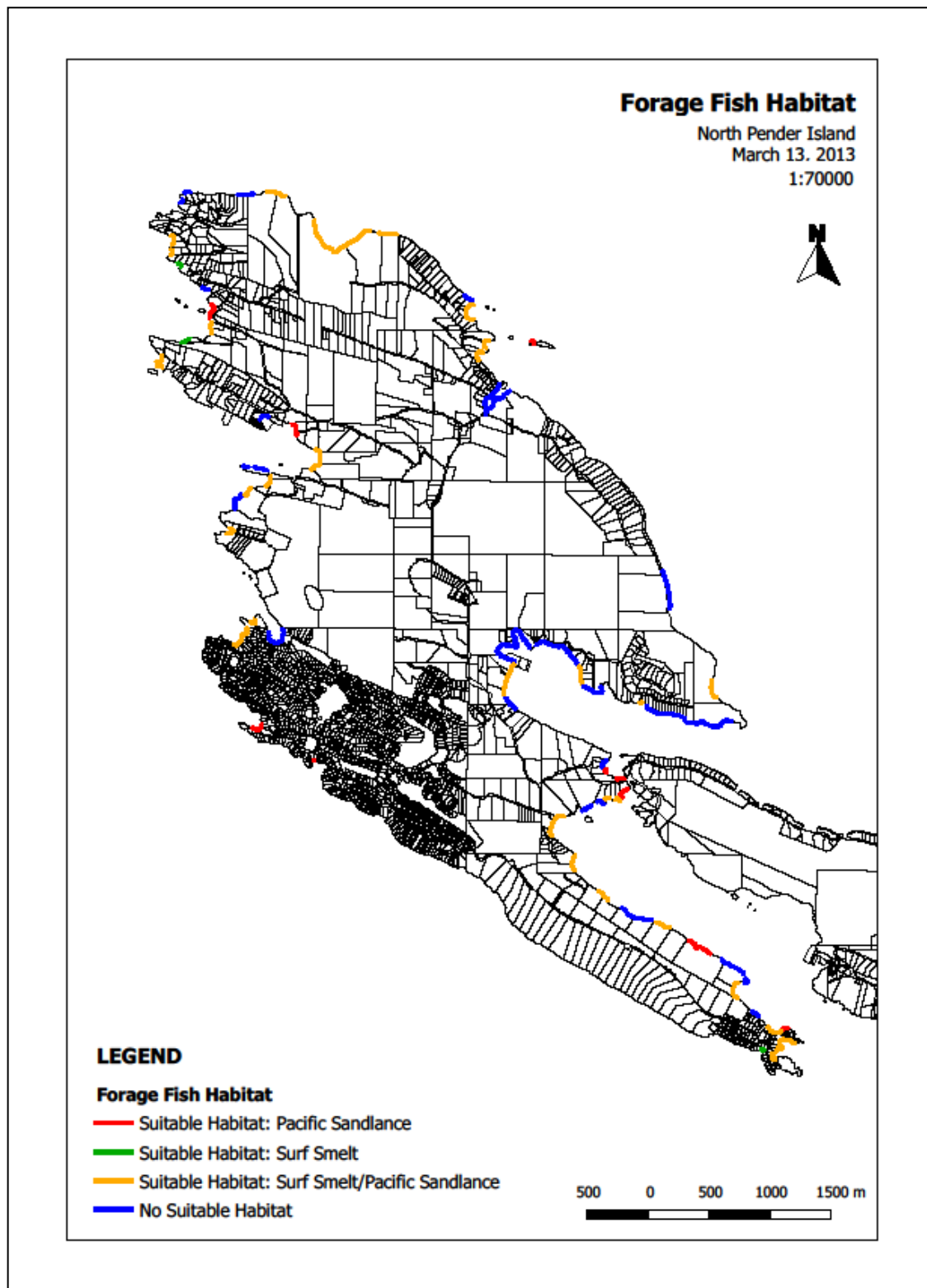


Figure 1: Potential Beach Spawning Forage Fish Spawning Habitats – North Pender

8.1.4 Potential Forage Fish Spawning Habitat Types

Of the 54 potential spawning beaches, 13 were classified as Pacific sand lance, 3 as surf smelt, and 38 as mixed surf smelt/Pacific sand lance spawning habitat (Table 2). Of the Pacific sand lance beaches, grain size analysis assessed ten (10) as Type 1 and three (3) as Type 3 Pacific Sand lance beaches. Of the surf smelt beaches, grain size analysis assessed two (2) as Type 1 and one (1) as Type 2 Surf Smelt beaches. Of the mixed surf smelt/Pacific sand lance beaches, grain size analysis assessed twelve (12) as Type 1; twelve (12) as Type 2; nine (9) as Type 3, and five (5) as Type 4 Surf Smelt beaches (Appendix A).

Table 2: North Pender Grain-Size Types

	PSL	SS	SS/PSL
PSL TYPE 1	10		
PSL TYPE 2			
PSL TYPE 3	3		
SS TYPE 1		2	12
SSTYPE 2		1	12
SS TYPE 3			9
SS TYPE 4			5
SS TYPE 5			

8.1.5 Foreshore Modification

Modification of the foreshore is classified as a percentage of the length of the beach that has been altered from a natural state by structures that would impede movement of sediments either to the beach or along the beach. Thirty (30) of the beaches had unmodified shorelines and twenty-four (24) were modified. Of the 54 beaches, 55% were in a natural state; 26% were 1-25% impacted; 6% were 26-50% impacted; 6% were 51-75% impacted; and 7% were 75-100% impacted (30, 14, 3, 3, and 4 respectively)(Table 3).

Table 3: Foreshore Modification - North Pender

	0% impact	1-25% Impact	26-50% Impact	51-75% Impact	76-100% Impact
Count	30	14	3	3	4
Percentage	55	26	6	6	7

8.1.6 Foreshore and Backshore Structures

Of the 24 potential forage fish spawning beaches with modified foreshore zones, sediment impeding structures were classified as nine (9) vertical seawalls, five (5) riprap revetments; two (2) stairways to the beach; one (1) foreshore cement infill revetment; seven (7) boat ramps; four (4) wooden piers/docks spanning the intertidal zones; one (1) boat; two (2) boathouses; and one (1) building (Table 4).

Of the potential spawning beaches, 42, or 78%, had modified backshore zones. Backshore structures, comprised thirty-seven (37) homes; one (1) seawall; one (1) riprap retaining wall; six (6) stairways to the beach; one (1) wooden pier/dock spanning the intertidal zone with footings in the backshore; and two (2) boathouses (Table 4). Backshore structures that may negatively impact beaches by disrupting sediment transport were calculated as a percentage of total structures after removal of homes. (Table 4).

Table 4: Foreshore and Backshore Structures - North Pender

	Foreshore Count	Foreshore Percentage	Backshore Count	*Backshore Percentage
Building	2	6	37	
Boat Ramp	7	21		
Boat	1	3		
Boat House	2	6	2	18
Dock/Wooden Pier	4	12	1	9
Seawall	9	27	1	9
Riprap	5	15	1	9
Infill	1	3		
Stairs	2	6	6	
Total	33		48	

*[houses] removed

8.1.7 Overhanging Shade Vegetation

Marine riparian overhanging shade is classified into percentage of the length of the beach unit with tree branches overhanging the spawning zone. Trees are, generally, located above the high water mark and subject to removal by property owners. Of the 54 beaches, 20% of the beaches had no overhanging shade; 35% had 1-25% overhead shade; 30% had 26-50% overhanging shade; 11% had 51-75% overhanging shade; 4% had 76-100% overhanging shade (11, 19, 16, 6, and 2 respectively)(Table 5).

Marine riparian vegetation may be absent due to soil conditions, the type of land form, or due to landscaping. Of the beaches with no overhanging shade, 18% had modified foreshore and 82% modified backshore zones; beaches with 1-25% overhead shade, 32% had modified foreshore and 79% modified backshore zones; beaches with 26-50% overhead shade had 38% modified foreshore and 75% modified backshore zones; beaches with 51-75% overhead shade had 50% modified foreshore and 83% modified backshore zones; and beaches with 75-100% overhead shade had 50% modified foreshore and 50% modified back shore zones (Table 5). In general, foreshore and backshore areas had significant losses of shade bearing trees.

Table 5: Overhanging Shade Vegetation - North Pender

	Fully exposed	1-25% Shade	26- 50% Shade	51-75% Shade	76-100% Shade
Count	11	19	16	6	2
Percentage	20	35	30	11	4
Foreshore Modified Percentage	18	32	38	50	50
Backshore Modified Percentage	82	79	75	83	50

8.2. South Pender

8.2.1 Statistical Analyses

In total, 48 beach areas were assessed. 32 beaches were classified as being potential forage fish habitat and 16 as not potential. 30 of these beaches had continuous habitat and 2 had discontinuous habitat. Principal Component Analysis using PRIMER-E and beach metrics clustered all 32 beaches within 80% similarity to known positive beaches in BC and WA State. 12 beaches were comprised of unconsolidated sediments such as mud, silt, cobble that are not suitable as spawning habitat (Figure 2: South Pender Map of Assessed Potential Forage Fish Spawning Beaches).

8.2.2 Grain-Size Analyses

Grain-size analyses were used to test for likelihood of supporting spawning. All grain-size frequencies curves were classified to Type curves. All of the 32 beaches showed grain-size frequencies curves that were within 80% and higher similarity to known positive spawning beaches (Appendix A, Figures 9-12).

8.2.3 Length of Potential Forage Fish Spawning Habitat

The total length of potential spawning habitat is 3,098.3 meters and classified as 73 m specific to Pacific sand lance (2.4%), 461.3 m specific to surf smelt (15%), and 2,564 meters as mixed surf smelt/Pacific sand lance spawning habitat (83%) (Table 6).

Table 6: Classification of S Pender
Potential Forage Fish Beach Types

	PSL	SS	SS/PSL	Total
Length (m)	73	461.3	2564	3,098.30
Length Percentage	2.40%	15%	83%	100%

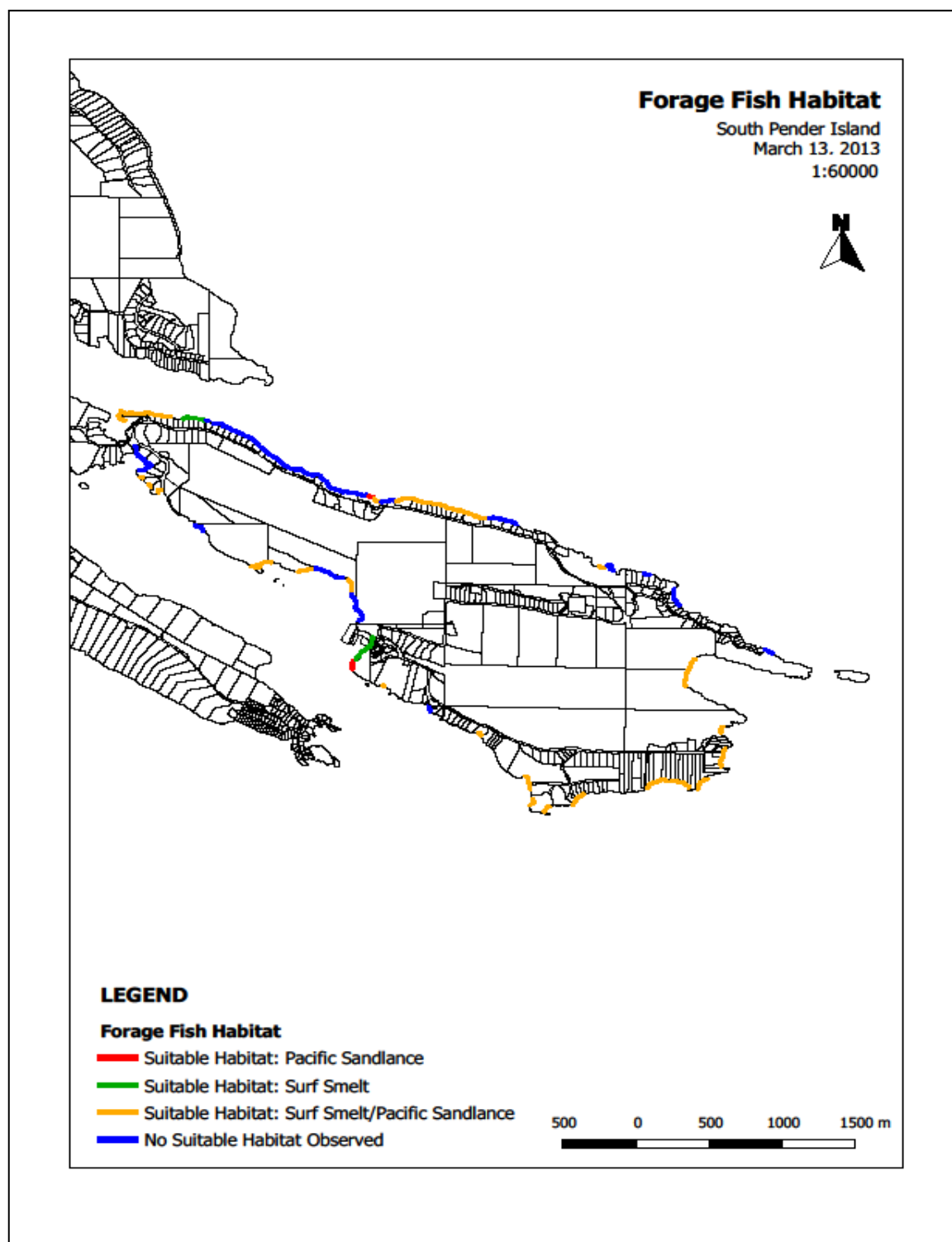


Figure 2: Potential Beach Spawning Forage Fish Spawning Habitats – South Pender

8.2.4 Potential Forage Fish Spawning Habitat Types

Of the 32 potential spawning beaches, 3 were classified as Pacific sand lance, 3 as surf smelt, and 26 as mixed surf smelt/Pacific sand lance spawning habitat (Table 7). Of the Pacific sand lance beaches, grain size analysis assessed three (3) as Type 1 Pacific sand lance beaches. Of the surf smelt beaches, grain size analysis assessed two (2) as Type 1 and one (1) as Type 2 Surf Smelt beaches. Of the mixed surf smelt/Pacific sand lance beaches, grain size analysis assessed nine (9) as Type 1; ten (10) as Type 2; seven (7) as Type 3 (Appendix B).

Table 7: South Pender Grain-Size Types

	PSL	SS	SS/PSL
PSL TYPE 1	3		
PSL TYPE 2			
PSL TYPE 3			
SS TYPE 1		2	9
SSTYPE 2		1	10
SS TYPE 3			7
SS TYPE 4			
SS TYPE 5			

8.2.5 Foreshore Modification

Modification of the foreshore is classified as a percentage of the length of the beach that has been altered from a natural state by structures that would impede movement of sediments either to the beach or along the beach. Of the 32 beaches, 84% were in a natural state; 12.5% were 1-25% impacted; and 3.5% were 26-50% impacted (27, 4, and 1 respectively). No beaches were classified in the highest impact categories of 51-75% and 75-100% (Table 8).

Table 8: Foreshore Modification Categories - South Pender

	0% impacted	1-25% Impacted	26-50% Impacted	51-75% Impacted	76-100% Impacted
Count	27	4	1	0	0
Percentage	84	12.5	3.5	0	0

8.2.6 Foreshore and Backshore Structures

Six potential forage fish spawning beaches had modified shorelines. Sediment impeding structures were classified as three (3) vertical seawalls, two (2) riprap revetments; one (1) stairway to the beach; two (2) piers/dock spanning the foreshore and one (1) outfall pipe. The marina at Poets Cove accounted for four foreshore structures and five residential properties accounted for five foreshore structures (Table 9).

Of the potential beaches, 18, or 56%, had modified backshore zones. The majority of the structures were homes. Other than homes, these consisted of one (1) riprap revetment and three (3) stairways (Table 9). Backshore structures that may negatively impact beaches by disrupting sediment transport were calculated as a percentage of total structures after removal of homes (Table 9).

Table 9: Foreshore and Backshore Structures South Pender

	Foreshore Count	Foreshore percentage	Backshore Count	*Backshore Percentage
Building			18	
Boat Ramp				
Boat				
Boat House				
Dock/Wooden Pier	2	22		
Outfall Pipe	1	11		
Seawall	3	33		
RipRap	2	22	1	25
Stairs	1	11	3	75
Total	9		22	
*[houses] removed				

8.2.7 Overhanging Shade Vegetation

Marine riparian overhanging shade is classified into percentage of the length of the beach unit with tree branches overhanging the spawning zone. Trees are, generally, located above the high water mark and subject to clearing by property owners. Of the 32 beaches, 38% of the beaches had no overhanging shade; 31% had 1-25% overhead shade; 16% had 26-50% overhanging shade; 9% had 51-75% overhanging shade; 6% had 76-100% overhanging shade (12, 10, 5, 3, and 2 respectively) (Table 10).

Overall, the percentage of overhanging shade vegetation is low. Marine riparian vegetation may be absent due to soil conditions, the type of land form, or due to landscaping. Of the beaches with no overhanging shade, 25% had modified foreshore and 58% modified backshore zones; beaches with 1-25% overhead shade, 10% had modified foreshore and 60% modified backshore zones; 26-50% overhead shade had 20% modified foreshore and 60% modified backshore zones; 51-75% overhead shade had 33% modified foreshore and 33% modified backshore zones; and 75-100% overhead shade, 0% modified foreshore and 100% modified backshore zones (Table 10). In general, areas of low foreshore modification have higher percentages of overhanging shade vegetation. Backshore development impact on degree of overhanging shade vegetation was variable.

Table 10: Overhanging Shade Vegetation - South Pender

	Fully exposed	1-25% Shade	26-50% Shade	51-75% Shade	76-100% Shade
Count	12	10	5	3	2
Percentage	38	31	16	9	6
Foreshore Modification Percentage	25	10	20	33	0
Backshore Modification Percentage	58	60	60	33	100

9. Summary and Recommendations

With approximately 7.5 kilometers of potential spawning habitat over 86 beaches, North and South Pender islands provide an excellent area to safeguard and protect these critical fish habitats. As stated in the introduction, marine shorelines are critical fish habitat not only for spawning surf smelt and Pacific sand lance, but also provide rearing grounds for juvenile salmonids. Habitats such as marine riparian vegetation, gravel/sandy beaches and high water-quality are important to maintain the health of these spawning areas. Key to maintaining and restoring these shoreline areas will be measures to limit physical structures that negatively affect sediment transport as well as actions that protect marine riparian vegetation. Education of land owners and an expanded spawning survey project are all central to protecting these beaches.

Marine riparian vegetation is a valued ecosystem component that provides benefits for human security and benefits to the ecosystem. Recent studies from Puget Sound and Squamish confirm the use of marine shorelines as rearing habitat for juvenile salmonids, such as Chinook. Dietary analyses show that up to 50% of the stomach contents of juvenile Chinook were composed of insect “windfall”, insects transported by winds from marine shoreline vegetation to the water’s surface (Brennan and Culverwell 2004). Marine vegetation is also important for the survival of summer surf smelt embryos. Foreshore areas on North Pender such as Clam Bay and Browning Beach could benefit by replanting tall vegetation. Overtime, restoration of trees at areas such as these would also provide overhanging shade for summer surf smelt embryos.

On North Pender, while the number of concrete seawalls affecting potential forage fish beaches was not high, there were some shoreline properties that had significant hardening. In light of future sea level change predictions, as well as shoreline development, pressures to harden shorelines will increase.

There are a generous number of beach access areas on North and South Pender and these are very important in areas of bluffs and high-banks. Designating beach access points benefits management of fragile slopes by reducing the need for private stairways. Overall, the stairways that were constructed down bluffs and high-banks were excellent and appeared to maintain vegetation within the stair footprint.

An area of concern on North Pender is Grimmer Bay. One section of the shoreline has a cluster of neighbouring shoreline properties serving as boat storage for derelict boats and the infrastructure of what may have been a former boat building business. All of these items are in the foreshore. Piles of paint cans, solvents and construction materials are stored inappropriately

on the foreshore. Grimmer Bay also has a large seawall and concrete roadway extending to the shore. Recently the seawall was extended to protect an archeological site. Upland development along Grimmer Bay has also been extensive in some areas.

North Pender appears to have higher losses of marine riparian vegetation and overhanging shade vegetation and a higher foreshore modification impact level than South Pender. On North Pender, 44% of the beaches were impacted by structures that impeded the delivery of sediments to the beaches or the transport of sediments along the drift cell with only 16% (5 of 32) of the beaches being so impacted on South Pender. Also, on South Pender there were no foreshore modification classes noted above 51%. Commercial development on South Pender at Poets Cove accounted for a significant percentage of the foreshore structures documented (4 of 9 foreshore structures). Five residential properties accounted for one set of stairs, one seawall, two riprap structures and one pier/dock. On South Pender, backshore modification is generally correlated with land-use; residential land-use accounted for 15 of the 32 beaches. With the exception of a few properties, the majority of land-owners on both North and South Pender have maintained high levels of vegetation and had low levels of impact to the shoreline.

It should be noted that only potential forage fish beaches were inventoried for foreshore structures such as seawalls and private docks. There are a significant number of shoreline properties without unconsolidated sediment beaches that have private docks.

More generally, it was noted that bluffs are a common land form on North and South Pender. Protecting soils and vegetation on bluff tops is critical to managing erosion. A general perception is that wave forces are largely responsible for eroding bluffs. However, in some cases, it is actually human activities on bluff tops and high-bank land forms that contribute more to slumping bluffs and damage to residential properties. Both North and South Pender have a large number of properties located on bluff tops. Some land owners have responded by adding riprap or seawalls at the high water mark along their property lines which encroach on the foreshore (e.g. Irene Bay, N. Pender). Educating land owners about methods to reduce soil saturation by rain and storm water is a primary recommendation. Modification of bluff top activities would reduce the need for erosion protection at bluff toes, preventing damage to spawning habitat. Managing storm water, setting structures back from the edge, maintaining vegetation and using pervious gravels in driveways are all common ways of protecting bluff top properties. Controlling storm water runoff and reducing impervious surfaces is not just for the shoreline property owner but is part of good management throughout a watershed. Excellent resource materials for managing building on many land forms, including bluffs, are available on the Washington State, Department of Ecology website.

Throughout North Pender and South Pender, continued good stewardship of shoreline vegetation needs to be actively encouraged and could be formalized in regulation. Section 3.4.4 of the Islands Trust Policy Statement requires that local trust committees address protection of sensitive coastal areas in official community plans and regulatory bylaws. Section 3.4.5 requires that local trust committees address the planning for and regulation of development in coastal regions to protect natural coastal processes. Both the North Pender and the South Pender Official Community Plans have objectives to protect sensitive marine habitats. Potential forage fish spawning beaches are a sensitive nearshore habitat and protection measures for these beaches could be included in Land Use Bylaws and shoreline development permit areas. In creating regulatory protection mechanisms, there should also be consideration of bylaw enforcement.

Forage Fish Habitat Assessments can only grade beaches as to their spawning potential. FFHAs can overestimate actual spawning habitats. The actual presence or absence of spawning activity at beaches can only be determined after conducting spawning surveys according to establish protocols. Islands Trust communities are undertaking these spawning surveys. In the interests of effective land-use management, the Islands Trust and the Island Trust Fund would be well served to support these communities in the future.

References

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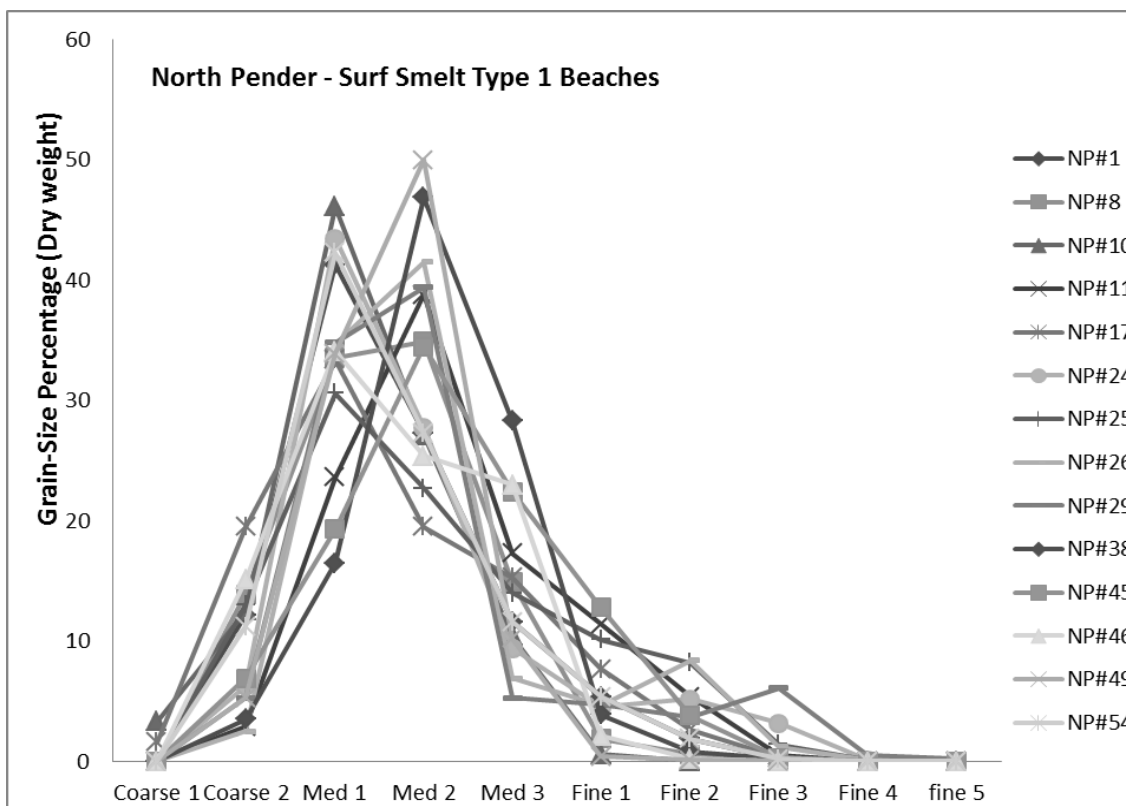


Figure 3: North Pender – Surf Smelt Type 1 Beaches

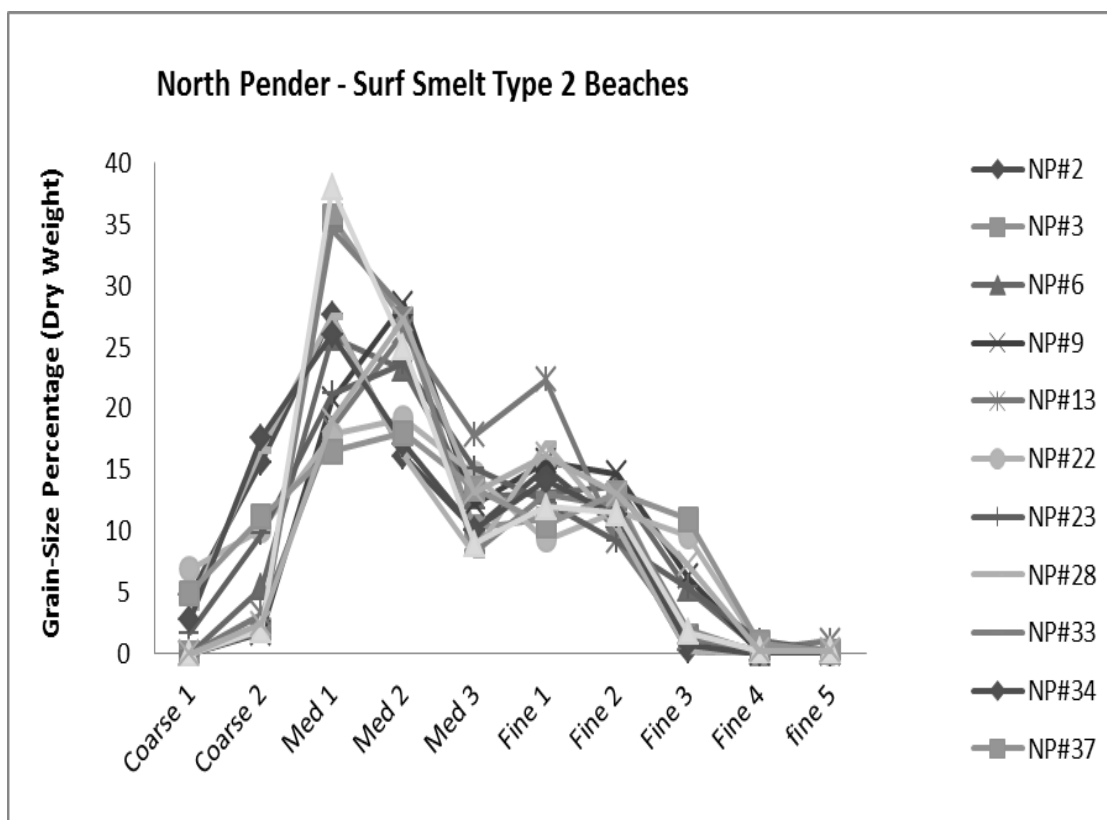


Figure 4: North Pender - Surf Smelt Type 2 Beaches

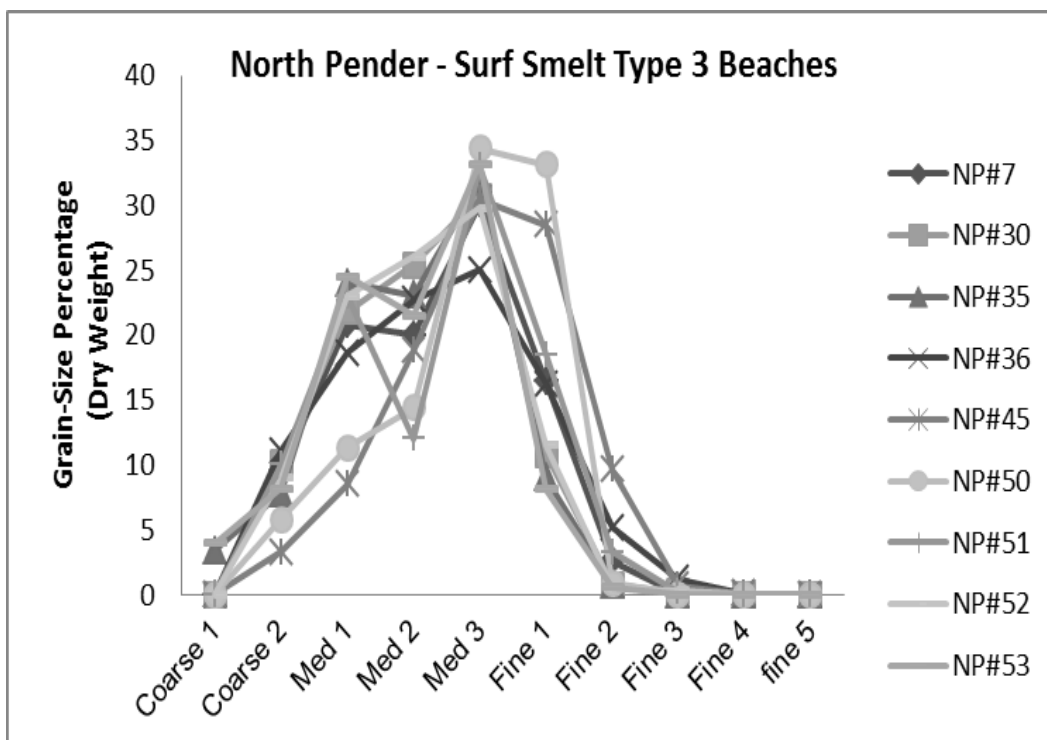


Figure 5: North Pender
Surf Smelt type 3 Beaches

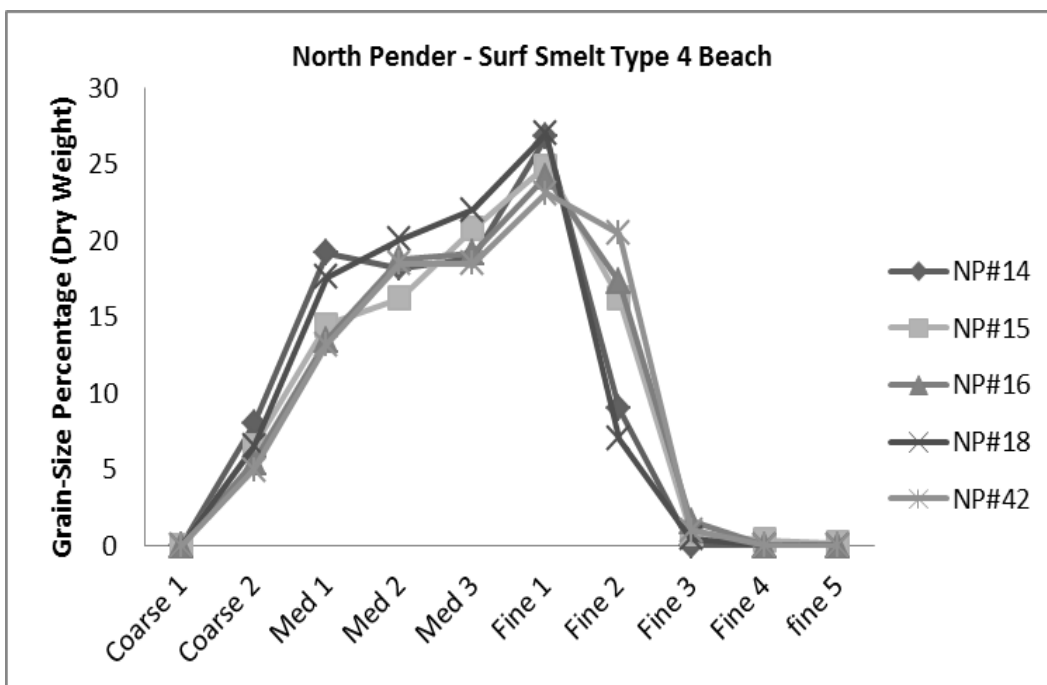


Figure 6: North Pender
Surf Smelt Type 4 Beaches

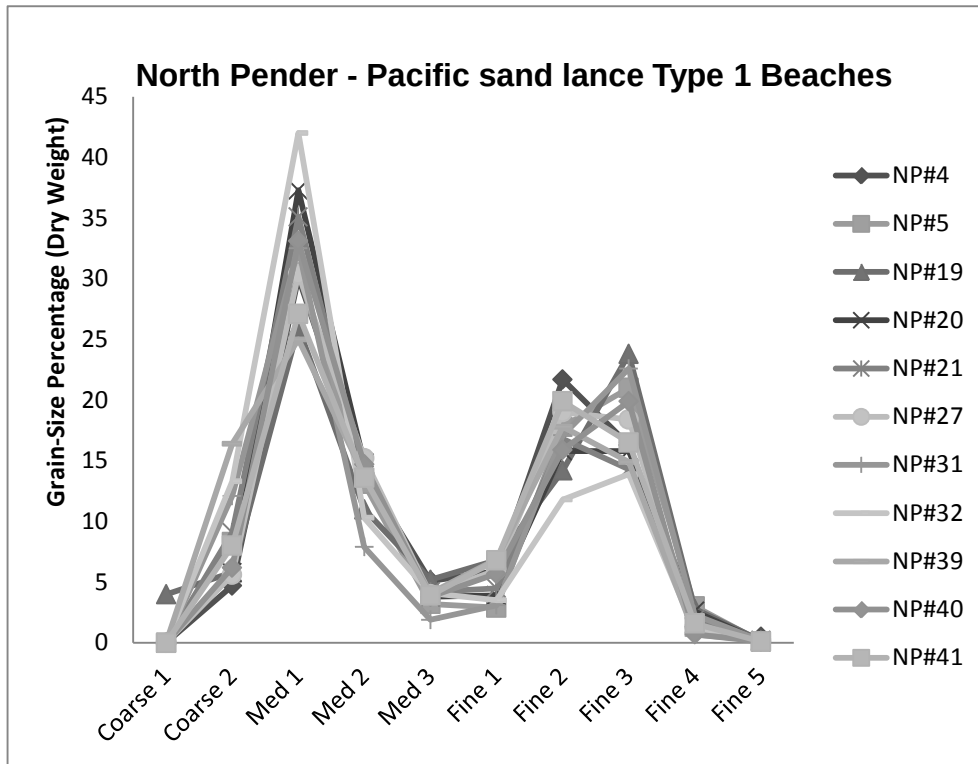


Figure 7: North Pender –
Pacific sand lance Type 1 Beaches

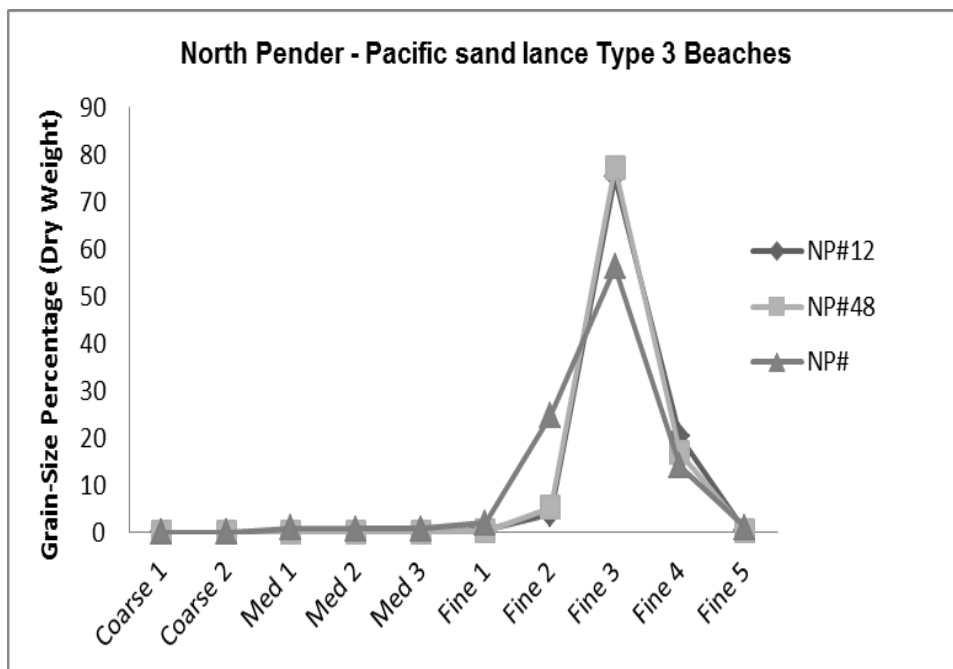


Figure 8: North Pender
Pacific sand lance type 3 Beaches

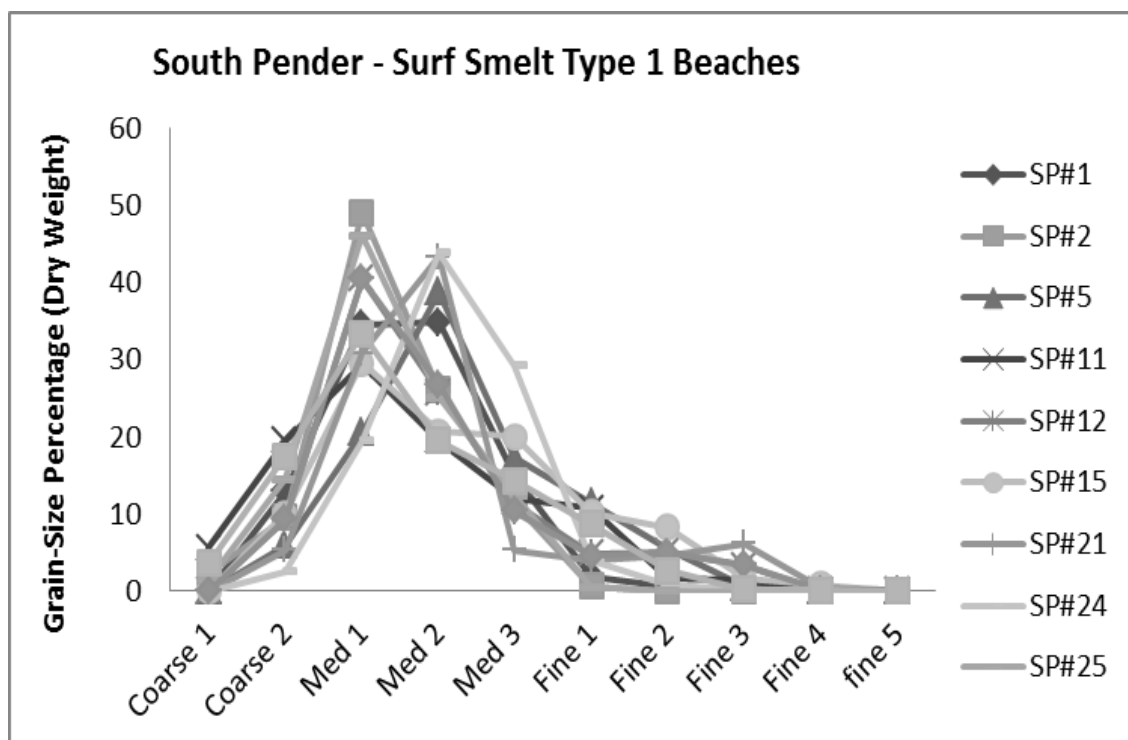


Figure 9: South Pender –
Surf Smelt Type 1 Beaches

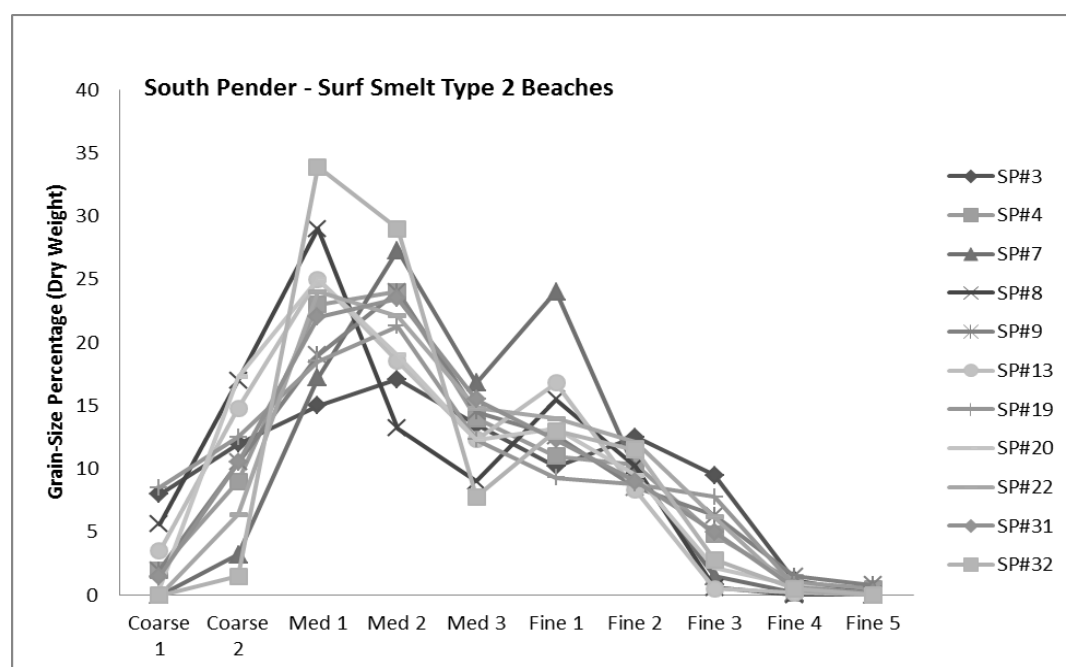


Figure 10: South Pender
Surf Smelt Type 2 Beaches

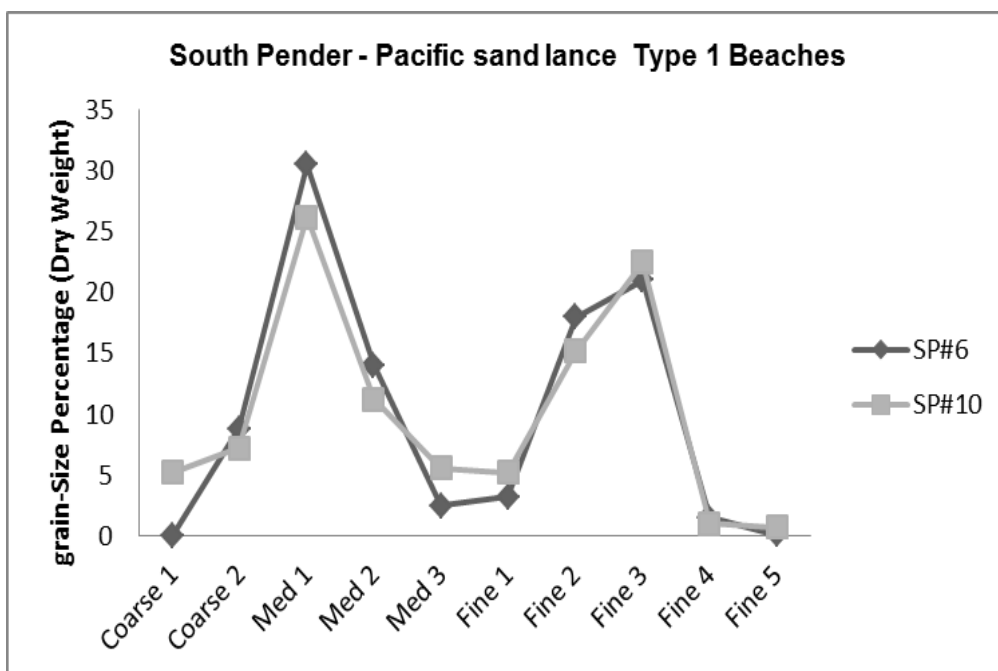


Figure 11: South Pender
Pacific sand lance Type 1 Beaches

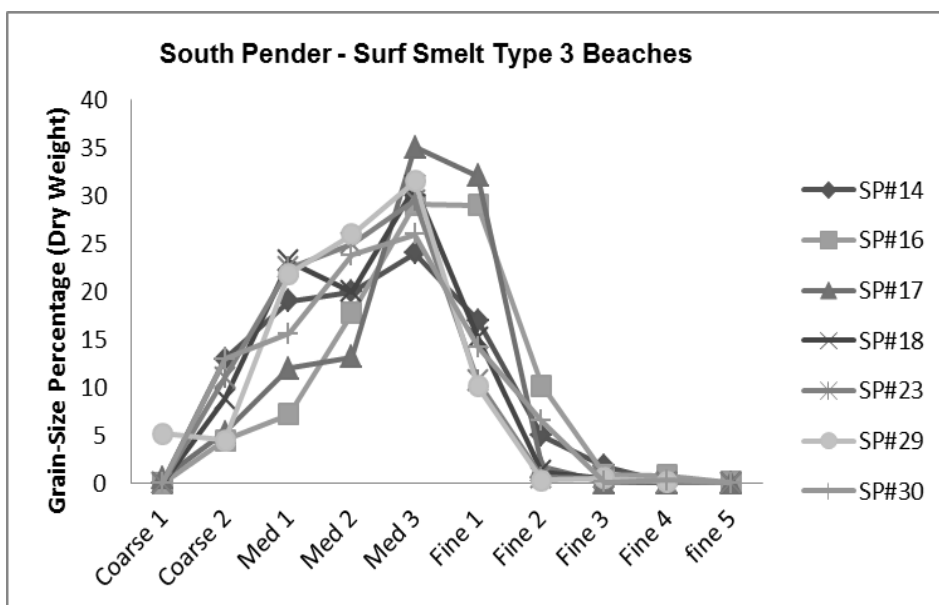


Figure 12: South Pender
Surf Smelt Type 3 Beaches

Appendix B

Beach Type Classifications - North Pender

Surf Smelt Type 1		Surf Smelt Type 2	
Beach Number	North Pender Beach Name	Beach Number	North Pender Beach name
NP#1	Stanley Pnt; Vassaleves	NP#2	Stanley Pnt; Glass Beach
NP#8	Stalker Rd	NP#3	Bridges Rd Beach
NP#10	James Pnt W side	NP#6	Grimmer (Camelot)
NP#11	James Pnt MacKinnon Rd	NP#9	James Pnt S side
NP#17	Panda Bay	NP#13	Boat House Bay
NP#24	Peter Cove 2	NP#22	Wallace Point
NP#25	Peter Cove 4	NP#23	Peter Cove 1
NP#26	Peter Cove 5	NP#28	Starvation Bay 2
NP#29	Starvation Bay 3	NP#33	Bedwell Harbour 2
NP#38	Canal South 1	NP#34	Bedwell Harbour 3
NP#45	nr Razor Pnt	NP#37	pocket cove N Medicine
NP#46	nr Hope Bay	NP#43	Port Browning N2
NP#49	Bricky Bay	NP#44	Port Browning N 1
NP#54	Peter Cove 3		

Surf Smelt Type 3		Surf Smelt Type 4	
Beach Number	North Pender Beach Name	Beach Number	North Pender Beach Name
NP#7	Grimmer (S of Camelot)	NP#14	Roe Bay
NP#30	Starvation Bay	NP#15	Roeland
NP#35	Bedwell Harbour 4	NP#16	Irene Bay
NP#36	Medicine beach	NP#18	Chart Rd
NP#45	Welcome Bay	NP#42	Browning Beach
NP#50	Tracy Rd		
NP#51	Clam Bay 1		
NP#52	Clam Bay 2		
NP#53	North of Clam Bay		

Pacific sand lance Type 1		Pacific sand lance Type 3	
Beach Number	North Pender Beach Name	Beach Number	North Pender Beach Name
NP#4	pocket nr Grimmer	NP#12	Otter Bay; Niagara Rd
NP#5	nr Grimmer Bay	NP#48	Fance Islet
NP#19	Thieves Bay 1		
NP#20	Thieves Bay 2		
NP#21	Boat Nook		
NP#27	Starvation Bay 1		
NP#31	Bedwell Harb		
NP#32	Nr Timbers		
NP#39	Canal South 2		
NP#40	Shark Cove NE side bridge		
NP#41	Shark Cove mid		

Appendix C

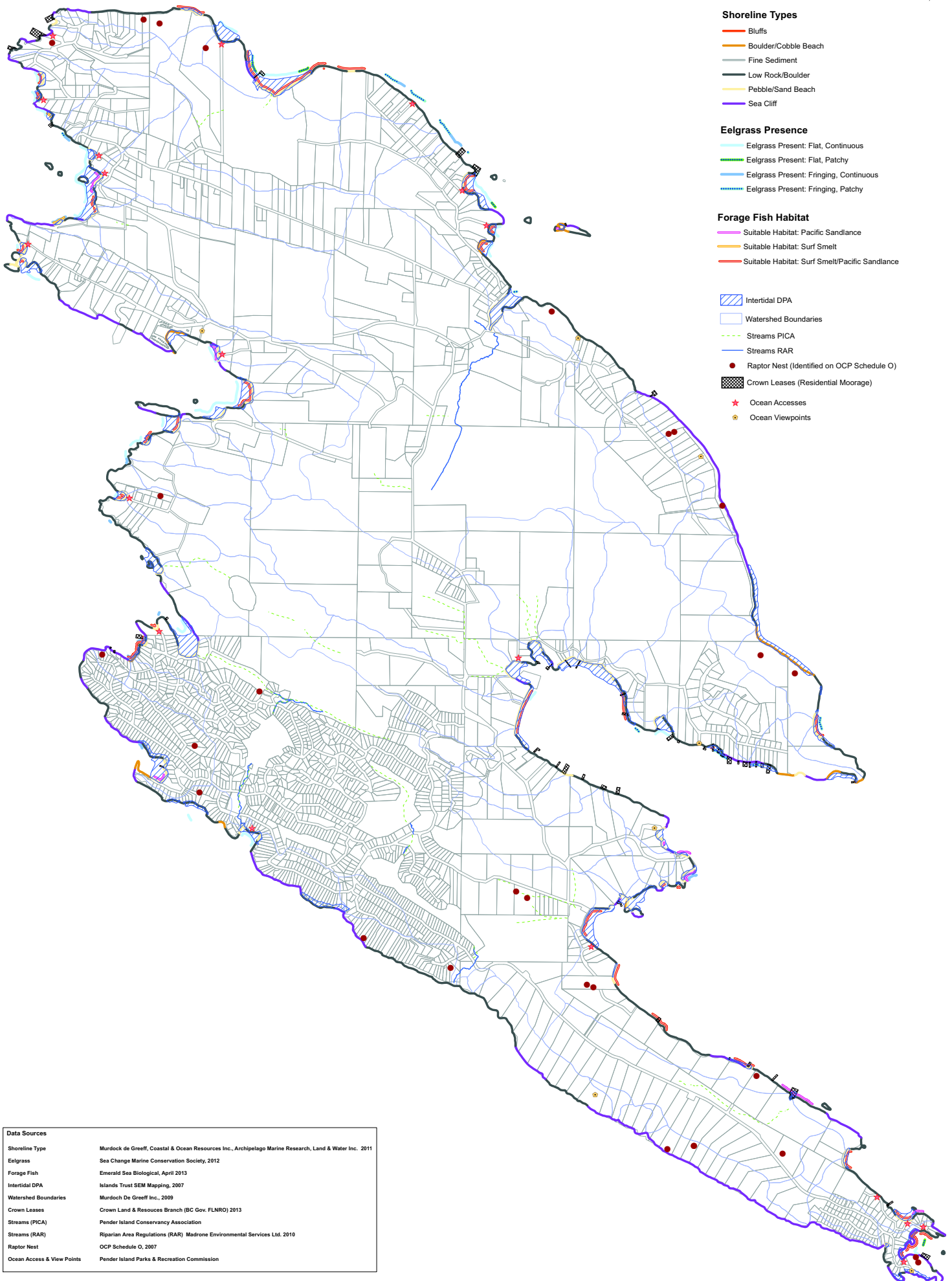
Beach Type Classifications - South Pender

Surf Smelt Type 1		Surf Smelt Type 2	
Beach Number	South Pender Beach Name	Beach Number	South Pender Beach name
SP#1	Ainsile Pnt 1	SP#3	Ainsile Pnt 3
SP#2	Ainsile Pnt 2	SP#4	Beaumont Mrn Park SW
SP#5	Beaumont Mrn Park SE	SP#7	nr RedMarker
SP#11	South of Poets Cove	SP#8	S of Mrn Park 1
SP#12	Tilly Pnt 1	SP#9	Poets Cove Marina
SP#15	Tilly Pnt 4	SP#13	Tilly Pnt 2
SP#21	Canned Cod Bay	SP#19	Brooks Pnt
SP#24	Mortimor Spit 2	SP#20	Gowland Pnt
SP#25	Mortimor Spit 3	SP#22	Camp Bay
	Spender Coast nr Mortimor		
SP#26	Spit 3	SP#31	S Pender mid E coast 4
SP#27	E of Mortimor Spit 2	SP#32	S Pender SE coast 5

Surf Smelt Type 3		Pacific sand lance Type 1	
Beach Number	South Pender Beach Name	Beach Number	South Pender Beach Name
SP#14	Tilly Pnt 3	SP#6	Islet Mrn Park
SP#16	Craddock Rd Beach Access	SP#10	Day Beacon P Cove
SP#17	Drummond N	SP#28	S Pender mid E coast
SP#18	Drummond S		
SP#23	Mortimor Spit 1		
SP#29	S Pender mid E coast 2		
SP#30	S Pender mid E coast 3		



North Pender Shoreline Features Map



Data Sources	
Shoreline Type	Murdoch de Greeff, Coastal & Ocean Resources Inc., Archipelago Marine Research, Land & Water Inc. 2011
Eelgrass	Sea Change Marine Conservation Society, 2012
Forage Fish	Emerald Sea Biological, April 2013
Intertidal DPA	Islands Trust SEM Mapping, 2007
Watershed Boundaries	Murdoch De Greeff Inc., 2009
Crown Leases	Crown Land & Resources Branch (BC Gov. FLNRO) 2013
Streams (PICA)	Pender Island Conservancy Association
Streams (RAR)	Riparian Area Regulations (RAR) Madrone Environmental Services Ltd. 2010
Raptor Nest	OCP Schedule O, 2007
Ocean Access & View Points	Pender Island Parks & Recreation Commission

0 250 500 1,000 Meters



Islands Trust

Print Date: Aug-22-2013

Top Priorities

North Pender Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Shoreline Review	• develop school/community workshop • develop tri-fold brochure • develop powerpoint from materials • develop compiled map of shore features • investigate incorporating shoreline information into new Gulf Islands app and using QR code for smart phones	Sep-22-2011	Andrea Pickard		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			On Going



Islands Trust

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	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	On Going



Islands Trust

Print Date: Aug-22-2013

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

File Number	Applicant Name	Date Received	Purpose
NP-DP-2013.1	Raymond Lund & Scott Doyle Planner: Andrea Pickard	Aug-07-2013	4817 CANNON CRES To construct a garage in DPA
Planning Status			
Status Date: Aug-13-2013 on August agenda			
Status Date: Aug-09-2013 logged but payment not processed			
Development Variance Permit			
File Number	Applicant Name	Date Received	Purpose
NP-DVP-2013.2	Robert (Gordon) & Sharon Johnson Planner: Kim Farris	Jul-22-2013	37141 GALLEON WAY to vary the required setback by .5m to allow for the existing cabin.
Planning Status			
Status Date: Aug-19-2013 notice done, on aug agenda			
Status Date: Jul-30-2013 Sent letter of acknowledgment of receipt of fees and application from the applicant. Copied to trustees and forwarded file to planner.			
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: 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

Status Date: Feb-19-2013

staff report completed

Status Date: Jan-07-2013

site visit

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, sorting & recycling & transfer of materials & garbage) and future buildings for storing recycled materials and possibly an in vessel composter.

Planner: Andrea Pickard

Planning Status

Status Date: Mar-08-2013

direction to proceed with more information requested from applicant

Status Date: Feb-13-2013

preliminary report for Feb agenda

Status Date: Jan-22-2013

Sent letter of acknowledgment of receipt of fees and application to applicant. Copy to trustees and forward to Planner

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: Aug-14-2013

Preliminary report prepared for August LTC meeting

Status Date: Jul-16-2013

Created file, copied to trustees and forwarded to Planner

Subdivision

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2008.3	Wey	Mar-19-2008	5442 HOOSON RD : Creating 4 lots
Planner: Andrea Pickard			

Planning Status

Status Date: Apr-02-2013

natural areas covenant registered - copy received

Status Date: Nov-20-2012

final letter of approval sent to MOTI

Status Date: Nov-19-2012

letter of undertaking confirmed

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: Kim Farris			

Planning Status

Status Date: Feb-27-2012

DP approved

Status Date: Jan-10-2012

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

Status Date: Oct-06-2011

PLA issued

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2011.2	JM Wood Investment Ltd Planner: Kim Farris	Sep-02-2011	application to subdivide Parcel K (DD50314-i) into two fee simple lots. Separated by the dedication of Clam Bay Road

Planning Status

Status Date: Feb-07-2012

PLA issued

Status Date: Sep-28-2011

response sent to MOTI, copied to app/owner

Status Date: Sep-08-2011

Forwarded to Planner and Trustees

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		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

Sharon Lloyd-deRosario

From: Nicole Ranger
Sent: July-29-13 10:13 AM
To: Andrea Pickard; Gary Steeves; Ken Hancock; Peter Luckham; Robert Kojima; Sharon Lloyd-deRosario
Cc: Nancy Roggers
Subject: North Pender LTC expenses - July 31/13

<i>Islands Trust</i> LTC EXP SUMMARY REPORT F2014 Invoices posted to July 31, 2013					
650 North Pender		Invoices posted to July 31, 2013	Budget	Spent	Balance
65000 650		LTC "Trustee Expenses"	1,500.00	989.22	510.78
65200 650		LTC Local Exp LTC Meeting Expenses	4,000.00	665.98	3,334.02
65210 650		LTC Local Exp APC Meeting Expenses	1,000.00	60.54	939.46
65220 650		LTC Local Exp Communications	500.00	-	500.00
65230 650		LTC Local Exp Special Projects	2,000.00	-	2,000.00
65240 650		LTC Local Exp Miscellaneous	500.00	-	500.00
TOTAL LTC Local Expense			8,000.00	726.52	7,273.48
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	-	4,000.00
TOTAL Project Expense			9,000.00	1,915.21	7,084.79

Nicole Ranger

Finance Clerk
 Islands Trust
 200-1627 Fort Street
 Victoria, BC V8R 1H8
 Phone: (250) 405-5152
 Fax: (250) 405-5155

Preserving *Island* communities, culture and environment



Please consider the environment before printing this email



Memorandum

Date August 16, 2013 File Number

To Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee

From Robert Kojima
Regional Planning Manager
Local Planning Services

Re 2014-15 Budget Submissions

Local trust committees have been requested to submit budget requests for the next fiscal year (2014-15).

Local Trust Committee Expense Budgets:

A budget for Local Expense Account has been developed based on the historical spending. Local trust committees may make changes to this allocation; however, consideration should be given to the historical spending and a rationale provided for making the change.

The Special Projects line item in the Local Trust Committee Expense Account is intended to support local planning initiatives at the discretion of the local trust committee (a local trust committee resolution is required to use these funds). Generally, these funds would be for small projects of up to \$2,000, or could be used to supplement project budgets. This budget item was introduced in the 2013-14 budget.

LTC Projects Budgets:

Local trust committees should make a funding request to support project work, including OCP and LUB work that cannot be undertaken with the money available in the Expense Account Special Projects line.

Special Consideration:

When considering new work items for the 2014/15 fiscal year, Regional Planning Managers and LTCs have been requested to consider the following:

- 2014 is an election year, so no major new projects should start; rather funding should focus on completing on-going projects.
- Any new projects begun in the beginning of the fiscal year should be completed by September in advance of the election.
- Some funding could be provided to allow the new LTC to begin preliminary work prior to the end of the fiscal; however, this should be minimal as after orientation, there would not be much time left.
- Projects planned for the current fiscal (2013/14) which are not completed should be considered as a new project for the 2014/15 fiscal year with resources allocated to support that work.

Budget Request Timeline:

August 2013 Regional Planning Managers develop budget estimates for consideration by LTCs

Aug to Sept Local trust committees review and approve budget requests at LTC meeting

Aug 21 2013 FPC reviews budget principles

Sept 27 2013 Budget requests submitted to Director of Local Planning Services

Oct 4 2013 Budget requests forwarded to Director of Administrative Services

Oct 30 2013 FPC reviews first draft of budget

Nov 13 2013 FPC approves the draft budget

Dec 4 2013 Trust Council reviews draft budget

LTC Budget Requests

I have included the attached table with all draft project submissions for information. LTCs should review the specific requests. The preliminary project requests have been drafted based on Top Priority work program items which are currently anticipated to commence, or to carry, into the next fiscal year. I have also included items from the Projects List which the planners anticipate commencing in the coming year. Each LTC should identify any other projects it is currently considering and include them to the budget request (and the work program if necessary) and identify any additional expenses associated with the identified projects.

Resolution Wording

1. THAT the ____ Island Local Trust Committee approve and forward the draft 2014-145 LTC Project Budget submission to Financial Planning Committee as presented; or
2. THAT the ____ Island Local Trust Committee revise the draft 2013-14 LTC Project Budget submission by including (deleting) _____ and forward to Financial Planning Committee as revised.

Attachments:

1. Summary table of LTC project budget requests
2. Project Budget Submission worksheet

pc Island Planners

Galiano:

1. LUB Phase II (completion) - \$3000 (Public hearings)
2. STVR review (completion) - \$2500 (communication, public hearing)
3. Groundwater DPA (completion) - \$2500 (communication, public hearing)

Mayne

1. RAR (completion) - \$2000 (communication, public hearing)
2. LUB update - \$5000 (communication, CIM and public hearing)

North Pender

1. Conservation subdivision review (completion) - \$2000 (public hearing)
2. Road and transportation amendments (OCP and LUB) - \$2500 (CIM and public hearing)
3. LUB updates - \$5000 (CIMs, communications, public hearings)

Saturna

1. LUB update (completion) - \$2000 (public hearing)
2. Density and Accommodation review (completion) - \$2500 (public hearing, communications)

South Pender

1. Marine Geothermal (completion) - \$2000 (public hearing)
2. Farm Plan (participation and matching funding) - \$5000
3. LUB updates (new) - \$4000 (communications, CIMs, public hearing)

N. PENDER Project		Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes	Approved by LTC	Approved by FPC	Approved by TC
Project #1	Conservation Subdivision (completion)	\$ 2,000.00		x	x		public hearing			
Project #2	Road and Transportation amendments	\$ 2,500.00			x		CIM and public hearing			
Project #3	LUB updates	\$ 5,000.00			x		CIMs, communications, public hearings			
TOTAL PROJECTS		\$ 9,500.00								

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.