



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: June 26, 2018
Time: 4:00 pm
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

		Pages
1.	CALL TO ORDER	4:00 PM - 5:00 PM
2.	APPROVAL OF AGENDA	
3.	TOWN HALL AND QUESTIONS	
4.	COMMUNITY INFORMATION MEETING	
4.1	North Pender Island Local Trust Committee Bylaws No. 216 & 217 - Secondary Suites	
5.	PUBLIC HEARING	
5.1	Recess for Public Hearing	
5.1.1	<u>North Pender Island Local Trust Committee Bylaw No. 216 & 217</u>	
5.2	Recall to Order	5:00 PM - 5:15 PM
6.	MINUTES	
6.1	Local Trust Committee Minutes Dated May 24, 2018 (for Adoption)	4 - 10
6.2	Section 26 Resolutions-without-meeting Report	
	none	
6.3	Advisory Planning Commission Minutes	
	none	
7.	BUSINESS ARISING FROM THE MINUTES	
7.1	Follow-up Action List Dated June 2018	11 - 12
8.	DELEGATIONS	
	none	

9.	CORRESPONDENCE	
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
	none	
10.	APPLICATIONS AND REFERRALS	5:15 PM - 5:30 PM
10.1	NP-DVP-2018.2 (Yuan) - Staff Report (attached)	13 - 38
10.2	NP-TUP-2018.4 (Hardal Mgmt.) - Staff Report (attached)	39 - 54
11.	LOCAL TRUST COMMITTEE PROJECTS	5:30 PM - 6:00 PM
11.1	Secondary Suites - Staff Memo & Bylaws 216 & 217 (attached) for further consideration	55 - 63
12.	REPORTS	
12.1	Work Program Report (attached)	
12.1.1	<u>Top Priorities Report Dated June 2018</u>	64 - 64
12.1.2	<u>Projects List Report Dated June 2018</u>	65 - 67
12.2	Applications Report Dated June 2018 (attached)	68 - 74
12.3	Trustee and Local Expense Report none	
12.4	Adopted Policies and Standing Resolutions (attached)	75 - 75
12.5	Local Trust Committee Webpage	
12.6	Chair's Report	
12.7	Trustee Report	
12.8	Trust Fund Board Report Dated May 2018 (attached)	76 - 77
13.	NEW BUSINESS	
	none	
14.	UPCOMING MEETINGS	
14.1	Next Regular Meeting Scheduled for July 26, 2018, 4:00 pm, at the Anglican Church Hall, Pender Island	
15.	TOWN HALL	6:00 PM - 6:15 PM

16. CLOSED MEETING

none

17. ADJOURNMENT

6:15 PM - 6:15 PM

**North Pender Island Local Trust Committee
Minutes of Regular Meeting**

Date: May 24, 2018
Location: Royal Canadian Legion
1344 MacKinnon Road

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

Staff Present: Robert Kojima, Island Planner
Shannon Brayford, Recorder

Public Present: There were 11 members of the public present.

1. CALL TO ORDER

Chair Grams called the meeting to order at 4:02 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following recommendations were made for additions to the agenda:

- 6.1 Public Hearing Record
- 13.2 Agricultural Land Reserve Land
- 16 Closed Meeting

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Michael Sketch noted that he provided a two-page written submission to the Islands Trust Office outlining the history of the Browning Harbour Agricultural Land Reserve (ALR) land and also his rationale for encouraging the LTC to reconsider their direction with this land.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated April 26, 2018 (for Adoption)

By general consent the Local Trust committee meeting minutes of April 26, 2018 were adopted.

6.2 North Pender Island Local Trust Committee Record of a Public Hearing Dated November 23, 2017

Received for information.

6.3 Section 26 Resolutions-without-meeting Report

None

6.3 Advisory Planning Commission Minutes

None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated May 2018

8. DELEGATIONS

None

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage.

None

10. APPLICATIONS AND REFERRALS

10.1 NP-TUP-2018.2 (Hepburn) - Staff Report

RPM Kojima provided an overview of the report and staff recommendations, including recommended amendments and rationale.

A discussion was held in which the LTC requested information from the applicant.

NP-2018-047

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee amend the proposed Temporary Use Permit NP-TUP-2018.2 (Hepburn) to shorten its validity period from three (3) years to one (1) year.

CARRIED

NP-2018-048

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee amend the proposed Temporary Use Permit NP-TUP-2018.2 (Hepburn) by limiting the number of guests permitted during a single rental contract period to six (6) persons.

CARRIED

NP-2018-049

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee approve issuance of the amended Temporary Use Permit NP-TUP-2018.2 (Hepburn) as amended.

CARRIED

10.2 NP-TUP-2018.3 (Pegram) - Staff Report

RPM Kojima provided an overview of the report and the recommendations.

NP-2018-050

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit NP-TUP-2018.3 (Pegram).

CARRIED

10.3 NP-DP-2018.2 (Murdoch) - Staff Report

RPM Kojima provided an overview of the report and the rationale for the application.

NP-2018-051

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2018.2 (Murdoch/Driftwood).

CARRIED

10.4 NP-RZ-2016.2 (Port Browning) - Staff Report Bylaws 206 to 210

RPM Kojima provided an overview of the report.

NP-2018-052

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee Bylaw No. 206, cited as
“North Pender Island Land Use Bylaw 103, 1996, Amendment No.3, 2016”, be adopted.

CARRIED

NP-2018-053

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee Bylaw No. 207, cited as
“North Pender Island Official Community Plan Bylaw No 107, 1996, Amendment No.3,
2016”, be adopted.

CARRIED

NP-2018-054

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee Bylaw No. 208, cited as
“North Pender Island Land Use Bylaw 103, 1996, Amendment No. 4 ,2016”, be adopted.

CARRIED

NP-2018-055

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee Bylaw No. 209, cited as
“North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 4,
2016”, be adopted.

CARRIED

NP-2018-056

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee Bylaw No. 210, cited as
“North Pender Island Land Use Bylaw 103, 1996, Amendment No. 5, 2016”, be adopted.

CARRIED

10.5 Salt Spring Island Local Trust Committee Bylaws No. 498 & 499 Referral (attached)

RPM Kojima and Chair Grams provided an overview of the referral.

NP-2018-057

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee respond to the Salt Spring Island
Local Trust Committee Bylaws No. 498 and 499 Referral with “Interests unaffected”.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

None

12. REPORTS

12.1 Work Program Report (attached)

12.1.1 Top Priorities Report Dated May 2018

Received for Information.

12.1.2 Projects List Report Dated May 2018

Received for Information.

12.2 Applications Report Dated May 2018 (attached)

Received for Information.

12.3 Trustee and Local Expense Report Dated March 2018 (attached)

Received for Information.

12.4 Adopted Policies and Standing Resolutions (attached)

Received for Information.

12.5 Local Trust Committee Webpage

No comments.

12.6 Chair's Report

Chair Grams reported that there has been an announcement of a new chair for the Agricultural Lands Commission and that she has been invited to attend the next Trust Council.

12.7 Trustee Report

Trustee Barber noted that the next meeting will be an important one for housing matters and encouraged that information about it get to as many community members as possible.

12.8 Trust Fund Board Report

None

13. NEW BUSINESS

13.1 Annual Report for LTC Endorsement - Staff Report (attached)

NP-2018-058

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee approves the attached text for inclusion in the 2017-2018 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and Housing.

CARRIED

13.2 Agricultural Land Reserve Land

NP-2018-059

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee direct staff to amend Bylaws 214 and 215 with the purpose of rezoning the portion of Industrial 1(b) section 2.8 and to include a mapping amendment for Bylaws 214 and 215 that would rezone the portion of the Industrial 1(b) zone that is in the Agricultural Land Reserve from Industrial to 1(b) to "Agriculture".

DEFEATED

A discussion was held and Chair Grams called for the vote. The motion was defeated.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for June 26, 2018 at 4:00 pm, at the Anglican Church Hall, Pender Island

15. TOWN HALL

Ann and Michael Burdett requested information on the rationale for having the industrial zoning on their property opposed.

Michael Sketch provided an overview of ALC regulations on secondary suites and noted the process that is prescribed. He encouraged the LTC to take the opportunity to align the bylaws with the ALC.

Michael Burdett requested information on whether Trustee Barber is opposed to any non-farm use on ALR land.

16. CLOSED MEETING

NP-2018-060

It was MOVED and SECONDED,

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

- Potential Litigation

AND that the recorder and staff attend the meeting.

CARRIED

Chair Grams re-opened the public meeting at 5:06 p.m. and noted that there was no Rise and Report to be provided.

17. ADJOURNMENT

By general consent the meeting was adjourned at 5:07 p.m.

George Grams, Chair

Certified Correct:

Shannon Brayford, Recorder

Follow Up Action Report

North Pender Island

21-Sep-2017

Activity	Responsibility	Target Date	Status
Waste Management - Request Trust Council to amend DAI bylaw.	Sharon Lloyd-deRosario Justine Starke	14-Feb-2018	On Going

26-Apr-2018

Activity	Responsibility	Target Date	Status
Bylaws 214/215 - Waste Management. Bylaws amended, given 2nd reading; to be re-referred to select agencies; (Done) Staff to schedule a CIM and PH. (Done) Covenant for AIA to be developed; Explore funding sources and conduct parallel process to get AIA.	Sharon Lloyd-deRosario Justine Starke	26-Jul-2018	On Going

24-May-2018

Activity	Responsibility	Target Date	Status
6.1 Minutes of April 26, 2018 adopted as presented	Lori Foster	31-May-2018	On Going
NP-TUP-2018.1 (Hepburn): permit approved AS AMENDED	Sharon Lloyd-deRosario Ian Cox	31-May-2018	Done
10.2 NP-TUP-2018.2 (Pegram) - permit approved	Sharon Lloyd-deRosario Phil Testemale	31-May-2018	Done

Follow Up Action Report

NP-DP-2018.2 (Murdoch) - permit approved.	Sharon Lloyd-deRosario Phil Testemale	31-May-2018	Done
10.4 NP-RZ-2016.3 (Port Browning) - Bylaws adopted - (with Chair for Signature)	Sharon Lloyd-deRosario Phil Testemale	31-May-2018	On Going
13.1 Annual Report adopted	Robert Kojima	31-May-2018	Done
6.1.1 Public Hearing record of November 2017 received	Lori Foster	31-May-2018	On Going
10.5 - SSI Bylaws 498, 499 - Interests Unaffected	Sharon Lloyd-deRosario	31-May-2018	Done

File No.: NP-DVP-2018.2 (Yuan)
(NP-BP-2017.21)

DATE OF MEETING: June 26, 2018
TO: North Pender Island Local Trust Committee
FROM: Phil Testemale, A/Island Planner
Southern Team
COPY: Justine Starke, Island Planner
SUBJECT: Development Variance Permit
Applicant: Xueping Yuan
Location: 5909 Pirates Road

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of Development Variance Permit NP-DVP-2018.2 (Yuan).

REPORT SUMMARY

The purpose of this report is to consider a Development Variance Permit (DVP) for the height of a proposed garage to be sited on the subject property.

The above recommendation is supported as the variance is for a minor height variance for prefabricated building that was purchased and shipped to the owner. The owner was misinformed by the manufacturer about local regulations and has been unable to resell it. Excavation, siting on the property and proximity to neighbouring dwellings would indicate minimal or no impacts from granting the variance. Notification to surrounding neighbours has been undertaken, and to date staff have received no written responses. The variance does not challenge the intent of the bylaw provision.

BACKGROUND

The proposal is to vary the height regulations for accessory buildings of North Pender Land Use Bylaw No. 103, 1996 (LUB) for a proposed garage to be located at 5909 Pirates Road. The application is a result of a Building Permit (BP) referral from the CRD (NP-BP-2017.15) which identified that the proposed building was over height.

The applicant was given options which including applying for a variance. As the building is prefabricated and is of a certain design that cannot be altered to reduce the height (see Attachment 2.5), other options are limited. The applicant did attempt to return the building (manufactured and shipped from Ontario) and to sell the building, neither of which was successful.

Excavation was undertaken without a Building Permit under the mistaken assumption that height is calculated from the finished grade and not the natural grade as per the Land Use Bylaw. A stop work order was issued by the Building Inspector.

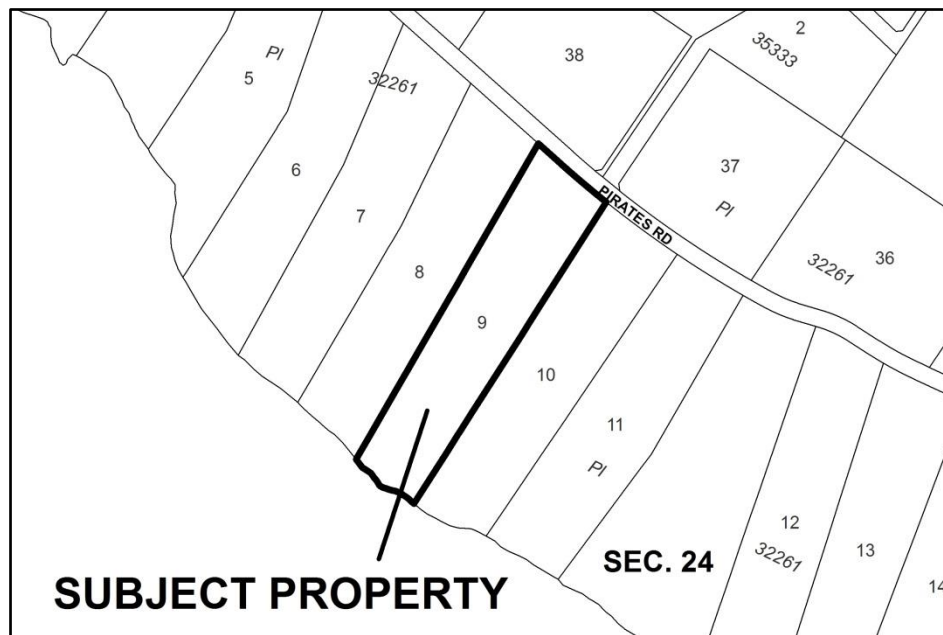
At this time, staff also identified that the excavation appeared to be partially within the Development Permit Area 1 (Woodland Ecosystem). A letter subsequently exempting the works has been provided by Caurinus Consulting (Attachment 4 – see also Figure 2 and Attachment 2.3 and ‘Issues and Opportunities’ -below).

The property has a principal dwelling with an accessory bed and breakfast home business operation. An accessory building close to the proposed garage has been demolished.

A copy of the notice and draft NP-DVP-2017.5 are Attachment 3 and 6.

Staff visited the site on March 5, 2018 (Photos – Attachment 2.7)

Figure 1 – Subject Property



ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

There are no relevant policies for this application.

Official Community Plan:

The property is designated as **Rural (R)** in the North Pender Island Land Use Official Community Plan (OCP) No. 171, 2007.

As stated above **Development Permit Area One – Woodland Sensitive Ecosystem** is designated on the subject property in proximity to the proposed garage (see Figure 2 and below). In addition, **Development Permit Area**

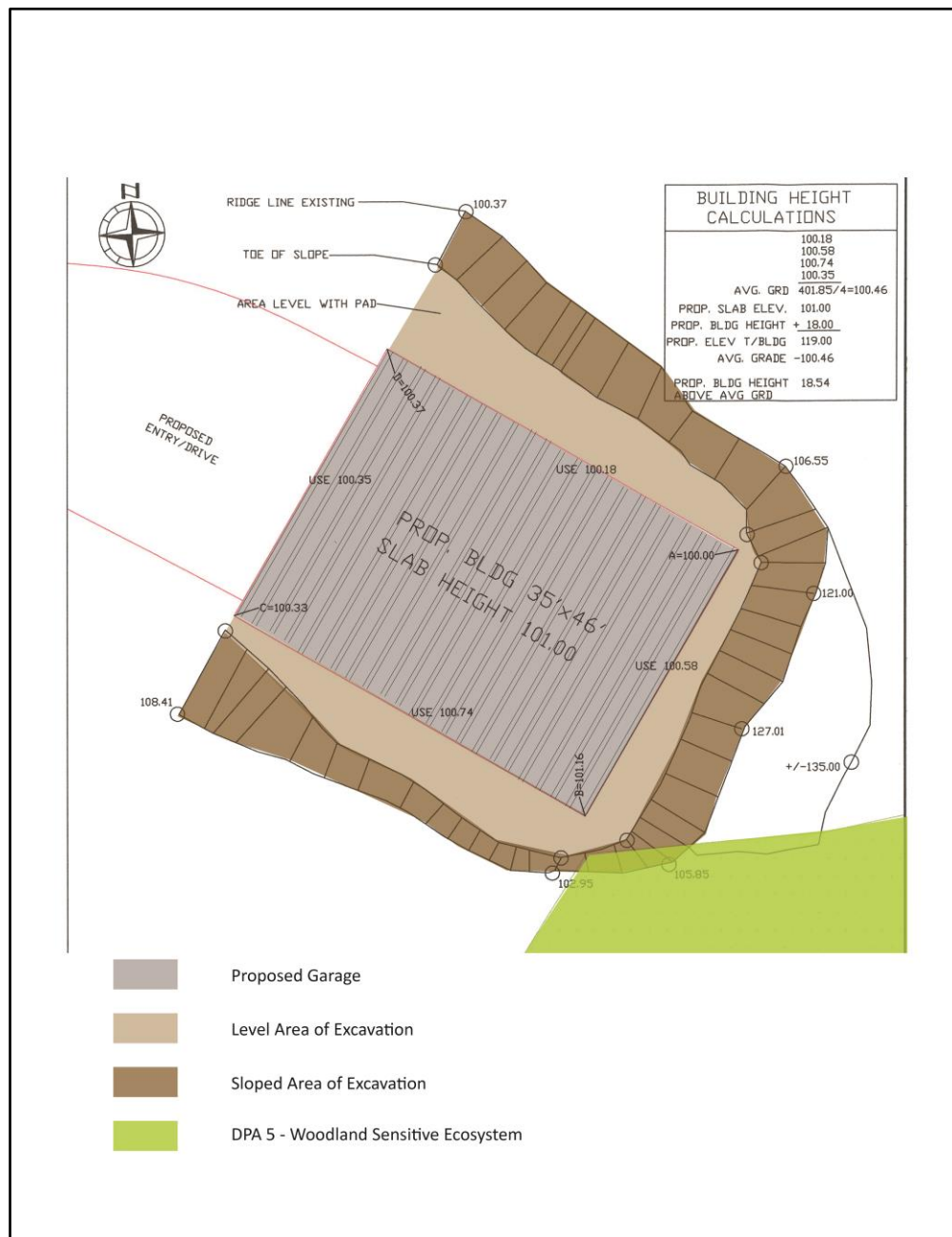
Two – Herbaceous Sensitive Ecosystem and **Development Permit Area Five – Cliff Sensitive** are also designated but away from the proposed development.

Land Use Bylaw:

The property is zoned as **Rural (R)** in the North Pender Island Land Use Bylaw No. 103, 1996.

The existing residential use and accessory bed and breakfast home business comply with use and density provisions of the zone on the property.

Figure 2 – Detail Site Plan



Islands Trust Fund:

This application has no considerations for the Islands Trust Fund and has no considerations for the Regional Conservation Plan.

Issues and Opportunities

DPA One

Based on a site visit and mapping, staff requested that the applicant provide verification from a professional Biologist that the excavation work undertaken was exempt from the requirement to obtain a Development Permit. Dan Baxter, R.P.Bio of Caurinus Consulting provided a letter that satisfies the exemption with the statement “The edge of the Woodland DPA is clearly delineated by the rocky outcrop and presently, the cleared area for construction is absent of a sensitive ecosystem (due to a mapping error) and therefore does not cross into the Woodland DPA.” (p.1 - Attachment 4) The Biologist did recommend some minor remediation along the edge of the DPA with some plantings. It is noted that the latter is voluntary and cannot be made a condition of the DVP.

Rationale for the Variance

The applicant’s rationale for the variance is contained in a letter submission that is Attachment 5. In summary, the rationale is reasonable pointing to numerous reasons including:

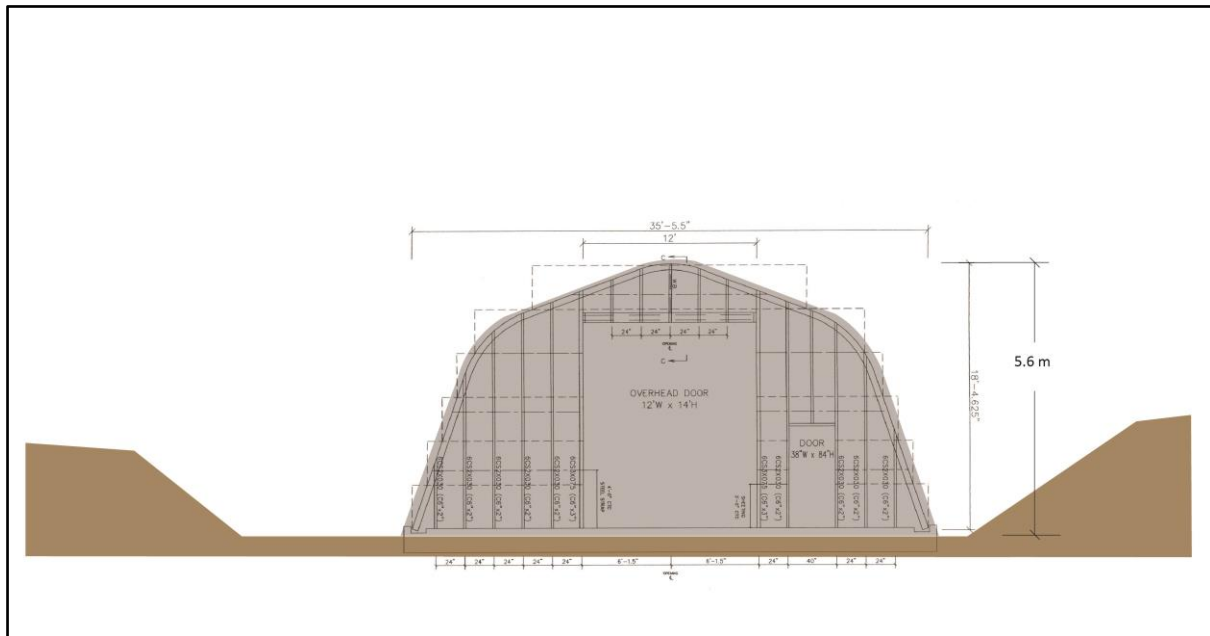
- Misinformation from the manufacturer of the building about the requirements to obtain permits.
- An inability to return the building to the manufacturer.
- The lack of impact on neighbours due to siting and excavation.

Impact on Neighbouring Properties

The requested variance is minor in nature. The size and configuration of the subject property dictates that the proposed garage would have a minimal visual impact on the two adjacent properties. Further, the siting on the property and tree cover means that the garage should not be visible from any neighbouring dwelling. In addition, excavating effectively lowers the height of the proposed building (see Figures 2 and 3; Attachment 2.6). With a conventional building (with a perimeter poured foundation), there would be the ability for the applicant to back-fill and thereby comply with the height restriction.

Based on a call received, there may be the potential for the top of the building to be visible to dwellings to the north across Pirates Rd. That neighbour is currently verifying this with the applicants (see: Consultation – below)

Figure 3 – Excavation Cross Section – Effective Height



The Overall Intent of the Regulation being Varied

The overall purpose of the Interior height regulation is to minimize impacts on adjacent properties related to:

- Limiting the visual impact of development on adjacent properties.
- Establishing a consistent development pattern within a local area.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Establishing certainty with respect to residential development by maintaining consistent siting regulations.

Potential Impacts of Granting the 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 each application should be evaluated on its own merits.

Circulation/Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m. on June 22, 2018.

At the time of writing, staff has received no written submissions and two phone calls from neighbours. One call raised objections but did not provide any relevant comments on the variance. That person was advised to make a written submission. The second call identified that the top of the proposed building may be visible from his dwelling. He agreed to research this with the owners in order to see if there would be impacts.

Any submissions received prior to the LTC Meeting will be forwarded to the LTC and reported at the meeting.

Rationale for Recommendation

The recommendation on Page 1 is supported as:

- The variance is minor in nature.
- The siting of the garage and neighbour context minimizes potential impacts with granting the variance.
- The applicant has limited options given that the structure has been delivered and is a building system that cannot be adapted.
- Notification to date has generated only verbal responses from two neighbours, one with valid, potential concerns.
- The variance does not impact the intent of the bylaw regulation.

ALTERNATIVES

- **Request further information**

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

Recommended wording for the resolution is as follows:

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

- **Deny the application**

The LTC may deny the application.

Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee deny application NP-DVP-2018.2 (Yuan).

NEXT STEPS

Submitted By:	Phil Testemale	June 15, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	June 15, 2018

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. Notice
4. Letter from Caurinus Consulting Correspondence
5. Letter from Applicant outlining rationale for variance
6. Draft DVP (NP-DVP-2018.2)

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 9, Sections 7 and 24, Pender Island, Cowichan District, Plan 32261
PID	001-080-695
Civic Address	5909 Pirates Road

LAND USE

Current Land Use	Rural with Home Business (B&B)
Surrounding Land Use	Rural

HISTORICAL ACTIVITY

File No.	Purpose
NP-BP-2017.21	BP for accessory building - subject of application.

POLICY/REGULATORY

Official Community Plan Designations	The property is designated as R – Rural in the North Pender Island Official Community Plan 171, 2007. The following Development Permit Areas (DPAs) are designated on the subject property: • Development Permit Area One – Woodland Sensitive Ecosystem • Development Permit Area Two – Herbaceous Sensitive Ecosystem • Development Permit Area Five – Cliff Sensitive Ecosystem
Land Use Bylaw	The subject property is zoned as Rural (R) North Pender Island Land Use Bylaw No. 103, 1996.
Other Regulations	N/A
Covenants	None
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Fund
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	N/A
Sensitive Ecosystems	As designated in DPAs (above)
Hazard Areas	There are areas of High, Medium and Low Steep Slope Hazards on the property (Attachment 2.3). The area of the proposed garage is on a relatively level area outside of the hazard areas. There is no regulation.
Archaeological Sites	There are no archaeological sites listed in the Remote Access to Archaeological Data (RAAD) within the property or within 100 metres. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain

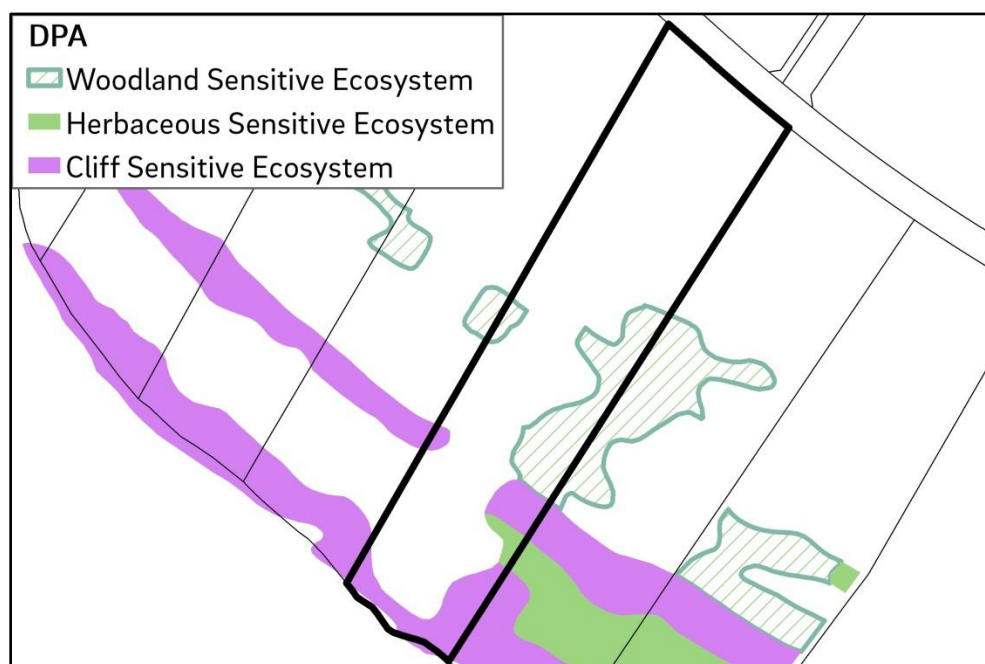
	previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Associated GHG increases due to clearing of forest area and new construction. There Elevation and indicate that the impacts from anticipated or possible climate change induced hazards are not immediate.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder
Shoreline Data in TAPIS	None mapped.

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

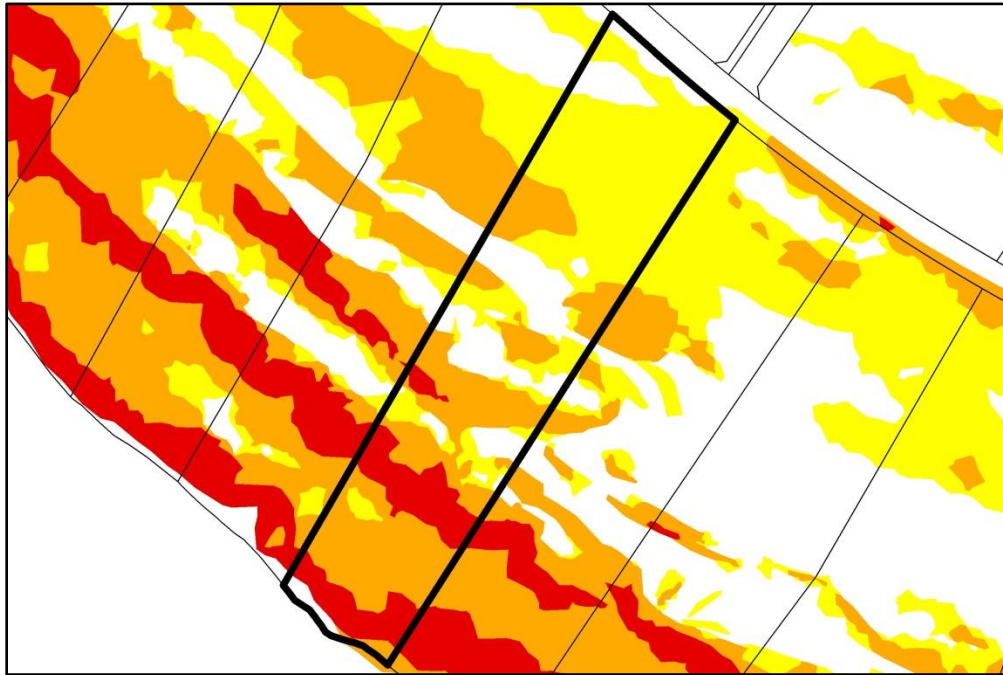
2.1 ORTHOPHOTO WITH ZONING



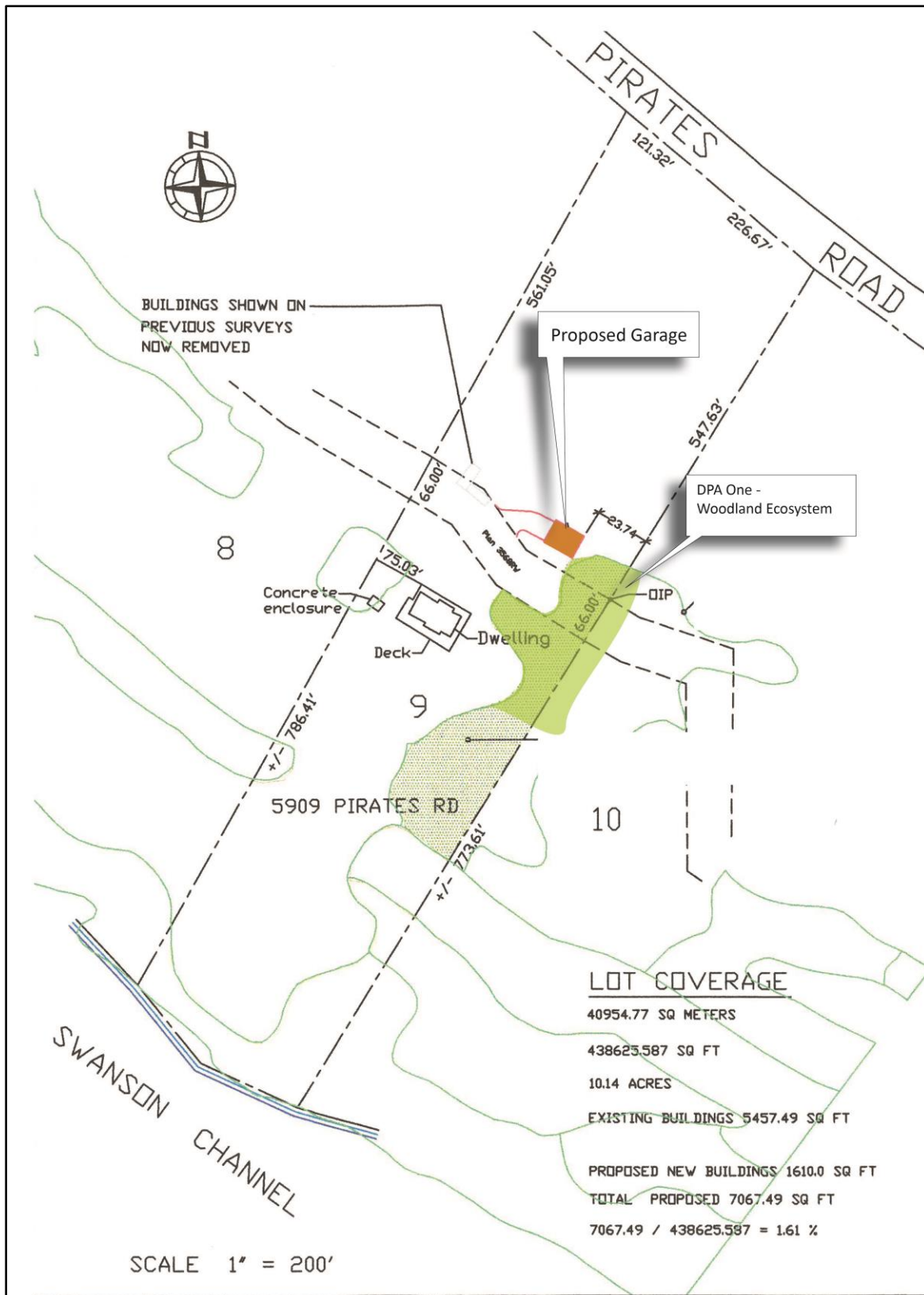
2.2 DEVELOPMENT PERMIT AREAS



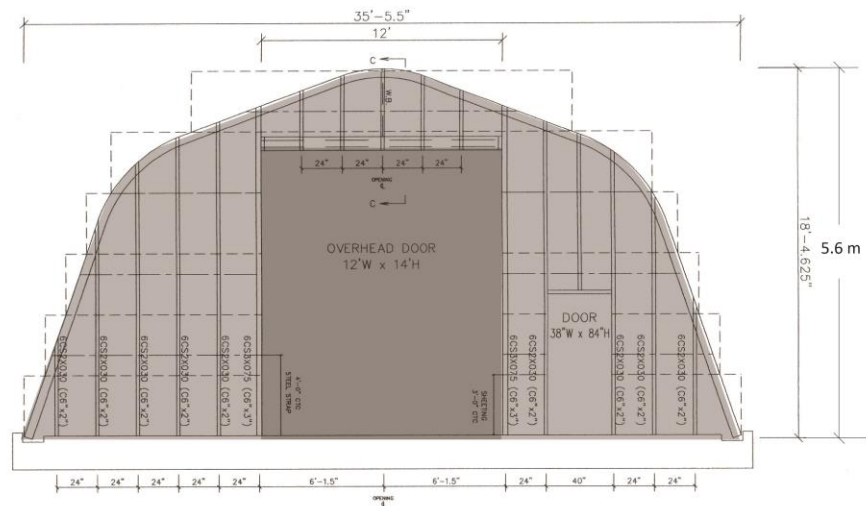
2.3 STEEP SLOPE HAZARD MAPPING



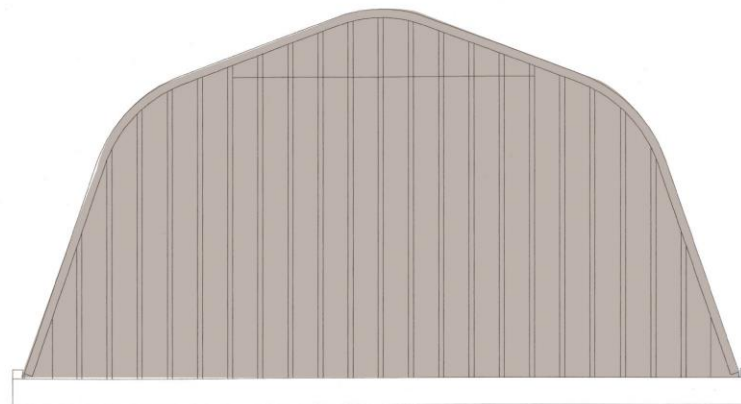
2.4 OVERALL SITE PLAN



2.5 ELEVATIONS



FRONT ELEVATION
OVERHEAD DOOR TO BE DESIGNED
AND SUPPLIED BY OTHERS



REAR ELEVATION

2.7 PHOTOGRAPHS

SOUTHEAST CORNER OF EXCAVATION (LOOKING SE TOWARD DPA)



NORTH EAST CORNER OF EXCAVATION (LOOKING NNE)



2.7 PHOTOGRAPHS

LOOKING EAST FROM EXCAVATION



LOOKING WEST FROM EXCAVATION



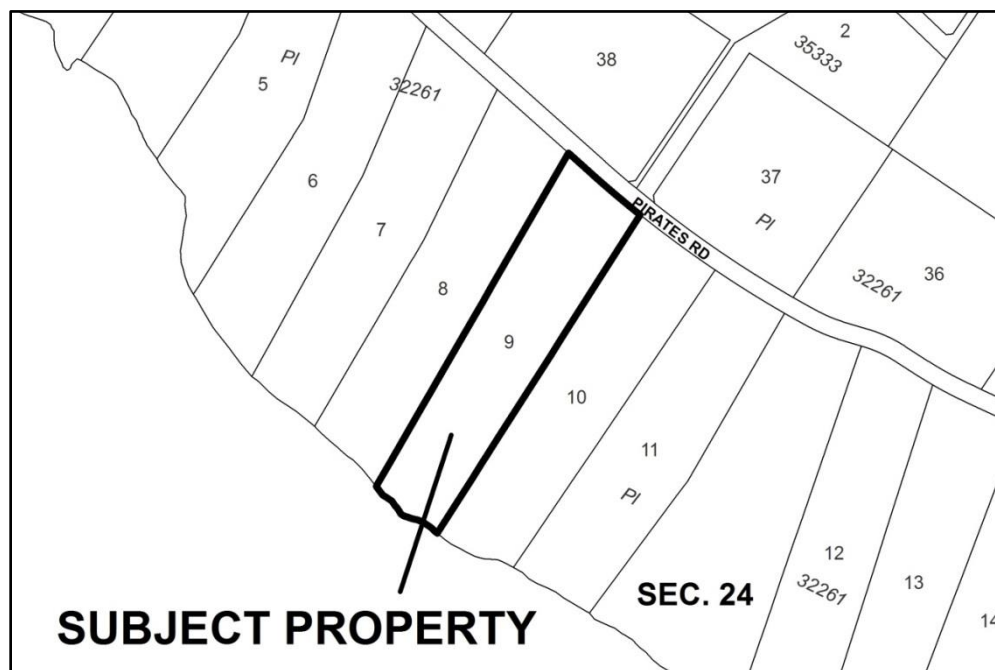
NOTICE
NP-DVP-2018.2
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

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 499 of the *Local Government Act*. The proposed permit would vary the North Pender Island Land Use Bylaw No.103, 1996, by varying:

Subsection 3.4.4 which states that an accessory building or structure may not exceed 4.6 metres in height and one storey is varied to permit the construction of an accessory building (garage) 5.6 metres in height.

The property is located at **5909 Pirates Way** and is legally described as Lot 9, Sections 7 & 24, Pender Island, Cowichan District, Plan 32261(PID: 001-080-695)

The general location of the subject properties 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 **June 11, 2018** and continuing up to and including **June 22, 2018**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Pender Island.

Enquiries or comments should be directed to Phil Testemale, A/Planner 2 at (250) 405-5170, 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, **June 22, 2018**.

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 **4:00 p.m., June 26, 2018**, at the Anglican Church 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.



Phil:

On April 15, 2018, we visited the property at 5909 Pirates Road to assess an area that was cleared for the purposes of building a garage located on the south side of the shared road adjacent to the Woodland DPA (Appendix A; Fig 1.) The purpose of the visit was to determine if any infringement occurred to the western boundary of the Woodland DPA during excavation. The Woodland DPA adjacent to the cleared area consists of a large rocky outcrop covered with a variety of moss, lichen, herbaceous plants, juvenile Douglas-fir (*Pseudotsuga menziesii*) and a mature arbutus (*Arbutus menziesii*). The edge of the Woodland DPA is clearly delineated by the rocky outcrop and presently, the cleared area for construction is absent of a sensitive ecosystem (due to mapping error) and therefore does not cross into the Woodland DPA. It is therefore our professional opinion that no permanent damage has been done to the Woodland DPA, and low level remediation is needed in the form of reducing the grade of the slope along the western edge of the Woodland DPA as well as minimal planting with native species (e.g. Roemer's fescue, sword fern, kinnikinnick and wood sorrel) to stabilize the soil and to prevent erosion (see attached Appendix A, Fig. 1-4).

Native species can be found at many locations. See link

http://www.goert.ca/gardeners_restoration/buying_native_plants.php

Please let us know if you require any additional information.

Best regards,

Dan Baxter B.Sc., R.P.Bio.
Erin O'Brien Ph.D.
Caurinus Environmental

APPENDIX A



Figure 1. Polygon in yellow depicting the cleared area adjacent to the Woodland DPA. The cleared area for construction is absent of a sensitive ecosystem (due to mapping error).



Figure 2. Area of clearing looking east along the western edge of the Woodland DPA at 5909 Pirates Road.



Figure 3. View looking North where slope levelling is needed to prevent erosion of dug out slope.



Figure 4. Close up of area needing remediation (slope leveling and replanting).

Rationale for By Law Variance

5909 Pirates Road, North Pender Island, BC

Shangrila Bed and Breakfast

We have purchased the Shangrila Bed and Breakfast in April of 2017. For the convenience of our guests we have available to them 2 boats (on trailers), an RV and a few cars. They are presently stored mostly on the north half of the property. This is unsightly and not the form of character we wish for our guests or our neighbours. The previous owners of this Bed and Breakfast had left this area in a ragged state and it is our plan to clean it up and provide a landscape plan that reflects the beauty of our Gulf Islands. Our guests have to scramble for an unorganized parking arrangement.

Our proposal is to erect a steel building (garage) to accommodate these boats, RV and vehicles. This would free up parking and help tidy up the property. The floor area required for this storage would be 35'x46' (1610 sq ft) and this building came as 18' high. The garage was purchased from Future Steel Buildings Intl. Corp. of Brampton, Ontario for \$34,500. The vendor told us we require 'no permits' as the building comes with Sealed drawings from an engineer.

We hired an excavator to remove rock from the location best suited for this building. No trees were removed and to the best of our knowledge not in a Development Permit Area. We had got the site down to what we considered suitable grade. It would be surrounded by rock ridges on the north and south sides and a larger rock ridge on the east side that would be higher than the proposed building. Then the CRD building inspector came by and placed a stop work order on the project and stated we required a building permit. We have not done any work since. So much for the advice of our vendor in Ontario. They will not take the building back and the sale is final. We are new to British Columbia and not aware of all the requirements, we trusted the vendor. That is not an excuse we are learning fast.

We had retained David Gobeil, CTech of Technical Services & Design to draw up plans for the building permit, as instructed from the CRD building inspector. He in turn passed these to Islands Trust who advised us of the over height problem. Technically, this is correct as the surrounding rock ridges slope down to grade/slab elevation on three sides. The building would sit in a kind of hole. From elevation views the garage would appear to be around 10.8 feet above average grade. The email (Dec 15 2017) from Planner Phil Testemale explains height definitions well and we now understand why we are not in compliance.

For these reasons we are asking your consideration in a variance of this bylaw. We are confident the one neighbour in sightline of this proposed building has no objections and we could have them sign to this effect. Pirates Road ends at her property and the neighbour to the west is much further down the road and out of sight. Also, we believe we are clear of the DPA Woodland Sensitive Ecosystem but if a biologist or other professional is required to assess this we would be happy to have them inspect the

site and provide a report. If a landscape plan is required we could hire a landscaper to provide a plan for that.

I have a few photos which I hope will help to visualize the site.



Figure 1 Looking Southwest from on the large ridge east of proposed building. Beyond is the north side of BnB to the south



Figure 2 Looking Northeast from Pirates Road with smaller ridge along south side of proposed building. Boat and material along the south side of the road

We thank the Islands Trust for your help in this matter.

Kind Regards

Xueping and Tobi Yuan

Shangrila Bed and Breakfast



Islands Trust

PROPOSED

**NORTH PENDER LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
NP- DVP-2018.2**

To: Xueping Yuan

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

Lot 9, Sections 7 & 24, Pender Island, Cowichan District, Plan 32261
(PID: 001-180-695)

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

- a) Subsection 3.4.4 which states that an accessory building or structure may not exceed 4.6 metres in height and one storey is varied to permit the construction of an accessory building (garage) 5.6 metres in height.

The development shall be consistent with Schedules 'A', 'B' and 'C' which are 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 the "North Pender Island Land Use Bylaw 103,1996" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District and Ministry of Transportation and Infrastructure.

**AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS
##th DAY OF MONTH, YEAR.**

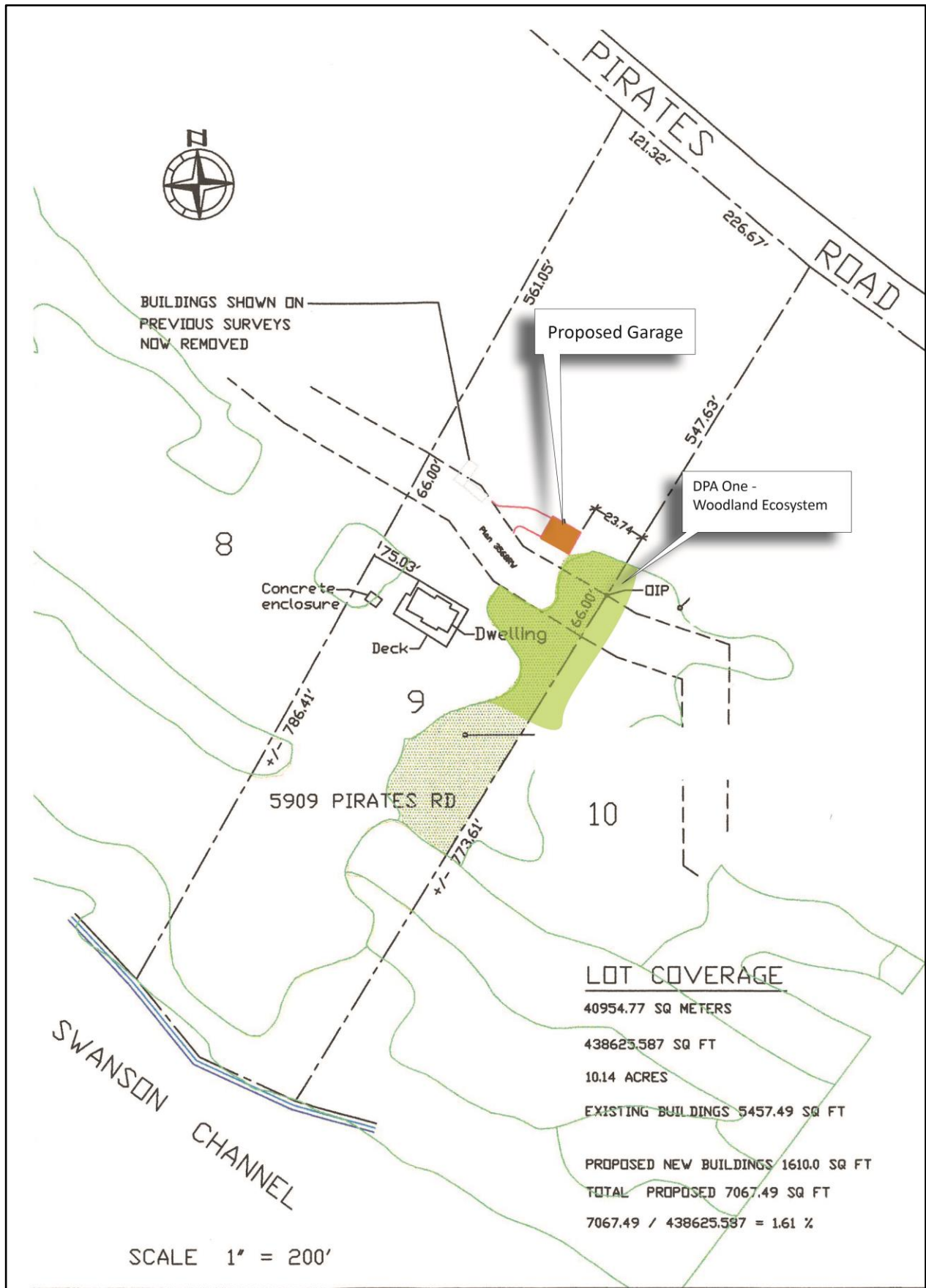
Deputy Secretary, Islands Trust

Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF MONTH, YEAR
, THIS PERMIT AUTOMATICALLY LAPSES.**

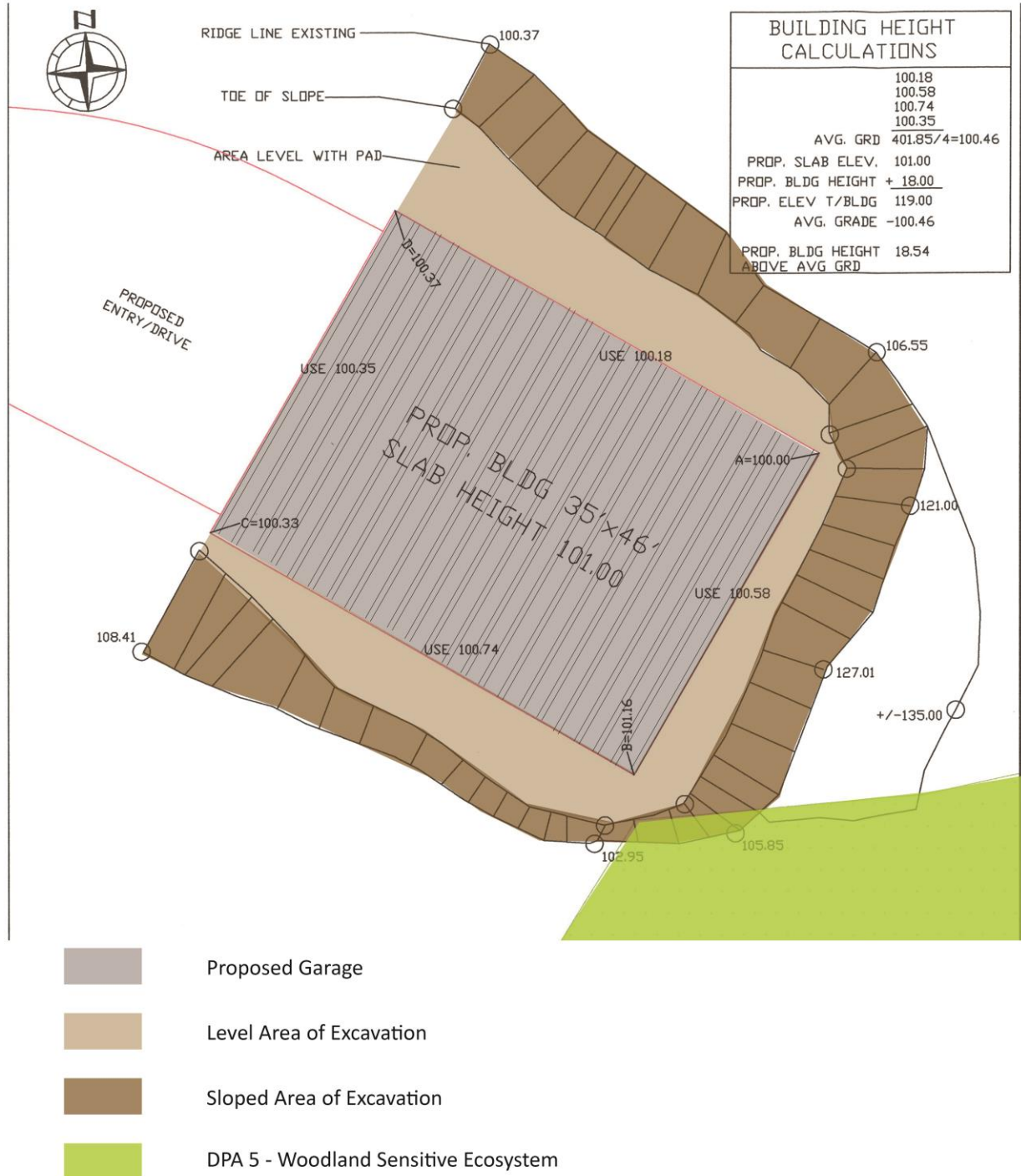
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-DVP-2018.2

SCHEDULE 'A'

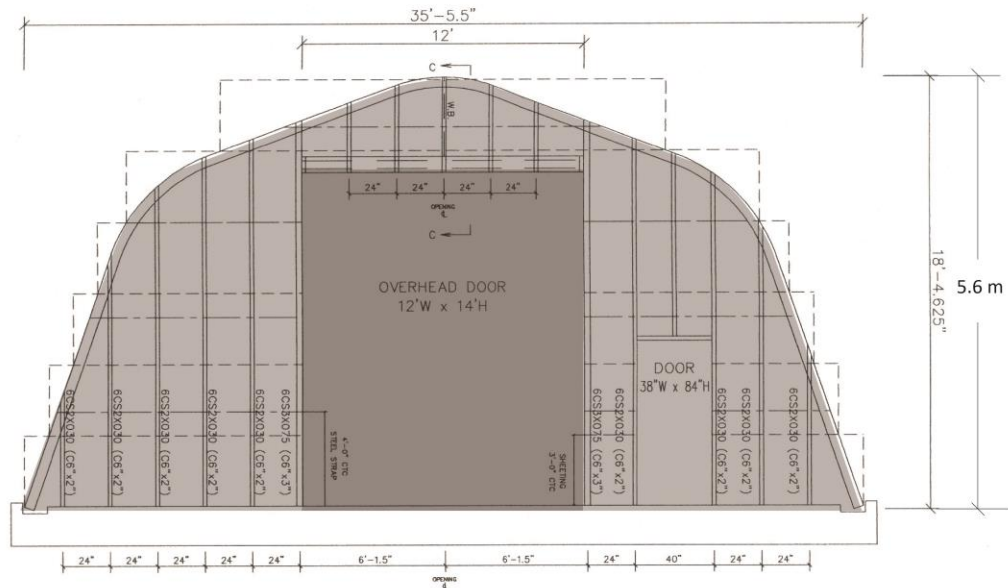


NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-DVP-2018.2

SCHEDULE 'B'

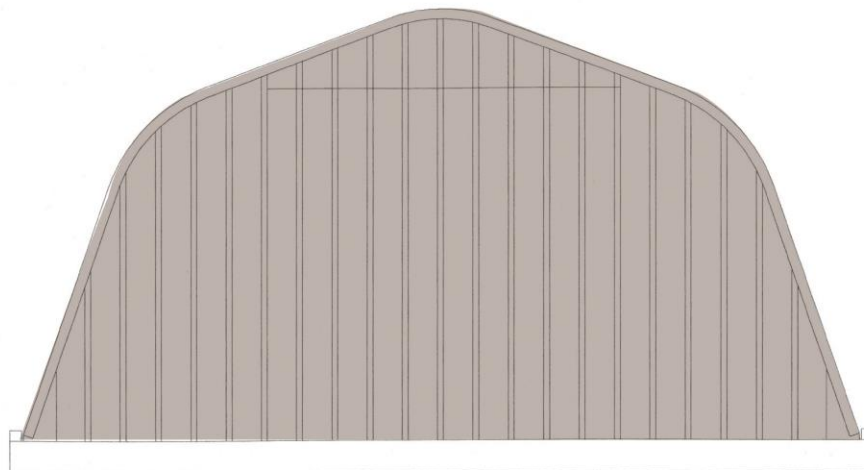


SCHEDULE 'C'



FRONT ELEVATION

OVERHEAD DOOR TO BE DESIGNED
AND SUPPLIED BY OTHERS



REAR ELEVATION



File No.: File Number: NP-TUP-2018.4
(Hardal Mgmt. – Driftwood)
(NP-TUP-2016.1)

DATE OF MEETING: June 26, 2018
TO: North Pender Island Local Trust Committee
FROM: Phil Testemale, A/Planner 2
Southern Team
COPY: Justine Starke, Island Planner
SUBJECT: **Renewal** of Temporary Use Permit
Applicant: Dorothy Murdoch
Location: Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP54822

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve the renewal of Temporary Use Permit NP-TUP-2016.1 for a period of three (3) years.

REPORT SUMMARY

The purpose of this report is to consider a renewal of a Temporary Use Permit (TUP) for the following uses on a 1.0 ha (2.47 ac.) portion on the subject property:

- a) The storage and processing of landscape materials (soil and mulch).
- b) The storage of gravel (aggregates).
- c) For certainty, and for the purposes of this permit, processing is defined as screening and sorting, but does not include crushing or washing.
- d) Storage of equipment and materials that are directly required for the maintenance and construction of the Driftwood Centre only, and specifically limited to the following:
 - i. Construction, electrical and plumbing materials.
 - ii. Motorized equipment and vehicles.
 - iii. Landscaping materials including soils, mulch, plants

The above uses are subject to conditions including no screening or sorting of aggregates (Attachment 4).

In summary, the above recommendation for the renewal of the TUP is supportable as, the uses are necessary and reasonable for the operation of the Driftwood Centre; for the past two years since issuance of the TUP the applicant has complied with the conditions of the TUP; and, there have been no reported adverse effects on neighbouring properties. Further, the TUP will be valid for a period of three (3) years upon at which time an application for rezoning or a new TUP will be required to continue the use.

BACKGROUND

A staff report with background information and recommendations was presented at the May 26, 2016 regular meeting of the North Pender Island Local Trust Committee (LTC). That report is available here: http://www.islandstrust.bc.ca/media/340012/agenda-package-north-pender-ltc-regular_may26_2016.pdf.

The permit has the purpose of bringing various use and siting infractions on the property into compliance with the North Pender Island Land Use Bylaw No. 103, 1996. Discussion during initial consideration at the above-noted LTC meeting is excerpted in Attachment 3 and highlighted as follows:

- Trustee Masselink expressed the following concerns:
 - Industrial screening activities can be disturbing to neighbours.
 - Neighbouring property owners have shared concerns regarding the activities and some who feel impacted are not captured in the definition of “neighbours” and should therefore be granted more time to have their concerns addressed.
 - By relocating the gravel, this Temporary Use Permit (TUP) may relocate an issue that is concerning to the community instead of allowing the issue to be dealt with.
- Neighbours expressed concerns about protection from expanding uses on the property outside of the TUP area and contamination due to run-off and the process of gravel screening.
- The circulated TUP was amended to both reduce the valid time period and prohibit gravel screening.

The LTC passed the following resolution at its May 26, 2016 regular meeting:

NP-LTC-041

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee approve Temporary Use Permit NP-TUP-2016.1 (Murdoch) for a period of two years, which would not include gravel screening.

CARRIED

(Trustee Masselink opposed)

The Islands Trust Bylaw Enforcement Officer has confirmed that the applicant/owner has complied with the conditions of the TUP since issuance. Specifically, the relocation of all buildings (with the exception of Building ‘A’ – see Figure 2) has been undertaken to comply with siting regulations. Moving Building ‘A’, which does not currently impact neighbouring properties or present a hazard, is not viewed as a significant issue, but nonetheless remains a condition of NP-TUP-2016.1.

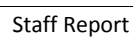
Bylaws 214 and 215 (NP-RZ-2016.4) to redesignate and rezone a separate 0.6 ha portion of the subject property for the relocation of the Pender Island ‘Nu to Yu’ store are currently awaiting Ministerial Approval (Bylaw 214) prior to Final Adoption of the bylaws. That area and the TUP area do not intersect.

There have been no complaints to planning staff or bylaw enforcement since the TUP was issued on June 1, 2016.

A copy of NP-TUP-2016.1 (Murdoch) as amended and issued is Attachment 4.

Staff have visited the subject property numerous times.

Islands Trust

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ANALYSIS

Islands Trust Policy Statement:

The following ITPS policies are relevant and support the proposal:

5.2.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.

5.7.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

Official Community Plan:

The property is designated as **R - Rural** in the North Pender Island Official Community Plan No. 171, 2007 (OCP).

Guidelines for TUP applications are contained in the OCP. In summary, the proposal meets the applicable guidelines.

Land Use Bylaw:

The property is zoned as **Rural (R)** in the North Pender Island Land Use Bylaw (LUB) No. 103, 1996 (LUB).

The renewal of the TUP will permit the continued, specific uses on property in compliance with the LUB.

Issues and Opportunities

Uses

The uses permitted are required for ongoing construction and maintenance of the Driftwood Centre (adjacent) property which has a limited area to facilitate and screen them. All of the buildings and structures permitted in the TUP are not permanently sited and easily removed.

Impacts on Neighbouring Properties

As above, over the past two years there have been no complaints received by planning and enforcement staff, nor have any impacts on neighbouring properties been observed. The one exemption was the placing of a fuel tank outside of the TUP area, which was subsequently removed when cited by Bylaw Enforcement. It is noted that the Temporary Use Area is limited and isolated from surrounding parcels (Figure 2).

Future Planning Alternatives

This application is for renewal of the issued permit only, the permit conditions cannot be altered, the renewal can only be renewed or refused. As stated above, if the LTC choses to renew the TUP for a three year period, the owner will be required to either apply for a rezoning, apply for a new TUP or to cease the uses and remove all permitted structures and equipment. Staff will monitor the use and consult with the owners on the most reasonable course of action at closer to the expiry date.

Consultation

Statutory Requirement - Notification

There is no statutory requirement for the renewal of a TUP.

Rationale for Recommendation

In summary, the recommendation on page 1 for the renewal of the TUP is supportable as:

- The uses are necessary and reasonable for the operation of the driftwood centre.
- The applicant has complied with the conditions of the TUP and a minor infraction since the TUP was issued.
- There have been no reported adverse effects on neighbouring properties.
- The TUP will be valid for a period of three (3) years upon at which time an application for rezoning or a new TUP will be required to continue the use.

ALTERNATIVES

Staff notes that the LTC does not have the alternative to amend the TUP, but rather it must decide to renew or deny the renewal.

1. Request further information

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

Recommended wording for the resolution is as follows:

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

2. Deny the application

The LTC may deny the application.

Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee deny the renewal of NP-TUP-2016.1 for the follows reasons ...

NEXT STEPS

Submitted By:	Phil Testemale, A/Planner 2	June 15, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	June 15, 2018

ATTACHMENTS

1. Site Context
2. Maps
3. Excerpt from the minutes of the May 26, 2016 NPILTC Regular Meeting
4. NP-TUP-2016.1

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP 54822
PID	018-191-941
Civic Address	4605 Bedwell Harbour Road

LAND USE

Current Land Use	Rural (No permanent improvements) and uses under NP-TUP-2016.1
Surrounding Land Use	North is Driftwood Centre (commercial retail); east across Bedwell Harbour Road is Agricultural; west and south are Rural

HISTORICAL ACTIVITY

File No.	Purpose
NP-RZ-2016.4	Relocation of Nu to Yu Store on a 0.6 ha portion to SE.

POLICY/REGULATORY

Official Community Plan Designations	R – Rural in OCP Designation]North Pender Island Official Community Plan No. 171, 2007. There are no DPAs or Heritage Conservation Areas designated on the property.
Land Use Bylaw	Property is currently zoned Rural (R) in the North Pender Land Use Bylaw No. 103, 1996 (Attachment 2.3)
Other Regulations	
Covenants	EF10096 – CRD No Build on adjacent (to west) Lot 2
Bylaw Enforcement	NP-BE-2015.5 is for numerous violations for operating an excavator's yard, dumping of construction materials and burning. These are addressed with NP-TUP-2016.1.

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Trust Fund
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	N/A
Sensitive Ecosystems	The only identified sensitive ecosystem is Mature Forest (Attachment 2.5
Hazard Areas	See Attachment 2.5 and comments in main body of report.

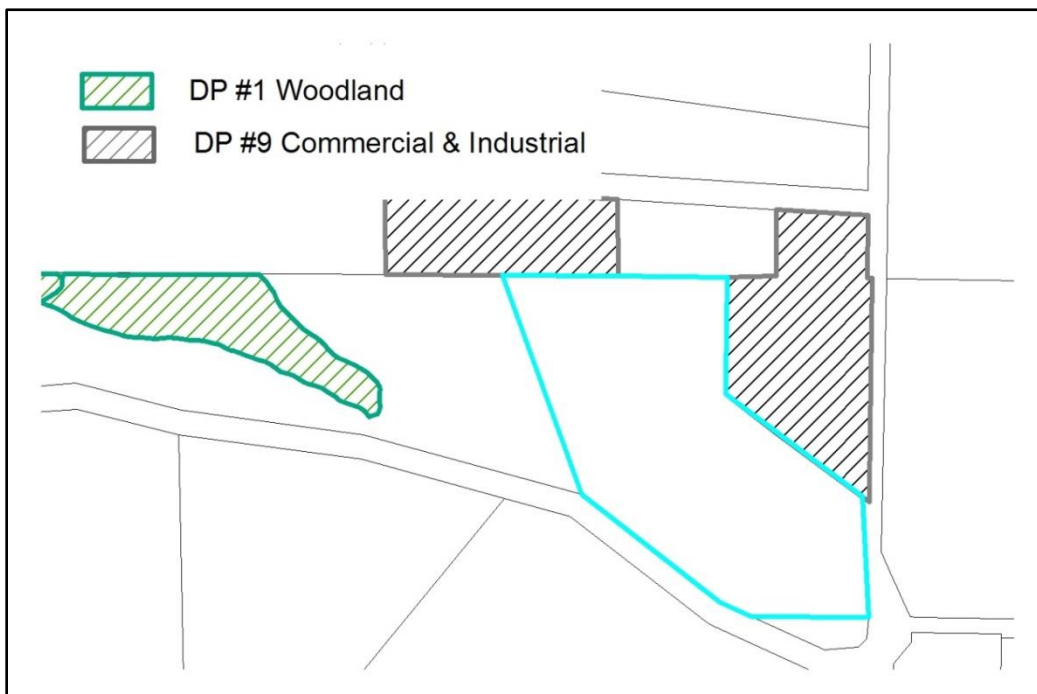
Archaeological Sites	There are no archaeological sites noted within the property or within 100 metres on the provincial Archaeological Data (RAAD) information. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The uses are temporary and all structures are non-permanent. The location has limited exposure to climate change induced hazards (i.e. sea level rise.)

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

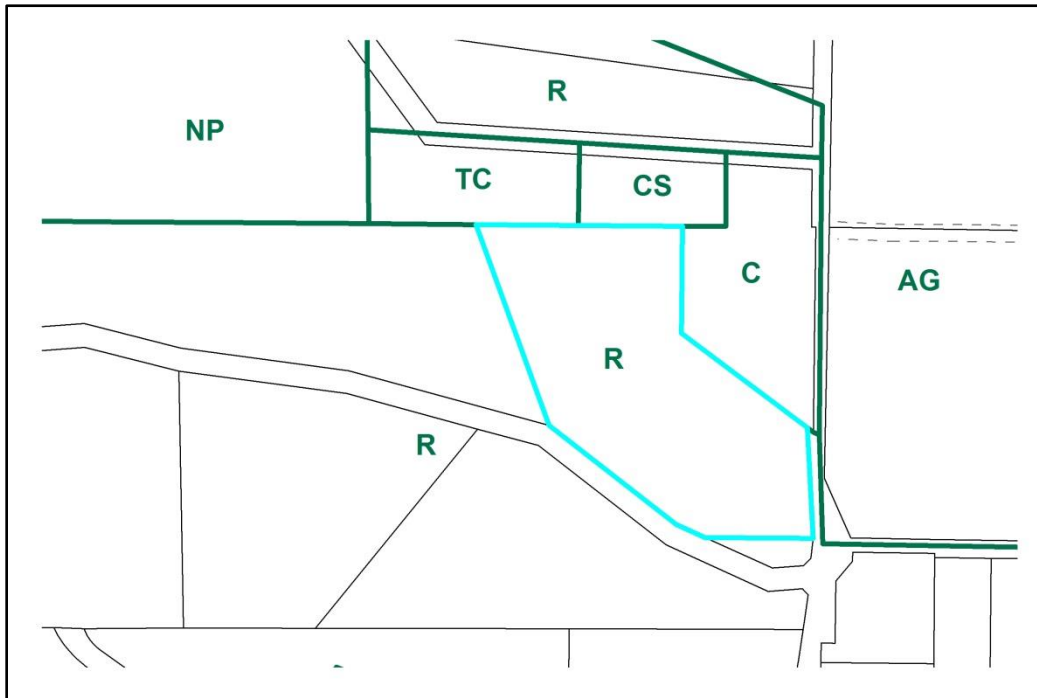
2.1 ORTHOPHOTO



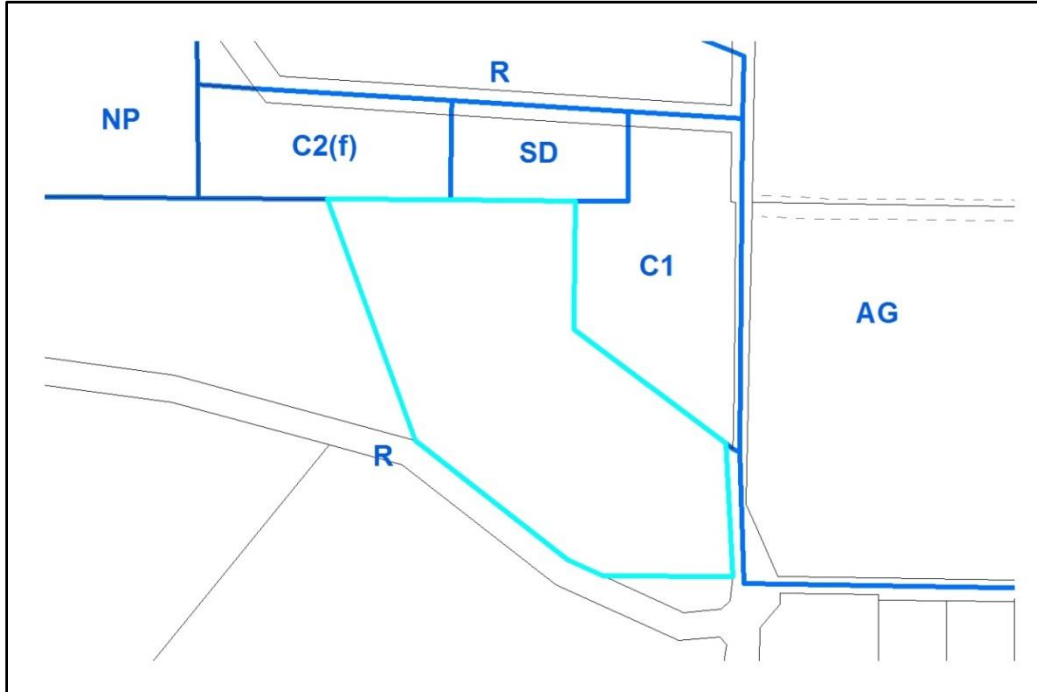
2.2 DPAs



2.3 CURRENT OCP DESIGNATIONS



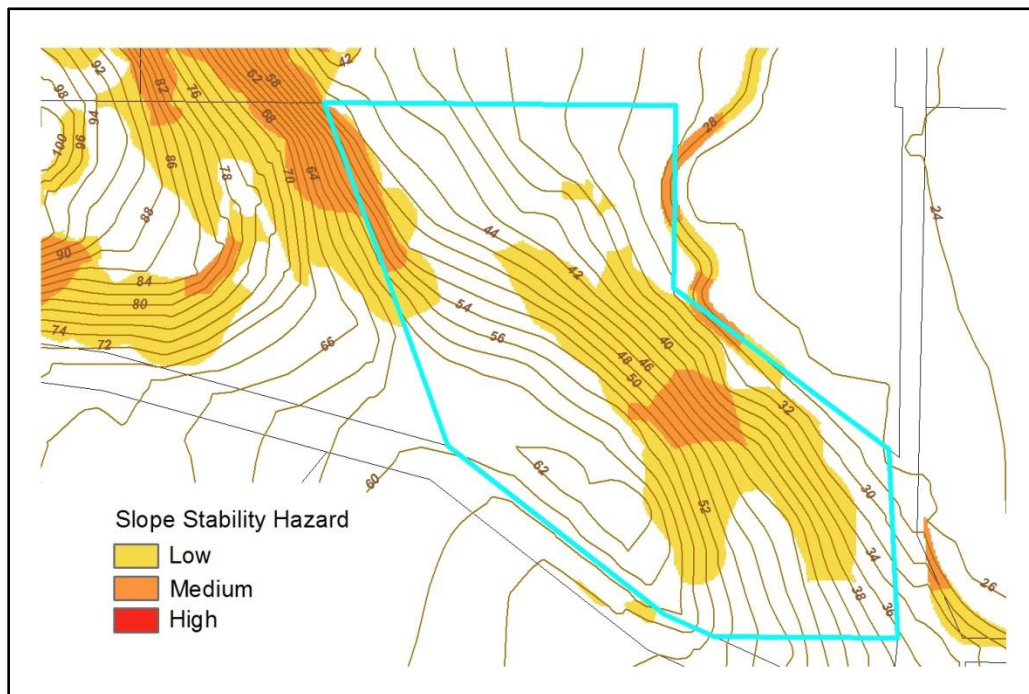
2.4 CURRENT ZONING



2.5 SENSITIVE ECOSYSTEM MAPPING



2.5 STEEP SLOPE MAPPING



ATTACHMENT 3 – EXCERPT FROM MINUTES (ADOPTED) OF MAY 26, 2016 NPLTC REGULAR MEETING

10.7 NP-TUP-2016.1 (Murdoch)

Planner Starke provided an overview of the application and the related staff report. She noted that this application has been made as a voluntary effort to bring the rural property into compliance with the current bylaws. She further reported that two letters have been received from neighbours speaking against the application.

Trustee Masselink expressed the following concerns:

- Industrial screening activities can be disturbing to neighbours.
- Neighbouring property owners have shared concerns regarding the activities and some who feel impacted are not captured in the definition of “neighbours” and should therefore be granted more time to have their concerns addressed.
- By relocating the gravel, this Temporary Use Permit (TUP) may relocate an issue that is concerning to the community instead of allowing the issue to be dealt with.

Gary Dudley was invited to speak as a neighbouring property owner. He asked whether there was any protection to ensure that the permitted activities would not be expanded to other sites on the property. He also noted that rain run-off will distribute the materials beyond the property on which they sit.

A discussion was held regarding what the next step should be. A recommendation for a community meeting was made and discussed by the LTC with input from Planner Starke.

A discussion was held regarding amending the TUP to add conditions that would mitigate the concerns of the LTC and the neighbours.

NP-LTC-041

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee approve Temporary Use Permit NP-TUP-2016.1 (Murdoch) for a period of three years.

A discussion of the motion was held and there was general agreement to make a friendly amendment to reduce the period to two years.

The motion was re-read as follows:

NP-LTC-041

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee approve Temporary Use Permit NP-TUP-2016.1 (Murdoch) for a period of two years.

Trustee Masselink expressed concern that the TUP process was moving too fast to provide adequate time to address the concerns of the community.

A discussion was held regarding the proposed activity of gravel screening and concerns from neighbours. The applicant responded that this activity would not take place and offered that it be removed from the TUP.

Further discussion was held regarding a community meeting and whether it would prove beneficial to this process.

Chair Grams recommended a friendly amendment "Which would not include gravel screening" and there were no objections. The motion was re-read and a vote was called.

NP-LTC-041

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee approve Temporary Use Permit NP-TUP-2016.1 (Murdoch) for a period of two years, which would not include gravel screening.

CARRIED

(Trustee Masselink opposed)

A member of the community expressed concern with the burning that has taken place on the property.

Chair Grams acknowledged the concern and noted that it was an issue for Bylaw Enforcement.



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

TEMPORARY USE PERMIT

NP-TUP-2016.1

TO: Driftwood Properties Ltd.
(c/o Dorothy Murdoch)

1. This Temporary Use Permit applies to the land described below:

That portion of:

Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP54822
PID: 018-191-941

indicated as 'Temporary Use Permit Area' on Schedules 'A' and 'B' attached to and forming part of this permit.

2. This permit is issued for the purpose of allowing the following uses in the 'Temporary Use Permit Area:'
 - a) The storage and processing of landscape materials (soil and mulch).
 - b) The storage of gravel (aggregates).
 - c) For certainty, and for the purposes of this permit, processing is defined as screening and sorting, but does not include crushing or washing.
 - d) Storage of equipment and materials that are directly required for the maintenance and construction of the Driftwood Centre only, and specifically limited to the following:
 - i. Construction, electrical and plumbing materials.
 - ii. Motorized equipment and vehicles.
 - iii. Landscaping materials including soils, mulch, plants.
3. The uses permitted in paragraph 2. may be carried out in the 'Temporary Use Permit Area' subject to the following conditions:
 - a) No on-site composting or storage of composted materials is permitted.
 - b) No transfer or storage of waste materials.
 - c) No accessory storage or use of the subject area by tenants of the Driftwood Centre or others, with the sole exception of the storage and processing of landscape materials permitted by paragraph 2.
 - d) No burning is permitted on any portion of the subject property.
 - e) No commercial sales.
 - f) No screening or sorting of aggregates (gravel).
 - g) Processing of aggregates, soils and mulch is restricted to 8:00 a.m. to 4:30p.m. Monday through Saturday.

- h) Aggregates and landscape materials stored on-site shall be contained within areas delineated along three sides with concrete lock block walls measuring a maximum height of 2 blocks (1.5 m). in the specific use areas shown on Schedules 'A' and 'B.'
 - i) The maximum volume of aggregates and landscape materials stored at one time is limited to 900 m³ (1177 yd³).
 - j) The existing buildings shown as buildings 'A,' 'H' and 'I' on Schedules 'A' and 'B' are to be relocated to conform to the minimum setbacks for buildings and structures as set out in the North Pender Island Land Use Bylaw No. 103, 1996.
 - k) The relocation and/or alteration of buildings and structures indicated in paragraph i) is to be completed within six (6) months of the date of issuance of this permit.
 - l) One greenhouse, not to exceed 28 m² (300 ft²) in size is permitted in the 'Subject Area' identified on Schedules 'A' and 'B.'
 - m) All equipment and materials permitted by paragraph 2 above are to be removed from the site by the date of the expiry of this permit.
- 4. This permit is valid for three years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust unless the permit is renewed by resolution of the North Pender Island Local Trust Committee.
 - 5. 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 approvals from the Capital Regional District, Island Health and the Ministry of Transportation and Infrastructure.

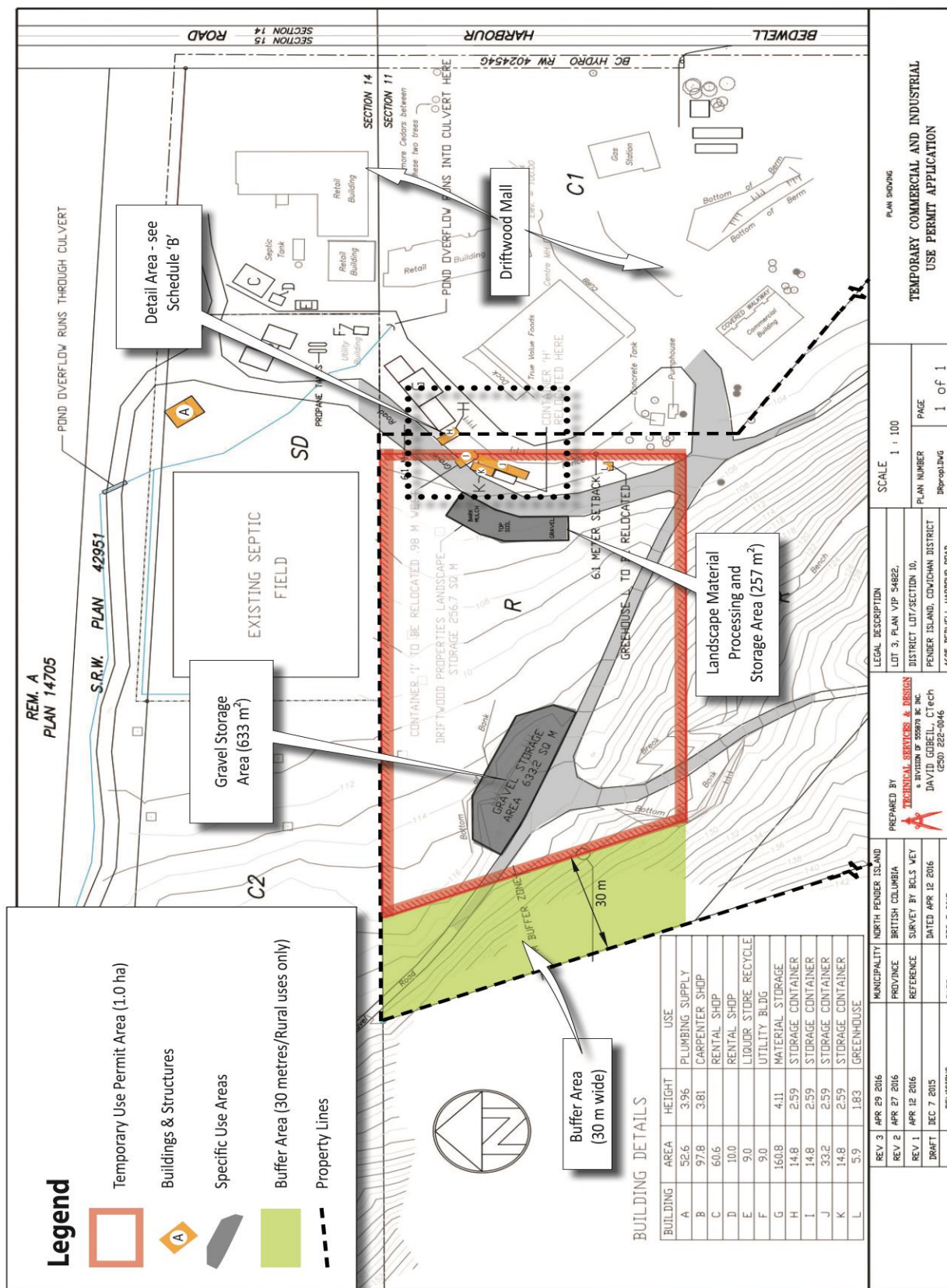
**AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS
XX DAY OF JUNE, 2018.**

Deputy Secretary, Islands Trust

Date of Issuance

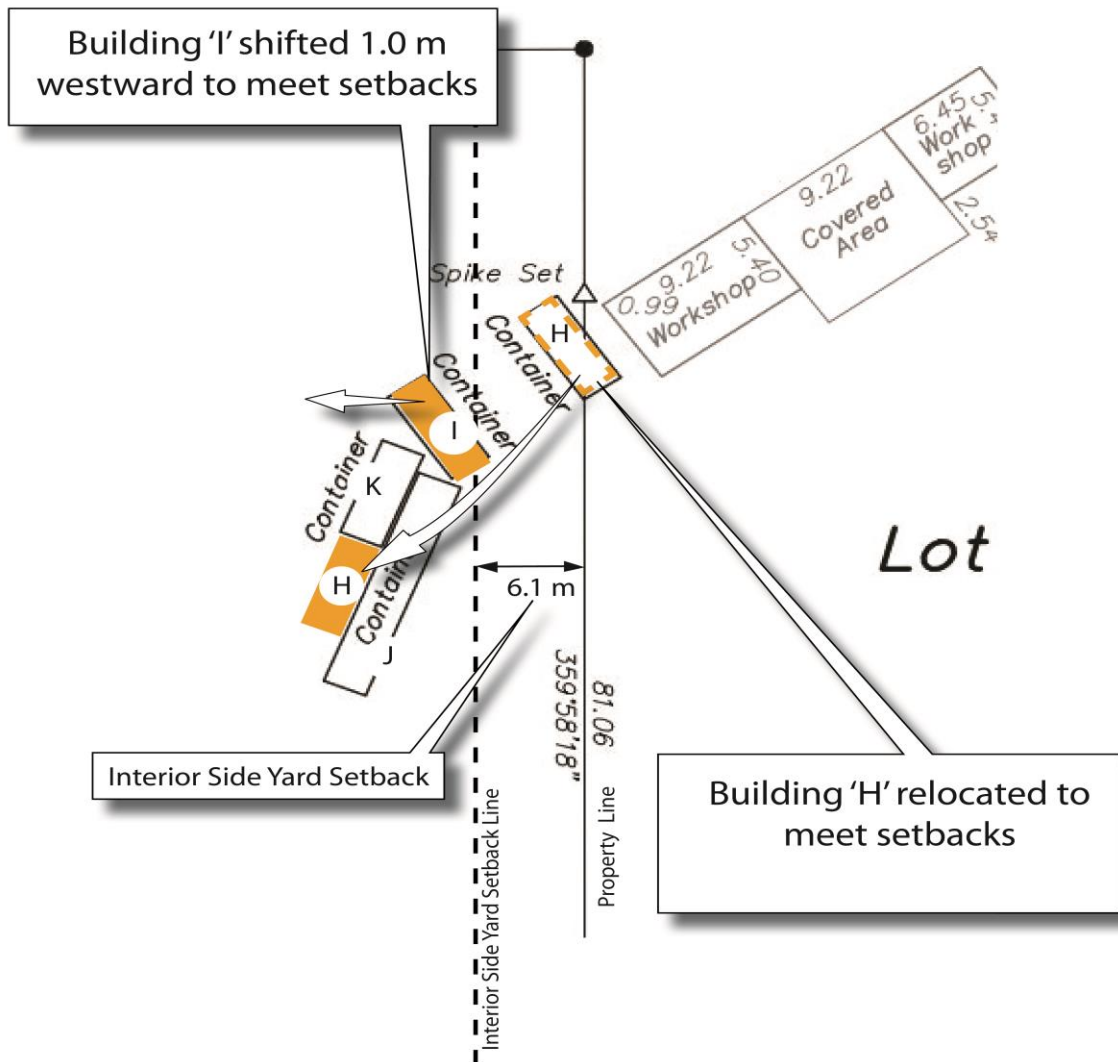
Legend

- | | |
|---|---|
|  | Temporary Use Permit Area (1.0 ha) |
|  | Buildings & Structures |
|  | Specific Use Areas |
|  | Buffer Area (30 metres/Rural uses only) |
|  | Property Lines |



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2016.1
SCHEDULE 'B'

Distances shown are in metres.





File No.: NPI Bylaw 216/217:
6500-20 Secondary Suites

DATE OF MEETING: June 26, 2018
TO: North Pender Island Local Trust Committee
FROM: Justine Starke, Island Planner
Victoria Office
SUBJECT: Post Public Hearing Report – Secondary Suites on North Pender Island
Applicant: N/A
Location: N/A

RECOMMENDATION

1. THAT the North Pender Island Local Trust Committee Bylaw No. 216, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2018,” be read a third time.
2. THAT the North Pender Island Local Trust Committee Bylaw No. 217, cited as “North Pender Island Land Use Bylaw, 103, 1996, Amendment No. 1, 2018,” be read a third time.
3. That the North Pender Island Local Trust Committee proposed Bylaws No. 216 and No. 217 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.
4. That the North Pender Island Local Trust Committee proposed Bylaw No. 216 be forwarded to the Minister of Municipal Affairs and Housing for approval.

REPORT SUMMARY

The purpose of this report is to present Bylaws 216 and 217 for consideration of Third Reading and referral to the Executive Committee of Islands Trust and the Minister of Municipal Affairs and Housing for approval. **Bylaw 216** and **Bylaw 217** would permit and regulate secondary suites as accessory dwellings permitted within primary dwellings on North Pender Island.

BACKGROUND

The Local Trust Committee is considering Secondary Suites on North Pender Island. The North Pender Island Local Trust Committee (LTC) made housing a top priority in 2015 and on November 24, 2016 added Secondary Suites as a focus under its Top Priority work program. The Local Trust Committee has endorsed a **project charter** to manage the work program for this policy priority.

Bylaw 217 is a land use bylaw amendment that defines secondary suites as a self-contained dwelling unit located within the principal dwelling on a lot.

Bylaw 216 is an amendment to the Official Community plan to enable and make specific reference to secondary suites. It proposes a new general residential policy: “Accessory housing options such as secondary suites may be

permitted as a way to increase the stock of rental housing without negatively impacting the rural sense of place or the carrying capacity of the island,” and includes various other policies to implement this. Bylaw 216 also proposes to amend the Temporary Use Permit guidelines to discourage secondary suites from being used as short term vacation rentals.

A public hearing was held on June 26, 2018. A public hearing is a quasi-judicial process within and following which specific procedures must be followed. Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Third Reading (this may include amendments to alter a bylaw).
2. Forwarding of the bylaw to Executive Committee for approval.
3. Forwarding of the bylaw to the Minister’s office for approval (OCP amendment bylaws only).
4. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner’s consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation:

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

ALTERNATIVES

1. Make other amendments to the bylaw(s)

The LTC may amend the bylaw(s) provided, the amendments would not alter use or increase density

Possible Resolutions:

That North Pender Island Local Trust Committee proposed No. 216, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2018,” be amended as follows

That North Pender Island Local Trust Committee proposed Bylaw No. 217, cited as “North Pender Island Land Use Bylaw, 103, 1996, Amendment No. 1, 2018,” be amended as follows

2. Proceed no further

The LTC may decide to proceed no further with Bylaws 216 and 217.

Resolution:

That the North Pender Island Local Trust Committee proceed no further with Bylaw 216 and 217.

NEXT STEPS

1. Refer bylaws 216 and 217 to the Executive Committee of Islands Trust.
2. Refer bylaw 216 to the Ministry of Municipal Affairs and Housing.

Submitted By:	Justine Starke, RPP, Island Planner	June 14, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	June 14, 2018

ATTACHMENTS

1. Proposed Bylaw 216
2. Proposed Bylaw 217

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 216

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

The North Pender Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2018”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	30 th	DAY OF	JANUARY	2018
READ A SECOND TIME THIS	26 th	DAY OF	APRIL	2018
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER COMMUNITY, SPORT AND CULTURAL DEVELOPMENT THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 216**

SCHEDULE 1

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

1. Inserting a new policy Residential 2.1.H:

“2.1.H Accessory housing options such as secondary suites may be permitted as a way to increase the stock of rental housing without negatively impacting the rural sense of place or the carrying capacity of the island.”

2. Inserting a new Rural Residential land use policy 2.1.1.10:

“2.1.1.10: Secondary suites may be permitted within principal dwellings with the intent of providing long term rental housing options for residents. A maximum of one secondary suite, limited in floor area, shall be permitted per lot.”

3. Inserting a new Rural land use policy 2.1.2.9:

“2.1.2.9: Secondary suites may be permitted within principal dwellings with the intent of providing long term rental housing options for residents. A maximum of one secondary suite, limited in floor area, shall be permitted per lot.”

4. Inserting a new Agricultural land use policy 2.2.26 and renumbering subsequent policies accordingly:

“2.2.26: Secondary suites may be permitted within principal dwellings with the intent of providing long term rental housing options for residents. A maximum of one secondary suite, limited in floor area, shall be permitted per lot.”

5. Removing the title of Part 6: Temporary Commercial and Industrial Use Permits and replacing it with “Temporary Use Permits.”
6. Removing the subtitle of Part 6: Temporary Commercial and Industrial Use Permit Policies” and replacing it with “Temporary Use Permit Policies.”
7. Adding a new policy 6.4.14:

“6.4.14 A temporary use permit may not be issued for a short term vacation rental within a secondary suite.”

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 217

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

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

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw, 103, 1996, Amendment No. 1, 2018”.

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

2.1 Section 1.1 – Definitions, is amended by adding the following:

“Secondary suite” means an accessory, self-contained dwelling unit, located within the principal dwelling on a lot and having a lesser floor area than the principal dwelling unit.

2.2 Part 3 – General Regulations is amended by adding a new Section 3.18 as follows:

“3.18 Secondary Suites

3.18.1 There is a maximum of one secondary suite permitted per lot.

3.18.2 A secondary suite shall be entirely located within the building that contains the principal dwelling.

3.18.3 The maximum floor area for a secondary suite is 90m² (968 ft²) and it must not exceed 40 per cent of the floor area of the principal dwelling.

3.18.4 The entrance to a secondary suite from the exterior of the building must be separate from the entrance to the principal dwelling unit.

3.18.5 A secondary suite must not be subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*.”

3.18.6 A secondary suite may not be used as a short term vacation rental or a bed and breakfast home business.

2.3 Subsection 6.1.2 – Off Street Parking, is amended by adding a new row (b) to Table 2, as follows, and re-alphabetizing accordingly:

TABLE 2: Off-Street Parking Requirements Continued		
	Use	Minimum Number of Parking Spaces Required
(b)	Secondary Suite	1 Space

- 2.4 Section 8.1 (Rural Residential (RR) Zone) is amended by inserting a new clause 8.1.2(1)(f) as follows:

“(f) secondary suite”

- 2.5 Article 8.1.3(1) is amended by adding “, one secondary suite” so that it reads, “There may not be more than one dwelling, one secondary suite and one cottage on any lot.”

- 2.6 Subsection 8.1.8 - Site Specific Regulations, is amended by adding “(f)” to item (1) of Column 3 of the Site Specific Zone Reference RR(a).

- 2.7 Subsection 8.1.8 – Site Specific Regulations, is amended by adding a new Site Specific RR(b) as follows:

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Site-Specific Zone Reference	Legal Description	Site Specific Regulations
RR(b)	Trincomali Improvement District	Despite 8.1.2(1)(f) secondary suites are not permitted.

- 2.8 Section 8.2 (Rural (R) Zone) is amended by inserting a new clause 8.2.2(1)(e) as follows:

“(e) secondary suite”

- 2.9 Article 8.2.3(1) is amended by adding “, one secondary suite” so that it reads, “There may not be more than one dwelling, one secondary suite and one cottage on any lot.”

- 2.10 Subsection 8.2.8 - Site Specific Regulations, is amended by adding “one secondary suite” to item (2) in Column 3 of the Site Specific Zone Reference R(b) .

- 2.11 Subsection 8.2.8 - Site Specific Regulations, is amended by adding “(f)” to item (2) of Column 3 of the Site Specific Zone Reference R(c).

- 2.12 Section 8.3 (Agricultural (AG) Zone) is amended by inserting a new clause 8.3.2(1)(f) as follows:

“(f) secondary suite”

- 2.13 Subsection 8.3.8 - Site Specific Regulations, is amended by adding “and (f)” to Column 3 of the Site Specific Zone Reference AG(a).

- 2.14 Schedule “D” – Zoning Map, is amended by changing the zoning classification of the Trincomali Improvement District, as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” to Bylaw No. 103 as are required to effect this change.

3. SEVERABILITY

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

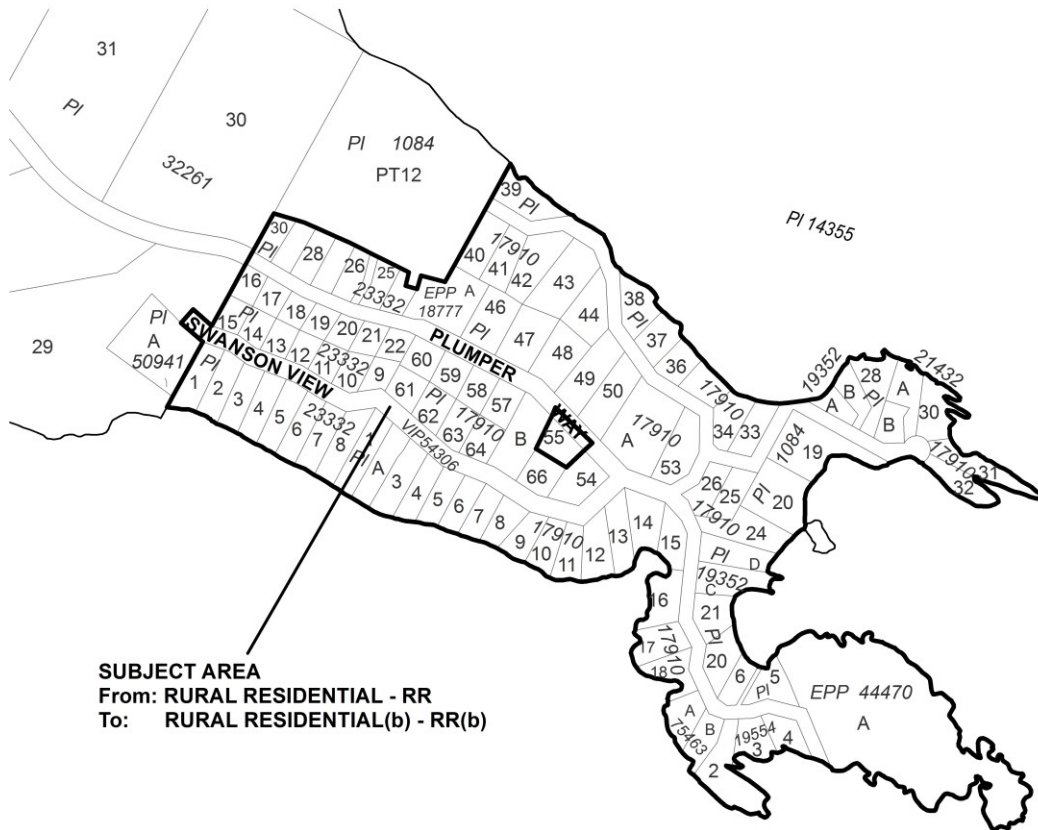
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APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 217**

Plan No. 1



Top Priorities

North Pender Island

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



Projects

North Pender Island

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

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

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

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

Projects

North Pender Island

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



Islands Trust

Print Date: June 18, 2018

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2017.3	Datawave Communications Inc. Inc. No. BC0287893 (Driessen) Planner: Phil Testemale	18-Aug-2017	Single Family Dwelling
Planning Status			

Status Date: 15-Nov-2017

Applicant obtaining geotechnical assessment report

Status Date: 17-Oct-2017

Request for further information (geotechnical assessment) sent to applicant

Status Date: 13-Sep-2017

Waiting for survey information to process file

File Number	Applicant Name	Date Received	Purpose
NP-DP-2018.4	DRORA ARONOWICZ Planner: Phil Testemale	10-May-2018	impact of lampposts on eagles nest in driveway
Planning Status			
<u>Status Date:</u>			

File Number	Applicant Name	Date Received	Purpose
NP-DP-2018.5	HARDAL MANAGEMENT INC Planner: Phil Testemale	23-May-2018	Construct new building for store operated by Pender Island Community Services Society.
Planning Status			

Status Date: 06-Jun-2018

Issued receipt for cheque, pink copy to Finance and original scanned with cheque for e-files; emailed scanned receipt and cheque to Applicant, mailed original; added hard copy to application folder.

Applications

Status Date: 04-Jun-2018

Received from Applicant cheque for application fee by post mail.

Status Date: 30-May-2018

Emailed Applicant with instructions on electronic funds transfer to pay application fee, cc Finance Officer.

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
NP-DVP-2017.3	BRAD JOHNSON	13-Jun-2017	Variance required for access stairs to lower main deck of existing pathway, stairs and dock.

Planner: Phil Testemale

Planning Status

Status Date: 10-May-2018

Sent e-mail to owner requesting update.

Status Date: 22-Feb-2018

Site meeting with owner scheduled for March 5, 2018

Status Date: 09-Jan-2018

Sent reminder to applicant requesting status

File Number	Applicant Name	Date Received	Purpose
NP-DVP-2018.1	ADRIENNE ATHERTON / CIVIC LEGAL LLP	09-Mar-2018	1117 Walden Road (Drora Aronowicz, owner) - improvements/upgrade to south patio and main stone patio of single-family dwelling

Planner: Phil Testemale

Planning Status

Status Date: 07-Jun-2018

Initial letter sent to applicant (non-support for rezoning, and conditions to proceeding).

Status Date: 06-Apr-2018

Assembled full application package e-file and emailed to LTC.

Applications

Status Date: 05-Apr-2018

Emailed scanned receipt and cheque to Applicant, mailed original; created hard file, gave to Robert K to assign to Planner.

File Number	Applicant Name	Date Received	Purpose
NP-DVP-2018.2	Xueping Yuan	07-May-2018	To construct a over-height garage in DPA area.

Planner: Phil Testemale

Planning Status

Status Date: 29-May-2018

Notice and Permit drafted and passed to DC for mailout. June 26, 2018 LTC Agenda.

Status Date: 10-May-2018

opened file, notified LTC, processed fee, passed to RPM to assign planner.

Rezoning

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2016.2	PORT BROWNING MARINA RESORT LTD INC.NO. BC1037734	09-May-2016	4605 OAK RD Rezone the water lot adjacent to the current Marina

Planner: Phil Testemale

Planning Status

Status Date: 18-Jun-2018

File passed to PTA to close.

Status Date: 25-May-2018

Bylaws 206, 207, 208, 209 and 210 adopted by LTC at May 24, LTC. File to be returned to PTA to close.

Status Date: 14-Feb-2018

Covenants on February 22, 2018 agenda for acceptance and signing authority. Bylaw 206 (marina)final approval pending register of covenants. Bylaw 207 and 208 awaiting Ministerial signature.

File Number	Applicant Name	Date Received	Purpose
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Applications

NP-RZ-2016.3 MILL BAY MARINE 20-May-2016 4602 and 4606 and 4605 Oak Road
 GROUP c/o
 HENSHAW
 005-636-639
 Request that area zoned SD(a) passing through lots 3 and 4 be re-aligned to be adjacent to the westerly boundaries AND rezone the part of lot 3 that sits NE of Oak Rd to be C3(a).

Planner: Phil Testemale

Planning Status

Status Date: 18-Jun-2018

File passed to PTA to close.

Status Date: 25-May-2018

Bylaws 209 and 210 adopted by LTC at May 24, 2018 Regular Meeting

Status Date: 19-Jul-2017

Bylaws approved by EC. 209 to Minister for Approval

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

Planning Status

Status Date: 25-May-2018

Approved by EC - May 18, 2018

Status Date: 25-May-2018

Referral to Minister for Bylaw 211 in process.

Status Date: 23-Nov-2017

Bylaws receive further reading, forwarded to EC and Minister

File Number	Applicant Name	Date Received	Purpose
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Applications

NP-RZ-2018.1 ADRIENNE 09-Mar-2018 1117 Walden Road (owner: Drora Aronowicz) - deck structure within 15m of shore boundary; deck structure within Water Zone 1
ATHERTON / CIVIC
LEGAL LLP
Planner: Phil Testemale

Planning Status

Status Date: 07-Jun-2018

Letter sent to applicant (via YA) - initial response to application (non-support from staff)

Status Date: 06-Apr-2018

Assembled full application package e-file and emailed to LTC.

Status Date: 05-Apr-2018

Emailed scanned receipt and cheque to Applicant, mailed original; created hard file, gave to Robert K to assign to Planner.

Subdivision

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

Planning Status

Status Date: 11-May-2018

Updated driveway access plan received.

Status Date: 09-Jan-2018

Awaiting information on driveway status

Status Date: 22-Jun-2017

Update meeting with applicant - todays date

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

Planning Status

Applications

Status Date: 09-Jan-2018

Awaiting Ministerial signature

Status Date: 19-Jul-2017

Bylaws approved by EC

Status Date: 19-Jul-2017

Bylaws approved by EC. 207 to Minister for Approval.

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

Planning Status

Status Date: 14-Feb-2018

DVP approved (January 30, 2018). 10 percent waiver on February 22, 2018 agenda. Proof of potable water, septic and drainage required.

Status Date: 09-Jan-2018

PLA received. DVP on Jan 25, 2018 LTC for consideration.

Status Date: 13-Sep-2017

Waiting for PLA. Required DVP Application has been submitted.

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2017.3	Jim Petrie	19-Dec-2017	proposed 2 lot subdivision
Planner: Phil Testemale			

Planning Status

Status Date: 02-Feb-2018

Referral response sent to MoTI.

Status Date: 16-Jan-2018

fees received, LTC notified, file passed to planner.

Applications

Status Date: 22-Dec-2017

file received from MoTI, fee request sent to applicant.

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2018.1	JT (JOHN COLLISON) - McELHANNEY CONSULTING SERVICES Planner: Justine Starke	15-Jun-2018	Proposed 2-lot conventional subdivision of 6620 and 6618A Harbour Hill Road
Planning Status			

Status Date: 15-Jun-2018

Received MoTI Referral in Information webmail inbox; created electronic and hard files.

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
NP-TUP-2018.4	HARDAL MANAGEMENT INC Planner: Phil Testemale	15-May-2018	Renewal of TUP
Planning Status			

Status Date: 16-May-2018

PTA opened file, processed eft transfer, given to RPM

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.	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.
4.	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.
5.	September 10, 2015	NP-LTC-63-15	Enforcement Policy - storage and disposal of waste and vehicles	THAT North Pender Island Local Trust Committee authorizes bylaw enforcement officers to commence bylaw investigations and enforcement without written complaint if bylaw violations related to disposal or storage of waste or recyclable materials or storage of vehicles or vehicle parts are observed by the bylaw enforcement officer while doing inspections for other issues or if it is reliably reported to the officer that such activity may be taking place.



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality May 2018

Islands Trust Fund Name Change

The TFB is thrilled to have received notice that the name change to Islands Trust Conservancy has been approved. Staff has prepared a Name Change Implementation Plan that outlines a two-staged approach to implement the name change over the next few months.

Medicine Beach Nature Sanctuary Management Plan

The TFB received and approved an updated management plan for the Medicine Beach Nature Sanctuary. The TFB requested that an article be submitted to the Pender Post to provide community awareness about the management issues for this popular location.

Approval of Parks Canada – Sidney Island Forest Restoration Proposal

The TFB reviewed information and provided support in principle for Parks Canada's Sidney Island Forest Restoration Proposal, which includes eradication of fallow deer.

2017-2018 Annual Report Submission

The TFB approved text for inclusion in the 2017-2018 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and Housing.

Summary of Current Island-by-Island Activities

Denman

Staff are finalizing the revised management plan for Morrison Marsh Nature Reserve, to be completed by July 2018. Invasive species removal and trail clearing, sign installation, tree caging for forest restoration continues at all three TFB nature reserves on Denman.

Gabriola

Construction of a boardwalk around a large western red cedar tree at Elder Cedar

S'ul-hween X'pey Nature Reserve is now complete and volunteers have mulched the area with woodchips.

Gambier

Staff visited Keats Island to view the proposed Sandy Beach Nature Reserve. Restoration continues at Brigade Bay Bluffs and Long Bay Wetland Nature Reserves protecting and planting tree seedlings.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC). A news release has been issued, and with a recent grant awarded to LINC, the campaign is 40 per cent of the way to a \$250,000 goal.

Thetis

Staff are negotiating a conservation covenant for Fairyslipper Forest Nature Reserve with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust. Ecological information is in the process of being collected to inform the covenant baseline report and the management plan for the protected area.

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

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