



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BUSINESS MEETING AGENDA TO COMMENCE AT 9:45 A.M., THURSDAY, SEPTEMBER 20, 2012 AT THE PENDER ISLAND COMMUNITY HALL (UPSTAIRS), 4418 BEDWELL HARBOUR ROAD, NORTH PENDER ISLAND, B.C.

*Approximate time is provided for the convenience of the public only and is subject change without notice.

	Page #	*Approx. Time*
1. CALL TO ORDER		9:45 am
2. APPROVAL OF AGENDA		9:45 am
2.1 Additions/Deletions		
2.2 Questions from public on Agenda Items		
3. COMMUNITY INFORMATION MEETING - none		
4. PUBLIC HEARING - none		
5. PREVIOUS MEETINGS		
5.1 Local Trust Committee Minutes– for information only		9:50 am
5.1.1 Adopted Minutes of June 28, 2012 Local Trust Committee Business Meeting	1	
5.2 Public Hearing Records and Community Information Meeting Notes to be Received - none		
5.3 Section 26 Resolutions-without-meeting (attached)	12	
5.4 Advisory Planning Commission/Task Force to be received - none		
6. BUSINESS ARISING FROM THE MINUTES		9:55 pm
6.1 Follow-up Action Report (attached)	13	

7.	DELEGATIONS	10:00 am
7.1	Peter Pare and Margaret Venton re: MAPS (attached)	17
8.	CORRESPONDENCE (attached) <i>[correspondence received concerning applications and/or projects is considered with the application]</i>	10:25 am
8.1	August 9, 2012 Email from Sarah Steil Re: Assistance Request for Mailout	31
8.2	Aug 21, 2012 Email from Dave Manning re: Eagle Watch Report	34
8.3	July 21, 2012 Letter from Pender Islands Trust Protection Society re: Dwelling Size	39
8.4	July 23, 2012 Letter from Pender Islands Trust Protection Society re: Hazardous Slopes	41
9.	APPLICATIONS, PERMITS, BYLAWS AND REFERRALS	11:00 am
9.1	NP-DVP-2012.4 (Hall/MacPherson) (attached)	43
10.	LOCAL TRUST COMMITTEE PROJECTS	11:30 am
10.1	Shoreline Review (attached)	59
10.2	James Island – Memo (attached)	73
11.	REPORTS	12:00 pm
11.1	Work Program Reports – for information	75
11.1.1	North Pender Island Local Trust Committee Work Program - Report dated September 2012 (attached)	
11.2	Applications Report – for information	
11.2.1	North Pender Island Applications Report dated September, 2012 (attached)	78
11.3	Bylaw Enforcement - none	
11.4	Expense/Budget Reports	
11.4.1	Trustee and Local Expense Report (attached)	83
11.4.2	Local Trust Committee Budget 2012/2013 (attached)	84
11.4.3	Budget Submissions – 2013-14 (memo attached)	85

- 11.5 Adopted Policies and Standing Resolutions** 89
(attached) – for information
- 11.6 North Pender LTC Web Page** (attached) – for 90
discussion
- 11.7 Chair’s Report** 12:20 pm
- 11.8 Trustee Report**
- 12. OTHER BUSINESS**
- 12.1 Upcoming Meetings**
12.1.1 Business at 9:45 a.m., Thursday, October
25, 2012 at Pender Island Community Hall
- 12.2 Local Trust Committee to consider a resolution
to host a meeting on October 4, 2012, and invite
the South Pender Island Local Trust Committee
to participate**
- 13. TOWN HALL MEETING** 12:45 pm
- 14. MOTION TO CLOSE MEETING** 1:00 pm
THAT, pursuant to Section 90(1)(g) of the Community
Charter, the North Pender Island Local Trust Committee
resolves to close the meeting to the public for the purpose
of adopting Minutes of April 26, 2012 and June 28, 2012;
Local Trust Committee In Camera Meeting; and to consider
bylaw enforcement litigation and ; and further that Islands
Trust Staff and Recording Zorah Staar remain
present.(distributed under separate cover)
- 15. RECALL TO ORDER**
15.1 Rise and Report from Closed Meeting
- 14. ADJOURNMENT** 1:30 pm

ADOPTED

MINUTES OF THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BUSINESS MEETING HELD ON THURSDAY, JUNE 28, 2012, AT 9:45 AM COMMUNITY HALL, NORTH PENDER ISLAND, B.C.

PRESENT:	Gary Steeves Ken Hancock Peter Luckham Andrea Pickard Miles Drew Zorah Staar	Local Trustee Local Trustee Chair Island Planner Bylaw Enforcement Manager Recording Secretary
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REGRETS: none

There were fourteen (14) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:46 am, acknowledging that this was taking place on the traditional territories of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The proposed agenda was amended as follows:

- to add the June 23, 2012 Local Trust Committee Minutes to item 5.1.2;
- to add the Notes of the June 23, 2012 Community Information Meeting to item 5.2.1, and the Record of the same day's Public Hearing to item 5.2.2;
- to add a supplemental Bylaw to item 9.2 (NP-RZ-2011.1 – Turner);
- to add an email submission to item 9.3 (NP-DVP-2012.6 – Rideout); and
- to add item 12.2 for "Local Trust Committee and Tsawout First Nations"

2.2 Questions from Public on Agenda Items

There were no questions, but Trustee Steeves made two announcements: firstly that the Ministry of Transportation & Infrastructure had confirmed the Pender roads on which they planned to repaint the centre lines (maps available); and secondly that the CRD was sponsoring a Household Hazardous Waste drop-off day, at the Pender Recycling Centre on Sunday, July 15, 2012 (11 am to 2 pm).

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 31, 2012 Local Trust Committee Business Meeting

The May 31, 2012 Minutes were adopted by consensus.

5.1.2 Minutes of June 23, 2012 Local Trust Committee Special Meeting

The June 23, 2012 Minutes were adopted by consensus.

5.2 Public Hearing Records and Community Information Meeting Notes

5.2.1 Notes of June 23, 2012 Community Information Meeting

The June 23, 2012 Community Information Meeting Notes were received for information. Trustee Hancock noted two typographical errors (page 1, Mr. Underwood's comments - "cooperation"; and page 2 - "Proposed Bylaw No. 191").

5.2.2 Record of June 23, 2012 Public Hearing

The June 23, 2012 Record of the Public Hearing was received for information. Planner Pickard confirmed that the Trustees could also rely on additional comments heard at the Hearing (see 9.2 below).

5.3 Section 26 Resolutions-without-meeting

None

5.4 Advisory Planning Commission/Task Force Minutes

5.4.1 Minutes of June 6, 2012 Advisory Planning Commission Meeting

The June 6, 2012 Advisory Planning Commission Minutes were noted. Planner Pickard confirmed that these Minutes had been received prior to the June 23, 2012 Public Hearing. An item was added to the agenda (6.2) to discuss an Advisory Planning Commission recommendation.

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard reviewed the Follow-up Action Report. Regarding violations to the setback from the sea, the Executive Committee had requested an enforcement strategy for the Islands Trust as a whole. Regarding assessment for Neighbourhood Zero Emission Vehicles (NZEV), Planner Pickard said that she could follow-up with the Ministry of Transportation & Infrastructure (MOTI) regarding the timeline.

Regarding illegal roadside signage, Trustee Hancock reported that the Chamber of Commerce was waiting to hear MOTI confirm that Local Trust Committees did indeed have concurrent jurisdiction over signage, under their Land Use Bylaws.

Trustee Steeves said that it was in the interests of businesses to accept the Trustee suggestion about rezoning to allow aggregate directional signage at key locations, failing which MOTI had the jurisdiction to remove roadside signage without permits, and the Islands Trust could also proceed to enforcement.

Islands Trust Bylaw Enforcement Manager Miles Drew noted that the Driftwood Centre Development Permit included a condition for aggregate (i.e multiple business) signage which could also be enforced (for example, to deter unsafe sandwich board signs on the road).

6.2 Advisory Planning Commission Recommendation

Trustee Steeves said that at the June 6, 2012 Advisory Planning Commission meeting, the APC noted how some agencies had not referred the applicants to the Islands Trust. The APC also recommended that the Local Trust Committee “look at options for addressing situations where construction work has occurred without the required prior application or approval by the local government”.

Planner Pickard described some useful inter-agency communications which had now occurred, and the difficulties for the Islands Trust to apply penalties for applications after the fact (e.g. after building had started). See also 11.1 below.

7. DELEGATIONS

None

8. CORRESPONDENCE

None

9. APPLICATIONS, PERMITS, AND REFERRALS

9.1 NP-RZ-2011.1 & NP-DP-2011.9 (Turner)

Planner Pickard reviewed the June 11, 2012 Staff Report and commented as follows: that NP-RZ-2011.1 and NP-DP-2011.9 (Turner) involved a site specific rezoning bylaw (No. 190) and a development permit, to allow the construction of

a seawall below the natural boundary of the sea; that this application had been subject to a lengthy process, including professional reports and the June 23, 2012 Community Information Meeting and Public Hearing; and that there were final conditions to address re: a landscaping bond and First Nations monitoring.

Trustees Hancock and Steeves noted the general need to control shoreline alterations, in order to protect sensitive ecosystems. However, in this case there were important archaeological values which needed the protection of a seawall.

Resolution NP-LTC-70-12

It was Moved and Seconded that North Pender Island Local Trust Committee Proposed Bylaw No. 190 (cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2012”), be given Second Reading.

CARRIED

Resolution NP-LTC-71-12

It was Moved and Seconded that North Pender Island Local Trust Committee Proposed Bylaw No. 190 (cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2012”), be given Third Reading.

CARRIED

Resolution NP-LTC-72-12

It was Moved and Seconded that the North Pender Island Local Committee direct Staff to forward Proposed Bylaw No. 190 (cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2012”) to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

Resolution NP-LTC-73-12

It was Moved and Seconded that the North Pender Island Local Trust Committee approve the terms and conditions of proposed Development Permit NP-DP-2011.9 (Turner) but that the permit not be issued until the related bylaw amendment for NP-RZ-2011.1 is adopted.

CARRIED

Resolution NP-LTC-74-12

It was Moved and Seconded that the North Pender Island Local Trust Committee requires, prior to the adoption of Proposed Bylaw No. 190, the applicant to provide a letter of commitment to have a First Nations monitor on site during any site preparation for the proposed seawall.

CARRIED

Resolution NP-LTC-75-12

It was Moved and Seconded that the North Pender Island Local Trust Committee requires, prior to the adoption of Proposed Bylaw No. 190, the applicant to provide security for the proposed landscaping in the form of an irrevocable letter of credit with a clause for automatic renewal, that is payable to the Islands Trust, and is in the amount of \$9,315.13 or 125% of the quoted landscaping cost estimate provided by Kristin Taggart of Islandsapes dated March 10, 2012.

CARRIED

9.2 NP-RZ-2011.2 (Lockhart)

Planner Pickard reviewed the June 12, 2012 Staff Report and commented as follows: that this was a site-specific rezoning to permit an ocean-based geoechange system for heating and cooling; that this application had been subject to a lengthy process, including the June 23, 2012 Community Information Meeting and Public Hearing; and that Proposed Bylaw No. 191 had been revised to refer to a “marine geothermal loop”, using only fresh water.

Trustee Steeves had a concern about the system definition referring to a standard (CSA 448) which could include fluids other than water, but Planner Pickard said that the more specific wording of the Bylaw would not allow this.

Resolution NP-LTC-76-12

It was Moved and Seconded that North Pender Island Local Trust Committee direct Staff to amend Proposed Bylaw No. 191 (cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2012”), by inserting “marine geothermal loop” into the site-specific table and a definition for “marine geothermal loop” as outlined in the Staff Report dated June 12, 2012.

CARRIED

Resolution NP-LTC-77-12

It was Moved and Seconded that North Pender Island Local Trust Committee Proposed Bylaw No. 191 (cited as “North Pender Island Land Use Bylaw 103, Amendment No. 2, 2012”), be given Second Reading.

CARRIED

Resolution NP-LTC-78-12

It was Moved and Seconded that North Pender Island Local Trust Committee Proposed Bylaw No. 191 (cited as “North Pender Island Land Use Bylaw 103, Amendment No. 2, 2012”), be given Third Reading.

CARRIED

Resolution NP-LTC-79-12

It was Moved and Seconded that the North Pender Island Local Committee direct Staff to forward Proposed Bylaw No. 191 (cited as “North Pender Island Land Use Bylaw 103, Amendment No. 2, 2012”) to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

Trustee Hancock thanked the Advisory Planning Commission for their analysis and recommendation on the above rezoning application.

9.3 NP-DVP-2-12.6 (Rideout)

Planner Pickard referred to the June 18, 2012 Staff Report and commented as follows: that NP-DVP-2-12.6 (Rideout) was an application to vary the required setback from the natural boundary of the sea, from 15 metres to 11.2 metres; that this was to legalize the deck of an existing dwelling on Pecos Road, built by the previous owners; and that there had been no objection from neighbouring landowners, nor from the Pender Islands Parks & Recreation Commission.

Resolution NP-LTC-80-12

It was Moved and Seconded that the North Pender Island Local Trust Committee approve Development Variance Permit NP-DVP-2012.6 (Rideout).

CARRIED

9.4 NP-DVP-2012.7 and NP-DP-2012.2 (Graham)

Planner Pickard referred to the June 14, 2012 Staff Report and commented as follows: that application NP-DVP-2012.7 requested a variance to build an overheight two-storey accessory building; that NP-DP-2012.2 requested a development permit to construct both this accessory building and additions to an existing dwelling, within a woodland sensitive ecosystem development permit area; that the owners’ plan was to cluster development close to the dwelling and in a previously disturbed area; and that there was a biologist’s report in support.

Trustee Hancock noted that the applicants were trying to limit their footprint, and that the property had various constraints relating to the requested permits.

Resolution NP-LTC-81-12

It was Moved and Seconded that the North Pender Island Local Trust Committee approve Development Variance Permit NP-DVP-2012.7 (Graham).

CARRIED

Resolution NP-LTC-82-12

It was Moved and Seconded that the North Pender Island Local Trust Committee revise draft Development Permit NP-DP-2012.2 as follows:

1. To add a new subsection 2.(a) reading as follows: “the development shall be substantially consistent with Schedule A attached to and forming part of this permit”;
2. To remove existing subsections 2.(d) and (e);
3. To revise subsection 2. (f) by replacing “minimize” with “avoid”;
4. To revise subsection 2.(r) to read, “Blasting of rock is not permitted”.

CARRIED

Resolution NP-LTC-83-12

It was Moved and Seconded that the North Pender Island Local Trust Committee issue Development Permit NP-DP-2012.2, as amended.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Shoreline Review

Planner Pickard referred to the Staff Report dated June 12, 2012, which provided a draft scope, timeline, budget, and workplan for advancing the Shoreline Review (in order to protect sensitive areas and address shoreline development issues). The Planner commented as follows: that the review could include the three phases of information gathering, education and consultation, and implementation (described); that Trust Council had existing contracts with shoreline consultants who could assist with public consultation (if appropriate); that the Trust Council had now decided to create a Shoreline Mapping Working Group, to assist the various Local Trust Areas looking at related issues; and that there was an upcoming joint meeting with the South Pender Island Local Trust Committee, which was intended to include shoreline issues as well.

Trustees Hancock and Steeves commented as follows: that they had some questions about the initial work by the existing shoreline consultants; that the Shoreline Mapping Working Group did not yet have terms of reference and might take a while to create results, although their cooperative approach was important; that the North Pender Local Trust Committee had some time-limited funding for Shoreline Review work, and wanted to complete its process by September, 2013; that we could start by looking at the North Pender shoreline mapping already available, with a focus on ecosystems rather than geology; and that the Planner was asked to follow up, based on the foregoing comments and the resolution below.

Resolution NP-LTC-84-12

It was Moved and Seconded that the North Pender Island Local Trust Committee direct Staff to schedule a meeting between the Committee and the consultants currently on contract for the Shoreline Mapping Project, and invite the South Pender Local Trust Committee to participate.

CARRIED

11. REPORTS

11.1 Work Program Reports

11.1.1 North Pender Island Local Trust Committee Work Program

Resolution NP-LTC-85-12

It was Moved and Seconded that the North Pender Island Local Trust Committee direct Staff to amend the Work Program by adding "Options to Deal with Applications after the Fact" as item 10. on the Projects List, described as "options for addressing situations where construction work has occurred without the required prior application or approval by the local government".

CARRIED

11.2 Applications Report

11.2.1 North Pender Island Applications Report

Planner Pickard reviewed the available Applications Report.

11.3 Bylaw Enforcement

Bylaw Enforcement Manager Miles Drew commented as follows: that the Bylaw Enforcement Notification Bylaw (BEN Bylaw) was starting to be implemented on Pender, and it was a good tool; that the policy was still to secure voluntary compliance where possible, so a written warning was often given before a ticket; and that the short term vacation rentals (STVR`s) had been winnowed down to a few still operating, with evidence to be gathered over the summer. See also In Camera Minutes of the same date.

11.4 Expense/Budget Reports

11.4.1 Trustee and Local Expenses Report - None

11.4.2 Local Trust Committee Budget 2012/2013 – attached for information

11.5 Adopted Policies and Standing Resolutions Report – attached for information

11.6 North Pender LTC Web Page

Trustee Hancock asked Planner Pickard to check if the Work Program could go on the web page. Re: the Hooson Road material on the web page, Steeves asked the Planner to check when the Ministry of Transportation & Infrastructure planned to do the agreed remediation work.

11.7 Chair's Report

Chair Luckham commented as follows: that the recent Pender Trust Council meeting had been very successful; that this included a great transportation demonstration of a Neighbourhood Zero Net Emission Vehicle (NZEV); that the Islands Trust was going to seek public input on their Strategic Plan; and that the Trust Council meeting had also included a First Nations workshop, and decisions on continued advocacy about tanker and oil spill prevention.

11.8 Trustee Reports

Trustee Steeves commented as follows: that he and other Islands Trust representatives recently had a good meeting with the Nature Conservancy of Canada (NCC) about James Island; that the sensitive covenanted areas were being inspected annually, with the James Island owners being solid partners; that more regular communications with the NCC were intended; that there would likely not be another controlled burn; that there could be future opportunities for conservation volunteers to do some work on James Island; and that after the rezoning which created the conservation areas, the subdivision application file had been closed, but it could be re-opened in future.

Trustee Hancock recognized the passing of Penderite Tekla Deverell, who had been a very keen, huge participant in Islands Trust matters, as well as contributing to our community in countless other ways. This included helping to organize the first Community Stewardship Day a few years ago.

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 30, 2012 (9:45 am, Community Hall Lounge). There would be no meeting in July.

12.2 Local Trust Committee and Tsawout First Nations

Trustee Hancock said that there had been a Tsawout First Nations delegation at the June Trust Council meeting on Pender, and that he was concerned that there is a misunderstanding about the past rezoning of James Island.

Trustee Steeves said that he believed there had been First Nations referrals and an archaeological report leading to adjustments to the James Island rezoning, but he needed more information to help resolve this situation.

Resolution NP-LTC-85-12

It was Moved and Seconded that the North Pender Island Local Trust Committee direct Staff to produce a report with respect to the First Nations and archaeological issues pertaining to the James Island rezoning.

CARRIED

13. TOWN HALL MEETING

Sara Steil commented that eelgrass mapping was underway on Pender (by the Pender Islands Conservancy Association working with SeaChange), and that as a member of the Nature Conservancy of Canada (NCC), she received their notices about opportunities for conservation volunteers.

Gerry Roy commented as follows: that it had been hard to find the telephone number for Planner Pickard on the Islands Trust website; that overlapping jurisdiction between agencies should be minimized, with one-stop-shopping where possible; and that applicants should not be fined for an honest mistake.

Trustee Steeves noted that the Planners did give out information sheets to assist with various application processes, but it was difficult to get every agency to refer applicants to the Islands Trust where appropriate.

Trustee Hancock said that the 2008 publication about “Buying Property on North Pender Island” needed to be updated and moved further up on the website. He also said that where applicants had made a mistake, the Local Trust Committee tried to determine whether it was inadvertent and understandable in the circumstances.

Ralph Turner suggested that in addition to being given to realtors, the handout about “Buying Property on North Pender Island” should be publicized in the Island Tides and Driftwood newspapers.

14. MOTION TO CLOSE MEETING

Resolution NP-LTC-86-12

It was Moved and Seconded, pursuant to Section 90(1)(a), (f), and (g) of the Community Charter, that the North Pender Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting minutes of the April 26, 2012 Local Trust Committee In Camera Meeting; to consider Board of Variance Appointments; and to consider enforcement and litigation matters; and further that Islands Trust Staff and Recorder Zorah Staar remain present.

CARRIED

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

15. RECALL TO ORDER

15.1 Rise and Report from Closed Meeting

Resolution NP-LTC-88-12

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

CARRIED

The Local Trust Committee reported that during the In Camera Meeting, they appointed the following persons to the North Pender Island Board of Variance: Priscilla Ewbank, Jim Petrie, and Sara Steil.

16. ADJOURNMENT

Resolution NP-LTC-89-12

It was Moved and Seconded that the meeting be adjourned at approximately 2:26 pm.

RECORDER

CHAIR



Islands Trust

RWM From: June 20, 2012 To: September 12, 2012

North Pender Island

Resolution #	Action	Resolution Description	Resolution Date
2012-12	In Favour	THAT the North Pender Island Local Trust Committee meeting minutes of June 28, 2012, be Adopted.	Aug 22, 2012
2012-11	In Favour	THAT North Pender Island Local Trust Committee Business Meeting to be held on August 30, 2012 be rescheduled to September 20, 2012.	Aug 01, 2012
2012-10	In Favour	THAT the North Pender Island Local Trust Committee adopt Proposed Bylaw No. 190, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2012"	Jul 25, 2012
2012-09	In Favour	THAT the North Pender Island Local Trust Committee adopt Proposed Bylaw No. 191, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2012"	Jul 10, 2012



Islands Trust

Follow Up Action Report w / Target Date

North Pender Island May-27-2010

No.	Activity	Responsibility	Target Date	Status
1	Item 13.3 - Violations of Setback to Sea: staff to proceed with the first 3 options in the Staff Memo dated May 11	Miles Drew	Jun-24-2010	On Going

Nov-25-2010

No.	Activity	Responsibility	Target Date	Status
2	Item 10.1 - NP-DVP-2010.3: approve amended permit in principle but issue after confirmation of building permit has been issued	Kathy Jones	Jan-27-2011	On Going

Jul-28-2011

No.	Activity	Responsibility	Target Date	Status
3	Item NP-DP-2010.4: cross ref to NP-SUB-2008.5 - prior to staff providing written confirmation to MOTI that all conditions of the subdivision have been met, provide supporting documents to the LTC including the requirements of the registered covenants	Andrea Pickard	Sep-22-2011	On Going

Oct-27-2011

No.	Activity	Responsibility	Target Date	Status
4	NP-DP-2010.4 (TWA) - staff to work with applicant to develop a consolidated covenant to replace existing covenants and applicant to provide a report addressing the impact of the proposed lots and the permitted uses within the gardom pond catchment area on Gardom Pond dam.	Andrea Pickard	Nov-11-2011	On Going

Feb-23-2012

No.	Activity	Responsibility	Target Date	Status
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5	Item 6.1 - FUAL: Miles Drew to present a report to the LTC regarding the Violations to the Seaback to the Sea at the earliest opportunity	Miles Drew	Mar-22-2012	On Going
6	Item 9.3 - NP-DP-2010.4(Twa): staff to discuss with the applicant amending the draft consolidated covenant to: • change the buffer areas to protect trees and native vegetation • adding a no building or structures clause in the plan areas representing the DPAs • adding a clause to exempt danger trees • adding a penalty fee for violations and report back to the LTC regarding the DFO file and the Parks Commission trail	Andrea Pickard	Mar-22-2012	On Going
7	Item 9.3 - NP-DP-2010.4(Twa): staff request the Approving Officer and Dam Safety Officer to comment on the Ryzuk Drainge report and their response, and report back to the LTC	Andrea Pickard	Mar-22-2012	On Going
Mar-22-2012				
No.	Activity	Responsibility	Target Date	Status
8	Item 9.4 - NP-SUB-2008.3: advise the Approving Officer that the LTC supports the dedication of parkland as proposed is the layout noted as EPP16005	Andrea Pickard	Apr-26-2012	On Going
Apr-26-2012				
No.	Activity	Responsibility	Target Date	Status
9	Item 11.3.1 bylaw Report on Sign Regulations: as BEC to prepare a draft enforcement policy on road side signs and report back	Miles Drew Stephanie Somers	May-31-2012	On Going
10	Item 12.3 Request for Eagle Report: LTC to pay \$500 for a report from Eagle Watch regarding the nesting patterns on the Pender Islands comparing this year to previous and assessing the efficiency of the DPA's	Nancy Rogers	May-31-2012	On Going
May-31-2012				
No.	Activity	Responsibility	Target Date	Status
11	Item 8.1 - Correspondence from PCT: the LTC to purchase a series of reports from Pender Community Transition reporting on their activities, of up to \$400 for the 2012-13 budget year	Nancy Rogers	Jun-28-2012	On Going

12 Item 10.1 - NP-LUB and OCP -2011.1: staff to revise the draft bylaws based on the Sidney Strata input

Andrea Pickard

Jun-28-2012

On Going

Jun-28-2012

No.	Activity	Responsibility	Target Date	Status
13	Item 5.1.1 - Minutes of May 31: adopt as drafted	Sharon Lloyd-deRosario	Aug-30-2012	Done
14	Item 5.1.2 - Minutes of June 23 SM: adopt as drafted	Sharon Lloyd-deRosario	Aug-30-2012	Done
15	Item 5.2.1 - Notes of June 23 CIM: correct typo on page 1, under Mr. Underwood's comment to 'cooperation', and on page 2 for the heading to 'Proposed' Bylaw 191	Sharon Lloyd-deRosario	Aug-30-2012	Done
16	Item 6.1 - FUAL: staff to ask MOTI of the expected timeline for the road assessment	Andrea Pickard	Aug-30-2012	Done
17	Item 9.1 - NP-RZ-2011.1 and NP-DP-2011.9 (Turner): Give Bylaw No. 190 2nd and 3rd reading and forward the bylaw to EC for approval	Kathy Jones	Aug-30-2012	Done
18	Item 9.1 - NP-RZ-2011.1 and DP-2011.9: approve the DP terms but do not issue the permit until the related bylaw (190) is adopted	Kathy Jones	Aug-30-2012	Done
19	Item 9.1 - NP-RZ-2011.1: prior to adoption of bylaw 190 receive a letter of commitment and security for landscaping from the applicant	Andrea Pickard	Aug-30-2012	Done
20	Item 9.2 - NP-RZ-2011.2 (Lockhart): amend the bylaw to permit a marine geothermal loop and include the definition as proposed in the staff report	Andrea Pickard	Aug-30-2012	Done
21	Item 9.2 - NP-RZ-2011.2: give 2nd and 3rd reading to the revised Bylaw No 191 and forward the bylaw to EC for approval	Kathy Jones	Aug-30-2012	Done
22	Item 9.3 - NP-DVP-2012.6 (Rideout): approve the permit as drafted	Kathy Jones	Aug-30-2012	Done
23	Item 9.4 - NP-DVP- 2012.7 and DP-2012.2 (Graham): issue the DVP as drafted, amend the DP as discussed and issue the revised DP	Kathy Jones Andrea Pickard	Aug-30-2012	Done
24	Item 10.1 - Shoreline review: staff to schedule an meeting with the LTC and the consultants currently on contract for the shoreline mapping project and invite the SPI LTC	Robert Kojima	Aug-30-2012	Done

25	Item 11.1 - Work Program: add Options to deal with applications after the fact to the projects list	Andrea Pickard	Aug-30-2012	Done
26	Item 11.2 - Applications: ask MOTI regarding the timing of road work on Hooson	Andrea Pickard	Aug-30-2012	Done
27	Item 11.6 - web: inquire if the new website will have a specific spot for posting the LTC work program	Andrea Pickard	Aug-30-2012	Done
28	Item 11.6 - Web: post the top three priorities on the webpage under the 'General' heading	Kathy Jones	Aug-30-2012	Done
29	Item 12.2 - James Island (late item): direct staff to provide a report with regards to the James Island rezoning process, and the First Nations and Archaeological Branch referral process	Robert Kojima	Aug-30-2012	Done
30	Item 15 - Rise and Report: appoint Jim Petrie, Sara Steil and Priscilla Ewbanks as BOV members for NPI	Kathy Jones Sharon Lloyd-deRosario	Aug-30-2012	Done



Memorandum

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Date September 7, 2012 File: n/a

TO North Pender Island Local Trust Committee

From Andrea Pickard

Re Moving Around Pender Survey Results and Transportation Plan

The North Pender Island Local Trust Committee (LTC) had previously received a draft copy of the Pender Islands Transportation Management Plan, as well as a draft copy of a survey questionnaire to be conducted by the local community group Moving Around Pender Alternative Transportation Society (MAP).

The survey has now been completed and members of MAP will be presenting the results to the LTC at the September 20th regular business meeting. Attached is a brief summary of the results.

The 'Pender Islands Transportation Management Plan' has also been completed and the Executive Summary is attached.

Copies of the complete documents, both the survey results and the transportation plan, have been posted under Latest News on the North Pender webpage and they are also available at www.movingaroundpender.ca.

Introduction

In the spring/summer of 2012 (May 15 – July 7) the Moving Around Pender Alternative Transportation Society (MAP) conducted a survey of residents' opinions concerning transportation issues on the Pender Islands with an emphasis on alternatives to motorized transport particularly walking and bicycling. The survey was funded by the Pender Island Community Services Society (Nu to Yu), the Capital Regional District (CRD) and MAP. The survey was commissioned by the Local Trust Committee to determine residents' attitudes to transportation issues and to get community input on how best to help local, regional, and provincial authorities increase pedestrian and cycling and safety and participation on the Pender Islands. The initial survey was limited to residents of North and South Pender Islands; those who spend some, or all, of their time on the islands.

A separate survey has been created for cycling visitors and is being conducted during the summer. The residents' survey was available on paper and online. In total 300 surveys were completed. 156 completed the paper version which were kindly collected by Talisman Book Store, South Ridge Farm Country Store and at the Real Estate Office at the Driftwood Center. The remaining 144 surveys were completed online.

The 2011 Canada census indicates that there are 2,035 and 201 residents of North and South Pender respectively, for a total population of 2,236. Thus 13.4% of Penders' residents completed the survey. This compares favorably to a similar survey completed on Salt Spring Island in 2010 in which 292 residents completed the survey. Since the total population of Salt Spring Island is 10,235 according to the 2011 census this represents a response rate of 2.86% only $\frac{1}{4}$ of the Penders' response rate.

Survey participants were largely self-selected. A paper copy of the survey was delivered to all Pender households with a regular issue of the Island Tides newspaper. The survey was advertised in print in The Island Tides, the Islands Independent and the Pender Post and by word of mouth. The online survey was hosted on the CRD website with links on the MAP and Local Trust Committee web sites. Posters advertising the web site were posted at various Island locations and various organizations including MAP and Pender Community Transition alerted their membership by e-mail. A table for completing the survey was present at a number of Saturday Farmer's Markets which was organized by Dean Mills and Barry Mathias. Don Harrison and Margot Venton promoted the survey at the Pender Island School Bike Rodeo.

The survey was in two sections: first, questions asked of all residents and second questions asked only of those who had cycled on the Penders in the last year.

Pender Island residents who participated in the survey were asked two optional demographic questions; they were asked to select either "male" or "female" and one of six age groups. Of the 288 survey participants who chose to indicate their gender exactly one half selected female and one half selected male.

There were 282 residents who chose to provide their age group. The biggest single group of respondents were 65+ years of age while the next biggest groups were between 50-65 and 36-50. Only 7% of respondents were less than 35 years of age. According to the census 17% of Pender residents are under 35 years of age so that this age group is under-represented in the survey. In part this is due to young children not being able to complete the survey. According to the 2011 census 35% of Pender residents are 65+ whereas 41% of respondents were in this category so that seniors are somewhat overrepresented in the survey.

87.9% of respondents were from North Pender while 12.1% reported South Pender as their residence. Since, according to the 2011 census, 9.5% of the Pender residents live on South Pender this indicates that there was proportional geographic representation on the survey.

Survey participants ranked from 1 to 8 possible forms of transportation that they use on the Penders. The majority (82%) of respondents ranked “automobile” first, followed by 10% whose primary mode of getting around is walking and only 3% who primarily use a bicycle. Walking was the second most frequently used method of locomotion (61%) whereas 9% relied on the bicycle as their secondary mode of transportation. Bicycling was the most frequent 3rd method of transportation (25.5%) while 15% chose use of the Pender Island Car Stop system as their fourth most frequently used means of getting around.

Key finding: *The responses to this question regarding show that the vast majority rely on the motor vehicle as their primary mode of transport but most use several different forms of transportation when traveling on the islands. The “invented on Pender Island” car stop system ranks as the fourth most common mode of transportation and is used more frequently than hitchhiking or taxis.*

Participants were asked if they wanted to walk more on the Penders and what factors discouraged them from walking more. Only 7% said that they didn’t want to walk more than they did and the biggest impediments to walking on the Penders were the lack of off road paths (31%) and on-road paths (26%). The biggest concern was fear for safety (21%).

Key finding: *The vast majority of people want to walk more but feel constrained by lack of adequate facilities for walking and fear for their safety. This suggests that the establishment of appropriate infrastructure would have a profound effect on people’s activity and thus their health and well being.*

Participants were asked if they wanted to bicycle more on the Penders and what factors discouraged them from doing so.

Key Findings: *Only 18% said they didn’t want to cycle on the Pender Islands. Given that 77% of respondents are over 50 years of age, this is a remarkable result. It indicates that there is a real desire by the majority of Islanders to cycle. The most frequent response to factors that impeded cycling was, “I felt safer on the road”, which was selected by 54% of respondents. 36% of respondents chose “I could ride off-road” Forty two percent said that they would bicycle more if they had a less hilly route and 18% if they were younger. While we can’t change the hilly nature of the terrain or their age we could make it safer and develop some designated cycling opportunities.*

The next series of questions dealt with road conditions for walking and cycling on the Penders and participants ranked these using a scale from 5 for excellent to 1 for unsatisfactory.

Key findings: *The conditions of the roads for walking were not thought to be very good; average ratings of 2.65 and 2.96 for paved and unpaved roads respectively and although most felt that driver courtesy was good to very good (3.37) most felt that pedestrian safety was low (2.25) as was speed limit compliance (2.59). Amenities for pedestrians were scored as good (3.5 and 3.6). Although driver courtesy (3.1), overall friendliness to cyclists (3.2) and maps and information (3.3) were all rated as good there were low scores for cycling safety (1.96) and the conditions of the roads for cyclists (2.3). Although the availability of bicycle supplies and services was rated low (2.3) there were several comments that this had recently improved with the establishment of a bicycle maintenance service at the recycling centre.*

Although thirty eight percent of participants reported using the Car Stops only 28% reported on the frequency of use. The vast majority used the Car Stops rarely. 149 comments were made for why people didn't use car stops more and/or how to improve the car stops. These included:

- I'd use more if I couldn't drive my vehicle, lost my license or if my vehicle did not work (29- 19%)
- Problem is unpredictability of getting a lift. "... my work is time sensitive and I can't afford to be arrive late..." (20 – 13%)
- There are many obstacles to using car stops. Am often with kids, have car seats, dogs, groceries, tools etc. "99% of the time I'm carrying 2 weeks' worth of groceries" (20 – 13%)
- Need stops not near enough to my home. (18 – 12%)
- I don't need them I can just hitchhike (11 – 7%)
- I'd use them if gas was more expensive (6 – 4%)
- Safety... " as a woman travelling alone I don't use them because of personal safety reasons" (6 -4%)

61% of 277 respondents said they would use a bus between the Ferry Terminal, Driftwood and Magic Lake Estates if one was available. Of the 114 individuals who indicated residence in Magic Lake subdivision 69.3% said they would use a bus to the Ferry/Driftwood if one was available.

Residents were asked to make suggestions for walking and cycling routes on Pender. The most recommended walking routes were the Heart Trail (13%), Mount Norman Trails (11%), George Hill Trail (7%), Beaumont Marine Trail (6%).

Among the routes recommended for both cycling and walking were the less busy roads on the Penders. Most frequently recommended were various versions of the Clam Bay Road-Port Washington Road loop. Variations included a more extended loop via the golf course, Amies road and Corbett Road. In total 66 (44%) people recommended versions of this route.

Hoosen Road was recommended for walking and cycling by 17 (11%) participants and one commented that the dead end of Hoosen Road was a good place to teach kids to cycle.

The most often recommended cycling routes were to Gowland Point from various starting points including Poet's Cove, Spalding Road, the bridge to South Pender, Magic Lake Estates, the Driftwood, Hope Bay and the Ferry (37 – 25%) followed by Pirates Road to Trincomali starting from various locations in Magic Lake Estates (21%). This road has the advantage of low traffic and not many curves or hills.

Although many felt that there were plenty of places to walk and cycle on the Islands there were some who felt that walking and especially cycling were dangerous and inappropriate and should not be recommended. 18 people expressed such concerns and some of their comments included:

- I do not recommend cycling on Pender Islands although I love cycling everywhere.
- I strongly discourage anyone from cycling on Pender as it is extremely unsafe!
- I personally LOVE cycling but I am afraid to cycle. I live on South Pender and wish that I could ride my kids to school but it is too scary.
- When I have visitors I don't recommend that they cycle because of the dangers here. I always suggest people stay in the parks and don't commute via foot or cycle.
- Cycling is dangerous on Pender
- None. The roads are too narrow. It's dangerous and only a matter of time until someone is killed!
- I could not recommend cycling to anyone but experienced adults, as it is too dangerous. I am not aware of any bike routes
- None because there are no verges wide enough
- I wouldn't since walking and cycling on the islands should be a necessity not a pleasure venture
- Nowhere on the Island can one walk safely and enjoyably along the roads
- I am not certain that I would currently recommend any of the major routes on Pender Island to cyclists or pedestrians. Major paved roads are often very hilly, and contain many "blind corners" making it difficult to feel completely safe on a bicycle (I ride a scooter, but often feel somewhat uneasy on corners, as so many drivers use more than one side of the road when cornering).

A number of contributors pointed out the lack of circular routes. Most are point to point with the return being along the same route. Some recommended a pedestrian/ bicycle path between Shingle Bay and Irene Bay, linking Magic Lake with South Otter Bay Road.

Participants were asked which route they would most like to see improved for pedestrians and cyclists.

Key Findings: *Overwhelmingly participants thought that improvement of Pender Islands' main thoroughfare, the road from the Ferry Terminal in Otter Bay to the Community Hall and the Driftwood Centre and beyond to Magic Lake Estates was the route that needs improvement (58%) An extension of this route to the Library and Nu to Yu was suggested reasonably often. The main suggestions for improvement were wider shoulders, separated pedestrian/cycling lanes on-road or off-road. Several spots where safety was a concern were Einer's Hill and Scarff Road Hill, where bypasses were suggested. The surface on Port Washington Road was felt to be in need of repair by a number of contributors.*

The potential of a pedestrian/cycling route from Magic Lake Estates via Shingle Bay through the National Park to Irene Bay and South Otter Bay Road was mentioned by 8 people and with the recent purchase of the Turner property by the National Park is a potentially feasible route which would provide a substantial shortcut to the Ferry for walkers and cyclists from the major population center.

Participants were asked for suggested improvements for the safety of pedestrians and cyclists.

Key findings. *By far the most frequent suggestions was for dedicated pedestrian and bike lanes to parallel the major and busy routes on the Islands (61%). This was*

predominantly the route from the Ferry to the Community Hall, Driftwood and Magic Lake Estates. The suggested "on road" pedestrian/bike paths ranged from simple widening of the road shoulders, to marked walking/bike lanes, to road side paths on the other side of drainage ditches. A number of respondents suggested road-side paths like on Hornby Island. An additional comment that was grouped in this bin was suggestions for widening the road and providing bike/walking lanes around major obstacles which included Einer's Hill and Scarff Hill.

The second most common suggestion was off road walking/cycling paths, clearly separated from road (18%). These included alternate routes to major destinations including the Driftwood Centre and the Ferry from Magic Lake, Hope Bay and other locations. Better speed compliance and enforcement was recommended by 10%, better signing and maps by 10% and education for pedestrians, cyclists and drivers by 6%.

In addition to safety issues participants were asked for suggestions for other changes to increase non mechanized transportation on the Penders. Many contributors reiterated their safety concerns but there were plenty of new and different ideas. 41% recommended dedicated pedestrian and bike lanes to parallel the major and busy routes on the Islands and/or off road walking/cycling paths, clearly separated from roads. Support for encouraging more walking and cycling on the island was by no means universal and there was a minority of respondents that felt that walking and cycling should not be encouraged since the roads are meant for vehicles and are too dangerous. Walkers and cyclists were seen by this group as an impediment to efficient transportation. Some felt that although desirable, walking/bike lanes and improved infrastructure for alternative transportation was too expensive and that it would never happen.

Participants were asked if they supported the placing of speed bumps and if so were given a list of 5 potential sites.

Key Findings: *The vast majority of people were against speed bumps. Some very strongly! The major concern was safety. Speed bumps can pose a hazard especially on hills and on roads without street lights where they may not be seen at night. There were other suggestions for traffic calming/safety at the hazardous spots listed including stop signs, mirrors to see around corners and rumble strips.*

Despite the negative opinion in general it is of interest that 50% of those who rated the potential spots for speed bumps thought that the road in front of the Library/Nu to Yu/ Play School was a good place for them. This reflects the concern for safety here where many (including lots of children) cross the road to parked cars.

It is also of interest that there was a statistical difference by gender in the approval for speed bumps. Seventeen percent of males supported speed bumps while 28% of females supported them ($P=0.026$). There was no difference in support by age group.

48% of respondents had cycled on the Pender in the previous year and filled out the second part of the survey. Most (53%) thought cycling was much less safe than driving a car while 16% felt it was equally safe as a car. 46% used mountain bikes, 30% touring

(road) bikes and 20% hybrids. There were 8% who used electric assist bikes. 25% were fair weather cyclists using their bikes only in warm seasons and fair weather, but an equal % were all season/all weather riders. 22% cycled less than once per month but almost 30% cycled more than 3-4 days per week. 90% used a bicycle helmet but only 13% used a dusk to dawn safety vest. Most cycled for a variety of reasons, the most common being recreation/fitness (32%), shopping and errands (19%), social rides (18%) and commuting (13%). Only 3% reported doing off road mountain biking.

88% of people knew about the new bicycle repair and construction service at the Recycling Center and there was lots of positive feedback about this innovation.

There were a wide variety of suggestions for improving or discouraging cycling on the Penders. The majority had suggestions for improvement. It was noted by some that, "cycling is much safer than it is perceived to be. However perception of risk is what stops many people. We need to take concrete steps to improve safety and ridership will increase"

Additional comments included:

"People (all - not just tourists) drive way too fast for these roads. Nadia's (Nowak) comment a couple of years ago "Expect that when you round a corner here that you will meet a group of people with a baby carriage, groceries, a dog or two, and perhaps a gas can! Slow down! (my paraphrase - but a wise comment from her)"

"Bottom line for me is that Pender is neither safe nor particularly friendly toward cyclists and pedestrians. I would walk and cycle much more (daily in fact) if the roads included dedicated bike/walk lanes. And I believe that if the MAP recommendations are put into action, the island will attract more visitors and be vastly more attractive to locals and tourists alike who are looking for a greener Gulf Island and are enthused to embrace alternatives to a car dependent lifestyle."

"My main point would be that it is dangerous to cycle here on Pender in the summer with the increase in traffic, without separate cycling paths or at least paved shoulders for cyclists to walk up the hills"

"We need more separated cycling lanes on Pender. I am against any cycling in the Roe Lake National Park"

"Yesterday I followed a cyclist approaching Scarrf Hill, barely making headway, wobbling and approaching a blind bend. The car in front passed on the blind bend and so did I, because it would have taken a long time to get a good look for approaching (opposing) traffic. This is dangerous and holding up vehicles causes pollution and inconvenience. Our narrow and winding roads do not suit cycling and never will!!! To think otherwise is pure folly. If Pender was as flat as Sidney with wide straight roads I'd be all for cycling and encourage it. However not on Pender. Please scrap these plans . Don't waste more time or money on it."

"Please generate more bike paths. The roads are not safe enough for our children so we can't bike much as a family"

There were a series of questions for those who take their bike onto the ferries. Most (86%) walk their bike onto the ferries rather than taking it on a vehicle. Most (74%) use their Coast Experience card to avoid paying for the bikes and this increases the likelihood of them using their bikes (74%). 16% use the new bicycle shelter at the Otter

Bay terminal to store their bikes securely under cover. There were specific questions about facilities and services at Otter Bay, Swartz Bay and Tsawwassen.

Key findings: *While there is, for the most part, satisfaction with the actions of the Ferry staff to bikes there were consistent messages related to:*

- *Lack of adequate parking facilities for bikes on the Ferries*
- *Inappropriateness of the extra charge for bikes since they don't displace cars*
- *General lack of facilities for cyclists at terminals (eg, bike racks, covered areas etc)*

Acknowledgements: *MAP wishes to thank the sponsors of this survey, the Pender Island Community Service Society (Nu to Yu) and the Capital Regional District as well as the Local Trust Committee for their support and interest in the completion of the survey. Thanks go to Sara Craig at the CRD web desk for putting the survey online, to Sara Miles, Laurie Kay and Doreen Ball from the Island Tides, the Islands Independent and the Pender Post for their help in advertising the survey and to John Rowlandson and Brenda Guiled from Salt Spring Island who helped us in the development of the survey. Thanks also to Melody Pender and Andrea Pickard for advice and direction. Finally thanks to all members of MAP for their input into the development and distribution of the survey.*

PENDER ISLANDS TRANSPORTATION MANAGEMENT PLAN
(Developed by the Moving Around Pender (MAP) Alternative Transportation Society in
response to a request from the North Pender Island Local Trust Committee LTC)
(Final - August 9, 2012)

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1. Glossary of abbreviations:

IT: Islands Trust

LTC: Local Trust Committees

CRD: Capital Regional District

MOTI: Ministry of Transport and Infrastructure (formerly MOTH – Ministry of Transportation and Highways)

MAP: Moving Around Pender; Alternative Transportation Society

NPI: North Pender Island

SPI: South Pender Island

ATR: Alternative Transportation Routes

OCP: Official Community Plan

RCMP: Royal Canadian Mounted Police

PICA: Pender Island Conservation Association

PIPRC: Pender Island Parks and Recreation Committee

PCT: Pender Community Transition

GINPR: Gulf Islands National Park Reserve

ERV: Emergency Response Vehicle

EXECUTIVE SUMMARY:

This transportation management plan was developed with wide input from interested parties and individuals on the Pender Islands with the aim that the document will form an initial blueprint for improvements in the safety, effectiveness and environmental impact of all forms of transportation on the Islands. The report is viewed as a living document that will evolve over time in response to additional feedback and consultation.

The plan recognizes the unique and natural qualities of the Pender Islands and attempts to incorporate and build on existing infrastructure and geography to improve the safety and co-existence of cyclists, pedestrians and vehicles moving around on the Penders.

The Pender Islands are rural, with a relatively low population and are dependent upon ferry links. The geology of Pender Island is characterized by rolling hills with north-south headlands and high ridges of erosion-resistant sandstone/conglomerate separated by narrow valleys.

Pender has a long history of working with the geology, the Islands' resources and using adjacent water. (The culmination of uses and zoning over time is included in the 2004 / 07 Official

Community Plan.) Agriculture, logging, a brick making enterprise, a herring saltery, a fertilizer plant and a cedar shake roofing company created the foundation for the current roadways. Roads are mainly narrow, paved, with many curves and hills. For the most part Pender roads do not include features for, and are not friendly to, pedestrians and cyclists. Every year, the volume of motorized vehicles has increased causing many safety concerns, increasing the need to reduce vehicle pressure on the Islands and to make provisions for pedestrians and cyclists. The volume of traffic is also at odds with the serene and natural beauty of the Islands.

This Plan identifies several hazardous areas for pedestrians and cyclists on a 'Vision Map' and on a proposed "Magic Ferry Route" for the Islands' major transportation corridor. The Plan concentrates on finding solutions for several hazardous areas. The main initiatives include:

- Car Stops
- Multi modal routes
- Bike sheds
- Connecting Otter Bay Ferry Terminal to Magic Lake (Magic Ferry Route)
- Alternative Transportation Routes
 - Einer's Hill bypass
 - Community Hall – Library/Nu To Yu connector
 - Earl's Trail (Browning to Driftwood)
 - Scarff – Magic Lake connector
 - Shingle Bay – Irene Bay Road connector

The Plan also draws attention to issues that can be developed more thoroughly as the Transportation Plan evolves:

- Land use and planning,
- Safety re: emergency response vehicles, and evacuation routes
- Parks and park trail systems
- Environmental considerations
- Marine Transportation

The short term recommendations of the Plan are:

Short Term Action Items:

1. Submit the Transportation Plan to the LTC
2. Ensure that the Transportation Plan is made available to the MOTI to incorporate appropriate sections into their road action plans
3. Support the expansion of the number of Car Stops across the island where warranted
4. Implement a mechanism at the most appropriate level of government to secure road-side or road-adjacent lands which provide safe improvements for cyclists and pedestrians
5. Work with LTC and CRD to have MOTI do a survey of available right-of-ways for shared roadways and alternate transportation routes
6. Improve warning signs at these sites or introduce new signs
7. Establish creative mechanisms to acquire and hold lands for use as ATRs. Dialog with roadside owners where necessary to secure right-of-ways
8. Give deteriorating roads, bridges, and transit systems priority in funding, and limit roadway/highway expansion
9. Begin a dialogue with the RCMP to evaluate feasibility of some specific traffic calming measures including:
 - o Speed bumps, better enforcement of speed limits, or electronic speed indicators
 - o The establishment of pedestrian cross walks or stop signs at strategic locations
10. Design and conduct a Survey of Pender Islanders and visitors regarding perceived safety of the Penders transportation routes and desirability of possible alternatives
11. Design and implement traffic surveys to document traffic volume and peak times
12. MAP to initiate direct interaction with other groups and organizations on the Penders who have interest in, or are impacted by, transportation issues. Including PICA, PIPRC, PCT, GINPR

13. Support the recent advent of bicycle repair and maintenance facilities at the Pender Island Recycling Station

Longer Term Action Items:

1. Widen those areas of the road-side route which are deemed to be unsafe for bicycle/pedestrian passage, with a primary focus on sharp or blind corners, steep gradients, steep or precipitous road-side edges
2. Develop off road multi-modal paths using alternate routes or paths separated from the roadway (ie on the other side of the drainage ditches) where shared roadways are problematic
3. Partner with existing organizations and governments to create funds to purchase and to maintain Alternate Transportation Routes (ATRs)
4. Construct ATRs according to site-specific criteria to permit safe passage of cyclists and pedestrians in both directions, while minimizing the environmental impact of the surrounding terrain, water-courses and vegetation
5. Consider development on the Shingle Bay- Irene Bay Rd ATR of a single lane road with controlled access to allow passage of emergency response vehicles (road could be gated and open only to pedestrians and cyclists except in an emergency)
6. Continue to gather feedback from public on hazardous areas
7. Promote zoning for marinas that house only non-fossil-fuel powered vehicles
8. Support the installment of infrastructure at Car Stops to increase the comfort, convenience and safety of travelers. This could be in the form of additional benches and/or shelters and/or bicycle racks
9. Support widening of pullouts at Car-Stops to allow:
 - safer vehicle pullout
 - safer passage of vehicles on the roadway while the pullout is occupied

➤ potential use by emergency response vehicles

10. Identify routes that feed into the Magic Ferry corridor and provide infrastructure such as shelters, benches, and signs

Sharon Lloyd-deRosario

From: Andrea Pickard
Sent: August-09-12 4:28 PM
To: Sharon Lloyd-deRosario
Subject: FW: Assistance request for notification of Upland & Near-shore Apocalypse educational event
Attachments: Big poster apocalypse - email to LTC.doc

Hi Sharon,

Can you please add the correspondence below to the Sept NPILTC meeting? Please include a copy of the attached post as well.

thanks

From: Sara & Dick Steil [<mailto:steils@shaw.ca>]
Sent: August-09-12 4:24 PM
To: Peter Luckham; Gary Steeves; Ken Hancock
Cc: Andrea Pickard
Subject: Assistance request for notification of Upland & Near-shore Apocalypse educational event



North Pender Island Local Trust Committee,
 Suite 200, 1627 Fort Street,
 Victoria, B.C. V8R 1H8
 (Sent via email)

August 9, 2012

Dear Trustee Luckham, Trustee Steeves & Trustee Hancock

We thank you for your on-going interest in the Pender Islands Conservancy with Parks Canada educational initiative promoting good stewardship of marine uplands, intertidal zone to near-shore ecosystems now known as: -

Upland & Near-shore Apocalypse

How climate change, plunging fish stocks & declining Orcas
 will affect all our futures.

Saturday, October 13, 2012 at the Community Hall – 9:30 am

The Pender Islands Conservancy (PICA) became more aware of the urgent need for better shoreline stewardship as a result of the Islands Trust and San Juan County's Green Shores initiative. And we truly applaud your endeavours to protect our shorelines at this critical time of Climate Change, rising sea levels, more violent storm surges, continuous increase in contaminants, with associated debris, in our marine waters and along our beaches. The health of our marine waters is an important issue which has been endorsed by senior levels of government with the forthcoming National Marine Conservation Area in the Salish Sea.

We would greatly appreciate your assistance for the event being presented by ourselves with Parks Canada by providing a 'mail out' of the attached notification to all waterfront property owners two to three weeks prior to the event, as their attendance is critical to personally provide them with important data towards good

stewardship of their uplands plus uses of beaches and near-shore marine waters with regards to pollutants and wharves and / or mooring buoys.

We thank you for the support & assistance –

Yours truly,

Sara Steil

Marine Representative for PICA – Coordinator of event

Cc Andrea Pickard

For your interest, the following organizations, groups and commercial adventures have endorsed this event as an important initiative for the health & well being of the marine ecosystems: -

Assisted by: The Pender Islands Trust Protection Society, The Pender Islands Marine Association.

Supported by: CPS Pender Islands Squadron, Orca Network, Georgia Strait Alliance,

The Whale Museum, Saltwater Moon (salmon fishing) Charters

An Invitation to -
The Pender Islands Conservancy with Parks Canada Presents
Upland & Near-shore Apocalypse

How climate change, plunging fish stocks & declining Orcas
will affect all our futures



Forge Fish (Sand Lance)



Chinook / Spring Salmon



Jeanne Hyde Orca

Saturday, October 13, 2012 at the Pender Island Community Hall

Morning session 'with the experts' commences at 9:30 AM

- 1) John Readshaw (coastal engineer) - Expected sea level rise in BC and implications to water levels, waves, shoreline response and shoreline structures. Options for adapting.**
- 2) Marlow Pellatt (Parks Canada – ecosystem scientist) - climate change, upland vegetation interconnection with intertidal areas**
- 3) Rick Harbo (author and retired DFO biologist) - our intertidal and sub-tidal marine life - "Whelks to Whales"**
- 4) Ramona de Graaf (Biologist) - forage fish - "More Than Just a Pretty Beach" & Nikki Wright, Chair for Seagrass Conservation Working Group – "Eelgrass Meadows"**
- 5) Steve Oates (Parks Canada – Ecosystem Scientist) - "Anchoring/Mooring"**

The afternoon will host "In the Field with Experts"

SUBJECT: Eagle Watch Report for North Pender Local Trust Committee
Re: Islands Trust File #NP-3030-20

TO: North Pender Island Local Trust Committee

FROM: Dave Manning, Eagle Watch Coordinator
3605 Masthead
Pender Island, BC, V0N 2M2
250-629-3638

DATE: August 20, 2012

HISTORY: The project began in October, 2005, when I began locating Bald Eagle nest tree sites on Pender Island. Since then I've expanded the search to include Osprey, Peregrine Falcon, and Great Blue Herons, as the nests of these 4 birds are protected year round by the *BC Wildlife Act*. I also encourage nest searches and tree protection for all other raptors and woodpeckers. By the end of the 2010 breeding season, I had expanded the project to approximately 60 Southern Gulf Islands, all of which fall within the Trust area. In 2011 and 2012 I focused primarily on North and South Pender Islands with minor consideration of other islands in the Trust area.

On January 31, 2008, the North Pender Island Local Trust Committee approved its current OCP Bylaw No. 171. In this OCP the LTC designated 5.2.8 – Development Permit Area Seven-Raptor Nests. Schedule O-Development Permit Area Seven (Raptor and Heron Nests) indicates the general location of nests within this DPA.

BALD EAGLES: These birds, found in North America only, are a familiar sight around the islands. Along with Orcas, they may be the most popular wildlife species within our Gulf Island region. For the most part, Bald Eagles are year round residents on our southern islands. Eagle pairs mate for life and establish themselves in a particular territory. Their large nests are usually constructed in veteran Douglas Fir trees near the ocean and are used year after year. A buffer zone of perch trees and other vegetation near their nests is important to these birds. They feed mostly on fish, but also eat water birds and carrion. It takes 4-6 years to reach adulthood and develop the white head and tail. Their populations are stable in our Gulf Island region and their BC status is: Yellow Listed, Not At Risk.

OSPREYS: Ospreys are migrants, returning to the Gulf Islands in early April to breed, then going south again, mostly to Central and South America, for the winter. They usually nest at the top of large snag Douglas Fir trees. Their populations are stable worldwide. There are many fewer nesting pairs in the Gulf Islands than there are Bald Eagles. Their BC Status is also: Yellow Listed, Not At Risk.

PEREGRINE FALCONS: Peregrine Falcons are year round residents in the Gulf Islands. They tend to nest in remote high cliff areas near the ocean. All three subspecies in BC are considered to be Provincially and Nationally At Risk. The subspecies found on our Southern Gulf Islands, *Falco peregrines anatum*, is the most at risk and has the BC Status: Red Listed (Endangered).

GREAT BLUE HERONS: These birds are year round residents in our area. They prefer to nest in colonies but will also nest alone. I have discovered no nesting attempts during the past 4 breeding seasons on North Pender Island. The coastal sub-species, *Ardea herodias fannini*, has the BC Status: Blue Listed (Of Special Concern).

BC WILDLIFE ACT: The nest trees of Bald Eagles, Ospreys, Peregrine Falcons, and Great Blue Herons are protected by the *BC Wildlife Act*. This year round protection of the nests does not apply to the habitat surrounding the nest site.

NORTH PENDER ISLAND DEVELOPMENT PERMIT AREA SEVEN-RAPTOR NESTS: Local governments have the authority to regulate development within their jurisdiction. The North Pender Local Trust Committee, on January 31, 2008, adopted the North Pender Island Official Community Plan Bylaw No. 171. DPA Seven created a protective buffer area around Raptor and Great Blue Heron nest trees. The specific allowances within each DPA vary according to each situation. Generally, in the case of Eagle nest trees, human construction activities can occur 30-50 meters from the base of the nest tree and only during the non-breeding season between August 16 and January 14. Since the adoption of this DPA in 2008, nest tree monitors have been observing more carefully human and bird activities around these nest sites.

DPA NEST OBSERVATIONS: Close to 30 Raptor and Great Blue Heron nests fall within DPA Seven on North Pender. Islands Trust has not contracted anyone to monitor these nests for possible DPA infractions. It has fallen to the volunteer observations of me and other monitors to report any suspected violations to the Islands Trust Bylaw Department. Following is a list of known incidents that have occurred near some nests:

- Before the Raptor DPA was adopted on North Pender, a clear-cut occurred right up to a tree with an Eagle nest in it. The nest had been used for several years prior to the clear-cut. The Eagles abandoned the nest. I later discovered where they built a new nest.
- Another pair of Eagles abandoned their only nest 2 years before the DPA for nests was adopted on North Pender, the reason being, I suspect, that 2 new houses were being built on a ridge above and within about 100 meters of the nest. This Eagle pair ended up building a new nest in their roost (overnight) tree within their same territory.
- In Magic Lake Estates subdivision, with one-half acre lots, a house was being constructed very near a long time Bald Eagle nest ... but the owner was building the house in compliance with the Raptor DPA. However, a local resident living on a next door lot, one day noticed the sound of very loud construction machinery at the construction site during the breeding season. Despite speaking to a hired construction worker who was operating the machinery, the noise continued. The neighbor contacted me and we both phoned the Islands Trust Bylaw Department. A bylaw officer just happened to be on North Pender for a Trust Council meeting that very day. The officer went to the site and arranged a resolution. For whatever reason, the owner of the property had failed to make it clear to the construction workers what the regulations were with regard to this nearby nest. The Eagle pair at this nest were incubating eggs, but the nest failed that season. I cannot say whether this nest failed due to these construction activities since I do not know when the nest actually failed.
- Two volunteer monitors of a Bald Eagle nest noticed construction machinery too close to the nest. They contacted an IT Bylaw Officer who stopped the disturbance.
- A property owner, that has an Eagle nest on an adjacent piece of Crown land, did some levelling on their property during the non-breeding season, no doubt due to the DPA. Nothing further has been done on that private property for the past few years.
- A landowner was burning brush too close to an Eagle nest and was stopped. This same landowner, with 2 nests on his property, was required to do construction of a boathouse during the non-breeding season; otherwise, he may have proceeded with the construction during the breeding season.
- A landowner with a nest within about 80 meters of his home, asked me when would be an appropriate time to burn a brush pile, as he was concerned about disturbing nesting activity.
- Landowners with a nest down a slope below their home, which could be looked into, were concerned, not only about their own activities near the nest, but also about the construction of a house on a lot next to them. The construction site was just outside the DPA nest zone. Although the house building occurred during at least 2 breeding seasons, the Eagle parents were successful in producing young both seasons. This Eagle pair did not have a backup nest so had the choice of continuing to use this nest or try to find a suitable tree to build another nest. Perhaps these Eagles had become accustomed to humans looking down into their nest for the 2 years prior to the new house building next door. These landowners, whose property the nest is on, curtail using their stairway down to the ocean throughout each breeding season, since the stairs would take them too close to the nest tree.
- Another couple, who have 2 bald eagle nests within about 80 meters of their home, are always considerate of the birds during breeding season, perhaps aided by my regular contacts with these people, and my obvious enthusiasm. They do not want to negatively impact "their neighboring Eagle friends."
- Even before the nest DPA came into effect, landowners discovered an Osprey nest and 3 Great Blue Heron nests on their property. They immediately respected the birds and their nests. More than once these mainly off-island folks have asked me about the nesting dates of these birds so that they would not disturb them during nesting season. This is an example of residents that needed no legal laws to encourage proper behavior near nest sites.
- On South Pender I know of one landowner, anticipating possible nest DPAs coming there, who clear-cut up to an Eagle nest tree. No construction activity has occurred since during the last 3-4 years. This suggests the owner's desire to "beat" a possible nest DPA on South Pender. Eagles have not used this nest since the clear-cut.
- Again on South Pender (where there is no Raptor DPA), I know a cottage and garden that were constructed within 30 meters of an Eagle nest tree. This nest had a long history of repeated use, and the Eagle pair had no backup nest. They remained faithful to their only nest, and the nest has continued to be active each breeding season since.
- Another landowner on South Pender, not friendly towards Islands Trust, denied permission to the Islands Trust mapper to map an Eagle nest on their large acreage. In such instances, I have found that many landowners are not aware of what DPAs are or the legalities around them. I call it the "fear factor." They simply want nothing to override their freedom to do what they please on their property. Some say they appreciate Eagles, for example, as long as the Eagles do not interfere with them doing whatever they choose on their land. One fellow told me the Eagles can find somewhere else to live. This attitude is a good argument for protecting legally, in the form of DPAs and parks, as

much of the land base as possible on our sensitive island ecosystem, since there are many individuals who do not have a deep appreciation or understanding of the natural environment and will always develop it to the limit allowed.

These are a few examples of how the Raptor DPA and human activities have impacted, directly or indirectly, nesting birds. For the most part, landowners I've talked to are appreciative of, or at least obedient to, the DPA idea.

SUMMARY OF OTHER OBSERVATIONS AND INFORMATION:

- The *BC Wildlife Act* protects for life the nest trees of Bald Eagles, Ospreys, Peregrine Falcons, and Great Blue Herons. It does not protect the surrounding environment.
- The North Pender Raptor DPA does protect a buffer area around nest trees.
- Bald Eagles, Ospreys, and Peregrine Falcons are very faithful to their territories/nests. Some Bald Eagles and Ospreys are known to have more than 1 nest in their territories. Great Blue Herons tend to move about, building new nests in new territories, sometimes individual nests, sometimes in small groupings of 2-5 nests, and often in large colonies of more than 50 nests.
- All Bald Eagle and Osprey nests on North Pender are in older Douglas fir trees.
- North Pender forests are mainly second-growth stands, with a few remnant old-growth trees, many of which are decaying. Fewer potential nest trees remain each year.
- At least 8 Bald Eagle nests have collapsed in the past 7 years on North Pender, although some of the trees themselves partially remain.
- Not just any old big tree will serve as a Bald Eagle nest tree. Branch configuration must be such that it will support a large nest that is added to each year, and allow the birds a view out to see intruders and prey.
- Bald Eagle pairs do not necessarily nest each breeding season, for whatever reasons. For example, 2 pairs of Eagles on North Pender did not lay eggs this past 2012 season.
- One Eagle pair has 3 nests, a territory with 1 nest on North Pender, and a territory with 2 nests on Mayne Island. Another Eagle pair stopped nesting on North Pender in 2008, then built a nest on Mayne, where they have been nesting each year since. One day they may return to nest on North Pender again.
- Most Gulf Island Bald Eagles leave the islands in late summer in search of salmon, returning in October.
- I know an elderly lady with a Bald Eagle nest very near her home. During one breeding season she had great difficulty sleeping when an Eaglet in the nest began screaming for food at dawn every morning for a few weeks. This situation had a disturbing effect on her health.
- One North Pender monitor took a photograph of an Eagle pulling a dead fawn up over the lip and into a nest.
- In the 1990's, according to local North Pender residents I spoke with and a newspaper article I read, a Bald Eagle nest tree was secretly cut down at its base and felled into the ocean, because it was not wanted/appreciated by the landowner. I know of no other such incident in my 7 years of monitoring.
- Of the 23 Bald Eagle nests on North Pender, 19 are on private land and 4 are located on public park land.
- Although some nests are on park land, private properties bordering these nest trees may be within the Raptor DPA.
- Ospreys usually nest on top of snags although I know of one nest at the very top of a live tree, built into live branches.
- The 4 primary birds monitored in the Eagle Watch program seem to be disturbed when something new or noisy occurs in their environment.
- Landowners talk to other landowners, especially regarding DPAs. Wide opinions exist about this issue.
- At least 70 monitors on North Pender have participated in monitoring nests during the lifetime of this project.
- Funding sources for Eagle Watch (2005-2012) include: North Pender Local Trust Committee, South Pender Local Trust Committee, Saturna Local Trust Committee, Pender Island Conservancy Association, Pender Island Field Naturalists, Pender Lions Club, Pender Island Kayak, Pender Island Trust Protection Society, Capital Regional District, Wildlife Tree Stewardship Program, Public Conservation Assistance Fund, The Baillie Fund, and private donors.
- Pender Island Conservancy Association (PICA) has supported Eagle Watch by providing me, as Coordinator, a small stipend for my time for the past 4 years, and through sponsoring grant applications to cover basic monitoring expenses. I will not be receiving a stipend from PICA in 2013 for the Eagle Watch program.
- I have been the only person coordinating the monitoring of nests in the Southern Gulf Islands Trust area. Gabriola Island to the north is the only other Trust island I know of that has a regular nest monitoring program.

CONCLUSIONS AND RECOMMENDATIONS

- The North Pender Island Raptor DPA seems to be serving well. As the attached nest chart indicates, active Bald Eagle nests have remained stable each year along with chick productivity. Since the Raptor DPA was adopted, North Pender Eagle nests have produced 38 chicks (over the past 5 years); that is 7.6 chicks per year and about a 70% nest success overall during the same period. We do not know how many of the North Pender Eaglets survived their first year, nor do we know how many of them did, or will become, breeding adults (takes 4-5 years). It looks good for the Bald Eagles of North Pender at this time.
- On some of the occasions noted in the previous section, SUMMARY OF OTHER OBSERVATIONS AND INFORMATION, a bylaw officer was involved in seeing that the bylaw was being followed regarding nests. On other occasions, I and others, aware of the Raptor DPA, were instrumental in educating necessary parties about requirements for these nests. Generally speaking, the simple fact that the North Pender Local Trust Committee has established a DPA for raptors and Great Blue Heron nest sites, is filtering out to the public, especially to those landowners whose properties are affected by such.
- The future of North Pender Eagles will have a lot to do with the availability of suitable nest trees. Potential veteran nest trees are dying or often removed by landowners seeking better views or for safety reasons. It would be prudent to encourage protection of these remaining old trees as future nest trees, especially those near the shoreline, along lakes and ponds, and on bluffs.
- Perch trees near the nest are needed for adult birds in order to watch their nests and the chicks in them, to look out for intruders entering their territories, and for Eaglets to fly to during their first flights.
- Like humans, birds need a suitable habitat with food, water, clean air, and shelter for themselves and to raise families in order to continue their species. Bald Eagles, other raptors, and Great Blue Herons can often habituate themselves to living in close proximity to people if these basic needs are met.
- North Pender appears to be at capacity as far as nesting territories for Bald Eagles are concerned. The 16 breeding territories have held steady for the past few years. They seem to be finding enough food for themselves and their new chicks so far. Although their favorite food is fish, they are successful scavengers and will eat just about anything.
- I've found there is a general appreciation among the public for Bald Eagles, other raptors, and Great Blue Herons and their nests, not only on North Pender, but also on all other islands in the Trust area. Bald Eagles and Orcas continue to be of primary interest for local residents and visitors to our islands.
- I would advise the North Pender Local Trust Committee to contract someone to coordinate the monitoring of all nests within Development Permit Area Seven during the breeding season (Jan. 15 – Aug. 15) in order to ensure that the bylaw is being honored and to report any suspected infractions to the Islands Trust Bylaw department. This coordinator would also check for any fallen nests and any newly built nests, which nests could eventually be added to the OCP as an amendment.
- For the most part, over the last 7 years, the Bald Eagle and Osprey population on North Pender seems to be firm. The only Peregrine Falcon nest I know of has been doing well. I've noted no nesting Great Blue Herons during the past 4 seasons. From other observations, the Red-tailed Hawk is regularly seen although I know of no nests; there have been declines for the Northern Saw-whet Owl, Western Screech-Owl, and possibly Great Horned Owl, while the Barred Owl numbers have been increasing (unfortunately, they prey on our Saw-whet and Screech Owls).
- Other Local Trust Committees should consider implementing Raptor Development Permit Areas on their islands.

Feel free to contact me with any questions or comments regarding this report and the Eagle Watch project generally.

For the birds!

NORTH PENDER ISLAND – BALD EAGLE NEST SUMMARY, 2006-2012

			DPA YEAR				
	2006	2007	2008	2009	2010	2011	2012
Occupied Territories	16	16	16	16	16	16	16
Active Nests	9	12	9	12	10	10	13
Inactive Nests	4	2	6	3	5	5	2
Successful Nest Attempts	5	5	7	7	5	7	7
Failed Nest Attempts	4	7	2	5	5	3	6
Eaglets Fledged	7	5	8	9	6	7	8

The Raptor DPA was in effect beginning with the 2008 breeding season.

During this last breeding season (2012), 13 Bald Eagle pairs laid eggs, the most I've known in the past 8 years of monitoring. Seven of these nests were successful with one nest having twins. The only 2 successful nests on South Pender both produced twins.

There were 2 successful known Osprey nests on North Pender, one producing 3 chicks, the other 2. I suspect there may be other unfound Osprey nests on North Pender, as Ospreys have been seen in areas where nests have not been located.

The only known Peregrine Falcon nest on North Pender produced at least 2 chicks.

No active Great Blue Heron nests have been discovered on North Pender during the last 4 breeding seasons (2009-2012). This does not necessarily mean there were none.

Pender Islands Trust Protection Society

6604 Harbour Hill Road,
Pender Island, B.C. V0N 2M1 (250-629-6885)

North Pender Island Local Trust Committee,
Suite 200, 1627 Fort Street,
Victoria, B.C. V8R 1H8
(Sent via email)

July 21, 2012

Dear Trustee Luckham, Trustee Steeves & Trustee Hancock

We wish to bring forward the serious concern with regards to the steady influx of excessively large dwellings being built, on islands generally and North Pender Island in particular, with more in the planning stage.

This concern was brought forward many years ago as a warning from San Juan County as they entered into the possibility of becoming another 'Nantucket'. Unfortunately, under State Law, San Juan County has no tools to regulate dwelling size but we, in British Columbia, have the ability to regulate as is it is enshrined in the Local Government Act and included in our Official Community Plan.

While we are fully in agreement that this issue has been debated a few times over the years, the problem is getting worse with each passing day. We strongly request, in the earliest possible time frame, to instill in our Land Use Bylaw the restriction on dwelling size with the suggested maximum size limit of 2000 sq. ft.

Rationale: -

- 'Affordability'. Task forces have been held on this issue and concerns raised for the serious need to keep the price of homes within the affordable range for our younger generations. When you add multi-million dollar homes into the equation the value increases on a general average, older homes are bought / torn down and replaced with larger & larger dwellings which seems to be the norm in surrounding areas such as Vancouver & Victoria with this type of 'mind set' on the increase in the islands.
- 'Volunteerism'. With the more affluent the trend for volunteerism, unfortunately, diminishes. This is a fact of life, and we islanders enjoy our island services, volunteer services for which we have to participate, and volunteerism makes these services affordable as well while the more affluent are used to paying for these services. The 'pay system' is tax dollars – more services, more taxes which is another affordability issue.
- 'Power Resources'. BC Hydro estimates required power to residential areas by the average size of the dwelling, the bigger the home, the more power it uses. As you are aware, requests to BC Hydro have been made to acquire more than the average electrical power service for very large dwellings. The islands are already experiencing 'brown outs' due to low power – the islands, the province, the country and the continent do not have sufficient power to

supply the 'needs / wants' presently on the table let alone support the continuing increase in excessively large dwellings.

- 'Water Resources'. The islands are challenged in this resource, have been for many decades and will continue, if not worsen, in the near future. The water tables are diminishing and will continue down this road. We have heard the old saying 'technology will provide' and we have changed to 'desalination' or even 'rainwater catchment' but the marine waters need fresh water supplies for the ecology (marine wildlife nurseries near shorelines & bays), and rainwater catchment (in many areas) takes away from recharging the aquifers. And we must take into consideration the water requirements of the natural environment as the flora & fauna need this life giving resource as well. Consideration should also be given to implementing with inclusion into the Land Use Bylaw *Section 4.4.1 of the Islands Trust Policy Statement: - It is Trust Council's policy that islands in the Trust Area should be self-sufficient in regard to their freshwater supply. And, Section 4.4.6 neither the density nor intensity of land use is increased in areas which are known to have a problem with quality or quantity of the supply of freshwater.*

Please note that one of the pending excessively large dwelling property owners, who is aware of water challenges, has placed on their planning table the inclusion to prepare cisterns for the import of freshwater supplies on a regular basis.

For their very survival, the island communities need this control on dwelling size for we have reached a critical stage, we are heading towards a Nantucket era and there will be no turning back.

We ask you to consider the 'common good' of our island community for this is one of the most important 'common good' issues you will have consider, with appropriate action taken, for we cannot delay any longer. Time is of the essence.

Yours truly

Sara J. Steil
For the Pender Islands Trust Protection Society
Cc Andrea Pickard - Planner

Pender Islands Trust Protection Society

6641 Razor Point Road, Pender Island, BC V0N 2M1
Email: William@deverell.com

North Pender Island Local Trust Committee,
Suite 200, 1627 Fort Street,
Victoria, B.C. V8R 1H8
(Sent via email)

July 23, 2012

Dear Trustees Luckham, Steeves and Hancock

I am writing on behalf of the Pender Islands Trust Protection Society to pursue a campaign that was fought tirelessly and vigorously by my recently departed wife, Tekla Deverell, and whose objects I share along with PITPS and a great many in the community – those who sincerely believe in the objects of the Trust. The issue is that of the degradation of what appears to be (and in some areas have been deemed so by geotechnical engineers) hazardous slopes.

I have been made to understand that a North Pender Island Local Trust Committee bylaw for the protection of hazardous slopes (with a rationale of protecting against personal injury, property damage, and ecosystem degradation) was stayed in favour of a Capital Regional District hazardous slopes bylaw. Some questions we are debating are these:

- What triggers the CRD bylaw for action?
- Does the Ministry of Transportation and Infrastructure hold responsibility for enforcing existing provincial laws regarding hazardous slopes in order to prevent landslip and ecosystem degradation during subdivision?
- If so is MoTI (in conjunction with the Trust or otherwise) implementing and monitoring such laws and regulations, and requiring geotechnical engineers to be on site to study and report and recommend where tree removal is acceptable or best practices on how a view corridor could be obtained without tree removal?

Currently, ecosystem degradation is taking place on North Pender with removal of trees on hazardous slopes or rock-falls to enhance view corridors during subdivision work.

Surely an enforceable bylaw must require cease-and-desist powers and at the very least require determination by a geotechnical engineer as to whether appropriate retention procedures are in place based on existing geological formations – especially given that the island hosts many different geological formations and soil types.

We would appreciate receiving information as to the questions and concerns expressed above, and assurances that these hazardous areas activities can be and will be addressed in a timely fashion using the precautionary principle of prevention from degradation “before the fact, not after”, either by the Islands Trust, the Capital Regional District or MoTI. Where does this governmental responsibility lie in enforcing the kind of preservation and protection that is so urgently needed here?

It should be of interest that not many years ago the province's Farm Industry Review Board, then chaired by Richard Bullock, rejected an argument from Tekla Deverell as complainant about forest removal on a neighboring steep slope above her organic market garden, because of lack of local government initiative in protecting against degradation of steep slopes. Relevant excerpts from that decision are included in the following addendum, and clearly illustrate the Panel's view that the responsibility for such protection measures lies with the local government.

Yours truly,

William Deverell - for the Pender Islands Trust Protection Society
Cc Andrea Pickard - Planner
Cc David Howe, CRD director

ADDENDUM

From http://www.firb.gov.bc.ca/complaints/complaint_decisions.htm, Deverell v. Morning Bay

The Complainants' expert Derek Masselink, B.Sc.(Ecology), M. Sc. (Landscape Architecture), registered professional agrologist and an environmental farm planner questioned the wisdom of a decision to extensively modify the topography in order to plant just a few vines. Nori Pope, a Master Gardener, and geophysicist, Jim Henderson [P.Geoph. (B.Sc.), M.Environmental Design, Environmental Science Specialty, (PhD in progress)] questioned locating the vineyard near a recognized fault line and the potential risk of chemical seepage down this fault into the aquifer. Mr. Chantler submitted that a fragile ecosystem such as that found on North Pender Island must be given special consideration when these types of developments occur.

In the Panel's view the issue of siting of the vineyard is not within our jurisdiction. Morning Bay vineyard is within the ALR. Issues relating to the wisdom of siting a vineyard on a steep slope in an environmentally sensitive area would have been or should have been matters considered by the relevant local government that presumably is entrusted with the authority to balance the interests of those wishing to develop on the Gulf Islands with the specific characteristics of the Islands.



STAFF REPORT

August 23, 2012

File No.: NP-DVP-2012.4
(Hall/MacPherson)

To: North Pender Island Local Trust Committee
For the meeting of September 20, 2012

From: Andrea Pickard, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: Development Variance Permit

Owner: Sandra MacPherson and Noel Hall

Applicant: As above

Location: 6640 Razor Point Rd, Lot B, Section 11, Pender Island, Cowichan District,
Plan 32264 Except Part in Plan VIP68515

THE PROPOSAL:

The purpose of the application is to vary North Pender Island Land Use Bylaw No. 103, 1996 (LUB) regulations for the siting and size of structures within the required setback to the natural boundary of the sea. The structures to be considered by the North Pender Island Local Trust Committee (LTC) include a walkway located at the upland end of the dock and underground utility lines for a marine geothermal loop.

The subject property was recently approved for a site specific rezoning to permit the placement of a marine geothermal loop (geoexchange system) and it was noted at that time the walkway and float exceeded what is permitted in the LUB.

The Walkway:

A wooden walkway was constructed that connects the upland area to a metal ramp used to access a private float. Extending further upland the walkway connects to a gravel trail leading to a slightly elevated boardwalk located above a service trench used for placement of the underground geoexchange lines running back to the dwelling. During installation of the geoexchange system a Heritage Alteration Permit was obtained for upland work impacting a registered archaeological site. The upland end of the walkway was constructed to minimize further impacts to the site with recommendations from the project Archaeologist. To reduce risk of erosion, the underside of the walkway also functions as a small retaining wall to provide an abutment for the slumping archaeological deposits in the vicinity of the dock and the old footings were replaced to be sited on exposed bedrock.

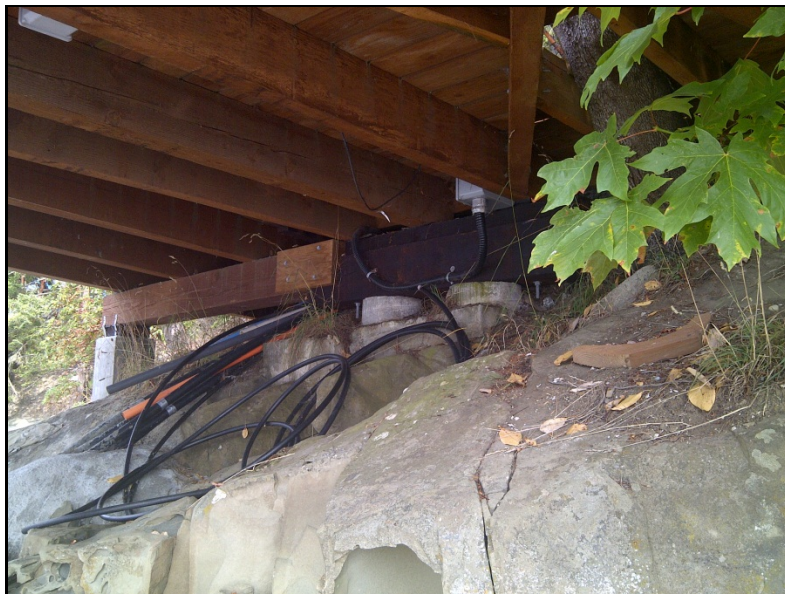
The proposed variance would increase the maximum width permitted from 1.2 metres to 7.75 metres (~25'5") at its widest point. If the LTC chooses not to allow a walkway of the requested width, staff recommends that consideration be given to leaving the portion of the walkway functioning as a retaining wall.



Photograph 1: Upland End of Walkway

The Underground Lines:

Underground lines are not exempt from the definition of a structure in the LUB and therefore are subject to the required setbacks. The proposed variance is a follow-up to the rezoning of the marine Water 1 zone for the geoexchange system; both the rear lot line setback and the setback to the natural boundary of the sea would be varied to allow the geoexchange lines to cross through the required setback in order to provide access to the marine waters.



Photograph 2: Underside of Walkway – Geoexchange Lines Shown



**Photograph 3: Underside of Walkway,
Arbutus Tree on Left and End of Gravel Pathway on Right**

The Float:

The original Crown licence was issued in 1964 and the plans at that time confirm a float measuring 65 feet by 10ft in the same location as the existing dock structure, and within the same lease area. Historic orthophotos also indicate the dock structure has been in place for a number of years. A float of equal or less area would be deemed legal non-conforming. Due to the age of the existing dock structure it has been substantially rebuilt in the same location. The float dimensions were altered by narrowing the length of the dock by approximately one foot, adding two additional side areas at each end and a detachable boat ramp for loading small craft on and off the float. The owners have agreed to remove the attached ramp and reduce the seaward side projection so that the total float area would be reduced to 60.4m² or less, which would then make the float legal non-conforming and a variance would not be required.



**Photograph 3: Float With Boat Ramp to be Removed, and
Seaward Side Projection to be Reduced in Size**

Figure 2: Orthophotos



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,

- 3.4.4 ...address the protection of sensitive coastal areas.
- 3.4.5 ...address the planning for and regulation of development in coastal regions to protect natural coastal processes.
- 4.5.10 ...address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
- 5.1.3...address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- 5.5.4...address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
- 5.6.3...address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.

Official Community Plan:

Policies relevant to this application include:

- 4.2.1 Regulations should protect natural coastal processes from the impacts of development
- 4.2.6 Marshes, bluffs and other natural features along the coast shall be protected from erosions, pollution and other impacts of development by:
 - o Ensuring that any use of the foreshore does not result in permanent damage to natural features;
 - o Encouraging use of community docks or multi-user docks; and
 - o Ensuring that waterfront development is sufficiently setback to permit natural erosion and accretion processes to occur without endangering structures.
- 4.2.10 No structures, including boat houses and multiple-user docks, should be permitted in coastal and foreshore areas unless an environmental impact assessment indicates that there is no disruption to natural coastal processes.

Land Use Bylaw

The subject property is a waterfront property zoned Agriculture (AG) and is within the Agricultural Land Reserve. Neighbouring properties are zoned:

- North – Agriculture and Rural
- East – Agriculture and Rural Residential
- West – Agriculture, Rural and Rural Residential

Islands Trust Fund:

There are no Trust Fund Board properties or covenants in the vicinity of the subject property.

Sensitive Ecosystems and Hazard Areas:

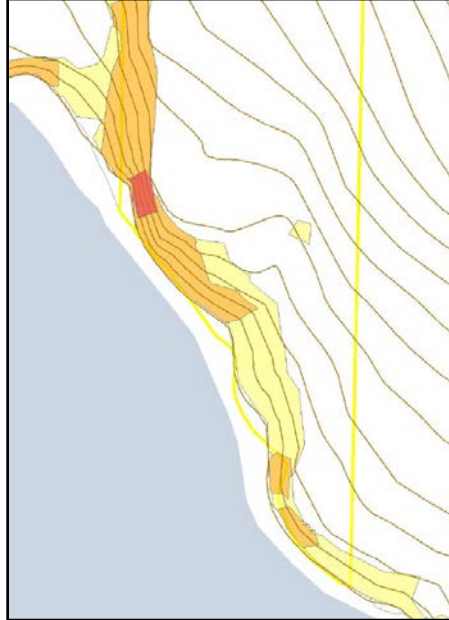
The adjacent marine waters are designated as a sensitive intertidal development permit area (DPA); however, the development under consideration by the LTC is not located within the DPA. There is no upland DPA on the subject property.

The shoreline is identified as having areas of low, moderate and high steep slope hazards; the area of installation is a combination of low and moderate slope hazard.

Figure 3: Development Permit Areas



Figure 4: Steep Slope Hazard Areas and 2m Contour Intervals



Archaeological Sites:

There is a registered archaeological site in the area and owners had obtained the necessary archaeology reports and permits from the Archaeology Branch. The Archaeologists provided a report which summarized his recommendations and comments that:

- The boardwalk, path and walkway (upland dock portion) be constructed in such a way as to minimize alterations to the land and prevent erosion. This included not digging in the site area (placing pads on the surface), use of an existing path, and not removing any trees.
- Potential erosion created by the service trench for the geotexchange lines is mitigated by the placement of an abutment along the length of the exposed areas, secured by concrete footings pinned to bedrock.
- The walkway, path and boardwalk have been constructed in a meaningful way and have effectively aided the preservation of the archaeological deposits and any changes to the current design could impact the site and is not recommended.

Covenants:

There are no registered covenants on the subject property.

Bylaw Enforcement:

The variance application and previously concluded rezoning application were submitted in response to a Bylaw Enforcement file. With the recent approval of the rezoning application the site-specific use of the Water 1 zone for a geotexchange system been authorized. Depending upon the outcome of the variance application, the bylaw enforcement file would be closed after the required modifications are completed.

Climate Change Mitigation and Adaptation

As part the rezoning application the reduction in Greenhouse Gas emissions was discussed as it related to installation of a geotexchange system.

A dock structure has been in this location for almost 50 years, the recent upgrades should make it less susceptible to damage with increasing storm intensity or frequency.

Other:

Shoreline:

The shoreline unit type is identified as low rock /boulder in the preliminary mapping project, which indicates a shoreline moderately resistant to erosion.

Landscaping:

Existing trees in the upland area has been largely preserved with extensive planting of understory vegetation and younger trees. The owners are also intending to have the disturbed area near the walkway replanted with native vegetation. A letter describing the proposed landscaping is attached as Schedule B for your information.

RESULTS OF CIRCULATION:

A notice was circulated to neighbouring residents and owners for comment, a copy of which is attached as Schedule C. At the time of writing this report no comments have been received. If any comments are received they will be brought to the Local Trust Committee meeting.

ISSUES SUMMARY:

Applicant's stated rationale for the variance. Under the archaeologists' guidance, in consultation with on-site observers from Tsawout and Pauquachin First Nations, it was recommended that the dock landing be designed to minimize land alterations, avoid any structures such as a concrete pad, and to provide an abutment to prevent further erosion in the area. The original dock ramp was removed and a new path was constructed to move human traffic around the site. The widened ramp landing will also reduce impacts on the site by removing the former pathway through the site and acting as a staging area for entering or leaving the property (by boat access).

The overall intent of the regulation being varied. The regulation limiting the size of walkways or stairs to access a dock or the foreshore would be intended to reduce both the visual and environmental impacts of coastal development, while still allowing waterfront owners to construct a safe access to the shoreline.

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.

STAFF COMMENTS:

The underground utility lines have been installed in such a way that they have little to no visual impact and the surface area above them has already been, or will be, restored with native vegetation.

The walkway to access the dock is widest at the upland end then tapers to where it meets the adjoining ramp where it is then in compliance with the Land Use Bylaw. The widened area was designed, at least in part, to protect the archaeological site. Changes in the footings from the previous access also reduce further land disturbance that may impact the site. The walkway surface has also been built around an existing Arbutus tree, which is visible in Photograph 1.

The owners already have completed extensive landscaping in the upland area and intend to undertake further landscaping in the surrounding disturbed area that remains exposed. Given the size of the dock structure required to reach sufficiently deep waters, the widened portion of the upland walkway does not appear to be out of scale with the rest of the structure. Although the float is significantly larger than what the current LUB allows, it has been in this location for almost 50 years and the recent renovations do not significantly alter the visual impacts or would increase the footprint and the related impacts to the marine environment.

If Local Trust Committee decides to deny the full width requested for the walkway, staff recommends that consideration be given to approval of the retaining wall to be left in place.

Given the site has been redeveloped in a sensitive manner, aspects of the design of the walkway were based on the Archaeologist's recommendation, and that the surrounding upland area will be replanted with native vegetation designed to keep foot traffic and human activity limited to the walkway surface, staff support the variance.

RECOMMENDATIONS:

THAT Development Variance Permit NP-DVP-2012.4 (Hall/MacPherson) BE APPROVED.

Prepared and Submitted by:



August 23, 2012

Date

Concurred in by:



September 5, 2012

Date

PROPOSED



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT VARIANCE PERMIT

NP-DVP-2012.4

To: Sandra MacPherson and Noel Hall

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

Lot B, Section 11, Pender Island, Cowichan District, Plan 32264 Except Part in Plan VIP68515
PID: 000-078-841

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

- a) Subsection 3.7.2 is varied to allow a portion of a walkway to access a dock to be as wide as 7.75 metres from the permitted 1.2 metres,
- b) Subsection 3.7.1 is varied to allow underground service lines for a marine geothermal loop to cross through the required setback to the natural boundary of the sea, and
- c) Clause 8.3.5(1)(a) is varied to allow underground service lines for a marine geothermal loop to cross through the required rear lot line setback.

The location of the structures shall be consistent with Schedules 'A' and 'B' 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 "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

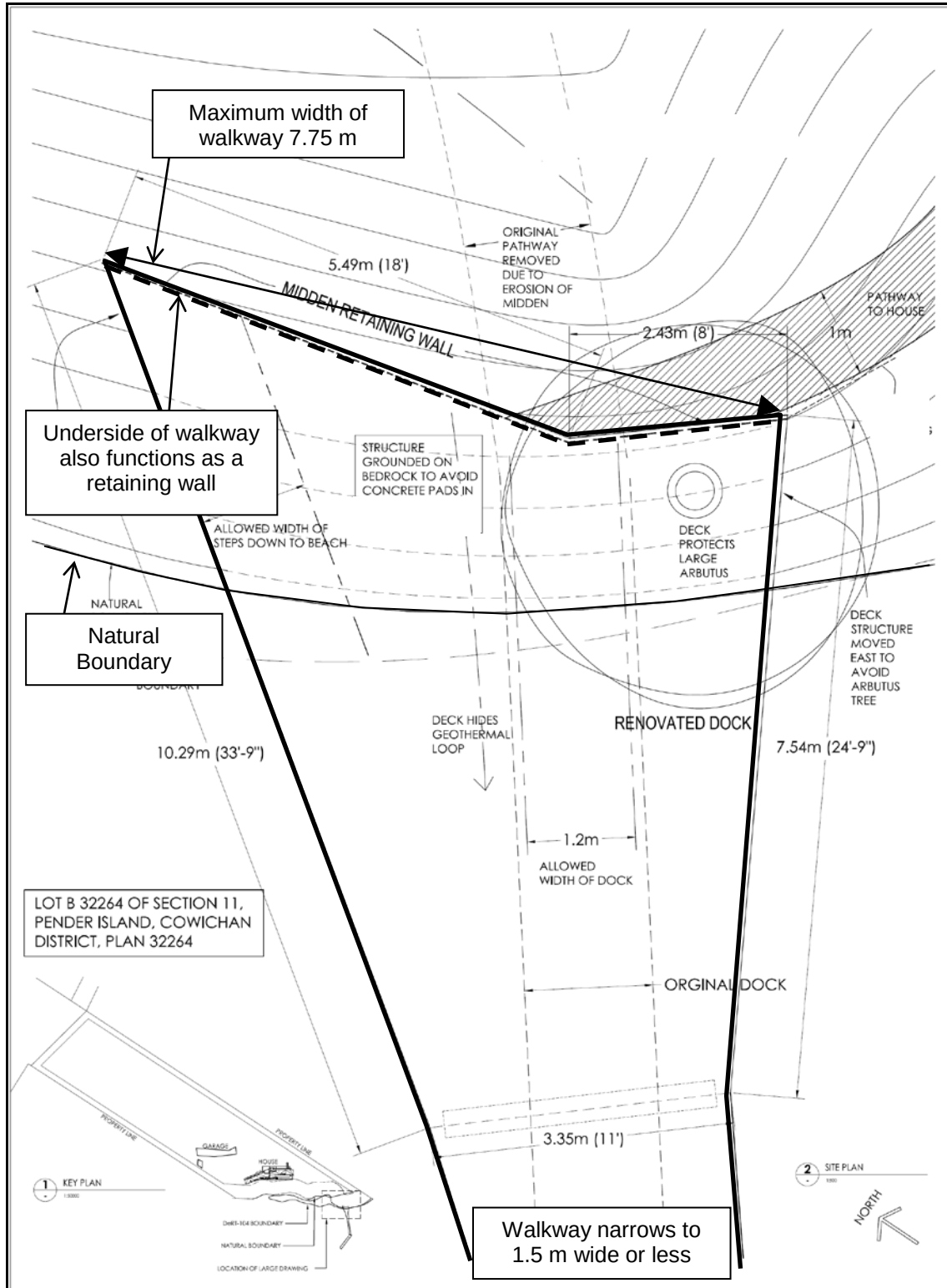
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____, 201__, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-DVP-2012.4

SCHEDULE 'A'

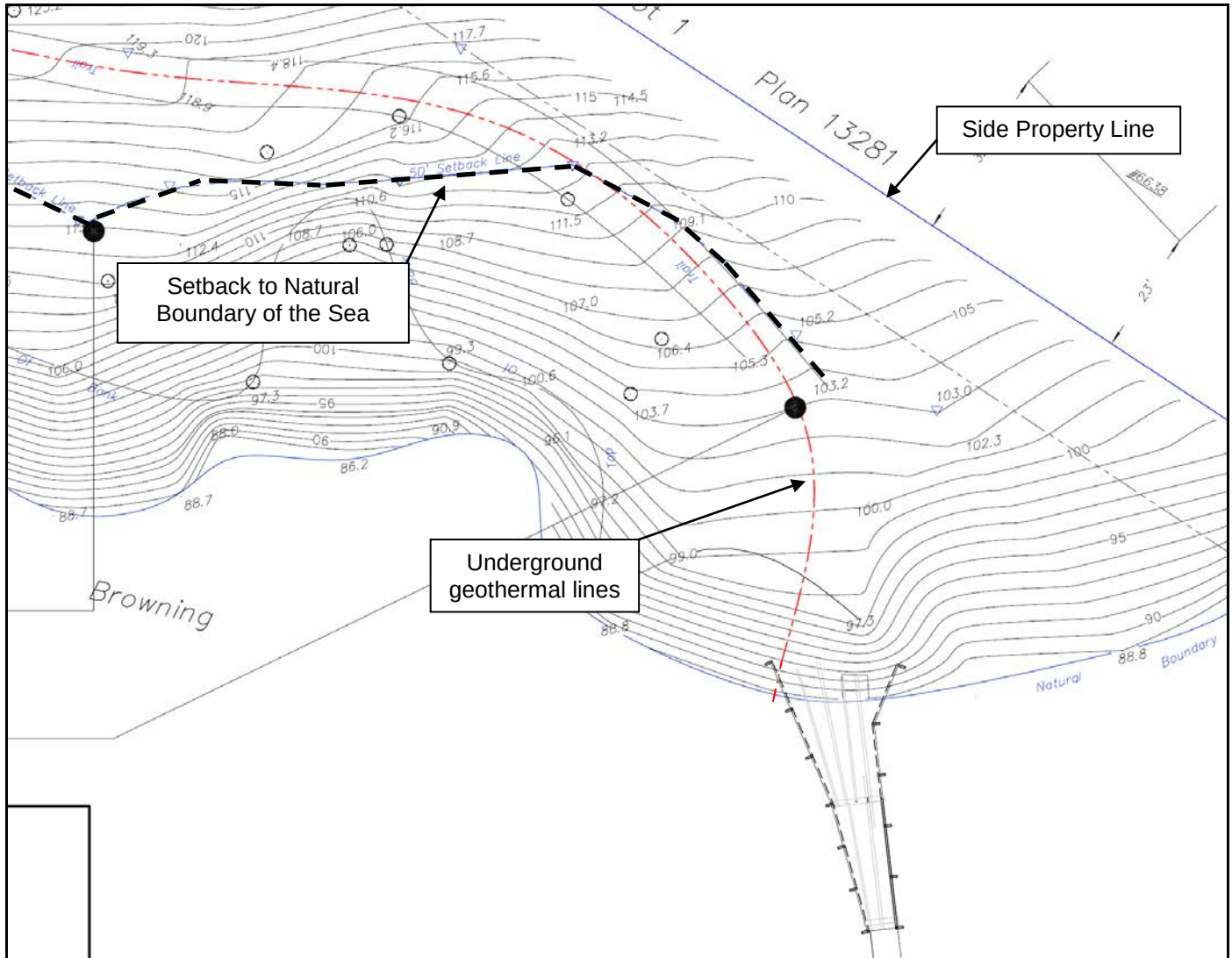


PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-DVP-2012.4

SCHEDULE 'B'



Islandscapes

3724 Port Road

Pender Island, BC V0N 2M2

July 23, 2012

Proposed plant restoration plan for midden area at 6640 Razor Point Road

The midden area at the dock is a previously-cleared, open, grassy area. The property owners would like to restore the native plant species growing in that area in order to prevent people from using a shortcut that will lead to erosion of the bank and, in general, to continue the process of restoring native flora to previously disturbed areas.

Jim Stafford, the consulting archaeologist, has advised us that top soil could be added on top of the area to allow planting as we would not be able to dig there. The ocean front edge of the midden slope is currently shored up by large-dimension pressure-treated beams which the upper dock landing rests upon. The top soil added to the sloped area would be retained by adding landscape ties on top of the upper dock landing edge and anchoring them in the supporting beams. Landscape ties would also be added along the existing pathway. The height of the landscape ties would discourage foot traffic by creating a tall step.

There is some *Mahonia aquifolium* (tall Oregon Grape) and *Lonicera ciliosa* (orange honeysuckle) growing on the edges of the midden, as well as *Gaultheria shallon* (salal) growing nearby.

We propose planting the sloped area with *Mahonia aquifolium* and *Mahonia nervosa* as they are likely to thrive in that exposure and both would discourage foot traffic as they are prickly. The planting will also help prevent surface erosion once it is established. The remaining area would be planted with *Gaultheria*

shallon (salal), *Polystichum munitum* (sword fern), and *Athyrium filix-femina* (lady fern).

Proposed plant list:

150 *Mahonia nervosa* 1 gallon pot
20 *Mahonia aquifolium* 2 or 3 gallon pot
300 *Gaultheria shallon* 1 gallon pot
75 *Polystichum munitum* 1 gallon pot
25 *Athyrium filix-femina* 1 or 2 gallon pot

plant material and delivery: 6,500.00

topsoil: 60 yards delivered to Pender: 2,500.00

bark mulch: 20 yards aged bark mulch 1,200.00

topsoil and mulch on-island transport and placement from neighbouring
driveway over fence using Victoria based slinger truck: 1,200.00

labour: weed out existing grasses, place soil, plant, mulch 4,000.00

Total project cost: 15,400.00 + HST

Kristin Taggart
Islandscapes
July 23, 2012



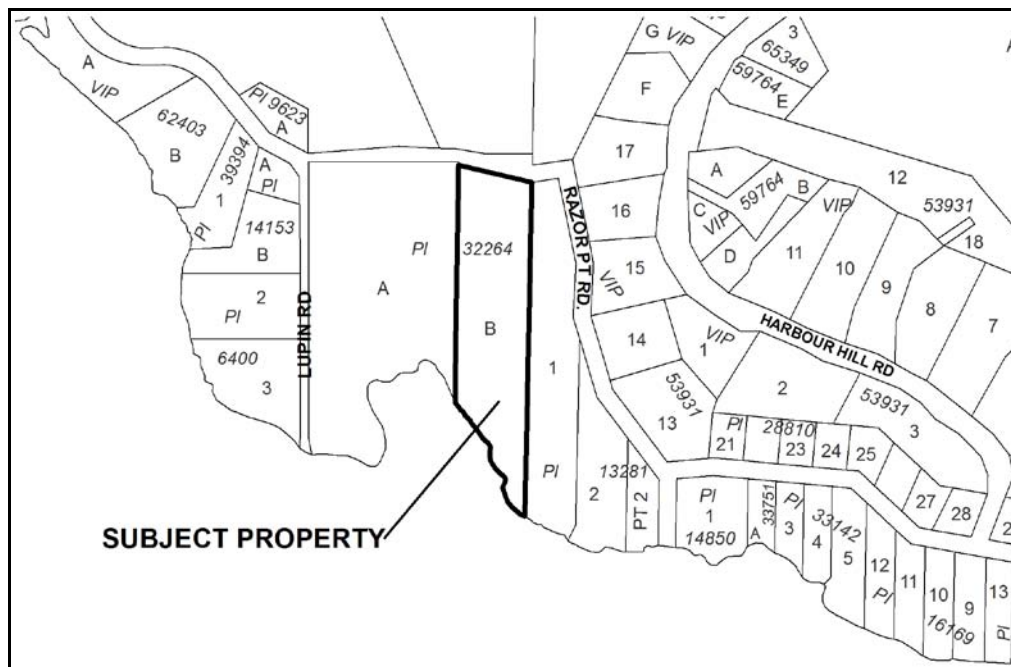
Schedule C

NOTICE
NP-DVP-2012.4
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:

- a) Subsection 3.7.2 is varied to allow a portion of a walkway to access a dock to be as wide as 7.75 metres from the permitted 1.2 metres,
- b) Subsection 3.7.1 is varied to allow underground service lines for a marine geothermal loop to cross through the required setback to the natural boundary of the sea, and
- c) Clause 8.3.5(1)(a) is varied to allow under underground service lines for a marine geothermal loop to cross through the required rear lot line setback.

The property is located at 6640 Razor Point Road and is legally described as, Lot B, Section 11, Pender Island, Cowichan District, Plan 32264, Except Part in Plan VIP68515, PID: 000-078-841. 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 September 7, 2012, and continuing up to and including September 17, 2012.

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 September 7, 2012. Also, attached for your convenience is a copy of the proposed permit.

Enquiries or comments should be directed to Planner Andrea Pickard at (250) 405-5189, 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, September 17, 2012.

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., September 20, 2012, at the Pender Island Community Hall (Upstairs) 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.

Kathy Jones
Deputy Secretary



STAFF REPORT

September 11, 2012

File No: NP-6500-20
Shoreline Review

To: North Pender Island Local Trust Committee
For the meeting of Sept 20, 2012

From: Andrea Pickard
Island Planner
Local Planning Services

CC: Robert Kojima, Regional Planning Manager

Re: Shoreline Review

BACKGROUND:

The North Pender Island Local Trust Committee (LTC) has identified a shoreline review as a work project and previously identified three phases for the project:

- Information gathering,
- Public consultation and education, and
- Implementation.

At the June meeting the LTC requested staff to schedule a meeting between the Committee and the consultants currently on contract for the Shoreline Mapping Project, and invite the South Pender Local Trust Committee to participate.

The combined South and North Pender Islands meeting is tentatively scheduled for October 4th and it will provide an opportunity for the consultants to review the draft mapping work, the shoreline categorization, and the methodology with the Trustees. It is also anticipated that a community information meeting will be scheduled later in 2012, also with the consultants attending, to gather community input on shoreline issues generally and to introduce the draft mapping.

At the June Trust Council meeting a request for decision was presented regarding a proposed approach to the integrated watershed and shoreline mapping project. The proposal is to create a Shoreline Mapping Working Group for the Islands Trust with representation from staff and trustees. The intent is to bring various efforts that have been initiated together and have the Working Group review and compile this information into a comprehensive package, to develop a strategy for public outreach and also consider how to integrate the information into our day-to-day operations. At this time the Working Group has only met once, by way of a phone conference. The direction of the working group was to request the consultants be contracted to make a presentation at the December Trust Council meeting.

Additionally, October 13th is when the Pender Islands Conservancy Association will be hosting a Marine Riparian Areas Educational Forum, which will be discussed separately as a correspondence item on the September agenda.

Available Resources:

The shoreline has been mapped for geomorphological characteristics as part of the existing contract and is essentially ready for review. Mapping of biological features (eelgrass and forage fish habitat) is currently being done through a partnership between the Trust Fund Board and SeaChange, a non-profit society focusing on marine conservation. Final versions of the eelgrass and forage fish habitat mapping is not anticipated until early in 2013, although draft mapping may be available for early review.

As time allowed, staff have begun to review available documents and initiated a 'working draft' document in an attempt to summarize the key objectives and considerations for this complex project. Summary notes from various sources have been initiated; however significant effort is still required if it is to evolve into a comprehensive document. The working draft is attached but please keep in mind it is not complete and there are numerous resources yet to be addressed.

NEXT STEPS:

The mapping consultants will be in attendance at the October 4th combined South and North Penders LTC meeting to provide background information on the mapping project and obtain feedback on the draft maps.

The LTC should then consider advancing the draft maps, with additional shoreline data, to be presented at a Community Information Meeting later this autumn.

RECOMMENDATION:

THAT the North Pender Island Local Trust Committee direct Staff to schedule a meeting for October 4, 2012 to be hosted by the North Pender Island Local Trust Committee with the South Pender Island Local Trust Committee invited to participate.

THAT the North Pender Island Local Trust Committee direct Staff to schedule a community information meeting, in conjunction with the South Pender Island Local Trust Committee, with the consultants currently on contract for the shoreline mapping project.

Respectfully submitted by:



Andrea Pickard

Sept 11, 2012

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

Sept 11, 2012

Date

Shoreline Review Project Overview

Goal:

Phase 1: Information Gathering

- To create a comprehensive shoreline mapping product, with related information regarding the impacts of development, which would serve as a resource for Local Trust Committees when considering coastal development.
- To have a compiled resource with background information and data available for staff and Trustees when considering shoreline development proposals, policy direction or regulatory options.

Phase 2: Education and Consultation

- Provide a range of opportunities for engagement with the public in order to:
 - o increase awareness about shoreline issues,
 - o identify the issues of most concern to the community, and
 - o receive input on mapping products to improve the level of accuracy.
- Work in partnership with other stakeholders and to ensure professional experts are involved with the community dialogue.

Phase 3: Implementation

- To provide the Local Trust Committees with a comprehensive source of technical and science based knowledge of shoreline dynamics and features, and with consideration of community input, determine an implementation strategy appropriate for each Local Trust Area.

Objectives:

Phase 1

1. Combine new and existing data into one comprehensive inventory product of ecological characteristics (physical features, marine and backshore biota, and upland land uses) found along the shoreline zone of marine waters, foreshore and upland areas (distance of 50? 100? 200m?) including but not limited to:
 - geomorphological shoreline features including dominant wave energy direction, fetch, shoreline units, sediment source points and deposition patterns,
 - sensitive upland ecosystems and prioritizing of those with the highest ecosystem components or most vulnerable to degradation by development
 - locations identified as a priority in the Regional Conservation Plan
 - marine mapping of sensitive habitat (existing intertidal DPA, adjacent wetlands, estuaries, and new data – eelgrass, forage fish habitat)
 - fresh water outlets, noting those subject to RAR
 - registered archaeological sites
 - hazard areas along the coast – steep slope and storm surge/flood

- points of public access (existing or future)
 - upland Land Use (residential, commercial, marinas, industrial, utilities, agricultural, modified shorelines, Crown leases)
 - bathymetric values – wave base depth and sediment source
 - other?
2. Explore creating a query based model that could apply a weighted assessment of the shoreline features to rank different shore areas and prioritize those most vulnerable.
 3. Identify where more science based information is required – gap analysis with specific data needs determined.
 4. Review existing publications related to 'coastal development guidelines' and extract those aspects relevant to the North and South Pender shoreline and anticipated land use activities.

Phase 2

5. Provide early opportunity for the community to see the mapping product, identify concerns or questions related to shoreline development, and become engaged as a stakeholder of the island's shoreline.
6. Promote a broader interest in the shoreline as a public amenity for all island residents and BC generally, rather than only waterfront property owners, by using various community engagement tools.
7. Enhance knowledge and education of how the cumulative effects of land use and human activity impact the marine ecology generally such as the health of marine mammals or salmon species, water quality and biodiversity.

Purpose:

Experience with shoreline modification as a method to address erosion has shown that hardening of the shore often worsens the 'problem' or exacerbates erosion beyond the end points of the hardening structure.

Engineering of shoreline structures is not like any other environment and if structures are not designed or built to address marine influences (scour, energy dissipation, wave impacts, current effects, seasonal storm effects, sediment transfer, on and offshore wind effects, etc) often do not survive their life expectancy.

Generally highly valued sandy beaches exist in tandem with sediment sources, often some distance away, and if the sediment source is stopped the beach may disappear. Stop the sediment, starve the beach.

Upland vegetation provides similar function for marine waters as freshwater, riparian vegetation. Localized areas valuable to marine species can be highly impacted with upland disturbance.

Upland ecosystems form in part, based on the substrate materials. Substrates also have a huge impact on the shoreline type and function. Improved understanding of the coastal dynamics should result in better land use decisions that alter the land.

A natural shoreline finds balance between the geological factors, the terrestrial ecosystem, the range of shoreline diversity (marine and terrestrial), resulting in the shoreline units that exist. What we need to better understand, is how land use decisions and development influences the natural process.

Furthermore, there is a high social value placed on the natural beauty of the Gulf Islands and their relatively undeveloped coastlines; this extends to both local residents and all BC residents generally.

Green Shores – Just What Does It Mean?

Green Shores is a program of the Stewardship Centre for British Columbia, which is a non-profit organization that works collaboratively with conservation and stewardship organizations to develop tools, resources and programs for practitioners across the province and Canada. Green Shores also works with local and regional governments to enshrine the key principles within their policies and regulatory bylaws.

Green Shores for Homes is a related “coastal development rating system” that the Islands Trust has been working in partnership with the San Juan Islands to develop. This project is not part of the Shoreline Review undertaken at the LTC level; the project is still been developed and David Marlor, Director of Planning, is the project lead and he will continue to report directly to Trust Council on that matter.

The objective of Green Shores is to encourage sustainable use of coastal ecosystems through planning and design that recognizes the ecological features and functions of the coastal system.

The guiding principles for Green Shores are:

- Preserve the integrity or connectivity of coastal processes,
- Maintain or enhance habitat diversity and function (on a regional scale),
- Minimize or reduce pollutants to the marine environment.
- Reduce cumulative impacts to the coastal environment.

More information, including case studies, is available at: www.greenshores.ca

Status Quo Option:

What would happen if we did nothing?

The LTC's would increasingly see development proposals without the benefit of comprehensive mapping, and have to make isolated decisions without sufficient background information on cumulative impacts of shoreline development.

Property owners may continue to explore past practices rather than look to alternatives that may not been well demonstrated both visually (unnoticeable) or in number.

Furthermore, increasingly less federal and provincial resources are allocated to review, monitor or enforce development or other activities in the marine environment or on the foreshore. Regulatory processes are increasingly limited to those of local governments.

Target Audience:

Waterfront property owners - due to the impacts of upland development on the shoreline.

All residents – due to the foreshore being public land and the shoreline being a community amenity.

The boating community – due to the impacts of marine activities on the shoreline and marine ecosystem.

Fishers – due to the impacts on fisheries from alterations to the shoreline and related habitat.

Marine Specialist and other Professionals (engineers, biologists) – due to their knowledge, expertise and experience with the impacts of development.

The Province – due to the relationship to Crown lands, the environment, and archaeological sites.

First Nations – due to aboriginal rights that may be impacted, the presence of archaeological sites along or adjacent to the foreshore, and the cumulative environmental impacts affecting ecosystem components with significant First Nations value.

Parks Canada – due to the Gulf Islands National Marine Conservation Area.

Messages:

What it is? Largely based on the mapping component with an objective to provide an inventory of the shoreline features and the interrelationships between them.

What has history taught us? Experience that has resulted in the Green shores movement to a softer, more effective method of dealing with coastal forces when necessary. Understanding of why past practices have often had untoward impacts with unexpected results.

Where is the shoreline most vulnerable? Understanding the conditions that make one type of shoreline more sensitive than others. Where are the critical areas locally?

What are the aspects or shoreline features of most importance to individual community members?

How can we continue to use the shoreline and marine environment with minimal impacts?

What can we do as a community to provide better understanding of coastal processes and provide protection of the shoreline?

Communication Methods:

Presentations by consulting experts – providing information to the process.

Community information meetings – both education for the public and input from the public.

Public open houses or workshops – interactive engagement, can be with a number of topic specific stations, general brainstorming.

On-line survey – outreach to those who may not attend meetings.

Mail out – targeted invitation to attend meetings.

Information brochures – stewardship promotion.

Website – up to date notices of the shoreline project and background materials.

Selected Available Reference Materials:

1. ***Coastal Shore Stewardship: A Guide for Planners, Builders and Developers on Canada's Pacific Coast.*** Key concepts covered include:

The Work of Physical Forces

- Waves – wind waves are the primary forces causing most erosion, sediment transport and deposition. Waves are a product of wind velocity, fetch (distance over which wind blows), and length of time. Wave base depth, where the wave first touches the sea bottom, can churn up sediment if present. Influenced by the refraction, reflection and diffraction of the waves as they approach the shore.
- Sediment movements – by waves and currents moving towards, away from and along the coast. Longshore drift is created by the waves approaching at an angle to the shoreline and the longshore current along the shoreline. 'Longshore drift cells' contain a sediment source zone, transport zone and deposition zone. Cross shore transport is more immediate and usually results from the winter/summer storm cycle moving sediment seaward after winter storms and slowly replacing it over summer.
- Water levels – tidal, storm surges and sea level change. Tidal extremes occur in December and June. In winter low tides occur at night while in summer they occur

during the day time. Storm surges in the Strait of Georgia has a maximum of about 1 metre but can have a significant impact especially when combined with high tides.

Energy and Sediment Dynamics

- Table of nine shore types based on the energy they receive (high, medium or low) and their function within the longshore drift cell (eroding, transport or depositional). The development considerations are summarized in the table below.
- High energy shores can have very high levels of sediment movement with large beaches. Wind erosion can be considerable. Eroding shores with high energy can experience dramatic effects from storm events, soils can be exposed with vegetation difficulty to become established or loss due to undercutting. Depositional shores with high energy are very dynamic with huge volumes of sediment accumulation in the form of spits or beaches. Transport shores in between may fluctuate between periods of erosion or deposition; shoreline modification structures may interfere with sediment movement.
- Low energy shores are protected from predominant winds and wave forces (deep bays, inlets, behind headlands) and the shoreline tend to be fairly stable. Lower volumes of sediment are transported. They tend to have high biological productivity and are more susceptible to pollutants.
- Eroding shores include steep banks or bluffs with a lack or limited vegetation including fallen or leaning trees with exposed roots. When underlying materials are sand or gravel erosion is more likely.
- Depositional shores include low relief features (beaches, deltas, spits, sand dunes, beach ridges) and are typically in embayments or the lee side of headlands or islands. Continued deposition is required to sustain these features and they are prone to rapid changes in shape or volume. These shores tend to be scarce and typically have high recreational value.

ENERGY AND SEDIMENT DYNAMICS	Eroding Shores	Transport Shores	Depositional Shores
High Energy	-Development should be located well back from the shore -Native vegetation should be maintained -Shore protection should be avoided due to a likelihood of failure	-Development should be sited sufficiently back to accommodate the natural fluctuations. -Native vegetation should be maintained to prevent the shoreline becoming unstable -Groynes should be prohibited	-Development should be sufficiently back so backshore dunes and beach ridges are kept intact -Scarcity and fragility means they should be protected for public access and recreation
Medium Energy	-Development should be sited sufficiently back to accommodate erosion -Native vegetation should be maintained	-Development should be sited sufficiently back to accommodate the natural fluctuations. -Native vegetation should be maintained to prevent the	-Development should be sufficiently back so backshore dunes and beach ridges are kept intact -Includes pocket beaches

ENERGY AND SEDIMENT DYNAMICS	Eroding Shores	Transport Shores	Depositional Shores
	-Shoreline protection should be discouraged	shoreline instability -Groynes should be prohibited	
Low Energy	-Development should be sited back enough to protect against septic pollution -Native vegetation should be maintained	-Development should be sited back enough to protect against septic pollution and runoff -Native vegetation should be maintained	-Development should be avoided as should pollution from septic or runoff -These shores are highly productive aquatic environments and are very sensitive to contamination -Includes estuaries, mud flats and tidal marshes

Shore Classifications and their Development Sensitivities

SHORE CLASSIFICATION	Physical Feature	Biological Feature	Sensitivity
Rocky shores Very stable and cover much of BC's coast Resistant to change Provide habitat for a variety of intertidal organisms	-Limited sediment supply and low rates of sediment transport -Stable over human time scale	-Dominated by plants and animals attached to rocky substrate -Support diverse algal and invertebrate communities Include protected crevice areas -High species diversity in areas with greater wave exposure -Key species: kelp, rockfish, lingcod, sea urchins, scallops, prawn, rock crab, Oystercatcher, Pelagic Cormorant and Pigeon Guillemot	-Generally good areas for development if geotechnically stable -Relatively insensitive to changes in sediment - process -Rocky surfaces create microhabitats that are important for biodiversity Intertidal communities sensitive to impacts that scrape or abrade surfaces -Structure forming species such as kelp are important components -Algae sensitive to shade effects from docks etc.
Rock and Large Sediment shores (Boulder/Cobble) Occur where heavy sediments are available from eroding rock benches or cliffs. A dense cover of stable shore vegetation will grow if finer materials are included in the sediment	-Moderately resistant to erosion and stable over human time scale -Limited supply of sediment and low sediment transport rates -Driftwood accumulation in the backshore	-Low diversity of fixed biota where sediments are mobile -With undisturbed slope vegetation can develop a stable mix with the roots contributing to slope stability -Dominated by attached plants and animals such as mussels, oysters, limpets and kelp -Provide bird habitat and valuable winter feeding for Sea Ducks	-Generally good areas for development if geotechnically stable -Abrasion, shading and loss of habitat features are a concern -Conservation of riparian vegetation important -Dominant species vary if sediments are mobile (attached vs mobile species) -Long recovery time following oil spills

SHORE CLASSIFICATION	Physical Feature	Biological Feature	Sensitivity
Sediment shores (Sand/Gravel) Occur where large amounts of smaller sediments are available from sources such as sandstone bluffs Very sensitive to disturbance and can change quickly	-Easily eroded sediments with high sediment transportation rate -Large sediment supply and very dynamic on human time scale -Shape is determined by wave and tidal action -Rates of longshore transport larger than onshore/offshore	-Dominated by burrowing invertebrates, which attract large numbers of birds -Large mobile invertebrates such as sea stars may be present -Eelgrass often found in protected areas and is easily impacted by disruption to sand or gravel shores -Backshore vegetation of dune grasses, salt adapted plants and shrubs form a distinct habitat zone important for erosion protection	-Development pressures can be very high near these shores with a high risk of damage -Dynamic environment makes building risky -These shores are very sensitive to development interrupting sediment processes (seawall, groynes, wharves, docks) -Removal of vegetation should be avoided -Boat waves can be contribute significantly to erosion and vehicle traffic on these beaches can damage important habitat and spawning area
Estuaries and Mud Flats Located where rivers or streams provide upland sources of fine sediments which can form estuary deltas in short periods of time Very sensitive to change	-Primarily determined by river flow, sediment supply, tides, wind and longshore transport -Very dynamic especially due to major storms or flood -Extremely sensitive if the complex processes forming them are disturbed (freshwater flow, sediment input and longshore transport)	-Highly productive, brackish salt marshes with vegetation adapted to seasonal flooding and salty soils -Biological communities that tolerate rapid changes in temperature and salinity -Important rearing and feeding grounds for fish -Important habitat for overwintering waterfowl and shorebirds -Transition zone for salmon adapting from fresh to seawater -Detrital sinks where land-based carbon feeds into the aquatic food web	-If disturbed, recovery is very slow -Particularly sensitive to metal and organic contamination bound to fine sediments -Areas often crucial for bird and mammal life cycles -Eelgrass often in these areas and is very sensitive to changes in sediment -Marine riparian vegetation important for carbon cycling
Altered shores Modified by human made structures such as seawalls or walkways	-Typically riprap, concrete, steel or wooden structures -Hard, straight and impermeable -Alter local water action and sediment transport -Often include backfilling that buries natural substrate and biota -Often require maintenance resulting in repeated disturbance	-Smooth surfaces reduce surface area and are typically poorly colonized --Riprap may have more surface area but tend to have limited diversity -Dikes, seawalls accelerate erosion at the top of the slope and prevent the accretion of sediment and formation of low bench marshes --reduce vegetation and simplify foreshore habitat -Near estuaries and wetlands they can eliminate	-Altered shores may create impacts of: reduced diversity; damage habitat; destabilize banks (remove veg); alter sediment deposition; changes wave energy, reflection and resonance; shade marine plants; introduce pollutants; effect upland drainage; redirect freshwater inputs; encourage invasives

SHORE CLASSIFICATION	Physical Feature	Biological Feature	Sensitivity
		natural flows and over time they may revert to upland habitats	

The Coastal Shore Stewardship document also has more detailed information regarding:

- Water Quality, pollutants and their impacts.
- Connecting Physical Forces to Habitat and Species, the interconnection.
- Jurisdiction and Roles, four levels of government, landowners and NGO's over offshore, inland, and foreshore areas.
- Development of the Coast (residential, commercial, roads, marine facilities, marine discharge, coastal industry and commercial activities) using a 'Don't Disrupt, Don't Harden, Don't Pollute' approach.
- Coastal Living, good stewardship practices to restore and maintain natural shore systems.

2. On the Living Edge Your Handbook for Waterfront Living, Sarah Kipp and Clive Callaway. Federation of BC Naturalists

This document is a stewardship oriented guidebook for freshwater and marine waterfront property owners. It includes a wide range of topics for consideration by landowners including: construction projects, erosion, septic systems, landscaping, site drainage, groundwater wells, boating, and foreshore development. A shoreline purchaser checklist and how healthy is my shoreline quiz are also included.

3. Victoria and Esquimalt Harbours Ecological Inventory and Rating Final Report Phase 1: Intertidal and Backshore

This document is an overview of how the 'HEIR' was created and would provide an example of a similar process and provide recommendations to advance a comprehensive shoreline review for the gulf islands.

4. Protecting Nearshore Habitat and Functions in Puget Sound, EnviroVision, Herrera Environmental and Aquatic Habitat Guidelines Program

Although this document was prepared for Puget Sound and refers to US legislation, is provides a good summary of the key nearshore elements and provides recommendations for regulating developments that modify the shoreline.

ELEMENT	IMPORTANCE	COMMON IMPACTS
Beaches and Bluffs	-Beaches are continually evolving in response to physical processes -They provide important habitat and define the structure and composition	-Shoreline armoring is the most significant activity that impacts bluff erosion by limiting the supply of

ELEMENT	IMPORTANCE	COMMON IMPACTS
	of the backshore where marine riparian vegetation grows -valuable for commercial and recreational uses -Bluffs are a primary source of sand, gravel, and larger substrate that form beaches -the size and composition of substrate are key factors for determining the value of nearshore habitats, bluffs are important to replenish beaches and ensuring a variety of habitats are maintained	sediments -Immediately adjacent to armouring structures increased energy can downcut or lower a beach elevation and undermine the structure -Groynes or jetties can interrupt shore drift -vegetation removal can increase erosion and potential for landslides -Complexity of the natural processes make mitigation difficult, therefore avoidance and minimizing impacts is essential
Forage Fish Habitat	-Forage fish are a key component to the food web -Intertidal and shallow subtidal areas are spawning or rearing grounds -Large spawning numbers also make them particularly vulnerable during a critical life cycle stage -Eelgrass beds are particularly important for herring spawning -Water quality, food and predator abundance in the nearshore also important -Sand lance deposit their eggs in many events scattered over broad reaches of shoreline during high tides	-Any activity that impacts each substrate, such as footings for a dock or grounding of a barge or vessel, can impact spawning adults or eggs and reduce suitability for spawning -Shoreline armouring or other activities altering the size, shape or composition of a beach -Shading, poor water quality, changes in wave energy can reduce vegetation required by some species for spawning -Loss of marine vegetation that provides shade can impact species that spawn high on the beach
Kelp and Eelgrass Habitat	-Both play a role as carbon fixers and contribute to the carbon cycle -Both are primary producers generating nutrients and substrate; they also provide refuge and foraging habitat -Kelp or eelgrass meadows are critical for juvenile salmon -Both are photosynthesizers and need ambient light and clear water -Kelp requires a relatively stable, solid substrate to attach to while eelgrass requires fine-grained substrate to establish a mat of rhizomes	-Alterations to substrate and light levels by shoreline modification, dredging, filling etc can make a site unsuitable -Boat propellers and anchors can cause physical damage -Overwater structures can reduce light levels -Removal of riparian vegetation can increase sediments and alter the temperature and nutrient regime -Pollutants can affect growth and reproduction, cause algae

ELEMENT	IMPORTANCE	COMMON IMPACTS
		blooms and reduce light
Marine Riparian Vegetation	-Is directly influenced by the marine environment -Directly or indirectly influence nearshore aquatic habitat -Stabilize bluffs, filter surface runoff, provide shade, organic litter and large woody debris -Influenced by type of soil, amount of sediments, climate, topography, degree of saltwater or sea spray -Create a transition area from the marine aquatic to terrestrial habitat -Provide refuge in tidal plains for juvenile salmon -Large trees provide shade that is important to spawning habitat -Slows runoff and reduces turbidity	-Clearing of land for human uses or development -Disturbed areas vulnerable to invasive species -Vegetation removal can alter topography, soil composition, salt spray exposure etc and reduce habitat diversity
Juvenile Salmon Habitat	-Nearshore provides food, migratory corridor, predator protection, and a transitional environment for moving from freshwater to marine environments -Young salmon are particularly sensitive to small changes in habitat conditions -Typically use shallow water with low wave energy and fine-grained or mud substrate such as found in marsh or wetlands or pocket estuaries	-Shoreline modification that degrade the quality of habitat -Alterations to habitat are difficult to mitigate -Activities that alter wave energy or other physical properties with impact habitat (armouring, vegetation removal etc) -Salmon avoid moving under structures that reduce light such as docks, the cumulative effects of docks can impact their energy requirements and increase vulnerability to predatory species

Three categories of shoreline modification activities were addressed with consideration of the potential impacts and mitigation recommendations. Although other shoreline modifications may occur these three types represent the most common and account for the vast majority of adverse environmental impacts.

- **Overwater Structures:** includes piers, docks, mooring floats and other types of structures that have potential to alter physical characteristics such as light penetration, wave energy and sediment transport. Direct and indirect impacts occur and are classified as: short-term – site preparation and construction activities, or long-term, cumulative impacts. A number of design considerations are outlined.

- Shoreline Armouring: includes hard structures such as riprap and retaining walls (bulk heads, seawalls) that have potential for loss of terrestrial, shallow-water, and benthic habitat. These structures may cause local erosion, alter sediment deposition, increase turbidity and degrade water quality. Preferable approach is to use 'flexible defense works' constructed of natural materials including soft shore protection, bioengineering, beach nourishment, protective berms or vegetation stabilization first. 'Rigid works' constructed of artificial materials such as concrete or riprap. Larger works such as jetties or breakwaters should only be considered when benefits to the region outweigh local resource losses. Alternative structures, including floating or submerged breakwaters, should be considered where physical conditions make these alternatives feasible with less impact.
- Riparian Vegetation Alteration: vital for providing habitat structure, shade, and cover; fish prey; large wood and organic debris; connecting migratory corridors; filtering surface water; soil stability and erosion protection. Recommendations include site-specific assessments and limitations, riparian buffers, structural setbacks, and minimize impacts by conservation of vegetation.

5. **Proposed Southern Strait of Georgia National Marine Conservation Area Reserve Atlas, Parks Canada**

- Based on the key recommendation of the Archaeological Report, the LTC amended Bylaw 170 (LUB) at the June 26, 2006 meeting to establish a 50 metre setback in the CD3 zone in northern portion of the island.
- No response to the referral was received from First Nations prior to the first Public Hearing held Nov 16, 2006, nor prior to a second public hearing held October 4, 2007.
- On April 8, 2008, prior to final adoption of the bylaws, correspondence was received from the Tsawout First Nation, citing need for protection for archaeological sites and denial of access to the lands.
- Staff provided a memo to the LTC on May 15, 2008, advising that a comment has been received after the hearing and that a review of the information suggested that the issues that were raised would best be addressed by the applicants and other levels of government. The applicant and appropriate government agencies were contacted regarding the issue. The bylaws were adopted on June 13, 2008.

pc Andrea Pickard, Island Planner



Islands Trust

Print Date: Sep-12-2012

Top Priorities

North Pender Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Associated Islands Bylaws	Undertake LUB and OCP review regarding Sidney Island	Mar-31-2011	Andrea Pickard		On Going
2	Shoreline Development Review	Identify and assess issues and impacts associated with development on the foreshore and immediately upland of the natural boundary, including docks, stairs, seawalls, erosion, landslip, sea level rise and structures near the natural boundary. Consider options to address issues, including designation of a shoreline DPA	Sep-22-2011	Andrea Pickard		On Going
3	LUB Amendments Related to Subdivision and Roads	- road classification and design standards review, including heritage roads and subdivision standards (s.4.15) and related OCP policies - subdivision servicing regulation review - stormwater management regulation review - review of marine zoning regulations in conjunction	Sep-22-2011			On Going

11.1.1.1



Islands Trust

Projects

North Pender Island

No.	Description	Activity	Received/Initiated	Status
1	Affordable Housing Task Force	Circulate report to community groups, develop terms of reference, appoint task force as an APC, receive report, undertake community and stakeholder consultation, review options, consider bylaw amendments or other initiatives for implementation.	Jan-22-2009	On Going
2	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
3	Tourism Plan	Support efforts to develop a tourism plan	Jan-22-2009	On Going
4	Agricultural Projects	Consider implementing agricultural initiatives identified in OCP	Jan-22-2009	On Going
5	Other OCP projects:		Jan-22-2009	On Going
	1. View corridor review			
	2. Parks and Conservation area review			
	3. Pedestrian and Cycle paths			
	4. Groundwater protection strategy			
	5. Include advocacy policies for ultra vires regulations removed from the LUB (commercial airstrips, private marinas, use of			

personal watercraft)

6	Agricultural Building Watercourse Setbacks	Jul-28-2011	On Going
7	Geological Hazard Mapping	Continue work on proposed DPA for Hazardous Areas	On Going
8	LUB Amendments	• review of industrial zoning, including waste management • tourist commercial zoning review • home industry regulation • ferry terminal zoning • 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 • height exemptions for agricultural or forestry buildings and boat sheds • max floor area for principal dwellings	On Going
9	Road Side Signs	Apr-26-2012	On Going
10	Applications after the fact	options to address situations where construction work has occurred without the required permits or approvals	On Going



Islands Trust

Applications w / Status - North Pender Island Status: Open

Print Date: Sep-12-2012

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2010.4	Lloyd Eakins (For TWA) Planner: Andrea Pickard	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)

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

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
NP-DVP-2012.4	Noel Hall & Sandra MacPherson Planner: Andrea Pickard	Apr-25-2012	6640 RAZOR POINT RD To widen the dock landing area to prevent further erosion of midden.

Planning Status

Status Date: Sep-10-2012

notices sent - on Sept agenda

Status Date: May-15-2012

more information pending

Status Date: Apr-26-2012

Sent letter of acknowledgement of receipt of application and fees to applicant. Sent copy of application to trustees, forwarded file to planner.

File Number	Applicant Name	Date Received	Purpose
NP-DVP-2012.5	Droroa Aronowicz c/o Harold Wiebe Planner: Andrea Pickard	May-10-2012	1117 WALDEN RD Vary a variety of lot line setbacks for existing shed, deck, closed areas, art studio, shoreline
Planning Status			
Status Date: Aug-29-2012			
revised survey rec'd			
Status Date: May-17-2012			
Planner initiated review of application and sent an e-mail to applicant requesting clarification.			
Status Date: May-10-2012			
Sent letter of acknowledgment of receipt of application and fees to applicant. Copied to trustees and forwarded to Planner			

Subdivision

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2008.3	Richard Wey Planner: Andrea Pickard	Mar-19-2008	5442 HOOSON RD : Creating 4 lots
Planning Status			
Status Date: Jun-18-2012			
executed covenants sent to applicant			
Status Date: May-31-2012			
both revised covenants approved for execution			
Status Date: May-22-2012			
on May agenda to discuss CRD signature or not			

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

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

Status Date: Feb-08-2012

DP on Feb agenda

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2011.1	Richard Wey & Associates Land Surveying Inc Planner: Andrea Pickard	May-16-2011	4606 OAK RD & 4602 OAK RD Boundary adjustment
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: Andrea Pickard	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-2011.3	Strongitharm Consulting Ltd	Nov-09-2011	Boundary adjustment

Planner: Andrea Pickard

Planning Status

Status Date: May-02-2012

PLA received

Status Date: Dec-06-2011

response sent to MOTI

Status Date: Nov-30-2011

Sent letter of acknowledgement of receipt of application and fees to applicant. Copied trustees and forwarded file to planner.

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2012.1	Allison Coffey c/o Richard Wey & Associates Planner: Kris Nichols	Jan-13-2012	Boundary Adjustment

Planning Status

Status Date: Jul-24-2012

PLA Confirmation sent

Status Date: May-16-2012

PLA issued

Status Date: Mar-01-2012

Sent referral response to hways

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2012.2	Cyrus Block Planner: Andrea Pickard	May-03-2012	1101 STANLEY POINT DR / 1201 UPPER TERR Boundary Adjustment

Planning Status

Status Date: Jul-12-2012

response to MOTI done

Status Date: May-30-2012

Initiating review of subdivision application

Status Date: May-07-2012

Sent letter to applicant requesting Sub Referral form be complete and submitted with application fee.

File Number	Applicant Name	Date Received	Purpose
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NP-SUB-2012.3

c/o RJ Wey &
Associated Land
Surveying Attn
Lloyd Eakins
Planner: Andrea Pickard

Jul-24-2012

Proposed 3 lot Strata Development

Planning Status

Status Date: Sep-06-2012

File forwarded to Planner

Status Date: Aug-30-2012

Fee received

Status Date: Jul-24-2012

sent letter requesting fee in the amount of \$1,430.00

Kathy Jones

From: Nancy Roggers
Sent: September-06-12 3:24 PM
To: Andrea Pickard; Gary Steeves; Ken Hancock; Peter Luckham; Robert Kojima; Kathy Jones; Sharon Lloyd-deRosario
Cc: Cindy Shelest
Subject: North Pender LTC expense report - Aug/12

Islands Trust
LTC EXP SUMMARY REPORT F2012
Invoices posted to August 31, 2012

650 North Pender	Invoices posted to August 31, 2012	Budget	Spent	Balance
65000	LTC "Trustee Expenses"	1,500.00	1,402.27	97.73
65200	LTC Local Exp LTC Meeting Expenses	3,600.00	2,119.64	1,480.36
65210	LTC Local Exp APC Meeting Expenses	1,840.00	263.27	1,576.73
65220	LTC Local Exp Communications	1,150.00	-	1,150.00
65230	LTC Local Exp Special Projects	2,000.00	-	2,000.00
65240	LTC Local Exp Miscellaneous	810.00	-	810.00
TOTAL LTC Local Expense		9,400.00		7,017.09
73001-650-2006	North Pender OCP/LUB	5,000.00		5,000.00
73001-650-4004	North Pender Shoreline Protection	5,000.00	-	5,000.00

Thanks!

Nancy Roggers
Finance Officer

North Pender Local Trust Committee
2012-13 Budget

LTC Meetings	3,600.00	
APC Meetings	1,840.00	
Communications	1,150.00	
Special Projects	2,000.00	
Miscellaneous	810.00	
 TOTAL LTC LOCAL EXPENSES	 9,400.00	



Memorandum

Date August 2, 2012 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
EC as an LTC

From Robert Kojima
Regional Planning Manager
Local Planning Services

Re 2013-14 Budget Submissions

Local trust committees have been requested to submit budget requests for the next fiscal year.

What is Different this Year?

Local Trust Committee Expense Budgets

1. This year the Director of Administrative Services is recommending allocation of all the Local Expense Account lines based on historical spending. Currently some LTCs prepare their own budgets, others don't allocate the amounts to specific lines. For most LTCs there would be minimal or no change in the total funds allocated for LTC expenses such as meetings, APCs, communications, etc.
2. A re-allocation of some funding from OCP/LUB and Programs to the Special Projects line item in each Local Trust Committee Expense Account. This Special Projects funding is intended to support local planning initiatives at the discretion of the LTC. It is currently proposed that this budget line be \$3000 (more for Salt Spring and Gabriola). Generally, these funds would be for smaller projects, particularly issues that emerge on the LTC work program after the budget is approved. An example would be minor LUB or OCP amendments where there is not anticipated to be significant additional costs for meetings or consultants reports. LTCs could also continue to use this line to purchase reports from community groups. LTCs would not need to make budget requests in advance for these projects and would not need any approval for expenditure of these funds beyond an LTC resolution if needed. The increase in LTC expense budgets because of the additional discretionary Special Projects funding is expected to be off-set by a matching decrease in the OCP/LUB and Programs budget.
3. Combining the "OCP/LUB" and "Program" budgets into a single "Projects" budget. All LTC initiatives are considered projects, regardless of whether it involves an OCP or LUB amendment or not.

Project Budgets

Local trust committees will still have to make a funding request to support OCP and LUB or other project work that is identified in advance or that cannot be undertaken with the money available in the LTC Special Projects line. These projects would typically be major OCP or LUB reviews or other projects.

Un-used Funding

By November, 2013, any OCP/LUB or project funding that has not been committed to be used by the end of the fiscal year may be reallocated to other projects.

Budget Request Guidelines:

When making budget requests for the 2013/14 fiscal year, local trust committees and staff should consider the following in order to obtain support for the requested budget item:

1. the budget item is required to meet Provincial legislation (in other words, not undertaking the project means that the OCP or LUB would not comply with Provincial legislation);
2. the budget item advances one of the objectives of the Islands trust Strategic Plan;
3. the budget item is a continuation of an existing OCP or LUB program and is required to continue or complete the program; or
4. the budget item implements newly adopted policies in the OCP.

Budget Request Timeline:

1. July 2012 Regional Planning Managers develop detailed budget estimates for consideration by Local Trust Committees
2. Aug to Sept Local trust committees review and approve budget requests at an LTC meeting
3. Sept 28, 2012 Budget requests submitted to the Director of Local Planning Services

LTC Budget Requests

For each LTC, I have included in the attached worksheet all Top Priority work program items which are currently anticipated to commence in, or to carry, into the next fiscal year. I have also included items from the Projects List which I have anticipated to commence in the coming year. Generally speaking, where the project is to complete current work, I have estimated \$2000, for a new project not involving significant consultation or external consultants I have estimated \$4000, and I have added an additional amount to projects that could involve extraordinary consultation. The LTC should identify any other projects it is currently considering and add them to the budget request (and the work program if necessary) and identify an additional expenses associated with the identified projects. The LTC should keep in mind that with the proposed changes to the LTC expense budget allocation, more discretionary funding will be available to LTCs to support smaller projects that are either not anticipated or which arise during the course of the year.

Resolution Wording

U:\Budgets\2013-14 fiscal\LTC Memo.docx

1. THAT the ____ Island Local Trust Committee approve and forward the draft 2013-14 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 and forward to Financial Planning Committee as revised.

Attachments:

1. Project Budget Submission worksheet

pc Island Planners

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	
Project #1	Shoreline review - implementation	\$	5,000.00	x		x				Phase III of Shoreline Review project							
Project #2	Subdivision regulation review	\$	4,000.00				x	x		implement changes based on OCP policies implement various OCP policies through							
Project #3	LUB amendments	\$	4,000.00				x	x		amendments to LUB							
TOTAL PROJECTS		\$	13,000.00														



Islands Trust

Preserving **island** communities, culture and environment.

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Population (2011):

Approximately 2,035

Size:

2,709 hectares (6,694 acres)

Location:

15 kilometres east of the Swartz Bay ferry terminal on Vancouver Island.

[Land Use Planning](#)
[Related Planning Services](#)
[Related Resources](#)
[Trust Area Mapping](#)
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North Pender Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the North Pender Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

May 2012

- [Draft Pender Islands Transportation Management Plan](#)

November 2011

Hooson Road Realignment

- [Staff Report - November 16, 2011](#)
- [Engineering Drawing - Intersection](#)
- [Engineering Drawing - New Road](#)
- [Adopted Minutes - October 22, 2011 Hooson Road Workshop](#)

Pender Post Trustee Reports

- [Pender Post Report - June 2012](#)

[^ top](#)

Planner Office Hours on Pender Island

- [Planning Office Hours on Pender Island](#)

North Pender Island Local Trust Committee Projects

General

- ["A Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands" booklet](#)
- [A "Choosing a Building Site on your Lot" fact sheet](#)
- [A "Making Changes to your Lot Line" fact sheet](#)
- [An "Applying for a Variance" fact sheet](#)
- [Development Approval Information Bylaw No. 134](#) - outlines information required when submitting a Development Permit, Temporary Use Permit or Rezoning Application
- [Policies and Standing Resolutions - June 2009](#)
 - NP-LTC-05-05 - Advisory Planning Commission Appointments Policy
 - NP-LTC-80-06 - Communications Policy
 - NP-LTC-82-06 - Enforcement Policy - Short Term Vacation Rentals
 - NP-LTC-146-07 - Special Occasion License Policy
- [Buying Property on North Pender Island? What Every Potential Purchaser Should Know - May 2008 Update](#)
- [Who Lives Here? - North Pender Ecosystem, Habitat and Wildlife](#) Note that this presentation requires Quicktime to be loaded on your computer - this application can be obtained at no charge from <http://www.apple.com/quicktime/download/> - As well note that this presentation is 3 MB in size.
- [North Pender Local Trust Committee Top Three Priorities](#)

Committee Links

- [Committee Home](#)
- [Trustee Membership](#)
- [Contact Trustees](#)
- [Contact Planning Staff](#)
- [Planning Bylaws](#)
- [Administrative Bylaws](#)
- [Meetings Schedule](#)
- [Meeting Agendas](#)
- [Meeting Minutes](#)
- [Resolutions-Without-Meeting](#)
- [Associated Islands](#)
- [Land Use Application Forms](#)

Proposed Seawall Application

- [Adopted Bylaw No. 190](#)

Staff Reports:

- [Staff Report - February 23, 2012](#)
- [Staff Report - March 12, 2012](#)
- [Staff Report - June 11, 2012](#)

Professional Reports:

- [Biologist 2007](#)
- [Biologist 2011](#)
- [Geotechnical Engineer 2007](#)
- [Geotechnical Engineer 2011](#)
- [Geotechnical Engineer 2012](#)
- [Hydraulic Engineer 2011](#)
- [Hydraulic Engineer 2012](#)
- [Engineer Comment 2012](#)
- [Landscaping Plan](#)

Proposed Ocean-Based Geothermal System Application

- [Adopted Bylaw No. 191](#)

Staff Reports:

- [Staff Report - March 14, 2012](#)
- [Staff Report - April 17, 2012](#)
- [Staff Report - June 12, 2012](#)

Professional Reports:

- [Department of Fisheries and Oceans Letter dated April 6, 2012](#)
- [Environmental Report - October 28, 2010](#)
- [Environmental Report - August 4, 2011](#)
- [Green House Gas Emissions](#)
- [Underwater Video](#)

Hooson Road Realignment

- [Staff Report - November 16, 2011](#)
- [Engineering Drawing - Intersection](#)
- [Engineering Drawing - New Road](#)
- [Draft Minutes - Oct. 22 Hooson Road Workshop](#)
- [Staff Report - February 8, 2012](#)

Sidney Island Bylaw Review

- [Draft Bylaw No. 187 \(LUB Amendment\)](#)
- [Draft Bylaw No. 189 \(OCP Amendment\)](#)
- [Proposed Hazard Land DPA Map](#)
- [Staff Report - July 12, 2011](#)
- [Staff Report - September 12, 2011](#)
- [North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002](#)
- [North Pender Associated Islands Land Use Bylaw No. 148, 2003](#)
- [Geotech Covenant](#)
- [Staff Report - January 9, 2012](#)

Climate Change Action

- [Climate Wise Islands](#)
- [Adopted Bylaw No. 183](#)
- [Staff Report - May 17, 2010](#)

Geological Hazard Mapping

- [Steep Slopes Hazard Map](#)
- [C.N. Ryzuk and Associates Report - December 11, 2009](#)

Environmental Development Permit Areas (EDPAs)

- EDPA Information Sheets:
 - [Development Permit Area 1 \(Woodland Sensitive Ecosystem\)](#)
 - [Development Permit Area 2 \(Herbaceous Sensitive Ecosystem\)](#)
 - [Development Permit Area 3 \(Riparian Sensitive Ecosystem\)](#)
 - [Development Permit Area 4 \(Wetland Sensitive Ecosystem\)](#)
 - [Development Permit Area 5 \(Cliff Sensitive Ecosystem\)](#)

- [Development Permit Area 6 \(Intertidal Sensitive Ecosystem\)](#)
- [Development Permit Area 7 \(Raptor and Heron Nests Sensitive Ecosystem\)](#)
- [Development Permit Area 10 \(Riparian and Aquatic\)](#)
- [OCP Part 5 "Preserving and Protecting Our Ecosystem"](#)
- [Development Permit Area Guide for North Pender Island](#)
- [Refer to North Pender Island OCP and Development Permit Area Schedules](#)

Ecosystem Mapping Webpage

Archived Postings

Note: this is a list of previously posted information and may not include all available documentation. Please contact staff if you require more information

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