North Pender Island Local Trust Committee
Regular Meeting Agenda

Date:	November 28, 2019
Time:	10:00 am
Location:	Pender Island Community Hall
	4418 Bedwell Harbour Road, North Pender Island, BC

Pages

1. CALL TO ORDER 10:00 AM - 10:00 AM

2. APPROVAL OF AGENDA

3. TRUSTEE REPORT 10:05 AM - 10:15 AM

4. CHAIR'S REPORT 10:15 AM - 10:20 AM

5. TOWN HALL AND QUESTIONS 10:20 AM - 10:30 AM

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES 10:30 AM - 10:40 AM

8.1 Local Trust Committee Minutes Dated November 7, 2019 (for Adoption) 4 - 11

8.2 Section 26 Resolutions-without-meeting Report

None

8.3 Advisory Planning Commission Minutes

None

9. BUSINESS ARISING FROM THE MINUTES 10:40 AM - 10:50 AM

9.1 Follow-up Action List Dated November 2019 12 - 13

10. DELEGATIONS

None

11. CORRESPONDENCE

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

None

12. APPLICATIONS AND REFERRALS 10:50 AM - 11:40 AM

12.1 NP-RZ-2019.3 (Henshaw) - Preliminary Report (attached) 14 - 28

12.2 NP-TUP-2019.4 (Burdett) - Staff Report (attached) 29 - 51

12.3 NP-TUP-2018.5 (Grimmer) - Staff Report (attached) 52 - 80

12.4 South Pender Island Local Trust Committee Bylaw No. 117 Referral (attached) 81 - 86

for response

12.5 Salt Spring Island Local Trust Committee Bylaws 519 & 520 Referral (attached) 87 - 95

for response

13. LOCAL TRUST COMMITTEE PROJECTS

None

14. REPORTS 11:40 AM - 12:00 PM

14.1 Work Program Report (attached)

14.1.1 Top Priorities Report Dated November 2019 96 - 96

14.1.2 Projects List Report Dated November 2019 97 - 98

14.2 Applications Report Dated November 2019 (attached) 99 - 103

14.3 Trustee and Local Expense Report

None

14.4 Adopted Policies and Standing Resolutions (attached) 104 - 106

14.5 Local Trust Committee Webpage

14.6 Islands Trust Conservancy Report Update - October 2019 107 - 109

15. NEW BUSINESS 12:00 PM - 12:10 PM

15.1 North Pender Bike Lane Support Letter 110 - 111

16. UPCOMING MEETINGS 12:10 PM - 12:15 PM

16.1 Next Proposed Regular Meeting Scheduled for January 30, 2020, at the Community Hall, Pender Island

17. TOWN HALL 12:15 PM - 12:20 PM

18. CLOSED MEETING (Distributed Under Separate Cover) 12:20 PM - 12:30 PM

18.1 Motion To Close the Meeting

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

- *Adoption of In-Camera Minutes Dated November 7, 2019*
- *Legal Opinion*

18.2 Recall to Order

18.3 Rise and Report

19. ADJOURNMENT 12:30 PM - 12:30 PM

North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date:	**November 7, 2019**
Location:	**Pender Island Community Hall** **4418 Bedwell Harbour Road, North Pender Island, BC**
Members Present:	**Laura Patrick, Chair** **Benjamin McConchie, Local Trustee** **Deb Morrison, Local Trustee**
Staff Present:	**Robert Kojima, Regional Planning Manager** **Shannon Brayford, Recorder**
Public:	**There were approximately 9 members of the public.**

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:00 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She also noted that the meeting was being live streamed through Facebook by a private citizen.

2. APPROVAL OF AGENDA

The following amendments were recommended:

- Addition of New Business item 15.2 'Bike Lanes";
- Addition of New Business item 15.3 "Letter to Executive Committee, DPA Wide-Plan for Trust Area".

By general consensus, the agenda was approved by general consensus.

3. TRUSTEE REPORT

Trustee McConchie reported on recent work and the following points:

- Live streaming can no longer be done by a Trustee and is now being handled by a private citizen at the meeting until the Islands Trust establishes an internal process;
- Commitment to advocate for the development of bike lanes on Pender Island and in the Southern Gulf Islands;
- Reminder that November 23, 2019 is the referendum for Magic Lake Property Owners regarding their water and sewer system;

- Recent discussions at Trust Council included reform of election of the executive committee and requesting oversight under the BC Auditor General Act; and
- Reminder that Sara Steil will be posthumously awarded a Lifetime Achievement Award from the Islands Trust at the Anglican Hall, November 16, 2019, 2:00 p.m.

Trustee Morrison reported on recent work and the following points:

- Update on the Trust Programs Committee and an overview of the structure of the work that Trustees do locally and as members of Trust Council;
- Overview of the ongoing Policy Statement Review that will modernize the Trust Policy Statement;
- Encouragement to the community to provide input by December 1, 2019 on their priorities for Trust Council; and
- Announcement that Islands Trust Engagement for 2050 will be held at the Anglican Church on November 27, 2019.

4. CHAIR'S REPORT

Chair Patrick reported on the following points:

- Trust Council will be held in Victoria from December 3-5, 2019. She provided information on how to submit requests as a delegation; and
- Recommended that the public review the report in the September Trust Council package regarding executive committee election.

5. TOWN HALL AND QUESTIONS

Ann Burdett requested that the Trustees advocate with Trust Council to set time limitations on applications to prevent them from drawing on.

Kathy Cronk encouraged the community to advocate for waste-responsible packaging from commercial establishments.

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated September 5, 2019

By general consent the Local Trust committee meeting minutes of September 5, 2019 were adopted.

8.2 Section 26 Resolutions-without-meeting Report

None

8.3 Advisory Planning Commission Minutes Dated

None

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated October 2019

Received for information.

10. DELEGATIONS

10.1 Southern Gulf Islands Community Economic Commission - CRD Representative Re: Connectivity

Justine Starke, (Manager, Southern Gulf Islands Service Delivery, CRD) provided an overview of a Capital Regional District (CRD) project, including its process and objectives. She outlined the opportunities for the public to provide information to the project, including interviews with businesses, surveys for both individuals and businesses, and a public meeting on each of the outer Southern Gulf Islands.

The Trustees requested and received information regarding community education on the safety of internet service options, the CRD's role in improving internet service, and the progress of the Connected Coast project.

11. CORRESPONDENCE

11.1 Letter to the Allans on behalf of the LTC & Response letter from Allan & Wein - 3418 South Otter Bay Road

NP-2019-102
It was Moved and Seconded,
that the North Pender Island Local Trust Committee direct staff to write a letter indicating a deadline of January 2020 to respond to the Local Trust Committee with a comprehensive plan and/or lease agreement indicating the future uses of the industrial land.

CARRIED

12. APPLICATIONS AND REFERRALS

12.1 NP-TUP-2019.2 (Hepburn)

Regional Planning Manager (RPM) Kojima provided an overview of the staff report.

The LTC discussed the application, the role of Short Term Vacation Rentals (STVRs) within the overall infrastructure of the island, and the consideration of where STVRs are concentrated.

NP-2019-103
It was Moved and Seconded,
that the North Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit NP-TUP-2019.2 (Hepburn) for one (1) year.

CARRIED

12.2 NP-OTH-2019.2 (Shaw)

RPM Kojima provided an overview of the staff report and associated recommendations.
The LTC made remarks on the process, the jurisdiction of the LTC, and issues around health concerns.

Trustee Morrison declared she may have a potential conflict of interest as she is involved in the emergency program and left the meeting at 10:52 a.m. **NP-2019-104**
It was Moved and Seconded,
that the North Pender Island Local Trust Committee concurs with referral application NP-OTH-2019.2 (Shaw Communications), being an application to the federal Ministry of Innovation, Science and Economic Development Canada (ISED) to extend the existing communications tower on Lively Peak, from 12.5 metres to 21.8 metres, as specified in Appendix 1 of the staff report dated November 7, 2019. **CARRIED**

Trustee Morrison returned to the meeting at 11:00 a.m.

12.3 NP-TUP-2018.5 (Grimmer)

RPM Kojima provided an overview of the application, the process to date, and the process moving forward.

NP-2019-105
It was Moved and Seconded,
that the North Pender Island Local Trust Committee proceed no further with NP-TUP-2018.5 (Grimmer).

A discussion of the motion, its rationale, and its implications on the process was held.

Each Trustee shared their views of the application and the best options for moving forward.

The LTC requested and received information from staff regarding the challenges of regulating and monitoring the proposed uses of the land.

The applicant was invited to speak and noted the challenges in responding to the checklist that he was provided.

A discussion was held regarding the limitations of the Islands Trust for oversight and enforcement.

The question on the motion was then called,

DEFEATED

A brief break was held from 11:41 a.m. - 11:52 a.m.

A discussion of bylaw compliance was held.

NP-2019-106
It was Moved and Seconded,
that the North Pender Island Local Trust Committee direct staff to return with a report on how to strengthen bylaw compliance options related to use.

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Short Term Vacation Rental Review

RPM Kojima provided an overview of the report and highlighted the options available to the LTC.

Trustees made remarks on the rationale of the project:

NP-2019-107
It was Moved and Seconded,
that the North Pender Island Local Trust Committee direct the North Pender Island Advisory Planning Commission to review the Short Term Vacation Rental Report and provide comments and direction for the January 2020 meeting.

CARRIED

By general consent it was agreed that the Advisory Planning Commission (APC) be asked to also:

- Discuss the cumulative effects of STVRs;
- Provide guidance on why a more or less extensive review may be needed relative to what has already been done; and
- Share back the details of diverging opinions in addition to consensus.

13.2 Official Community Plan Implementation Project

RPM Kojima provided an overview of the report and highlighted the significant recommended amendments.

Trustees discussed the process, challenges, and benefits of a review of the Land Use Bylaw (LUB).

NP-2019-108
It was Moved and Seconded,
that the North Pender Island Local Trust Committee direct staff to draw up a project charter for a full Land Use Bylaw review and make it a top priority for the Local Trust Committee.

CARRIED

14. REPORTS

14.1 Work Program Report

14.1.1 Top Priorities Report Dated October 2019

Received for information.

14.1.2 Projects List Report Dated October 2019

Received for information.

14.2 Applications Report Dated October 2019

Received for information.

14.3 Trustee and Local Expense Report Dated September 2019

Received for information.

14.4 Adopted Policies and Standing Resolutions

Received for information.

14.5 Local Trust Committee Webpage

None

14.6 Islands Trust Conservancy Report

None

15. NEW BUSINESS

15.1 Live Streaming LTC Meetings

Chair Patrick provided an overview of the proposal for a pilot project that is going to be considered by Trust Council.

The Trustees shared their views on the matter.

NP-2019-109
It was Moved and Seconded,
that the Local Trust Committee communicate to Trust Council its significant interest in filming and streaming its public meetings.

CARRIED

15.2 Bike Lanes

NP-2019-110
It was Moved and Seconded,
that the North Pender Island Local Trust Committee write a letter to the Member of the Legislative Assembly, Adam Olsen, and to the Minister of the Ministry of Transportation and Infrastructure in support of encouraging bike lanes on North Pender Island.

CARRIED

15.3 Letter to Executive Committee, DPA Wide Plan for the Trust Area

The LTC discussed their commitment to environmental protection and the tools available through which they can strengthen their policies.

By general consent it was agreed that the Trustees write and circulate a draft letter to Trust Council outlining the LTC's commitment and encouraging other LTC's to do the same. It was further agreed that the matter be brought forward at the next scheduled meeting.

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for November 28, 2019, at the Community Hall, Pender Island

16.2 2020 Proposed Annual Meeting Schedule

It was noted that the Trustees would like to have special meetings scheduled at the Anglican Church and the Legion.

NP-2019-111
It was Moved and Seconded,
that the North Pender Island Local Trust Committee adopt the 2020 Proposed Annual Meeting Scheduling as presented

CARRIED

17. TOWN HALL

Chair Patrick invited comments from the Community, but heard none.

18. CLOSED MEETING

18.1 Motion to Close Meeting

NP-2019-112
It was Moved and Seconded,
That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (d & i) for the purpose of considering:

- Adoption of In-Camera Minutes Dated September 5, 2019
- Legal Opinion

AND that the recorder and staff attend the meeting.

CARRIED

18.2 Recall to Order

Chair Patrick recalled the meeting to order at 1:04 p.m.

18.3 Rise and Report

None

19. ADJOURNMENT

By general consent the meeting was adjourned at 1:05 p.m.

_____

Laura Patrick, Chair

Certified Correct:

_____

Shannon Brayford, Recorder

Islands Trust

Print Date: November 21, 2019

Follow Up Action Report

North Pender Island

28-Feb-2019

	Activity	Responsibility	Dates	Status
1	10.3 NP-TUP-2018.5 (Grimmer) : 1. Staff to create a Terms of Reference for a supplemental professional report addressing measures to mitigate impacts - DONE (letter to applicant) 2. Staff to incorporate measures from supplemental professional report into a draft TUP - DONE 3. Staff to schedule a CIM once TUP is drafted	Phil Testemale William Shulba	Target: 30-Sep-2019	In Progress

07-Nov-2019

	Activity	Responsibility	Dates	Status
1	8.1 Minutes adopted as presented	Maple Hung	Target: 15-Nov-2019	Completed
2	11.1 Correspondence: staff to write a letter indicating a deadline of January 2020 to respond to the Local Trust Committee with a comprehensive plan and/or lease agreement indicating the future uses of the industrial land.	Phil Testemale	Target: 15-Nov-2019	In Progress
3	12.1 NP-TUP-2019.2 (Hepburn) - renewal approved for one year	Phil Testemale Sharon Lloyd-deRosario	Target: 15-Nov-2019	Completed
4	12.2 NP_OTH_2019.2 (Shaw) - concurrence as recommended	Phil Testemale	Target: 15-Nov-2019	Completed

Islands Trust

Print Date: November 21, 2019

Follow Up Action Report

North Pender Island

07-Nov-2019

	Activity	Responsibility	Dates	Status
5	13.1 -STVR Project - Refer report to APC: APC to review report and provide comments for Jan LTC meeting. APC to be requested to provide feedback on cumulative impacts and rationale for their comments or recommendations	Narrisa Chadwick	Target: 15-Nov-2019	Completed
6	13.2 OCP Implementation - staff to report back with a project charter for an LUB Review	Robert Kojima	Target: 15-Nov-2019	In Progress
7	15.1 Live Streaming - LTC is significantly interested in live streaming	Robert Kojima	Target: 08-Nov-2019	Completed
8	15.2 (New business) - staff to write a letter to MLA Olsen and MoTI Minister in support of bike lanes on North Pender. (cc CRD)	Narrisa Chadwick	Target: 22-Nov-2019	In Progress
9	New Business: staff to report on options for a policy on bylaw compliance for unlawful uses	Robert Kojima Warren Dingman	Target: 22-Jan-2020	In Progress
10	16.2 Annual meeting schedule adopted as presented	Maple Hung	Target: 15-Nov-2019	Completed
11	18.3 Rise and report - in camera minutes of september 5th adopted as presented	Maple Hung	Target: 15-Nov-2019	Completed

STAFF REPORT

File No.: NP-RZ-2019.3 (Henshaw) (NP-RZ-2013.1; NP-BE-2018.17)

DATE OF MEETING:	November 28, 2019
TO:	North Pender Island Local Trust Committee
FROM:	Phil Testemale, Planner 2 Southern Team
SUBJECT:	Rezoning Application – Preliminary Staff Report Applicant: Ron Henshaw Location: 4402 Otter Bay Road

RECOMMENDATION

1. **That the North Pender Island Local Trust Committee direct staff to proceed with application NP-RZ-2019.3 (Henshaw) and to prepare a draft bylaw.**

REPORT SUMMARY

The purpose of this preliminary report is to provide background on the proposed bylaw amendment and seek direction from the North Pender Local Trust Committee (LTC) to proceed, or not proceed, with application NP-RZ-2019.3 (Henshaw).

The application would amend the North Pender Island Land Use Bylaw no. 103, 1996 (LUB) by rezoning to add uses to the **Industrial I2(c) Zone** which is the site-specific zone on the subject area of the property. That zone currently allows the following uses and no others:

> *"the processing, fabricating, assembly, manufacturing, servicing and repairing of goods, materials and equipment."*

The proposed amendment would add the following uses:

- *The storage, handling and wholesale of aggregates, soils and mulch [*handling would be limited by definition as blending but would not include screening, sorting, crushing or washing*].*
- *Storage and maintenance of heavy equipment and trucks as an accessory use.*

The amendment will bring the uses on the property into conformity with the LUB that have been undertaken illegally on the property over an extended period of time (NP-BE-2018.17).

The above recommendation is supported as: the proposed additional uses are limited, reasonable and compatible with industrial zoning; the amendment would provide more uses for the property in the context of limited availability of industrial property on the island; the provision of further professional information and the use of a Sec 219 covenant(s) can ensure safeguards for public safety and the protection of the natural environment are put

in place; and, proceeding with a draft bylaw will facilitate public and agency consultation and potentially First Nations engagement and identify any outstanding issues or concerns with the proposed uses on the subject area.

BACKGROUND

The application is a resubmission of a previous rezoning application (NP-RZ-2013.1) with significant changes noted below. That application was active until March of 2015 at which time it was put on hold pending the outcome of the LTC waste management project. In February of 2019 the application was withdrawn. The current application was received in August 2019. Staff was directed by the LTC to proceed no further with the waste management project amending bylaws on September 5, 2019.

For reference, relevant background information for the previous application, including a preliminary staff report and professional reports have been posted on the North Pender webpage under 'Current Applications' here:

http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/current-applications/current-application-documents/

The applicant now wishes to proceed with legalizing the existing uses and expand the permitted uses. Since the application was originally received, the applicant has decided to remove uses, most notably waste management, but also the storage and sale of landscaping materials and the composting of organic waste as part of waste transfer.

The subject property is located adjacent to the Recycling Centre on Otter Bay Road. It is a remnant property with two separate parts with a total area of approximately 19 ha (47 ac). The area ('subject area') relevant to this application is approximately 1.26 ha (3.1 ac) in size. Although the applicant only has a rental agreement for use of a portion of the area (see Figure 2), staff is recommending that the area not be further 'split zoned' and the amendment add uses to the existing site specific zone which applies to the entire subject area. This would be administratively more efficient and offers more flexibility to the land owner.

The site is sloped from a high point in the northwest corner down toward the eastern property boundary. Along the western property boundary, and into the abutting property, the topography rises quite steeply (see 'Steep Slope Mapping'- Attachment 2.4). The subject area is generally separated into three 'terraced' areas by use and topography:

- an upper area where the waste transfer bins and recycling materials are located,
- a central area where the aggregates and soil are located, and
- a lower area where the existing buildings are located that are rented to various users.

Except for the recycling centre property, most of the neighbouring properties are larger (2.5 – 4 ha or larger).

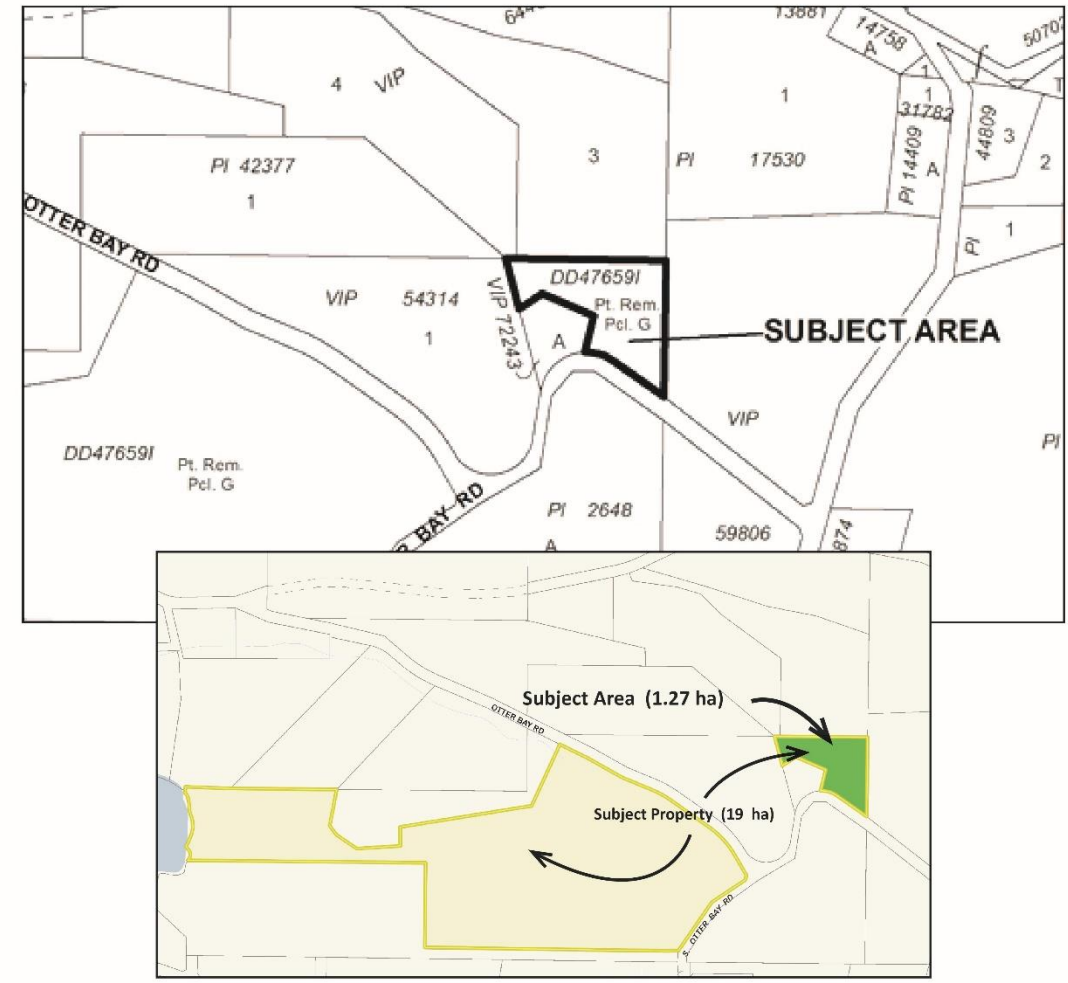
The site plan indicates three (3) buildings (proposed and existing) that are part of the applicant's operations, plus other larger, existing buildings on the eastern portion that are rented for various uses. The property has been subject to ongoing Bylaw Enforcement, including ticketing for use infractions on the subject area of the property used by the applicant. This has included; car crushing and storage; transfer of waste including hazardous waste; and storage of aggregates.

A professional hydrological assessment and geotechnical report were submitted to the Islands Trust in support of the previous application have been submitted and have been posted on the North Pender webpage. If the application proceeds, staff will be requesting that the reports, particularly hydrology, be revised and that an Environmental Assessment (EA), and inventory of the other uses on the eastern part or lower level of the property where there are rental spaces will be requested from the owner (discussed further below).

Staff requested that the applicant provide information on his tenure with the property owner. In response, he indicated that he has operated for ten (10) years with a rental agreement. Once the zoning amendments are finalized, then the owner has agreed to a lease arrangement.

Staff visited the site on October 24, 2019.

Figure 1 – Subject Area and Property



ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Directive policies relevant to this application include:

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

- 3.1.3 - the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
- 5.2.6 – the identification of areas hazardous to development, including areas subject to flooding, erosion or slope stability, and strategies to direct development away from such hazards.
- 5.4.4 – the identification of acceptable locations for the disposal of solid waste.

Official Community Plan:

The portion of the property is designated as **I – Industrial** in the North Pender Island Official Community Plan 171, 2007. OCP Policies relevant to this application include:

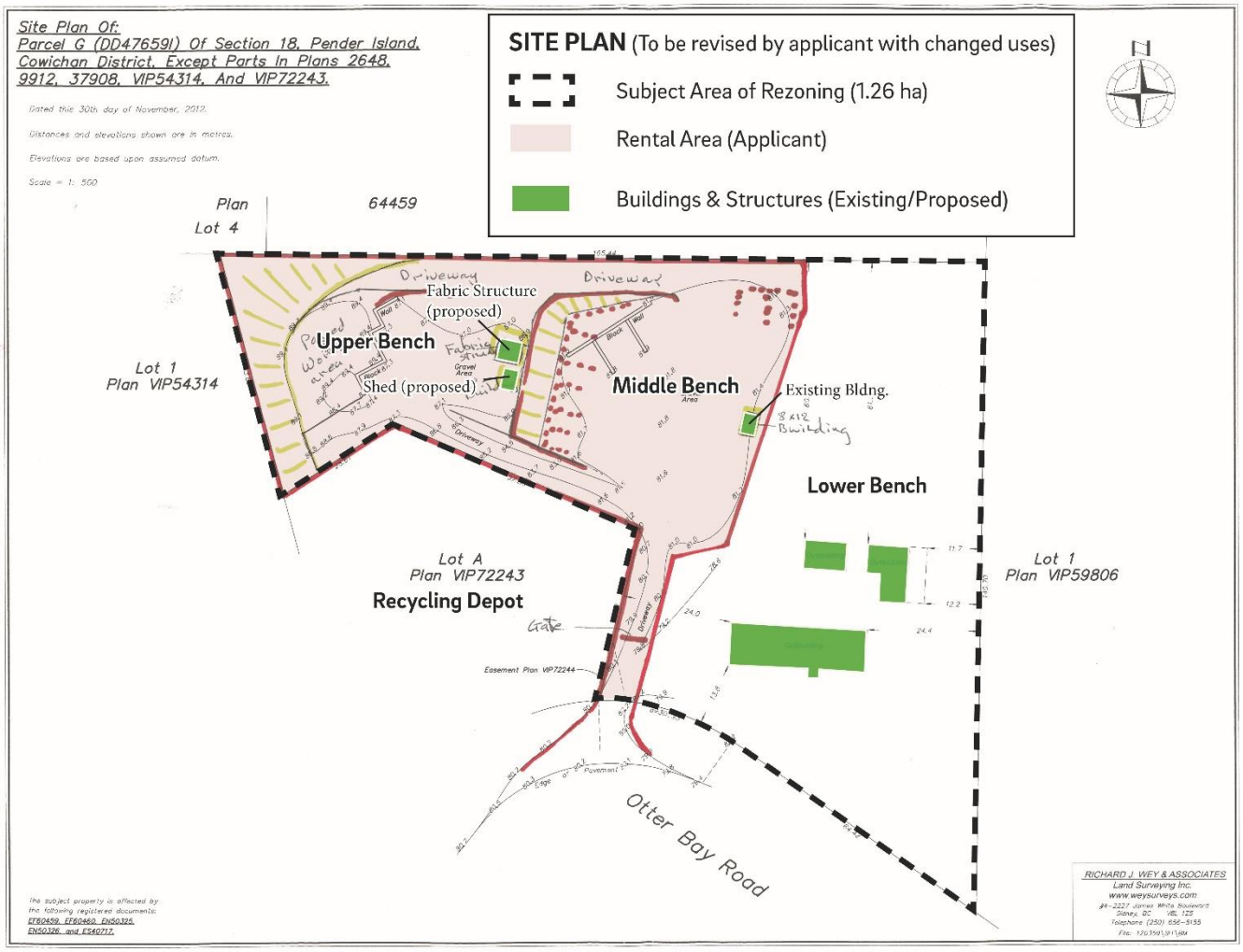
- 2.5.1 – Industrial development which may have a deleterious impact on adjacent land uses will not be permitted.
- 2.5.3 – Industrial activity shall not be permitted in areas suitable for agriculture, or in hazardous or environmentally sensitive areas.
- 2.5.4 – Applications for industrial rezoning must prove sustainable water supply and waste disposal capability, and include provisions for remediation of any existing contamination, and in reviewing any application for new industrial uses, the local trust committee should consider potential climate change impacts.
- 2.5.5 – Industrial activity, parking and storage areas should be screened.
- 3.3.2.1 – Regulations shall permit the continued operation of an island location where waste can be taken for recycling.
- 3.3.2.2 – The storage and disposal of hazardous and toxic wastes on North Pender Island shall be prohibited.
- 4.1.4 – Development which may contaminate or compromise the sustainability of surface or ground water resources shall not be permitted.

There are no **Development Permit Areas** designated for sensitive ecosystems. **DPA 9 – Commercial and Industrial Form and Character** is designated and a DP would be required for any activity that requires a Building Permit.

Land Use Bylaw:

The portion of the subject property is zoned **Industrial I2(c) Zone** (a site-specific zone) in the *North Pender Island Land Use Bylaw 103, 1996.* The allowable uses are described on page 1. LUB Screening requirements for the zone are also discussed in the following section.

Figure 2 – Site Plan (Enhanced)



Issues and Opportunities

Waste Management

The previous application and the current application were both submitted to include a waste transfer use. The applicant requested that waste transfer be removed on October 25, 2019 citing insurance and lease complications particular to the use. There was no indication where that use might otherwise be conducted on the island. The applicant has been instructed to work with Bylaw Enforcement on a schedule to cease this use entirely on the site which will be reported to the LTC.

Professional Reports – Development Approval Information

As above, the application includes a geotechnical assessment (Rock Slope Assessment - Ryzuk Geotechnical – 2013-06-19) and a Hydrology Report (Hodge Hydrology Consulting – 2013-04). As these date to 2013 and the proposed uses have changed, staff is requesting further information under the Development Approval Information (DAI) Bylaw as follows:

- ***Geotechnical Report:*** Staff is satisfied that the report comprehensively addresses mitigation measures with a series of options for the specific areas of the subject property. However, the applicant should provide an amended site plan (Figure 2) for the current proposed uses and indicate which of the prescribed measures (Options) from the report will be undertaken. Staff is recommending that a Section 219 Restrictive Covenant be required as a condition of final approval of the rezoning bylaw. Note: the covenant may be expanded to include other issues if necessary.

- ***Hydrology Report:*** Based on expressed concerns from neighbours and increasing concern with freshwater resources on the island, Staff is recommending that the scope of the report be broadened to include groundwater and surface impacts not strictly for the portion of the property, but for surrounding properties and wells within of 100 metres of the boundaries of the subject area. It should include recommendations for prescriptive measures relevant to the proposed uses. Further, it should consider the proposed 'Fabric Structure' and 'New Shed' (as labelled on Figure 2) as these are stated to be for "equipment repairs and storage" and an "oils building for the storage of oil related to the business". The terms of reference for that report should be coordinated and reviewed by the Islands Trust Senior Freshwater Specialist prior to the professional consultant undertaking the work. As above, mitigation measures could be included in a covenant.

Staff is also proposing to request the following information:

- ***Eastern (lower) Portion of Subject Area:*** Staff is recommending that the owner of the property provide a fulsome inventory of the nature and scale of all uses being undertaken on the eastern portion of property. This would be to ensure that all business and operations conform to the zone, and that, if necessary and appropriate, any illegal uses cease or be included in the zone amendment. The information should also include an inventory of any hazardous or toxic materials stored or handled that are part of any of those businesses.

It is noted that the LTC should direct staff to include a request for any other outstanding information they believe is necessary or appropriate (see 'Alternatives' – below). Depending upon the LTC decision to proceed or not proceed, staff will write a letter under the DAI Bylaw advising the applicant of the required information necessary to proceed with the application. Once the information is received, it will be reported back to the LTC in a future staff report (s).

Screening

A requirement of all industrial zones is for landscape screening both generally and particularly from adjacent residential uses. Through enforcement (NP-BE-2018.17) a wooden fence (as per the LUB above) has been constructed along the northern boundary of the property to separate and screen from the adjacent rural uses. If the application proceeds staff will follow-up to verify compliance with the screening requirement for the entire subject area. If the application does not proceed, any deficiency in screening would be subject to further enforcement.

Permitting Options

The LTC has two mechanisms for authorizing a non-permitted use: amending the Land Use Bylaw (rezoning) or issuance of a Temporary Use Permit (TUP). Given the property is currently both zoned and designated for industrial use in the LUB and OCP respectively, that the change of uses no longer involves waste management, and, that the use is intended to occur indefinitely, staff are recommending proceeding with a rezoning application.

Through the rezoning process a permitted use can be limited to some degree by including more concise definitions for the use in the LUB, by additional regulatory criteria in the LUB specifically applicable to the use or property, and/or, as above, requiring a Section 219 covenant as a precedent condition of rezoning (as above).

TUPs can include a broader number of conditions than a rezoning process, such as requiring a financial security bond, restricting hours of operation and environmental management. However, they are typically employed on a trial basis or where timing is an issue. Regardless, the LTC does have the option to advise staff at any juncture in the process that they would only consider the use by way of the TUP process.

Industrial Properties

Any decision on whether to proceed with the current application should include consideration of the limited inventory and status of industrial properties on the island. There are currently three (3) properties on North Pender zoned I2 – all with a site-specific designation. The application is to amend LUB to expand the uses permitted in the I2(c) zone only. Alternately, a review of industrial land regulations will likely be part of the LTC project to review the LUB. The LTC could direct staff to more specifically to rationalize the current uses on all I2 zoned lands to the zone. Further, that might have an overall benefit by reconsidering uses more appropriate to future industrial needs of the community. Of note, the **Rural (R)** zoned property to the east (4415 Bedwell Harbour Rd) is now the subject of:

- A TUP (NP-TUP-2018.5 [Grimmer]) for a concrete batch plant and excavation business
- A pending TUP for Waste Management; and,
- A Mines Investigation/Permit (shale extraction).

Consultation

Statutory Requirements

In accordance with regular statutory requirements, a public hearing is required and it is normal practice to hold a Community Information Meeting (CIM) prior to that. This will be scheduled after draft bylaws are complete, reviewed and have received First Reading. Timing of CIMs is flexible, however, staff is recommending scheduling a CIM for a regular meeting of the LTC and the Public Hearing for the following meeting one month later. The public hearing notice would be posted as per statutory and bylaw requirements in advance of the public hearing.

Agencies

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

- Ministry of Transportation and Infrastructure
- Ministry of Municipal Affairs and Housing
- Ministry of Environment
- Ministry of Forests, Lands and Resource Operations and Rural Development – Water
- Island Health
- CRD, Building Inspection Services
- CRD, Electoral Area Director
- North Pender Island Fire Rescue
- Mayne Island Local Trust Committee
- Saturna Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- South Pender Island Local Trust Committee

First Nations

This application does not require an Official Community Plan amendment and therefore there is no First Nation consultation requirement. However, in consideration of the recently Trust Council adoption of the Reconciliation Declaration, staff will consult with Lisa Wilcox, Senior Intergovernmental Policy Analyst to advise on a strategy of engagement with First Nations for this particular application which will be report in a future staff report to the LTC if this application proceeds.

There are no registered archaeological sites or potential on the specific portion of the site or within 100 metres of the area. There was an Archaeological Impact Assessment (AIA) conducted on the neighbouring property to the east Stantec Consulting (dated September 11, 2018) which surveyed the property to determine the extent of archaeological resources and encountered no archaeological resources (including within the mapped site).

Rationale for Recommendation

The recommendation on page 1 is supported as

- The proposed additional uses are limited, reasonable and compatible with industrial zoning;
- The amendment would provide more uses on the property in the context of limited availability of industrial property on the island;
- Further professional information and the use of a Sec 219 covenant(s) will ensure safeguards for public safety and the protection of the natural environment are put in place; and
- Proceeding with a draft bylaw will facilitate public and agency consultation and including possible First Nations engagement and identify any outstanding issues or concerns with the proposed uses on the subject area.

ALTERNATIVES

1. **Request further information**

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

   Resolution:

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

2. **Deny the application**

   The LTC may deny the application.

   Resolution:

   That the North Pender Island Local Trust Committee deny application NP-RZ-2019.3 (Henshaw) for the follows reasons:_____

3. **Deny the application and request a TUP application.**

   The LTC may deny the application and further request the applicant make a TUP application.

   Resolutions:

   That the North Pender Island Local Trust Committee deny application NP-RZ-2019.3 (Henshaw) for the follows reasons:_____ ; and,

   That the North Pender Island Local Trust Committee requests the applicant makes an application for a Temporary Use Permit prior to (insert date).

4. **Hold the application in abeyance**

   The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

   Resolution:

   That the North Pender Island Local Trust Committee hold application NP-RZ-2019.3 (Henshaw) in abeyance for the following reasons:_____

NEXT STEPS

With direction from the LTC, Staff will:

- Draft the amendment bylaw, and
- Report back to the LTC with a recommendation for First Reading
- Seek direction to schedule a CIM and Public Hearing

Submitted By:	Phil Testemale, Planner 2	November 18, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	November 19, 2019

ATTACHMENTS

1. Site Context
2. Maps, Plans

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Parcel G (DD 476591) of Section 18, Pender Island, Cowichan District, Except Parts in Plans 2648, 9912, 37908, VIP 54314 and VIP72243
PID	009-683-917
Civic Address	4402 Otter Bay Road.

LAND USE

Current Land Use	Industrial (in addition to other requested uses some of which have been underway for an extended period of time),
Surrounding Land Use	North – Rural East - Rural (pending TUP application for cement batch plant and other uses [Gulf Excavating]) South – Rural and more distantly Community Service for the community hall, police station and fire hall West – Recycling Facility, Rural, Industrial 2(b) (Vacant)

HISTORICAL ACTIVITY

File No.	**Purpose**
NP-RZ-2013.1	Current application is a resubmission with fewer uses.

POLICY/REGULATORY

Official Community Plan Designations	The portion of the property is designated as **I – Industrial** in the *North Pender Island Official Community Plan 171, 2007* There are no **Development Permit Areas** designated for sensitive ecosystems (See Attachment 2.3). **DPA 9 – Commercial and Industrial Form and Character** is designated and a DP would be required for any activity that requires a Building Permit.
Land Use Bylaw	The portion of the subject property is zoned **Industrial I2(c) Zone** (a site-specific zone) in the *North Pender Island Land Use Bylaw 103, 1996* (Attachment 2.2)
Other Regulations	DAI
Covenants	There are two covenants registered on title, one limits subdivision and the other pertains to a geotechnical and floodplain covenant required when a separate parcel was subdivided from the subject property. The proposed uses do not conflict with either covenant.
Bylaw Enforcement	NP-BE-2018.17 – Current – Uses and screening on the property - Active

SITE INFLUENCES

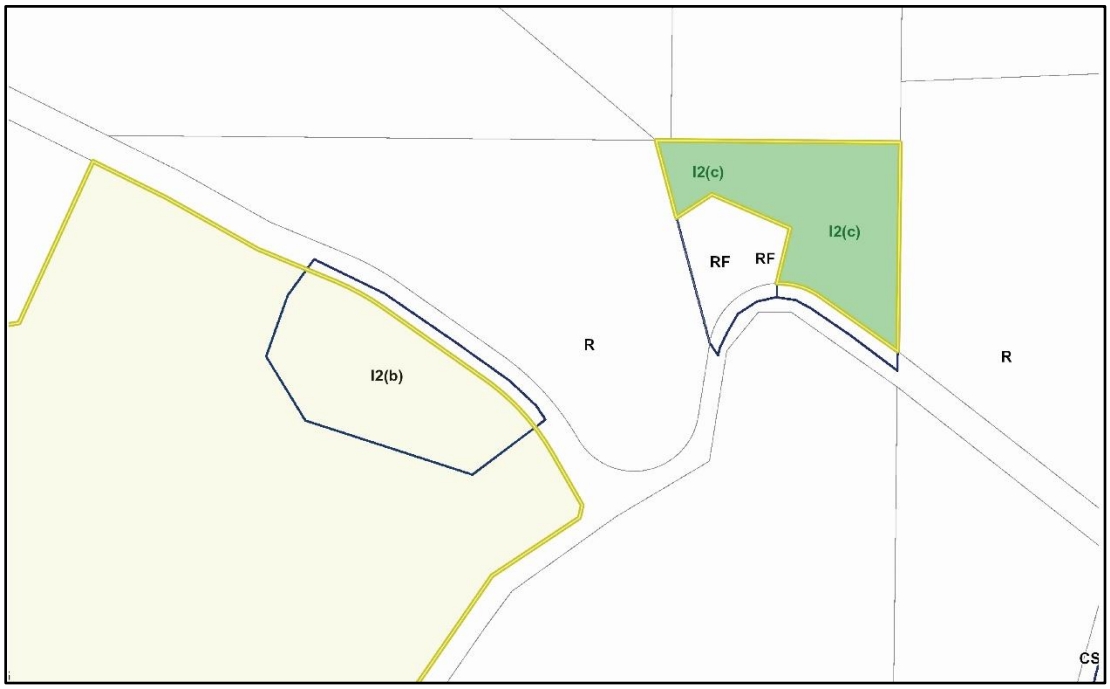
Islands Trust Conservancy	There are no Islands Trust Conservancy properties or covenants in the vicinity of the subject area.
Regional Conservation Strategy	The application has no considerations for the Regional Conservation Strategy.
Species at Risk	There no Species at Risk noted in TAPIS.
Sensitive Ecosystems	As above, there are none on the subject area of the property.
Hazard Areas	There are areas of Low and Medium Slope Hazard Risk on the subject area of the property and directly adjacent to the west boundary on the neighbouring property there is an area of High Risk (Attachment 2.4). A geotechnical risk analysis and recommendations for mitigation was submitted as part of NP-RZ-2013.1 (see body of report).
Archaeological Sites	Remote Access to Archaeological Data (RAAD) information indicates there are no archaeological sites noted within the specific area of the property or within 100 metres. Regardless of the information from RAAD, check the relevant protocols and indicate any referral/process requirements. If there are no resources on RAAD, include this statement in the report: Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the *Heritage Conservation Act*. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a *Heritage Conservation Act* permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The property is centrally located on the island and may result in reduced vehicle distance travelled when servicing the community needs The area proposed for this use is already disturbed with various uses throughout the property.

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

2.1 ORTHOPHOTO OF SUBJECT AREA



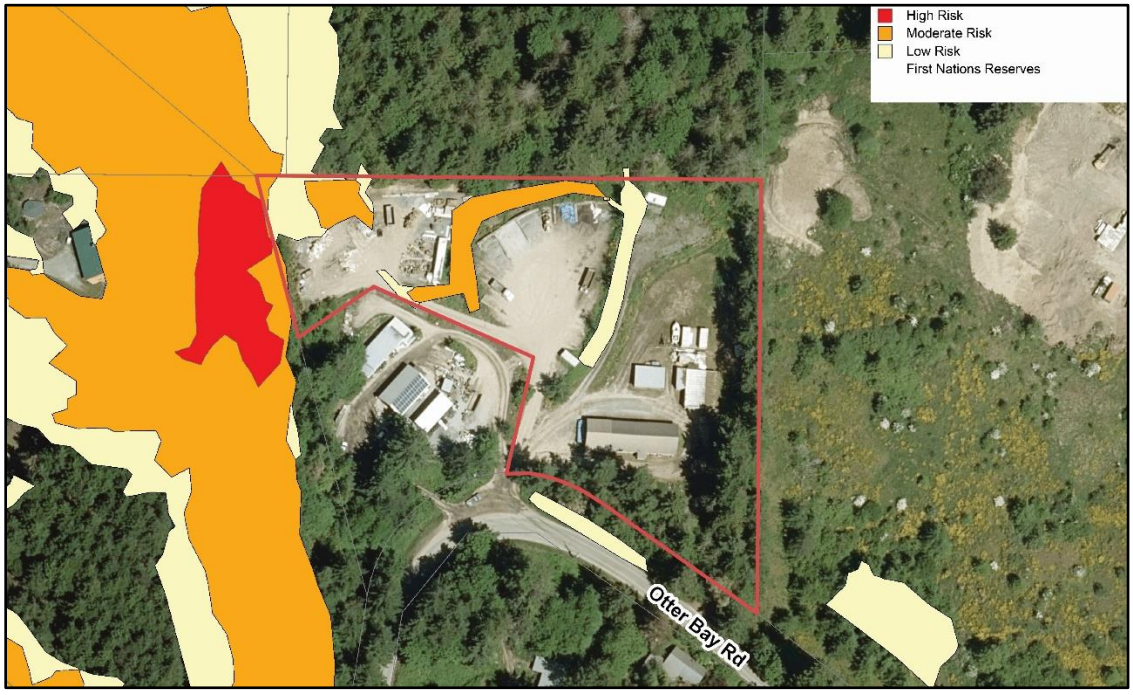
2.2 ZONING



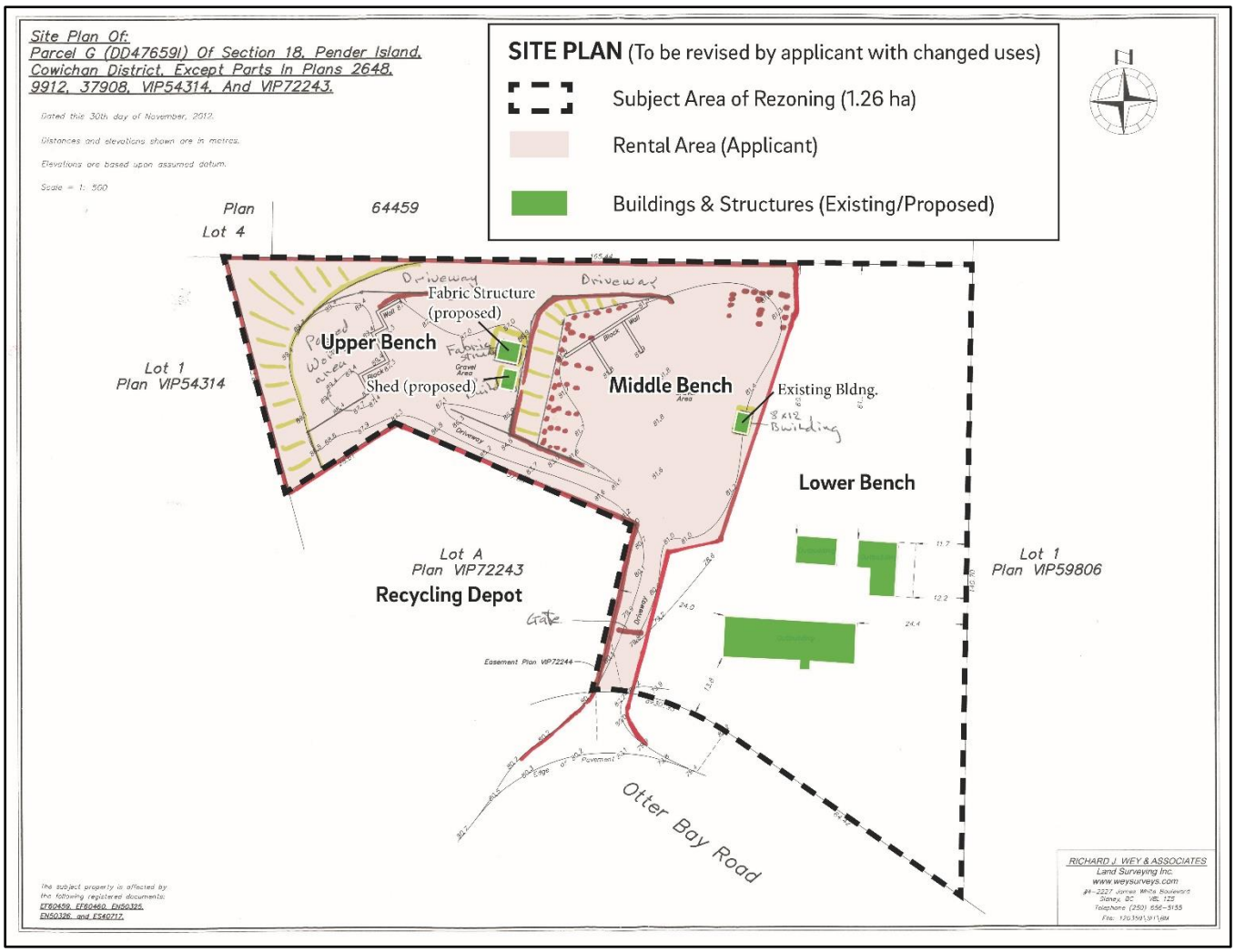
2.3 DPAs



2.4 Steep Slope Mapping



2.5 SITE PLAN


Site Plan Of:
Parcel G (DD476591) Of Section 18, Pender Island, Cowichan District, Except Parts In Plans 2648, 9912, 37908, VIP54314, And VIP72243.
Dated this 30th day of November, 2012.
Distances and elevations shown are in metres.
Elevations are based upon assumed datum.
Scale = 1: 500
SITE PLAN (To be revised by applicant with changed uses)
Subject Area of Rezoning (1.26 ha)
Rental Area (Applicant)
Buildings & Structures (Existing/Proposed)
Plan 64459
Lot 4
Driveway
Fabric Structure (proposed)
Upper Bench
Shed (proposed)
Middle Bench
Existing Bldng.
8 x 12 Building
Lower Bench
Lot 1 Plan VIP54314
Lot A Plan VIP72243
Recycling Depot
Lot 1 Plan VIP59806
Gate
Easement Plan VIP72244
Otter Bay Road
The subject property is affected by the following registered documents: EF60459, EF60460, EN50325, EN50326, and ES40717.
RICHARD J. WEY & ASSOCIATES
Land Surveying Inc.
www.weysurveys.com

STAFF REPORT

File No.: NP-TUP-2019.4 (Burdett)
(NP-TUP-2015.2)

DATE OF MEETING:	November 28, 2019
TO:	North Pender Island Local Trust Committee
FROM:	Phil Testemale, Planner 2 Southern Team
SUBJECT:	Renewal Application – Temporary Use Permit Applicant: Pender Island Waste Management Owner: GRL Holdings Ltd. Location: 5827 Schooner Way (Medicine Beach Market)

RECOMMENDATION

1. **That the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit renewal application NP-TUP-2019.4 (Burdett) for three (3) years; and**

2. **That the North Pender Island Local Trust Committee requests the applicant to submit a rezoning application for the use within one (1) year of the date of issuance of Temporary Use Permit NP-TUP-2019.4 (Burdett).**

REPORT SUMMARY

The purpose of this report is to consider a Temporary Use Permit (TUP) renewal for a limited waste transfer use on a portion of the subject property.

The above recommendations for the renewal of the TUP is supported as: the use has been permitted by a TUP on this site continuously since 2010; there are no proposed changes to the related buildings and structures, no proposed changes to the operation of the drop-off service, and, the conditions of the proposed permit remain the same as the initial TUP; there have been no bylaw complaints received since the use was permitted; and, Medicine Beach Market as a site for garbage drop off appears to be well used and accepted by the community. Lastly, as the waste management project is no longer an LTC priority project, it is reasonable to request that a rezoning application be made in a timely manner to establish the use permanently.

BACKGROUND

The application is for the renewal of an existing TUP (NP-TUP-2015.2) issued on August 17, 2015 which allows for household waste collection (a garbage drop-off facility) on a portion of the subject property. The permit lapsed on August 17, 2018. The staff report for the original application is available on the Islands Trust on the North Pender LTA website here:

http://www.islandstrust.bc.ca/media/331777/agenda-package-north-pender-ltc-regular_jul30_2015.pdf

The use is for a specified area in the south western corner of the subject property (Medicine Beach Market). Specifically the use is for the "*transfer, storage and shipping of discarded goods and materials*".

The renewal permit for consideration of issuance for a three (3) year term is Attachment 1. As a renewal the LTC may opt to amend the proposed permit by adding further restrictions (conditions, including shortening the time frame). Any removal of conditions (i.e. to make it less restrictive) would trigger a need to re-notify neighbours.

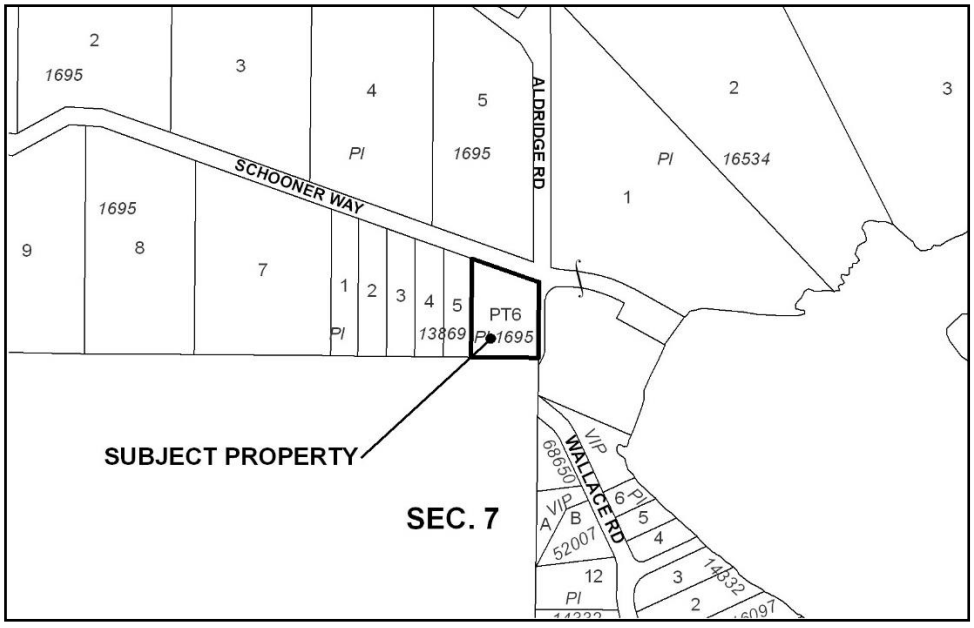
Initially, the applicants were issued a TUP in May 2010 and that permit was renewed once and expired on June 1, 2015. A TUP can only be renewed once, therefore, if renewed, a new application will be required once the current TUP expires. The time gap since the TUP expired last year is owing to the LTC waste management project for which this operation was identified as one of four sites to be rezoned. This is discussed further in 'Issues and Opportunities' (below).

The subject property is 0.7 ha (1.77 acres) and it is split zoned with the majority being site-specific **Commercial One, C1(e).** The property also contains the Shaw Communications building and parking area (see 'Land Use Bylaw' - below).

The specific structure for the use is 21 m² (225 ft²) in size and is 3 m (10 ft.) high. The cedar sided structure houses a removable bin on a concrete floor and there are stairs for customer access.

Staff requested information on the on lease/ownership agreement between the owners (GRL Holdings) and the applicants/operators. The agreement from 2015 and a current written commitment by the owner is Attachment 4.

Figure 1: Subject Property



ANALYSIS

Policy/Regulatory

Official Community Plan:

The subject property is designated **C- Commercial** in the North Pender Island Official Community Plan 171, 2007 (OCP). The OCP authorizes the LTC to issue a TUP for any area covered in the plan and that they may specify conditions under which a temporary use be approved. As above, a TUP may be issued for up to a three year period, with only one renewal permitted.

General commercial policies of the OCP include:

- 2.4.1 Commercial development shall be small scale, low density business enterprise designed to meet the needs of residents and visitors.
- 2.4.2 Priority may be given to new or additional commercial ventures in the following locations:
    b) by application to rezone the remainder of the commercially designated lot at Schooner Way and Wallace Road.
- 2.4.5 Commercial proposals which would have significant deleterious effects on adjacent land uses will not be permitted.
- 2.4.9 Parking and storage areas should be suitably screened to maintain the rural character of the area.

The industrial objectives of the OCP include:

- To encourage on-island industrial enterprises that do not adversely affect rural character and lifestyle.
- To limit industrial development to specific areas of the island.
- To ensure that any industry is sited to minimize adverse effects upon neighbouring properties.

The industrial policies include similar statements to the commercial policies 2.4.5 and 2.4.9 above.

There are no sensitive ecosystems development permit areas (DPAs) identified on the subject property; however, the portion zoned commercial is subject to **DPA Nine - Commercial and Industrial Form and Character.** When the initial TUP application was considered a Development Permit (DP) for the proposed enclosure structure was issued (NP-DP-2010.3 – Attachment 3). As there are no proposed changes to the buildings or structures, an amendment to, or a new DP is not required.

Land Use Bylaw:

The property is split zoned in the Land Use Bylaw (LUB) as shown on Figure 2 and as follows:

- Site specific for **Commercial One (e) - C1(e)**. That restricts the permitted uses to retail sales, offices, including banks, restaurants, cafes, and bakeries.
- A portion on the east side of the property was recently rezoned to **Community Service (p) – CS (p).** That is a site specific zone to accommodate the uses associated with Shaw Communications service facility.
- The south zone boundary does not correspond to the property boundary and a portion lying parallel to the southern boundary is zoned **Rural (R).**

Adjacent properties are zoned **Ecological (ECO)**, **Rural (R)** and **Rural Residential (RR)**.

Figure 2: Site Plan



Issues and Opportunities

Temporary Use Permits

TUPs are typically used in two circumstances: (1) where a use is truly temporary (i.e. a temporary processing operation) or (2) where the local government is willing to permit a use to commence prior to rezoning. The latter situation can be in the interest of both the owner (if they wish to undertake a particular use on a trial basis) or be in the interest of the local government (if the local government wants the option of having the use cease if the impacts prove to be deleterious). A TUP can also be used in a situation where timing is an issue: the proposed use is consistent with the intent of the community plan and/or zoning and there is a willingness to allow the use to commence prior to completing a rezoning process. Finally, a TUP may be preferable because conditions may be included in a TUP that cannot be included in zoning (such as hours of operation, or requirements for restoration).

In this circumstance a TUP has been in place since 2010 initially as a mechanism to legalize the use and in more recent years to 'bridge' the use pending the outcome of the waste management review (next). Moving ahead, staff's recommendations (page 1) are that a rezoning be initiated by application by the owner.

Waste Management Process and Rezoning

The previous LTC made land use planning for waste management a top priority and through the review and consultation process and ultimately with the drafting of bylaw amendments, this particular site was included to be zoned for the use. As the bylaws did not proceed and the current LTC has opted to address other priorities, it would be appropriate for the owners to make a rezoning application at this juncture A realistic time frame work for a rezoning is at least a year, therefore a minimum of a two (2) year term would be recommended if the LTC chooses to shorten it from the recommended three (3) years.

Islands Trust Conservancy

As the property owners of the Medicine Beach Nature Sanctuary ('ECO' in Figure 2) the Islands Trust Conservancy (ITC then the Trust Fund Board) received notification for the original TUP application in 2010. The primary concerns were for the protection of the marsh as it is considered to be very sensitive and ecologically fragile, and the risks associated from any effluent or garbage that could potentially migrate into the area. The ITC responded to the initial notification that they had no objections based on the proposal to build an enclosure structure. Staff also confirmed in 2015 that since the initial TUP was issued no new concerns have been raised. Staff has referred the current renewal application to the ITC Board as per the policy coordination agreement between the ITC and Local Planning Services. The ITC Board will review the renewal application on November 26, 2019 and planning staff will report to the LTC at the regular meeting with any comments provided.

With the recommendation on page 1 and upon receipt of a rezoning application, the proposal would be referred to the ITC and that would afford an opportunity to ensure that if the use is permanently established it would not be detrimental to the Medicine Beach Sanctuary. Mechanisms such as requiring baseline environmental assessment of the property and site and potentially managing conditions through a Section 219 covenant are available to the LTC through the Development Approval Information (DAI) bylaw and rezoning process.

Consultation

Statutory Requirement - Notification

There is no requirement for notification with a renewal permit

Rationale for Recommendation

The recommendations on page 1 for the renewal of the TUP is supported as:

- The use has been permitted by a TUP on this site continuously since 2010;
- As it is a renewal there are:
    - no proposed changes to the related buildings and structures,
    - no proposed changes to the operation of the drop-off service, and
    - the conditions of the proposed permit remain the same as the initial TUP;
- There have been no bylaw complaints received since the use was permitted;
- Medicine Beach Market as a site for garbage drop off appears to be well used and accepted by the community; and,
- As the waste management project is no longer an LTC priority project it is reasonable to request that a rezoning application be made in a timely manner.

ALTERNATIVES

1. **Request further information**

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

   Recommended wording for the resolution is as follows:

   That the North Pender Island Local Trust Committee request that the applicant submit to the Islands Trust the following information:_____.

2. **Amend the TUP and Approve Issuance as Amended**

   The LTC may opt to amend the proposed permit by adding further restrictions (conditions, including shortening the time frame).

   Recommended wording for the resolutions are as follows:

   That the North Pender Island Local Trust Committee amend Temporary Use Permit renewal application NP-TUP-2019.4 (Burdett) by adding_____.

   That the North Pender Island Local Trust Committee issue Temporary Use Permit renewal application NP-TUP-2019.4 (Burdett) as amended.

3. **Issue the permit without the recommendation for a rezoning application**

   The LTC may opt to not pass a resolution requesting a rezoning application. If selecting this alternative, the LTC would simply not move on that recommendation

4. **Deny the application**

   The LTC may deny the application.

   Recommended wording for the resolution is as follows:

   That the North Pender Island Local Trust Committee deny Temporary Use Permit renewal application NP-TUP-2019.4 (Burdett).

NEXT STEPS

Describe the next steps in the process, if applicable.

Submitted By:	Phil Testemale, Planner 2	November 18, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	November 19, 2019

ATTACHMENTS

1. Draft renewal permit NP-TUP-2019.4 (Burdett)
2. Site Context
3. NP-DP-2010.3 (GRL Holdings)
4. Use agreement between owner and applicant

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	That Part of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, Lying east of a boundary parallel to and perpendicularly distant 260 feet from the easterly boundary of said lot. PID: 002-885-182
PID	002-885-182
Civic Address	5827 Schooner Way

LAND USE

Current Land Use	Commercial and Community Service
Surrounding Land Use	Commercial and Rural

HISTORICAL ACTIVITY

File No.	**Purpose**
NP-TUP-2015.2	Subject permit being renewed
NP-TUP-2012.1	Renewal of NP-TUP-2009.3
NP-DP-2010.3	DP associated with NP-TUP-2009.3
NP-TUP-2009.3	Original TUP for Use

POLICY/REGULATORY

Official Community Plan Designations	**C- Commercial** in the North Pender Island Official Community Plan 171, 2007 (OCP) **DPA Nine - Commercial and Industrial Form and Character** designated on property**.**
Land Use Bylaw	Split Zoned in LUB 103, 1996: **Commercial One (e) - C1(e)**; **Community Service (p) – CS (p)** and **Rural (R)**
Other Regulations	N/A
Covenants	None
Bylaw Enforcement	None outstanding

SITE INFLUENCES

Islands Trust Conservancy	See comments in main report
Regional Conservation Strategy	The proposal has no implications for the Regional Conservation Strategy.
Species at Risk	None identified
Sensitive Ecosystems	None
Hazard Areas	There are some areas of low and moderate steep slope hazards on the subject property; although the drop-off area may encroach slightly into a low hazard area, it is largely outside of an identified hazard area.

Archaeological Sites	Remote Access to Archaeological Data (RAAD) information and indicates there are no if any archaeological sites are noted within the property or within 100 metres. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the *Heritage Conservation Act*. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a *Heritage Conservation Act* permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.]
Climate Change Adaptation and Mitigation	No new development - Renewal

Islands Trust

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
TEMPORARY INDUSTRIAL USE PERMIT NP-TUP-2019.4 (Burdett)
RENEWAL OF NP-TUP-2015.2

TO: GRL Holdings Ltd.

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

   That portion of the lot legally described as:

   > That part of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, Lying of the East of a boundary parallel to and perpendicularly distant 260 feet from the easterly boundary of said lot.
   > (PID: 002-885-182)

   As indicated on Schedule 'A' attached to and forming part of this permit.

2. This permit is issued for the purpose of allowing the following industrial uses in the subject area:

   a) "transfer, storage, and shipping of discarded goods and materials".

3. The uses may be carried on subject to the following conditions:

   a) The use shall be limited to one steel waste collection bin, designed and constructed for that purpose with closing lids and located as specified on Schedule 'A'.

   b) The collection bin shall be contained within a roofed enclosure and placed upon a concrete pad with a sump as specified on Schedule 'B' to a maximum size of 15 feet by 20 feet and maximum height of 11 feet.

   c) The hours of operation for public disposal of discarded goods and materials shall be limited to those hours of operation of the retail store to a maximum of 10:00 am to 10:00 pm daily.

   d) The hours of operation for the emptying of the collection bin shall be limited to between the hours of 8:00 am and noon Monday to Saturday.

   e) The storage of all discarded goods and materials permitted by 2(a) above shall be bagged and contained within the waste collection bin described in 3(a).

   f) The *transfer, storage and shipping of discarded goods and materials* permitted by 2(a) above shall not include any hazardous waste, including household hazardous waste as defined by Capital Regional District Environmental Services, bulk liquids and semi-solid sludges, including septage, black water, and sewage treatment sludge, biomedical waste, dead animals and slaughterhouse and farming wastes.

   g) The *transfer, storage and shipping of discarded goods and materials* permitted by 2(a) above shall not include any demolition, construction or land clearing waste.

   h) The processing of discarded goods and materials is prohibited.

   i) The placement of signage denoting what is and is not accepted at the site and what is accepted at the recycling facility at a separate location, fees, and hours of operation.

j) The area in around the site and the waste collection bin are to be maintained clear of litter and safe for general public.

k) The waste collection bin is to be emptied on a regular basis and the lids kept closed.

l) All existing vegetation is to be maintained along the south and west lot lines in the vicinity of the collection bin and related activities as shown on Schedule A.

m) If the use ceases to occur or if this permit is not renewed, the structure shall be removed within 30 days.

4. This permit is valid for three years from date of issuance of the permit and, upon expiry of the permit, the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust unless the permit is renewed by resolution of the North Pender Island Local Trust Committee.

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

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS ## DAY of Month, 20## .

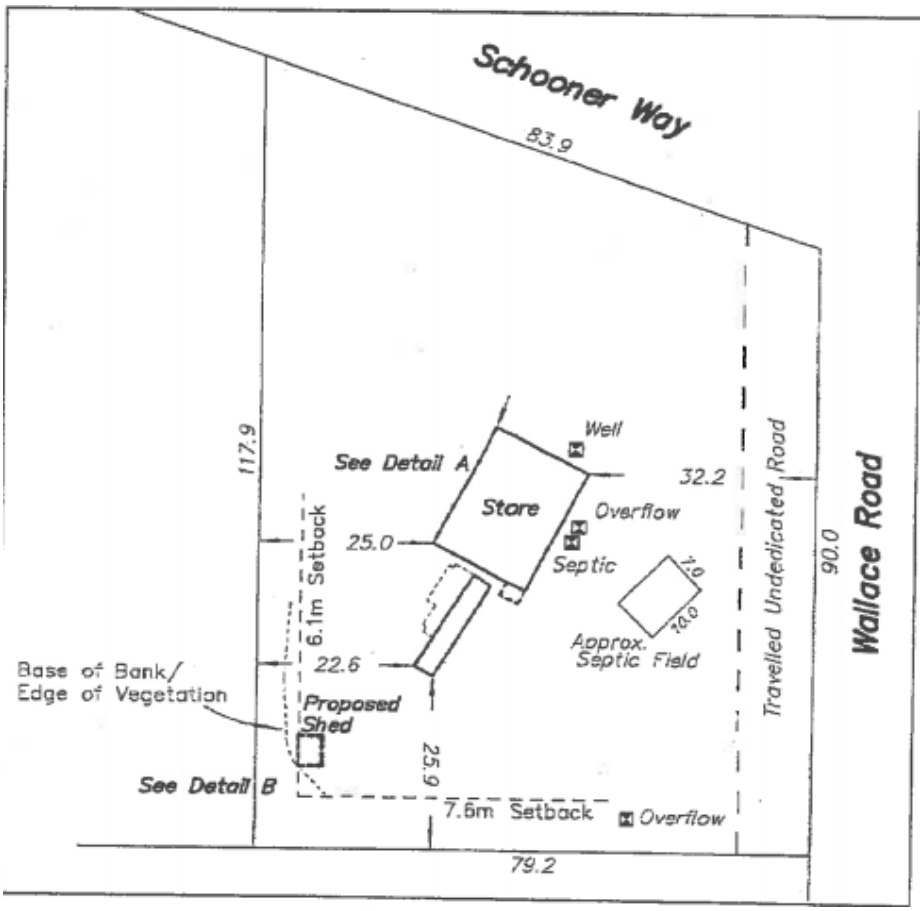
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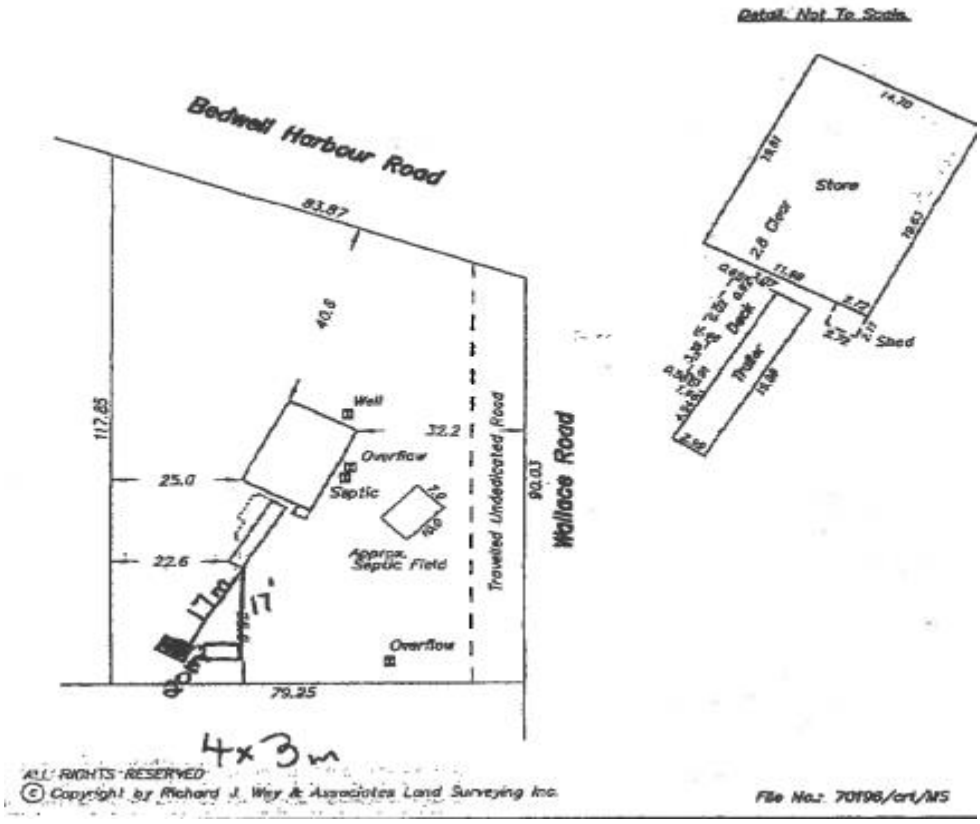
Deputy Secretary, Islands Trust

_____

Date of Issuance

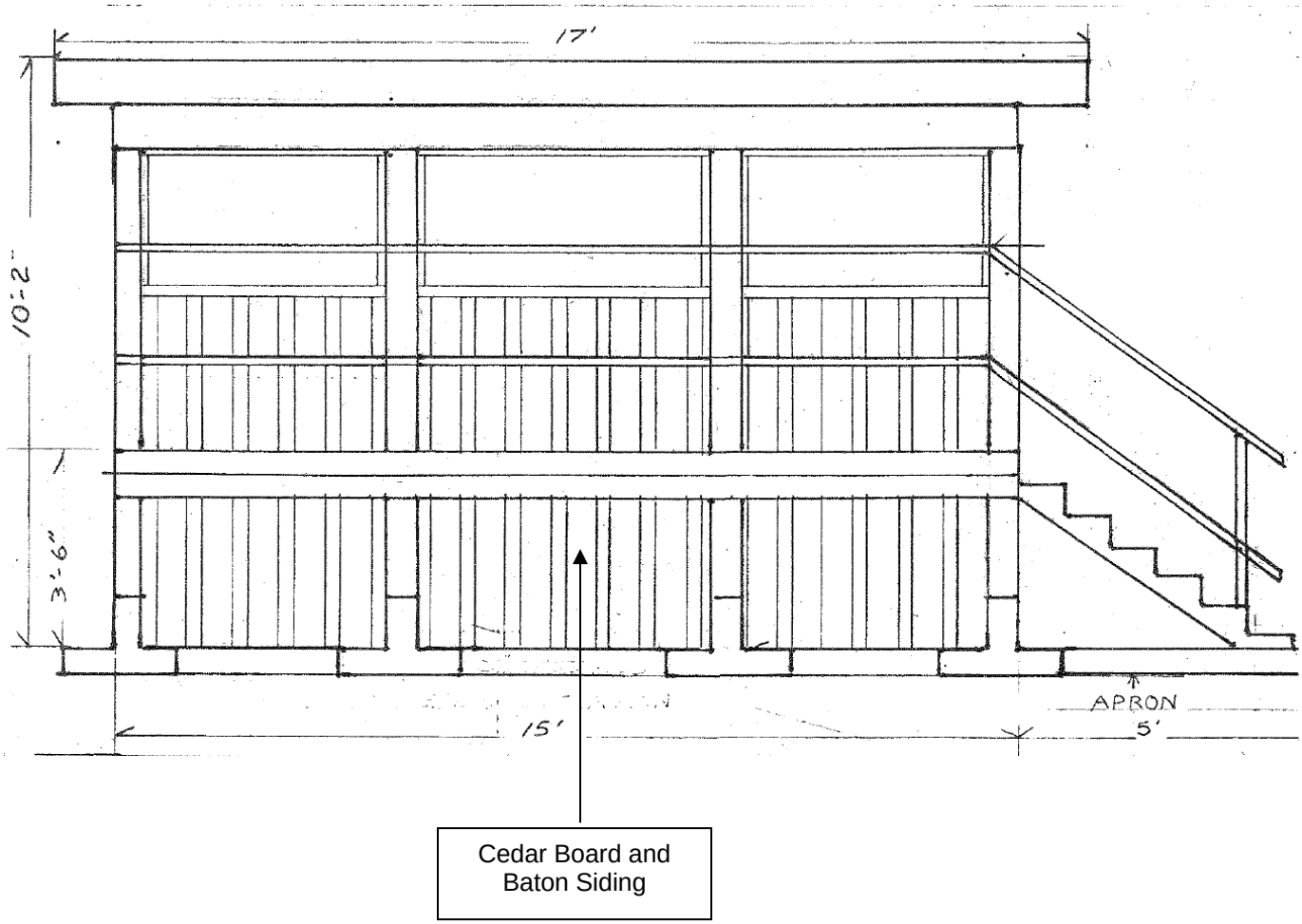
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2015.2
SCHEDULE 'A'



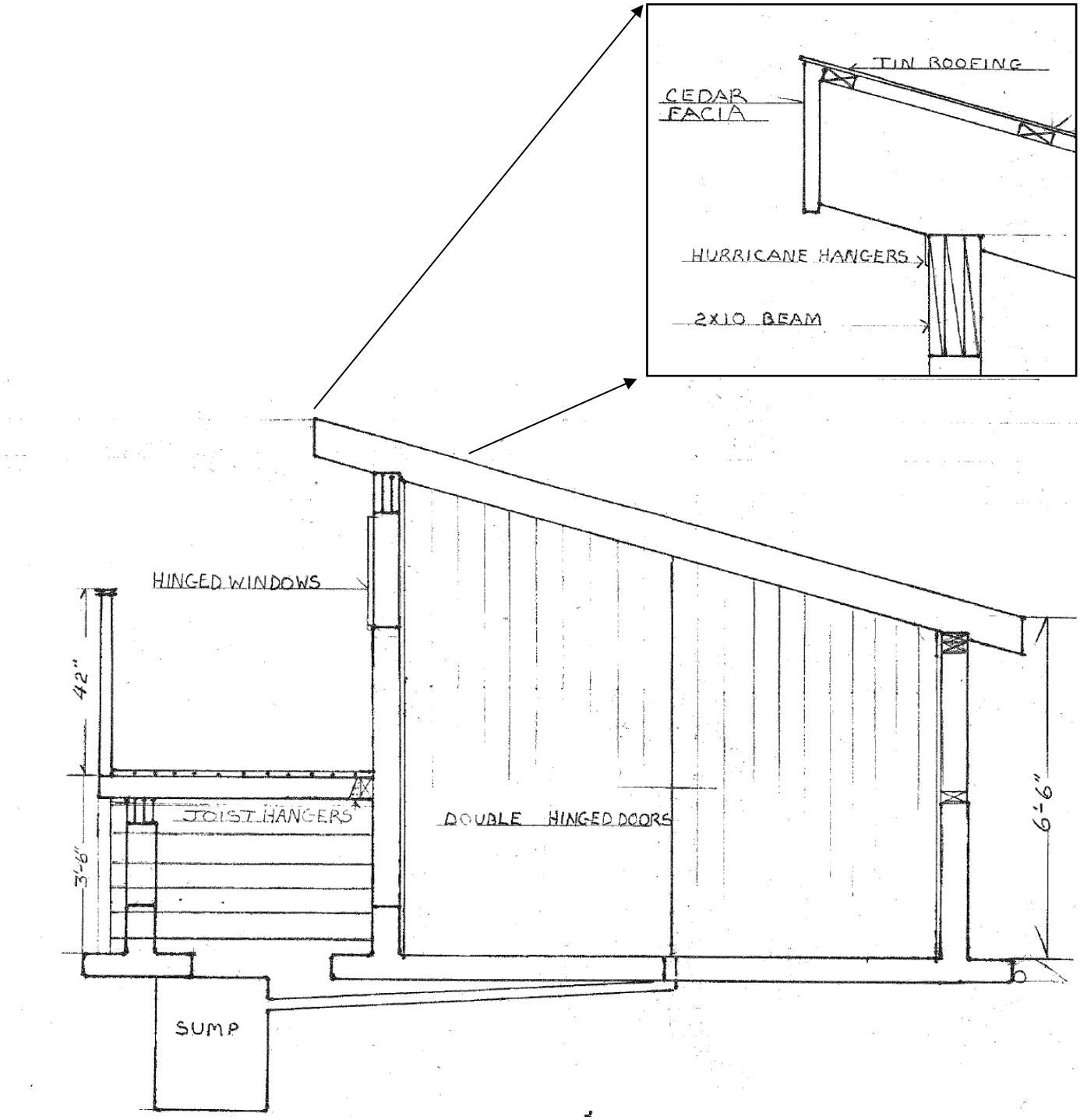

Detail Not To Scale
Bedwell Harbour Road
83.87
40.6
112.85
Well
32.2
Overflow
Septic
25.0
22.6
Approx. Septic Field
17m
17'
Overflow
79.25
Trav'ed Undedicated Road
90.03
Wallace Road
4x3m
Store
14.38
14.81
2.8 Clear
11.58
19.63
Deck
Trailer
Shed
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File No.: 70196/crt/MS

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2015.2
SCHEDULE 'B'

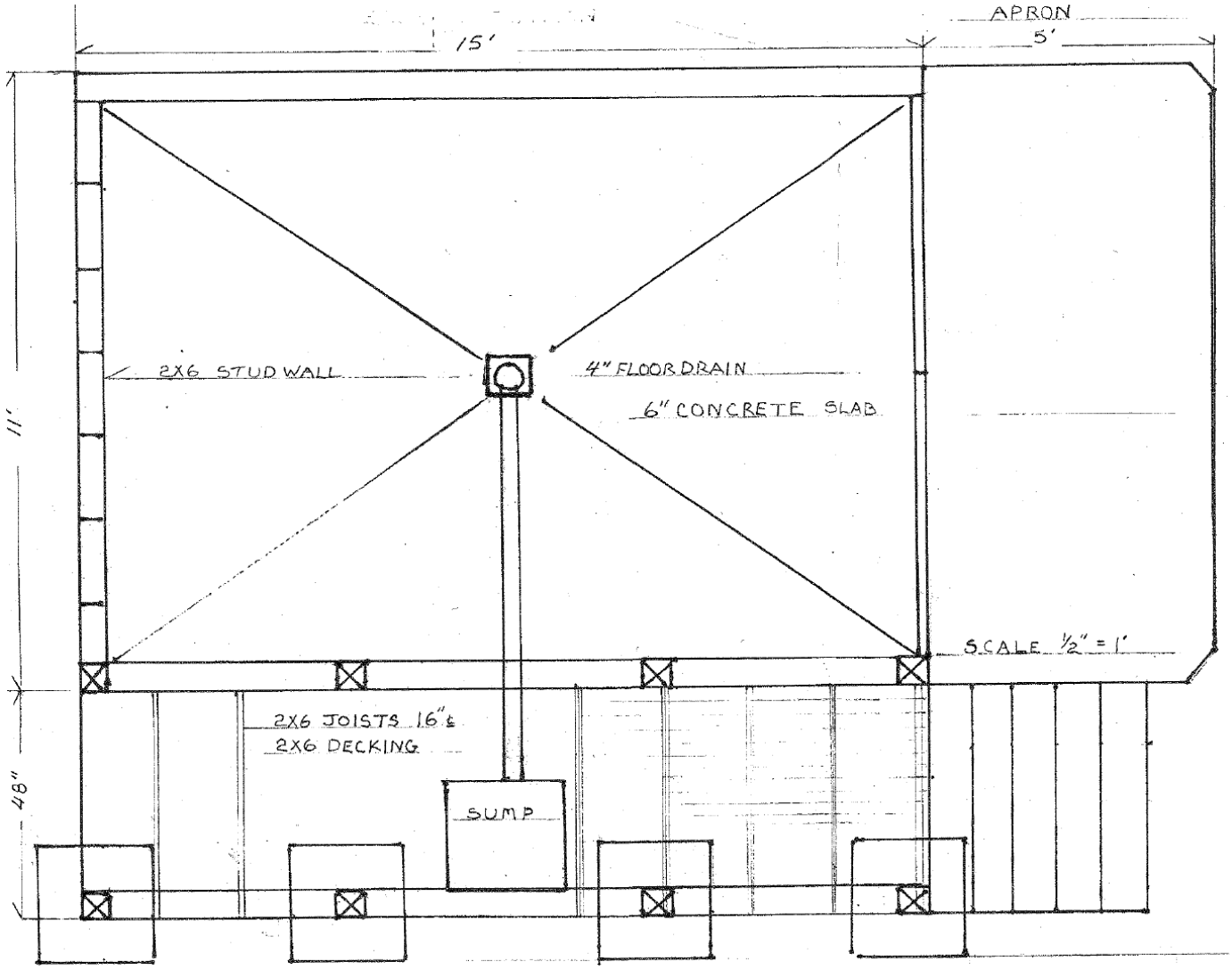
West (Front) Elevation



South (Side) Elevation



Floor Plan


APRON
5'
15'
11'
2X6 STUD WALL
4" FLOOR DRAIN
6" CONCRETE SLAB
SCALE ½" = 1'
2X6 JOISTS 16" &
2X6 DECKING
SUMP
48"

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT NP-DP-2010.3

TO: GRL Holdings

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

   That part of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, lying of the east of a boundary parallel to and perpendicularly distant 260 feet from the easterly boundary of said lot.

2. This Development Permit authorizes the construction of a building, designed for placement of a bin for the collection of household waste, subject to the following requirements and conditions:

   a) Siting and layout related to the building shall be substantially consistent with that shown on Schedule 'A'.

   b) No existing vegetation shown on Schedule 'A' shall be removed.

   c) The form and character of the new building shall be substantially consistent with that shown on Schedules 'B', attached to and forming part of this permit.

3. All work will be substantially consistent with that shown on the Schedules attached to and forming part of this permit.

4. 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 Capital Regional District, Vancouver Island Health Authority and the Ministry of Transportation.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER LOCAL TRUST COMMITTEE THIS 27th DAY OF May, 2010.

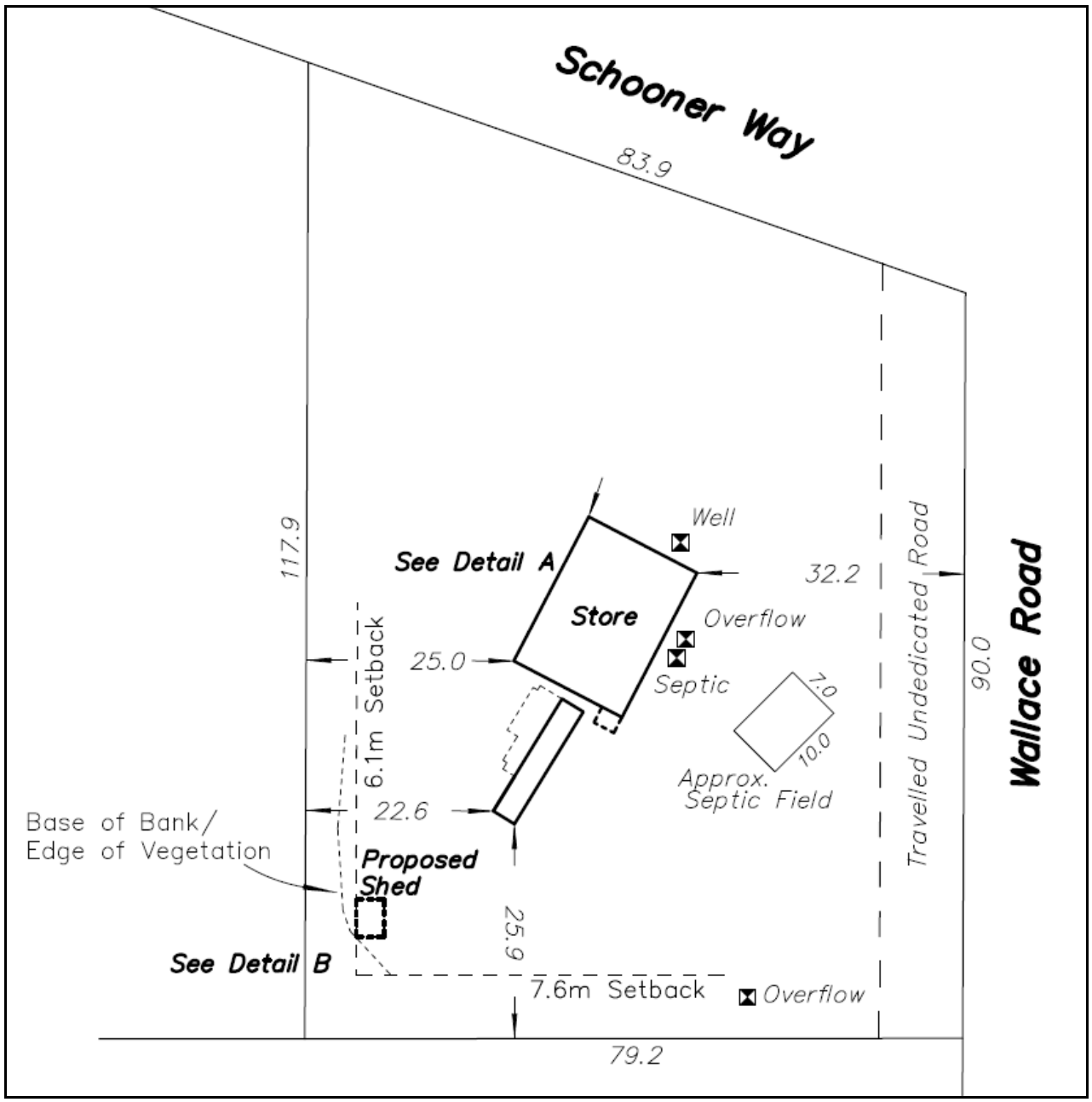
Deputy Secretary, Islands Trust

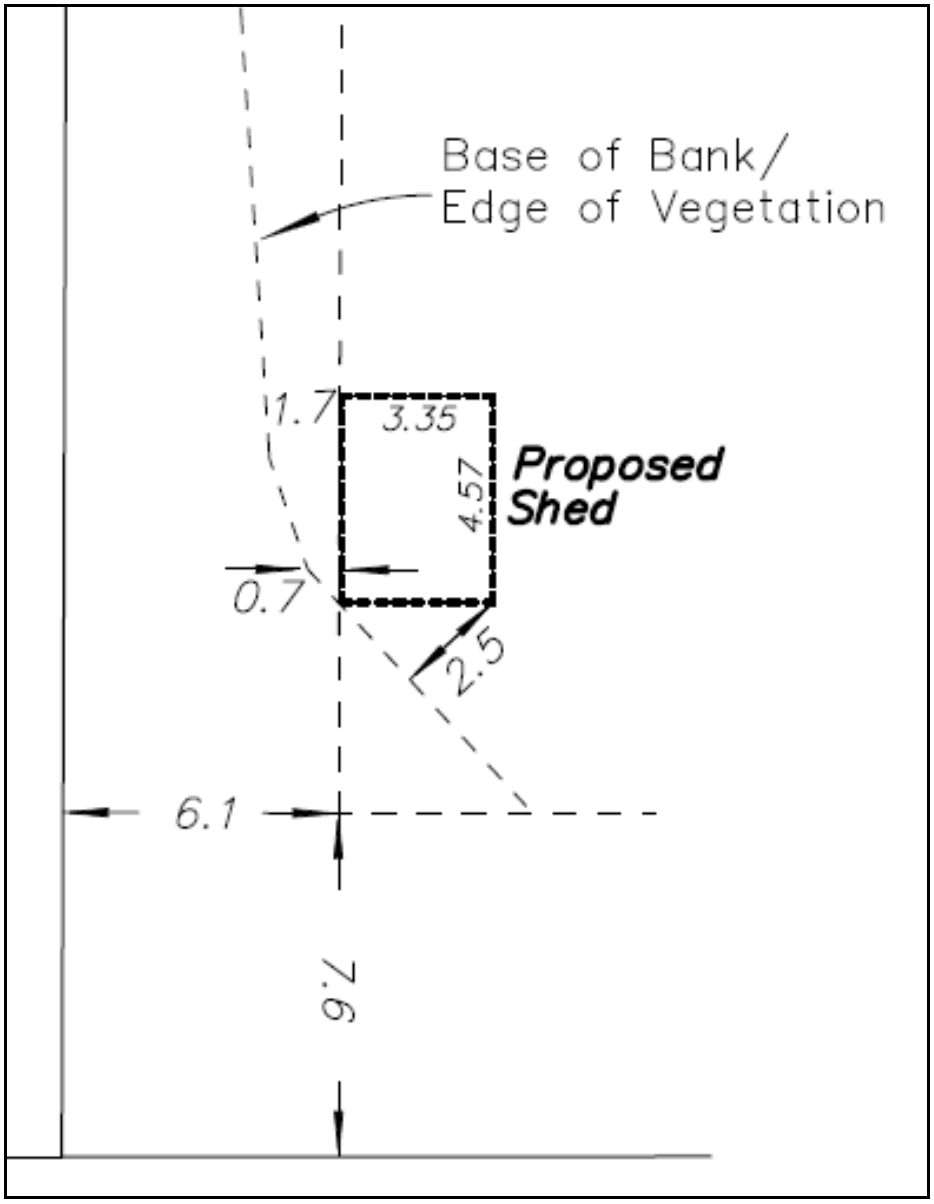
May 28, 2010

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 28th DAY OF May, 2012, THIS PERMIT AUTOMATICALLY LAPSES.

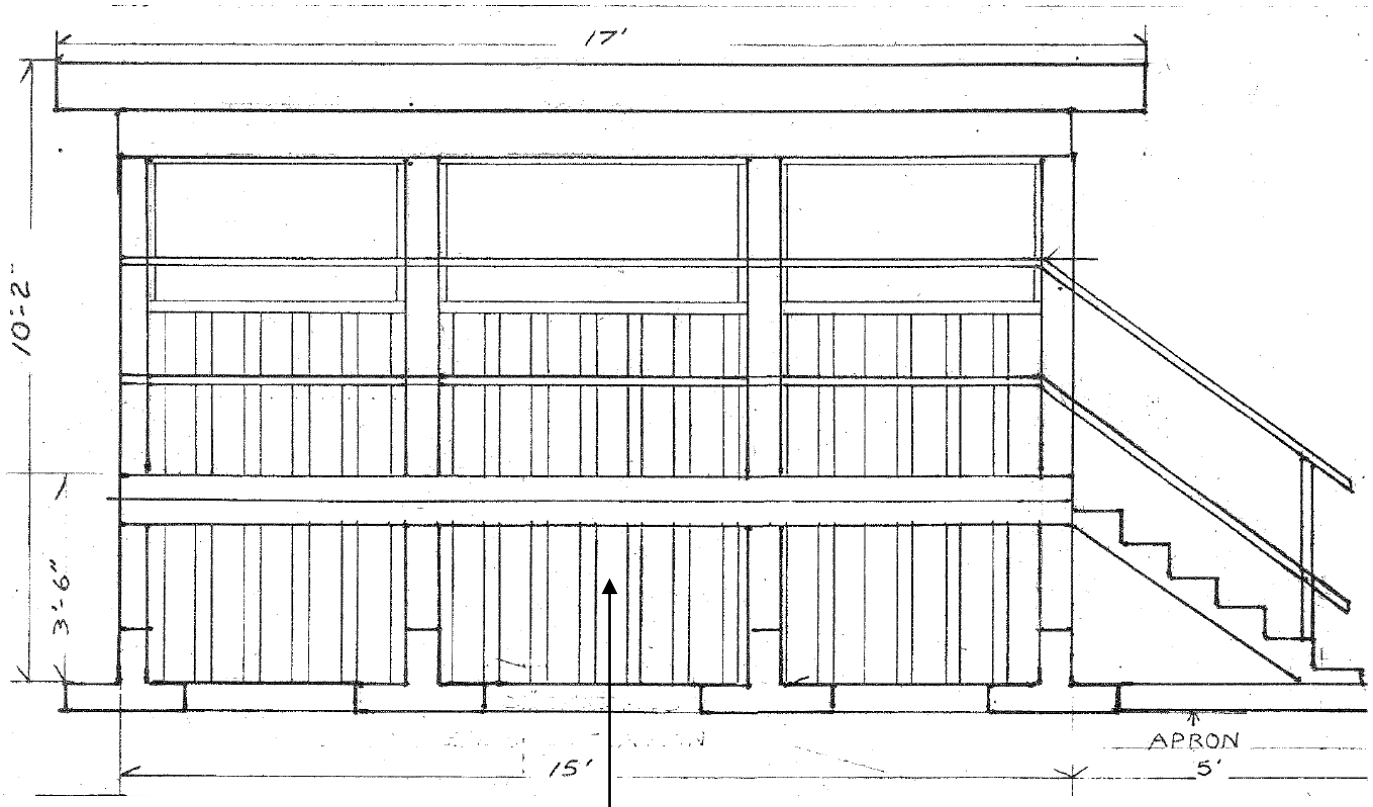
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-DP-2010.3
SCHEDULE 'A'




Base of Bank/
Edge of Vegetation
1.7
3.35
4.57
Proposed
Shed
0.7
2.5
6.1
7.6

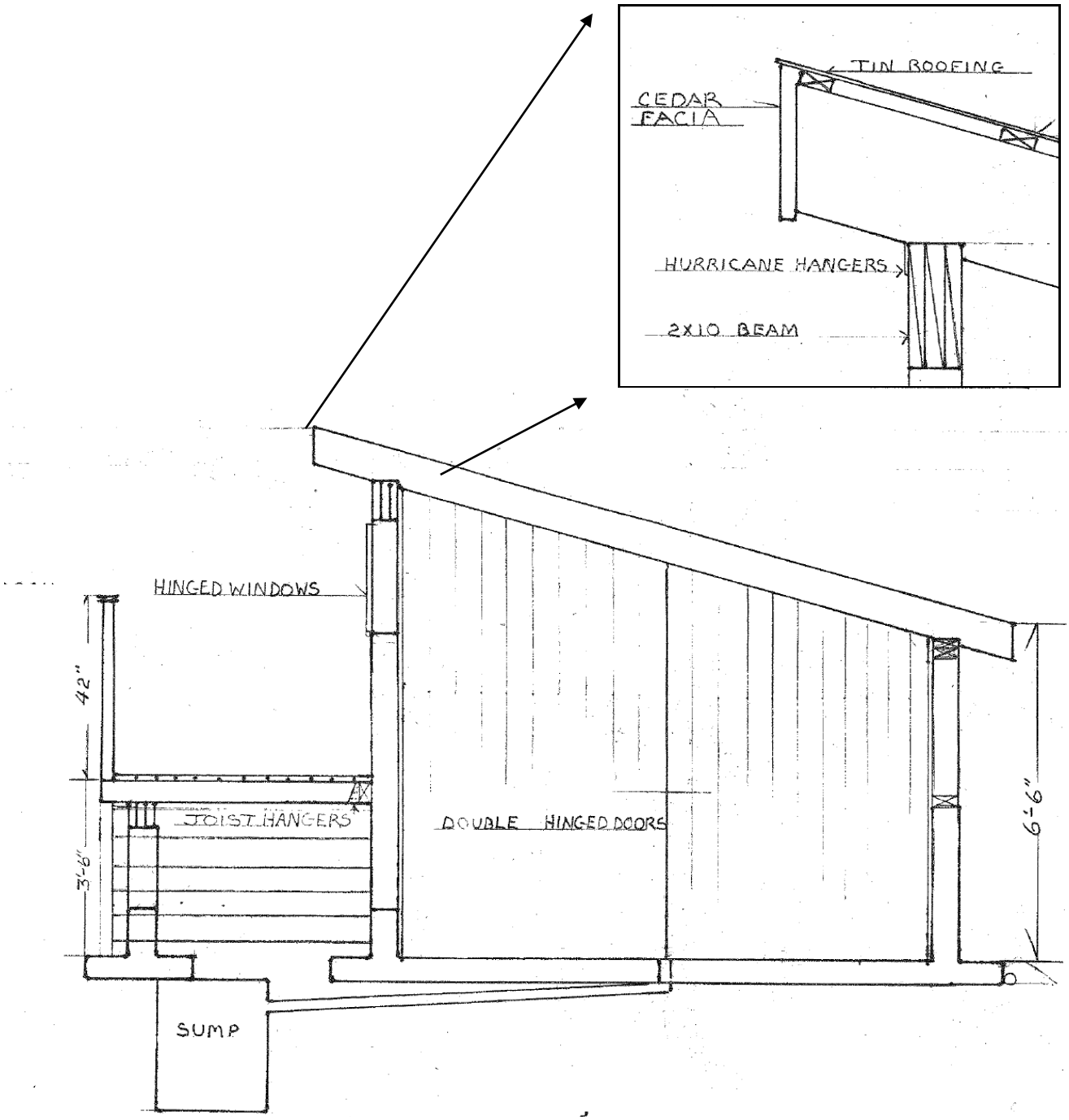
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-DP-2010.3
SCHEDULE 'B'

West (Front) Elevation

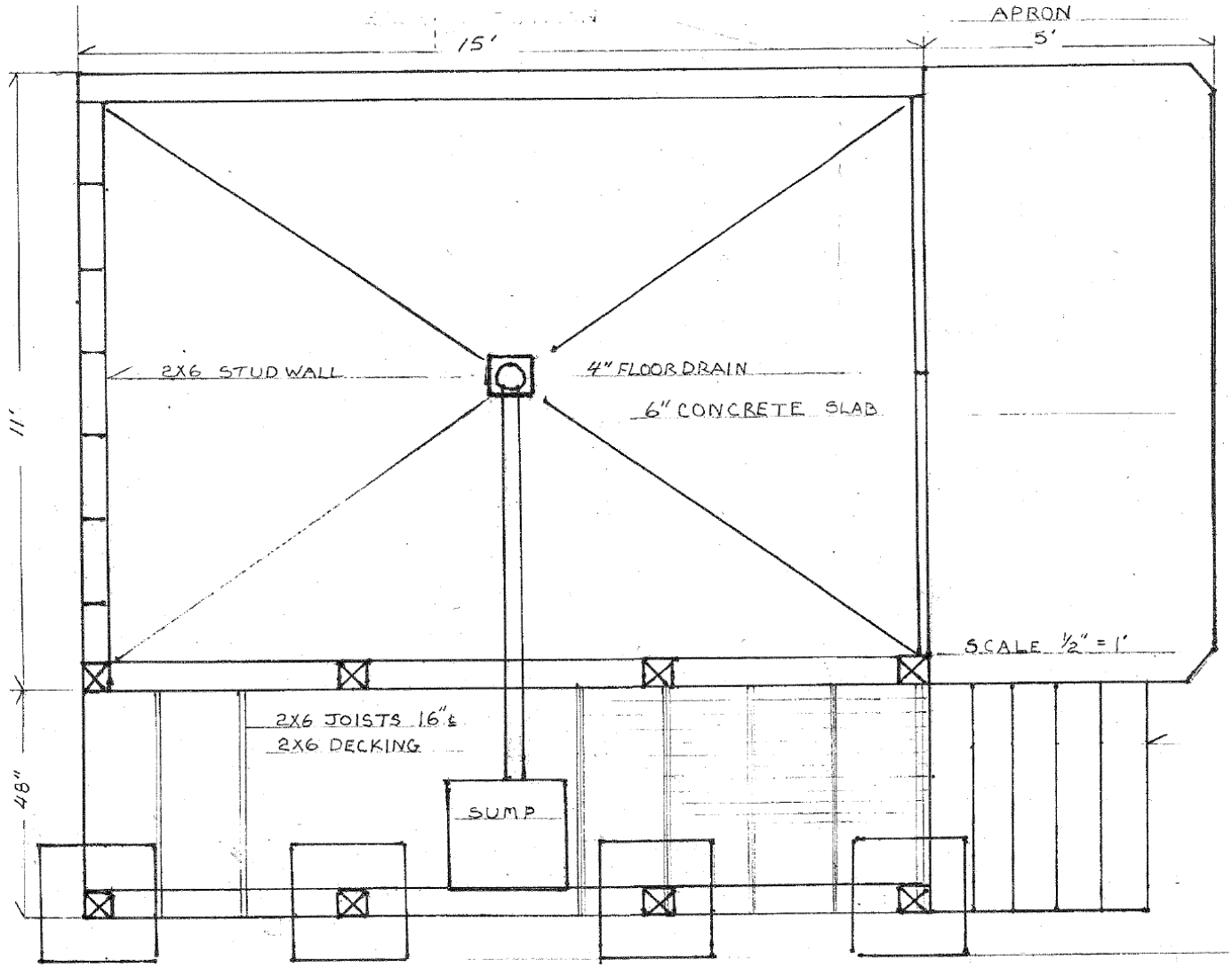


Cedar Board and Baton Siding

South (Side) Elevation



Floor Plan


APRON
5'
15'
11'
2X6 STUD WALL
4" FLOOR DRAIN
6" CONCRETE SLAB
SCALE ½" = 1'
2X6 JOISTS 16" ℄
2X6 DECKING
SUMP
48"

November 7, 2019

I, Lucille Henshaw give my permission for Micheal and Anne Burdett to continue to operate the Waste Transfer Station at 5827 Schooner Way, (Lot 6, Capital section 7, Pender Island. Cowichan District, Plan 1695, lying to the east of a boundary parallel to and perpendicularly distant 260 feet from the easterly boundary of said lot.) For the duration of the TUP.

Thank you for your consideration.

[redacted]

Lucille Henshaw.

June 6, 2015

This agreement is between –

GRL Holdings Ltd

AND

Pender Island Waste Management Ltd.

AND

Medicine Beach Liquor Store.

1. Pender Island Waste Management Ltd will pay the costs of the TUP application fee.
2. GRL Holdings Ltd and Medicine Beach Liquor Store give permission to PIWM to install security cameras for their specific use monitoring bin use.
3. As of this date the Waste Disposal Fees at Medicine Beach Garbage Drop off will be increased to [redacted] small, [redacted] Regular, and [redacted] for a large.
4. Percentage of [redacted] to be paid by cheque weekly from PIWM to Medicine Beach Liquor Store.
5. Medicine Beach Liquor Store agrees that everyone that uses PIWM garbage drop off bin will pay for the use of the bin.

Signed this day June 5/2015

L Henshaw GRL Holdings Ltd

[redacted] Witness

Anne Burdett Pender Island Waste Management Ltd

[redacted] Witness

Daniel Monroe Medicine Beach Liqour Store Ltd.

[redacted] Witness

MEMORANDUM

File No.: NP-TUP-2018.5 (Grimmer)
NP-BE-2012.8

DATE OF MEETING:	November 28, 2019
TO:	North Pender Island Local Trust Committee
FROM:	Phil Testemale, Planner 2 Southern Team
COPY:	William Shulba, Senior Freshwater Specialist Warren Dingman, Manager of Compliance and Enforcement
SUBJECT:	Temporary Use Permit –NP-TUP-2018.5 (Grimmer)– Update

PURPOSE

The purpose of this memo is to provide a preliminary, draft Temporary Use Permit and update on the status of the proposed TUP application, and to provide the North Pender Island Local Trust Committee (LTC) with the 'next steps' for proceeding with the application.

BACKGROUND

The retroactive application is for an operating a concrete batch plant and associated uses on a .75 ha (1.9 ac. – approx.) portion of the subject property (See Figure 1). Proposed uses, buildings and structures to be permitted on the subject portion are as follows:

- A concrete batch plant operation.
- The storage, handling and sale of aggregates defined as sand, drainage rock and gravel.
- For certainty, and for the purposes of this permit handling is defined as blending, but does not include screening, sorting, crushing or washing.
- Storage of motorized and non-motorized vehicles and equipment directly required for the concrete and excavation business know as "Gulf Excavating Ltd".
- Buildings and structures accessory to the foregoing

The TUP would bring the property into compliance with the LUB. The uses are currently being undertaken on the property which is zoned **Rural (R)** and does not permit industrial uses. There is an active Bylaw Enforcement file (NP-BE-2012.8) that originally cited the extension of the excavation business from the 3418 South Otter Bay Road to the subject property. This application is one pathway to legalizing the uses on the property, the other would be a rezoning application.

Background to this application, including three (3) staff reports and a Staff Memo is available on the Islands Trust website: http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/current-applications/current-application-documents/

Specific File Activity:

The application was reviewed most recently by the LTC on November 7, 2019. The following is a summary of activities that have occurred for this application since the last report to the LTC:

- On November 12, 2019, a copy of the lease agreement between the owner and the applicant (dated September 15, 2019 – unsigned) was submitted to the Islands Trust Office. It is a year to year lease with a monthly rent charge that is retroactive to occupation in July of 2018. The area of the lease is restricted to the area defined by the Temporary Use Permit and excludes the orchard, field, house and a 30 metre perimeter of the property (buffer).

- On November 18, 2019 staff received a completed 'checklist' for compliance/completion for each of the Environmental Management Plan (EMP's) recommendations or a projected date for compliance. That is Attachment 2.

- On November 18, 2019 staff received an e-mail from the applicant with more details of the operation, particularly hours of operation and traffic.

Draft Temporary Use Permit

A preliminary TUP has been drafted by staff (Attachment 1). There are conditions (highlighted) that require further input of industry standards and details that are to be supplied by the applicant and his engineer. Additionally, staff will also ensure that there consistency of language and standards with provincial legislation and industry practice codes. In summary the TUP is structured as follows:

- A TUP area is established on Schedule 1. This needs to be verified by the applicant and engineer as there were discrepancies with the applicant's site plan and the mapping from Islander Engineering and Islands Trust mapping.
- Uses and allowable Buildings and Structures are detailed.
- Conditions for the use are included under the following categories:
    - General conditions
    - Access and Hours of Operation
    - Water and Waste Management
    - Hydrocarbon Management
    - Screening
    - Environmental Management Plan and Reporting
    - Monitoring
- Additionally, a security against damage to the natural environment resulting from a contravention of a TUP condition is proposed.

Figure 1 –Detail of Proposed TUP Area (Revised)



Next Steps

- Staff is requesting that the LTC provide staff with any revisions or feedback.
- The draft permit will be sent to the applicant and his consulting engineer for review with a request to provide comments, missing information and standards as highlighted in the draft by December 15, 2019.
- The draft permit will also be referred to the Senior Freshwater Specialist and the Manager of Compliance and Enforcement for their review.
- Staff will revise the draft TUP based on feedback from the LTC, the applicant and staff. Staff will provide the LTC with a revised copy and indicate any substantive changes at that time.
- Staff will proceed with notification of the TUP as follows:

    - to neighbours within 100 metres;
    - identified agencies and organizations; and,
    - place a notice in a newspaper within two (2) weeks prior to the scheduled Community Information Meeting (CIM)

- Staff will schedule a CIM to be held as part of the January 30, 2020 LTC Regular Meeting.
- Once the CIM is concluded, the LTC will have the alternatives to amend the TUP, consider issuance or deny the application.

Submitted By:	Phil Testemale, Planner 2	November 21, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	November 21, 2019

ATTACHMENTS

1. Draft NP-TUP-2018.5
2. EMP Checklist as completed by the applicant

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
NP-TUP-2018.5 (Grimmer)

4415 Bedwell Harbour Road

To: Barbara and Glen Grimmer
c/o Aaron Grimmer

1. This Permit applies to the land described below:

   That portion of:

   Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806
   (PID: 018-948-421).

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

2. This permit is issued for the purpose of permitting the owner to conduct the following uses and no others in the Temporary Use Area of the property:

   a) A concrete batch plant operation.
   b) The storage, handling and wholesale of aggregates defined as sand, drainage rock and gravel.
   c) For certainty, and for the purposes of this permit, handling is defined as blending, but does not include screening, sorting, crushing or washing.
   d) Storage of motorized and non-motorized vehicles and equipment directly required for the concrete and excavation business know as "Gulf Excavating Ltd".

3. This permit allows the following existing buildings and structures as shown on Schedule 'A'

   a) Buildings and structures directly required for the concrete and excavation business know as "Gulf Excavating Ltd" on Schedules 'A' attached to and forming part of this permit and specified as follows:
      i. One (1) concrete hopper;
      ii. One (1) 'Pull in Bay' constructed of concrete 'lock-blocks';
      iii. Impermeable wastewater holding tanks in number and capacity for wastewater collection and recycling adequate for the concrete batch operation;
      iv. One (1) fuel storage building (sea container);
      v. One (1) Maintenance Structure (fabric/'coverall' type) with a maximum area of 43m² (464 ft²) in size and 4.6 metres in height.

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4. The uses may be carried out subject to the following conditions:

General

a) The uses permitted in Section 2. (above) shall not result in any contamination or degradation of the groundwater aquifers in the vicinity of the subject property or downstream aquatic areas.

b) All vehicles, equipment, buildings and materials permitted by Section 2. and 3. (above) are to be removed from the site by the date of the expiry of this permit. The removal of screening is not a condition of this permit.

c) Unless a rezoning or renewal application is received by the Islands Trust, upon the expiry of this permit, the Temporary Permit Area of the property shall be remediated to return to the natural condition prior to the commencement of the concrete batch plant operation in 2016.

d) The maximum volume of concrete produced each month is limited to 382 m^3 (500 yd^3) (*volume to be confirmed by applicant*).

e) The maximum volume of aggregates stored on site is limited to 382 m^3 (500 yd^3) (*volume to be confirmed by applicant*).

f) Storage and use of motorized and non-motorized vehicles and equipment is limited to those directly required for the concrete and excavation business known as "Gulf Excavating Ltd" permitted in Section 2. (above) and motorized vehicles are further limited as follows:

   i. One (1) dump truck;
   ii. One (1) 'pup' (loader);
   iii. Two (2) excavators; and,
   iv. Four (4) concrete trucks.

(*volume to be confirmed by applicant*).

Access and Hours of Operation

g) Vehicular access to and from the Temporary Use Area shall be restricted to the single access point on Bedwell Harbour Road as indicated on Schedule 'A' attached to and forming part of this permit.

h) There is to be no public access to and from the concrete batch plant area of the Temporary Use Area Site.

i) Hours of operation, including movement of vehicles and equipment, are restricted to between 8:00 a.m. and 4:30 p.m., Monday to Friday.

j) Hours of operation may be extended as follows:

   i. to between 5:00 a.m. and 7 p.m., Monday to Friday for off-island loads only; and,
   ii. Saturdays from 8:00 a.m. to 4:30 p.m. for off-island loads only.

Water and Waste Management

k) All paved surfaces within the 'concrete batching area' as shown on Schedules 'A' are to be curbed and graded for wastewater capture and collection. (*area and standard for curbs and grades to be defined by the consulting engineering*)

l) Sufficient secondary containment berms shall be constructed to contain any overflow from the wastewater holding tanks (*consulting engineer to supply detailed standards*).

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m) Surface water not related to concrete production shall be directed away from wastewater collection areas.

n) Siltation control shall be implemented to prevent the release of any suspended materials in surface runoff from the Temporary Use Area (*consulting engineer to supply detailed standards*).

o) Dust control measures shall be implemented to prevent impacts on neighbouring properties, and to minimize the need for truck washing (*consulting engineer to supply detailed standards*).

p) Measures for the management of disposal of waste concrete shall be implemented as follows:___ (*consulting engineer to supply detailed standards*).

q) The maximum volume of aggregates stored on site is limited to 382 m^3 (500 yd^3).

r) Aggregates stored on-site shall be contained within areas delineated along three sides with concrete lock block walls measuring a maximum height of 2 blocks (1.5 m).

s) Aggregates stored on-site shall be covered with secured tarps in good condition to prevent leachates caused by rainfall.

Hydrocarbon Management

t) Storage of chemicals and fuel is to be contained in corrosion-resistant tanks securely anchored on flat surfaces.

u) Storage of chemicals and fuel is to be contained in a locked, weather protected (roofed) structure(s) located away from high volume traffic areas.

v) Containment for chemicals and fuel is to be a minimum of 120% of the volume of stored liquids (*consulting engineer to supply detailed standards*). .

w) Emergency spill kits are to be provided at all areas where chemicals and/or fuel is stored.

Screening

x) The south and east perimeters of the Temporary Use Area are to be screened by earthen screening berms to a height of (*insert height provided by applicant*) metres.

y) The berms are to be roughened and contoured (*consulting engineer to supply appropriate contour angles*) to prevent runoff.

z) All surface areas of the berms are to be planted with indigenous grass and shrub species within (6) months of the date of issuance of the permit. (*Planting list to be attached as Schedule 'C'*)

Environmental Management Plan and Reporting

aa) The uses permitted in Section 2. (above) shall conform to all operational methods, environmental mitigation measures, best management practices and environmental monitoring requirements contained in the "Environmental Management Plan" ('EMP' - Islander Engineering Ltd., October 2019) and submitted to the Islands Trust, Victoria Office on October 3, 2019.

Monitoring

bb) The 'Monitoring Environmental Consultant' shall be Islander Engineering Ltd. or a qualified professional licenced in the Province of BC with relevant experience in Environmental Management and hydrogeology.

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cc) The Monitoring Environmental Consultant shall prepare and submit to the Islands Trust a monitoring report on adherence to the 'Environmental Management Plan' within one (1) year of the issuance of this permit, and that report shall include a completed checklist as shown on Schedule 'B', attached to and forming part of this Permit.

5. Pursuant to Section 502 of the Local Government Act, the Local Trust requires security to ensure that any damage to the natural environment resulting from the contravention of a condition of this permit is corrected:

a) Where the Local Trust Committee considers that a condition in the permit has been contravened resulting in damage to the natural environment, the Local Trust Committee may undertake and complete the works required to correct the damage to the natural environment, at the cost of the permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the permit holder.
b) Any interest earned on the security provided under Condition 5.c.i shall accrue to the permit holder and be paid to them immediately on return of the security or, on default, become part of the amount of the security.
c) The security provided by the permit holder shall be in the form of:
    i. An irrevocable letter of credit with a clause for automatic renewal, or cash equivalent;
    ii. Payable to the Islands Trust; And,
    iii. In the amount of $(*total insert amount*)
d) Where the use authorized by this permit has ceased; or a rezoning application has been received by the Islands Trust; or the permit has expired and the use on the land ceased prior to commencement of any work pursuant to this permit, the security shall be returned to the permit holder, minus any funds still required to satisfy the Condition 5.a of this permit, provided that the conditions have been met.

6. This permit is valid for one (1) year from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust, or apply for a renewal of this permit.

7. 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 for regulatory compliance and requirement to obtain other approvals necessary for the proposed uses with other authorities including the Provincial Ministry of Environment, Ministry of Transportation and Infrastructure, Capital Regional District, or Island Health.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS XX DAY OF MONTH, 201X.

_____
Deputy Secretary, Islands Trust

_____
Date Issued

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2018.5
SCHEDULE 'A'



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-TUP-2018.5

SCHEDULE 'B'

Checklist for Compliance with Environmental Management Plan (Islander Engineering, Oct. 2019)

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
ENVIRONMENTAL MGMT ACT		
- **Contaminated Sites Regulation**		
- **Fisheries Act**		
- **Waste Discharge Act**		
- **Spill Reporting Regulation**		
- **Hazardous Waste Regulation**		
- **Water Sustainability Act**		
ASSIGNMENT OF ROLES & RESPONSIBILITIES (p.5)		
- **Supervisor**		
- **Health, Safety & Environmental Representative**		
- **All Employees**		

5. WATER MANAGEMENT		
5.1.1 Wastewater Reduction (BMP):		
- Minimize the need for exterior truck washing by controlling dust losses from the batching area;		
- Train employees with regards to water use, ensuring that they understand the importance of controls and the possible impact to the environment and company liability;		
- Limit or eliminate freshwater use by recycling processed water and using captured storm water runoff wherever possible; Reduce total water usage during drum washout by using multiple small rinses, rather than large volume single rinses;		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Consider the use of hydration stabilization admixtures;		
- Consider dry washout procedures;		
5.1.2 Water Collection/Containment (p.9)		
- All paved surfaces within the batching area should be curbed and graded to allow for effective capture and collection of wastewater;		
- Any surface water not related to concrete production should be directed away from wastewater collection areas;		
- Equipment and vehicular traffic should be minimized through batching area where wastewater may be present;		
- Sufficient capacity must be provided for wastewater holding tanks / basins;		
- Wastewater holding tanks / basin shall be impermeable;		
- Sufficient secondary containment (i.e., berms) shall be provided to capture any overflow from wastewater holding facilities.		
- Any breaches in containment facilities that cause release of wastewater to the environment shall be considered a spill incident and spill response measures, described in Section 6, shall be followed.		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
5.2. Storm Water Runoff		
5.2.2 BMP:		
- Encourage surface water to seep into the soil naturally;		
- Preserve natural vegetation where possible;		
- If possible, retain woody debris and organic matter on-site as mulch;		
- Roughen or terrace slopes to prevent erosion. Limit slope steepness and length to reduce runoff velocity;		
- Cover soil stockpiles and bare slopes with mulch, tarps, etc;		
- Re-vegetate or landscape disturbed areas of the Site as soon as possible. If areas of the Site must be left disturbed during the rainy seasons, sow a temporary cover crop,		
- apply mulch or lay geotextile to stabilize exposed soils;		
- Keep machinery within specific access areas. Limit the extent of machine access areas to the minimum necessary to conduct operations in a feasible and practical manner;		
- Control disposal or runoff of water containing suspended materials or other harmful substances in accordance with federal, provincial and municipal requirements;		
- If it is not possible to isolate and divert flowing water from a work area (due to water depth and volume) isolate works with a structure (e.g., silt curtain, sand bags, earthen berm, etc.) to keep silty water from leaving the Site;		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Avoid clearing vegetation from work zones during snowmelt or heavy rains;		
- Isolate work / excavation areas from all flowing water;		
- Inspect all silt fences and other controls (i.e., catch basin inserts, stop logs) on a daily basis prior to the start of work and correct deficiencies immediately. Pay special attention in areas where construction activities have changed natural contours or drainage patterns to ensure that controls are properly located for effectiveness		
5.3 Water Treatment		
- Protocol in place for overflow incidents		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
6. CHEMICAL AND PETROLEUM HYDROCARBON MANGEMENT		
6.2 Storage and Handling		
- Concrete additives are currently stored within manufacturer containers within a covered, plastic sheet-lined secondary containment structure at the top of the batch plant.		
- Mechanical fluids (oils / waste oils) are stored within a transportation seacan with a welded lip at the entrance, which provides secondary containment to small jugs of hydraulic fluid within. Waste oil is stored within an above ground storage tank within a separate plastic sheet-lined cell within the seacan.		
- Fuel is stored within fuel tanks and tidy tanks aboard various vehicles and equipment throughout the Site. There is no bulk fuel storage on Site		
Best Management Practices		
- Locate storage facilities away from high traffic areas, with reasonable protection from vehicle / equipment damage;		
- Provide storage areas with a means (i.e., lock and key) to control access to the materials so that only authorized (e.g., trained) personnel may remove and use the materials;		
- Ensure tanks are corrosion-resistant and stable / anchored securely on a flat surface;		
- If possible, store drums and pails of related products in same area;		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Ensure all materials are properly labelled and remain in original containers with lid intact for as long as reasonable for Site operations;		
- Protect liquids from freezing, where applicable;		
- Provide minimum 120% secondary containment for all volumes of liquid stored;		
- Provide with a means of segregating combustible and flammable materials from oxidizing agents and other sources of ignition (i.e., away from sparks and/or with physically separated storage areas)		
- Provide with a means of preventing water reactive and pyrophoric materials from coming in contact with accumulated water (i.e., roofed enclosures)		
- Provide emergency spill its/supplies within the storage area, including fire extinguishers, non-sparking shovels, sand bags, etc.		
6.3 Disposal		
- Source reduction procedure in place		
- Returns procedure in place		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
7. SPILL RESPONSE AND PREVENTION		
7.1 Spill Response		
- Spill Response Steps reviewed by all staff (pp. 14 -16)		
- Spill Response Steps posted in appropriate areas		
7.2 Spill Response Equipment		
- Standard Spill Kit		
- Vehicle Spill Kit		
7.3 Spill Prevention (BMP)		
- Equipment is to be inspected daily to ensure that it is leak-free and functioning as intended. All fuel/oil caps will be manually checked to ensure that they are tightened down. Equipment will be tagged out of service if found to be leaking. Servicing of equipment thatis absolutely necessary on-site is to be done within containment areas (i.e., bermed or otherwise isolated) or at an appropriate work yard operated by the contractor or his supplier;		
- Equipment or machinery found to be leaking will have containment trays/buckets placed under drips/leaks that cannot be stopped (e.g., cannot be drained into an appropriate container), will have absorbent pads wrapped around leaky connections or placed under areas where a tray or bucket cannot be fitted, etc.). The person identifying the malfunction or accidental leak will notify the foreman or site supervisor, who will arrange repairs or transport off-site, and/or mechanic, if on site.		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- All workers/operators will be responsible for cleaning up observed leaks and/or wiping down equipment, even if the leak or spill is non-reportable.		
- Grease and oil required for maintenance will be properly applied. Excess will be cleaned up and disposed of in an environmentally appropriate manner, as will all containers, lids, and contaminated cloths and applicators.		
- During fuelling of larger compressors, light plants, etc., a portable drip tray lined with absorbent pads will be placed under the fuel tube and cap area. Absorbent pads will be used to wipe off any drips on the fuel spigot or side of equipment.		
- Jerry cans will be stored within a sealed tool box tray with lid or other suitable storage locker with ventilation, and placed in a containment tray when outside of the storage container.		
- When heavy machinery is not in use (i.e., overnight, weekends, or idle for the day), a portable drip tray will be placed under the main engine compartment.		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Fire extinguishers and other emergency response equipment and supplies will be kept in known and visible locations and access to them will not be blocked by other materials or equipment. A list of emergency contacts will be posted at predetermined, accessible and visible locations, as well as kept with the emergency response equipment. By law, fire extinguishers are routinely inspected and certified, as is other fire-suppressant equipment and materials.		
- Waste oil or materials will be removed from site as soon as possible in accordance with Transportation of Dangerous Goods requirements and the BC Special Waste Regulations.		
- The Emergency Spill Response Plan will be implemented when required.		
- The Emergency Spill Response Plan will be posted on-site, and all personnel made aware of its content and location of response materials, as well as emergency contact names and numbers.		
- Oil spill response materials and equipment, such as absorbent pads, booms and leak proof containers, will be kept on-site in sufficient quantities and in an easily accessible location to contain and clean up the amount of fuel, oil or other petroleum hydrocarbons used/stored on site.		

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CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
8. MONITORING AND REPORTING		
8.1 Environmental Consultant		
- Scheduled Follow-Up Monitoring (Wet Season)		
- Annual Monitoring		
8.2 Gulf Excavating Ltd.		
- Procedure for weekly Site Inspection including completion of 'Environmental Monitoring Checklist/Report' with each inspection.		

Additional Comments:		

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-TUP-2018.5

SCHEDULE 'C'

(Insert Planting List)

DRAFT

NP-TUP-2018.5 (Grimmer) – Checklist for Compliance with Environmental Management Plan (Islander Engineering, October 2019)

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
ENVIRONMENTAL MGMT ACT		
- Contaminated Sites Regulation	N/A	
- Fisheries Act	N/A	
- Waste Discharge Act	✓	
- Spill Reporting Regulation		
- Hazardous Waste Regulation	✓	
- Water Sustainability Act	N/A	
ASSIGNMENT OF ROLES & RESPONSIBILITIES (p.5)		
- Supervisor		
- Health, Safety & Environmental Representative		
- All Employees		

5. WATER MANAGEMENT		
5.1.1 Wastewater Reduction (BMP):		
- Minimize the need for exterior truck washing by controlling dust losses from the batching area;	✓	
- Train employees with regards to water use, ensuring that they understand the importance of controls and the possible impact to the environment and company liability;	✓	
- Limit or eliminate freshwater use by recycling processed water and using captured storm water runoff wherever possible; Reduce total water usage during drum washout by using multiple small rinses, rather than large volume single rinses;	✓	
- Consider the use of hydration stabilization admixtures;	✓	
- Consider dry washout procedures;	✓	

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
5.1.2 Water Collection/Containment (p.9)		
- All paved surfaces within the batching area should be curbed and graded to allow for effective capture and collection of wastewater;	✓	
- Any surface water not related to concrete production should be directed away from wastewater collection areas;	✓	
- Equipment and vehicular traffic should be minimized through batching area where wastewater may be present;	✓	
- Sufficient capacity must be provided for wastewater holding tanks / basins;	✓	
- Wastewater holding tanks / basin shall be impermeable;	✓	
- Sufficient secondary containment (i.e., berms) shall be provided to capture any overflow from wastewater holding facilities.	✓	
- Any breaches in containment facilities that cause release of wastewater to the environment shall be considered a spill incident and spill response measures, described in Section 6, shall be followed.	✓	

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
5.2. Storm Water Runoff		
5.2.2 BMP:		
- Encourage surface water to seep into the soil naturally;	✓	
- Preserve natural vegetation where possible;	✓	
- If possible, retain woody debris and organic matter on-site as mulch;	✓	
- Roughen or terrace slopes to prevent erosion. Limit slope steepness and length to reduce runoff velocity;	✓	
- Cover soil stockpiles and bare slopes with mulch, tarps, etc;	✓	
- Re-vegetate or landscape disturbed areas of the Site as soon as possible. If areas of the Site must be left disturbed during the rainy seasons, sow a temporary cover crop,	✓	
- apply mulch or lay geotextile to stabilize exposed soils;	✓	
- Keep machinery within specific access areas. Limit the extent of machine access areas to the minimum necessary to conduct operations in a feasible and practical manner;	✓	
- Control disposal or runoff of water containing suspended materials or other harmful substances in accordance with federal, provincial and municipal requirements;	✓	
- If it is not possible to isolate and divert flowing water from a work area (due to water depth and volume) isolate works with a structure (e.g., silt curtain, sand bags, earthen berm, etc.) to keep silty water from leaving the Site;	✓	

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Avoid clearing vegetation from work zones during snowmelt or heavy rains;	✓	
- Isolate work / excavation areas from all flowing water;	✓	
- Inspect all silt fences and other controls (i.e., catch basin inserts, stop logs) on a daily basis prior to the start of work and correct deficiencies immediately. Pay special attention in areas where construction activities have changed natural contours or drainage patterns to ensure that controls are properly located for effectiveness	✓	
5.3 Water Treatment		
- Protocol in place for overflow incidents	✓	

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
6. CHEMICAL AND PETROLEUM HYDROCARBON MANGEMENT		
6.2 Storage and Handling		
- Concrete additives are currently stored within manufacturer containers within a covered, plastic sheet-lined secondary containment structure at the top of the batch plant.	✓	
- Mechanical fluids (oils / waste oils) are stored within a transportation seacan with a welded lip at the entrance, which provides secondary containment to small jugs of hydraulic fluid within. Waste oil is stored within an above ground storage tank within a separate plastic sheet-lined cell within the seacan.	✓	
- Fuel is stored within fuel tanks and tidy tanks aboard various vehicles and equipment throughout the Site. There is no bulk fuel storage on Site	✓	
Best Management Practices		
- Locate storage facilities away from high traffic areas, with reasonable protection from vehicle / equipment damage;	✓	
- Provide storage areas with a means (i.e., lock and key) to control access to the materials so that only authorized (e.g., trained) personnel may remove and use the materials;	✓	
- Ensure tanks are corrosion-resistant and stable / anchored securely on a flat surface;	✓	
- If possible, store drums and pails of related products in same area;	✓	

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Ensure all materials are properly labelled and remain in original containers with lid intact for as long as reasonable for Site operations;	✓	
- Protect liquids from freezing, where applicable;	✓	
- Provide minimum 120% secondary containment for all volumes of liquid stored;	✓	
- Provide with a means of segregating combustible and flammable materials from oxidizing agents and other sources of ignition (i.e., away from sparks and/or with physically separated storage areas)	✓	
- Provide with a means of preventing water reactive and pyrophoric materials from coming in contact with accumulated water (i.e., roofed enclosures)	N/A	
- Provide emergency spill its/supplies within the storage area, including fire extinguishers, non-sparking shovels, sand bags, etc.	✓	
6.3 Disposal		
- Source reduction procedure in place	✓	
- Returns procedure in place	✓	

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
7. SPILL RESPONSE AND PREVENTION		
7.1 Spill Response		
- Spill Response Steps reviewed by all staff (pp. 14 -16)	✓	
- Spill Response Steps posted in appropriate areas		2020
7.2 Spill Response Equipment	✓	
- Standard Spill Kit		
- Vehicle Spill Kit		NOT IN ALL 2020
7.3 Spill Prevention (BMP)		
- Equipment is to be inspected daily to ensure that it is leak-free and functioning as intended. All fuel/oil caps will be manually checked to ensure that they are tightened down. Equipment will be tagged out of service if found to be leaking. Servicing of equipment thatis absolutely necessary on-site is to be done within containment areas (i.e., bermed or otherwise isolated) or at an appropriate work yard operated by the contractor or his supplier;	✓	
- Equipment or machinery found to be leaking will have containment trays/buckets placed under drips/leaks that cannot be stopped (e.g., cannot be drained into an appropriate container), will have absorbent pads wrapped around leaky connections or placed under areas where a tray or bucket cannot be fitted, etc.). The person identifying the malfunction or accidental leak will notify the foreman or site supervisor, who will arrange repairs or transport off-site, and/or mechanic, if on site.	✓	

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- All workers/operators will be responsible for cleaning up observed leaks and/or wiping down equipment, even if the leak or spill is non-reportable.	✓	
- Grease and oil required for maintenance will be properly applied. Excess will be cleaned up and disposed of in an environmentally appropriate manner, as will all containers, lids, and contaminated cloths and applicators.	✓	
- During fuelling of larger compressors, light plants, etc., a portable drip tray lined with absorbent pads will be placed under the fuel tube and cap area. Absorbent pads will be used to wipe off any drips on the fuel spigot or side of equipment.	✓	
- Jerry cans will be stored within a sealed tool box tray with lid or other suitable storage locker with ventilation, and placed in a containment tray when outside of the storage container.		2020
- When heavy machinery is not in use (i.e., overnight, weekends, or idle for the day), a portable drip tray will be placed under the main engine compartment.	N/A	

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
8. MONITORING AND REPORTING		
8.1 Environmental Consultant		
- Scheduled Follow-Up Monitoring (Wet Season)		2020
- Annual Monitoring		
8.2 Gulf Excavating Ltd.		
- Procedure for weekly Site Inspection including completion of 'Environmental Monitoring Checklist/Report' with each inspection.		2020.

Additional Comments:		

BYLAW REFERRAL FORM

Islands Trust

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: South Pender Island Local Trust Area **Bylaw No.:** 117 **Date:** November 6, 2019

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

N/A

PURPOSE OF BYLAW:

The purpose of the Bylaw is to amend the LUB to remove Short Term Vacation Rentals (STVRs) as a permitted use in all zones except commercial resort.

Professional reports and staff reports are available on the South Pender Island webpage: www.islandstrust.bc.ca/spender/stvr-project/

GENERAL LOCATION:

South Pender Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
N/A	N/A	N/A

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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

Narissa Chadwick
(Signature)

Name: Narissa Chadwick

Title: Island Planner
Contact Info Tel: 250-405-5189
Email: nchadwick@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Adjacent Local Trust Committees and Municipalities
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

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

☐ **Interests Unaffected by Bylaw**

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

South Pender Island Local Trust Area	117
(Island)	(Bylaw Number)
(Signature)	(Name and Title)
(Date)	(Agency)

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 117

****

A BYLAW TO AMEND SOUTH PENDER ISLAND LAND USE BYLAW No. 114, 2016

****

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

1. Citation

   This bylaw may be cited for all purposes as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019"

2. South Pender Island Local Trust Committee Bylaw No. 114, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019" is amended as follows:

   1. Section 5.1 (Rural Residential Zones) is amended under "Permitted Uses" by deleting "(1)(d) Short-term vacation rental of a dwelling;" and replaced with "*rescinded*"

   2. Section 5.1 (Rural Residential Zones) is amended under "Conditions of Use" by deleting "(8) Only one dwelling or cottage may be used for short-term vacation rental on a lot at the same time." and replaced with "*rescinded*"

   3. Section 5.5 (Agriculture (A)) is amended under "Permitted Uses" by deleting "(1)(d) Short-term vacation rental of a dwelling;" and replaced with "*rescinded*"

   4. Section 5.5 (Agriculture (A)) is amended under "Conditions of Use" by deleting "(10) Only one dwelling or cottage may be used for short-term vacation rental on a lot at the same time." and replaced with "*rescinded*"

   5. Section 5.6 (Forestry (F)) is amended under "Permitted Uses" by deleting "(1)(a) Short-term vacation rental of a dwelling;" and replaced with "*rescinded*"

   6. Section 5.6 (Forestry (F)) is amended under "Conditions of Use" by deleting "(8) Only one dwelling or cottage may be used for short-term vacation rental on a lot at the same time." and replaced with "*rescinded*"

   7. Section 5.7 Natural Resource (NR) under "Permitted Uses" by deleting "(1)(c) Short term vacation rental of a dwelling;" and replaced with "*rescinded*"

   8. Section 5.7 Natural Resource (NR) under "Conditions of Use" by deleting "(7) Only one dwelling or cottage may be used for short-term vacation rental on a lot at the same time" and replaced with "*rescinded*"

B. This Bylaw may be cited for all purposes as "South Pender Island Land Use Bylaw No. 117, 2019, Amendment No.1, 2019."

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

READ A FIRST TIME this	1st	day of	November	2019.
PUBLIC HEARING HELD this		day of		, 201_.
READ A SECOND TIME this		day of		, 201_.
READ A THIRD TIME this		day of		, 201___
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this		day of		, 201_.
ADOPTED this		day of		, 201_.

SECRETARY **CHAIR**

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area **Bylaw No.:** 519 **Date:** November 14, 2019

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

APPLICANTS NAME / ADDRESS:
P. Busby of Sobeys Inc. 4980 Tahoe Blvd., Mississauga, ON L4W 0C7 Canada

PURPOSE OF BYLAW:
To permit a Liquor Store (Thrifty Liquor).

GENERAL LOCATION:
127 Lower Ganges Road, Harbour Building, Ganges, Salt Spring Island

LEGAL DESCRIPTION:
Lot A, District Lots 541 AND 589, Cowichan District, Plan 43663

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
0.167 hectares (0.4127 acres)	Non-ALR	Ganges Village Core

OTHER INFORMATION:
Use has been operating since 2015 through a Temporary Use Permit, which will expire in February 2021. To review the staff report or for more information on application SS-RZ-2019.2, go to: http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/

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

(Signature)

Name: Claire Negrin, RPP, MCIP

Title: Island Planner

This referral has been sent to the following agencies:

First Nations
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation
Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only

Regional Agencies
CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Transportation Commission
Vancouver Island Health Authority

Non-Agency Referrals
BC Ambulance Service
RCMP
SSI Fire-Rescue
Island Pathways SSI – Partners Creating Pathways

Provincial Agencies
BC Assessment Authority
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural Development – Front Counter BC
Front Counter BC

Adjacent Local Trust Committees and Municipalities
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

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

☐ **Interests Unaffected by Bylaw**

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

Salt Spring Island Trust Area	519
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 519

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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

1. Citation

   This bylaw may be cited for all purposes as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2019."

2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "Salt Spring Island Land Use Bylaw, 1999," is amended as follows:

   2.1 By changing the zoning classification of Lot A, District Lots 541 and 589, Cowichan District, Plan 43663 from Commercial 1 (C1) to Commercial 1 (C1(g)), as shown on Plan No. 1, attached to and forming part of this bylaw, and by making such alterations to Schedule "A" to Bylaw No. 355 as are required to effect this change.

   2.2 This bylaw is further amended by making such consequential numbering alterations to effect all changes.

READ A FIRST TIME THIS 29TH DAY OF OCTOBER 2019

READ A SECOND TIME THIS _____ DAY OF _____ 20_____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20_____

READ A THIRD TIME THIS _____ DAY OF _____ 20_____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20_____

ADOPTED THIS _____ DAY OF _____ 20_____

_____ _____

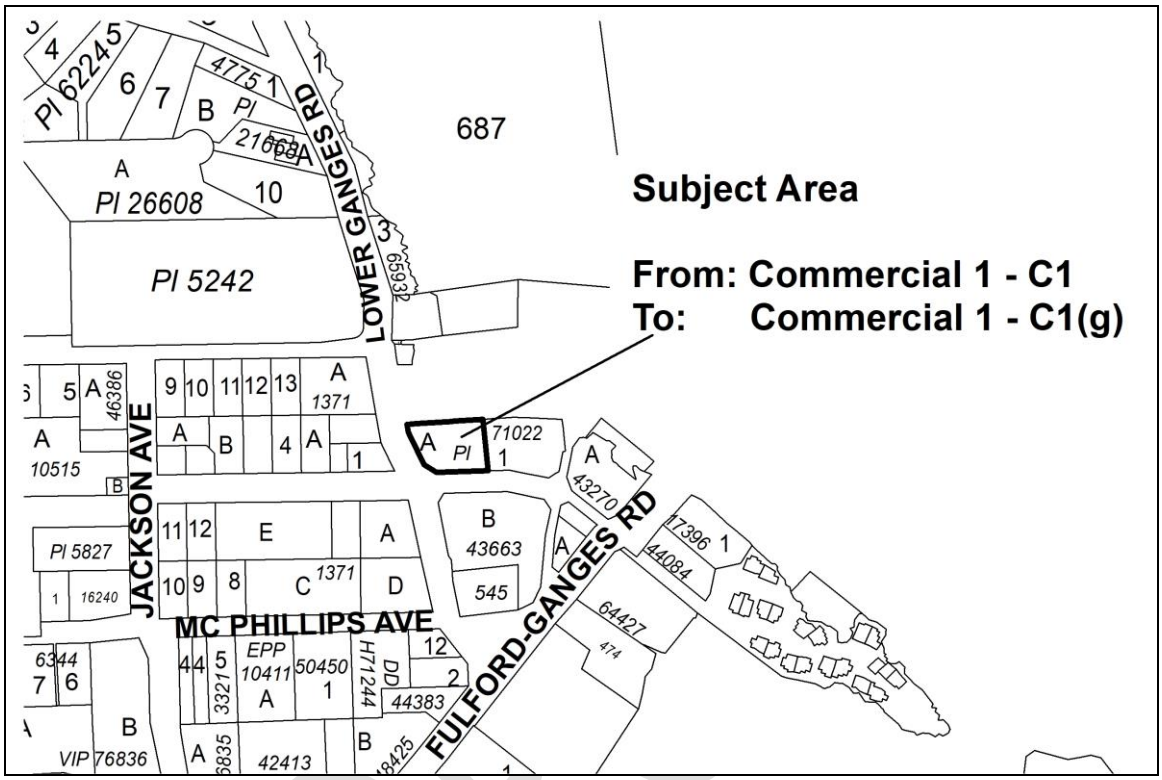
Chair **Secretary**

PROPOSED

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 519

Plan No. 1



PROPOSED

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area **Bylaw No.:** 520 **Date:** November 14, 2019

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

APPLICANTS NAME / ADDRESS:
Lightdance Design Inc. / 2199 North End Road, Salt Spring Island, BC

PURPOSE OF BYLAW:
To permit a private medical clinic and six (6) associated commercial guest accommodation units

GENERAL LOCATION:
377 Seymour Heights, Salt Spring Island, BC

LEGAL DESCRIPTION:
Lot 1, Section 79, South Salt Spring Island, Cowichan District, Plan 42461

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
28.6772 hectares (70.863 acres)	Non-ALR	Upland

OTHER INFORMATION:
The proposed clinic is a naturopathic cancer treatment clinic; guest accommodation units are only permitted as a secondary use to the clinic, and would not be permitted to operate without the establishment of a clinic. For the staff report and more information on application SS-RZ-2018.3, please go to: http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/

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

(Signature)

Name: Claire Negrin, RPP, MCIP

Title: Island Planner

This referral has been sent to the following agencies:

First Nations
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation
Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only

Regional Agencies
CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Transportation Commission
Vancouver Island Health Authority

Non-Agency Referrals
BC Ambulance Service
RCMP
SSI Fire-Rescue

Provincial Agencies
BC Assessment Authority
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural Development – Front Counter BC
Front Counter BC

Adjacent Local Trust Committees and Municipalities
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

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

☐ **Interests Unaffected by Bylaw**

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

Salt Spring Island Trust Area	520
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 520

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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

1. Citation

   This bylaw may be cited for all purposes as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2019."

2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "Salt Spring Island Land Use Bylaw, 1999," is amended as follows:

   2.1 By inserting the following as Article 9.10.4(29), after Article 9.10.4(28):

   "**Zone Variation – RU1(f):**

   (29) The following additional *uses* are permitted:
   (a) Medical Clinic not exceeding 150sq.m of *floor area*;
   (b) *Guest House* not exceeding six (6) *commercial guest accommodation units*, only where a Medical Clinic *use* is established."

   2.2 By changing the zoning classification of Lot 1, Section 79, South Salt Spring Island, Cowichan District, Plan 42461 from Rural Uplands 1 (RU1) to Rural Uplands 1 (RU1(f)), as shown on Plan No. 1, attached to and forming part of this bylaw, and by making such alterations to Schedule "A" to Bylaw No. 355 as are required to effect this change.

   2.3 This bylaw is further amended by making such consequential numbering alterations to effect all changes.

PROPOSED

PROPOSED

READ A FIRST TIME THIS	29TH	DAY OF	OCTOBER	2019
READ A SECOND TIME THIS	_____	DAY OF	_____	20_____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20_____
READ A THIRD TIME THIS	_____	DAY OF	_____	20_____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

	_____	DAY OF	_____	20_____
ADOPTED THIS	_____	DAY OF	_____	20_____

_____ _____

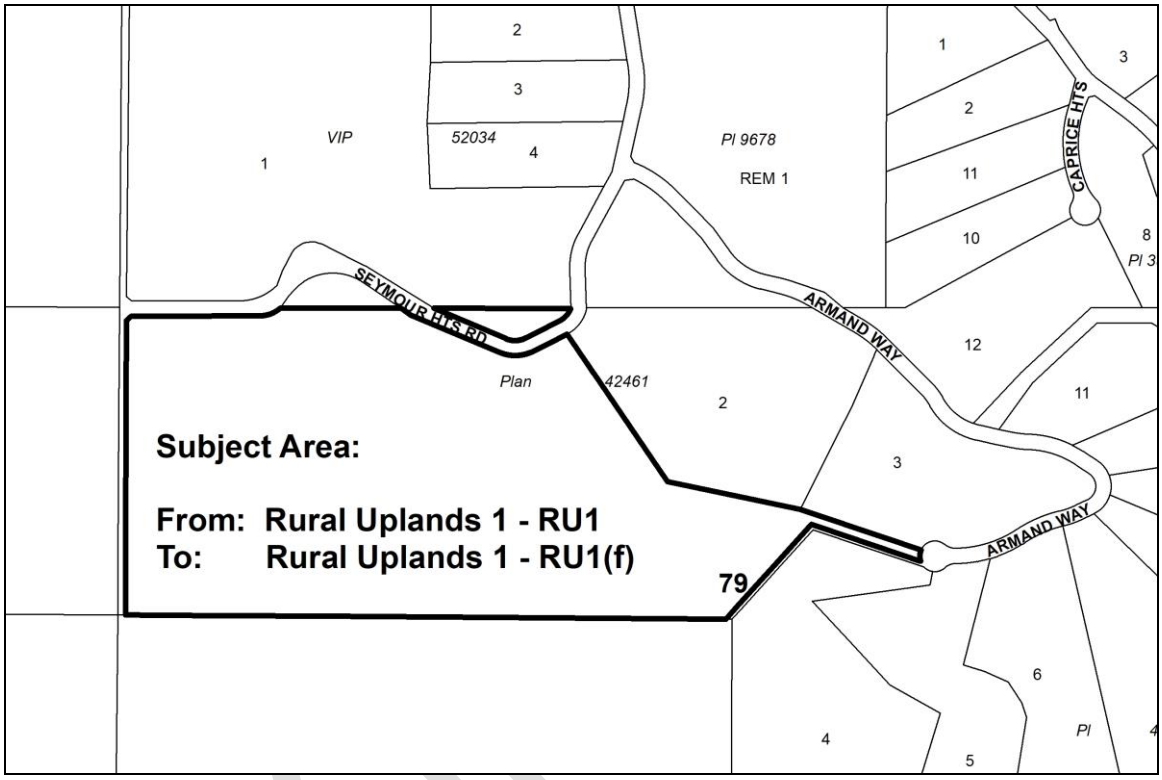
Chair **Secretary**

PROPOSED

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 520

Plan No. 1



PROPOSED

Islands Trust

Print Date: November 21, 2019

Top Priorities Report

North Pender Island

1. *STVR review*	Responsible	Dates
to review the policies, regulations and impacts of STVRs - Project charter to developed following referral response from APC	Narrisa Chadwick	Rec'd: 05-Sep-2019

2. *Climate Change Adaptation, Mitigation and Resilience*	Responsible	Dates
Phase 1: Groundwater Sustainability Project (2019-2020) Phase 2: Sea level rise adaptation (2020-21)	William Shulba	Rec'd: 29-Nov-2018 Target: 31-Mar-2020

3. *LUB Review*	Responsible	Dates
To consider potential LUB amendments to implement OCP policies, and to make technical amendments	Robert Kojima	Rec'd: 07-Nov-2019 Target: 01-Jan-2022

Islands Trust

Print Date: November 21, 2019

Projects Report

North Pender Island

1. *Climate Change Adaptation and Community Resilience*	Responsible	Date Received
Review available baseline data and consider policy and regulatory land use changes to address climate change adaption and community resilience		22-Jan-2009

2. *Official Community Plan Reviews*	Responsible	Date Received
·View corridor review ·Parks and Conservation area review ·Include advocacy policies for ultra vires regulations removed from the LUB (commercial airstrips, private marinas, use of personal watercraft) ·Marine riparian areas ·Regulations to address roadside sign placement. ·Designate locations for Level 2 Charging Stations ·Designate locations for additional Car Stop Locations ·Designate locations for additional Bicycling-Walking Routes ·Review of heritage Roads		22-Jan-2009

3. *Agricultural Buildling Watercourse Setbacks*	Responsible	Date Received
Implement Ministry of Agricultural Standards for Building Setbacks from Watercourses in Farming Areas.ï»¿ï»¿		28-Jul-2011

4. *Geological Hazard Mapping*	Responsible	Date Received
Continue work on proposed DPA for Hazardous Areas		22-Feb-2012

Projects Report

North Pender Island

5. *Shoreline Project Implementation*	Responsible	Date Received
Investigate incorporating shoreline information and classification into new Gulf Islands app and using QR code for smart phones		

6. *Conservation Subdivisions*	Responsible	Date Received
Continue 2013-2014 work to reduce environmental impacts of subdivision through conservation subdivisions regulations. Consult with community on recommendations for LUB and OCP amendments drafted in 2014.		03-Feb-2015

7. *Freshwater sustainability*	Responsible	Date Received
Implement Official Community Plan policies on potable water and groundwater resources, especially policies in OCP 4.1.1.ï»¿		29-Oct-2015

8. *Coastal Douglas Fir Ecosystem*	Responsible	Date Received
Consider implementation of toolkit		01-Feb-2019

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2018.5	PICSS c/o HARDAL MANAGEMENT INC	23-May-2018	DP for new building for store operated by Pender Island Community Services Society.

Planner: Phil Testemale

Planning Status

Status Date: 19-Nov-2018

File on hold awaiting building and landscaping plans from applicant. x- ref to NP-RZ-2016.4 and NP-SUB-2017.3

Status Date: 06-Jun-2018

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

Status Date: 04-Jun-2018

Received from Applicant cheque for application fee by post mail.

File Number	Applicant Name	Date Received	Purpose
NP-DP-2019.2	Gill, David	02-Oct-2019	development permit for a protection area

Planner: Narrisa Chadwick

Planning Status

Status Date: 20-Nov-2019

Waiting for biologist's report.

Status Date: 08-Oct-2019

PTA gave file to Planner

Status Date: 04-Oct-2019

PTA received e-transfer fee confirmation, LTC notified, Planner to be decided

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2018.3	TIM HALL PENDER ISLAND PARKS & RECREATION COMMISSION	05-Jul-2018	Application for rezoning of portion of Danny Martin Park from 'Community Service' to 'Community Park'

Planner: Phil Testemale

Planning Status

Status Date: 23-Oct-2019

E-mail to Justine Starke, CRD requesting update and advice on proceeding

Status Date: 22-May-2019

Staff have contacted CRD. Parks Plan review to be initiated with unspecified timeline.

Status Date: 16-Apr-2019

Biologist's report rec'd on Danny Martin Creek. Staff will contact CRD to advance planning process for parks plan.

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2019.3	Henshaw, Ron	07-Aug-2019	To bring existing uses into compliance.

Planner: Phil Testemale

Planning Status

Status Date: 23-Oct-2019

Reviewing application and professional reports. November 28, 2019 agenda for preliminary report

Status Date: 12-Aug-2019

PTA created file, fees received, LTC notified, forwarded to Planner

Applications

Subdivision

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

Planner: Phil Testemale

Planning Status

Status Date: 13-Sep-2019

PLA Extension request rec'd. Reply with no objections.

Status Date: 17-May-2019

strata access route layout and standards approved by MoTI and PAO

Status Date: 09-May-2019

Meeting with applicant - update on progress of application

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

Planner: Phil Testemale

Planning Status

Status Date: 27-Jun-2019

Conditions on PLA outstanding (particularly removal of illegal dwelling)

Status Date: 09-Jan-2018

Awaiting Ministerial signature

Status Date: 19-Jul-2017

Bylaws approved by EC

Applications

Subdivision

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

Planner: Phil Testemale

Planning Status

Status Date: 26-Sep-2019

Applicant advised of regulatory requirements, professional hydrologist certification

Status Date: 27-Jun-2019

Terms of Reference for water requirement by SFS forwarded to PICSS. Awaiting decision by PICSS on application for variance or provision of req 'd hydrogeologist's report.

Status Date: 20-Feb-2019

Applicants have supplied well licensing information update. Coordinate with Senior Freshwater Specialist on terms of reference and variances for water approval.

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
NP-TUP-2018.5	AARON GRIMMER	26-Jul-2018	Application for aggregate storage, concrete batch plant, trucks and equipment, etc.

Planner: Phil Testemale

Planning Status

Status Date: 23-Oct-2019

Memo on Nov 7, 2019 agenda for update, next steps.

Status Date: 03-Oct-2019

EMP received. Checklist sent Oct 17, 2019

Status Date: 26-Jul-2019

E-mail sent to applicant re: Letter of Assurance. August 26, 2019 deadline. Monitoring set up.

Applications

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
NP-TUP-2019.4	Burdett, Mike & Anne	05-Oct-2019	TUP Renewal application

Planner: Phil Testemale

Planning Status

Status Date: 23-Oct-2019

November 28 agenda for consideration of issuance

Status Date: 22-Oct-2019

PTA updated physical file with signed application. Planner to be assigned.

Status Date: 11-Oct-2019

PTA received fees

File Number	Applicant Name	Date Received	Purpose
NP-TUP-2019.6	Janssens, Natalie	21-Oct-2019	TUP Application for an STVR

Planner: Phil Testemale

Planning Status

Status Date: 19-Nov-2019

Application withdrawn upon request from applicant. Based on neighbour objections. LTC informed

Status Date: 25-Oct-2019

Applicant requested via email to have only Natalia Janssens as the applicant.

Status Date: 24-Oct-2019

Application complete, PTA received fees, LTC notified

Updated: July 04, 2019

North Pender Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	January 27, 2005	NP-LTC-05-05	Advisory Planning Commission Appointments	The LTC will appoint Advisory Planning Commission members as representative of various local areas on North Pender and/or representative of various community organizations
2.	May 25, 2006	NP-LTC-80-06	Communications Policy	Policy Number NP-LTC-01-06 (Communications Policy) establishes guidance for the preparation and dissemination of routine non-statutory notices, extraordinary notices and trustee newsletters.
3.	August 30, 2007	NP-LTC-146-07	Special Occasion License Policy	THAT where a Liquor Control and Licensing Branch Special Occasion License referral relates to property on which North Pender Island Land Use Bylaw No. 103 permits public assembly uses, such as restaurants, community halls or church halls, and there are no issues related to parking or past complaints, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
4.	April 28, 2011	NP-LTC-50-11	Adopting In Camera Minutes	It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff that they will adopt In Camera minutes when there are other reasons to close a meeting to the public.
5.	September 10, 2015	NP-LTC-63-15	Enforcement Policy - storage and disposal of waste and vehicles	THAT North Pender Island Local Trust Committee directs bylaw enforcement officers to commence bylaw investigations and enforcement without written complaint if bylaw violations related to disposal or storage of waste or recyclable materials or storage of vehicles or vehicle parts are observed by the bylaw enforcement officer while doing inspections for other issues or if it is reliably reported to the officer that such activity may be taking place.

6.	September 6, 2018	NP-LTC-2018-70	Processing of non-medical cannabis retail license applications	• Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the local trust committee after initial review of the proposal. • However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: o Name of the applicant and a description of the proposal in general terms o The location of the proposed establishment and the subject site o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application o How public comments may be submitted to the local trust committee.
7.	February 28, 2019	NP-2019-030	APC appointments	Prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners
8.	May 30, 2019	NP-2019-061	STVR TUPs	That staff refer STVR TUPs in Magic Lake [sewer area] to the Magic Lake Sewer and Water Committee to confirm infrastructure capacity

9.	July 4, 2019	NP-2019-072	First Nations Reconciliation	That the North Pender Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
10.	July 4, 2019	NP-2019-074	Antenna Strategy	THAT the NPILTC adopt the "Model Strategy for Antenna Systems" as the tool for review and consideration of proposals.

ISLANDS TRUST CONSERVANCY
Protecting Canada's Islands in the Salish Sea

Islands Trust Conservancy Report
to Local Trust Committees
and Bowen Island Municipality
October 2019

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work the Islands Trust Conservancy (ITC). The ITC continues to work towards four long-term goals and 25 objectives that further conservation in the entire Trust Area. For more information, visit www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

- The ITC Board held a special meeting to discuss the Climate Change Emergency and forwarded it recommendations to Trust Council.

Goal 2 – Strong relationships with First Nations

- The ITC Board adopted a reconciliation declaration at its July meeting and wrote to First Nations to share the Reconciliation Declaration which is available at www.islandstrustconservancy.ca/about-us/first-nations-and-reconciliation.

Goal 3 – Protection of core conservation areas

Property Management

- The ITC has completed management plans three Nature Reserves (Thetis and Gambier) and is working on the completion of five more (Denman, Gambier, Lasqueti and Thetis).
- Property monitoring for all conservation covenants (including NAPTEP – Natural Area Protection Tax Exemption Program covenants) and nature reserves was completed.

Land Acquisition and Covenants

- The ITC successfully completed the transfer of the Salish View Nature Reserve on Lasqueti Island in partnership with the Lasqueti Island Nature Conservancy. See http://www.islandstrustconservancy.ca/protected-places/places-protected-in-the-islands/all/lasqueti-island/salish-view-nature-reserve/ for more information.

Goal 4 – A strong voice for nature conservation

- The ITC Board gave final reading to Bylaw No. 2, the "Islands Trust Conservancy Meeting Procedures Bylaw, 2019." The new bylaw reflects the ITC name change, allows for the election of a Vice Chair and adds reference to committee meetings. The Board also amended Policy 1.2 Islands Trust Conservancy Board and Committee Elections.
- The ITC Board elected Sue-Ellen Fast to serve as Vice-Chair for the ITC Board.
- The ITC Board approved the Audited Financial Statements for the 2018-2019 fiscal year at its July meeting. See www.islandstrustconservancy.ca/about-us/our-financials.
- The ITC Board and the Islands Trust Executive Committee met in July to discuss items of mutual interest

Activities by Local Trust Area/Island Municipality

Ballenas-Winchelsea
Property monitoring on South Winchelsea Island has been completed for 2019.

Bowen
Property monitoring on Bowen has been completed for 2019.

Denman
Management planning for three nature reserves, including the Inner Island, Lindsay Dickson and Valens Brook Nature Reserves, is under way and an open house for community feedback was held in September. Property monitoring on Denman has been completed for 2019. Invasive species management activities continue at Inner Island, Lindsay Dickson, and Morrison Marsh nature reserves.

Gabriola
Expansion of the boardwalk over wet areas and exposed roots on the west side of the loop trail in Elder Cedar Nature Reserve has been completed and construction of a 93-ft boardwalk across a seasonally flooded section of trail in the northeast corner is planned for 2019. Property monitoring on Gabriola has been completed for 2019.

The ITC hosted a celebration event for the Swift Family Link Island NAPTEP Covenant at the Islands Trust Victoria Office. The event was attended by Islands Trust staff and ITC Board members and trustees and other staff were invited to attend remotely by GoTo Meeting.

Galiano
Trail maintenance is being planned for Vanilla Leaf Land Nature Reserve in partnership with the Galiano Conservancy Association. Invasive species removal and annual cormorant nest monitoring are being planned for Trincomali Nature Sanctuary in partnership with the Habitat Acquisition Trust. Property monitoring on Galiano has been completed for 2019.

Gambier
Management plans for Brigade Bay Bluffs and Long Bay Wetland nature reserves has been completed and the Management Plan for the Mount Artaban Nature Reserve is nearing completion. Completed management plans are available on the ITC website at http://www.islandstrustconservancy.ca/protected-places/places-protected-in-the-islands/full-list/. ITC is concurrently working on a parallel management planning process for areas of cultural heritage and sacred significance within its nature reserves.

Property monitoring on Gambier has been completed for 2019.

Hornby
Property monitoring on Hornby has been completed for 2019.

Lasqueti
The ITC and the Lasqueti Island Nature Conservancy (LINC) completed the campaign for the Salish View Nature Reserve and the land has been transferred to the ITC. The ITC held a celebration event in July and an open house to inform management planning. Management planning continues and is anticipated to complete in early 2020.

Property monitoring on Lasqueti has been completed for 2019.

North Pender
Property monitoring on North Pender has been completed for 2019.

Salt Spring
The ITC Board considered and approved a conservation proposal for 200 Collins Road. ITC staff are working with the applicant to develop a conservation covenant for the property and will return to the ITC Board for final approval once the covenant language is finalized. Development of management plans for the Lower Mt. Erskine and Deep Ridge nature reserves is underway and public consultation will begin soon. ITC staff also participated in recent meeting for the Mount Tuam Special Management Area Resource Team.

Property monitoring on Salt Spring has been completed for 2019.

Saturna
Property monitoring on Saturna has been completed for 2019.

South Pender
Property monitoring on South Pender has been completed for 2019.

Thetis
Trail building on the Fairyslipper Forest Nature Reserve has begun and will continue into the new year. Property monitoring on Thetis has been completed for 2019.

Please feel free to contact the Islands Trust Conservancy for more details.
Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca

From: Narissa Chadwick
Sent: Thursday, November 21, 2019 8:46 AM
To: Benjamin McConchie <bemcconchie@islandstrust.bc.ca>; Laura Patrick <lpatrick@islandstrust.bc.ca>; Deb Morrison <dmorrison@islandstrust.bc.ca>
Subject: Letters Regarding Bike Lanes on NP

Hello North Pender LTC,

I am writing you regarding the motion that was passed at the November 7th LTC meeting to task staff to write a letter to the Member of the Legislative Assembly, Adam Olsen, and to the Minister of Transportation in support or encouraging bike lanes on North Pender Island.

After being tasked with writing the letter I have spoken to Ben to get clarification. I have done research into work that has been done by previous NP LTCs and Moving Around Pender (MAP) to support biking and pedestrian infrastructure on North Pender, examined provincial interests related to active transportation and tourism on the Gulf Islands as well as explored the CRD's interests and where North Pender fits into their Regional Trail Network. I have spoken with Justine Starke (Manager Southern Gulf Islands Service Delivery) and Dan Ovington (Parks Manager CRD). I have also had some discussions internally. As a result I am recommending a slight change in the original task in order to encourage a response from the Minister of MoTI and the CRD.

My recommendation is as follows:

- **A letter directed to the Minister of Transportation cc'd to Adam Olson.** In a speech to the Legislative Assembly in May of this year MLA Olsen identified very clearly that he wanted MoTI to address safety issues on the Islands. The letter will be designed to encourage a response from MoTI regarding needed action.
- **A letter directly to the CRD Board cc'd to the Electoral Area Director** . Justine indicated that the CRD Board focus tends to be on the municipalities and that it would be worthwhile turning their minds to the interests of the Southern Gulf Islands Electoral Area residents.

The process would be as follows:

- I will draft letters and send the draft to each of you individually for your comments.
- I will update drafts as directed.
- As these are advocacy letters Clare Frater will be cc'd on drafts and may provide some input.
- Once final letters are agreed on the letters will be signed by the Chair (Laura) and sent out.

If you are interested in discussing this task at the upcoming LTC meeting please let me know ASAP so that we can put it on the agenda. If not I will move forward with my proposed recommendation.

Thank-you,
Narissa

Narissa Chadwick
Island Planner, Southern Team
Islands Trust
200-1627 Fort Street
Phone: 250-405-5189
Enquiry BC Toll-free call 1-800-663-7867
Or from the lower mainland 1-604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustconservancy.ca
Preserving Island communities, culture and environment since 1974


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