



North Pender Island Local Trust Committee Regular Meeting Agenda

Date: July 4, 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.	TOWN HALL AND QUESTIONS	10:00 AM - 10:20 AM	
4.	COMMUNITY INFORMATION MEETING		
	none		
5.	PUBLIC HEARING		
	none		
6.	MINUTES		
6.1	Local Trust Committee Minutes Dated May 30, 2019 (for Adoption)	10:20 AM - 10:30 AM	4 - 17
6.2	Section 26 Resolutions-without-meeting Report		
	none		
6.3	Advisory Planning Commission Minutes		
	none		
7.	BUSINESS ARISING FROM THE MINUTES	10:30 AM - 10:40 AM	
7.1	Follow-up Action List Dated June 2019		18 - 21
8.	DELEGATIONS		
	none		

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10:40 AM - 10:45 AM

10.1 Saturna Island Local Trust Committee Bylaw 127 Referral (attached)

22 - 24

For Response

11. LOCAL TRUST COMMITTEE PROJECTS

10:45 AM - 11:30 AM

11.1 Waste Transfer - Staff Report (attached)

25 - 48

11.2 DPA Education Contact Draft Mailout - Staff Report (attached)

49 - 54

12. REPORTS

11:30 AM - 11:50 AM

12.1 Work Program Report (attached)

12.1.1 Top Priorities Report Dated June 2019

55 - 55

12.1.2 Projects List Report Dated June 2019

56 - 58

12.2 Applications Report Dated June 2019 (attached)

59 - 64

12.3 Trustee and Local Expense Report

none

12.4 Adopted Policies and Standing Resolutions (attached)

65 - 66

12.5 Local Trust Committee Webpage

12.6 Trustee Report

12.7 Chair's Report

12.8 Islands Trust Conservancy Report Dated May 2019

67 - 70

13. NEW BUSINESS

11:50 AM - 12:10 PM

13.1 Meeting Procedure Amendment Bylaw No. 221 (for further consideration)

71 - 75

13.2 Standing Resolution - Reconciliation Report (attached)

76 - 78

13.3 Model Cell Tower Strategy - Staff Briefing (attached)

79 - 80

Hyperlink to Model Strategy found at end the document

14. UPCOMING MEETINGS

14.1 **Next Regular Meeting Scheduled for July 25, 2019, at the Community Hall, Pender Island**

15. TOWN HALL 12:10 PM - 12:20 PM

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

16.1 Motion To Close Meeting

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

- *Adoption of In-Camera minutes dated May 30, 2019*
- *Appointment of BOV Members*

AND that the recorder and staff attend the meeting.

16.2 Recall To Order

16.3 Rise and Report

17. ADJOURNMENT 12:30 PM - 12:30 PM



DRAFT

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

North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: May 30, 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
Miles Drew, Bylaw Compliance and Enforcement Officer
Warren Dingman, Bylaw Enforcement Officer (in audience)
Clare Frater, Director (via telephone)
Maple Hung, Recorder / Planning Team Assistant

Public: There were approximately (14) members of the public.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:02 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Chair Patrick mentioned the meeting is being live streamed. She introduces herself, the Islands Trust staff and reminds everyone this place is an official meeting forum; there will be opportunities to speak.

2. APPROVAL OF AGENDA

Add under New Business - 13.4 Advisory Planning Commissions Members

There were 2 pieces of correspondence the Local Trust Committee (LTC) received for applications: NP-DVP-2019.1 (Randall) & NP-DP-2018.8 / NP-DVP-2019.3 (Montague).

Move up items "12.6 Trustee Report" and "12.7 Chair's Report" to be discussed after "6.4 Advisory Planning Commission Minutes".

Chair Patrick will bring this request to change the agenda up to Executive Committee.

By general consent the Local Trust committee meeting agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Chair Patrick gives an overview of being a public speaker.

Gary Steeves, a previous 2011 trustee, mentioned being happy with the LTC. He comments on: 4 applications, Development Permit Areas (DPA) / Riparian Areas and LTC communications.

Michael Sketch comments on the Trust Policy and mentioned there was potential to re-write the policy statement.

Kathy Cronk comments on Gardom Pond being decommissioned. She wants to know if the Trustees talked to the Capital Regional District (CRD) in regards to a public consultation.

Trustee Morrison had a conversation with the engineer involved with the decommission and there is funding.

Trustee McConchie contacted engineer Ben Martin and mentioned it's difficult for people in Gardom Pond financially to get an engineer.

Kathy Cronk expresses her thanks to the LTC.

Marika Kenwell spoke about Buck Lake properties and questions the Trustees regarding a non-conforming fee of \$100.00.

Trustee Morrison comments that people who buy properties need to know if it's conforming or non-conforming.

Marika Kenwell mentioned that the Riparian Bylaw didn't exist when she bought her house in 1990.

Regional Planning Manager (RPM) Kojima explains the details of the application.

Michael Sketch comments on "section 35" of the *Islands Trust Act* and mentioned the word "permit" may be in there. He asks to have it checked.

RPM Kojima confirms that a regional district may not issue a permit contrary to an LTC bylaw.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated April 25, 2019 (for Adoption)

Trustee Morrison is really happy with the work on the April 25, 2019 N. Pender LTC minutes and thanks Shannon Brayford.

By general consent the Local Trust committee meeting minutes of April 25, 2019 were adopted.

6.2 Public Hearing Record Dated April 25, 2019 (for Receipt)

Received for information.

6.3 Section 26 Resolutions-without-meeting Report

none

6.4 Advisory Planning Commission Minutes

none

The LTC decided to discuss Trustee Report and the Chair's Report. Please refer to item numbers 12.6 and 12.7 below for details.

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated May 2019

RPM Kojima highlights the Groundwater Sustainability project and mentioned it will include all 5 southern islands.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 NP-DVP-2019.1 (Randall) - Staff Report

RPM Kojima provided an overview of the application and recommendations noted in the staff report.

A discussion was held with the applicant, LTC and staff on the following matters:

- Explanations were given on the maximum heights and elements in zoning.
- When the surveyor was contacted.
- The applicant doing work before realizing there was an issue.
- CRD building permits.
- The options: it could be brought to compliance and becomes a bylaw enforcement matter, it could be brought to the Board of Variance for consideration.
- The height of the building and structure.
- The plans had errors in the height calculation.

Trustee McConchie mentioned about respecting the Official Community Plan (OCP) and its established rules. He sympathizes with the applicant, but doesn't support this application.

Trustee Morrison commented on height variances and wanting to understand more. She wants to defer her decision, as she doesn't know if the error is in the building or with the CRD issued permit.

Discussion was made on the following matters:

- The approved plans show the height of the building to be compliant.
- RPM Kojima mentioned despite the errors, the height was still under.
- The applicant explains how the error happened with the designer and hydro coming in to do work in front of the property.
- RPM Kojima explained natural grade and finished grade.
- Chair Patrick comments on massing of the building. She points out that even if the height is reduced there would still be a massing effect.
- The applicant mentioned landscaping that will take the height significantly down.

Trustee McConchie advises the applicant to apply to (Board of Variance) BOV and discuss with the person who made the mistake.

Trustee Morrison comments on variances being a BOV issue.

NP-2019-045

It was Moved and Seconded,

that the North Pender Island Local Trust Committee deny issuance of Development Variance Permit NP-DVP-2019.1 (Randall).

CARRIED

10.2 NP-DP-2018.8 (Montague) and NP-DVP-2019.3 - Staff Report

RPM Kojima gives an overview of how this DP and DVP application started. He mentioned the DP has good conditions and the variance would address the issues of the siting of the house and float.

Applicant Ed Montague comments on the following points:

- He is a lawyer and owns his property with his wife Deborah.
- Gives a timeline on what happened with his property.
- He had a survey done, hired a biologist, did a detailed report and the area has been remediated.
- He did work on protecting the plants.
- He supports the overall intent for the Islands Trust rules.
- He would like more information for property owners coming and having reminders about the bylaws.

A discussion was held with the applicant, LTC and staff on the following matters:

- RPM Kojima gives an explanation of the Riparian Area Regulations (RAR).
- Trustee Morrison mentioned restoration work on the site is substantial.
- Trustee McConchie mentioned mistakes in the building inspection process and the trees cut down.

- Chair Patrick mentioned Development Permit guidelines.
- That the Variance is needed for the float
- RPM Kojima explains the process if the DP is denied.

NP-2019-046

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2018.8 (Montague).

CARRIED

NP-2019-047

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Development Variance Permit NP-DVP-2019.3 (Montague).

CARRIED

10.3 NP-RZ-2018.2 (Shaw Communications/GRL Holdings) - Bylaw No. 220 - Staff Report

RPM Kojima mentioned Bylaw No. 220 is brought back to the LTC for approval. He gives an overview of the application.

Trustee McConchie thanks the Executive Committee for working on it.

Trustee Morrison mentions the applicant has good relationships with the community.

NP-2019-048

It was Moved and Seconded,

that the North Pender Island Local Trust Committee Bylaw No. 220, cited as "North Pender Island Land Use Bylaw No. 103, 1996, Amendment No. 2, 2018", be adopted.

CARRIED

10.4 NP-DP-2019.1 (Ferguson) - Staff Report

RPM Kojima provided an overview with details of the application. He noted the recommendations and alternative options on the staff report.

Applicant Jack Ferguson comments on the following points:

- The statements in the staff report.
- He gives a timeline on when he started putting his application.
- The site visit was done May 14, 2019.
- Had conversations with the Planner.
- Had no time for requirements.
- He introduces Dan Baxter, a biologist which is here to speak to the Islands Trust staff and LTC.
- The pool is the only area that would affect the ground, the deck is on posts and the growth can come under it.

Dan Baxter comments on DPAs and prior modifications.

Applicant Jack Ferguson mentioned there were no trees cut down where the pool and deck are proposed. The trees are outside the lines of the carport. He reads out the Biology Report Impact assessment and mentioned there are no impacts on this sensitive area.

Points made by the LTC during discussion:

- Chair Patrick discussed guidelines in relation to a DPA.
- Trustee McConchie doesn't feel comfortable approving the DPA.
- Trustee Morrison mentioned the OCP the guidelines and public input. She wants more clarity on the Woodland part of the Development Permit Area.
- Dan Baxter, the biologist confirms that the DPA for the woodland can be remediated.

Applicant Jack Ferguson is happy to do a remediation plan and mentioned he wasn't given enough time to get things done.

NP-2019-049

It was Moved and Seconded,

that the North Pender Island Local Trust Committee deny issuance of the proposed development permit (Ferguson) NP-DP-2019.1 as it does not comply with the following guidelines contained in the North Pender Island Official Community Plan Bylaw No. 171, 2008:

5.2.1.5 OVERALL GUIDELINES.

2. Avoid locating development in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.

17. The permit conditions may include:

- f. restoration or enhancement of disturbed sensitive ecosystems and habitat.

5.2.2.4 Woodland Ecosystems Guidelines.

1. Large mature and old trees, trees containing cavities, the root systems of trees, rare plant species, native grasses and associated under-storey vegetation should be protected.

WITHDRAWN

NP-2019-050

It was Moved and Seconded,

1. That the North Pender Island Local Trust Committee postpone consideration of NP-DP-2019.1 as the application does not comply with the following

guidelines contained in the North Pender Island Official Community Plan Bylaw No. 171, 2007:

5.2.1.5 OVERALL GUIDELINES.

2. Avoid locating development in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.

17. The permit conditions may include:

- f. restoration or enhancement of disturbed sensitive ecosystems and habitat.

5.2.2.4 Woodland Ecosystems Guidelines.

1. Large mature and old trees, trees containing cavities, the root systems of trees, rare plant species, native grasses and associated under-storey vegetation should be protected.

CARRIED

NP-2019-051

It was Moved and Seconded,

that the North Pender Island Local Trust Committee requests that prior to further consideration of NP-DP-2019.1, the applicant submit to the Islands Trust the following information:

a. Site and building design analysis of alternative areas on the property for the proposed development.

b. A comprehensive restoration and enhancement plan by a qualified environmental professional that entails the following:

- i. An inventory of all trees removed within the DPA in the last year (including approximate size, species and date removed);
- ii. Recommendations for tree replacement based on the foregoing inventory;
- iii. Recommendations for the restoration and enhancement (including understorey plantings, protection, maintenance and monitoring) of an area equivalent to 1.5 times the area of the proposed further incursion into the DPA with new development (deck, pool and portion of carport); and,
- iv. Information on drainage management, water consumption and conservation measures associated with the proposed pool.

CARRIED

Applicant, Jack Ferguson stated he will be withdrawing this application.

A break was held between 12:34 p.m. – 12:41 p.m.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Waste Management Project - Staff Report

RPM Kojima gave a brief overview of the Waste Management Project – Staff Report from last meeting. He explains details on bylaws 214 and 215 and mentions some options.

A discussion was held with the LTC and staff on the following matters:

- Boat storage, compost waste and the Agricultural Land Reserve (ALR).
- 4 sites considered for waste management.
- The focus is on the industrial zone and commercial operators and contractors.
- Trustee McConchie is opposed to item “d.” (Mainroad Yard) on the recommended motion in the staff report.
- Conservation, zero waste management processes and waste sorting.
- An operator may need a DP to put in infrastructure, if not existing, to start the use.

A member of the public comments about rural waste and composting. Removing compost is stringent and recommends to have it on the ALR portion.

More discussion was held with the LTC members on the following matters:

- Chair Patrick mentioned that draft bylaws can be changed, compost issues can be dealt with as a topic at a Community Information Meeting (CIM).
- Ownership issues.
- Finding the best site from a Land Use perspective.
- Working on a draft bylaw and getting language that will set the base.

NP-2019-052

It was Moved and Seconded,

that the North Pender Island Local Trust Committee endorse the proposed draft amendments to Bylaws 214 and 215 which include:

- a. Policy amendments to the Official Community Plan for waste transfer facilities, including development permit area and temporary use permit guidelines.
- b. Amendments to the Land Use Bylaw to include definitions and relevant general regulations.
- c. Amendments to the Land Use Bylaw to permit public drop-off waste transfer only at the Medicine Beach commercial site.
- d. Amendments to the Land Use Bylaw to permit limited waste transfer uses in the two industrial zones excluding the Mainroad site.

CARRIED

NP-2019-053

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff develop and implement a public engagement process to inform and gather input on the proposed draft amendments to Bylaws 214 and 215.

CARRIED

The LTC had a discussion on a draft consultation plan.

Trustee McConchie mentioned liking town halls.

12. REPORTS

12.1 Work Program Report

12.1.1 Top Priorities Report Dated May 2019

RPM Kojima gives an update on the Landowner Education project.

Received for information.

12.1.2 Projects List Report Dated May 2019

Received for information.

12.2 Applications Report Dated May 2019

RPM Kojima explained the status of application NP-SUB-2012.4 Edgewood Estates. RPM Kojima mentioned there should be no LTC decisions to be made as of now.

Trustee McConchie mentioned wanting to have a discussion in the future in regards subdivisions.

Received for information.

12.3 Trustee and Local Expense Report Dated March 2019

Trustee McConchie comments on what the “\$1,500 Trustee Expenses” is and what can he use it for in the community.

RPM Kojima gives an explanation about the expense types: LTC Meeting Expenses, LTC Special Projects and Trustee Expenses.

12.4 Adopted Policies and Standing Resolutions

none

12.5 Local Trust Committee Webpage

none

12.6 Trustee Report

Trustee McConchie reported that he worked on a Request for Decision (RFD) proposal regarding “Live Streaming of Meetings” with Clare Frater, Director of Trust Area Services. He is looking forward to Trust Council. He recommended each LTC should decide if they want to live stream LTC meetings. He feels it’s important to live stream meetings so everyone is properly informed.

Trustee Morrison reports on planning to suggest options at the Trust Council regarding Climate Change Mitigation, Adaptation and Resilience. She reminds everyone to email her regarding: land use planning and thoughts on the policy statement review. Her hours are ad hoc at the office, so if you need to reach her please text or call her. She has continued concerns about tree cutting and encourages the public to talk about it and be informed.

The next LTC meeting is on July 4, 2019 (first Thursday of the month).

12.7 Chair's Report

Chair Patrick reported on the Agricultural Land Workshop May 1st and that there were 3 elected members there. She mentioned the ALC website has good details on bulletin 4, Cannabis production and bulletin 5, residences on agricultural land. She provided an update on the next Trust Council meeting on Galiano Island in June. If there are delegations to submit the deadline is May 30, 2019. Training was done with the Trustees and Chair from parliamentarian Eli Mina and it was a good learning experience. The “silent voices” are important. She also brought some wild flowers from the garden to a meeting and encourages other islands to do the same, as it reminds them of the importance of decisions.

12.8 Islands Trust Conservancy Report

none

13. NEW BUSINESS

13.1 Annual Report

RPM Kojima gives an overview of the recommended text inclusion in the Annual Report Memo. All LTCs are asked to endorse their draft sections of the 2018-2019 Annual Report, so that Trust Council can readily approve the annual report in the June 2019 meeting.

Trustee Morrison mentioned that project on Climate Change is not on there and wording was added to the draft.

NP-2019-054

It was Moved and Seconded,

that the North Pender Island Local Trust Committee endorse the following text for inclusion in the 2018- 2019 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing.

The North Pender Island Local Trust Committee (NP LTC) held nine regular business meetings and two special business meetings in the 2018/19 fiscal year. Work for this period focused on advancing the LTC priorities on planning for waste management and completing a project to permit and regulate secondary suites. The LTC has also initiated a project on groundwater sustainability as a part of their focus on Climate Change adaptation, mitigation and resilience. The NP LTC considered two major rezoning applications, six development permits, four variances, and eight temporary use permits during this period.

CARRIED

13.2 Meeting Procedure Amendment Bylaw No. 221 (for further consideration)

RPM Kojima spoke about Proposed Bylaw no. 221 and mentioned there can be three readings because it's an administrative bylaw.

NP-2019-055

It was Moved and Seconded,

that North Pender Island Local Trust Committee Bylaw No. 221, cited as "North Pender Island Local Trust Committee Meeting Procedure Bylaw No. 156, 2004, Amendment No. 1, 2019", be read a first time.

CARRIED

NP-2019-056

It was Moved and Seconded,

that North Pender Island Local Trust Committee Bylaw No. 221, cited as "North Pender Island Local Trust Committee Meeting Procedure Bylaw No. 156, 2004, Amendment No. 1, 2019", be read a second time.

CARRIED

NP-2019-057

It was Moved and Seconded,

that North Pender Island Local Trust Committee Bylaw No. 221, cited as “North Pender Island Local Trust Committee Meeting Procedure Bylaw No. 156, 2004, Amendment No. 1, 2019”, be read a third time.

CARRIED

NP-2019-058

It was Moved and Seconded,

that North Pender Island Local Trust Committee Bylaw No. 221, cited as “North Pender Island Local Trust Committee Meeting Procedure Bylaw No. 156, 2004, Amendment No. 1, 2019”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

13.3 Public Engagement on North Pender Island for Visions 2099: The Future of the islands in the Salish Sea - Staff Report

Chair Patrick gives an overview of the introduction of the report.

Director Clare Frater calls in via cell phone.

Trustee Morrison asks Director Frater about the plan in relation to North Pender Island and other suggestions.

Director Frater responds by saying that there are a number of engagement options. The Local Trust Committee can recommend what type of engagement would suit the North Pender community and what timing would work best.

Trustee McConchie mentioned it's great to engage the community and the pilot project will be in July and October. He asks if it will be live streamed and run by the Islands Trust.

Trustee Morrison gave feedback and the year “vision 2099” may be causing tension for people. Consideration is needed for who is at the event and what questions are asked. A booth was suggested for later in the summer.

NP-2019-059

It was Moved and Seconded,

that the North Pender Island Local Trust Committee endorses the recommended public engagement activities to take place in the North Pender Local Trust Area in support of the Trust Council's Visions 2099: The Future of the islands in the Salish Sea, as outlined in the May 30th, 2019 staff report.

CARRIED

13.4 Advisory Planning Commission Members

RPM Kojima gives an update on the APC members and that no expression of interests were received.

The Trustees want to advertise again and have staff e-mail them the advertisement poster.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for July 4, 2019, at 10:00 am, at the Pender Community Hall, Pender Island

15. TOWN HALL

Michael Sketch mentioned the groundwater water project and a 2012 Marina proposal.

RPM Kojima comments on water provisions, and Freshwater Protection Specialist, William Shulba is reviewing the reports.

Trustee Morrison mentioned water catchment as an option, but cannot find information about it.

16. CLOSED MEETING (Distributed Under Separate Cover)

NP-2019-060

It was Moved and Seconded,

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

- *North Pender Local Trust Committee In-Camera Minutes Dated February 28, 2019 (for Adoption)*
- *Bylaw Enforcement*

CARRIED

16.1. Recall to Order

Chair Patrick recalled the meeting to order at 2:44 p.m.

16.2. Rise and Report

A resolution was reported by the LTC:

NP-2019-061

It was Moved and Seconded,

that the North Pender Local Trust Community refer Short Term Vacation Rental Temporary Use Permits in the Magic Lake sewer catchment to the Magic Lake Sewer and Water Committee to confirm infrastructure capacity.

CARRIED

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:46 p.m.

Laura Patrick, Chair

Certified Correct:

Maple Hung, Recorder

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. 3. Staff to schedule a CIM once TUP is drafted	Phil Testemale William Shulba	Target: 30-Sep-2019	In Progress

Follow Up Action Report

North Pender Island

25-Apr-2019

Activity	Responsibility	Dates	Status
1 10.3 NP-TUP-2019.1 Vermeeren - Application tabled pending magic lake sewer direction May 30/19 - Referred to Magic Lake Sewer and Water Committee for confirmation of infrastructure capacity	Phil Testemale	Target: 15-Jul-2019	Completed
2 10.4 NP-TUP-2019.2 (Hepburn) - application tabled pending magic lake sewer direction May 30/19 - Referred to Magic Lake Sewer and Water Committee for confirmation of infrastructure capacity	Phil Testemale	Target: 15-Jul-2019	Completed
3 11.2 Groundwater Sustainability project - project charter endorsed, project budget request to be submitted - JUNE EC MEETING	Robert Kojima William Shulba	Target: 02-May-2019	Completed
4 Organize tour of associated islands for LTC, consider inviting First nations	Phil Testemale Robert Kojima	Target: 26-Jul-2019	In Progress



Follow Up Action Report

North Pender Island

30-May-2019

Activity	Responsibility	Dates	Status
1 6.1 Minutes of April 25 meeting adopted as presented	Maple Hung	Target: 07-Jun-2019	Completed
2 10.1 NP-DVP-2019.1 (Randall) refused	Phil Testemale	Target: 06-Jun-2019	Completed
3 10.2 NP-DP and NP-DVP-2019.3 (Montague) approved	Phil Testemale Sharon Lloyd-deRosario	Target: 06-Jun-2019	Completed
4 10.3 NP-RZ-2018.2 (Shaw) - Bylaw adopted, consolidate and update zoning map - Consolidation done - waiting for mapping to update schedule.	Phil Testemale Sharon Lloyd-deRosario	Target: 14-Jun-2019	Completed
5 10.4 NP-DP-2019.1 (Ferguson) - applicant requested to provide further analysis of alternatives and a comprehensive restoration and enhancement plan (Noted in minutes the applicant is "withdrawing" his application)	Phil Testemale	Target: 21-Jun-2019	Completed
6 11.1 Waste Management Project : 1.Revise draft bylaws to remove Mainroad location 2.Prepare blackline consolidation 3.Prepare new project charter 4.Prepare a public consultation program	Robert Kojima	Target: 26-Jun-2019	Completed
7 13.1 Annual Report - approved as amended	Andrew Templeton Robert Kojima	Target: 31-May-2019	Completed

Follow Up Action Report

North Pender Island

30-May-2019

Activity	Responsibility	Dates	Status
8 13.2 Meeting Procedure Bylaw 221 - First, Second and Third readings, referred to EC - On June 18 EC agenda.	Robert Kojima Sharon Lloyd-deRosario	Target: 14-Jun-2019	Completed
9 APC: 1. re-advertise for APC members, 2. send copy of ad to local trustees to distribute to potential members	Sharon Lloyd-deRosario	Target: 07-Jun-2019	Completed
10 In-camera minutes of Feb 28th adopted as presented	Maple Hung	Target: 07-Jun-2019	Completed
11 Standing Resolution adopted to : Refer STVR TUPs in Magic Lake [sewer catchment] to the Magic Lake Sewer and Water Committee to confirm infrastructure capacity.	Robert Kojima	Target: 07-Jun-2019	Completed



Islands Trust

BYLAW REFERRAL FORM

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: Saturna Island Local Trust Area Bylaw No.: 127 Date: June 10, 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:

Initiated by Saturna Island Local Trust Committee

PURPOSE OF BYLAW:

To implement Commercial Vacation Rental (CVR) guidelines for issuance of Temporary Use Permits (TUP) in the Saturna Island Local Trust Area. Bylaw (127) to amends the Saturna Island Official Community Plan No. 70, 2000 (OCP). Specifically bylaw 127: creates guidelines for the issuance of TUPs for CVRs; and 2) amends the TUP section of the OCP to comply with current legislation.

Professional reports and staff reports are available on the Saturna Island webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/saturna/projects-initiatives/short-term-vacation-rental-stvr/>

GENERAL LOCATION:

Saturna Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

NA

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

Various

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.

Name: Gary Richardson

(Signature)

Title: Island Planner

Contact Info

Tel: 250-405-5157
Email: grichardson@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
Ministry of Transportation and Infrastructure
FLNRORD – Pat Lapsevic

Non-Agency Referrals

Lyll Harbour Boot Cove Water District

Regional Agencies

Capital Regional District – Building Inspection
Capital Regional District – Southern Gulf Islands Harbours
Commission (Integrated Water Services)
Island Health

Adjacent Local Trust Committees and Municipalities

North Pender Island Local Trust Committee
Mayne Island Local Trust Committee
South Pender Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - TE'Mexs Treaty Association
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

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

Saturna Island Local Trust Area

(Island)

127

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

DATE OF MEETING: July 4, 2019
TO: North Pender Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
SUBJECT: Bylaws 214, 215 – Land Use Planning for Waste Transfer

RECOMMENDATION

1. That the North Pender Island Local Trust Committee endorse the attached project charter dated July 2019.
2. That the LTC request staff to schedule community information meetings in conjunction with the next two LTC regular meetings.

REPORT SUMMARY

The purpose of this report is to provide an overview of the Land Use Planning for Waste Management project, a review of LTC direction from the previous meetings, a summary of re-drafted bylaws, proposed community consultation, and an updated Project Charter.

BACKGROUND

To date, private waste transfer operators' facilities have been permitted through Temporary Use Permits or deferred enforcement. The recycling centre is permitted by zoning, although limited to recycling only. The LTC cannot hold land or operate a service itself nor can the LTC directly regulate the operational aspects of a waste transfer facility (zoning, TUP conditions, and development permit conditions can indirectly regulate some aspects of operations). The Capital Regional District can regulate operational requirements for waste transfer stations, as has been implemented on Salt Spring, if it were to pass a bylaw to do this; however, the first requirement would be that the zoning be in place for sites. Similarly, the CRD could create a service to operate some or all aspects of waste transfer, but again zoning would be required to be established before a location could be designated. The onus remains on the Local Trust Committee (LTC) to designate land appropriate for waste transfer facilities and zone it accordingly, either by LTC initiative or through an application process.

Last term the LTC made it a priority to undertake a comprehensive approach to planning for waste and resource management. The objectives of the project included:

- Consultation with residents, operators and other stakeholders
- Identify waste transfer needs

- Inventory existing industrial sites and identifying siting criteria
- Recommendations on potential locations and uses
- Considering amendments to OCP and LUB
- Collaborating with CRD

Steps taken in the previous term:

1. A Special Advisory Planning Commission (APC) was established to provide advice to the LTC on potential locations, regulations and the scope of private operations.
2. Staff undertook a process to establish criteria and to identify potential sites with the assistance of a consultant.
3. A final report ([December 2016](#)) was produced assessing 15 potential sites, and recommended that the LTC further consider 7 of those sites.
4. The LTC further narrowed down the sites to 5 and proceeded with bylaws that would amend the Official Community Plan (OCP) and Land Use Bylaw (LUB) to rezone the sites for three different levels of service:
 - 2 to allow for full service use ('McDonald Farm' and Mainroad yard)
 - 2 for limited waste transfer ('Burdett' and 'Henshaw')
 - 1 for public drop-off waste transfer only (Medicine Beach market).
5. In January 2018 the LTC made amendments to the bylaws, removing the property on Razor Point Road ('Burdett') based on the Agricultural Land Commission (ALC) decision of September 2017 to not extent a temporary non-farm use approval.

In this term:

1. At the January 2019 meeting the LTC considered various options on how to proceed in terms of process. The LTC agreed that given the extent of consultation and work done to date, the preferred approach was to proceed with considering potential amendments to the bylaws. The LTC requested staff report back with a range of options to amend the proposed bylaws.
2. At the April 2019 meeting a number of options to amend bylaws 214 and 215 were proposed to the LTC. The LTC decided:

NP-2019-040

It was Moved and Seconded,

That the North Pender Island Local Trust Committee request staff to report back with draft amendments to Bylaws 214 and 215 which would include:

- a. Policy amendments to the Official Community Plan for waste transfer facilities, including development permit area and temporary use permit guidelines.
- b. Amendments to the Land Use Bylaw to include definitions and relevant general regulations.
- c. Amendments to the Land Use Bylaw to permit drop-off waste transfer only at the Medicine Beach commercial site.

- d. Amendments to the Land Use Bylaw to permit limited waste transfer uses in appropriate industrial zones.
3. At the May 2019 meeting a number of the LTC reviewed re-drafted bylaws and considered further revisions. The LTC removed one site from consideration (Mainroad yard) and endorsed proceeding with the other changes as drafted. The LTC also requested that staff report back with a proposed plan for community engagement:

NP-2019-052

It was Moved and Seconded,

that the North Pender Island Local Trust Committee endorse the proposed draft amendments to Bylaws 214 and 215 which include:

- a. Policy amendments to the Official Community Plan for waste transfer facilities, including development permit area and temporary use permit guidelines.
- b. Amendments to the Land Use Bylaw to include definitions and relevant general regulations.
- c. Amendments to the Land Use Bylaw to permit public drop-off waste transfer only at the Medicine Beach commercial site.
- d. Amendments to the Land Use Bylaw to permit limited waste transfer uses in the two industrial zones excluding the Mainroad site.

CARRIED

NP-2019-053

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff develop and implement a public engagement process to inform and gather input on the proposed draft amendments to Bylaws 214 and 215.

CARRIED

For further background, see previous staff reports and related information posted on the LTC projects [webpage](#).

ANALYSIS

Essentially the revisions would:

- Zone the existing drop-off at Medicine Beach Market (C1(e) zone) for that use.
- Zone two existing Industrial sites for limited waste transfer (the two industrial zones on Otter Bay Road).
- Establish a development permit area for new work on the zoned sites.
- Require a TUP or rezoning for drop-off or limited waste transfer uses in other locations.
- Require a TUP or rezoning for a full service facility in any location.

The attached bylaws have been re-drafted to accomplish the direction in the above resolutions. In addition revisions have been made to correct minor technical errors and typos. Draft consolidations of both the OCP and LUB have been prepared which incorporate the changes contemplated in the current drafts, the draft consolidations showing insertions and deletions ('blackline' versions) are posted on the [project webpage](#).

The re-drafted Bylaws 214 and 215 are attached with proposed revisions highlighted.

In summary, the changes to proposed Bylaw 214 (OCP Amendment) would:

1. Include **OCP goals, objectives, and policies** to add descriptions of the different waste transfer uses, insert new policies specifying where zoning would be amended by the LTC to permit drop-off and limited waste transfer outright, and include criteria for consideration during future rezoning or TUP applications.
2. Include a **Development Permit Area**, designating it by zone rather than by map. The DPA would exempt future TUP applications from also applying for a DP as the equivalent conditions could be included in a TUP.
3. Add new **Temporary Use Permit** guidelines for any future applications, these would mirror the DPA guidelines and provide applicants, staff and the LTC with guidance for future applications.

The changes to proposed Bylaw 215 (LUB Amendment) would:

1. Establish **definitions** for the various classes of facility, and would also address deficiencies in the current definition of recycling facility.
2. Add **general regulations** applicable to all facilities.
3. Amend the two **Industrial (I2) zone** locations to permit limited waste transfer and amend the **C1(e) zone** to permit public drop off waste transfer. This would permit those uses in those locations, but require rezoning or TUP applications for limited waste transfer or public drop off in any other areas; and for full service waste transfer in any location. Please see attached maps for the locations.
4. Amend the **I1(b) zone** to permit agriculture in this location, which is principally in the ALR.

This is an opportunity for the LTC to review the proposed revisions and consider any further changes.

Specifically, the LTC may wish to consider:

- Revisiting the direction last meeting to remove the I2(a) zone (Mainroad yard) from consideration of limited waste transfer at this point in the process. This site was initially identified as appropriate for full service use and is one of only three industrially zoned sites on North Pender.
- Including 'commercial composting' in the definition of 'limited waste transfer'. With the use proposed to be limited to existing industrial sites, this provides an opportunity to implement OCP Climate Change Mitigation and Adaptation policy 4.7.6: [the LTC] "may consider amending zoning in the Industrial or Community Service designations to provide community wood chipping and community composting services."
- Consider further changes, including consideration of including other sites as limited waste transfer that are currently not zoned or designated Industrial.

Consultation

As the project would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected.

At the last meeting, the LTC discussed consultation options, expressing a preference for information sessions within regular meetings at this point in the process. Earlier in the year the LTC considered options for public process and concluded that there was extensive consultation last term, consequently a new round of full scale community engagement was not warranted. The LTC has requested staff to come back with proposed consultation for this phase, this is outlined in the attached project charter and summarized as follows:

1. May/July - LTC review and consideration of potential revisions to of the draft bylaws
2. June – drafts, blackline versions, maps posted to project webpage
3. July & Sept - Community information meetings scheduled during LTC regular meetings
4. July – Summary fact sheets prepared and posted with feedback options
5. September – LTC consideration of input received to date
6. September – November – referral of draft bylaws to agencies and First Nations
7. January – community information meeting and public hearing

Project Charter

An updated project charter is attached for LTC consideration. A project charter outlines the objectives of the project, the timeline and main steps, the deliverables, what is in scope and out of scope, and resources and budget. It is intended to guide staff and the LTC as the project proceeds, keeping the project on time and within scope. If timelines change, or new work is proposed to be included in the project, then the project charter is revisited and changes endorsed by the LTC.

The charter for this project was last updated in 2017, the attached version includes an updated purpose and background section focusing on the current phase of the project, a timeline for the current fiscal year, and a budget for basic costs, exclusive of staff time. The LTC should review the attached charter and if supportive endorse it by resolution.

Rationale for Recommendation

Introducing changes to the OCP and LUB related to solid waste transfer will help address issues that have been unresolved for many years. Zoning the existing public-drop and permitting limited waste transfer on the industrial sites will provide opportunity for the use to occur in appropriate locations. Regulation through DPA designation will ensure that environmental and other potential impacts are addressed when development occurs on the sites. Providing for application by TUP would provide the opportunity to test any new proposals for limited waste transfer and public drop off waste transfer in other locations.

The recommended approach would establish the policy framework in the OCP, including DPA provisions and temporary use permit guidelines for applications, and amend the LUB to address the drop-off operating by TUP for years, to create and clarify the definitions in the LUB, add relevant general regulations, and permit operators to store and sort on appropriate industrially zoned sites. Publicly accessible full service waste transfer facilities, or limited waste transfer on non-industrial lands, should be considered by application or LTC initiated rezoning once the policy framework is established. The approach would provide guidance in the OCP for future applications, allow existing low impact uses to continue, and would recognize that current industrially zoned land is an appropriate location for limited waste transfer uses.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision.

That the North Pender Island Local Trust Committee request that staff report back to the LTC with additional information on ...

2. Request further revisions to the bylaws

The LTC may request staff to make further revisions to the draft bylaws.

That the North Pender Island Local Trust Committee request staff to make further revisions to the draft Bylaws to....

3. Proceed no further

The LTC may choose to not proceed further with this project. The implication would be that operators apply for OCP and LUB amendments

That the North Pender Island Local Trust Committee proceed no further with Waste Management Project.

NEXT STEPS

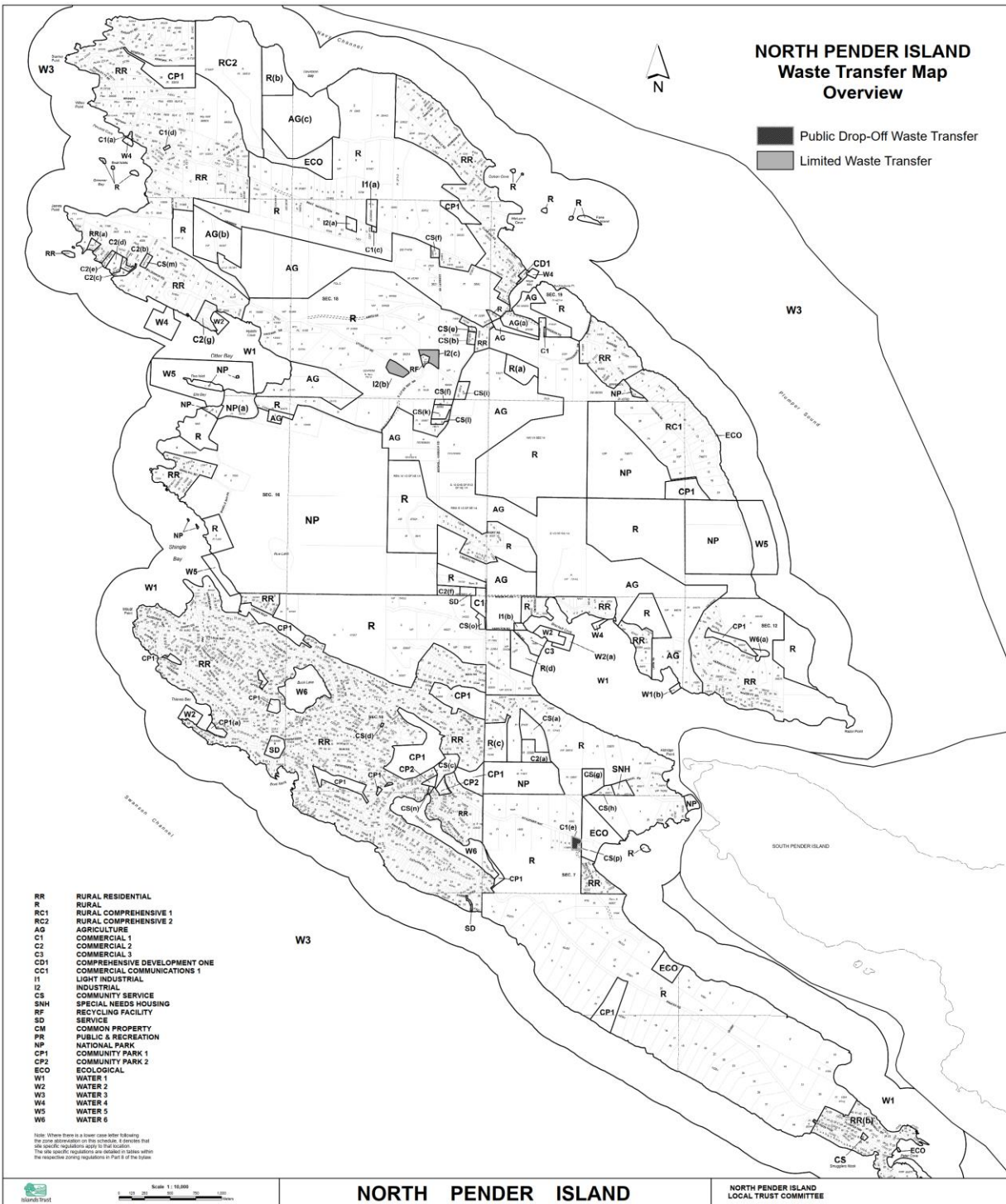
If the LTC chooses to proceed, the next steps are for staff to report back to the next LTC meeting with:

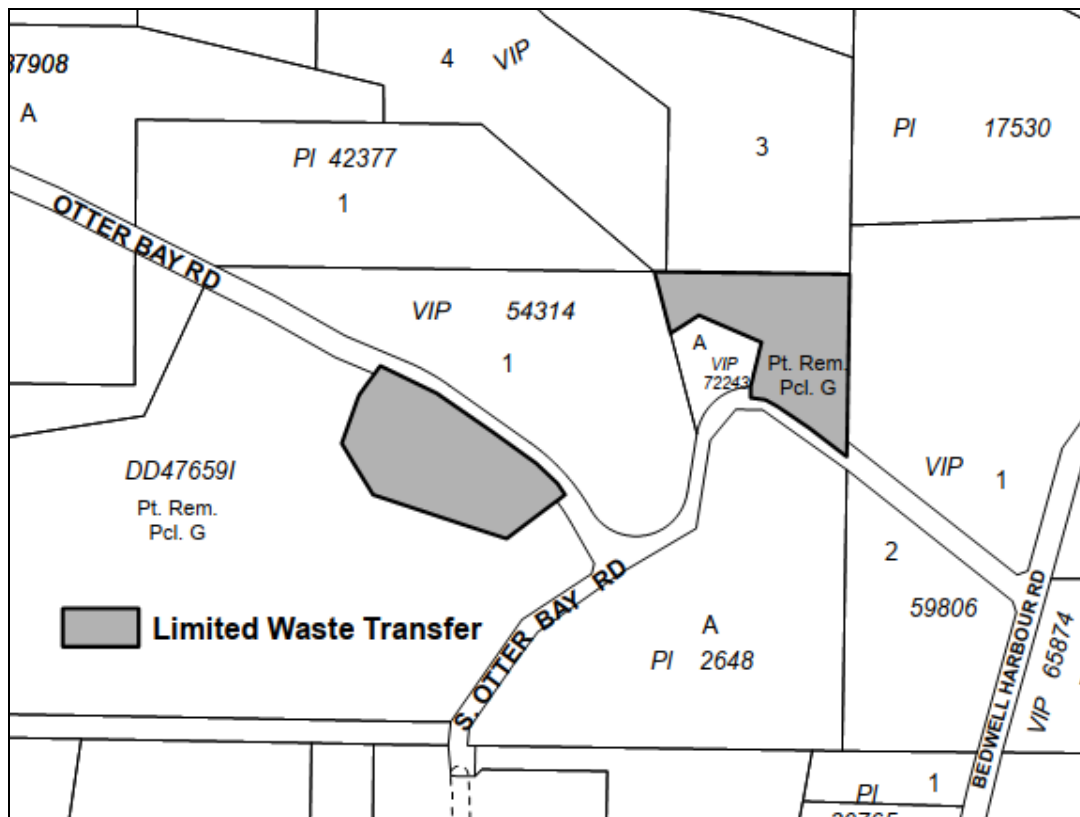
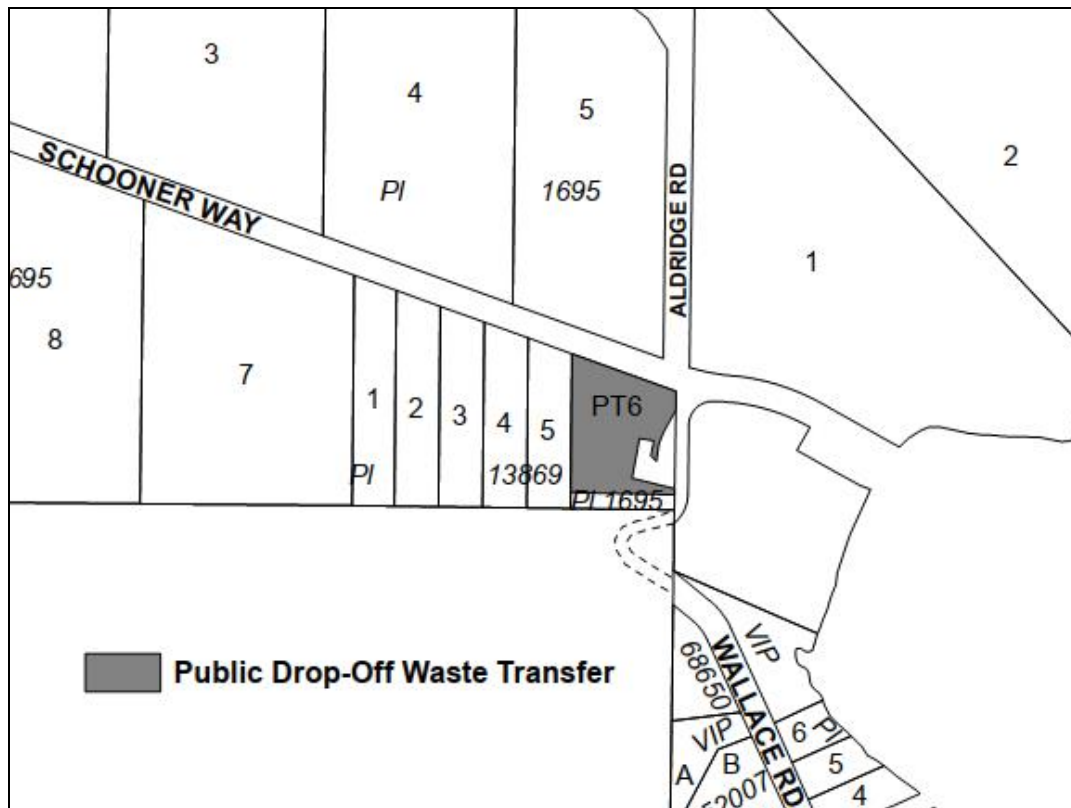
- Schedule community information meetings for the July 25th and September 5th LTC meetings
- Prepare information material and provide for feedback
- Consider potential further revisions resulting from feedback at the September meeting

Submitted By::	Robert Kojima, Regional Planning Manager	June 21, 2019
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ATTACHMENTS

1. Maps of proposed sites
2. Bylaw 214 with proposed revisions
3. Bylaw 215 with proposed revisions
4. Project Charter





PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 214

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

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

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 2, 2017”.

2. SCHEDULES

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

2.2 North Pender Island Official Community Plan No. 171, 2007 Schedule “A” is further amended as shown on Schedule 2 attached to and forming part of this bylaw.

2.3 North Pender Island Official Community Plan No. 171, 2007 Schedule “A” is further amended as shown on Schedule 3 attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS	30 th	DAY OF	JANUARY	2018
READ A SECOND TIME THIS	26 th	DAY OF	APRIL	2018
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS		DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 214**

SCHEDULE 1

The NORTH PENDER Island Official Community Plan No. 171, 2007 Schedule “A”, is amended as follows:

Describe types

1. Section 1.2 (Goals), is amended by adding a new goal as follows:

19) To minimize solid waste and maximize recycling and resource recovery in the management of solid waste and discarded materials.

2. Section 3.3.2 (Solid Waste Disposal) “Background” is amended by adding following the first paragraph:

“Types of Waste Transfer Services

1) **Full service waste transfer:** The use of land, buildings and structures for receiving, storing, sorting, compacting and transferring residential and/or, commercial waste including recycling and compost. It can include commercial recycling and composting as well as public drop off waste transfer, or public drop off of recycling.

2) **Limited waste transfer:** The use of land, buildings or structures for receiving, storing, sorting, compacting and transferring residential and/or commercial solid waste including recycling. It excludes commercial composting, public drop off waste transfer and public drop off of recycling.

3) **Public drop-off waste transfer:** The use of land, buildings or structures to accommodate the drop of solid waste and organic materials by the general public for transfer to another location.”

3. Section 3.3.2 (Solid Waste Disposal) is amended by adding new objectives under Solid Waste Objectives as follows:

3) To support the reduction, recycling, and reuse of solid waste and discarded materials.

4) To accommodate the facilities and services that provide North Pender Island with necessary collection, storage, processing, and transfer of solid waste and recyclable materials, while minimizing the impacts on neighbourhoods, community health and the island’s environment.

5) To protect the island's environment from contamination by solid waste, ~~and including~~ **recyclable materials and compost.**

4. Section 3.3.2 (Solid Waste Disposal) is amended by adding new policies under Solid Waste Policies and re-numbering the Advocacy Policies accordingly:

“3.3.2.4 The Local Trust Committee may permit and regulate the appropriate development of sites to provide the community with **Limited Waste Transfer, Full service Waste Transfer, and Public drop-off Waste Transfer.**”

3.3.2.5 Waste transfer uses should be protected from hazardous conditions and should not adversely affect the rural and residential character of the community, the natural environment, or farming.

3.3.2.6 Public drop off waste transfer should be permitted in the C1(e) zone. Applications may be considered for public drop off waste transfer in other appropriate locations.

3.3.2.7 Limited waste transfer services should be permitted in appropriate Industrial zones. Outside of appropriate Industrial zones, applications may be considered for limited waste transfer services in other appropriate locations

3.3.2.8 Full Service Waste Transfer should be permitted by application only.

3.3.2.9 Applications for waste transfer uses in appropriate locations may be considered subject to:

- protecting natural watercourses, trees and native vegetation and soil
- avoiding negative impact to riparian areas, natural watercourses, groundwater aquifers, fish habitat, marine ecosystems, site drainage and groundwater
- protecting the site and uses from wildfire hazards, flooding and steep slope hazards
- ensuring adequate separation from farmland
- maintaining the general character of the area
- minimizing visual, noise, smell impacts on neighbours
- enabling safe and easy vehicle access and movement
- minimizing use of artificial light

3.3.2.10 The Local Trust Committee ~~may~~should regulate waste transfer uses and designate Development Permit Areas to ensure waste transfer uses:

- a) are screened by vegetation to limit visual impacts;
- b) are located outside community water system supply watersheds, areas with high groundwater vulnerability, and environmentally sensitive areas;
- c) are designed to avoid leachate from entering the natural environment;
- d) are designed to minimize traffic impacts on adjacent neighbourhoods;
- e) are not located on naturally productive agricultural soils;
- f) are designed to minimize fire risk.

3.3.2.11 The Local Trust Committee may support both publicly and privately-operated solid waste transfer sites.”

4. Section 3.3.2 (Solid Waste Disposal) is amended by adding a new policy under Advocacy Policies:

“3.3.2.16 The Local Trust Committee encourages the Capital Regional District to regulate waste transfer operations on North Pender Island.”

5. The Table of Contents and list of schedules is updated to reflect the changes made by this bylaw.

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 214**

SCHEDULE 2

The NORTH PENDER Island Official Community Plan No. 171, 2007, Schedule A is amended as follows:

Section 5.2 (Development Permit Areas), is amended by adding a new Development Permit Area following Development Permit Area Ten as follows:

“5.2.12 DEVELOPMENT PERMIT AREA ELEVEN – WASTE TRANSFER DEVELOPMENT PERMIT AREA

5.2.12.1 Authority

This development permit area is established pursuant to the following sections of the *Local Government Act*:

488 (1) (a) protection of the natural environment, its ecosystems and biological diversity;
488 (1) (b) protection of development from hazardous conditions;
488 (1) (c) protection of farming;
488 (1) (f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development;

5.2.12.2 Special Conditions or Objectives that Justify the Designation

Development Permit Area Eleven encompasses all lands ~~shown on Schedule “Q”~~ which may be zoned by the North Pender Island Local Trust Committee to permit the operations of **waste transfer uses, including receiving, storing, sorting, compacting and transferring solid waste, including commercial recycling.**

The North Pender Island Local Trust Committee recognizes that if not well designed and carefully managed, these uses can have negative impacts on both surrounding neighbourhoods and the natural environment. Waste transfer uses should be protected from hazards and should not adversely affect the rural and residential character of the community and the natural environment, or farming. Development Permit Area Eleven is implemented to help guide the land use planning of waste transfer uses, including commercial recycling to minimize the potential for negative impacts. Its specific objectives are as follows:

- a. To ensure that the waste transfer uses, including commercial recycling, as permitted on North Pender Island, can develop with the least impact on the natural environment.
- b. To ensure that the waste transfer uses, including commercial recycling, as permitted on North Pender Island, can develop with the least impact on neighbouring properties.

- c. To avoid a level of design regulation that could affect the viability of waste transfer uses, including commercial recycling.
- d. To buffer agricultural land from impacts associated with waste transfer uses including commercial recycling.

5.2.12.3 General Applicability

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted:

- a. Construction of, addition to, or alteration of buildings and structures for waste transfer uses including commercial recycling.
- b. Alteration of land.

5.2.12.4 Designation

This development permit area includes all land in the Bylaw Area that is zoned I2(b), I2(c) and C1(e). The Waste Transfer DPA is designated as an area for which development approval information may be required as authorized by Section 485 of the Local Government Act. Development approval information in the form of a report from a qualified professional may be required due to the special conditions and objectives described herein.

5.2.12.5 Application Requirements

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw, and development approval information bylaw adopted by the North Pender Island Local Trust Committee or Islands Trust Council.

5.2.12.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit:

- a. Subdivision of land;
- b. Maintenance of existing landscaping;
- c. Repair and maintenance of existing buildings or structures, including lighting and signage, provided there is no addition to lot coverage or floor area, no exterior alterations requiring a building permit, and no change in the use of external materials that would result in the alteration of the form and character of the building or structure;
- d. Internal renovations or alterations;
- e. Repair and maintenance of existing roads, parking areas, paths and trails;
- f. Limited waste transfer service, full service waste transfer and/or public drop off waste transfer where a temporary use permit has been issued.

5.2.12.7 Guidelines

The intent of this development permit area is to ensure that development related to waste transfer uses, including commercial recycling, meets the special conditions and objectives described in 5.2.12.2. In considering the issuance of a development permit the LTC should be satisfied that the following guidelines have been met where applicable and impose conditions where appropriate:

GUIDELINES FOR THE PROTECTION OF THE NATURAL ENVIRONMENT

General Guidelines for Environmental Protection

- 1) All leachate should be managed to protect natural watercourses and prevent the release of any contaminants from waste transfer uses, including commercial recycling, into the environment.
- 2) All trees and native vegetation should be retained except as necessary to establish the work and storage areas required for waste transfer uses, including commercial recycling, and as necessary to establish fire separation buffers.

Guidelines for Water Protection

- 3) All development associated with waste transfer uses, including commercial recycling, should avoid negative impacts on riparian areas, natural watercourses, and groundwater aquifers.
- 4) All development associated with waste transfer uses, including commercial recycling, should avoid negative impacts on fish habitat and marine ecosystems.
- 5) Waste transfer uses, including commercial recycling, should be designed to control drainage and erosion to prevent undesirable impacts resulting from new impervious surfaces or changes to site drainage.
- 6) Waste transfer uses, including commercial recycling, should be constructed to prevent stormwater and runoff from contacting solid waste and recyclable materials.

GUIDELINES FOR THE PROTECTION OF DEVELOPMENT FROM HAZARDOUS CONDITIONS

Guidelines for the Protection of Development from Wildfire Hazard

- 7) All waste transfer uses, including commercial recycling, should be designed to protect such uses from wildfire hazards.
- 8) A cleared area should be maintained between the perimeter vegetative buffer and all buildings, structures and work areas.
- 9) Water supply for fire protection should be provided.
- 10) Emergency vehicles should be able to readily reach all parts of the development.

Guidelines for the Protection of Development from Flood Risk

- 11) Where a property contains a surface water body it should be demonstrated that the waste transfer use, including commercial recycling, is not at risk from flooding.

Guidelines for the Protection of Development from Slope Hazard Risk

- 12) Where a property may be subject to a steep slope hazard according to Islands Trust mapping, it should be demonstrated that the waste transfer use, including commercial recycling, is not at risk of geotechnical hazard.

GUIDELINES FOR THE PROTECTION OF FARMING

General Guidelines for the Protection of Farming

- 13) Where a waste transfer use, including commercial recycling, is adjacent to farm land, the waste transfer uses should be sited and provide adequate vegetative screening, landscaping, or fencing to adequately separate or buffer the uses from farmland.

GUIDELINES FOR THE FORM AND CHARACTER OF INDUSTRIAL DEVELOPMENT

Guidelines for General Site Design, Building Location and Access

- 14) Site access to waste transfer uses, including commercial recycling, should maintain the general character of the surrounding neighbourhoods as much as possible.
- 15) All waste transfer uses, including commercial recycling, should be sited to allow vehicles to maneuver without having to block or back onto adjacent streets.
- 16) All waste transfer uses, including commercial recycling, should be sited and designed for traffic circulation that meets anticipated service levels.
- 17) All waste transfer uses, including commercial recycling, should be sited and designed to minimize visual impacts on neighbouring properties and public areas. Particular attention should be paid to locating loading docks, garbage and recycling containers and other service areas so that visual impacts are minimal.
- 18) Storage of waste should be sited as far from adjacent residential and commercial uses as possible.
- 19) Buildings and other structures should utilize existing topography and vegetation and be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.

GUIDELINES FOR THE FORM AND CHARACTER OF BUILDINGS AND STRUCTURES

General Guidelines for the Form and Character of Buildings and Structures

- 20) Building mass shall be scaled to complement surrounding residential development and be softened by the use of small-scale elements.
- 21) Buildings should not be designed with blank walls presenting an aspect to the highway or to highly visible areas.

Guidelines for Lighting

- 22) Lighting should be kept to the minimum necessary for safety and visibility, to maintain a low level of light in the island's nighttime atmosphere.
- 23) Light fixtures mounted on masts or walls should be pedestrian in scale and should not exceed 3.5 metres in height.
- 24) Light fixtures should focus light on the area to be illuminated. The spillage of light into onsite residential areas, neighbouring properties, streets or other public areas including

the sea should be avoided. Fixtures should not result in glare when viewed from residential areas.

Guidelines for Signage

25) Signs should not be sited more than 5 m above the ground.

VARIANCE PERMITS TO MEET DEVELOPMENT PERMIT AREA GUIDELINES

26) The LTC may consider variances to siting or size regulations where the variance may result in closer adherence to the guidelines of this section.”

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 214**

SCHEDULE 3

The NORTH PENDER Island Official Community Plan No. 171, 2007, Schedule A, is amended as follows:

Part 6 (Temporary Use Permits) is amended to reflect changes to bylaw language as follows:

Section 6.1 “Commercial and Industrial” is removed.

Section 6.2 “Commercial and Industrial” is removed

Part 6 (Temporary Use Permits) is amended by inserting the following as new section 6.5 as follows:

“6.5 In addition to 6.1, 6.2, 6.3 above, and the general regulations (3.19) and off-street parking requirements (6.1.2) identified in the North Pender Local Trust Committee Land Use Bylaw, the following guidelines apply when the Local Trust Committee is considering the issuance of a temporary use permit for a solid waste transfer service:

- 6.5.1 For the purpose of a temporary use permit “solid waste transfer service” means the use of land, buildings or structures for receiving, storing, sorting compacting and transferring residential and/or commercial solid waste, recycling and compost. It can include commercial recycling and composting as well as public drop off waste transfer, or public drop off of recycling;
- 6.5.2 The Local Trust Committee should consider potential impacts of the solid waste service to the surrounding groundwater resources.
- 6.5.3 All leachate should be managed to protect natural watercourses and prevent the release of any contaminants from solid waste transfer services into the environment.
- 6.5.4 All trees and native vegetation should be retained except as necessary to establish the work and storage areas required for solid waste transfer services and as necessary to establish fire separation buffers.
- 6.5.5 All development associated with solid waste transfer services should avoid negative impacts on riparian areas, natural watercourses, and groundwater aquifers.
- 6.5.8 All development associated with solid waste transfer services should avoid negative impacts on fish habitat and marine ecosystems.

- 6.5.9 Solid waste transfer services should be designed to control drainage and erosion to prevent undesirable impacts resulting from new impervious surfaces or changes to site drainage.
- 6.5.10 Solid waste transfer services should be constructed to prevent stormwater and runoff from contacting solid waste and recyclable materials.
- 6.5.11 Solid waste transfer services should be designed to protect such uses from wildfire hazards.
- 6.5.12 A cleared area should be maintained between the perimeter vegetative buffer and all buildings, structures and work areas.
- 6.5.13 Water supply for fire protection should be provided.
- 6.5.14 Emergency vehicles should be able to readily reach all parts of the development.
- 6.5.15 Where a property contains a surface water body it should be demonstrated that the solid waste transfer service is not at risk from flooding.
- 6.5.16 Where a property may be subject to a steep slope hazard according to Islands Trust mapping, it should be demonstrated that the solid waste transfer service is not at risk of geotechnical hazard.
- 6.5.17 Where a solid waste transfer services is sited adjacent to farm land, the uses should be sited, and provide adequate vegetative screening, landscaping, or fencing to adequately separate or buffer the uses from farmland.
- 6.5.18 Site access to solid waste transfer services should maintain the general character of the surrounding neighbourhoods as much as possible.
- 6.5.19 All waste transfer uses, including commercial recycling and commercial composting, should be sited to allow vehicles to maneuver without having to block or back onto adjacent streets.
- 6.5.20 All solid waste transfer services should be sited and designed for traffic circulation that meets anticipated service levels.
- 6.5.21 All solid waste transfer services should be sited and designed to minimize visual impacts on neighbouring properties and public areas. Particular attention should be paid to locating loading docks, garbage and recycling containers and other service areas so that visual impacts are minimal.
- 6.5.22 Storage of waste should be sited as far from adjacent residential and commercial uses as possible.

6.5.23 Buildings and other structures should utilize existing topography and vegetation and be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.

6.5.24 Building mass shall be scaled to complement surrounding residential development and be softened by the use of small-scale elements.

6.5.25 Buildings should not be designed with blank walls presenting an aspect to the highway or to highly visible areas.

6.5.26 Lighting should be kept to the minimum necessary for safety and visibility, to maintain a low level of light in the island's nighttime atmosphere.

6.5.27 Light fixtures mounted on masts or walls should be pedestrian in scale and should not exceed 3.5 metres in height.

6.5.28 Light fixtures should focus light on the area to be illuminated. The spillage of light into onsite residential areas, neighbouring properties, streets or other public areas including the sea should be avoided. Fixtures should not result in glare when viewed from residential areas.

6.5.29 Signs should not be sited more than 5 m above the ground."

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 215

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW NO. 103, 1996

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

(1) Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 3, 2017”.

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

2.1. Section 1.1 – Definitions, is amended to add the following:

“commercial composting” means the use of land, buildings or structures for commercially processing organic matter through the biological decomposition of organic materials in accordance with the *Environmental Management Act and Public Health Act* and associated Organic Matter Recycling Regulation, and the Capital Regional District Composting Facilities Regulation Bylaw.

“commercial recycling,” means the use of land, buildings or structures for receiving, storing, sorting, compacting and transferring recyclable materials that originate from commercial, institutional, demolition or construction sources, but not from household residential sources.

“full service waste transfer” means the use of land, buildings or structures for:

- (1) receiving, storing, sorting, compacting and transferring solid waste;
- (2) commercial recycling;
- (3) commercial composting; and
- (4) public drop off waste transfer.

“hazardous waste” means hazardous waste as defined in the Hazardous Waste Regulation under the *Environmental Management Act*.

“limited waste transfer” means the use of land, buildings or structures for receiving, storing, sorting and transferring solid waste and commercial recycling, and excludes commercial composting, public drop off waste transfer, or public drop off of recycling.

“public drop off waste transfer” means the drop off of solid waste and organic materials by the general public.

“solid waste” means refuse that originates from residential, commercial, institutional, demolition, land clearing or construction sources.

2.2 Section 1.1 – Definitions, is amended by deleting the definition of “recycling facilities” and replacing it, as follows:

“recycling and reuse facility” means the use of land, buildings or structures for receiving, storing, sorting, compacting and transferring recyclable materials that originate from residential, commercial, institutional, demolition or construction sources, and includes public drop off.

2.3 Article 3.2.1(2) is amended by deleting “or the Waste Management Act,” after Sewage Disposal Regulation.

2.4 Part 3 – General Regulations is amended by adding a new Section 3.19 as follows:

“3.19 Waste Transfer Regulations

3.19.1 The following regulations apply to waste transfer uses:

- (1) All solid waste, recyclable materials and compost materials must be located on impervious surfaces designed with a drainage control system to prevent any release of any contaminants from the materials into the environment.
- (2) All solid waste, recyclable materials, and compost materials must be contained and located within buildings or sealed collection bins.
- (3) Hazardous waste must not be received, collected, stored, or transferred.
- (4) Asbestos must not be received, collected, stored, or transferred.
- (5) All waste transfer uses must be screened from view along non-industrial zone boundaries and along highways, in accordance with subsection 3.13.1(2).

3.19.2 Setbacks:

- (1) No building or structure, or external storage of materials or equipment used for any waste transfer use may be sited within 30 metres of a well, the natural boundary of any lake, wetland, stream or sea.
- (2) No building or structure, or external storage of materials or equipment used for a full service waste transfer use may be sited within 30 metres of any lot line shared with a property in the Rural, Rural Residential or Agriculture zone.
- (3) No building or structure, or external storage of materials or equipment used for a limited waste transfer use ~~or public drop off of waste transfer~~ may be sited within 15 metres of any lot line shared with a property in the Rural, Rural Residential or Agriculture zone.
- (4) No building or structure, or external storage of materials or equipment used for a limited waste transfer use or public drop off of waste transfer may be sited within 3 metres of any front, rear, interior side, or exterior side lot line lot line.

3.19.3 A maximum of one building with a maximum floor area not exceeding 150 square metres is permitted for a limited waste transfer use.

3.19.4 A maximum of one building with a maximum floor area not exceeding 35 square metres, and a maximum height of five metres, is permitted for public drop off of waste transfer.

3.19.5 The regulations in Section 3.18 do not apply to a recycling and reuse facility.

Information Note: Commercial composting facilities must also comply with other regulations including the provincial Organic Matter Recycling Regulation (OMRR), the BC Agriculture Waste Control Regulation, WorkSafeBC and other applicable regulations. The BC Farm Industry Review Board is set up to address issues arising from farm activities including odour.”

2.5 Subsection 6.1.2 - Off-Street Parking, is amended by adding new rows to Table 2, as follows:

TABLE 2: Off-Street Parking Requirements Continued		
	Use	Minimum Number of Parking Spaces Required
(hV)	Full service waste transfer	10 spaces
(w)	Public drop off waste transfer Limited waste transfer	3 spaces

2.6 Subsection 8.4.8 – Site Specific Regulations, is amended by adding the following in Column 3 of the Site Specific Zone Reference C1(e), following (h): “and public drop off waste transfer”.

2.7 Subsection 8.8.8 – Site Specific Regulations, is amended by replacing the Site Specific Zone Reference I1(b) as follows:

Column 1	Column 2	Column 3
Site-Specific Zone Reference	Legal Description	Site Specific Regulations
I1(b)	Portion of the NW ¼ of Section 11 except the south 26.364 chains and except Parcel A (DD143808I) and except those parts shown outlined in red on Plan 5632 and 262R and except those parts in Plans 5856, 7982 and 20898	Despite 8.8.2(1), the only permitted uses are boat storage and agriculture. . -Information Note: Boat storage is only permitted within the Agricultural Land Reserve if approved as a non-farm use by the Agricultural Land Commission.

~~2.8 Subsection 8.9.8 – Site Specific Regulations, is amended by deleting the word “and” before the words “the processing, crushing and storage of gravel” and adding “and limited service waste transfer” to the end of the uses listed in Column 3 of the Site Specific Zone Reference I2(a).~~

~~2.98 Subsection 8.9.8 – Site Specific Regulations, is amended by deleting the word “and” before the words “the processing, crushing and storage of gravel” and adding “, and limited service waste transfer” to the end of the uses listed in Column 3 of the Site Specific Zone Reference I2(b).~~

~~2.109 Subsection 8.9.8 – Site Specific Regulations, is amended by deleting the word “and”~~

before the words “the processing, crushing and storage of gravel” and adding “, and limited service waste transfer” to the end of the uses listed in **Column 3 of the Site Specific Zone Reference I2(c).**

2.140 Subsection 8.12.2(1)(a) is deleted and replaced with “recycling and reuse facility.”

3. SEVERABILITY

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

READ A FIRST TIME THIS	30 TH	DAY OF	JANUARY	2018
READ A SECOND TIME THIS	26 TH	DAY OF	APRIL	2018
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

Land Use Planning for Waste Management - Charter V.6

North Pender Island Local Trust Committee

Date: July 2019

Purpose To consider policies and zoning of land to accommodate a range of solid waste transfer services. The project initially involved an evaluation of community needs and best practices, an inventory of existing industrially zoned land and current waste transfer sites, and consideration of appropriate land use criteria for the siting of a range of waste transfer facilities. The intended outcome is to consider bylaw amendments that would permit some uses in limited locations and establish policies and guidelines for future applications for extended services or in other locations.

Background Pender Island currently does not have land zoned to accommodate the storage, processing, and transfer of solid waste and discarded materials. Solid waste management has historically been provided on land without adequate zoning, sometimes operating under Temporary Use Permits, other times in contravention of the Land Use Bylaw. The exception to this is the Recycling Centre which is located in the Recycling Facility (RF) zone and is a permitted use. Neither the Light Industrial (I1) nor the Industrial (I2) zones in LUB 103 permit waste transfer. Community and operator consultation was undertaken in the earlier phase of the project, the final phase is intended to consider policies and regulations.

Objectives

- * To consult community, waste management operators, and other stakeholders.
- * To consider what level of waste transfer is needed on N. Pender.
- * To inventory existing industrial zones and waste transfer sites and apply land use criteria for siting a range of waste transfer facilities.
- * To make recommendations on potential locations and the range of appropriate land uses
- * To consider amending the OCP with guiding policies for waste management, including future applications.
- * To consider zoning and regulating land to accommodate a preferred level of waste transfer use.

In Scope

- Community engagement.
- Consultation with operators.
- Collaboration with CRD.
- Evaluate existing industrial zones, waste transfer sites, and other viable properties by applying the agreed upon land use criteria.
- Recommend amendments to the OCP/LUB.
- Undertake legislative process to amend bylaws.

Out of Scope

- Regulating facility operations or operating guidelines
- Waste management considerations that are outside of NPI LTC authority for land use planning.
- Focussing on specific aspects of current rezoning's/TUPs other than as part of the island wide review.

Work Plan Overview

Jan 2019	LTC direction on process
April 2019	LTC consideration of policy and regulatory options, direction to prepare draft amendments
May/July 2019	LTC review of draft amendments
July/Sept 2019	Community information sessions to be scheduled during regular LTC meetings
Sept 2019	LTC consideration of community and stakeholder feedback, consideration of further revisions to draft bylaws
Sept—Nov 2019	Referral of draft bylaws to agencies and First Nations
Nov 2019	LTC review of agency feedback, First Reading of bylaws, scheduling of hearing
Jan 2019	Public hearing, further reading, referral to Executive Committee and Minister

Project Team

Robert Kojima, Regional Planning Manager	Project Manager
Narissa Chadwick	Island Planner
Maple Hung	Planning Team Assistant

RPM Approval:

Robert Kojima

Date: June 21, 2019

LTC Endorsement:

Resolution:

Budget : 2019-20: \$3000

Fiscal	Item	Cost
2019-20	Consultation	\$500
2019-20	Public Hearing	\$1500
2019-20	Contingency	\$1000
	Total	\$3000



File No.: 6500-20
North Pender Projects

DATE OF MEETING: July 4, 2019
TO: North Pender Island Local Trust Committee
FROM: Phil Testemale
Southern Team
SUBJECT: Landowner and Industry Contacts DPA Education Mail out

PURPOSE

The purpose of this memorandum is to update the Local Trust Committee on developing education and contact material for key industry stakeholders, and landowners with a sensitive ecosystem Development Permit Area (s) on or adjacent to their property.

BACKGROUND

As a result of applications for development permits received after work has commenced (retroactively), the Local Trust Committee requested that staff report with options on informing landowners and others about development permit areas.

Staff reported back with options that included creating an information package to key industry contacts and a mail out to all landowners with a DPA on their property. At the February 28, 2019 Local Trust Committee regular meeting, the LTC passed the following resolution making landowner contact for sensitive ecosystem DPAs a top priority:

NP-2019-029

It was Moved and Seconded,

that the North Pender Island Local Trust Committee make "Landowner Education" a top priority to address points #4 and #5 in Staff Report dated February 28, 2019.

CARRIED

With that direction, Staff have created two (2) draft 'information update sheets' ('industry contacts' and 'landowners') for review and comment by the LTC (Attachment 1 and 2).

Once finalized, staff is proposing they be prepared and distributed as follows:

Industry Contacts:

- An information package will be prepared and mailed to all professionals and contractors as identified (below). Also, a copy will also be posted online, at the Islands Trust North Pender office and on all community bulletin boards. Extra packages will be available at the North Pender Office for walk in distribution.

- The information package will consist of the cover information sheet (Attachment One) plus the existing individual information sheets for all eight (8) DPAs.
- The mailing list will include the following on island:
 - realty businesses
 - architecture and design businesses
 - landscape and tree service (inc. arborists) businesses
 - excavation businesses
 - construction contractors and carpenters
 - any additional that the LTC identifies and recommends

Landowners:

- An information package will be prepared and mailed to all landowners with one or more DPAs on or adjacent to (Intertidal DPA 2) their property. Also, a copy will also be posted online, at the Islands Trust North Pender office and on all community bulletin boards.
- The information package will consist of the cover information sheet (Attachment Two) plus the existing individual information sheets for all eight (8) DPAs.
- The cover information sheet is a 'mock-up'. With the final copy the map on the rear page will focus on a smaller local area of North Pender with a corresponding mailing list. This will enable landowners to generally identify where DPAs are designated on their property. There will be approximately 12 to 15 versions, each with different local area maps

NEXT STEPS

- LTC should provide staff with feedback and revisions on the two (2) information sheets and the above proposed mailout content and distribution.
- Staff will distribute the information packages and mail packages before the end of July.

Submitted By:	Phil Testemale Planner 2	June 25, 2019
Concurrence:	Robert Kojima Regional Planning Manager	June 25, 2019

ATTACHMENTS

1. Draft Industry Contacts Info Sheet
2. Draft Landowner Info Sheet

DPA *update*

industry

North Pender Island

photo: Christine Rikely

What are Development Permit Areas?

In 2008, the North Pender Island Local Trust Committee (LTC) adopted the Official Community Plan (OCP). An important part was the introduction of ecosystem protection **Development Permit Areas (DPAs)** that cover about 7% of the island and its foreshore where sensitive ecosystems or features such as woodlands, riparian areas and intertidal zones have been identified and designated. There are eight (8) DPAs on North Pender that each preserve and protect unique ecosystems that are particularly sensitive to the impacts of development. These ecosystems are a critical and integral part of what makes the island and the whole Trust Area unique.

Development Permits (DPs) are tools that provide for the review and management of development. They can place conditions on how and where development should proceed at the site level, and can also to facilitate restoration and enhancement. Development generally means any subdivision or alteration of the land or any construction, alteration, or addition to buildings and structures including over the water in some cases. This includes activities such as removing trees or vegetation, putting in roads, docks, etc.

The LTC is concerned about instances of development proceeding without owners or contractors first obtaining a permit or an exemption. This can result in irreparable damage to ecosystems that could have been averted. Often this is because landowners or contractors are not aware that there are DPAs on their property. By providing information, it is hoped that there will be fewer of these occurrences and sensitive ecosystems can be better protected.

What does this mean for my business?

You are receiving this update because you are a professional or a business involved in the sale, development or management of land on North Pender. If your business is developing or working on a property (or properties) that has a **DPA** on it then you or your client may need to obtain a DP first. If you are a real estate agent, then continuing to provide and highlight DPA information to purchasers or potential purchasers is important. DPAs do not necessarily mean development cannot occur, although avoidance of DP areas, if possible, is a best, first strategy. There are circumstances, particularly in **Development Permit Area 10 - Riparian and Aquatic Ecosystems**, where some portions of the DPA will be designated as an area where no development can occur (please consult staff if DPA 10 is impacted).

When do I need a DP?

You will need to obtain a DP for any development activity that is not exempt and that is proposed with a DPA. If there is more than one DPA on a property you only need to make one application, pay one fee and one permit will incorporate all DPA conditions. Most applications will require that a Qualified Environmental Professional (QEP- usually a Biologist) be hired who will follow the DPA guidelines and report: on the condition and significance of the ecosystem; the potential impacts of your proposal; make recommendations to limit or repair loss or damage; and any restoration and construction management.

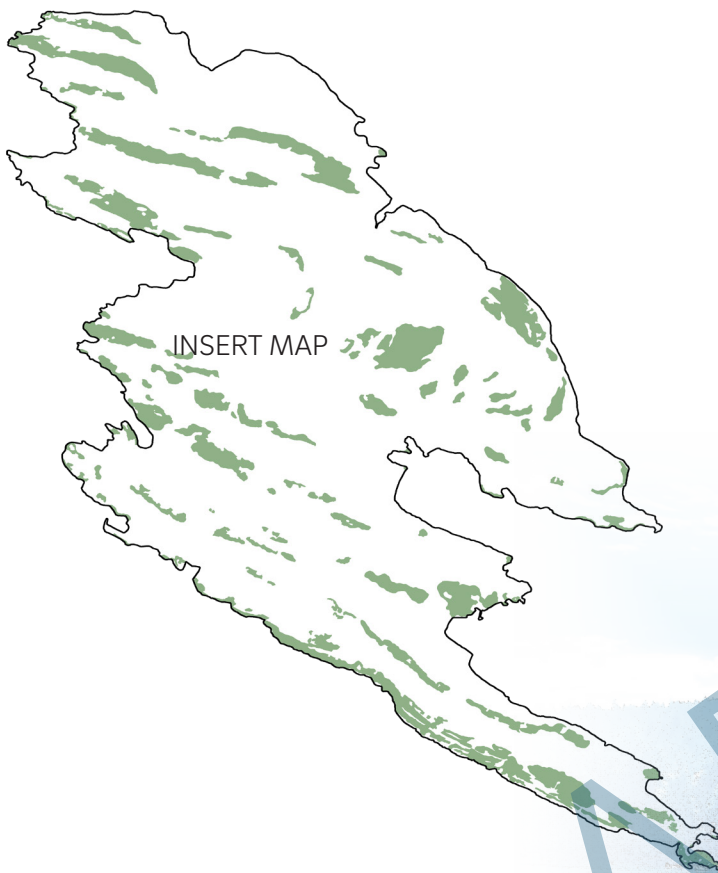
Are there exemptions?

For each DPA there are exemptions both for certain activities and where the absence of the ecosystem (i.e. due to a mapping error) can be verified. Please consult the specific DP in the OCP ('more information?' - below) for specific exemptions.

Where are the DPAs located?

industry

Below is a compilation map for the island as a whole. This provides a very general idea of where the DPAs are designated. The map is also available on the North Pender Website or you can search a specific property on MapIT (below)



- DPA 9 Commercial and Industrial
- DPA 5 Cliff Sensitive Ecosystem
- DPA 2 Herbaceous Sensitive Ecosyst
- DPA 6 Intertidal Sensitive Ecosystem
- DPA 7 Raptor and Heron Nests
- DPA 3 Riparian Sensitive Ecosystem
- DPA 10 Riparian and Aquatic
- DPA 4 Wetland Sensitive Ecosystem
- DPA 1 Woodland Sensitive Ecosystem

How do I apply for a DP?

You can find Application Forms, Checklists and Guides online:

<http://www.islandstrust.bc.ca/islands/land-use-planning/application-guides-forms/>

The fee for an DP for a protection area on North Pender is \$200.

Where can I get more information?

www.islandstrust.bc.ca

Southern Planning Team: (250) 405-5151

Southinfo@islandstrust.bc.ca

Information sheets for all DPAs (as attached): [\(insert short URL\)](#)

The North Pender Official Community Plan (OCP) is available here: [\(insert short URL\)](#)

Islands Trust MapIT mapping tool: [\(insert short URL\)](#)



Islands Trust

North Pender Island Local Trust Committee

photo: Crystal Obscure

DPA *update*

landowner

North Pender Island

photo: Christine Rikely

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Development Permits (DPs) are tools that provide for the review and management of development. They can place conditions on how and where development should proceed at the site level, and also to facilitate restoration and enhancement. Development generally means any subdivision or alteration of the land or any construction, alteration, or addition to buildings and structures including over the water in some cases. This includes activities such as removing trees or vegetation, putting in roads, docks, etc.

The LTC is concerned about the instance of development proceeding without owners or contractors first obtaining a permit or an exemption. This can result in irreparable damage to ecosystems that could have been averted. Often this is because landowners or contractors are not aware that there are DPAs on their property. By providing information, it is hoped that there will be fewer of these occurrences and sensitive ecosystems can be better protected.

What does this mean for my property?

You are receiving this update because your property contains one or more DPAs (see over). This means that if you plan to develop in a **DPA** then you may need to obtain a DP first. This does not necessarily mean development cannot occur, although avoidance of DP areas, if possible, is a best, first strategy. There are circumstances, particularly **Development Permit Area 10 - Riparian and Aquatic Ecosystems**, where some portions of the DPA will be dedicated as an area where no development can occur. If you have DPA 10 on your property, please refer to the specific sheet included in this package.

When do I need a DP?

You will need to obtain a DP for any development activity that is not exempt and that is proposed within a DPA. If you have more than one DPA on a property you only need to make one application, pay one fee and one permit will incorporate all DPA conditions. Most applications will require that you hire a Qualified Environmental Professional (QEP- usually a Biologist) who will follow the DPA guidelines and report: on the condition and significance of the ecosystem; the potential impacts of your proposal; make recommendations to limit or repair loss or damage; and, any restoration and construction management.

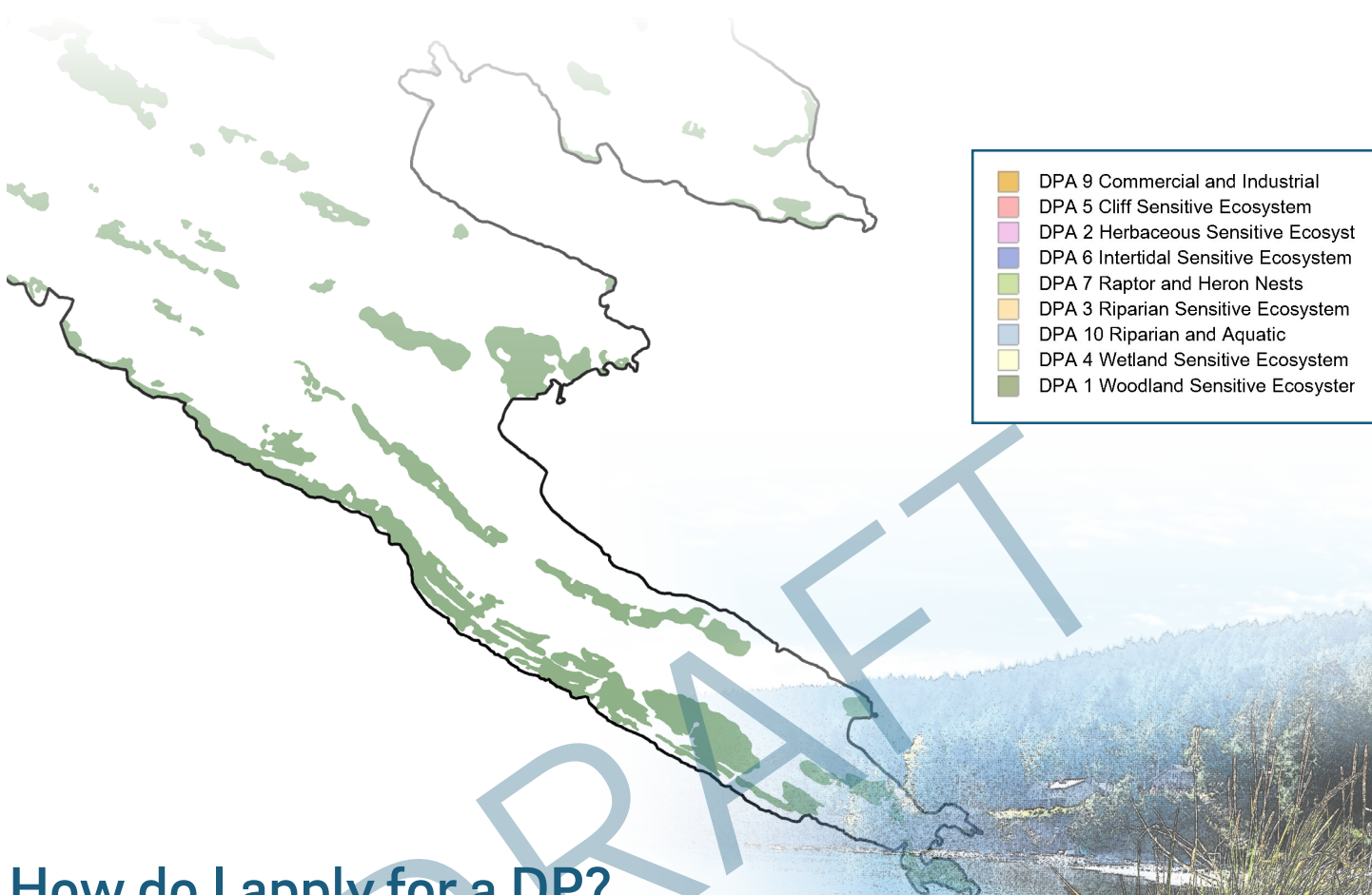
Are there exemptions?

For each DPA there are exemptions for certain activities where the absence of the ecosystem (i.e. due to a mapping error) can be verified. Please consult the specific DP in the OCP ('more information?' - over) for specific exemptions.

Where are the DPAs located?

landowner

Below is a compilation map for the area of the island where your property is located. There is also an overall DPA Compilation Map available on the North Pender Website or you can search your specific property on MapIT (below)



How do I apply for a DP?

You can find Application Forms, Checklists and Guides online:

<http://www.islandstrust.bc.ca/islands/land-use-planning/application-guides-forms/>

The fee for an DP for a protection area on North Pender is \$200.

Where can I get more information?

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Islands Trust MapIT mapping tool: [\(insert short URL\)](#)



Islands Trust

North Pender Island Local Trust Committee

photo: Crystal Obes

Top Priorities Report

North Pender Island

1. Land Use Planning for Waste Transfer

Responsible

Dates

Develop policies and regulations for waste management siting

Robert Kojima

2. Climate Change Adaptation, Mitigation and Resilience

Responsible

Dates

Phase 1: Groundwater Sustainability Project (2019-2020)

William Shulba

Rec'd: 29-Nov-2018

Phase 2: Sea level rise adaptation (2020-21)

Target: 31-Mar-2020

3. Landowner Education

Responsible

Dates

Develop landowner education and contact material for circulation and a letter to landowners with DPA

Rec'd: 28-Feb-2019

Target: 30-Jun-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 Building Watercourse Setbacks

Responsible

Date Received

Implement Ministry of Agricultural Standards for Building Setbacks from Watercourses in Farming Areas. 2011

28-Jul-2011

4. Geological Hazard Mapping

Responsible

Date Received

Continue work on proposed DPA for Hazardous Areas

22-Feb-2012



North Pender Island

5. <i>Land Use Bylaw Amendments/OCP Implementation</i>	Responsible	Date Received
·review of industrial zoning ·tourist commercial zoning review ·home industry regulation ·review of commercial (C1) zoning ·incorporate TUP's into zoning ·landscape screening review ·review of marine zoning regulations in conjunction with overall shoreline development review ·amendments to permit renewable energy ·review of floor area calculations, applicable for cottages in support of alternative, energy efficient building designs, and review maximum floor area restriction ·height exemptions for agricultural or forestry buildings ·max floor area for principal dwellings ·Agricultural policies, including an Area Farm Plan. ·Regulations to address roadside sign placement. ·Road standards in subdivision servicing regulations		22-Mar-2012
6. <i>Shoreline Project Implementation</i>	Responsible	Date Received
Investigate incorporating shoreline information and classification into new Gulf Islands app and using QR code for smart phones		
7. <i>Conservation Subdivisions</i>	Responsible	Date Received

Projects Report

North Pender Island

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.

Justine Starke

03-Feb-2015

8. *Freshwater sustainability*

Implement Official Community Plan policies on potable water and groundwater resources, especially policies in OCP 4.1.1.1»ç

Responsible

Date Received

Justine Starke

29-Oct-2015

9. *Coastal Douglas Fir Ecosystem*

Consider implementation of toolkit

Responsible

Date Received

01-Feb-2019



Islands Trust

Print Date: June 27, 2019

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2018.11	McCutcheon, Ross	12-Dec-2018	proper thinning of trees

Planner: Phil Testemale

Planning Status

Status Date: 27-Jun-2019

Geotechnical report amendment rec'd. Site visit as part of Associated Islands visit. September 5, 2019 for consideration.

Status Date: 28-Mar-2019

Contact with applicant - will be having geotechnical report amended

Status Date: 04-Feb-2019

Requested amended geotechnical report (objectives 1 to 3). March agenda for consideration.

File Number	Applicant Name	Date Received	Purpose
NP-DP-2018.5	PICSS c/o HARDAL MANAGEMENT INC	23-May-2018	Construct 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.

Rezoning

File Number	Applicant Name	Date Received	Purpose
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Applications

NP-RZ-2018.3 TIM HALL PENDER 05-Jul-2018 Danny Martin Park, 4710 Buccaneers Road - NPI OCP & LUB bylaws change from 'Community Service' to 'Community Park'; site will be used as a bowling green and continue as community park

ISLAND PARKS & RECREATION COMMISSION

Planner: Phil Testemale

Planning Status

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.

Status Date: 20-Feb-2019

Awaiting further direction for file in consultation with applicants and CRD.

File Number	Applicant Name	Date Received	Purpose
NP-RZ-2019.2	Michael, Sketch	14-Jun-2019	A rezoning application

Planner: Phil Testemale

Planning Status

Status Date: 27-Jun-2019

September 5, 2019 agenda for preliminary report

Status Date: 25-Jun-2019

PTA gave file to Planner

Status Date: 20-Jun-2019

PTA created file, received fees, notified LTC

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: Robert Kojima

Planning Status

Applications

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

Status Date: 29-Aug-2018

Updated PLA received from MOTI

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

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

Planning Status

Status Date: 22-May-2019

Applicant having final survey plan drafted.

Status Date: 03-Jan-2019

Proof of Potable Water and Sewer requirements met. Awaiting survey plan before issuing final letter to MoTI

Applications

Status Date: 19-Nov-2018

PLA extension approved. Waiting for Hydrogeologist report for proof of water.

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: 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.

Status Date: 19-Nov-2018

Water requirement and licencing of existing well being pursued by applicants and Driftwood. Hydrologist to be retained by applicant.

Temporary and Industrial Use Permit

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

Planner: Phil Testemale

Planning Status

Status Date: 21-Jun-2019

Applicant has retained Islander Engineering Ltd. Initial Proposal submitted. Sr. Freshwater Specialist to liaise to finalize Terms of Reference. Target July 15.

Status Date: 22-May-2019

Applicant responded that in process of meeting request for management plans. June 1 deadline.

Status Date: 17-Apr-2019

Terms of Reference sent to applicant for management plans.

File Number	Applicant Name	Date Received	Purpose
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Applications

NP-TUP-2019.1 Lori Vermeeren 30-Jan-2019 Rent out a property(a cottage) as a vacation rental.

Planner: Phil Testemale

Planning Status

Status Date: 27-Jun-2019

Referral letter sent to MLSWC (CRD). Possible consideration for July 25, 2019 agenda

Status Date: 25-Apr-2019

Application tabled by LTC pending information on CRD Sewer upgrade.

Status Date: 13-Mar-2019

Notification and Permit drafted and forwarded to DC for notice. April 25 LTC for consideration.

File Number	Applicant Name	Date Received	Purpose
NP-TUP-2019.2	Ray Heffelfinger	05-Apr-2019	STVR use at their residential home.

Planner: Phil Testemale

Planning Status

Status Date: 27-Jun-2019

Referral letter sent to MLSWC (CRD). Possible consideration for July 25, 2019 agenda

Status Date: 25-Apr-2019

LTC postpones consideration pending resolution of Magic Lake sewer issues

Status Date: 16-Apr-2019

report prepared for April agenda

File Number	Applicant Name	Date Received	Purpose
NP-TUP-2019.3	Jenice Sze Chung Yu	13-May-2019	Applying for an STVR - TUP for 3 years

Planner: Phil Testemale

Planning Status

Status Date: 27-Jun-2019

Referral letter sent to MLSWC (CRD).Possible consideration for July 25, 2019 agenda

Status Date: 06-Jun-2019

PTA received the fees and full application, created file, given to RPM to assign Planner



Applications

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: - Name of the applicant and a description of the proposal in general terms - The location of the proposed establishment and the subject site - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - 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-xx	STVR TUPs	That staff refer STVR TUPs in Magic Lake [sewer area] to the Magic Lake Sewer and Water Committee to confirm infrastructure capacity



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

Regional Conservation Plan

All of the work the Islands Trust Conservancy undertakes and reports on is guided by the science-based and community-informed 2018-2027 Regional Conservation Plan. The ITC continues to work towards four long-term goals (science-based conservation planning, collaboration with First Nations, protection of core conservation areas and a strong voice for nature conservation) and 25 objectives that further conservation in the entire Trust Area. The following is an update on the ITC activities from the May 2019 ITC Board meeting to meet these goals.

Islands Trust Conservancy Board Policy and Bylaw Revisions

Goal 4 – A strong voice for nature conservation, core ITC business and operations.

- The ITC Board gave first, second and third readings to Bylaw No. 2, the “Islands Trust Conservancy Meeting Procedures Bylaw, 2019.” The new bylaw replaces Bylaw No.1 and 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.

Fund Development Advisory Committee (FDAC)

Goal 4 – A strong voice for nature conservation, Objective 4.1 – Develop and expand fundraising strategies to support Islands Trust Conservancy programs.

- The ITC Board received and approved the ITC Fund Development Advisory Committee Terms of Reference and Operating Guidelines.

2017-2018 Annual Report

Goal 4 – A strong voice for nature conservation, Objective 4.3 Continue to develop the Islands Trust Conservancy brand and promote organizational recognition through telling of the Islands Trust Conservancy story.

- The ITC Board received and approved the text for inclusion in the 2017-2018 annual report.

Canada Nature Fund

Goal 4 – A strong voice for nature conservation, Objective 4.1 – Develop and expand fundraising strategies to support Islands Trust Conservancy programs.

- The ITC Board discussed potential options for participating in the federal funding announced in 2018.

Draft Reconciliation Action Plan and Reconciliation Declaration

Goal 2 – Collaboration with First Nations, Objective 2.1 Amend or redraft policies, procedures, plans, document templates and reports to include acknowledgement and consideration of First Nations.

- The ITC Board direct staff to develop a specific draft reconciliation declaration and action plan for the Islands Trust Conservancy.

Executive Committee Liaison Meeting Draft Agenda

Goal Three- Objective 3.6 - Participate in significant ecosystem conservation opportunities related to land use planning in collaboration with local trust committees and island municipalities.

- The ITC Board discussed and approved the agenda items for the upcoming, annual Executive Committee Liaison Meeting.

Fire Smart from a Conservation Perspective

Goal One – Science-based Conservation Planning, Objective 1.3 - Investigate opportunities for protection of important conservation areas with partners.

- The ITC Board discussed the issues around fire safety and ecosystem management on ITC owned or protected properties.

Current Islands Trust Area Activities

Goal Three – Protection of Core Conservation Areas – Objective 3.1 – Manage islands Trust Conservancy conservation areas responsibly and strategically for ecological integrity, species and ecosystems at risk, known threats, public safety and protection of identified features using the Property Management strategy.

- The ITC has completed the management plan for Fairyslipper Forest Nature Reserve on Thetis Island, is nearing completion of three nature reserve management plans on Gambier Island, and is working on management plans for three nature reserves on Denman Island and one nature reserve on Lasqueti Island. Property monitoring was completed on Bowen, Denman, Hornby, Gabriola, Gambier, Lasqueti, Link, Little D’Arcy, Saturna, Sidney and Thetis Islands. Property monitoring is underway on North Pender and Salt Spring Islands and is being planned for Galiano, South Pender, and South Winchelsea Islands.

Current Island-by-Island Activities

Goal Three – Protection of Core Conservation Areas – Objective 3.1 – Manage islands Trust Conservancy conservation areas responsibly and strategically for ecological integrity, species and ecosystems at risk, known threats, public safety and protection of identified features using the Property Management strategy.

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

Denman

Management planning for three nature reserves, including the Valens Brook Nature Reserve addition, is under way. New ten-year management plans for Inner Island and Lindsay Dickson nature reserves will be completed in 2019. 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.

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.

Gambier

Management planning for three Gambier Island nature reserves (Brigade Bluffs, Long Bay Wetland, and Mount Artaban) is nearing completion. Property monitoring on Gambier has been completed for 2019.

Lasqueti

The ITC and the Lasqueti Island Nature Conservancy (LINC) have met the fundraising goal for the Salish View acquisition campaign. Staff are continuing working to finalize the land transfer. Once the land transfer is complete, the ITC will begin public consultation on the draft management plan. Forest restoration activities at Mount Trematon Nature Reserve, led by LINC, have been completed for 2019 with assistance from Katimavik volunteers. Property monitoring on Lasqueti has been completed for 2019.

Link Island

ITC staff attended a celebration event at Link Island with the landowners and co-covenant holder (Nanaimo and Area Land Trust) and installed conservation covenant signage. Property monitoring on Link Island has been completed for 2019.

North Pender

The ITC Board discussed a referral from the North Pender Island Local Trust Committee for Bylaw No. 220. The subject property for the bylaw is adjacent to the Medicine Beach Nature Sanctuary. The ITC Board noted concerns about the effects of light pollution on many animal species, including bats, and concerns about storage of toxic materials on the site. Staff provided the ITC Board response to the local trust committee and followed up with planning staff

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

regarding best management practices for external lighting and wildlife. Property monitoring on North Pender is under way.

Salt Spring

The ITC Board considered a referral from Salt Spring Island planning staff regarding a Development Variance Permit for lands adjacent to the Lower Mount Erskine Nature Reserve. The ITC Board indicated that its interests are not significantly impacted and directed staff to work with the Salt Spring Island Planner to follow up with the landowner to provide information regarding conservation options to provide a natural buffer for the nature reserve. Property monitoring on Salt Spring is under way.

Thetis

The ITC Board approved a management plan for the Fairyslipper Forest Nature Reserve, which includes a commitment to developing a parallel *Management Plan for Areas of Cultural Heritage and Sacred Significance* with a flexible timeline. ITC is collaborating with Thetis Island Nature Conservancy and Cowichan Community Land Trust on the design and building of a publicly accessible trail loop in the nature reserve, with a trail opening celebration tentatively scheduled for Earth Day 2020. ITC staff plan to install signage informing the public of Thetis Island nature reserve boundaries later this year.

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

DATE OF MEETING: July 4, 2019
TO: North Pender Island Local Trust Committee
FROM: Robert Kojima, RPM
Southern Team
SUBJECT: Electronic Meeting amendment

RECOMMENDATION

1. That North Pender Island Local Trust Committee Bylaw No. 221, cited as “North Pender Island Local Trust Committee Meeting Procedure Bylaw No. 156, 2004, Amendment No. 1, 2019”, adopted.

REPORT SUMMARY

The purpose of this report is to consider LTC adoption of Bylaw 221 to amend the [North Pender Island Local Trust Committee \(NPILTC\) Meeting Procedures Bylaw](#) to allow for electronic participation by trustees at a Local Trust Committee meeting.

BACKGROUND

Bylaw 221 would amend Meetings Procedures Bylaw 156 to include electronic meeting provisions, allowing one trustee to participate by electronic means. The bylaw provisions would limit electronic participation by any one trustee to a maximum of two consecutive meetings and three per year (waivable by LTC resolution).

The bylaw would also make an unrelated technical amendment to the Meeting Procedures Bylaw (Section 10) to include reference to alternate LTC Chairs.

As an administrative bylaw there was no public hearing and the bylaw was given three readings and forwarded to Executive Committee at the June LTC. The Bylaw has received EC approval and has now been brought back to the LTC for consideration of adoption.

Rationale for Recommendation

The amendment would facilitate the participation by LTC members who cannot physically attend an LTC meeting.

ALTERNATIVES

1. **Proceed no further with the amendments**

NEXT STEPS

Staff would consolidate the amendment into the base bylaw and circulate and post.

Submitted By:	Robert Kojima Regional Planning Manager	June 26, 2019
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Attachments: Bylaw 221

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 221

A Bylaw to Amend the North Pender Island Local Trust Committee Meeting Procedure Bylaw

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

1. North Pender Island Local Trust Committee Meeting Procedure Bylaw No. 156, 2004, is amended as follows:

- 1.1 By deleting section 10 in its entirety and replacing it with the following:

"10. In the event that neither the Chairperson nor the alternate member of the Local Trust Committee appointed by the Chair of the Trust Council is present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services, or his or her designate, shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson."

- 1.2 By adding the following new sections after section 16, and by renumbering section 17 and section 18 to become section 30 and section 31 respectively:

"ELECTRONIC MEETINGS

17. A special meeting of the Local Trust Committee to deal with urgent new business may be conducted entirely by means of audio or audio and visual electronic communication facilities if a majority of the members of the Local Trust Committee have agreed by resolution that the meeting may be conducted in this way and provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
18. An individual Local Trust Committee member who is not at the physical location of a special Local Trust Committee meeting or a regular Local Trust Committee meeting may choose to participate by means of audio or audio and visual electronic communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
19. At a regular Local Trust Committee meeting, not more than one Local Trust Committee member may participate by means of electronic communication facilities.
20. An individual member of the Local Trust Committee may not participate by means of electronic communication facilities in two consecutive regular meetings of the Local Trust Committee nor more than three regular meetings in any calendar year.
21. The Local Trust Committee may waive the restrictions in sections 19 and 20 by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.

22. Local Trust Committee members who use electronic communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
23. A member of the Local Trust Committee may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
24. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
25. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at the place specified in the meeting notice, unless the meeting has been properly closed to the public.
26. For the duration of an electronic meeting that is open to the public, a designated staff member must attend at the place specified in the meeting notice for the public to hear, or watch and hear, the participants.
27. Cell phone or satellite connections may be used for open Local Trust Committee meetings.
28. If communication is lost to one or more electronic participants during a meeting:
 - 28.1 the participant affected will attempt to reestablish the link and, in the interim, will be deemed to have left the meeting and this will be recorded in the minutes;
 - 28.2 if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and
 - 28.3 if, after 15 minutes, a link cannot be reestablished and there is not a quorum of Local Trust Committee members, the meeting will be deemed adjourned and the item under discussion at the time of loss of communication will be added to the next agenda.
29. Any costs of electronic participation in a Local Trust Committee meeting will be borne by the North Pender Island Local Trust Committee."

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File No.: LPS-SIPA-Oi_Pender North
South Islands

DATE OF MEETING: July 4, 2019
TO: North Pender Island Local Trust Committee
FROM: Lisa Wilcox, Senior Intergovernmental Policy Advisor
Robert Kojima, Regional Planning Manager
Southern Team
SUBJECT: Standing Resolution - Reconciliation

RECOMMENDATION

1. 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.

REPORT SUMMARY

The North Pender Island Local Trust Committee (LTC) is asked to consider adopting the above-noted standing resolution as a mechanism to guide reconciliation within the Local Trust Area.

BACKGROUND

From 2015 to the present the North Pender Local Trust Committee has passed resolutions that acknowledge First Nations territory, look for ways to develop and create joint relationship building, and engage on issues of environment, naming and recognition, and advocacy.

ANALYSIS

Issues and Opportunities

Standing Resolution

Staff have prepared a draft standing resolution for LTC consideration that will enable the LTC to transition from reconciliation being a First Nations “project” to incorporating reconciliation more holistically into the LTC’s business and work program.

The draft standing resolution references key documents to guide the LTC’s journey of reconciliation with local First Nations. These include:

- Truth and Reconciliation Commission (TRC) Calls to Action
https://nctr.ca/assets/reports/Calls_to_Action_English2.pdf
- United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- Draft Principles that Guide the Province of BC’s Relationship with Indigenous Peoples;
https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/diversity-inclusion-respect/draft_principles.pdf
- Islands Trust First Nations Engagement Principles.
<http://www.islandstrust.bc.ca/media/342128/firstnationsengagementprinciples.pdf>

The draft standing resolution includes five areas in which the LTC can endeavour to take action:

- 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.

From Engagement to Reconciliation

The draft standing resolution is similar to one prepared for the Gabriola Island LTC in 2018, with an emphasis on the work that the LTC will do as part of their Reconciliation process. The intent is to provide processes that focus on best practices and provide workable first steps for staff and Trustees to progress and develop a Reconciliation plan. The process acknowledges that reconciliation requires both internal and external knowledge building and will focus on processes to help and advise on First Nations engagement. It also provides a framework for the LTC to engage with all local First Nations with interests in the Local Trust Area.

Rationale for Recommendation

The North Pender Island LTC has made a significant progress in its recent efforts toward reconciliation. These efforts may continue, as an integral part of routine LTC business and work program activities. The LTC may also seek opportunities with other local First Nations that have asserted rights and title, treaty, or overlapping territory in the area. The draft standing resolution provides a framework to support reconciliation and continued relationship building, where capacity is available. The staff recommendation is included on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

- 1. Request further information**
- 2. Amend the Standing Resolution**
- 3. Receive for information**

NEXT STEPS

Should the LTC adopt the recommended standing resolution, staff will draft letters of introduction to all First Nations within interests in the Local Trust Area, as noted in item (a) of the resolution and welcome input, dialogue and opportunities to address items (b) through (e) of the resolution.

Submitted By:	Lisa Wilcox, kwakwemtenaat Senior Intergovernmental Policy Advisor	June 20, 2019
Concurrence:	Robert Kojima Regional Planning Manager	June 20, 2019

ATTACHMENTS

None

To:	Local Trust Committees	For the Meeting of:	Various
From:	David Marlor, Director, Local Planning Services	Date Prepared:	June 17, 2019
SUBJECT:	Model Radio Antenna Strategy		

PURPOSE: To provide the model radio antenna strategy to local trust committees for consideration of adoption.

BACKGROUND:

The federal Ministry of Innovation, Science and Economic Development Canada (ISED)(formerly Industry Canada),has jurisdiction over telecommunications uses such as radio broadcast towers and cellular telephone towers, which are licensed under the federal *Telecommunications Act*. ISED looks for the land use authority to issue a letter of concurrence or non-concurrence with the proposal put forward by telecommunications proponents and the consultation process they conduct. ISED recommends land use authorities establish a documented public consultation process to guide cell/radio tower proponents.

Within the Islands Trust, the consultation process on these types of applications was previously guided by the Letter of Understanding (LOU, signed October 30, 1996) that existed between ISED and the Islands Trust Council, on behalf of Local Trust Committees, for proposed towers of over 25m in height. Since ISED updated its Radio communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) in 2014 to include a Default Public Consultation Process, the Trust Council/ISED LOU was rescinded by ISED under the terms of the agreement.

When a land use authority does not have an established or documented public consultation process, proponents of radio towers must use the ISED default process outlined in the Radio communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03).

In March 2016, Trust Council passed the following resolution:

THAT the Islands Trust Council request the Local Planning Committee to make recommendations on policy that includes public consultation procedures and development guidelines for the siting and design of antenna systems, which may then be adapted and implemented by local trust committees.

The report, “Model Program for Antenna Systems,” dated May 3, 2018, (Attachment 1) was prepared by a consultant (James Van Hemert) under contract with Islands Trust. The report provides a model consultation program, land use siting criteria, and model official community plan policies. The report also presents a literature review and summary of background materials that were reviewed as part of the report’s creation.

The report was received by Trust Council the June 2018 Trust Council meeting and was requested to be forwarded to local trust committees. This is being forwarded to you now to allow the new local trust committees elected in November 2018 to consider adoption of the public process contained in the

“Model Program for Antenna Systems”, as well as the policy and regulatory recommendations contained in this document.

ATTACHMENT(S):

1. Model Program for Antenna Systems,” dated May 3, 2018

Link to IT Web Document: <http://www.islandstrust.bc.ca/media/346706/final-model-strategy-for-antenna-systems.pdf>

FOLLOW-UP:

A brochure is being developed to explain the process and will be posted on the Islands Trust website as soon as it is complete.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: