



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: March 24, 2022
Time: 10:00 am
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

			Pages
1.	CALL TO ORDER	10:00 AM - 10:00 AM	
2.	RISE AND REPORT - In-camera February 24, 2022 Meeting		
	By general consent, the LTC agreed to rise and report at the next regular meeting that the North Pender Island Local Trust Committee appoint Vicki Dutton, Mary Beth Rondeau and Lynn Clarke to the North Pender Island Advisory Planning Commission, commencing immediately for a term ending March 1, 2023.		
3.	APPROVAL OF AGENDA	10:00 AM - 10:05 AM	
4.	TRUSTEE REPORT	10:05 AM - 10:15 AM	
5.	CHAIR'S REPORT	10:15 AM - 10:20 AM	
6.	TOWN HALL AND QUESTIONS	10:20 AM - 10:35 AM	
7.	COMMUNITY INFORMATION MEETING		
	None		
8.	PUBLIC HEARING		
	None		
9.	MINUTES	10:35 AM - 10:45 AM	
9.1.	Local Trust Committee Minutes Dated February 24, 2022 (for Adoption)		4 - 12
9.2.	Local Trust Committee Special Meeting Minutes Dated March 12, 2022 (for Adoption)		13 - 16
9.3.	Section 26 Resolutions-without-meeting Report Dated Feb 2022		17 - 17
9.4.	Advisory Planning Commission Minutes - None		
10.	BUSINESS ARISING FROM THE MINUTES		

10.1.	Follow-up Action List Dated March 2022	18 - 22
11.	DELEGATIONS	
12.	CORRESPONDENCE	10:45 AM - 10:50 AM
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
12.1.	BC Electoral Boundaries Commission - March 3, 2022 (attached)	23 - 23
13.	APPLICATIONS AND REFERRALS	10:50 AM - 11:50 AM
13.1.	NP-DP-2022.1 (Jollimore) - Staff Report (attached)	24 - 74
13.2.	NP-LCB-2022.1 (NP Legion) – Staff Memo (attached)	75 - 79
13.3.	North Pender Island Local Trust Committee Proposed Bylaw No. 222 - Consideration of Adoption – Staff Report (attached)	80 - 85
13.4.	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 526 (for response) (attached)	86 - 93
14.	LOCAL TRUST COMMITTEE PROJECTS	11:50 AM - 12:50 PM
14.1.	Groundwater Sustainability Implementation - Staff Report (attached)	94 - 96
14.2.	LUB Review Project- Staff Report (attached)	97 - 114
14.3.	Soil Bylaw - Staff Report (attached)	115 - 118
15.	REPORTS	12:50 PM - 1:00 PM
15.1.	Work Program Report (attached)	
15.1.1.	<u>Top Priorities Report Dated March 2022</u>	119 - 119
15.1.2.	<u>Projects List Report Dated March 2022</u>	120 - 120
15.2.	Applications Report Dated March 2022 (attached)	121 - 125
15.3.	Trustee and Local Expense Report Dated January 2022 (attached)	126 - 126
15.4.	Adopted Policies and Standing Resolutions (attached)	127 - 131
15.5.	Local Trust Committee Webpage	
15.6.	Islands Trust Conservancy Report Dated January 2022	132 - 134
16.	NEW BUSINESS	
17.	UPCOMING MEETINGS	1:00 PM - 1:10 PM

17.1. 2022 Annual Meeting Schedule - Discuss

135 - 135

17.2. Next Regular Meeting Scheduled for April 28, 2022 at the St. Peter's Anglican Church Hall, Pender Island

18. TOWN HALL

1:10 PM - 1:25 PM

19. CLOSED MEETING (Distributed Under Separate Cover)

19.1. 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)(f) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated February 24, 2022*
- *Appointment of Board of Variance Members*
- *Bylaw Enforcement*

AND that the recorder and staff attend the meeting.

19.2. Recall to Order

19.3. Rise and Report

20. ADJOURNMENT

1:25 PM - 1:25 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: February 24, 2022
Location: Electronic Meeting

Members Present: Laura Patrick, Chair
Benjamin McConchie, Trustee
Deb Morrison, Trustee

Staff Present: Kim Stockdill, Island Planner
Narissa Chadwick, Island Planner
William Shulba, Senior Freshwater Specialist
Lauren Edwards, Recorder

There were approximately 11 members of the public attending the Zoom

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:10 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She commented on the news coming out of Ukraine.

2. RISE AND REPORT - In-camera January 27, 2022 Meeting

By general consent the LTC agreed to rise and report at the next regular meeting that the LTC appointed Ann Stephenson, Anne Burdett, Barbara Johnstone, George Leroux, and Martha McMahon to the North Pender Island Agricultural Advisory Planning Commission, commencing immediately for a term ending July 30, 2022.

3. APPROVAL OF AGENDA

Added to Item 12:

- Email correspondence from David Howe, CRD Director for Southern Gulf Islands
- Public correspondence from Donn Korbin

By general consent the agenda was approved as amended.

4. TRUSTEE REPORT

Trustee McConchie read from his *Pender Post* article that:

- Local newspapers help inform islanders of local governance in a non-divisive way in an era of social media posts and virtual data;
- He will attend the Trust Council meeting scheduled for March 8th to 10th and will speak on a number of concerns on behalf of the North Pender community as well as several issues including budget reduction, governance, and reallocation of program funds in the Strategic Plan;
- He believes the Policy Statement will likely not be passed during this term and before the municipal election in October;
- On Saturday, March 12th, 2022, the LTC will hold a Community Information Meeting regarding the Land Use Bylaw Review;
- He hopes for an in-person meeting on March 24th, 2022;
- Trustees continue to make efforts to be available to the community and to improve democratic governance; and
- He offered a note of concern, solidarity and support to Ukrainian Canadians at this time.

Trustee Morrison reported that:

- The Trust Programs Committee, which she chairs, has focussed on navigating the Trust Policy Statement and the commitment and responsibilities to First Nations reconciliation;
- She would like to pass a simple policy statement and encouraged the public to attend the Trust Council meeting and provide feedback on how they are being represented in that space;
- Efforts will be more coordinated in British Columbia to help communities better understand climate change and how we can act to shift our behaviour and learn from each other; and
- She appreciates receiving communication through text.

5. CHAIR'S REPORT

Chair Patrick reported that the Trust Council will be a hybrid meeting in Nanaimo on March 8th to 10, 2022 and that there will be a Town Hall on March 8th from 7:00 to 9:00 pm. She asked that the public subscribe to the Islands Trust website for notifications and reminders.

6. TOWN HALL AND QUESTIONS

Ronda Porter questioned whether there is a minimum size for dwellings or two small dwellings less than maximum size and whether there is any provision for tiny houses if they can be accommodated on a septic system using one of the treatment plants.

Sandra Tretick asked trustees to reconsider the rezoning of all of the North Pender shoreline from W1 to W3 and provided reasons being that: the Ministry of FLNRO has a current vetting process which is that not all shorelines are the same. She suggested use of Development Permit for sensitive areas. She also felt that there is a lack of support from property owners and that there is uncertainty about the impact on the 11 instream applications. Her major point was that rezoning will not address the issue of illegal and derelict docks.

Chair Patrick responded that these questions would be answered during the Land Use Bylaw discussion.

7. COMMUNITY INFORMATION MEETING - None

8. PUBLIC HEARING – None

9. MINUTES

9.1 Local Trust Committee Minutes Dated January 27, 2022 (for Adoption)

By general consent the Local Trust committee meeting minutes of January 27, 2022 were adopted as presented.

9.2 Local Trust Committee Special Meeting Minutes Dated February 5, 2022 (for Adoption)

By general consent the Local Trust committee meeting minutes February 5, 2022 were adopted as presented.

9.3 Section 26 Resolutions-without-meeting Report Dated Feb 2022

9.4 Advisory Planning Commission Minutes – None

10. BUSINESS ARISING FROM THE MINUTES

10.1 Follow-up Action List Dated Feb 2022

Planner Stockdill reported that the short term rental bylaw may be on the March 24 meeting agenda.

11. DELEGATIONS - None

12. CORRESPONDENCE

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

- It was reported that a letter was received which stated that it is deceptive to hold LTC meetings by Zoom. In response, it was commented that this examples the way not to communicate to the LTC and that Zoom meetings are convenient for residents and ensures attendance during bad weather;
- It was reported that the LTC received correspondence from David Howe, CRD Director for Southern Gulf Islands, concerning his feelings on a decision made by the LTC.
- Trustee McConchie requested an update to the October correspondence sent to the CRD regarding Magic Lake; and
- Discussion arose regarding collaboration with the CRD, updating and expanding the protocol agreement; and information about the SGI Forum.

13. APPLICATIONS AND REFERRALS

13.1 NP-TUP-2021.10 (White) - Staff Report

- Planner Stockdill provided an overview of the report and provided information which included that the draft TUP maximum is 60 days from May 1st to September 30th, that there is one letter of support and that the recommendation is for three years;

- The applicant (Jaime), a fulltime resident, stated that the reason for the 60-day request is to allow utilization during the summer school break and that fire safety measures in place are: no smoking signs, no yard debris, no fire pit and no candles; and
- The applicant was commended for her public communication materials and Planner Stockdill agreed they could be used as resource material.

NP-2022-022

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit application NP-TUP-2021.10 (White).

CARRIED

13.2 NP-DP-2021.9 (Ooms) - Staff Report

- Planner Stockdill provided an overview of the land alteration permit for the installation of a new septic system in an existing septic field within the DPA. The applicant submitted a geotechnical report;
- Applicant Peter Ooms stated that the site as an open field requiring minimal ground disturbance and that he is also looking to put a solar array on the site with consultation from a geotechnical engineer. He reported that a septic engineer said that the current field is ideal for a gravity system;
- Planner Stockdill stated that if the solar array is constructed within the DPA, potentially, a new DP may be required; and
- Aspects of the geotechnical report were discussed and trustees discussed the need to consider the effects of climate change as it relates to future development.

NP-2022-023

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2021.9 (Ooms).

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 LUB Review Project – Staff Report

Planner Stockdill provided an overview of discussion topics which were: maximum floor area/lot coverage, C2 zoning, in-stream dock applications with the Province and timeline for the project.

Discussion occurred on the following topics: Retaining lot coverage of LUB; increasing maximum floor area of cottages; and adding impermeable material to LUB.

Discussed lot coverage and floor area, including:

- Planner Stockdill confirmed that secondary suites and attached garages are included in the maximum floor area calculation;

- Secondary suites and cottages as a response to the residential housing shortage;
- A Development Variance Permit application process option to allow a greater than the default of allowable square footage;
- Housing density, disbursement and lower square footage as a response to housing affordability and availability;
- Consideration for environmental impacts;
- Chair Patrick suggested the 2021 BC Housing document on accessory dwelling units as an available resource;
- Planner Chadwick reported that Mayne Island's Flexible Housing Project is looking at maximum floor area being divided between buildings and that information and a recent report is available on the website;
- Trustees discussed increasing cottage size as well as the allowable number of separate accommodations based on lot size and the restriction of stratas;
- Planner Stockdill confirmed that secondary suites cannot legally be subdivided for separate ownership and that North Pender LUB does not permit a cottage on properties less than 1.2 ha;
- Planner Stockdill provided options and also mentioned the possibility of creating a non-conforming situation should a secondary suite be removed; and
- Discussion will be put on hold until March 12th or March 24th.

Discussed water concerns, including:

- William Shulba, Islands Trust Senior Freshwater Specialist, provided input on an evidence-based process where there is likely to be water stress and vulnerability;
- Planner Chadwick reported that the Mayne Island Housing Project is looking at the implications of density on groundwater;
- Planner Chadwick reported that the Flexible Housing Project excluded water service areas and that a report to identify criteria will be available;
- Planner Stockdill will try to have a brief report ready for March 12th Community Information Meeting;
- Trustees determined that community members can provide their feedback at the March 12th Community Information meeting;
- Trustees confirmed that the size of cottages could be increased; and
- Planner Stockdill will edit the impermeable surfaces definitions and return for decision.

Discussed commercial tourist accommodation (C2 Zoning):

Planner Stockdill provided an overview of the status of the two McKinnon Road properties and stated she had written to property owners for their build out plans and that she could prepare a draft section 219 covenant in two weeks and invite the property owners to the March 12th Community Information Meeting.

Planner Stockdill provided an overview of the Driftwood Centre property which included that the LTC had decided to postpone the decision on rental housing zoning until they met with the property manager and report back. LTC were asked to decide on how to proceed.

McKinnon Road properties were discussed, including:

- Plans were not provided;
- Licensing applications are necessary for current commercial groundwater use and expanded usage requires authorization within the *Water Sustainability Act*;
- The property owners can attend the March 12th Community Information Meeting to discuss zoning;
- It should be understood and agreed that a water management plan is in place before a zoning decision and within the timeline of the LUB project; and
- Examples of a water management plan will be shared with the LTC and the applicant.

The Driftwood property was discussed, including:

- The property owner does not wish to change C2 zoning and is only looking to build a campground at this time;
- Property Manager (Dorothy) commented that rental housing on Driftwood property may be for future discussions;
- Dorothy stated that any developments on the property would benefit the community and community input would be sought;
- Planner Stockdill stated that LTC direction is required if property is not to be rezoned and that 27 commercial units are permitted within the present zoning;
- Planner Stockdill stated she will report back with options based on campground regulations; and
- Planner Stockdill provided an overview of the concerns and reasons for the review of commercial accommodation with C2 zoning and its cumulative impacts on Pender Island.

Planner Stockdill provided an overview of the issues regarding instream dock applications with the Province.

NP-2022-24

It was Moved and Seconded,

that the North Pender Local Trust Committee request staff to retain the Water 1 zoning for the 11 instream private moorage applications with the Province.

CARRIED

14.2 Groundwater Sustainability Implementation Project – Staff Report

Planner Chadwick provided an overview of the staff report and discussion occurred, including:

- William Shulba reported on the mapping for Critical Aquifer Recharge Areas that could inform a DPA;
- Planner Chadwick reported that the intention is to move this forward to identify potential boundaries of a Critical Aquifer Recharge DPA. She stated that coastal Douglas-fir integration mapping would require another methodology therefore combining the two projects would be more time consuming
- Chair Patrick commented on the value of partnering with the two major water districts and the importance of managing fire risk.

NP-2022-25

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff to prepare a draft bylaw to amend the “North Pender Island Official Community Plan Bylaw No. 171, 2007” to include Critical Aquifer Recharge Development Permit Area guidelines, map updates and minor updates to relevant sections as identified in the February 24, 2022 staff report.

CARRIED

NP-2022-26

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff to prepare a draft bylaw to amend the Land Use Bylaw to include updates to definitions, addition of cistern requirements for all new builds and updates to subdivision regulations related to potable water.

CARRIED

NP-2022-27

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff to identify options for changes to zoning regulations informed by GW Solutions (2021) groundwater availability assessment data.

CARRIED

Planner Chadwick stated that staff will report back with groundwater amendments that can be incorporated into the Land Use Bylaw Project.

NP-2022-28

It was Moved and Seconded,

that the North Pender Island Local Trust Committee endorse the revised Project Charter for the Groundwater Sustainability Implementation Project.

CARRIED

15. REPORTS

15.1 Work Program Report (attached)

15.1.1 Top Priorities Report Dated Feb 2022

Planner Stockdill reported that the LUB is on the agenda for the March 24 Regular LTC meeting

15.1.2 Projects List Report Dated Feb 2022

15.2 Applications Report Dated Feb 2022

15.3 Trustee and Local Expense Report Dated Dec 2021

15.4 Adopted Policies and Standing Resolutions

15.5 Local Trust Committee Webpage

15.6 Islands Trust Conservancy Report - None

16. NEW BUSINESS

16.1 Governance Study by the Magic Lake Property Owners' Society

Discussed the request for response to the Province's and CRD's request for an opinion.

NP-2022-29

It was Moved and Seconded,

that the North Pender Island Local Trust Committee write to the Minister of Municipal Affairs for the Province of British Columbia to request them to explain the process of the Governance Study by the Magic Lake Property Owners Society.

CARRIED

17. UPCOMING MEETINGS

17.1 Meetings Scheduled

The next regular meeting is scheduled for March 24, 2022, at the Anglican Church Hall Pender Island.

An electronic Community Information Meeting is scheduled for March 12, 2022.

18. TOWN HALL

Bob Coulson, on behalf of Magic Lake Property Owners Assoc., stated that their concerns relate to property tax increases and the lack of speed limit signs in school zones. He stated that they would like a consultant to communicate with the community.

Anne questioned what type of lot under the minor amendment of the LUB relates to the allowance of a 100 sq. ft. building and whether professional reports are required for the rezoning in the industrial portion of the LUB Review. Planner Stockdill provided her the information including that maps are available on the project website.

Kathi D stated she would appreciate having Zoom meetings continue as it allows attendance wherever she is and for as long as she wishes. Chair Patrick responded that the intent is to live-stream and make a recording available.

Michael Sketch thanked the LTC and staff for the groundwater mapping project. He stated that, if there is a lag to rewriting the Trust Policy Statement, trustees should lead to move the project forward. He also stated that it needs a firm resolve on March 8th, 9th or 10th.

Chair Patrick invited the public to the March 12th virtual meeting.

19. CLOSED MEETING (Distributed Under Separate Cover)

19.1 Motion to Close Meeting

NP-2022-30

It was Moved and Seconded,

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

- *Adoption of In-Camera Meeting Minutes Dated January 27, 2022*
- *Appointment of APC Members*

AND that the recorder and staff attend the meeting.

CARRIED

19.2 Recall to Order

19.3 Rise and Report

20. ADJOURNMENT

By general consent the meeting was adjourned at 1:48.

Laura Patrick, Chair

Certified Correct:

Lauren Edwards, Recorder

DRAFT



Islands Trust

North Pender Island Local Trust Committee

Minutes of Special Meeting

Date: March 12, 2022
Location: Electronic Meeting

Members Present: Laura Patrick, Chair
Benjamin McConchie, Trustee

Regrets: Deb Morrison, Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
Jennifer Kucherka, Recorder

Public: There were approximately 20 attendees in the Zoom webinar

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:00 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING

3.1 North Pender Island Local Trust Committee's Land Use Bylaw Review Project.

Planner, Kim Stockdill, outlined the North Pender Island LTC's Land Use Bylaw Review Project. Information reviewed in the slide presentation included:

1. Project Outline Objective

- To amend various regulations in the Land Use Bylaw to implement policies in the Official Community Plan; and to address legislative changes, and to make technical and other minor amendments to the LUB.

2. Project Status

- Early engagement with First Nations;
- There has been 6 CIM's to date regarding this project;
- Referrals to the Special Agricultural APC;
- Draft LUB regulations; and

- Draft accompanying OCP bylaw.

3. Rural Residential 1&2

- All properties within Magic Lake and the Trincomali areas will be zoned to Rural Residential 1 (RR1);
- All other properties that are zoned RR will be rezoned to a new Rural Residential 2 (RR2) zone; and
- There is no change in density for the Rural Residential zones.

4. Maximum Floor Area

- Maximum floor area regulations for the RR1, RR2, R, RC1, RC2, and AG zones.

5. Legal Non-Conforming “Grandfathering”

- A provision is proposed for non-conforming dwellings.

6. Accessory Structure on Bare Land

- Current LUB only permits an accessory building/structure prior to a house or cottage built on a property if the accessory building is to be used as a temporary dwelling.

7. Helicopters

- May 27, 2021 the NP LTC passed the following resolution: *that the NPI LTC add a prohibition on recreational helicopters as a part of the LUB review;*
- An amendment was added to the Prohibited Uses for heliports and helipad, other than for emergency evacuation use.
- Aeronautics is Federal jurisdiction and therefore may not be enforceable.

8. MacKinnon Rd Properties

- Four properties along MacKinnon Road zoned Commercial 2 (Tourist Accommodation) – C2;
- Potential full build out of 55 Commercial Guest Accommodation Units (CGAU’s);
- One of the four property owners agrees to reduce density from 9 CGAU’s to 3 CGAU’s; and
- Other two property owners are in discussions with the LTC with the possibility to register a S.219 covenant that would restrict any new development beyond the densities currently built on the property.

9. Docks

- Currently the majority of area surrounding North Pender is zoned Water 1 (W1) which permits the use of private docks for upland residential use, all areas with existing docks will retain W1 zoning or with an existing or in-progress private dock license application with the Province; and
- All other W1 without docks (other than marinas or federal transport) will be rezoned to Water 3 (W3) which does not permit private docks.

10. Next Steps

- Staff report to be presented at the LTC meeting on March 24, 2022;
- Spring 2022;
 - LTC to finalize draft LUB bylaw.
 - Potential for First Reading.
- Late Spring/Summer 2022;
 - Formal referral to First Nations and agencies.
 - CIM and Public Hearing (late summer or fall)

Members of the community were invited to ask questions and/or comment; and the following discussion points were raised:

- Two owners on MacKinnon Road are open to reduction of density and consideration of sustainability for development of commercial properties on MacKinnon Rd.
- Clarification was provided for accessory buildings on vacant lots.
- Question regarding any polls been considered/conducted of how many helicopters are spotted daily and/or issues related to this on North Pender Island.
- A member of the community questioned the driver for change of private dock rezoning and concerns of land value loss.
- A member of the community asked about multi-level home vs. slab construction for maximum floor area.
- A member of the community encouraged catchment for water in bylaws.
- Confirmation was provided that unlivable space of less than 1.5M is not to be included in the calculated maximum floor area.
- Lot area vs floor area of a dwelling was clarified.
- Multi-family dwellings at Driftwood Centre was raised.
- Average cost of rezoning applications and time frame involved was asked: currently the cost for a rezoning application is \$4400 and can take approximately 9-18 months.
- A member of the community observed long processes involved for regulation changes and supported improvements.
- Recommendation was made for future round table and hybrid meetings.
- Question was asked about tiny homes, issues with Building Code were discussed and reference to BC Housing document for more information.

- A member of the community encouraged the LTC to continue with Zoom for future meetings.

Chair Patrick encouraged anyone to send comments/questions in writing if not available for in person meetings to ensure it's on record: southinfo@islandstrust.bc.ca

Chair Patrick expressed appreciation to staff and the members of the public who came out to support and attend this meeting.

4. ADJOURNMENT

By general consent the meeting was adjourned at 11:56 am.

Laura Patrick, Chair

Certified Correct:

Jennifer Kucherka, Recorder



Resolutions Without Meetings Log

North Pender Island

Resolution Number	Action	Date
2022-001	Carried	17-Feb-2022
THAT North Pender Island Local Trust Committee adopt Bylaw No. 227, cited as "North Pender Island Local Trust Committee Meeting Procedure Bylaw No. 227, 2022".		

Follow Up Action Report

North Pender Island

28-Jan-2021

Activity	Responsibility	Dates	Status
1 NP LTC requests direction from Director Clare Frater on how to advocate for best practices related to dock maintenance and ocean health.	Clare Frater	Target: 26-Feb-2021	In Progress

27-May-2021

Activity	Responsibility	Dates	Status
1 NP LTC to advocate to prohibit helicopter use in the Islands Trust area - Trust Area Services to follow up	Clare Frater Mike Richards	Target: 30-Jul-2021	In Progress

28-Oct-2021

Activity	Responsibility	Dates	Status
1 15.2 Staff to draft a letter to CRD Magic Lake Sewer and Water Committee and to electoral area director requesting a plan for water quality improvement on Magic Lake (for Chairs signature)	Kim Stockdill	Target: 26-Nov-2021	Completed

04-Dec-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

North Pender Island

04-Dec-2021

Activity	Responsibility	Dates	Status
1 14.1 LUB Review Project 1. Staff to organize site visit with LTC to 1329/1333/1349 MacKinnon Road in early January. (DONE) 2. Trustees to report back after discussions with property manager regarding rental housing zoning on Driftwood Centre properties. 3. Staff to report back with rainwater collection (and for fire suppression) regulations for rental housing zoning. 4. Staff to report back with options for total maximum floor area for all buildings and structures (based on 25 percent lot coverage). (Done) 5. Staff to amend draft LUB mapping (portion of Magic Lake to be RR1, Port Wash to remain C1(a), Medicine Beach drop off to remain C1(e), ensure zoning boundaries are correct for I(b), and RH on driftwood centre to be determined). (Done)	Kim Stockdill	Target: 21-Jan-2022	In Progress

27-Jan-2022

Activity	Responsibility	Dates	Status
1 13.1 NP LTC to table Fee Bylaw No. 226 until the Governance Review is available to the public. Place draft Bylaw No. 226 on April 2022 NP LTC agenda.	Jas Chonk Robert Kojima	Target: 29-Apr-2022	In Progress

Follow Up Action Report

North Pender Island

27-Jan-2022

Activity	Responsibility	Dates	Status
2 12.3 NP-DP-2021.8 (Clarke) approved. Staff to notify applicant, obtain security and issue permit upon provision of security, and close file. - BEO FOLLOWING UP ON SECURITY	Jas Chonk Phil Testemale Sylvia Oliver	Target: 25-Feb-2022	In Progress
3 14.1.1 Provide suggestions for on-site fire safety review prior to issuance of STVR TUPs. (Staff to provide options when Bylaw No. 222 is to be adopted) - MEETING PENDING	Kim Stockdill Phil Testemale	Target: 25-Mar-2022	In Progress
4 18.7 In Camera Meeting 1. June 27, 2021 and December 4, 2021 minutes adopted as is. - done (Robin e) 2. NP LTC appointed all five members to the AG APC. done (Robin e) 3. Bylaw Enforcement to report back at the March 2022 meeting with enforcement update. 4. Rise and Report at February 25 meeting for appointing the AG APC members.	Jas Chonk Robin Ellchuk Warren Dingman	Target: 25-Mar-2022	Completed

24-Feb-2022

Activity	Responsibility	Dates	Status
1 9.1 LTC minutes from January 27, 2022 adopted as is.	Robin Ellchuk	Target: 11-Mar-2022	Completed



Follow Up Action Report

North Pender Island

24-Feb-2022

Activity	Responsibility	Dates	Status
2 9.2 LTC February 5, 2022 special meeting minutes adopted as is.	Robin Ellchuk	Target: 11-Mar-2022	Completed
3 13.1 NP-TUP-2021.10 (White) approved. Staff to notify applicant, issue permit, add TUP notification/renewal to TAPIS, close application.	Jas Chonk Phil Testemale Sylvia Oliver	Target: 25-Mar-2022	Completed
4 13.2 NP-DP-2021.9 (Ooms) approved. Staff to notify applicant, issue permit, add monitoring (if any) in TAPIS, close application.	Jas Chonk Phil Testemale Sylvia Oliver	Target: 25-Mar-2022	Completed
5 14.1 LUB Review Project 1. Staff to report back at the CIM on March 12 with the following: draft wording for C2 covenant. Staff to invite C2 MacKinnon Rd owners to CIM. Staff to send example of Water Management Plan to LTC and MacKinnon Rd C2 owners. 2. Staff to report back regarding Driftwood Centre (calculation for campground sites), cottage maximum floor area, amendment to impermeable material definition, amend draft LUB for in-stream dock applications to retain W1 zoning, groundwater amendments from Groundwater Project.	Kim Stockdill	Target: 18-Mar-2022	Completed

Follow Up Action Report

North Pender Island

24-Feb-2022

Activity	Responsibility	Dates	Status
6 14.2 Groundwater Sustainability Project 1. Staff to prepare draft OCP amendment bylaw to include critical aquifer DPA guidelines, map and minor updates. 2. Staff to prepare draft LUB amendment bylaw to include definitions, cistern requirements, and subdivision regulations. 3. Staff to identify options for zoning regulations based on GW Solutions groundwater availability assessment data. 4. Staff to amend Project Charter.	Narrisa Chadwick William Shulba	Target: 22-Apr-2022	In Progress
7 19.1 In Camera 1. Minutes of January 27, 2022 in camera meeting minutes adopted as is. (robin-done) 2. Appointment of three APC members. 3. Chair to Rise and Report at March 24, 2022 LTC meeting.	Jas Chonk Robin Ellchuk	Target: 18-Mar-2022	In Progress
8 16.1 NP LTC to write to the Minister of Municipal Affairs requesting an explanation on the process of the Governance Study by the Magic Lake Property Owners Society. - TO EC FOR FOLLOW UP	Clare Frater David Marlor	Target: 25-Mar-2022	In Progress

From: "INFO, BCEBC BCEBC:EX" <info@bcebc.ca>

Subject: Greetings from the BC Electoral Boundaries Commission

Date: March 3, 2022 at 11:45:56 AM PST

To: "sefast@bimbc.ca" <sefast@bimbc.ca>



March 3, 2022

Councillor Sue Ellen Fast
Island Municipality of Bowen Island

Greetings from the BC Electoral Boundaries Commission.

Please accept this letter as an invitation to your organization to express your views on the province's current electoral district boundaries.

The BC Electoral Boundaries Commission is an independent, non-partisan commission with a mandate to review the area, names and boundaries of provincial electoral districts. The Commission submits two reports to the Legislative Assembly with recommendations for the next two provincial general elections.

Your voice is an important part of this process. To help prepare its preliminary report, the Commission is now seeking public input on the province's current electoral district boundaries. We will be publishing a preliminary report with initial recommendations. After, we will seek public input on those recommendations.

You can share your organization's views in the following ways:

- through the [Commission website](#),
- at an in-person or virtual [public meeting](#), or
 - by [writing the Commission](#) directly.

Visit our website to learn more about the Commission, review maps and resources, and find the electoral districts in your community.

Please feel free to share this information with others and contact us with any questions.

Sincerely,

Justice Nitya Iyer
Commission Chair

BC Electoral Boundaries Commission

100- 1112 FORT STREET, VICTORIA B.C. V8V 3PK
BCEBC.CA | INFO@BCEBC.CA | 1-800-661-8683



DATE OF MEETING: March 24, 2022
TO: North Pender Island Local Trust Committee
FROM: Phil Testemale, Planner 2
Southern Team
COPY: Kim Stockdill, Island Planner
SUBJECT: Development Permit Application
Applicant: Steven Jollimore
Location: 1640 Schooner Road

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2022.1 (Jollimore).

REPORT SUMMARY

This report is to consider a Development Permit (DP) application.

The purpose of the DP is to authorize land alteration and tree removal within **Development Permit Area One – Woodland Ecosystems (DPA)**.

BACKGROUND

The application is intended to identify developable areas on the property in advance of any land alteration and a Building Permit application.

Approximately 90% of the 0.14 ha (0.35 ac) vacant property is designated within DPA One (Figure 2 and Attachment 2.2). As such, practically any development or land alteration or development would require a DP or an exemption.

The specific objective of the designation of the DPA is:

To preserve and protect remaining sensitive woodland ecosystems.

Referencing Figure 2, the scope of the development proposal within the DPA is as follows:

- Tree Removal consisting of six (6) mature¹ Douglas-fir and (2) Arbutus in the following specific areas where land alteration and construction is proposed.

¹ Mature trees have a DBH (Diameter at Breast Height) of over 20 cm.

- (A) **Dwelling Site:** 90 m² site for future construction of a slab on grade two (2) bedroom, two (2) level house approximately 82 m² (880 ft²) in size with a flat roof incorporating a roof deck to limit the building's footprint. No mature trees removed.
- (B) **Septic Disposal Field** (70 m²). Removal of two (2) Douglas-fir
- (C) **Driveway Area** (120 m² of DPA with a portion on road right of way). Removal of two (2) Douglas-fir and two (2) Arbutus (stressed/dead).
- (D) **Electrical Shed** (10 m²). No mature trees removed.
- (E) **Perimeter Fencing** (dry pack stone, and metal [drilled in rock] with wood panel). No mature trees removed.

The owner has worked with the Biologist (next) to limit the area of land to be cleared and the number of mature trees to be removed necessary for development. The applicant's written submission on the intention for the application is Attachment 3

A Biologist's report entitled 'Environmental Assessment of 1640 Schooner Way, Pender Island, BC' (Dan Baxter and Erin O'Brien, Caurinus Environmental, December 15, 2021 – 'Biologist's report') was submitted to the Islands Trust as part of the application (Attachment 5). That includes a completed professional's checklist. All recommendations of the Biologist's report as they apply to the DPA have been incorporated into the draft DP. The DPA conditions are discussed in 'Issues and Opportunities' below.

There is an existing shed (9 m²) on the property located outside of the DPA. Further property specifics are in the Site Context document which is Attachment 1.

A copy of the Development Permit Area Checklist for DPA 1 and the proposed Development Permit NP-DP-2022.1 (Jollimore) are Attachments 4 and 6.

Planning staff have not visited the property. Photographs of the site are on pp 12 -15 of the Biologist's report.

Figure 1 – Subject Property

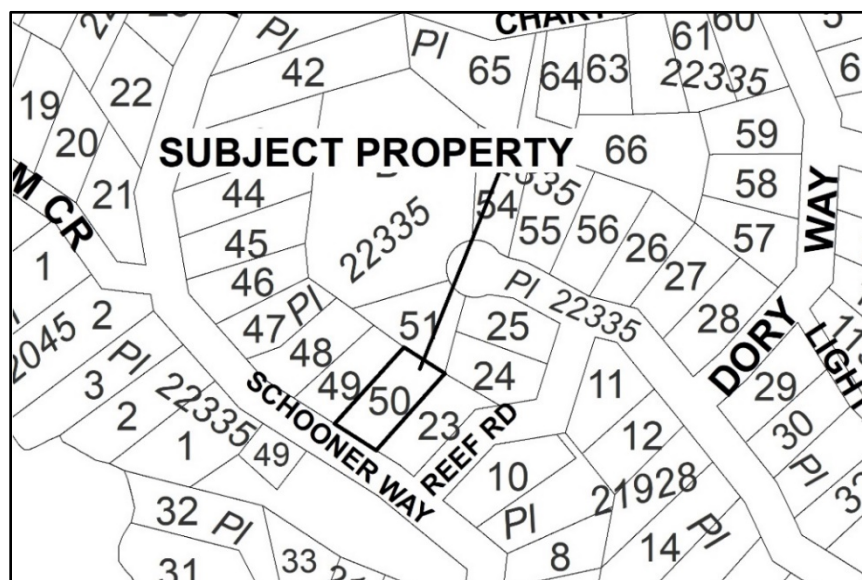
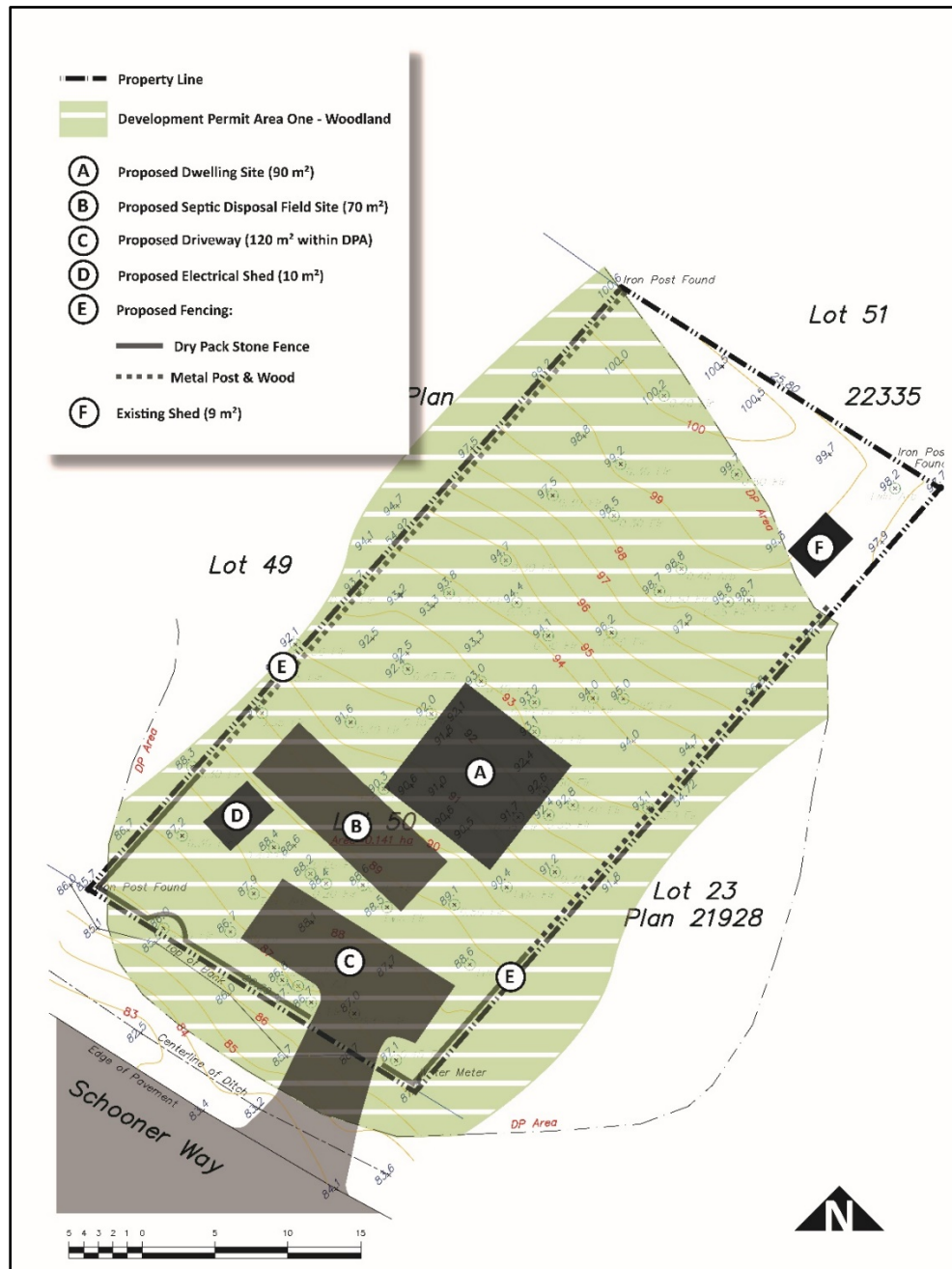


Figure 2 – Site Plan



ANALYSIS

Official Community Plan:

The property is designated **RR - Rural Residential** in the North Pender Island Official Community Plan No. 171, 2007.

Development Permit Area One – Woodlands Ecosystem (DPA) is designated on the subject property. (Attachment 2.2 and Figure 2).

DPA Guidelines

The DPA guidelines are analyzed in Attachment 4 and, in summary, the proposed development meets the guidelines.

Land Use Bylaw:

The property is zoned as **Rural Residential (RR)** in the North Pender Island Land Use Bylaw No. 103, 1996 (Attachment 2.1). The proposed uses and density meet the requirements of the LUB.

Issues and Opportunities

Biologist's Report

The Biologist's report inventories the biophysical context and the site specific conditions of flora, fauna and land uses. It notes that no rare or species at risk were identified on the property during the site visit. The report describes the property as *"...being previously disturbed by historic land use in the Woodland Ecosystem DPA and much of it is in a state of regeneration with young to mature trees present"* (p.8). The impact assessment for tree removal is assessed for the individual development areas, as well as for hydrology and introduction of non-native fauna. (pp. 16-18)

The report makes recommendations for the replacement of the eight (8) mature trees with twelve (12) small seedlings (eight (8) Douglas-fir and four (4) Arbutus- pp.19 -20). Other recommendations for hydrology, maintaining native species, construction management for erosion control, excavation and root damage, introduction of non-native flora, enhancing the ecological value of the property and monitoring are itemized on pages 21 to 24.

The report concludes that the proposed development *"...will minimally impact the designated Woodland Ecosystem DPA..."* and, its guidelines and recommendations *"...will ensure that detrimental impacts to the sensitive and threatened ecosystems on the subject property can be avoided"* (p.24).

Conditions in Permit.

All recommendations of the Biologist's report have been incorporated as conditions into the Draft DP (Attachment 6).

Any further work in the DPA would require a new DP or a DP Amendment be obtained.

Consultation

There is no public or agency consultation regularly associated with a DP application, nor any requirement for statutory notification.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. Properties may show potential for archaeological material to be found on the property during the proposed development, and Islands Trust provides information to applicants requesting they comply with the *Heritage Conservation Act* (HCA). The applicant has been provided the Islands

Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on HCA compliance. During the course of any development or land alteration applicants must ensure that in the event of archaeological material, or values being found all work on the property is stopped to preserve and protect cultural heritage. As reviewed, the DP application for restoration is consistent with respect to LTC Standing Resolutions on reconciliation.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- The objective and all guidelines of the DPA have been met, and
- All recommendations of the Biologist's report have been incorporated into the proposed DPA.

Alternatives

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

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

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

2. Deny the application

The LTC may deny the application.

The LTC is advised to cite the DPA guideline it does not comply with. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee deny application NP-DP-2022.1 (Jollimore) for the following reasons....

Submitted By:	Phil Testemale, Planner 2	March 16, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	March 16, 2022

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. Applicant's intent
4. DPA Guideline Checklist
5. Environmental Assessment Report
6. Draft Development Permit (NP-DP-2022.1)

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 50, SECTION 6, PENDER ISLAND, COWICHAN DISTRICT, PLAN 23335
PID	003-227-682
Civic Address	1640 Schooner Way

LAND USE

Current Land Use	Rural Residential (RR)
Surrounding Land Use	Rural Residential (RR) and Community Park (CP)

HISTORICAL ACTIVITY

File No.	Purpose
NP-BE-2021.11	Unlawful dwelling (RV) parked on verge – removed 11/21

POLICY/REGULATORY

Official Community Plan Designations	The property is designated as RR - Rural Residential in the North Pender Island Official Community Plan No. 171, 2007 (OCP). Development Permit Area One – Woodland Sensitive designated as shown in Attachment 2.2
Land Use Bylaw	The subject property is zoned as Rural Residential in the North Pender Island Land Use Bylaw 103, 1996.
Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Conservancy	This application has no considerations for the Islands Trust Conservancy.
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	Biologist's Report (Attachment 4) identified no species at risk or potential.
Sensitive Ecosystems	Woodland (subject of current application) (Attachments 2.2 and 2.3)
Hazard Areas	N/A
Archaeological Sites	No archaeological sites are noted within the property or within 100 metres. There is a no archeological potential mapped on the property. By copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and

	Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Tree replacement and protection will benefit GHG emissions through vegetation retention and enhancement. Elevation would preclude many climate change induced hazards (i.e. sea level rise).

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

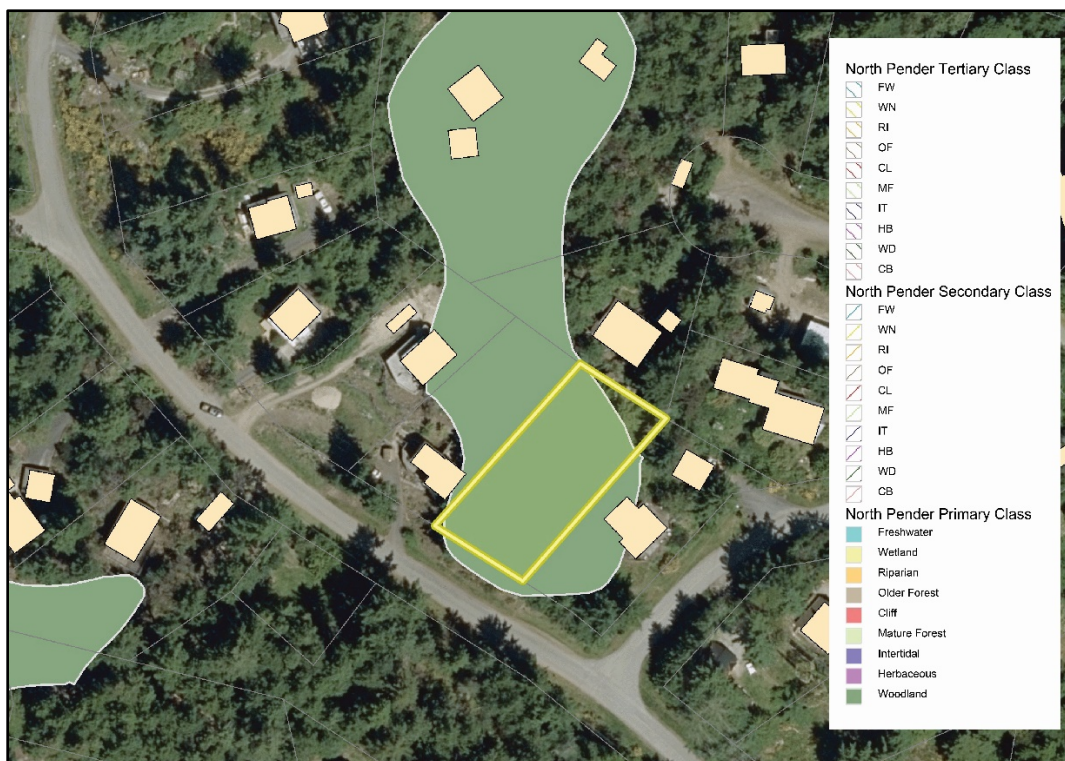
2.1 ORTHOPHOTO WITH ZONING AND BUILDING FOOTPRINTS



2.2 DPA ONE



2.3 SENSITIVE ECOSYSTEM MAPPING



2.4 STEEP SLOPE HAZARD MAPPING



Attachment 3

January 23 2022

Islands Trust

The subject property at 1640 Schooner Way is currently bare land. There is a storage shed 2.4m x 3.7m with a 2.4m ceiling that is 3m above grade to the roof on the southeast corner of the property outside of the DPA area. This building will remain and be used as storage.

My intention is to build a small house to be used as my primary residence. The footprint home will be approximately 50 m², the floor area of the dwelling will be approximately 97.6m divided evenly between two levels and utilize a roof deck. The home will be occupied for residential purposes. There will be a small shed 2.4m x 3.7m built on the Northwest corner for the electrical service as shown in the biologist's report to avoid overhead wires. The height of this shed will be approximately 4 m from grade.

My goal is to impact the property as little as possible.

Thank you,

Steve Jollimore

ATTACHMENT 4 -DPA CHECKLIST
NP-DP-2022.1(JOLLIMORE)
DPA 1 – WOODLAND SENSITIVE ECOSYSTEM

Guidelines		Comments
Overall DPA Guidelines		
1.	Where lots are not subject to further subdivision, applicable guidelines should be considered to the extent reasonable within the constraints of the site and the lot.	n/a
2.	Avoid locating development in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.	Applicant has worked in consultation with QEP for development location and to minimize mature tree removal within DPA. Property lacks developable area outside of DPA.
3.	The area cleared and disturbed for development should be minimized.	Tree removal limited with locations. Replanting a requirement of the permit.
4.	Fewer, but larger, undisturbed areas should be retained, rather than small or isolated undisturbed areas.	Locations have been selected and footprints minimized to achieve least amount of tree removal and land disruption. No other development or removal will take place on the property within the DPA.
5.	Buildings and associated infrastructure should be sited with sufficient undisturbed space around significant mature or established trees to protect root systems.	Yes
6.	Undeveloped buffer areas should be retained around sensitive ecosystems, features or habitat where feasible. Buffer areas should be of sufficient width to limit access by invasive plants.	n/a
7.	Natural features should be retained through incorporation into the design of the development. In particular, unique or special natural features such as native grasses, rare plants, unique land forms, rock outcroppings, mature trees, spits and dunes should be protected.	Tree removal is contrary but necessary given the extent of DPA on property. Remediation (replanting and ongoing invasive species removal are conditions of Proposed DP – Attachment 6
8.	Connections and corridors should be maintained to provide continuity between sensitive ecosystems and important habitat.	yes

Guidelines		Comments
9.	Use of drought resistant and native plants in landscaping should be encouraged. The planting or introduction of non-native plants should be avoided.	Remediation conditions of permit require planting of native trees.
10.	Soil removal and deposit within or adjacent to a sensitive ecosystems or habitat should be avoided.	No soil removal or deposit only permitted in development areas within the DPA. Silt fencing is a requirement of the DP.
11.	Alteration of natural drainage systems in ways that increase or decrease the amount of water available to a sensitive ecosystem should be avoided.	n/a
12.	Septic fields should be located in such a manner that the possibility of pollution of sensitive ecosystems or habitat is avoided.	yes
13.	Driveways and other accesses should be limited to the number required for safe access, with shared driveway access where feasible. Driveway lengths and widths should be limited to the minimum necessary. The use of impervious surfaces should be discouraged.	Yes minimized for area and designed around mature trees.
14.	Shoreline structural modifications should be limited in number and extent and should be necessary to support or protect a permitted or existing use or structure.	n/a
15.	Preference should be given to shoreline structures that have a lesser impact or enhance ecological functions, including vegetation enhancement, drainage control, beach enhancement, anchor trees, gravel placement. Harder construction measures should be avoided where possible.	n/a
16.	Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land, except for agriculture. Vegetation which helps stabilise banks, reduce erosion and provides habitat should be retained or enhanced.	n/a
17.	The permit conditions may include:	
	a) the construction of permanent or temporary fencing around sensitive features;	Silt fencing is a requirement of the DP.
	b) fencing, flagging and posting of notices during construction;	n/a
	c) limits on blasting in sensitive areas;	n/a

Guidelines	Comments
d) limits on construction timing;	Tree planting time window specified in Biologist's report and permit. General guidance for construction timing included
e) provision of works to maintain or restore the quantity or quality of water reaching environmentally sensitive areas or habitat;	Yes, DP states that where possible, excess drainage from the dwelling unit toward the Woodland Ecosystem DPA to maximize soil water uptake and storage.
f) restoration or enhancement of disturbed sensitive ecosystems and habitat	Yes – condition to plant twelve (12) replacement saplings as per Biologist's report.
18. The LTC may consider variances to siting or size regulations where the variance could result in enhanced protection of an environmentally sensitive area.	n/a
Woodland Ecosystem 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.	See Guideline 7 comment above.
2. Unnecessary removal of dead or declining trees, downed logs, snags and leaf litter should be avoided.	Condition in permit.
3. Consideration should be given to requiring fencing as a condition of a permit in order to manage access.	n/a
4. Where feasible, cut dangerous trees to a level where they are safe rather than removing entirely.	n/a
5. Denning and nesting sites or rare, threatened or endangered species should be protected.	n/a
6. Stairs, walkways and other access within a sensitive ecosystem adjacent to the shoreline should be limited to that required for safe access, with shared access where feasible. Stairs should incorporate landings, follow existing contours of the site, utilize small concrete pilings and have gaps between boards.	n/a

Attachment 5

Environmental Assessment of 1640 Schooner Way, Pender Island, BC

Submitted To:

Steve Jollimore

On

December 15, 2021

Prepared By:

Dan Baxter and Erin O'Brien



Caurinus Project No.: CE2021004

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1.0 Introduction

In February 2021, Caurinus Environmental was contacted by Steve Jollimore to complete an environmental inventory, condition, and impact assessment in a designated Woodland Ecosystem DPA at 1640 Schooner Way on Pender Island (Figure 1; Appendix 1). The purpose of this report is to provide a complete environmental inventory, impact assessment and strategies with other disciplines to guide the construction of a primary dwelling on a concrete slab footing, a septic field, driveway, electrical shed, and fence in an environmentally responsible manner.

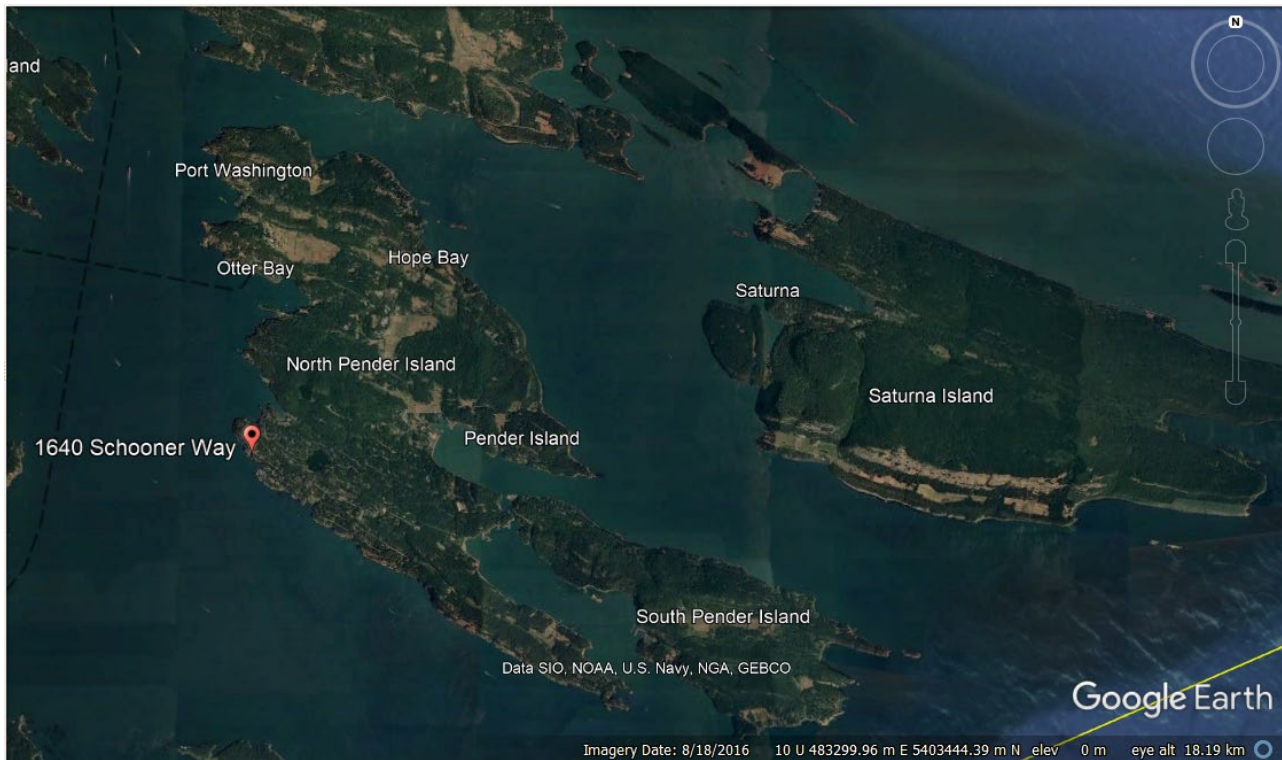


Figure 1. Pender Island; Gulf Islands (Google Earth 2021).

The subject property is located in the North Pender Island Local Trust Area, Capital Regional District (CRD), and is approximately 0.141 ha (0.35 acres) in size. The property is located on 1640 Schooner Way, approximately 500 m SSE of Thieves Bay (Figure 2). The legal description for the parcel is:

- Lot 50 Plan VIP22335 Section 9 Land District 16 Portion Pender Island (PID: 003-277-682)



Figure 2. 1640 Schooner Way, Pender Island (e-valueBC, BC Assessment 2021).

The purposed area is currently zoned RR2 (Rural Residential) in a strata lot with adjacent property to the north, south and east designated as Rural Residential. The property to the south is designated as Community Park (Schooner at Reef Park). The subject property falls under the jurisdiction of the North Pender Island Local Trust Area and consequently must conform to the North Pender Island Official Community Plan Bylaw No.171, 2007. Both phases of the environmental assessment are included in this report: Ecological Assessment Phase as well as Impact Assessment and Mitigation Phase. Other regulatory frameworks which also guide the assessments and strategies within this report include, but are not limited to:

1. Species at Risk Act (SARA) - Federal
2. Migratory Birds Convention Act – Federal
3. Wildlife Act – Provincial

2.0 Supporting Inventories

A review of current information pertaining to the subject property and surrounding areas was conducted using the following resources:

- **Biogeoclimatic maps and online satellite imagery of the subject property**
- **BC Conservation Data Centre (CDC)**
- **Ecocat, Ecosystems Report Catalogue**
- **Terrestrial Ecosystem Mapping**

2.1 Physical Resources

Humid Temperate Ecodomain

In British Columbia, the ecosystems of the Gulf Islands originate from the most southerly extent of the Humid Temperate Ecodomain extending from the continental slope and shelf, all the coastal islands, adjacent

mountains, the central interior plateau, and the southern interior mountains. The climate is characterized by strong seasonal cycles of temperature and precipitation with a distinct winter (CPAWS 2005; Demarchi 2011).

Humid Maritime & Highlands Ecodivision

This Ecodivision occurs along the coast from the western edge of the Continental Slope eastward to the effective height of land on the Coast Mountains, including the Nass Basin and Nass Ranges. This Ecodivision's climate is temperate, with abundant rainfall throughout the year, but with reduced precipitation in summer. Coniferous tree species that occur include Douglas-fir (*Pseudotsuga menziesii*), Western redcedar (*Thuja plicata*), Western hemlock (*Tsuga heterophylla*), Sitka spruce (*Picea sitchensis*), amabilis fir (*Abies amabilis*), and yellow-cedar (*Chamaecyparis nootkatensis*). In the extreme south of the province, where it is much drier, it contains arbutus (*Arbutus menzeisii*) and Garry oak communities (CPAWS 2005; Demarchi 2011).

Georgian Depression Ecoprovince (GED)

This ecoprovince lies between the Vancouver Island Mountains and Olympic Mountains to the west and the southern Coast Mountains and northern Cascade Ranges to the east. In British Columbia, the Georgia Depression Ecoprovince is a large basin that encompasses the southeastern Vancouver Island Mountains, the Nanaimo Lowlands, and the Gulf Islands in the west, the Strait of Georgia in the middle, and the Georgia Lowlands and Fraser Lowlands in the east (CPAWS 2005; Demarchi 2011).

SGI - Southern Gulf Islands Ecoregion

These islands occur from Newcastle and Gabriola islands south to Chatman, Discovery and Chain islands, including the inter-island channels and sounds that extend across the Strait of Georgia, and the San Juan Islands in Washington. The islands consist of folded and faulted shale and sandstone/conglomerate, with some volcanic stocks intermixed. This has resulted in the many linear valleys and island separations. The northwesterly aligned folded structure and the eroding power of southeasterly moving glacial ice have resulted in the prominent northwesterly-southeasterly alignment of the Gulf Islands. As the glaciers retreated, it resulted in very deep deposits of sediments on this lowland. Streams that originate here are short and often ephemeral, drying in the summer (CPAWS 2005; Demarchi 2011).

2.2 Topography

The bedrock geology plays a large role in the topography of the islands. North Pender bedrock is categorized as the Late Cretaceous Nanaimo Group with the strata consisting of alternating interbeds of sandstone, shale, siltstone, and conglomerate. This has led to the steep rugged topography following the trends of the major resistant bedrock units (sandstones and conglomerates), with the valleys being comprised of sandy or clay soils located over less resistant shale and along fault lines (Kenney *et al.* 1988; Kohut *et al.* 2001). Locally the surveyed property has been incised heavily and scraped down to the bedrock with large deposits of sediment throughout (Kohut *et al.* 2001). From the centre of the subject area, the property slopes in the southwest toward the ocean near Thieves Bay.

2.3 Hydrology

Soils, climate, vegetation cover, and surface topography work together in a complementary manner. Soils directly influence precipitation infiltration rate, the rate of surface runoff, and ultimately groundwater recharge/discharge as well as soil moisture content (Kenney *et al.* 1988). North Pender Island lies in the Coastal Douglas-fir zone (Kenney *et al.* 1988) which is the driest mesothermal climate in British Columbia. The climate of the Gulf Islands is highly variable and annual precipitation averages 873.8 mm. Pender Island can be in drought conditions for long periods resulting in annual precipitation as low as 399.8 mm (Henderson 1998). Precipitation is the only source of groundwater replenishment and is the primary source of potable water on the island.

Outflows of water consist of surface runoff, evapotranspiration, springs, and seepage to the ocean. The critical factors which influence hydrogeology include soil type and thickness, bedrock stratigraphy and structure, cultural interference, and vegetation type and density (Henderson 1998). The general low primary porosity and permeability of bedrock on North and South Pender Islands indicates the reduced potential for water storage and accessibility. Hydrograph and precipitation data from North Pender Island indicate that there is a very close relationship between climatic factors and groundwater recharge due to the short time between precipitation and recharge (Henderson 1998). The location of the islands in a tectonically active area has the potential advantage of enhanced secondary porosity and permeability (Kenney *et al.* 1988).

2.4 Biological

2.4.1 Biogeoclimatic Ecosystem

In British Columbia, resource managers have advocated Terrestrial Ecosystem Mapping (TEM) to establish natural resource baselines for planning and management purposes. Furthermore, these databases are to be used by stakeholders and resource planners to provide guidance for the private sector and all levels of government regarding conservation and management at a meaningful scale, such as community development plans, and to do so in a common language.

Climate, topography and surface geology influence the site hydrology, which in turn influences the biological resources on site. This ecological principle is fundamental to most Ecological Landscape Classifications. The vegetation assessment utilizes the Biogeoclimatic Ecosystem Classification (BEC) which is used extensively throughout British Columbia to report and describe terrestrial ecosystems. In the BEC system, climate is the most significant determinant of ecosystems, influencing soil characteristics which in turn influence the climax (old growth) vegetation, its composition and structure.

The subject property is located in the CDFmm - Moist Maritime Coastal Douglas-fir subzone occurring in the Southern Gulf Islands (Pojar and Mackinnin 1994). The Southern Gulf Islands ecosystems are heavily influenced by the rain shadow of the mountains on Vancouver Island and Washington's Olympic Peninsula. This results in warm, dry summers and mild, wet winters. The Southern Gulf Islands fall predominantly into the Coastal Douglas-Fir biogeoclimatic zone. The most common tree species found are Douglas-fir, Western redcedar and Garry oak (*Quercus garryana*). Other common species include salal (*Gaultheria shallon*) and Oregon grape (*Mahonia aquifolium*) in upland areas, wild rose (*Rosa acicularis*), snowberry (*Symphoricarpos albus*) and oceanspray (*Holodiscus discolor*) in rocky outcrops, and bigleaf maple (*Acer macrophyllum*), sword fern (*Polystichum munitum*), and salmonberry (*Rubus spectabilis*) in moister regions (Meidinger and Pojar 1991; Demarchi 2011).

The following ecosystems were noted within the subject property (Green and Klinka 1994; Figure 3):

- **CDFmm DA/02: Douglas-fir - Shore Pine – Arbutus**
- **CDFmm DS/01: Douglas-fir – Salal**



Figure 3. Property Ecosystems: (3660: 100% Douglas-fir - Shore Pine – Arbutus, Young Forest; 2703: 100% Douglas-Fir-Salal, Young Forest (Islands Trust (MapIT) 2021).

Woodland Ecosystem DPA

Portions of the property have been locally designated as a Woodland Ecosystem DPA by the Islands Trust. This designation includes forest such as open deciduous and mixed deciduous conifer. They are generally restricted to areas with shallow soils on south-facing slopes in areas with extremely dry summers. The Woodland Ecosystem DPA present is designated as Douglas-fir – Shore Pine – Arbutus (Figure 4).



Figure 4. Location of Woodland Ecosystem DPA on the subject property. 3660: 100% Douglas-fir - Shore Pine – Arbutus, Young Forest (Islands Trust (MapIT) 2021).

3.0 Site Inventory

Dan Baxter (B.Sc., R.P.Bio) and Erin O'Brien (Ph.D.) of Caurinus Environmental conducted a site visit and review of current information pertaining to the subject property and surrounding areas in September 2021. The review included online satellite imagery, reports, independent studies and recent Terrestrial Ecosystem Mapping (TEM). The subject property is accessed from Schooner Way (Figure 2). The property begins on the northeast side of the roadway and continues in a northeasterly direction until it connects to the adjacent Rural Residential property. The property has been previously disturbed by historic land use in the Woodland Ecosystem DPA and much of it is in a state of regeneration with young to mature trees present.

3.1 Conservation Data Centre

British Columbia Conservation Data Centre (CDC) is an extension of the Ministry of Environment and Climate Change Strategy and is the provincial coordinator for tracking rare and endangered species (native plants, animals, and natural plant communities) in British Columbia on provincial, national and international levels. Documented locations of sensitive (at-risk or endangered) and non-sensitive species were reviewed for the area using a 1 km search radius; no known sensitive species occurrences have been reported in the area (Data review: August 29, 2021).

3.2 Flora

The ecosystems on the property categorized by the Islands Trust (Figure 3) were as follows:

- **3660: Development Permit Area 1: Woodland Sensitive Ecosystem – 100% Douglas-fir - Shore Pine – Arbutus, Young Forest**
- **2703: 100% Douglas-Fir-Salal, Young Forest**

The following section summarizes the provincial Terrestrial Ecosystem Mapping TEM - ecosystems found on the subject property site. The following ecosystems were identified in a literature review and confirmed during the survey of the property:

Woodland - CDFmm: Coastal Douglas-fir Zone, Moist Maritime

- **CDFmm DA/02: Douglas-fir – Shore pine – Arbutus**

This forested ecosystem is dominated by Douglas-fir and arbutus with shore pine (*Pinus contorta contorta*) occurring on the driest and poorest sites. In areas with rock outcrops and/or small islands, Garry oak can also occur. Forest canopies are discontinuous with large gaps, due to rock outcrops and pockets of shallow soil. These forests are typically found on drier, poorer sites including crests, upper slopes, and warm aspects. Soils are shallow, mostly medium-textured ranging from fine sand to silty loam and have a very dry moisture regime with a very poor to medium soil nutrient regime. Some have a thin soil deposited by glacial melt water or till origin overlying bedrock. Drainage ranges from very rapid to well. The shrub layer consists of diverse drought-tolerant shrubs such as hairy honeysuckle (*Lonicera hispidula*), Nootka rose (*Rosa nutkana*), Oregon grape, oceanspray, salal with saskatoon (*Amelanchier alnifolia*) being present in minor amounts. The herb layer usually includes Columbia brome (*Bromus vulgaris*), purple peavine (*Lathyrus nevadensis*), orange honeysuckle (*Lonicera ciliosa*), broad-leaved starflower (*Trientalis latifolia*), white fawn lily (*Erythronium oregonum*), Pacific sanicle (*Sanicula crassicaulis*), and trailing blackberry (*Rubus ursinus*).

The Douglas-fir – Shore pine – Arbutus plant community is provincially **Red** Listed (BC List Status 2021) and is ranked S1 (critically imperiled; Provincial Conservation Status 2021) in British Columbia. This critically imperiled habitat is located in coastal areas with favourable scenic aspects and is in high demand for new and re-development in the region. In the entire Coastal Douglas-fir Zone, due to continued development pressures, only ~0.5% has been identified as mature or old forest (BC's Coast Region: Species & Ecosystems of Conservation

Concern 2010). Historically, this ecological community has experienced significant declines as a result of extensive past timber harvesting, grazing, and extensive rural and urban development. Threats include development, agriculture, fire suppression, invasive species, recreational use, grazing and browsing by domestic livestock and the overabundance of black-tailed deer (*Odocoileus hemionus columbianus*; BC's Coast Region: Species & Ecosystems of Conservation Concern 2010).

- **CDFmm DS/01: Douglas-fir – Salal**

Forested site dominated by Douglas-fir, in association with grand fir (*Abies grandis*) and Western redcedar. Typical site conditions for zonal DS forests are mid to upper slope positions and gentle topography. Soils are most often moderately-well to well drained and medium-textured loamy soils. Understory species can include snowberry, pinegrass (*Calamagrostis rubescens*), birch-leaved spirea (*Spiraea betulifolia*), salal, dull Oregon-grape (*Mahonia nervosa*), oceanspray, sword fern and Oregon beaked moss (*Eurhynchium oregonum*).

Habitat description

The subject property was assessed during the site visit for the possible occurrence of all provincially Red- and Blue-listed species as well as federal Species at Risk Act-scheduled species.

Site Inventory Description:

All polygons on the property have been previously disturbed to some extent by adjacent land use or previous historical development. We conducted a comprehensive vegetation survey throughout the Woodland Ecosystem DPA (3660) and assessed the remainder of the property, where historical disturbance has occurred, for presence of invasive species that may spread into the Woodland Ecosystem DPA. We measured the diameters (DBH – diameter at breast height, approximately 1.5 m) of the trees that would need to be removed from the proposed project area in the Woodland Ecosystem DPA (Table 1a, 1b, 1c); no trees are to be removed for the installation of the fence. Plant species detected during the site survey are presented in Table 2; invasive species detected included Scotch broom (*Cytisus scoparius*) and Spurge-laurel (*Daphne laureola*). No species at risk were detected during the vegetation survey. However, the timing of our inventory (late summer) and the prevailing drought conditions at the time would not preclude the potential occurrence of rare species at another point during the growing season.

Table 1a. Diameter (DBH) of 12 trees within the footprint of the proposed dwelling at 1640 Schooner Way, Pender Island, BC.

Tree Species	DBH (cm)
Douglas-fir	8.0*
Douglas-fir	12.1*
Douglas-fir	10.5*
Douglas-fir	12.0*
Douglas-fir	9.3*
Douglas-fir	11.8*
Douglas-fir	14.6*
Douglas-fir	15.2*
Douglas-fir	12.4*
Douglas-fir	9.5*
Douglas-fir	10.8*
Douglas-fir	16.3*

*Trees <20 cm (DBH): Exempt from tree replacement criteria – See 5.2.2.3a Development Permit Exemptions

Table 1b. Diameter (DBH) of 7 trees in the footprint of the proposed septic system at 1640 Schooner Way, Pender Island, BC.

Tree Species	DBH (cm)
Douglas-fir	22.0
Douglas-fir	27.1
Douglas-fir	31.9
Douglas-fir	20.8
Douglas-fir	19.2*
Douglas-fir	14.0*
Douglas-fir	17.2*

*Trees <20 cm (DBH): Exempt from tree replacement criteria – See 5.2.2.3a Development Permit Exemptions

Table 1c. Diameter (DBH) of 4 trees in the footprint of the proposed driveway at 1640 Schooner Way, Pender Island, BC.

Tree Species	DBH (cm)
Arbutus	33.3
Arbutus	29.3
Douglas-fir	23.1
Douglas-fir	23.4

Table 2. List of plant species detected at 1640 Schooner Way, Pender Island, BC.

Common Name	Scientific Name	Origin Status ¹	BC Status ²	BC List ³	COSEWIC ⁴
Arbutus	<i>Arbutus menziesii</i>	Native	S5	Yellow	Not Listed
Douglas-fir	<i>Pseudotsuga menziesii</i>	Native	S5	Yellow	Not Listed
Grand fir	<i>Abies grandis</i>	Native	S5	Yellow	Not Listed
Salal	<i>Gaultheria shallon</i>	Native	S5	Yellow	Not Listed
Hairy honeysuckle	<i>Lonicera hispidula</i>	Native	S5	Yellow	Not Listed
Oregon grape	<i>Mahonia nervosa</i>	Native	S5	Yellow	Not Listed
American vetch	<i>Vicia americana</i>	Native	S5	Yellow	Not Listed
Wood saxifrage	<i>Saxifraga mertensiana</i>	Native	S5	Yellow	Not Listed
Sword fern	<i>Polystichum munitum</i>	Native	S5	Yellow	Not Listed
Grass sp.	-----	----	----	----	----
Red-stemmed feathermoss	<i>Pleurozium schreberi</i>	Native	S5	Yellow	Not Listed
Oregon beaked-moss	<i>Eurhynchium oregonum</i>	Native	S5	Yellow	Not Listed
Rose campion	<i>Silene coronaria</i>	Exotic	SNA	Exotic	Not Listed
Common foxglove	<i>Digitalis purpurea</i>	Exotic	SNA	Exotic	Not Listed
Scotch broom	<i>Cytisus scoparius</i>	Exotic	SNA	Exotic	Not Listed
Spurge-laurel	<i>Daphne laureola</i>	Exotic	SNA	Exotic	Not Listed

¹Origin Status: <https://ibis.geog.ubc.ca/biodiversity/eflora/>

²BC Status: <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/conservation-data-centre/explore-cdc-data/status-ranks>
<https://explorer.natureserve.org/AboutTheData/Statuses>

³BC List: <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/conservation-data-centre/explore-cdc-data/red-blue-yellow-lists>

⁴COSEWIC: <http://www.cosewic.ca/index.php/en-ca/assessment-process/wildlife-species-assessment-process-categories-guidelines/status-categories>

3.3 Fauna

During the site visit, all provincially Red- and Blue-listed species as well as Species at Risk Act-scheduled species were assessed for possible occurrence on the subject property. This wildlife assessment only considers vertebrate animals. The study area was carefully assessed for evidence of recent or past use by wildlife species. The following species were detected during the survey of the property:

Birds

The following 14 bird species were observed on or adjacent to the property during the site visit, with no species at risk detected (Table 3). The birds detected on site are typical for the area in late summer. No heron or raptor nests were detected during the site visit.

Table 3. List of bird species detected at 1640 Schooner Way, Pender Island, BC.

Common Name	Scientific Name	Origin Status ¹	BC Status ²	BC List ³	COSEWIC ⁴
Red-breasted Nuthatch	<i>Sitta canadensis</i>	Native	S5	Yellow	Not Listed
Chestnut-backed Chickadee	<i>Poecile rufescens</i>	Native	S5	Yellow	Not Listed
Brown Creeper	<i>Certhia americana</i>	Native	S5	Yellow	Not Listed
Spotted Towhee	<i>Pipilo maculatus</i>	Native	S5	Yellow	Not Listed
Dark-eyed Junco	<i>Junco hyemalis</i>	Native	S5	Yellow	Not Listed
Anna's Hummingbird	<i>Calypte anna</i>	Native	S4S5	Yellow	Not Listed
Flyover Species					
Common Raven	<i>Corvus corax</i>	Native	S5	Yellow	Not Listed
Turkey Vulture	<i>Cathartes aura</i>	Native	S4	Yellow	Not Listed

¹Origin Status: <https://ibis.geog.ubc.ca/biodiversity/efauna/>

²BC Status: <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/conservation-data-centre/explore-cdc-data/status-ranks>
https://explorer.natureserve.org/AboutTheData/Statuses*

³BC List: <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/conservation-data-centre/explore-cdc-data/red-blue-yellow-lists>

⁴COSEWIC: <http://www.cosewic.ca/index.php/en-ca/assessment-process/wildlife-species-assessment-process-categories-guidelines/status-categories>

Mammals

Two mammal species were detected during our site visit (Table 4), and no species at risk were detected. We detected three black-tailed deer and river otter (*Lontra canadensis*) evidence in the form of scat, skulls and remnant carcasses on the property. Since this has been a vacant lot for a number of years, it is likely that the carcasses were moved from adjacent properties. Other mammals that may be on site, but which were not directly surveyed include small rodents and bats. Suitable habitat for bat roosting and nursery sites include clefts in steep rock outcrops and standing dead trees with hollow interiors or flaking bark (Nagorsen and Brigham 1993); some of these features are present on the subject property and may support roosting or hibernating bats.

Table 4. List of mammal species detected at 1640 Schooner Way, Pender Island, BC.

Common Name	Scientific Name	Origin Status ¹	BC Status ²	BC List ³	COSEWIC ⁴
Black-tailed Deer	<i>Odocoileus hemionus columbianus</i>	Native	S5	Yellow	Not Listed
River Otter	<i>Lontra canadensis</i>	Native	S5	Yellow	Not Listed

¹Origin Status: <https://ibis.geog.ubc.ca/biodiversity/efauna/>

²BC Status: <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/conservation-data-centre/explore-cdc-data/status-ranks>

<https://explorer.natureserve.org/AboutTheData/Statuses>

³BC List: <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/conservation-data-centre/explore-cdc-data/red-blue-yellow-lists>

⁴COSEWIC: <http://www.cosewic.ca/index.php/en-ca/assessment-process/wildlife-species-assessment-process-categories-guidelines/status-categories>

Amphibians and Reptiles

No reptiles or amphibians were detected during our site visit but may occur in the warmer months. The northeastern portion of the property in the Woodland Ecosystem DPA (3660) has a rocky outcrop (Plate 1) that has the potential to provide shelter and protection from predators. The most common species found within this type of habitat are Garter snakes (*Thamnophis sp.*), as they are more likely to persist within urban landscapes, provided that critical habitat features for their survival are maintained. The crevices in the rocky outcrops can provide excellent breeding nursery and hibernation habitat for a variety of snakes (Ovaska *et al.* 2004). No hibernacula were found on the property.

Plate 1. Rocky outcrop on property in Woodland Ecosystem DPA (3660) providing potential snake and other reptile habitat located at 1640 Schooner Way, Pender Island BC.



3.4 On Site Land Use

Approximately 90% of the subject property lies within the Woodland Ecosystem DPA, and the majority of the habitat consists of an open regenerating forest with an open understory (Plates 2a,b; Figure 4). Outside the Woodland Ecosystem DPA, there is evidence of historical disturbance and current development on the subject property (Plate 3). Developed residential properties exist on three sides of the property, with Schooner Way being southwest of the property line (Plates 4, 5, 6).

Plate 2a. Regenerating forest with open understory located within Woodland Ecosystem DPA at 1640 Schooner Way, Pender Island BC.



Plate 2b. Regenerating forest with open understory located within Woodland Ecosystem DPA at 1640 Schooner Way, Pender Island BC.



Plate 3. Evidence of historical disturbance and current development outside of DPA at 1640 Schooner Way, Pender Island BC.



Plate 4. Developed adjacent property NE of 1640 Schooner Way, Pender Island BC.



Plate 5. Developed adjacent property NW of 1640 Schooner Way, Pender Island BC.



Plate 6. Developed adjacent property SE of 1640 Schooner Way, Pender Island BC.



4.0 Impact Assessment

Tree Removal

The current property is 1410 m² (0.141 ha) in size and proposed construction activities will encompass ~250.2 m² (0.025 ha) or 17.7% of the property. The property has been previously disturbed by historic land use in the Woodland Ecosystem DPA and much of it is in a state of regeneration with young to mature trees present. The impact of tree removal will vary depending on site location and construction activities.

Dwelling

The proposed dwelling will affect 97.6 m² of the Woodland Ecosystem DPA. Many potential impacts to the Woodland Ecosystem DPA have been mitigated in advance by attempting to minimize the size of the proposed dwelling, thereby reducing mature tree removal. The footprint of the proposed dwelling is located in an area where all trees to be removed are less than 20 cm (DBH; Table 1a; Plate 7).

Plate 7. Location of proposed dwelling at 1640 Schooner Way, Pender Island BC.



Septic

The proposed septic field will impact 62.7 m² of the Woodland Ecosystem DPA in an area where previous disturbance has occurred, consisting of two trenches that run parallel to the property line (Plate 8). Seven trees will need to be removed from the footprint of the proposed septic field. With the exception of four mature Douglas-fir (DBH 22-31.9 cm), the remaining three trees to be removed for placement of the proposed septic field are less than 20 cm (DBH; Table 1b; Plate 8).

Plate 8. Location of proposed septic field at 1640 Schooner Way, Pender Island BC.



Driveway

The proposed driveway will impact 89.9 m² of the Woodland Ecosystem DPA in an area where previous disturbance has occurred and consists of a trench that runs parallel to the property line (Plate 9; adjacent to the two trenches in the proposed septic area). Removal of two Douglas-fir (DBH 23.1, 23.4 cm) and two arbutus (DBH 33.3, 29.3 cm) will be necessary for placement of the driveway (Table 1c; Plate 9). It should be noted that both arbutus that will need to be removed are showing evidence of significant stress, with one appearing completely dead and the other containing a single live branch.

Plate 9. Location of proposed driveway at 1640 Schooner Way, Pender Island BC.



Electrical Shed

The proposed electrical shed (2.4m x 3.7m) will provide electrical services such as the main breaker panel, controls for septic pumps, exterior lighting, cable TV, internet and phone line to the proposed house enabling the reduction of overhead wires. All wires and cable will run underground through the excavated area for the proposed septic field. No additional tree removal will be necessary to accommodate this structure.

Fence

The proposed fence will consist of a combination of a dry-stone wall and a privacy fence, and will be constructed around most of the perimeter of the subject property (Appendix 1). Beginning along the northwest property border, the privacy fence will be built to a height of 3 m approximately 0.5 m inside the property line to allow access for maintenance, and will extend $\frac{3}{4}$ of the length of the property. The remainder of the privacy fence will be constructed along the middle section of the southeast boundary (Appendix 1). The fence will consist of galvanized steel posts drilled into rock and spanned with wooden panels to better blend into the forested surroundings. The dry-stone wall will be located along the front of the property with an iron or wooden gate for the driveway and will continue for the first $\frac{1}{4}$ length of the SW and SE property boundaries (Appendix 1). Construction of the dry-stone wall will not use any concrete or any other substance as mortar. The stone will be locally sourced from the property during house, driveway and septic construction. The fence will be designed to allow existing deer trails to remain active, as the owner intends to enable continued wildlife access to the property. No additional tree removal will be necessary.

Hydrology

The importance of soil water storage during summer drought (See Section 2.3 Hydrology), the ongoing loss of trees such as grand fir and western redcedar, as well as increasing effects of disease on species like arbutus due to increasing moisture stress and drought severity with climate change (Seebacher 2007) are all issues of great concern on Pender Island. Construction of the proposed dwelling and placement of the new driveway will cause interception of precipitation and hence alter soil water inputs within the Woodland Ecosystem DPA. Any development that reduces water inputs to the soil can potentially have significant effects on tree mortality under already stressful conditions, and so this component of the proposed development will require consideration for rainwater collection and diversion to the Woodland Ecosystem DPA. The planned construction work itself will have minimal effects on the hydrology of the property providing proper safeguards are in place to prevent water runoff (see Section 5 below).

Introduction of Non-native Flora

Areas of tree removal have the potential to increase sunlight to the forest floor and these areas are vulnerable to the introduction and spread of non-native species through seeding and vegetative dispersal. Because invasive plants can readily disperse into sensitive ecosystems following their introduction in adjacent areas of disturbance, areas that have undergone ground disturbance near a Woodland Ecosystem DPA must be kept clear of invasive plants to prevent introduction of non-native species into the sensitive Woodland Ecosystem DPA ecosystem. In addition, construction activities involving the use of heavy equipment, as well as revegetation of disturbed areas using commercial reseeding preparations, have the potential to introduce non-native vegetation to immediate and surrounding areas.

5.0 Mitigation and Recommendations

Site Specific Recommendations

Tree Replacement

The tree species to be removed from the Woodland Ecosystem DPA on the subject property to accommodate dwelling and associated construction activities include mature Douglas-fir and arbutus.

Table 5. Diameter (DBH) of eight trees in the Woodland Ecosystem DPA for which compensation will be required at 1640 Schooner Way, Pender Island, BC.

Tree Species	DBH (cm)
Arbutus	33.3
Arbutus	29.3
Douglas-fir	22
Douglas-fir	27.1
Douglas-fir	31.9
Douglas-fir	20.8
Douglas-fir	23.1
Douglas-fir	23.4

Tree species used in compensatory replanting should be selected to suit the soil, light and groundwater conditions of the site, should be native to the region, and should consider wildlife habitat values where possible. The subject property is south facing and currently well shaded. Any openings in the canopy have the potential to receive significant direct sun exposure during the summer; hence pioneer species that tolerate high light conditions should be planted to provide shade for later successional species such as Western redcedar to naturally seed in. We suggest compensatory planting with Douglas-fir to replace the fir that will be removed, as this species is adapted to the soil characteristics in the area and can tolerate relatively exposed sites (BC Ministry of Farming, Natural Resources and Industry 2020). Arbutus are suitable for warm, dry sites, especially on south and west aspects that may be of marginal value for production of other tree species. Arbutus prefer rocky soils derived from glacial sands and gravels or hard glacial till with low moisture retention. To maintain the habitat characteristics and enhance the ecological value of the Woodland Ecosystem DPA, we recommend compensatory planting of arbutus seedlings to replace the mature arbutus that will also be removed. Given that the DPA is generally well shaded, there are appropriate microsites that will support the establishment of arbutus seedlings. In fact, this compensatory planting will enhance the quality and long-term ecological value of arbutus on the site, given the poor health of the two trees that are proposed to be removed.

The general criteria below apply to the replacement of trees for the forestry industry under the Fisheries Act, Wildlife Act or Land Title Act by the BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development:

- **0 mm - 151 mm (6") DBH - 2 replacement trees or 4 shrubs (for up to 50% of trees being replaced in this range);**
- **152 mm - 304 mm (12") DBH - 3 replacement trees**
- **305 mm - 456 mm (18") DBH - 4 replacement trees**
- **457 mm - 609 mm (24") DBH - 6 replacement trees**

- **610 mm - 914 mm (36") DBH - 8 replacement trees**
- **Trees > 914 mm DBH (36") - will require individual approval and replacement criteria prior to removal.**

It should be noted, however, that the above planting prescriptions are derived from forest growth and yield models used in an industrial forest management context in British Columbia, which incorporate variable but significant tree mortality estimates (Weiskittel *et al.* 2011). Hence, these numbers exceed the desired final stem density of a mature stand. In the present context, given that the property owner will be required to ensure 100% tree survival (including replacement of dead or dying stock as necessary), it is reasonable to require that the number of plantings achieve a moderate mature stand density (eg ~1000 stems per hectare, sph; Ministry of Forests 1999), as would be required in managed coastal Douglas-fir stands. In this instance, a number of Douglas-fir and arbutus located in the Woodland Ecosystem DPA will need to be removed for installation of the proposed dwelling, septic field and driveway. These developments will encompass approximately 250 m², or 0.025 ha, of the Woodland Ecosystem DPA, leaving 0.116 ha of the DPA undisturbed and available for compensatory planting. There are presently approximately 130 trees (including a large proportion of young stems, < 20 cm DBH) within this 0.116 ha of the DPA outside the footprints of the proposed dwelling and associated developments; to achieve a stem density of 1000 sph within this area, we would require 116 mature trees to be established and reach maturity. Given that the survival probability of Douglas-fir seedlings that have reached a free to grow stage (at least 1.5 m) can be up to 70% after 20 years (Arnott 1975; Piatek *et al.* 2003) and 60% after 90 years (Cruickshank 2017), we would predict that up to 50 of the 130 trees currently in the DPA may not survive due to resource competition. Hence, compensatory planting will help to retain a natural stem density within the undisturbed DPA area over the long term, given natural rates of tree mortality.

To accommodate the proposed construction activities, eight mature trees (Table 5; >20 cm DBH) will be removed from within the DPA. These eight trees will be compensated with eight seedlings, and to offset the ~30% expected mortality of saplings after they reach a minimum of 1.5 m (see above), an additional 2 seedlings of each species must be planted to ensure complete replacement of the mature trees that will be removed from within the DPA. Hence, to compensate for any potential future seedling die off and to retain a density of 1000 stems/ha, 12 trees will need to be planted within the remaining Woodland Ecosystem DPA as compensation for the loss of the ecological value of these canopy trees. According to the Provincial criteria for tree replacement (above), 25 trees would be required to replace the eight trees removed for construction; however, this would greatly increase resource competition among the existing trees in the DPA and cause increased mortality due to the current high stem density on the subject property and low soil nutrients typically present on North Pender Island (BC's Coast Region: Species & Ecosystems of Conservation Concern 2010). Arbutus seedlings have a low survival rate (Oregon State University 2020), and when mature, arbutus require more area than Douglas-fir given their typically greater crown spread. Therefore, we recommend compensatory plantings consist of 8 Douglas-fir and 4 arbutus seedlings.

Where possible, seedlings should be planted in pockets of deeper soil. Low-lying areas will typically have greater soil accumulation, so higher points on rocky ridges should be avoided. All plantings must be protected from deer browsing by enclosing seedlings in metal cages until the trees are established and have reached a height sufficient to ensure their leading stems are beyond the reach of deer (~1.5 – 2 m; see Plate 10). Plantings must also be watered as needed to ensure their survival to a free-to-grow stage (~1.5 m in height), and any seedlings that do not survive to this stage must be replaced to maintain the 12 compensatory plantings within the Woodland Ecosystem DPA.

Retention of the remaining trees present in the Woodland Ecosystem DPA on the subject property will help stimulate natural tree regeneration processes, since mature Douglas-fir and arbutus provide a source of seed

for future regeneration. In addition, snags (standing dead trees) provide nest sites and a source of food in the form of insects for many avian species [brown creeper (*Certhia americana*), red-breasted nuthatch (*Sitta canadensis*), and woodpeckers] as well as providing shelter for Pacific tree frogs (*Pseudacris regilla*), several species of bats, and many invertebrates. Hence all remaining live and dead trees should be retained within the Woodland Ecosystem DPA on the subject property in the future.

Plate 10. Example of protective barrier that should be installed around planted seedlings to prevent deer browsing.



Hydrology

The proposed dwelling and placement of the new driveway will limit soil water recharge in the Woodland Ecosystem DPA through precipitation inputs. Where possible, excess drainage from the dwelling should be engineered to direct water flow back toward areas of tree plantings in the DPA to maximize soil water uptake and storage. Redirecting eavestrough flow from the new dwelling toward new tree plantings and into the DPA more generally will help to compensate for tree removals, enhance the survival of planted seedlings and maintain soil water inputs within the DPA.

Maintaining Native Species

1. To maintain ecological integrity of the Woodland Ecosystem DPA and the larger property, no tree removal beyond that required for the proposed dwelling and associated construction should occur. This includes the retention of standing dead trees (snags), as these features provide critical habitat for many species of birds, bats, and invertebrates. Existing seedlings or young trees should be managed to provide the best opportunity for survival (e.g. removal of competing vegetation and non-native species as needed, protection from deer browsing).

2. Retention of all mature trees currently present in the Woodland Ecosystem DPA on the property will help stimulate the natural tree regeneration process, since mature Douglas-fir and arbutus provide a source of seed for future regeneration.
3. The removal of invasive species (particularly Scotch broom) is recommended inside the Woodland Ecosystem DPA and throughout the entire property, to prevent its continued spread and improve the quality of natural areas. Scotch Broom modifies soil chemistry and prevents native species from establishing, shades out native species, and competes with native plants for access to pollinators and hence it is critical that it be eliminated from this landscape to restore it to a healthy and diverse native plant community. Small broom plants can be pulled in the winter or spring when the soil is moist, whereas removal of large plants should be achieved by cutting the plants at or just below the ground to avoid soil disturbance and erosional loss, as well as to reduce germination of seeds contained in the soil seed bank. (Germination is enhanced in newly disturbed soil.) Cutting plants when they are in full bloom in the spring will minimize resprouting, as all nutrients have been moved from roots into above ground parts at this time.
4. Landscaping and restoration of natural areas throughout the Woodland Ecosystem DPA should be conducted using *only native plant species*.
5. We recommend planting small seedlings as the best way to ensure tree root systems are able to develop undisturbed and to avoid transplant stress commonly associated with larger nursery stock. Planting small seedlings is also less invasive and can be done by hand rather than bringing in equipment to plant larger trees. This is especially relevant because replanting will be occurring in the sensitive Woodland Ecosystem DPA.
6. Any newly planted trees and shrubs require little care; however, until they reach a sufficient height ("free to grow" stage of 1.5 m), irrigation and protection from wildlife browsing will be necessary. We recommend that cages and netting (chicken wire, stucco wire, etc.) be used to protect new seedlings and shrubs from animal damage (Plate 10). Cages must be expandable to allow for plant growth while still ensuring protection from browsing. Barriers should start close to the ground and extend past the reach of deer, at least 1.5 m in height. Unhealthy, dying or dead stock should be replaced in the next regular planting season. Douglas-fir are generally drought tolerant once established, but young seedlings will require regular watering during the summer drought months. Arbutus seedlings should be planted within the Woodland Ecosystem DPA in a shady area as seedlings establish best in partial shade, and young trees can survive in dense shady areas. All seedlings will require regular watering until well established.

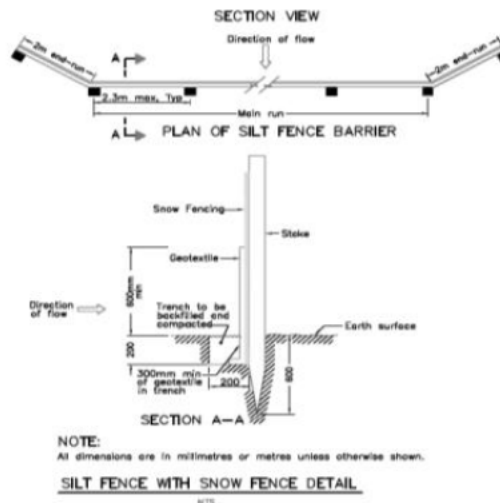
Erosion

7. Prior to construction, install silt fence as illustrated below to prevent surface transport of soil or fill and other material beyond the immediate construction area.

EROSION AND SEDIMENTATION

- 1) PRE-STAKED SILT FENCE TO BE INSTALLED AS SHOWN PRIOR TO CONSTRUCTION AS DIRECTED BY THE ENGINEER.
- 2) TOPSOIL STRIPPED FOR REUSE TO BE STOCKPILED AWAY FROM WATER COURSES, DRAINAGE PATHS AND PROPERTY AND SHALL BE COVERED AND / OR SEEDED TO REDUCE EROSION.
- 3) ALL DISTURBED AREAS TO BE RESTORED AND LANDSCAPED AS SOON AS POSSIBLE FOLLOWING CONSTRUCTION.

TO BE
1. THROUGHOUT
TOP
2. IN GROOVS
AND SHALL DIRECT
MITIGATION MEASURES



8. Install silt barrier fencing as close as possible to the construction area and ensure no equipment crosses the barrier. Storage of building materials must be limited to areas on or near the driveway and the south side of the house as is practical.
9. We recommend ongoing invasive plant removal, as well as revegetation with native plant species (see species list below) in areas of disturbance to help avoid further introduction of non-native species. All restoration planting should occur in the fall (Sept-Oct) or the spring (Feb-Mar) to allow for plant root establishment and soil stabilization before being exposed to winter precipitation.
10. Ensure no excavation or any works involving ground disturbance is carried out during heavy precipitation events.
11. Any soils exposed for prolonged periods, i.e., greater than 2 weeks, shall be covered. Covering may include tarping or hydromulch (without seed mixture) and must be maintained.

Excavation and Root Damage

12. Use lightest possible equipment for lowest impact and avoid cutting or damaging large lateral anchoring tree roots.

Introduction of Non-native Flora

13. Contractors should inspect their equipment and vehicles to ensure they do not transport invasive plant species seeds onto or off the property. All equipment should be washed prior to arrival. Manual removal of weeds from equipment should be performed regularly.
14. Landscaping and restoration of disturbed areas should be conducted using only native plant species.

The following measures would help retain or enhance ecological value of the property as a whole:

15. For project planning in the Gulf Islands region, the songbird nesting window is March 12 to August 17 across all habitat types, with peak nesting occurring between May 1 and July 22 (Department of Environment and Climate Change 2020). Where flexibility exists, all construction activities should be avoided during this peak nesting period.
16. Any future landscaping works in the areas adjacent to the Woodland Ecosystem DPA will not occur during heavy rain deposition events.
17. Minimize disturbance and maintain undeveloped habitat in as natural a state as possible.

The following species list is an example of the type of deep rooted, drought tolerant native plants that could be planted on the subject property as part of landscaping and post-construction site restoration.

Oceanspray - *Holodiscus discolor*
Red Osier Dogwood - *Cornus stolonifera*
Saskatoon - *Amelanchier alnifolia*
Twinberry - *Lonicera involucrata*
Sweet Gale - *Myrica gale*
Hardhack - *Spirea douglasii*
Red Flowering Currant - *Ribes sanguineum*
Pacific Ninebark - *Physocarpus capitatus*
Highbush Cranberry - *Viburnum edule*
Mock Orange - *Philadelphus lewisii*
Snowberry - *Symphoricarpos albus*
Salal – *Gaultheria shallon*
Sword fern - *Polystichum munitum*
Nootka Rose - *Rosa nutkana*
Evergreen Huckleberry - *Vaccinium ovatum*
Nodding onion - *Allium cernuum*

6.0 Monitoring and Restoration

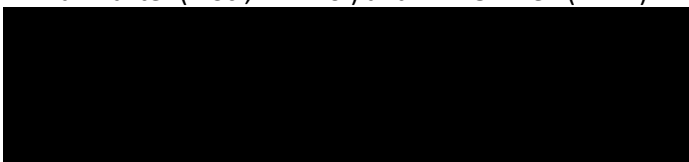
A follow-up site visit by a Qualified Environmental Professional (QEP) is recommended in the future, to assess the effectiveness of the proposed mitigation procedures. A restoration plan is not needed at this time as the integrity of the Woodland Ecosystem DPA will be minimally affected with the proposed development.

7.0 Conclusion

The proposed construction of a primary dwelling on a concrete slab footing, septic field, driveway, electrical shed and fence at 1640 Schooner Way, Pender Island BC will minimally impact the designated Woodland Ecosystem DPA. It is our opinion that the guidelines and recommendations we have outlined above will ensure that detrimental impacts to the sensitive and threatened ecosystems on the subject property can be avoided. If you have any questions or comments, please contact the undersigned at your convenience.

Respectfully Submitted,

Dan Baxter (B.Sc., R.P.Bio.) and Erin O’Brien (Ph.D.)



8.0 References

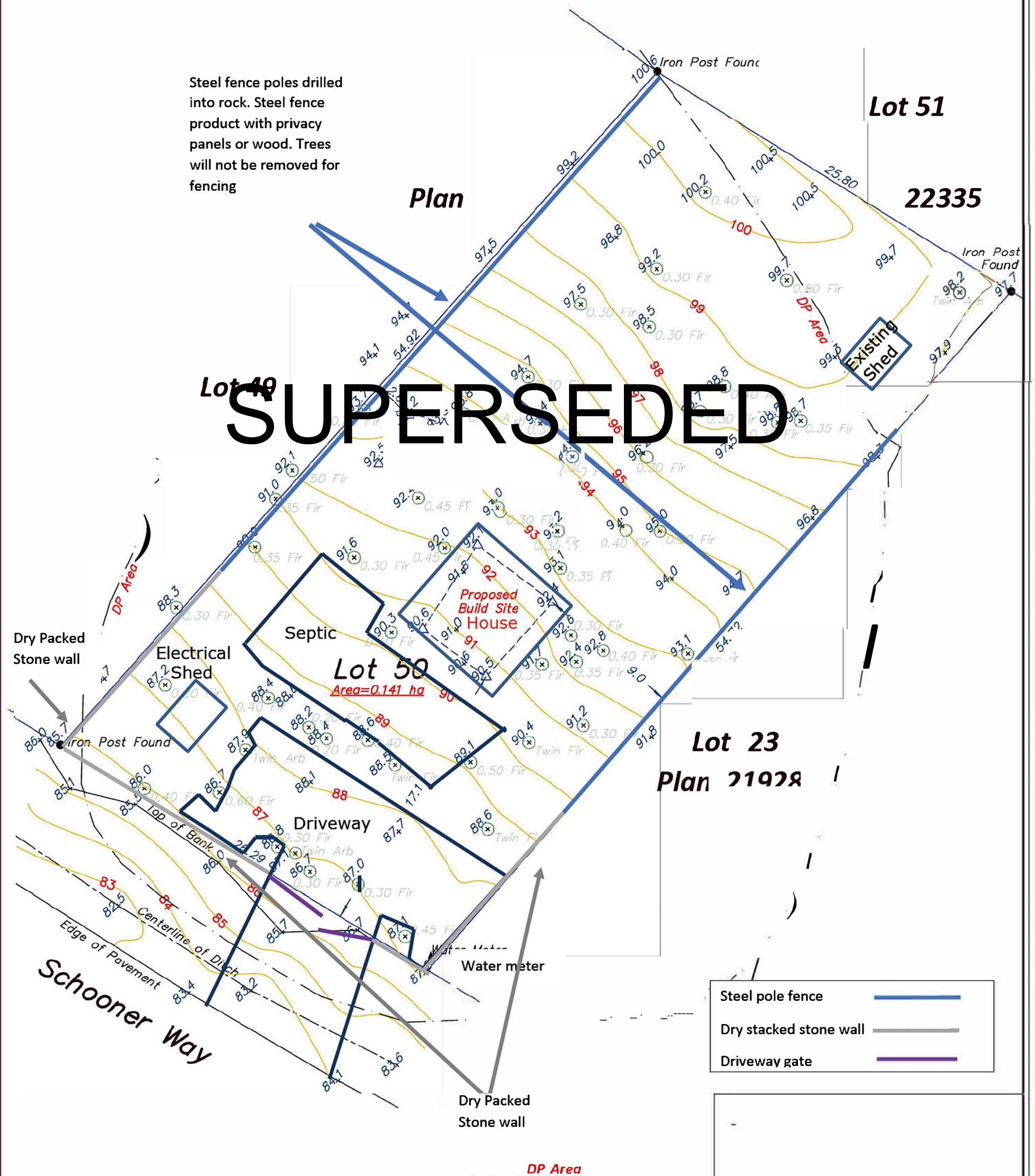
- Arnott JT. 1975. Field performance of container-grown and bareroot trees in coastal British Columbia. *Canadian Journal of Forestry Research* 5:186-194.
- BC Assessment (e-valueBC). 2021. <https://www.bcassessment.ca/> [Accessed September 10, 2021].
- BC Conservation Data Centre. 2021. BC Species and Ecosystems Explorer. B.C. Ministry of Environment Victoria, B.C. Available: <http://a100.gov.bc.ca/pub/eswp/> [Accessed September 10, 2021].
- BC List Status 2021. B.C. Conservation Data Centre. BC Species and Ecosystems Explorer. B.C. Ministry of Environment Victoria, B.C. Available: <http://www.env.gov.bc.ca/atrisk/help/list.htm> [Accessed September 15, 2021].
- BC's Coast Region: Species & Ecosystems of Conservation Concern: Plant Community: Douglas-fir / Arbutus (*Pseudotsuga menziesii* / *Arbutus menziesii*). 2010. The South Coast Conservation Program. Available: https://ibis.geog.ubc.ca/biodiversity/factsheets/pdf/plant%20communities/douglasfir_arbutus_cdfmm02.pdf [Accessed September 11, 2021].
- BC Ministry of Farming, Natural Resources and Industry. 2020. Tree Species Compendium Index (Douglas fir (Fd) – (*Pseudotsuga menziesii*)). <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/silviculture/tree-species-selection/tree-species-compendium-index/douglas-fir> [Accessed September 17, 2021].
- Canadian Parks and Wilderness Society (CPAWS). Gulf Islands Ecosystem Community Atlas. Parks Canada. 2005.
- Cruickshank MG. 2017. Climate and site factors affecting survival and yield of Douglas-fir in the Cedar-Hemlock ecosystem of the southern interior of British Columbia. *Forestry* 90:219-233.
- Demarchi DA. 2011. The British Columbia Ecoregion Classification, Third Edition March. Ecosystem Information Section. Ministry of Environment. Victoria, British Columbia.
- Department of Environment and Climate Change. 2020. General nesting periods of migratory birds. <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods/nesting-periods.html#ZoneA> [Accessed September 11, 2021].
- Drengson A and Taylor DM. 2008. *Wild Forestry: Practicing Nature's Wisdom*. Island Press. Washington, DC.
- Google Earth V 7.3.3.7786 (64-bit) (Aug 21, 2020). 1640 Schooner Way on Pender Island, Canada. 10U 476851 E 5402533 N, Eye alt 18.04 km. DigitalGlobe 2021. <http://www.earth.google.com> [September 12, 2021].
- Green RN and Klinka K. 1994. A Field Guide for Site Identification and Interpretation for the Vancouver Forest Region. Ministry of Forests. 185 pp. <http://www.for.gov.bc.ca/hfd/pubs/docs/lmh/lmh28.htm> [Accessed September 13, 2021].
- Henderson JD. 1998. An Ecosystem Approach to Groundwater Management in the Gulf Islands. M.E.Des. Project, University of Calgary, Calgary, AB.
- Islands Trust (MapIT). 2021. <http://www.islandstrust.bc.ca/maps/mapit/> [Accessed September 10, 2021].
- Kenney EA, van Vliet LJP, and Green AJ., 1988. Soils of the Gulf Islands of British Columbia. Vol. 2, No. 43. British Columbia Soil Survey Research Branch, Agriculture Canada.
- Kohut AP, Foweraker J and Hodge W. 2001. Ground water resources of the basins, lowlands, and plains: Gulf Islands. Ground Water Resources of British Columbia. British Columbia Ministry of Environment.
- Meidinger D and Pojar J. 1991. Ecosystems of British Columbia. Special Report Series 6, Research Branch, BC Ministry of Forests, Victoria, BC.
- Ministry of Forest. 1999. Guidelines for Developing Stand Density Management Regimes. BC Ministry of Forests, Victoria, BC.
- Nagorsen DW and Brigham RM. 1993. Bats of British Columbia. Volume 1, The Mammals of British Columbia. Royal British Columbia Museum Handbook. University of British Columbia Press, Vancouver. 164 pp

- North Pender Island Official Community Plan bylaw No. 171, 2007. Islands Trust Office, Suite 200 – 1627 Fort Street, Victoria BC V8R 1H8 <http://www.islandstrust.bc.ca/media/346950/ocp-bylaw-171--consolidated-dec-10-2018.pdf> [Accessed September 10, 2021].
- Oregon State University. 2020. Pacific Madrone (*Arbutus menziesii*). Oregon Wood Innovation Center, College of Forestry, Oregon State University. Available: <http://owic.oregonstate.edu/pacific-madrone-arbutus-menziesii> [Accessed September 18, 2020].
- Ovaska K, Sopuck L and Engelstoft C. 2004. Amphibian and Reptile Surveys in Riparian and Wetland Habitats in the Gulf Islands National Park Reserve. Prepared for Parks Canada Coastal British Columbia Field Unit Victoria, BC.
- Piatek KB, Harrington CA and DeBell DS. 2003. Site preparation effects on 20 year survival and growth of Douglas-fir (*fgdfgd*) and on selected soil properties. Western Journal of Applied Forestry 18:44-51.
- Pojar J and MacKinnon A. 1994. Plants of Coastal British Columbia, including Washington, Oregon, and Alaska. Lone Pine Publishing, Vancouver.
- Provincial Conservation Status. 2021. B.C. Conservation Data Centre. Species and Ecosystems Explorer. B.C. Ministry of Environment Victoria, B.C.
Available: <http://www.env.gov.bc.ca/atrisk/help/srank.htm> [Accessed September 11, 2021].
- Seebacher TM. 2007. Western redcedar dieback: possible links to climate change and implications for forest management on Vancouver Island, B.C. University of British Columbia. Available: <https://open.library.ubc.ca/collections/ubctheses/831/items/1.0074955> [Accessed September 7, 2021].
- Weiskittel AR, Hann DW, Kershaw Jr JA, and Vanclay JK. 2011. Forest growth and yield modeling. John Wiley & Sons.

APPENDIX 1

SITE PLAN FOR 1640 SCHOONER WAY

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.



North Pender Island Local Trust Committee Development Approval Information Checklist Development Permit Area Applications

The attached checklists are intended to assist consulting professionals in submitting complete and relevant reports. A completed checklist(s) for each relevant Development Permit Area should be submitted to the Islands Trust along with all professional reports.

Instructions

Landowners/applicants should ensure that:

1. The relevant checklist(s) is provided to all their consulting professionals
2. A completed checklist is submitted with the professional reports
3. If not all information is provided in the report or with the application, that the professional has consulted with, and obtained prior approval, of the Islands Trust.

Consulting Professionals:

1. Complete and attach the relevant checklist(s) to your professional report indicating that the report has addressed all relevant development approval information requirements.
2. Where the professional is of the opinion that because of the nature of the site or the development proposal specific information is not relevant, the professional should:
 - a. Contact the planner as early as possible and consult on the need for the particular information;
 - b. Describe clearly in the report why the particular information is not relevant; and
 - c. Indicate on the checklist that the information is not applicable (N/A)
3. Where a site is designated within two or more DPAs, all relevant checklists should be completed.

Note: it is at the determination of the Islands Trust planner whether or not specific information is required. Failure to provide complete information without prior consultation with and the approval of the Islands Trust may result in delays in processing an application or requirements for additional information.

Pursuant to North Pender Island Local Trust Committee Development Approval Information Bylaw No 134, the applicant shall provide, as part of a development permit application, a report prepared by a qualified professional with relevant experience containing the following information. Where a professional is of the opinion that any of the following information requirements are not relevant for the proposal in question, the professional shall indicate the rationale for such an opinion, either in the body of the report or in a separate certification. The determination of whether and what extent that development approval information is required is at the discretion of the Islands Trust official.

File No: _____

SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREA (DPA ONE THROUGH SIX AND FOR NPAI SHORELINE DPA)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:	✓	
	▪ The proposed development and associated features	✓	
	▪ The development permit area boundary	✓	
	▪ Existing buildings and structures	✓	
	▪ Roads and driveways	✓	
	▪ Topographic features	✓	
	▪ Significant features identified in the site inventory	✓	
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing information on the ecosystem classification, based on current best practices, providing information on: ▪ existing plant communities ▪ marine, aquatic and terrestrial habitats ▪ sensitive ecosystems ▪ nesting trees ▪ the presence of rare species and rare plant communities ▪ current on-site and adjacent land uses ▪ slope stability ▪ erosional processes ▪ hydrology and flood potential ▪ topography	✓	
	Site background analysis that includes the following known information: ▪ A check for observed species and ecosystems at risk ▪ A description of the context of the site including the use of adjacent lands and proximity to protected areas ▪ A check for the presence of raptor and heron nests ▪ A check for the presence of fish-bearing water courses	✓	
	A conservation evaluation that identifies environmentally valuable features on or near the proposed development. The evaluation should be based on current best practices, such as the RISC standard	✓	
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.	✓	
Impact Assessment	An assessment of the nature and extent of the impact of the proposed development, consisting of anticipated impacts on the following:		
	▪ Sensitive ecosystems	✓	
	▪ Rare plant communities	✓	
	▪ Rare species habitat	✓	

SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREA (DPA ONE THROUGH SIX AND FOR NPAI SHORELINE DPA)			Office Use only
	Information and Documentation Required	✓	
	▪ Site hydrology	✓	
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area	✓	
Measures	A description of all recommended measures to limit, mitigate and manage the impacts of the development on environmentally valuable features	✓	
	A description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.	✓	
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, a monitoring schedule and process for resolving any non-compliance	✓	
Restoration	Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development	✓	

OFFICE USE ONLY

File No: _____

RAPTOR AND HERON NEXT DEVELOPMENT PERMIT AREA (DPA 7)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The proposed development and associated features		
	The natural boundary of the sea		
	The development permit area boundary		
	Existing buildings and structures		
	Roads and driveways		
	Significant features identified in the site inventory, including the nest tree		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Evaluation	An evaluation of the site and the current status of the nest tree, following current best practices.		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing or trimming, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of the nature and extent of the impact of the proposed development on the nesting site, consisting of anticipated impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area.		
Measures	A description of all measures to limit, mitigate and manage the impacts of the development on the nesting site.		
	A description of feasible mitigation measures and their anticipated effectiveness in maintaining the health and function of nesting site.		
	Any recommended measures to restore or enhance the health of the nesting site.		

OFFICE USE ONLY

File No: _____

RIPARIAN AND AQUATIC DEVELOPMENT PERMIT AREA (DPA 10)			Office Use only
	Information and Documentation Required	✓	
Riparian Assessment	A description of the fisheries resource values in the watercourse, including species of fish that frequent the waterbody and fish habitat present.		
	The results of the riparian assessment, using a detailed or simple assessment as indicated in the Riparian Areas Regulation, and establishing the Streamside Protection and Enhancement Area (SPEA) width for the subject parcel.		
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	▪ Topographic features		
	▪ Location of top of bank		
	▪ High water mark		
	▪ SPEA widths, any ZOS		
	▪ All buildings, structures and supporting infrastructure		
Measures	A description of all measures to maintain and protect the SPEA from development, including where appropriate: ▪ assessment and treatment of danger trees, ▪ windthrow, ▪ slope stability, ▪ tree protection during construction, ▪ encroachment and ▪ sediment and erosion control.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		
Certification	Professional certification by a Qualified Environmental Professional preparing the report that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and provides his or her professional opinion that: ▪ if the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or ▪ if the streamside protection and enhancement areas identified in the report are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.		

Attachment 6



Islands Trust

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT NP-DP-2022.1

To: Steven Jollimore

1. This Development Permit (the "Permit") applies the land described below and all buildings, structures and other developments therein:

LOT 50, SECTION 6, PENDER ISLAND, COWICHAN DISTRICT, PLAN 23335
PID: 003-227-682

2. This Development Permit NP-DP-2022.1 authorizes development to include: the removal of six (6) mature Douglas-fir and two (2) mature Arbutus trees; land alteration and construction for a dwelling unit, a utility building (electrical shed), a septic disposal field, perimeter fencing and a driveway area; and, restoration planting, all within **Development Permit Area ('DPA') 1 – Woodland Sensitive Ecosystem**. All development shall be consistent with Schedules 'A' and 'B', attached to and forming part of this permit, and is subject to the following requirements and conditions:

Restoration (Tree Replacement and Retention)

- a. Eight (8) Douglas-fir small seedlings and four (4) Arbutus small seedlings shall be planted in pockets of deeper soil avoiding higher points on rocky ridges.
- b. All restoration planting should occur in the spring (Feb-Mar) to allow for plant root establishment and soil stabilization before being exposed to winter precipitation.
- c. All replanting should be maintained by the property owner including necessary irrigation until the saplings reach a height of 1.5 metres to ensure survival.
- d. Unhealthy, dying or dead stock should be replaced at the owner's expense in the next regular planting season.
- e. All replacement trees shall be protected from foraging by wildlife by the use of metal cages and/or fencing and watered regularly in summer months until the trees reach a height of 1.5 metres.
- f. All existing trees shall be retained and native plant species shall remain undisturbed within the area of DPA 1 as shown on Schedule "A" attached to and forming part of this permit.
- g. Any dead trees ("snags") shall be left in place to provide habitat.

Native and Invasive Species Management

- h. The ongoing removal of invasive plant species (particularly Scotch broom) is required throughout the property to prevent its continued spread and improve the ecological value of the DPA.
- i. Landscaping and restoration of natural areas within and outside of the DPA should be conducted using only native plant species.

Hydrology

- j. Where possible, perimeter and roof drainage from the dwelling should be directed and dispersed to the surrounding DPA and not off-site in order maximize soil water inputs, uptake and storage.

Erosion

- k. Other than in the areas of permitted land alteration and construction as identified on Schedule 'A', there shall be no soil removal or deposit within the DPA on the subject property.
- l. Land alteration, construction, restoration and landscaping should be undertaken during dry weather and not during prolonged wet periods or significant rainfall events.
- m. Prior to construction, silt fence shall be installed (as per Schedule 'B') to prevent surface transport of soil or fill and other material beyond immediate construction areas. The silt barrier fencing should be installed as close as possible to construction areas and ensure no equipment crosses the barrier.
- n. Any soils exposed for prolonged periods (i.e., greater than 2 weeks) shall be covered. Covering may include tarps or hydromulch (without seed mixture) and must be maintained.

Construction Management

- o. Any hired contractors should inspect their equipment and vehicles to ensure they do not transport invasive plant species seeds onto or off the property. All equipment should be washed prior to arrival.
- p. Use lightest possible equipment and machinery for lowest impact and avoid cutting or damaging large lateral anchoring tree roots.

General

- q. Where practical land alteration and construction should be avoided during the songbird nesting window (March 12 to August 17 across all habitat types), and particularly peak nesting occurring between May 1 and July 22.
- r. The removal of invasive plant species (i.e. Scotch broom, spurge-laurel Common periwinkle, English Ivy, Himalayan and cutleaf blackberry) in the DPA, and on the subject property as a whole, is encouraged.

Monitoring

- s. Monitoring and guidance is to be conducted by a QEP who shall be a registered professional biologist (R.P. Bio.) to ensure that all construction, construction management and restoration conditions herein have been met to the satisfaction of the R.P. Bio.
 - t. The monitoring QEP(s) shall prepare and submit to the Islands Trust written confirmation of compliance with all conditions with this permit as issued within one (1) month of the development work being completed.
- 3. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
 - 4. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
 - 5. This permit does not relieve the applicant from complying with the provisions of the North Pender Island Land Use Bylaw unless varied by this Permit.

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

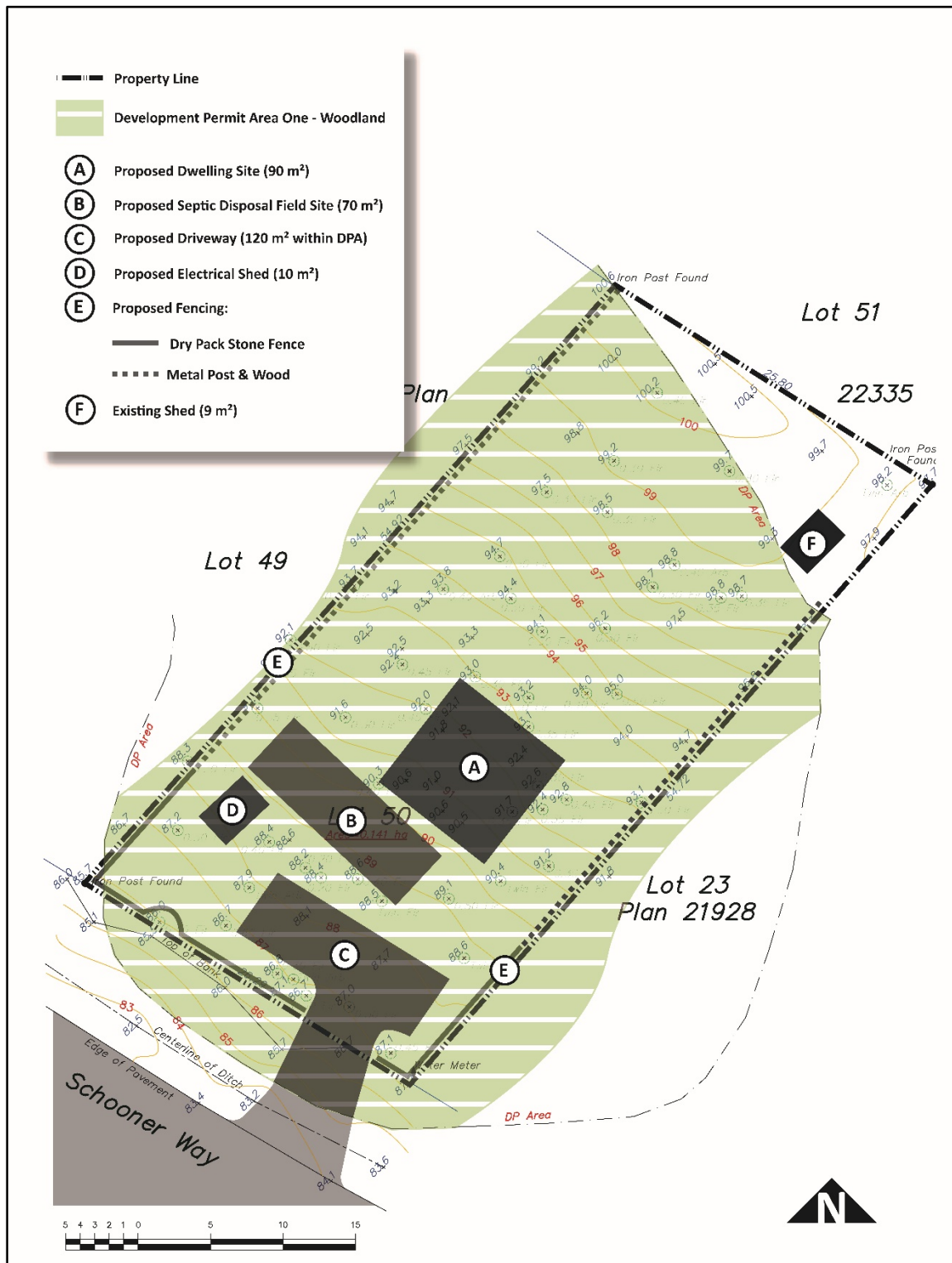
AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS ##TH DAY OF MONTH, 202#.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE #RD DAY OF MONTH, 202_, THIS PERMIT AUTOMATICALLY LAPSES.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT NP-DP-2022.1
SCHEDULE 'A'
Site Plan



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

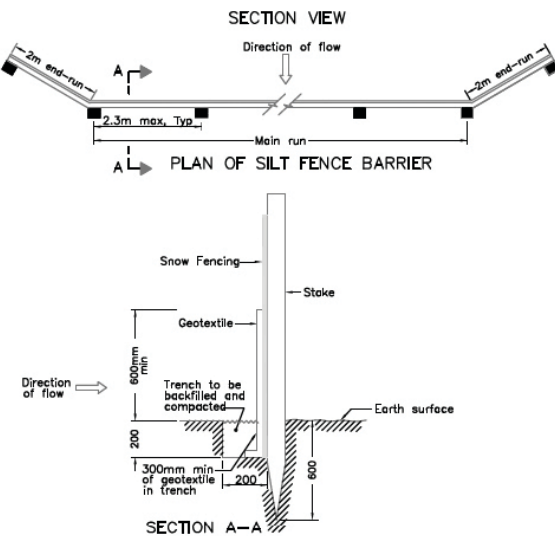
DEVELOPMENT PERMIT NP-DP-2022.1

SCHEDULE 'B'

Erosion – Silt Fencing

EROSION AND SEDIMENTATION

- 1) PRE-STAKED SILT FENCE TO BE INSTALLED AS SHOWN PRIOR TO CONSTRUCTION AS DIRECTED BY THE ENGINEER.
- 2) TOPSOIL STRIPPED FOR REUSE TO BE STOCKPILED AWAY FROM WATER COURSES, DRAINAGE PATHS AND PROPERTY AND SHALL BE COVERED AND / OR SEEDED TO REDUCE EROSION.
- 3) ALL DISTURBED AREAS TO BE RESTORED AND LANDSCAPED AS SOON AS POSSIBLE FOLLOWING CONSTRUCTION.
- 4) ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AND MAINTAINED ON A REGULAR BASIS THROUGHOUT THE COURSE OF CONSTRUCTION BY THE CONTRACTOR. THE QUALIFIED ENVIRONMENTAL MONITOR (QEM) JOHN GRODS SHALL HALT PROGRESS OF ANY AND ALL WORK AND SHALL DIRECT CONTRACTOR TO REPAIR / ALTER CONSTRUCTION MITIGATION MEASURES IF THEY ARE NOT PERFORMING ADEQUATELY.



NOTE:
All dimensions are in millimetres or metres unless otherwise shown.

SILT FENCE WITH SNOW FENCE DETAIL

NTS

DATE OF MEETING: March 24, 2022

TO: North Pender Island Local Trust Committee

FROM: Phil Testemale, Planner 2
Southern Team

COPY: Kim Stockdill, Island Planner

SUBJECT: Change of Licence - Outdoor Patio (Temporary Patio to Permanent)

Applicant: Jean Dechenes, President for Royal Canadian Legion Branch No.

Location: 1344 MacKinnon Road

RECOMMENDATION

1. That the North Pender Island Local Trust Committee direct staff to undertake notification and schedule a Community Information Meeting (CIM) for referral application NP-LCB-2022.1 (Royal Canadian Legion) as part of the April 28, 2022 Regular Meeting.

REPORT SUMMARY

The purpose of this report is to seek the direction of the Local Trust Committee (LTC) on the public consultation requirement for an application to change the liquor licensing designation for Royal Canadian Legion Branch No. 239 (Legion) on North Pender Island.

BACKGROUND

The Legion has applied to the Liquor and Cannabis Regulation Branch (LCRB) to add a new Outdoor Patio to their Liquor Primary License. The patio has been operating as a Temporarily Expanded Service Area (TESA) for COVID 19 since July of 2020. That allowance is schedule to end on June 1, 2022. To continue the patio use the Legion must obtain a New Outdoor Patio licence as an addition to their Liquor Primary licence.

The application is for an outdoor patio area shown in Figure 2 with a capacity of sixty-five (65) people. The operation of the patio is proposed for the months of June to September¹ and the hours of operation are Friday and Saturdays 3 to 10 p.m., as well as on special occasions such as Canada Day.

The provincial *Liquor Control and Licensing Act* requires that applicants for a new or changed liquor licence also give notice to the local government. As the local land use authority, the LTC is required to provide resolutions and comments on the application through a referral process. The LCRB will approve or refuse the licence but relies on

¹ Notwithstanding, the License from LCRB would be issued for the full year.

local governments to gather community input and provide local knowledge. The input should consider potential impacts and concerns such as noise, the benefit or detriment to local community, and other views of residents.

The Liquor Branch does allow local government to opt out of commenting on specific applications, however in those cases the LCRB may complete the community input and comment process that would otherwise been completed by the local government, at the applicant's expense. The LTC could decide of its own accord, or the Legion could request of the LTC, to opt out of commenting on this application. Implications of that decision could be as follows:

- 1) The LCLB's consultation may take longer than the Islands Trust's.
- 2) The LCLB's costs for consultation may be greater than the Islands Trust's application fee

Staff also notes that comments were received by neighbours in a 2017 application by the Legion (NP-LCB-2017.1) to change their licence from Liquor Primary Club to Liquor Primary.

Staff is recommending that the required public consultation be gathered through conducting a CIM as part of the next LTC meeting. Notice for that CIM would be hand delivered notice to occupants within 100 metres of the subject property, mailed notice to the owners of those properties, posted the notice on the community bulletin boards and on the North Pender Local Trust Committee webpage. This would consistent with the Legion's most recent application (above).

Figure 1 - Subject Property

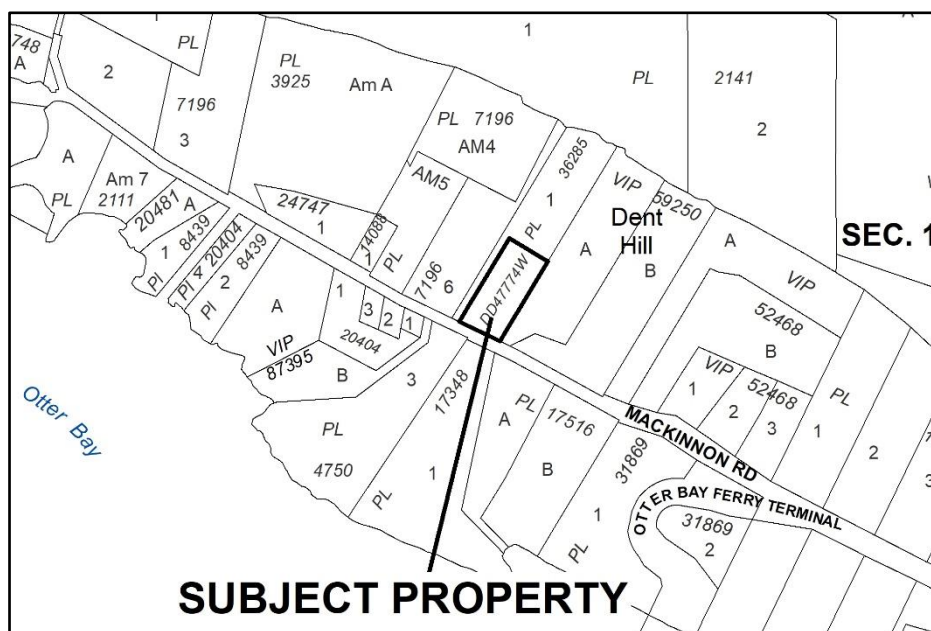
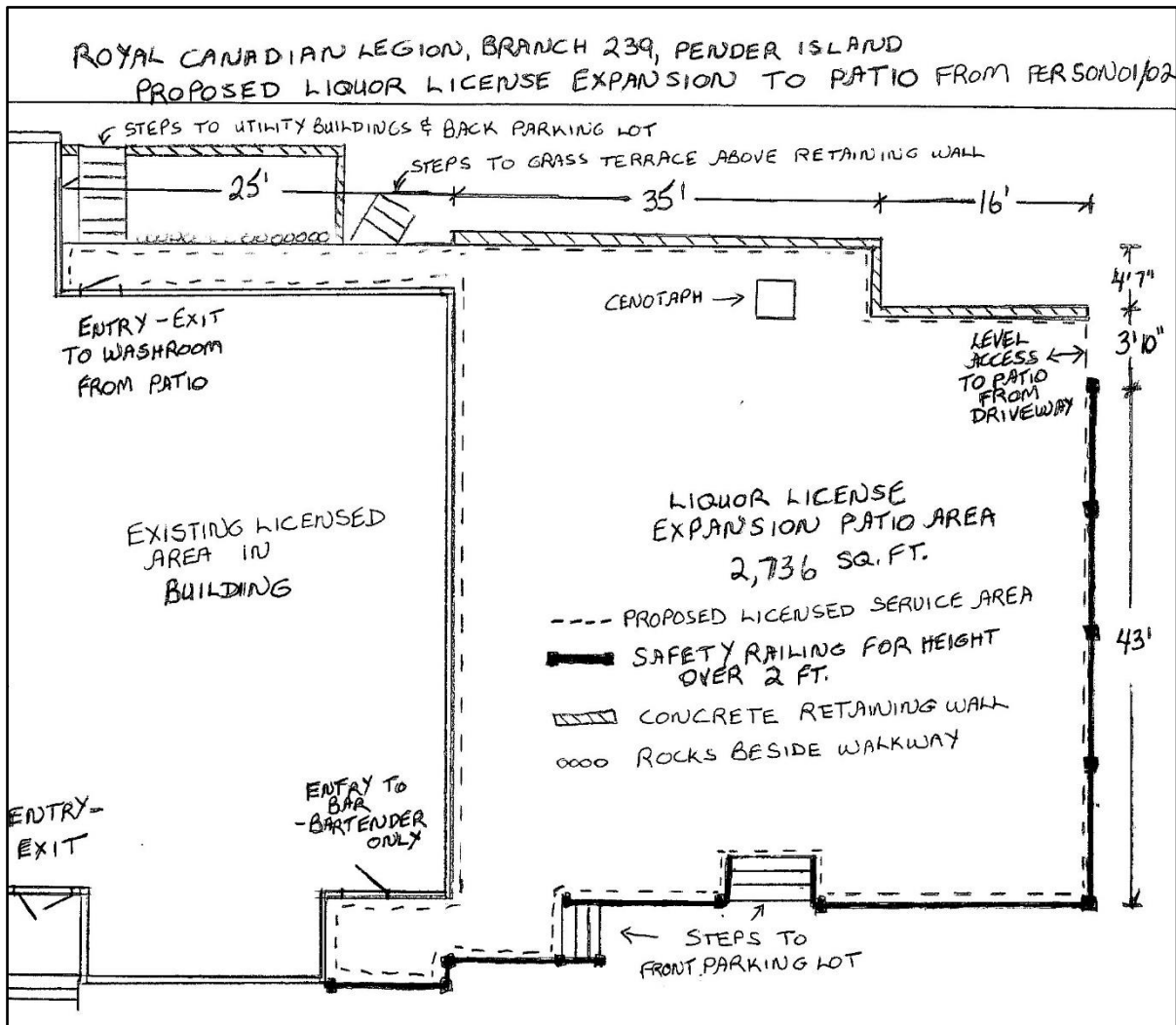


Figure 2 – Patio Plan



ANALYSIS

Official Community Plan:

The property is designated as **CS - Commercial Service** in the North Pender Island Official Community Plan No. 171, 2007.

There are no **Development Permit Areas** is designated on the subject property.

Land Use Bylaw:

The property is zoned as **Commercial Service CS (m)** in the North Pender Island Land Use Bylaw No. 103, 1996. That zone permits only private clubs. The current uses and density meet the requirements of the LUB.

If the application proceeds, staff will prepare a subsequent staff report with more detailed analysis of policy, issues and opportunities, and any input received from notification.

Figure 3 – Photo of Patio



Rationale for Recommendation

The recommendation on page 1 is supported as undertaking notification will permit community input to be gathered through notification and a CIM to inform the LTC's recommendations to the LCRB.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

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

2. Opt Out of Commenting

The LTC may opt out of gathering input and commenting on the application. Staff advise that the implications of this alternative are potential increased costs to the applicant and time delays. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee opt out of commenting on referral application NP-LCB-2022.1 (Royal Canadian Legion) and provide written notification to the Liquor and Cannabis Licensing Branch of the decision.

NEXT STEPS

If the application proceeds staff will undertake notification and schedule the CIM

Submitted By:	Phil Testemale, Planner 2	March 16, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	March 16, 2022

File No.: NP_6500_2020_STVR
Review

DATE OF MEETING: March 24, 2022
TO: North Pender Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Victoria Office
SUBJECT: Bylaw No. 222 Final Approval

RECOMMENDATION

1. That North Pender Island Local Trust Committee Bylaw No. 222, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2020”, be adopted.

REPORT SUMMARY

The purpose of this report is to present proposed Bylaw No. 222 for consideration of final adoption. The above recommendation is supported as the bylaw received approval from the Executive Committee and Minister.

BACKGROUND

The North Pender Island Local Trust Committee (LTC) is reviewing the Short Term Vacation Rentals (STVR) guidelines as part of the LTC’s Top Priority Project. Proposed Bylaw No. 222 would amend the TUP section in the North Pender Island Official Community Plan (OCP) in order to amend and add new STVR TUP guidelines.

Bylaw Approval Steps

Based on direction from LTC, staff prepared draft Bylaw No. 222 which was given first reading by LTC on October 29, 2020.

A Community Information Meeting (CIM) and Public Hearing for proposed Bylaw No. 222 were held electronically on February 25, 2021.

Proposed Bylaw No. 222 was given second and third reading on March 25, 2021.

Islands Trust Executive Committee approved proposed Bylaw No. 222 on April 14, 2021.

The Minister of Municipal Affairs and housing approved proposed Bylaw No. 222 on February 17, 2022.

ALTERNATIVES

1. Receive for information

The LTC may receive the report for information.

2. Proceed no further

Z:\12 Long Range Planning\09 NP\6500 LTC Work Program\20 Projects (P)\2019 STVR Review\Staff reports\9. March 24, 2022\NP_Bylaw-No.222_Staff Report Final Approval.docx

The LTC may decide to proceed no further with the project and/or bylaw amendment.

NEXT STEPS

If the LTC chooses to proceed, the amending bylaw will be consolidated into the North Pender Official Community Plan. Staff will also report back with options to provide on-site fire safety review prior to issuance of Temporary Use Permits for short term vacation rentals.

Submitted By:	Kim Stockdill, Island Planner	March 16, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	March 16, 2022

ATTACHMENTS

1. Proposed Bylaw No. 222

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 222

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

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

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2020”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	29 TH	DAY OF	OCTOBER	2020.
PUBLIC HEARING HELD THIS	25 TH	DAY OF	FEBRUARY	2021.
READ A SECOND TIME THIS	25 TH	DAY OF	MARCH	2021.
READ A THIRD TIME THIS	25 TH	DAY OF	MARCH	2021.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	14 TH	DAY OF	APRIL	2021.
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS	17 TH	DAY OF	FEBRUARY	2022.
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 222**

SCHEDULE 1

The North Pender Island Official Community Plan Bylaw No. 171, 2007, is amended as follows:

1. By deleting Part 6 Temporary Use Permits and replacing it with the following:

“PART 6 TEMPORARY USE PERMITS

An Official Community Plan may designate areas where temporary uses may be allowed. A temporary use permit may allow a use not permitted by zoning, specify conditions under which the temporary use may be carried on, and allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued. A permit may be issued for a period of up to three years and may be renewed only once, after which a new application is required.

Temporary Use Permit Policies and Guidelines

- 6.1 The North Pender Island Local Trust Committee may issue temporary use permits for any area covered by this plan.
- 6.2 The Local Trust Committee may consider requiring development information for temporary use permit applications through adoption of a development approval information bylaw.
- 6.3 The Local Trust Committee should consider the climate change impacts of any significant change in use in reviewing temporary use permit applications.
- 6.4 In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a short term vacation rental temporary use permit:
 - 6.4.1 For the purpose of a temporary use permit, “short term vacation rental” means the use of a dwelling or cottage as temporary commercial accommodation for a period of less than a month at a time by persons other than the owner or a permanent occupier.
 - 6.4.2 The Local Trust Committee may consider issuance of a short term vacation rental temporary use permit provided the short term vacation rental use would not alter the residential appearance of the residence.
 - 6.4.3 The Local Trust Committee must consider the cumulative effects on the neighbourhood and Island of all temporary use permits issued for short term vacation rentals.

- 6.4.4 The Local Trust Committee should not approve more than one short term vacation rental temporary use permit within a 200 metre radius from another short term vacation rental temporary use permit.
- 6.4.5 The applicant must demonstrate an adequate supply of water and septic capacity for the duration of the proposed use.
- 6.4.6 If the property is serviced by a private well, the applicant must demonstrate the well has adequate quality and quantity of water for the short term vacation use. A pump test, professional report, or rainwater system may be required for the application or as a condition of the permit.
- 6.4.7 If the property is serviced by a community water system, the application must be referred to the water system for information.
- 6.4.8 A short term vacation rental temporary use permit must not be issued if located within the Trincomali Improvement District.
- 6.4.9 The applicant must demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles.
- 6.4.10 If the proposal is located on a property identified as containing a sensitive ecosystem, the temporary use permit must require that the applicant provide information for guests indicating the location of the sensitive areas, and information on how to avoid impacting the sensitive features.
- 6.4.11 The temporary use permit must restrict advertising to one unilluminated sign, with a maximum area of 0.6 m².
- 6.4.12 The temporary use permit must require that the owner or other designated contact be available on North or South Pender Island by telephone or email at all times when the short term vacation rental is in use.
- 6.4.13 The temporary permit must require the owner or manager provide neighbours within a 100 metre radius of the vacation rental with the owner or manager's phone number and email, and a copy of the temporary use permit.
- 6.4.14 The permit must require the applicant post the following information for guests:
- a) remind guests that the property is located in a residential area;
 - b) information on noise bylaws, water conservation, fire safety, outdoor burning, wildfire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted);
 - c) emergency services contact information, and to provide a means for contacting them if the property is located in an area with no cellular service; and

- d) the applicant provide the name and contact information of the property owner or designated contact who is available on North or South Pender Island at all times when the short term vacation rental is in use.

6.4.15 In addition to any other conditions the Local Trust Committee may consider appropriate, in some situations the permit must:

- a) limit the number of bedrooms that can be used for short term vacation rentals;
- b) limit the number of guests to 6 for properties located within the Magic Lake Estates Water System Area;
- c) limit the number of days the short term vacation rental may be in use from the period of May 1 to September 30 in a calendar year to a total of thirty days;
- d) require mitigating measures to address neighbours' concerns, such as retention of existing screening and fencing, or installation of additional screening;
- e) require the landowner/operator to post contact information and permit information at the entrance to the property;
- f) prohibit camping or occupancy of RVs on the property;
- g) prohibit the rental or provision of motorized personal watercraft;
- h) prohibit watercraft that has been brought from off island to be used on Magic Lake or Buck Lake;
- i) prohibit outdoor fires; and
- j) establish the dates during which the use may occur.

6.4.16 A temporary use permit for a short term vacation rental on a parcel in the Agricultural Land Reserve must require the approval of the Agriculture Land Commission prior to the permit being issued.

6.4.17 An application for a short term vacation rental temporary use permit must not be considered if the dwelling unit is not occupied on a regular basis by the property owners.

6.4.18 The Local Trust Committee must not approve more than 20 temporary use permits for short term vacation rentals within the Magic Lake Estates Water System Area.

6.4.19 A short term vacation rental temporary use permit must not be issued in a dwelling or cottage that does not have Occupancy Permit approval.

From: Daniela Murphy
Sent: Thursday, March 3, 2022 2:41 PM
To: Karla Campbell; kazuhito.takeuchi@islandhealth.ca; Bylaw Enforcement; amanda.vanderkloof@bcas.ca; info@nsswaterworks.ca; saltspring@rcmp-grc.gc.ca; dlundy@saltspringfire.com; plan2farm@gmail.com; Jas Chonk; Becky McErlean; Mike Tippet; 'FrontCounter BC FLNR:EX'; Martin.Collins@gov.bc.ca; reed.bailey@gov.bc.ca; 'McIntyre, Cathie BCA:EX'; ron.burleson@gov.bc.ca; Rudi.Mayser@gov.bc.ca; Kate Emmings; Jennifer.Dyer@gov.bc.ca; Tara.Breysen@gov.bc.ca; Owen.Page@gov.bc.ca
Cc: Kristine Mayes; Geordie Gordon; Rob Pingle; Lambie, Shannon ALC:EX; doug.pepper@gov.bc.ca; willow.minaker@gov.bc.ca; Corlynn Strachan
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw No. 526 - Farm Housing Project
Attachments: SS-BL-526_1st Reading.pdf; SS-BL-526_Referral Form.pdf

Dear Referral Coordinator,

Please find attached to this email referral information concerning Proposed Land Use Bylaw Amendment No. 526 for the Salt Spring Island Local Trust Committee's (SS LTC) "Farm Housing" project. The Farm Housing project was established in response to amendments to the [Agricultural Land Reserve \(ALR\) Use Regulation](#) for residential flexibility and calls from the Salt Spring agricultural community for farmworker housing.

Proposed Bylaw No. 526 will amend [Salt Spring Island Land Use Bylaw No. 355](#) (LUB):

- to expand residential flexibility on agricultural zoned properties;
- to update campground regulations, processing & sale regulations, and information notes for agricultural zoned properties;
- to permit the use of subdivision potential for farmworker housing outside agricultural zoned properties for land classified as a farm under the Assessment Act (Section 3.17 of the LUB would be amended to reflect this change); and
- to limit the maximum floor area of dwelling units.

In general terms, Proposed Bylaw No. 526 is characterized as follows:

- Amends the definition of a "farmworker's dwelling unit"
- Amends the "one additional dwelling unit" under Accessory Uses to permit a secondary suite on all agriculture-zoned lots and permit a second accessory dwelling unit – either a pre-existing dwelling unit or a floor area restricted farmworker's dwelling unit for lots 1.2-ha in area or greater for land classified as a farm under the [Assessment Act](#) if the owner grants a covenant to the Salt Spring Island Local Trust Committee restricting the use of the farmworkers' dwelling unit.
- Limits commercial guest accommodation in a campground on Agriculture 1 zoned lands to land classified as a farm under the [Assessment Act](#).
- Removes seasonal cottages as a permitted accessory use.
- Removes processing and sale regulations under accessory uses.
- Amends the maximum combined number bedrooms/campsites on a lot to 10 in accordance with Section 33 and Section 34 of the [ALR Use Regulation](#).

- Amends Section 3.17 to permit additional farmworkers' dwellings corresponding to subdivision potential for lots not in an agricultural zone but classified as a farm under the [Assessment Act](#) if the owner grants a covenant to the Salt Spring Island Local Trust Committee restricting the use of the farmworkers' dwelling unit and prohibiting further subdivision of the lot.
- Limits the maximum floor area of all dwelling units on Salt Spring Island to 500m².

Staff reports regarding the project and Proposed Bylaw No. 526 can be found at:

<https://islandstrust.bc.ca/island-planning/salt-spring/projects/> >> Housing Action Program >> Farm Housing

We understand that there are numerous demands on your time, however, we genuinely welcome any comments you may have, whether they are site-specific or more strategic and high level.

A reply is respectfully requested by **Friday, April 22, 2022**.

Should you have any questions, do not hesitate to contact Planner Kristine Mayes or Planner Geordie Gordon at ssiinfo@islandstrust.bc.ca or 250-537-9144.

Referral responses should be addressed to ssiinfo@islandstrust.bc.ca or by mail to:

Islands Trust
1 – 500 Lower Ganges Road
SSI, BC V8K 2N8

Thank you for your time and attention to this referral.

Yours truly,

Daniela Murphy

Daniela Murphy

Legislative Clerk/Deputy Secretary

Islands Trust

1-500 Lower Ganges Road | Salt Spring Island BC V8K 2N8

T 250-538-5606 | ssiinfo@islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOKÉĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəḡən məsteyəxʷ, Scia'new, səliłwətaʔt, SEMYOME, shishálh, Skwəwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SÁÁUTW, Stz'uminus, ʔaʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁP, WSIKEM, Xeláltxw, Xwémalhkwxw/ʔop qaymıxʷ, and xʷməḡkʷəy̓əm.



Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area Bylaw No.: 526 Date: March 3, 2022

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Salt Spring Island Local Trust Committee

PURPOSE OF BYLAW:

Proposed Bylaw No. 526 seeks to amend land use regulations for Agricultural zoned properties to expand residential flexibility in accordance with [Order in Council No. 438](#) amending *Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019* on December 31, 2021. This includes a secondary suite as a permitted accessory dwelling and a second accessory dwelling unit for lots classified as a farm under the *Assessment Act* not exceeding 56m² in floor area for lots between 1.2-ha and 2-ha, 90m² in floor area for lots greater than 2-ha, or 186m² in floor area for lots greater than 40-ha. Also included are updates specific to campground regulations, updates to information notes and updates to accessory uses. Additionally, Proposed Bylaw No. 526 amends Section 3.17 of [Salt Spring Island Land Use Bylaw No. 355](#) to permit the use of subdivision potential for farmworker housing outside agricultural zoned properties for land classified as a farm under the *Assessment Act* and adds Subsection 3.11.5 which restricts all dwelling units on Salt Spring Island to a maximum floor area of 500m².

GENERAL LOCATION:

Various

LEGAL DESCRIPTION:

Various

SIZE OF PROPERTY AFFECTED:

Agricultural zoned lots & land classified as a farm under the Assessment Act

ALR STATUS:

Yes & No

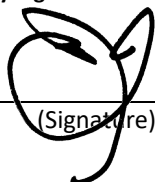
OFFICIAL COMMUNITY PLAN DESIGNATION:

Agriculture & Various

OTHER INFORMATION:

<https://islandstrust.bc.ca/island-planning/salt-spring/projects/> Housing Action Program – Farm Housing

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


(Signature)

Name: Kristine Mayes

Title: Planner 1

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Semiahmoo First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Ts'uubaa-Asatx (Lake Cowichan) First Nation

Regional Agencies

CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Economic Development Commission
CRD – SSI Building Inspection
CRD – SSI Director
CRD – SSI Transportation Commission
CRD – Housing Secretariat
CRD – SSI Liquid Waste Disposal Local Service Commission
Vancouver Island Health Authority
Islands Trust Bylaw Enforcement and Compliance
Islands Trust – Islands Trust Conservancy
SSI Advisory Planning Commission
SSI Agricultural Advisory Planning Commission
Housing Action Program Task Force

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

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Municipal Affairs
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural
Development (Water Authorizations)
Front Counter BC

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
SSI Fire-Rescue
SSI Agricultural Alliance

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM
RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

526
(Bylaw Number)

(Title)

(Agency)

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 526

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW NO. 355, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2021”.

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

2.1 By replacing the definition of “dwelling unit, farmworker’s” under Section 1.1 – Definitions – with the following:

“dwelling unit, farmworker’s” means a *dwelling unit* that is *accessory* to a *commercial farm business* on a *lot* and is used for the *residential* accommodation of farmworkers employed in that *farm business* or for immediate family.

2.2 By replacing the table under Subsection 9.1.1 – Permitted Uses of Land, Buildings and Structures – with the following:

	A1	A2
Principal Uses, Buildings and Structures		
<i>Agriculture, farm buildings and structures</i> Information Note: <i>By definition, “agriculture” includes the processing, storage, and sale of farm products produced on that agricultural land or by an association to which the owner of the agricultural land belongs. These uses must consistent with the <u>Agricultural Land Reserve Use Regulation</u>.</i>	♦	♦
<i>Single-family dwellings</i>	♦	♦
Accessory Uses		
<i>A secondary suite</i> subject to Section 3.16	♦	♦
Where a lot is classified as a farm under the <u>Assessment Act</u> , a second <i>accessory dwelling unit</i> is permitted provided that:		
a) it is a pre-existing <i>dwelling unit</i> constructed before February 22, 2019; or		
b) it is a <i>manufactured home</i> constructed between July 4, 2019 and December 31, 2021; or		
c) where the owner grants to the Salt Spring Island Local Trust Committee a covenant under the <u>Land Title Act</u> restricting use of the <i>dwelling unit</i> , it is a <i>farmworker’s dwelling unit</i> not exceeding:	♦	♦
i. 56 square metres in <i>floor area</i> on a lot between 1.2 hectares and 2 hectares or less in area; or		
ii. 90 square metres in <i>floor area</i> on a lot greater than 2 hectares in area; or		
iii. 186 square metres in <i>floor area</i> on a lot greater than 40 hectares in area.		

<i>Information Note:</i> For lots 40 hectares or less in area where the single-family dwelling exceeds 500 square metres in floor area, permission to construct an additional dwelling unit for farm use must be applied for and approved in writing by the Agricultural Land Commission.		
Home-based business use subject to Section 3.13	◆	◆
Commercial guest accommodation in a campground on agricultural land classified as a farm under the <u>Assessment Act</u> <i>Information Note:</i> This use requires an agri-tourism activity consistent with the <u>Agricultural Land Reserve Use Regulation</u> to be occurring on the lot.	◆	

- 2.3 By replacing the table under Subsection 9.1.2 – Siting and Density of Permitted Uses, Buildings and Structures – with the following:

	A1	A2
Lot Coverage		
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> , excluding greenhouses (per cent)	35	35
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> , including greenhouses (per cent)	75	75
Maximum <i>lot coverage</i> of all <i>campsites, buildings and structures</i> in a <i>campground</i> (per cent)	5	N/A
Number of Units and Site Areas		
Maximum combined number of bedrooms used in a <i>bed and breakfast home-based business</i> and <i>campsites</i> on any <i>lot</i> <i>Information Note:</i> The <u>Agricultural Land Reserve Use Regulation</u> only permits a <i>bed and breakfast home-based business</i> (tourist accommodation) to be operated within the <i>principal residence</i> .	10	N/A
Setbacks		
Despite Article 4.3.1(2), the following <i>lot line</i> setbacks apply in the <i>zone</i> indicated:		
Minimum <i>rear lot line</i> setback (metres) for <i>buildings, structures and uses</i> that are not listed in Subsections 4.3.4 through 4.3.9	4.5	4.5

- 2.4 “By replacing Section 3.17 – Dwellings on Large Farms – with the following:

- 3.17 Despite other provisions of this bylaw, where *agriculture* is a permitted *principal use* on a *lot* not in an *Agricultural zone*, additional *farmworkers’ dwelling units* corresponding with the *subdivision* potential of the *lot* are permitted provided that:
- (1) the lot is classified as a farm under the Assessment Act;
 - (2) the lot complies with Section 3.5;
 - (3) the number of additional *farmworker’s dwelling units* correspond with the *subdivision* potential of the *lot* in accordance with Subsection 5.8.1 and the zone-applicable Subdivision and Servicing Requirements of Part 9;
 - (4) each *farmworker’s dwelling unit* must be supplied with *potable* water in accordance with Section 5.5;
 - (5) the maximum *floor area* of a *farmworker’s dwelling unit* is 186 square meters;

- (6) the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act restricting *use* of the *farmworkers' dwelling units* and prohibiting further *subdivision* of the lot.

Information Note: Applications should be consistent with the guidelines in H.2.1.3 of the Salt Spring Island Official Community Plan.

2.5 By inserting in Section 3.11 – Dwelling Units – the following:

3.11.5 The maximum floor area for a *dwelling unit* is 500 square metres.

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS 15TH DAY OF FEBRUARY 2022

READ A SECOND TIME THIS _____ DAY OF _____ 20_____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20_____

READ A THIRD TIME THIS _____ DAY OF _____ 20_____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20_____

ADOPTED THIS _____ DAY OF _____ 20_____

Chair

Secretary

MEMORANDUM

File No.: Long Range Planning: 09-6500-20-2021

DATE OF MEETING: March 24, 2022
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
William Shulba, Senior Freshwater Specialist
SUBJECT: Groundwater Sustainability Implementation

PURPOSE

The purpose of this memo is to introduce to the North Pender Local Trust Committee additional mapping data to be used in the development of draft bylaws addressing groundwater vulnerability on North Pender Island.

THE DATA

Planning staff have been working with the Senior Freshwater Specialist and mapping staff to create mapping layers that identify different impacts to groundwater vulnerability. These layers, as identified in Appendix 1 include:

Groundwater Availability Assessment - Completed by GW Solutions in October 2021, this mapping was introduced to the LTC at the February 2022 meeting.

Saltwater Intrusion - In coastal areas, freshwater aquifers are in direct contact with the ocean and under normal conditions, fresh groundwater flows towards the ocean. In areas with risk of saltwater intrusion, seawater moves into a freshwater aquifer (Allen and Klassen, 2016). Wells proximal to the coast are at higher risk for saltwater intrusion and when it occurs one or more wells can be impacted making water unpotable and unlawful to operate under the Groundwater Protection Regulation.

Vulnerability to Contamination - This is determined using intrinsic fractured media aquifer vulnerability mapping (Denny and Allen, 2007). The methodology is known as "DRASTIC". D = Depth to water; R = Net Recharge; A = Aquifer Media; T = Topography; I = Impact of Vadose Zone (vadose zone is the area above the water table); C = Conductivity of the Aquifer (this refers to how fast the water moves).

Planning Staff have also begun to identify area with subdivision potential. Where subdivision potential exists in areas where groundwater is vulnerable staff will be identifying options to reduce negative impact.

NEXT STEPS

- Staff will present the LTC with options for DPA boundaries
- Staff will develop options for zoning regulation changes in critical areas

\\islandstrust.local\DFSMain\EDM\12 Long Range Planning\09 NP\6500 LTC Work Program\20 Projects (P)\2021 Groundwater Implementation\Staff reports\March 28, 2022\NP-LTC-GWSS_staff memo.docx

- Staff will draft OCP amendments
- Staff will draft LUB amendments

Submitted By:	Narissa Chadwick, RPP Island Planner	March 15, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	March 16, 2022

ATTACHMENTS

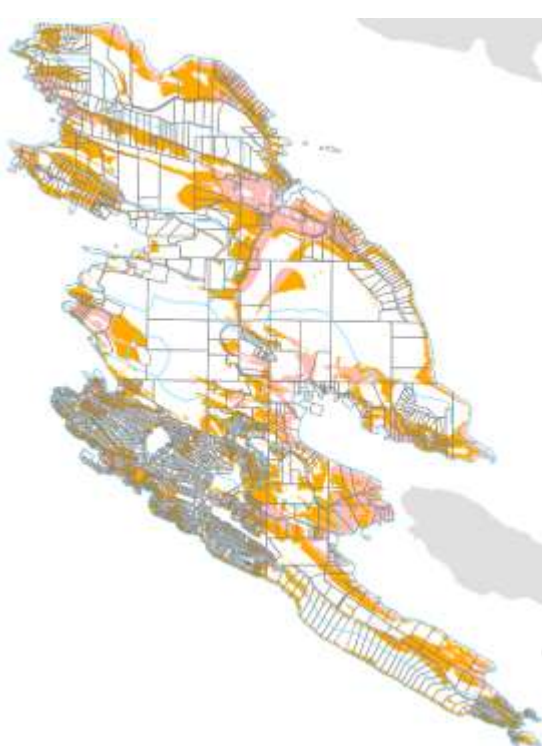
1. Groundwater Vulnerability Analysis Maps

Appendix 1 - Groundwater Vulnerability Analysis Maps

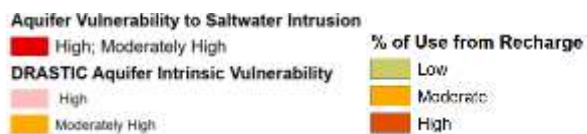
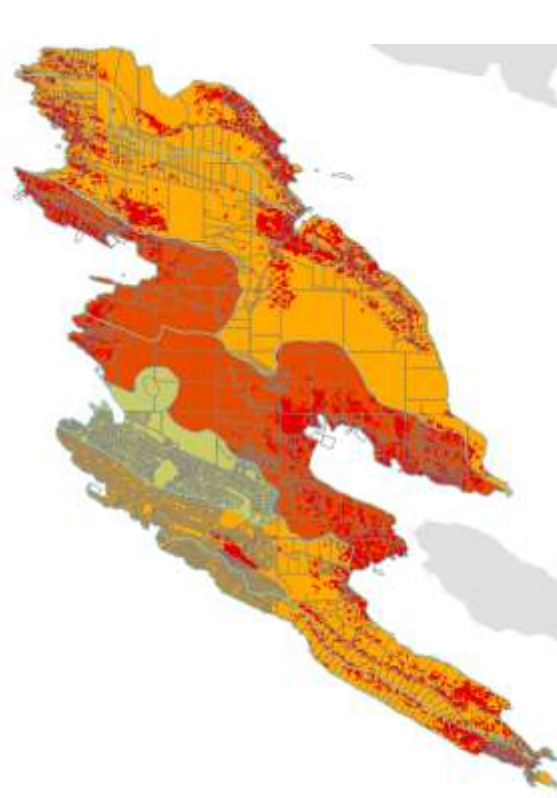
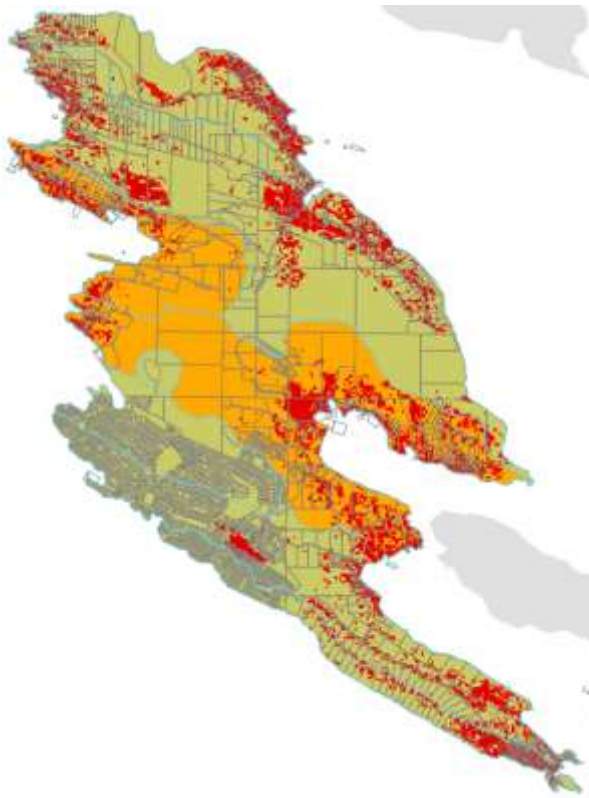
Aquifer Vulnerability to Saltwater Intrusion DRASTIC Mapping



Saltwater & GW Assessment Normal



Saltwater & GW Assessment Driest



DATE OF MEETING: March 24, 2022
TO: North Pender Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: LUB Review Project

RECOMMENDATION

1. That the North Pender Island Local Trust Committee (LTC) to provide direction to make any revisions to the draft Land Use Bylaw.

REPORT SUMMARY

The purpose of this report is to introduce further amendments to the draft bylaw document and to outline next steps for the project.

BACKGROUND

The project was identified by the LTC in late 2019 and the project charter was endorsed in January 2020 (attached). The objective of the project is to implement Official Community Plan (OCP) policies through amendments to the North Pender Land Use Bylaw (LUB). The project encompasses the following topic areas: residential floor area review, tourist Commercial regulation review, marine shoreline regulations review, agricultural regulations amendments, industrial regulation review, and minor and technical amendments.

Background information regarding the project, staff reports, Discussion Papers, PowerPoint presentations, correspondence, and the Project Charter can be found on the North Pender Project webpage:

<https://islandstrust.bc.ca/island-planning/north-pender/projects/>.

At the February 24, 2022 LTC regular meeting the LTC requested the following by general consent:

NP-2022-24

It was Moved and Seconded,

that the North Pender Local Trust Committee request staff to retain the Water 1 zoning for the 11 instream private moorage applications with the Province.

CARRIED

Due to the size of the draft bylaw, it will not be attached to the staff report but can be found on the [Project's webpage](#) under "LUB Review Project – 8. Draft Bylaws": Blackline Draft Bylaw. The blackline version of the draft bylaw will be updated on the website prior to each subsequent LTC meeting (if changes have been made). A draft OCP amendment Bylaw No. 223 is also attached.

ANLYSIS

Maximum Floor Area/Lot Coverage

At the December 4, 2021 the LTC requested staff to provide an additional column to the proposed maximum floor area regulations that would regulate floor area for all buildings and structures on a lot based on lot coverage. The intent for this request was to better communicate lot coverage and maximum floor area regulations in the bylaw, and also to potentially align regulations with the South Pender LUB. There are a number of challenges with this approach as discussed below.

The LTC requested staff to draft a chart to regulate the total floor area for all buildings based on lot coverage (25 percent). The issues with this approach are:

- Determining the appropriate total for floor area is within a range of lot sizes. Figure 2 below shows the possible range of maximum floor areas for all buildings derived from the lot coverage of the lowest, middle, and top of scale for lot size.
- A LUB should either regulate 'total floor area for all buildings and structures' or 'lot coverage'; a LUB should not include both types of regulation. In other words, if the LTC wishes to regulate the total floor area of all buildings and structures, then lot coverage would be removed from the bylaw. This is how the South Pender LUB regulates building mass: the SP LUB does not regulate lot coverage, but rather regulates the maximum floor area for all buildings.
- Adding additional floor area regulations may increase difficulty interpreting regulations.

Figure 1 – Proposed Additional Column to Maximum Floor Area

	Lot Area (Size of lot)	The total floor area of all buildings and structures must not exceed: (Range in possible floor areas based on lot coverage)			The floor area of a dwelling must not exceed*:
		Lowest of Scale**	Middle Scale**	Top of Scale**	
1.	Less than 0.4 ha (Less than 1 acre)	N/A	0.05 (5,382 ft ²)	0.1 ha (10,764 ft ²)	232 m ² (2,500 ft ²)
2.	0.4 ha to < 1.2 ha (1 to 3 acres)	0.1 ha (10,764 ft ²)	0.2 ha (21,528 ft ²)	0.3 ha (32,292 ft ²)	279 m ² (3,000 ft ²)
3.	1.2 ha to <4 ha (3 to 10 acres)	0.3 ha (32,292 ft ²)	0.65 ha (69,965 ft ²)	1 ha (107,639 ft ²)	325 m ² (3,500 ft ²)
	4.0 ha or greater (10 acres) or greater	1 ha (107,639 ft ²)	N/A	N/A	372 m ² (4,000 ft ²)
*For dwelling located within the <i>Agricultural Land Reserve</i>					500 m ² (5,382 ft ²)

The benefit of using lot coverage are:

- Lot coverage is correlated to the lot size; the smaller the lot, the smaller the maximum floor area, and the larger the lot, the higher the maximum floor area.
- The amendments to the LUB also include the addition of impermeable materials to the calculation of lot coverage. This alone will help reduce the massing of buildings as driveways, other paved surfaces and grouted pavers would now be included in the lot coverage calculation.
- The LUB already regulates lot coverage therefore retaining lot coverage would maintain consistency with the old and new LUB.

Figure 2 – Excerpt from draft LUB Amendment Bylaw – Rural Zoning

8.2.4 Lot Coverage	
(1) Lot coverage may not exceed 25 percent.	
8.2.5 Maximum Floor Area	
(1) Maximum floor area per lot:	
Lot Area	The floor area of a dwelling must not exceed:
Less than 0.4 ha (Less than 1 acre)	232 m ² (2500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	279 m ² (3000 ft ²)
1.2 ha to < 4 ha (3 to 10 acres)	325 m ² (3500 ft ²)
4.0 ha or greater (10 acres) or greater	372 m ² (4000 ft ²)
For dwelling located within the Agricultural Land Reserve	500 m ² (5382 ft ²)
(2) The maximum floor area of a cottage must not exceed 56 m ² , except for a cottage located in the Agricultural Land Reserve is permitted to have a maximum floor area of 90 m ² .	
(3) Despite Article 8.2.5(1), on a lot that contains a legal dwelling constructed prior to the adoption of this bylaw, a replacement dwelling may constructed, or the existing dwelling re-constructed or altered, provided the floor area of the replacement, re-constructed or altered dwelling does not exceed the floor area of the dwelling on the lot at the time of the adoption of this bylaw.	

Based on the above staff recommend retaining the current regulations for lot coverage in the LUB, continue to add impervious surfaces to the lot coverage calculation, and not include additional regulations for total maximum floor areas for all buildings and structures. If the LTC agree with staff's recommendation, then no motion is required.

Impermeable Material Definition

At the February 24, 2022, the LTC discussed options to add a definition of impermeable material to the LUB. Staff have included the following definition of 'impermeable material' to the draft LUB amendment bylaw:

"impermeable material" means buildings, structures, asphalt, concrete, brick, stone, and wood, grouted pavers and other surfaces that prevent water from penetrating into the ground beneath. Impermeable material does not include gravel, wood chips, bark mulch, soil pavement, wood decking with spaced boards,

and other materials which have permeable characteristics when in place and are not placed on a layer of material that is impenetrable by water such as plastic sheeting.

Cottage Floor Area

The draft LUB amendment bylaw includes the following changes to cottages:

- removes the maximum floor area of 56 m² (~600 ft²) of a cottage from the definition of ‘cottage’, and regulates maximum floor area of a cottage within each zone that the use is permitted;
- makes it explicitly clear that the height of a cottage must not exceed 9.7 metres; and
- permits a cottage to be two-storeys in height.

If the LTC wishes to increase the maximum floor area of a cottage then direction from the LTC is required. For reference, staff have included the maximum floor areas of cottages from the Land Use Bylaws of Galiano, Mayne, Saturna, and South Pender LTCs.

- South Pender LUB – cottages: maximum floor area of 70 m² (750 ft²).
- Galiano LUB – cottages: maximum floor area of 80 m² (861 ft²).
- Saturna LUB – cottages: maximum floor area of 92.9 m² (1000 ft²).
- Mayne LUB – cottages: maximum floor area of 60 m² (645 ft²) on lots less than 1 ha (2.4 acres) and 93 m² (1000 ft²) on a lot greater than 1 ha (2.4 acres).

If the LTC wishes to increase the maximum floor area of a cottage, the following motion may be used:

That the North Pender Island Local Trust Committee request staff to amend the draft land use bylaw to increase the maximum floor area of cottages to XX m².

Commercial Tourist Accommodation (C2 Zoning)

C2 Zoned MacKinnon Road Properties

At the March 12, 2022 Community Information Meeting (CIM), the property owners for 1329 and 1333 MacKinnon Road expressed their willingness to reduce the Commercial Guest Accommodation Unit (CGAU) density for:

- 1329 MacKinnon Road from 26 CGAUs to 15 CGAUs; and
- 1333 MacKinnon Road from 10 CGAUs to 5 CGAUs.

Although the property owner from 1349 MacKinnon Road supports the idea of reducing density on their property (LUB currently permits 10 CGAUs), they have not indicated what density they are willing to reduce to. Staff have encourage the property owner to contact staff or the LTC prior to the March 24th meeting.

Next steps:

In light of the willingness of the property owners to reduce density on their properties, staff recommend the LTC forgo the option of registering a Section 219 covenant and reduce the density for the properties located at 1329, 1333, and 1349 MacKinnon Road.

If the LTC wishes to decrease density for the MacKinnon Road properties, the following motion may be used:

That the North Pender Island Local Trust Committee request staff to amend the draft land use bylaw to decrease commercial guest accommodation units density for 1329 MacKinnon Road to 15, 1333 to 5, and for 1349 to X.

Figure 3 – MacKinnon Rd C2 zoned properties

Property	Zoning	Property Information	Comments
1325 MacKinnon Rd	C2(e) – permits 9 CGAUs.	-1 dwelling unit and 1 trailer 0.56 ha (1.4 acres) with the intent to eventually have one dwelling unit and 3 CGAUs on the property.	Draft LUB amendment reduces density to 3 CGAUs.
1329 MacKinnon Rd – The Tides	C2(d) – permits 26 CGAUs.	-Currently 6 CGAUs on the property with the intent to expand the commercial accommodation business. -Property was recently purchased in Fall 2020. -1.2 ha	The property owner have indicated they are willing to reduce the number of CGAUs from 26 to 15.
1333 MacKinnon Rd	C2(b) – permits 10 CGAUs.	-1 Dwelling Unit -0.57 ha (1.4 acres) -Property recently sold to owners of 1329 MacKinnon Rd.	The property owners have indicated they are willing to reduce the number of CGAUs from 10 to 5.
1349 MacKinnon Rd – Otter Shores	C2(c) – permits 10 CGAUs	-5 CGAUs currently on property. -Property owner plans to construct 4 more CGAUs (fourplex building) -Property owners recently purchased property . -0.75 ha	Property owner has indicated a desire to retain the current density as permitted in the zone (10 CGAUs).

Driftwood Centre

At the February 24, 2022 a discussion was held between the property manager of the Driftwood Centre and the LTC. The property manager requested the LTC retain the C2 zoning on the Driftwood Centre property in order to construct a campground in the future. Based on the lot size of the C2 zoned portion of the property, the C2 could potentially permit a maximum of 34 tent camping spaces. This calculation would not take into factor if the camping spaces are for recreational vehicles or other campground regulations (setbacks, bathroom/facility requirements, etc.) that may reduce the number of camping spaces further.

The LTC has the following options, or a combination of, to consider:

- Retain the current zoning of tourist accommodation and campground use with the existing densities (27 CGAUs and 34 camping spaces);
- Permit either the tourist accommodation use of 27 CGAUs or the campground use, but not both uses on the property;
- Reduce the density of 27 CGAUs to a lower number;
- Reduce the density for the number of permitted campground spaces from 34 to a lower number; or
- Rezone this portion of the property to only permit multi-family rental housing.

Direction is required from the LTC on how to proceed with the Driftwood Centre property. Water catchment and fire suppression requirements will be added to the draft bylaw when the LTC provides direction on how to proceed with the Driftwood Centre property.

Timeline

The following outlines a general timeline for the remainder of the project:

- LTC gives direction to staff for final amendments - March 24, 2022
- Staff presents final draft bylaws to LTC – April 24, 2022
- Consideration of First Reading – April/May 2022
- Formal referrals to First Nations and agencies after First Reading – May to July 2022
- Community Information Meeting and Public Hearing – Summer/September 2022
- Second & Third Reading – September 2022
- EC Approval – September/October 2022
- Minister Approval and Final Adoption – Early 2023

Rationale for Recommendation

The LTC may provide staff with direction on the above topics, if there are further revisions, staff will continue with drafting the bylaws.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee request staff to provide further information on...

2. Schedule additional Special Meetings

The LTC may wish to hold additional Special Meetings in order to gather further information on one or more of the topic areas. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee request staff to schedule a Special Meeting to discuss [insert topic area].

3. Referral to the Advisory Planning Commission

The LTC may opt to refer an item or topic to the Advisory Planning Commission for comment. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee request staff to refer XXX to the North Pender Island Advisory Planning Commission for comment.

4. Proceed no further

The LTC may choose to proceed no further with the project.

NEXT STEPS

Staff to continue with bylaw drafting to present at the April 28, 2022 LTC meeting.

Submitted By:	Kim Stockdill, Island Planner	March 16, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	March 16, 2022

ATTACHMENTS

1. Draft OCP Amendment Bylaw No. 223
2. NP LTC Resolutions Chart

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 223

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

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

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME 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 MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223**

SCHEDULE 1

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

1. By adding the following new policy to Section 2.1 Residential Land Uses:

“2.11 If the Local Trust Committee considers Development Variance Permit applications to vary the maximum floor area of residential dwellings, the following should be incorporated into the building proposal where feasible:

 - a) The design and construction of a dwelling should incorporate energy efficient features.
 - b) Installation of a rainwater collection and storage system with a minimum cistern storage capacity of 18,000 litres.
 - c) Buildings and other structures should utilize existing topography and vegetation to be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.
 - d) Limit site coverage of impermeable surfaces.
 - e) New buildings should be sited in a manner that results in minimal disturbance to existing vegetation and unnecessary removal of trees should be avoided.
 - f) Avoid locating development in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.
 - g) Maximize undisturbed areas and consider measures for protect sensitive ecosystems.
 - h) Use of drought resistant and native plants in landscaping should be encouraged. The planting or introduction of non-native plants should be avoided.”

2. By deleting Rural Residential Policy 2.1.1.1 and replacing it with:

“2.1.1.1 The principal use shall be residential. Agriculture is also a principal use on those Rural Residential lots not connected to a water system with the exception of those lots connected to the Razor Point Water System. Accessory uses shall not detract from the rural character of the island.”

3. (Placeholder for Rental Housing policy).

4. By adding the following new policy to Section 4.2 Coastal Area Policies:

“4.2.11 Existing private moorage for docks permitted on a site-specific basis in those areas designated as Marine (M) on Schedule “B”. New applications for private moorage for docks may be considered by site-specific rezoning subject to:

 - a) the proposal demonstrating minimal impacts on the marine environment, including eelgrass, bull kelp, forage fish, or other important habitat;
 - b) the proposal demonstrating minimal impacts on upland sensitive ecosystems or habitat;
 - c) the proposal demonstrating no impacts on archaeological or cultural sites or resources;
 - d) structures being appropriately sited and of a scale to minimize visual impacts;
 - e) structures incorporating current best practices for dock construction;

- f) consideration being given to providing for shared or common moorage; and
- g) consideration being given to the cumulative impacts of private moorage.”

5. Schedule “B” – LAND USE MAP is amended as shown on Plan No. 1 attached to and forming part of this bylaw.

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223**

PLAN NO.1

(placeholder)

LTC Resolutions/Direction to Staff - NP LUB Amendment Project

Date	Topic	Resolution or Informal Direction	Motion/Direction	Staff Comments
January 28, 2021	Marine & Shoreline	Direction	LTC supports removing docks as a permitted use and to grandfather existing docks by zoning tenures.	-Staff will recommend LTC makes this a resolution at the next LTC meeting.
March 18/21	Max Floor Area	Resolution	NP-2021-030 It was Moved and Seconded, that the North Pender Islands Local Trust Committee direct staff to create a report reflecting the discussion on floor area review on March 18, 2021.	-comments regarding floor area definition (to internal side of external walls), lot coverage and impermeable surfaces, and South Pender maximum floor area.
March 18/21	Agriculture Regulations	Resolution	-Invite SAAPC to April 29 th NP LTC meeting to discussion the SAAPC recommendations.	-Give SAAPC a specific time of discussion (10am?) -Highlight question regarding RR zoning and potential Ag regs.
March 18/21	Industrial Regulations	Direction	LTC supports the removal of Industrial designations and and industrial zoning from steep slope areas, specifically Port Washington area and steep slope adjacent to recycling centre.	Chart 7 -Organize with mapping
		Direction	LTC supports amending OCP designation for 005-773-954 to Industrial (lot east of home hardware), level portion only	Chart 9 -Map amendment
		Direction	Amend the OCP and Zoning for portions of 3418 Otter Bay Rd currently zoned I2(b) and I2(c). New OCP designation – Community Service. New zoning for I2(b) would be Community Service that permits waste transfer and new LUB zoning for I2(c) would permit waste transfer, composting and recycling.	
		Resolution	NP-2021-032 It was moved and seconded, That, regarding the <i>North Pender Island Local Trust Committee Official Community Plan Implementation Options</i> dated March 18. 2021, item 10, the North Pender Island Local Trust Committee direct staff to draft a bylaw to combine the two industrial	Chart 10

			zones into a single general industrial zone.	
		Direction	Review and update the industrial permitted uses and to allow basic, light industrial uses (including contractor yards and storage).	Chart 11
		Direction	Amend subdivision lot sizes to permit industrial zoned lands to be subdivided from split-zoned or hooked lots.	Chart 13
		Decision on hold	Rezone 3338 Port Washington (Home Hardware) to commercial	Chart 14
		Direction	Keep site specific zoning for boat storage on Hamilton Road	Chart 15
		Resolution	NP-2021-033 It was moved and seconded, That, regarding the <i>North Pender Island Local Trust Committee Official Community Plan Implementation Options</i> dated March 18, 2021, item 16, the North Pender Island Local Trust Committee direct staff to apply general industrial zoning.	Chart 16 - Rezone 3323 Port Washington (Mainroad) to the general industrial zone.
		Direction	Rezone 3334Port Washington (TUP) to the general industrial zone.	Chart 17
April 29, 2021	AG	Resolution	NP-2021-042 It was Moved and Seconded, that the North Pender Island Local Trust Committee give direction to staff to include the recommendations found in Attachment No. 1 to the draft bylaw, including the amendments to items 1, 2, and 21 and that the amendments be referred to the North Pender Agricultural Advisory Planning Commission for comment.	-Focus on scale of agriculture in terms of new RR zone (RR2) -RR2 to be all areas outside of Magic Lake and Trincomali water districts.
	AG	Resolution	It was Moved and Seconded, that the North Pender Island Local Trust Committee request that the North Pender Agricultural Advisory Planning Commission review the staff report on the agricultural review, dated April 29, 2021, and provide written feedback	
May 12,2021	C2 zone	Resolution	Staff to contact four MacKinnon Rd owners/operators and notify them the LTC is considering reducing the permitted Commercial Guest Accommodation units for each property, and is considering rezoning the	-Staff to provide comments from each property owner in next staff report.

			properties to Rural Residential. The LTC is also requesting comments from the owners regarding removal of certain accessory uses. NP-2021-050 It was Moved and Seconded, that the North Pender Island Local Trust Committee give direction to staff to write a letter to the property owners of C2B, C2C, C2D, C2E advising them of the Local Trust Committee's intent to either reduce the number of tourism units or rezone to Rural Residential. By general consent, the LTC requested that staff include the removal of additional uses in the letter to the property owners of C2B, C2C, C2D, and C2E.	-Bring back recommendation to ask staff to draft bylaw based on recommendations in the table (for C2 topic).
		Resolution	NP-2021-051 It was Moved and Seconded, that the North Pender Island Local Trust Committee give direction to staff to have the remaining Commercial Tourism zoned properties remain at the current number of units as established on the property	Reduce the number of permitted Commercial Guest Accommodation Units to the existing density on each property.
		Direction	Add provision that requires employee accommodation for higher density developments.	
		Direction	Staff to provide options for requiring onsite operators 24/7.	
	Minor Amendments	Direction	By general consent, the LTC requested that staff propose amendments to the campground regulations that would limit or prohibit generator use	Add generator use (restriction of) to campground regulations.
May 12, 2021	Marine/ Shoreline	Resolution	NP-2021-053 It was Moved and Seconded, that the North Pender Island Local Trust Committee give direction to staff to draft bylaw amendments based on recommendations for Shoreline and Marine Regulation options as outlined in Table 1 attached to the Staff Report dated May 12, 2021.	Draft bylaws based on recommendations found in Table 1 attached to May 12, 2021 staff report.
		Resolution	NP-2021-052 It was Moved and Seconded, that the North Pender Island Local Trust Committee give direction to staff that stairs would not be exempt from the setback of the natural boundary of the sea.	Stairs not to be exempt from the setback to the natural boundary of the sea.

May 12, 2021	Minor Amendments	Direction	Remove 'fencing' from option for Landscape Screening. Screening should be planning/vegetation only.	-“a” in Table of Minor & Tech Amendments
		Direction	Add regulation to require cisterns for all new buildings in every zone, and that cisterns have external connection for fire protection.	-“f” in Table of Minor & Tech Amendments.
		Direction	Add regulation to allow one accessory building/structure with a maximum floor area of 10m ² .	-“l” in Table of Minor & Tech Amendments
		Direction	Add regulations for shipping containers. Consideration to only allow shipping containers on a certain lot size, and require vegetated screening.	-“m” in Table of Minor & Tech Amendments
		Resolution	NP-2021-054 It was Moved and Seconded, that the North Pender Island Local Trust Committee give direction to staff to draft bylaw amendments based on recommendations for Minor and Technical Amendment options as outlined in Table 2 attached to the Staff Report dated May 12, 2021.	Add minor/technical amendments to draft bylaw.
May 27, 2021	Minor Amendments	Resolution	NP-2021-068 It was Moved and Seconded, that the North Pender Island Local Trust Committee add a prohibition on recreational helicopters as a part of the Land Use Bylaw Review.	-This item has been added to the technical amendment list.
June 24, 2021	Max Floor Area	Resolution	NP-2021-073 It was Moved and Seconded, that the North Pender Island Local Trust Committee direct to staff to draft bylaw amendments for establishing a gradual scale maximum floor area, as outlined in Table 2 Example B, for properties zoned Rural Residential, Rural, Rural Comprehensive 1 and Rural Comprehensive 2 and to amend the definitions of lot coverage and floor area in the North Pender Land Use Bylaw as outlined in the Staff Report dated June 24, 2021 with the amendment to reduce each of the floor areas by 500 square feet.	-include options to regulation total maximum floor area for all buildings and structures.
		Resolution	NP-2021-074 It was Moved and Seconded,	

			that the North Pender Island Local Trust Committee direct staff to provide a list of incentives in the Official Community Plan for addressing house size variance.	
July 29, 2021	Agriculture	Resolution	NP-2021-081 It was Moved and Seconded that the North Pender Island Local Trust Committee request that staff refer farm worker accommodation and the new Agricultural Land Commission residential rules to the North Pender Island Agricultural Advisory Planning Commission.	
	C2 Zoning	Direction	-Defer decision on MacKinnon Road properties until after Groundwater Project presentation in September 2021 -Requirement for alternative methods/sources of groundwater other than from a well for existing uses and new density. -Water storage for fire also a requirement for existing uses and new density. -Add provision that requires employee housing where tourist accommodation units exceeds 20 units.	
	Marine/Shoreline	Direction	-Active private moorage applications with the province should receive conditional zoning (permitting the private dock) only if the application with the province is approved.	
	Community Engagement	Resolution	NP-2021-081 It was Moved and Seconded that the North Pender Island Local Trust Committee request staff to schedule two Special Meetings in the Fall 2021 to present the draft bylaws for the Land Use Bylaw Review Project.	
Oct 22, 2021	Max Floor Area	Resolution	NP-2021-082 It was MOVED and SECONDED That the North Pender Island Local Trust Committee invite the South Pender Island Local Trust Committee Trustees to the December Special Meeting on Land Use Bylaw.	-South Pender Trustees invited to join the December 4, 2021 LTC meeting.

	C2 Zoning	Resolution	NP-2021-083 It was MOVED and SECONDED That the North Pender Island Local Trust Committee request staff to contact the owners of 1329 MacKinnon Road and 1349 MacKinnon Road to discuss the option of entering into a 219 Covenant.	-Property owners emailed.
	C2 Zoning	Resolution	NP-2021-084 It was MOVED and SECONDED That the North Pender Island Local Trust Committee request staff to amend the draft Land Use Bylaw to change the zoning behind the Driftwood from C2 to rental residential.	
	Marine/Shoreline	Resolution	NP-2021-085 It was MOVED and SECONDED That the North Pender Island Local Trust Committee request staff to amend the zoning in the draft Land Use Bylaw of the foreshore to Water 3 for the eleven in-stream private moorage applications.	
	Meeting Scheduling	Resolution	NP-2021-086 It was MOVED and SECONDED That the North Pender Island Local Trust Committee request staff to schedule a Special Meeting in December 2021 to present the draft bylaws for the Land Use Bylaw Review Project to the Local Trust Committee for review and comment.	
Oct 28, 2021	Community Engagement	Resolution	NP-2021-098 It was Moved and Seconded, That the North Pender Island Local Trust Committee schedule a Community Information Meeting regarding the Land Use Bylaw Review on February 5, 2021 at 11:00 am.	-Meeting scheduled for Saturday, February 5, 2022
December 4, 2021	Meeting Scheduling	Direction	By general consent it was agreed that the South Pender Island Trustees be invited to the North Pender LTC February 5, 2022 meeting.	

	Max Floor Area	Direction	By general consent the LTC requested an amendment to the draft bylaw for the addition of a column to Figure 2 that communicates maximum lot coverage.	
	C2 Zoning	Direction	By general consent the LTC requested that a requirement for water catchment and for fire suppression be added to the draft bylaw.	
	C2 Zoning	Direction	By general consent the LTC agreed to defer providing direction on this matter until a discussion with the property managers could be held.	-this is in reference to the proposed rental housing zone on the Driftwood property.
February 24, 2022	Marine/Shoreline	Resolution	NP-2022-24 that the North Pender Local Trust Committee request staff to retain the Water 1 zoning for the 11 instream private moorage applications with the Province.	-staff will amend the LUB map to retain W1 zoning for the 11 properties.

DATE OF MEETING: March 24, 2022
TO: North Pender Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
COPY: Kim Stockdill, Island Planner
SUBJECT: Soil Bylaw Project

RECOMMENDATION

1. **THAT the North Pender Island Local Trust Committee request staff prepare a draft Soil Deposit and Removal Bylaw with the revisions recommended in the staff report of March 24th.**

REPORT SUMMARY

The report updates the LTC on operator feedback and provides options for changes to the draft Soil Deposit and Removal Bylaw.

BACKGROUND

At the October meeting, staff provided the LTC with an update on the Soil Bylaw Project, a summary of key provisions and identified operator consultation as the next step. Operators were contacted and asked to provide comments and feedback; initially responses were requested by January, but an extension to the end of February was provided. Three operators responded with written comments, another provided staff with verbal comments but did not follow up with written comments. The comments and concerns of operators are summarized below without attribution. Operators were also encouraged to speak to trustees directly.

ANALYSIS

To summarize from the previous report, the main regulatory provisions of the draft Soil Deposit and Removal Bylaw currently would be:

1. Exemptions:
 - Require permits for soil deposit or removal exceeding 30m³ on smaller lots (roughly three truckloads) or 60m³ on larger lots. These quantities are based on the Metchosin bylaw. These amounts were questioned as being too low by operators during consultation;
 - Exempt work directly related to permitted construction, including septic system installation; staff are recommending this be extended to include work where a geo-technical engineer is involved;
 - Exempt driveway work that does not involve significant grade alterations;
 - Exempt landscape and nursery businesses and golf courses.

- Would not exempt work in DPAs, setbacks from the sea or waterbodies, high hazard slopes or areas with archaeological or heritage designations. Staff are recommending that this be the focus of permitting (rather than smaller volumes of soil on construction sites and post-construction landscaping), as it would allow for enforcement of land alteration in these sensitive areas, and would require a permit for any work, no matter how minor, in these areas.
2. General Provisions: these would establish minimum requirements for any soil removal or deposit activity, regardless of whether a permit is required or not. These would set basic requirements for all work, like hours of operation, dust and noise control, and to protect water bodies, wells, adjacent lots, and the ALR and topsoil. Operators did not raise specific issues with these potential provisions.
 3. Permit Conditions: this section of the bylaw would set out the conditions to be included in a permit. Conditions would include prescribing an area on the lot where the activity would occur in conjunction with a minimum 10m buffer to adjacent lots, along with specific measures to minimize impacts. Operators have raised concerns with a potential permit, including delays, cost of plans and reports, and need for expertise. Staff are recommending that exemptions be expanded so that only large-scale work would require a permit.

The comments, issues and concerns identified by operators are summarized as follows

- It is large (typically CRD or MoTI funded) projects that result in many of the negative impacts, including the dumping of fill on rural lots.
- This is partially due to the lack of appropriately zoned sites on-island that permit the receiving, sorting and storage of material (this can also be an issue for smaller jobs).
- The islands do not receive soil for disposal from major, off-island, developments, which is the impetus for many municipalities to adopt soil bylaws.
- Operators described local material use as:
 - Rock, unprocessed gravel and shale from building sites, which is re-used locally for backfilling, driveways, etc and is generally uncontaminated
 - Local clay soil, which can contain invasives, but is not suitable for topsoil and is instead re-used for base;
 - Topsoil for landscaping has to be imported and is typically clean, but large quantities are needed for most sites, and would trigger a permit requirement as currently proposed
- Volumes proposed are too low, the result would be requiring permits for most jobs; the current proposed volumes above which a permit would be required are 30m³ or 60m³ depending on lot size. One operator cited recent Ontario provincial regulations which set exemptions at 100m³
- All operators cited concerns with permitting generally and the need for a bylaw, with impacts including:
 - Impacts on already tight timelines, including weather dependant work
 - Additional burden on planning staff to process, and bylaw enforcement staff to deal with inquiries and complaints
 - Specialized knowledge required for calculating volumes
 - Time and cost to provide plans and reports
 - Generally questioning of the need for a bylaw
- If the LTC proceeds, the bylaw should focus on environmentally sensitive areas, large projects and inappropriate disposal of large quantities fill

Options

Staff share many of the concerns of the local operators, particularly in minimizing the administration associated with a soil removal and deposit bylaw on North Pender. The additional staff administration of a comprehensive bylaw, like those adopted in many municipalities, would result in increases in:

- The number of inquiries
- The determination of need for permits and exemptions
- The processing and reviewing of permit applications
- Follow up site visits and inspections
- Investigating complaints
- Bylaw enforcement actions

If the LTC wishes to proceed with considering a draft bylaw, staff recommend that the bylaw draft be emphasize the following:

- a high volume of material before a permit would be required (except in sensitive areas)
- exemptions for clean landscaping materials
- exemptions where work is recommended by geo-tech report
- focus on protection of sensitive ecosystem DPA, shoreline areas, and streamside areas in order to provide additional protection and enforcement tools
- exempt zoned contractor yards where soil is stockpiled

Additionally, the LTC should also ask staff to review the proposed Industrial zoning in the LUB project to permit the receiving, storage, and sorting of soil on appropriate industrial sites. The lack of on-island sites was identified by operators as an issue.

Next Steps

If the LTC does wish to proceed, the next steps would be to:

1. Prepare draft of the bylaw.
2. Circulate for legal and bylaw enforcement review.
3. Report back to the LTC with a finalized draft.
4. General community consultation

ALTERNATIVES

1. Request further information

The LTC may direct revisions to the draft bylaw:

That the North Pender Island Local Trust Committee request that staff revise the draft Soil bylaw to...

2. Proceed no Further with the Project

The LTC may choose to not proceed further with the project:

That the North Pender Island Local Trust Committee project no further with the Soil Bylaw Project.

Submitted By:	Robert Kojima, Regional Planning Manager	March 16, 2022
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Top Priorities Report

North Pender Island

1. STVR Review Project

Bylaw No. 222 was given First Reading, referrals have been sent, and Public Hearing and Community Information Meeting held on February 25, 2021.

Responsible

Kim Stockdill

Dates

Rec'd: 05-Sep-2019
Target: 01-Jul-2021

2. Groundwater Sustainability Project

Phase 1 and 2: Groundwater Sustainability Mapping Project (2019-2020) - COMPLETED

Phase 3: Groundwater Mapping Implementation - ON-GOING

Responsible

Narrisa Chadwick
William Shulba

Dates

Rec'd: 29-Nov-2018
Target: 30-Sep-2022

3. LUB Review Project

Project is in the community consultation phase. Recommendations for a draft bylaw will be considered by the LTC in late 2021.

Responsible

Kim Stockdill

Dates

Rec'd: 07-Nov-2019
Target: 01-Jan-2022

4. Soil bylaw

To consider a soil deposit and removal bylaw

Responsible

Dates

Rec'd: 25-Mar-2021
Target: 29-Jul-2022

Projects Report

North Pender Island

1. *Coastal Douglas Fir Ecosystem*

Responsible

Date Received

Consider implementation of toolkit and mapping
- LPC to develop model bylaw in 2021-22

01-Feb-2019

2. *Soil Removal and Deposit Bylaw*

Responsible

Date Received

To investigate adopting a soil removal and deposit bylaw

02-Jul-2020

3. *Raptors Nests*

Responsible

Date Received

To update the raptor nests mapping.

27-Jan-2022



Applications

Board of Variance

File Number	Applicant Name	Date Received	Purpose
NP-BOV-2022.1	Elliott, Gordon Scott	04-Feb-2022	Requesting a variance for an existing front setback non-conformity Circa 1979. Addition in 1979 resulted in a front setback of 7.0M 1978 Bylaw (No. 5) allowable setback was 7.6M.

Planner: Phil Testemale

Planning Status

Status Date: 10-Mar-2022

Hearing date March 23, 2022

Status Date: 01-Mar-2022

Sent Board of Variance Application Package to Board of Variance members (Andrew MacLean and Priscilla Zimmerman).

Status Date: 11-Feb-2022

Reviewed documents.

Development Permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2018.5	PICSS c/o HARDAL MANAGEMENT INC	23-May-2018	Application for development permit for a building in a form and character DPA

Planner: Phil Testemale

Planning Status

Status Date: 17-May-2021

Associated Subdivision (2017.3) is nearing completion. Applicants will be initiating work on form and character DP

Status Date: 13-May-2020

Nu to Yu - 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.



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2021.8	Clarke, Denver	02-Nov-2021	Applicant is applying for a development permit, in order to plant native species trees in the Woodland DPA at 2634 Lighthouse Lane, North Pender Land.

Planner: Phil Testemale

Planning Status

Status Date: 03-Mar-2022

Bylaw enforcement following up on obtaining security

Status Date: 17-Feb-2022

E-mail requesting security resent

Status Date: 31-Jan-2022

E-mail to applicant requiring security before issuance of permit

File Number	Applicant Name	Date Received	Purpose
NP-DP-2022.1	Jollimore, Steven	25-Jan-2022	Development permit to develop property for residential dwelling.

Planner: Phil Testemale

Planning Status

Status Date: 17-Feb-2022

March 24 agenda for consideration

Status Date: 02-Feb-2022

Sent LTC package to North Pender LTC today by email.

Status Date: 02-Feb-2022

Robert Kojima assigned the file to Planner Phil Testemale.



Applications

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
NP-LCB-2022.1	Royal Canadian Legion #239	03-Feb-2022	Application to apply for a new outdoor patio area for Royal Canadian Legion's Liquor Primary licensed establishment.
Planner: Phil Testemale			
Planning Status			
Status Date: 10-Mar-2022 March 24, 2022 agenda for direction on community consultation.			
Status Date: 08-Mar-2022 Sent application package to North Pender LTC for their review and copied Phil, Jas and Robin.			
Status Date: 08-Mar-2022 Put physical file on Phil's desk.			

Subdivision

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2008.9	Jl Properties Inc	21-Oct-2008	James Island - To create 83 lots
Planner: Phil Testemale			
Planning Status			
Status Date: 21-Apr-2021 Correspondence from applicant's legal counsel on April 29, 2021 LTC agenda			
Status Date: 17-Mar-2021 In camera meeting scheduled for March 26, 2021			
Status Date: 18-Feb-2021 Feb 25, 2021 agenda for acceptance of covenants. Cash-in-lieu pending review and CRD Board approval			



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2012.4	Edgewood Estates c/o Graham Ross	29-Nov-2012	2218 CLAM BAY RD: referral of a bare land strata subdivision application for 11 lots, including remainder

Planner: Kim Stockdill

Planning Status

Status Date: 04-May-2021

PLR request received. Extension for one year granted by MOTI.

Status Date: 08-Mar-2021

PLA extension request received. Replied with no objections.

Status Date: 02-Jul-2020

Access road construction plans submitted for information.

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2017.3	Jim Petrie	19-Dec-2017	Referral of a subdivision application for 2 lots

Planner: Phil Testemale

Planning Status

Status Date: 20-May-2021

Awaiting easements (water) and final subdivision plan to compete.

Status Date: 09-Sep-2020

Revised Drainage report -complies with sub regs. E-mail to applicant and cc'd to MoTI

Status Date: 05-Aug-2020

Drainage report submitted and reviewed. Request certification ref. sub regs (4.6.9)



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2020.1	BRADFORD & MILLIKEN	05-Mar-2020	1610 Schooner Way - A subdivision referral for two lot boundary adjustment. MoTI file #: 2020-00549

Planner: Phil Testemale

Planning Status

Status Date: 02-Apr-2021

PLR from MoTI rec'd. Applicants reviewing options.

Status Date: 17-Mar-2021

Combined DVP/DP required.

Status Date: 05-Feb-2021

Review Response sent to MoTI.

File Number	Applicant Name	Date Received	Purpose
NP-SUB-2020.2	Wey Mayenburg Land Surveying Inc.	31-Aug-2020	4242, 4246, 4250 Armadale Road - Referral of a subdivision application for proposed two lots.

Planner: Phil Testemale

Planning Status

Status Date: 18-Mar-2021

VIHA Letter rec'd - Condition 6 MoTI requiring verification of septic fields

Status Date: 17-Mar-2021

DVP req'd

Status Date: 09-Mar-2021

PLR rec'd

Islands Trust
LTC EXP SUMMARY REPORT F2022
Invoices posted to Month ending January 2022

650 North Pender	Invoices posted to Month ending January 2022	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-650	LTC "Trustee Expenses"	510.00	0.00	510.00
LTC Local				
65200-650	LTC - Local Exp - LTC Meeting Expenses	3,470.00	2,099.17	1,370.83
65210-650	LTC - Local Exp - APC Meeting Expenses	444.00	57.14	386.86
65220-650	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-650	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>4,458.00</u>	<u>2,156.31</u>	<u>2,301.69</u>
Projects				
73001-650-2006	North Pender OCP/LUB	5,000.00	1,920.83	3,079.17
73001-650-4115	North Pender Groundwater Strategy Implementation	2,500.00	79.95	2,420.05
73001-650-4116	North Pender Soil Bylaw	4,000.00	0.00	4,000.00
TOTAL Project Expenses		<u>11,500.00</u>	<u>2,000.78</u>	<u>9,499.22</u>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2022-002 (Standing) that the North Pender Island Local Trust Committee direct bylaw staff to defer enforcement on unlawful dwellings, except in the following circumstances: a. There are concerns regarding health and safety; b. There are concerns that sewage is not being disposed of in an approved septic or sewage disposal system; or that septic or sewage disposal systems are beings used in excess of capacity or ability as a result of unlawful dwellings; c. There are concerns of possible contamination of wells or other drinking water sources; d. Unlawful dwellings are in environmentally sensitive areas; e. There are non-permitted campgrounds; and f. That the North Pender Island Local Trust Committee may give direction to resume enforcement on activities on any property that poses risk to the health and safety of the neighbouring residents or the residents on the property subject to enforcement.	Carried	27-Jan-2022
2020-026 (Standing) that the North Pender Local Trust Committee direct bylaw enforcement to not enforce on restaurants or liquor primary establishments setting up temporary structures within their respective lots contrary to parking regulations and existing development permits while Covid-19 restrictions limiting seating capacity and occupancy are in place and subject establishments receiving required provincial approvals such as from the Liquor and Cannabis Regulation Branch and establishments following relevant provincial protocols.	Carried	21-May-2020
2020-012 (Standing) That the North Pender Island Local Trust Committee has no objection to Liquor and Cannabis Regulation Branch issuance of Temporary Expanded Service Area Authorizations for liquor primary and manufacturer licensees within the North Pender Island Local Trust Area.	Carried	19-Jun-2020



Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2020-011 (Standing)	Carried	04-Jun-2020
That given the COVID-19 pandemic and the declaration of a state of emergency throughout the Province of British Columbia, the North Pender Island Local Trust Committee directs that bylaw enforcement action be deferred in the following circumstances: 1. A commercial use operating in a residential zones, provided that the use: a. was lawfully operating within the local trust area prior to the declaration of the state of emergency; b. has been forced to vacate lawfully zoned premises as the result of COVID-19 related orders, guidance or effects; c. is currently operating from premises where the principal residence of the owner or operator of the commercial use is located; d. is complying with the home business regulations (Section 3.5) of the Land Use Bylaw other than: i. being a prohibited use under subsection 3.5.3 and; ii. may be conducted outside of a permitted building (subsection 3.5.1), provided it is not operated within a setback area; and e. is complying with health or provincial requirements. 2. Upon the lifting of the state of emergency, deferred enforcement action may be commenced, but owners or operators should be provided with a reasonable time to comply.		
2020-010 (Standing)	Carried	30-Jan-2020
that the North Pender Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and staff are directed to continue with enforcement until the use is ceased. b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease. c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee, bylaw enforcement actions, including the issuing of notices will continue d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.		

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2019-119 (Standing)	Carried	28-Nov-2019
that the North Pender Island Local Trust Committee place a moratorium on new Short Term Vacation Rental Temporary Use Permits for a limited time while the Local Trust Committee completes the Short Term Vacation Rental Review.		
2019-074 (Standing)	Carried	04-Jul-2019
that the North Pender Island Local Trust Committee adopt the model cell tower strategy for future review and consideration of proposals.		
2019-072 (Standing)	Carried	04-Jul-2019
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.		
2019-061 (Standing)	Carried	30-May-2019
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.		



Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2019-030 (Standing) that the North Pender Island Local Trust Committee request that 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.	Carried	28-Feb-2019
2019-016 (Standing) that the 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.	Carried	31-Jan-2019
2018-070 (Standing) that the North Pender Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property, where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: o Name of the applicant and a description of the proposal in general terms. o The location of the proposed establishment and the subject site. o The place, date and time when, both a build meeting will be held and a resolution of the Local Trust Committee is considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application. o How public comments may be submitted to the local trust committee.	Carried	06-Sep-2018
2011-050 (Standing) 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.	Carried	28-Apr-2011

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2007-146 (Standing) 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.	Carried	30-Aug-2007
2006-080 (Standing) 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.	Carried	25-May-2006
2005-005 (Standing) The LTC will appoint Advisory Planning Commission members as representative of various local areas on North Pender and/or representative of various community organizations	Carried	27-Jan-2005



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JANUARY 25, 2022 BOARD SPECIAL MEETING (OPEN PORTION)

*NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit
<https://islandstrust.bc.ca/whats-happening/meetings-and-events/>*

1. ORGANIZATION UPDATES/TEAM

- Chair and Vice chair elections were held. Trustee Stamford was acclaimed as Chair of the ITCB. Trustee Fast was acclaimed as Vice-Chair of ITCB.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Manager presented the Board with a 2022-23 ITC Work Planning package and request for decision. The ITC has a small team that is working to meet existing commitments with respect to current conservation proposals and land management projects. Woven through all its work, the ITCB has committed to strengthening relationships with First Nations. The ITC is also working on a new Climate Change Project to prepare for effects of climate change on lands that are managed by the ITC, and a new Species at Risk Program aimed at species threatened by extinction in the islands. To enable creation of work programs that can successfully meet these commitments, the ITCB directed staff to focus on these new program areas in 2022. ITC will continue to act on high priority conservation opportunities, but will hold other less urgent work until the spring of 2023.
- The ITCB had three readings of Islands Trust Conservancy Bylaw No. 3, cited as “Islands Trust Conservancy Meeting Procedures Bylaw, 2019, Amendment Bylaw No. 1, 2022.” The bylaw will allow the ITC board members to attend meetings electronically.
- The ITCB approved the attendance for Trustees Fast, Fenton, Stamford and Smith to attend the Salish Sea Ecosystem Conference
- The ITCB approved attendance at e-Summit of the Pan Canadian Parks and Protected Areas Research Network for Trustees Stamford and Smith.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITBC noted for the public in the 'rise and report' of the in camera meeting, that it has approved signing of a conservation covenant on Lasqueti Island that is the subject of a Natural Area Protection Tax Exemption Proposal application.
- The Ecosystems Protection Specialist presented a conservation proposal to donate a 2.45 ha NAPTEP covenant on Salt Spring Island, to protect mature forests, wetlands, and connectivity to other protected areas. Decision was made to approve the proposal but defer this securement project until late 2022/early 2023 due to staff capacity constraints.
- The Public Acquisitions and Covenants reports were presented to and accepted by the ITCB.

4. COVENANT AND PROPERTY MANAGEMENT

- The ITC Property Management Specialist presented the Moore Hill Management Plan. Board discussed the cultural significance and public opinion regarding closure of public access and relationship building with First Nations and approved the management plan.
- The ITC Covenant Management & Outreach Specialist provided a slide presentation to Board members, highlighting the top six projects completed in 2021. The ITCB commented this was a great learning experience and requested that these presentations be communicated more broadly to the public.
- The ITC Property Management Specialist presented a slide presentation to Board members highlighting the top restoration projects completed in 2021, noting partners, local conservancies and volunteers have been instrumental in doing this work.

5. COMMUNICATIONS AND OUTREACH

- The ITC Manager advised that an outreach letter had been sent to Gabriola landholders in January in collaboration with the Gabriola Land and Trails Trust. The Gabriola Island Local Trust Committee was notified.
- The ITCB received a letter from Sheila Harrington regarding a book she is developing about land trusts in the islands.
- The ITCB received a building permit referral for information for a greenhouse on a covenanted property on North Pender Island. As the greenhouse is well distanced from the covenant boundary, the ITC Manager advised that staff did not have concerns.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- Trustee Smith provided a verbal update noting that Galiano Island recently completed the new Cable Bay conservation area, including 25 hectares, linking to other conservation areas, totalling 500 hectares of Coastal Douglas-fir forests, and wetlands. There will be a celebration in the spring. The ITCB provided an Opportunity Fund Grant to kick start the project in 2019.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

- The Budget Report was presented and accepted by the ITCB.
- Trustee Fenton advised that the Thetis Island Local Trust Committee is trying to pull together a program to bring community engagement, stewardship and education. Thetis is working towards community composting.
- Trustee Adams advised she signed up for Land Trust Alliance of BC Indigenous Engagement session and will provide an update.

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NOTICE OF 2022 BUSINESS MEETINGS

THE LTC HAS ADOPTED THE FOLLOWING DATES FOR ITS 2022 MEETING SCHEDULE.
MEETINGS ARE SUBJECT TO CHANGE. PLEASE VISIT THE NORTH PENDER LTC WEBSITE FOR UP-TO-DATE SCHEDULE INFORMATION. THE LTC WILL MEET ON THE LAST THURSDAY OF EACH MONTH @ 10:00 A.M. UNLESS OTHERWISE NOTED*

DATE	LOCATION
January 27	St. Peter's Anglican Church Hall - 4703 Canal Rd
February 24	Electronic Meeting
March 24	St. Peter's Anglican Church Hall - 4703 Canal Rd
April 28	St. Peter's Anglican Church Hall - 4703 Canal Rd
May 26	St. Peter's Anglican Church Hall - 4703 Canal Rd
June 30	St. Peter's Anglican Church Hall - 4703 Canal Rd
July 28	St. Peter's Anglican Church Hall - 4703 Canal Rd
September 29	St. Peter's Anglican Church Hall - 4703 Canal Rd
October 27	St. Peter's Anglican Church Hall - 4703 Canal Rd
November 24	St. Peter's Anglican Church Hall - 4703 Canal Rd

These are regular business meetings of the Local Trust Committee, where they will consider items such as bylaws, applications, and correspondence.

ALL REGULAR BUSINESS MEETINGS ARE OPEN TO THE PUBLIC

Website: www.islandstrust.bc.ca/npender
Email: southinfo@islandstrust.bc.ca
Phone: 250-405-5151