

Islands Trust

## **PUBLIC HEARING**

### **SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE**

March 5, 2021

Electronic Meeting (Zoom Webinar)

**PROPOSED BYLAW NO: 121**

**Project: Recreational Vehicle Use**

#### **RELEVANT BACKGROUND INFORMATION REFERENCE BINDER**



#### ***CHAIR'S OPENING STATEMENT***

- 1. NOTICE OF PUBLIC HEARING**
- 2. SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE PROPOSED BYLAW**
  - a. Bylaw No. 121 – South Pender Island LUB No. 114, 2016, Amendment No. 1, 2021
- 3. REFERRALS TO AGENCIES & FIRST NATIONS**
  - a. Bylaw Referral – No. 121
  - b. Agencies & First Nations Referral Responses Received
- 4. RELEVANT MINUTES/RESOLUTIONS WITHOUT MEETING**
  - a. January 29, 2021
  - b. November 6, 2020
  - c. September 4, 2020
  - d. June 4, 2020
- 5. STAFF REPORTS / MEMOS**
  - a. January 29, 2021
  - b. November 6, 2020
  - c. September 4, 2020
  - d. May 1, 2020
- 6. CORRESPONDENCE**
  - a. None
- 7. PUBLIC HEARING SUBMISSIONS**
  - a. Jane Perch – March 4, 2021
- 8. OTHER**
  - a. Alternative Housing – Project Charter

## **CHAIRPERSON'S OPENING STATEMENT**

"This Public Hearing is being convened pursuant to Section 465 of the *Local Government Act* in order to consider the following proposed bylaw(s):

- **Proposed Bylaw No. 121 – cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2021".**

All persons who believe that their interest in property is affected by the proposed bylaw(s) will be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaw(s).

Those wishing to speak should commence their presentation by clearly stating their name and address.

Members of the Local Trust Committee may, if they wish, ask questions of you following your presentation. However, the main function of the Local Trust Committee members is to listen to the views of the public. It is not the function of Committee members to debate the merits of the proposed bylaw(s) with individual citizens.

Everyone will be given a reasonable opportunity to be heard and none should feel discouraged from presenting his or her views.

In considering the proposed bylaw(s), the Local Trust Committee has received documents, which may influence its decision. Those documents are available for review during this hearing **on our website and as indicated in the public hearing notice**.

Any person who wishes to present a written submission to the Local Trust Committee may do so and all written submissions must be received by the Local Trust Committee before the close of the hearing.

Your only opportunity to comment on the proposed bylaw(s) is during this hearing, as members of the Local Trust Committee may not receive further submissions after the close of the hearing.

After this Public Hearing has concluded, the Local Trust Committee may, without further notice, make whatever decision it deems proper with respect to the bylaw(s) that are the subject of the Public Hearing."



Islands Trust

# LUB Amendment for Regulation for Recreational Vehicle Use

## Bylaw 121

**Have  
Your  
Say**

**March 5, 2021**

CIM - 10:30 a.m.  
Public Hearing  
to follow CIM

### Zoom Meeting

Phone (Toll Free):

Canada: 833 958 1164

US: 833 955 1088

[https://islandstrust.](https://islandstrust.zoom.us/j/68599247049)

[zoom.us/j/68599247049](https://islandstrust.zoom.us/j/68599247049)

Webinar ID Code:

685 9924 7049

### Who should attend?

Anyone affected by  
the proposed bylaws

### Enquires?

Narissa Chadwick

Island Planner:

250-405-5189

[nchadwick@](mailto:nchadwick@islandstrust.bc.ca)

[islandstrust.bc.ca](mailto:nchadwick@islandstrust.bc.ca)



## PUBLIC HEARING

SOUTH PENDER LOCAL TRUST COMMITTEE

### What is the bylaw about?

The Local Trust Committee (LTC) is reviewing regulations related to recreational vehicle use.

Draft Bylaw No. 121 would amend Land Use Bylaw (LUB) No. 114 in order to tie the use of a recreational vehicle as a dwelling to a building permit, and limit the use to two (2) years. In addition, the Bylaw will limit the temporary use of a recreational vehicle to sixty (60) days in a calendar year.

The Community Information Meeting will be held prior to the Public Hearing to provide the opportunity for members of the public to ask questions about the proposed amendments.

### How do I get more information?

A copy of the electronic public hearing binder and details on connecting to **Zoom** is available online:

<http://www.islandstrust.bc.ca/spender/sp-news/>



A copy of the bylaw, the Public Hearing Binder and other information on the project is available at the Islands Trust Victoria office from 8:30 a.m. to 4:30 p.m. Monday to Friday, excluding statutory holidays, February 19 to March 4, 2021, or online:

<http://www.islandstrust.bc.ca/spender/alt-housing>

### Written submissions?

Send by 4:30 p.m., March 4, 2021 to:

- Islands Trust, 200-1627 Fort Street, Victoria, BC V8R 1H8, or
- Email: [vicphsub@islandstrust.bc.ca](mailto:vicphsub@islandstrust.bc.ca)



*Note: All submissions received become part of the public record.*

# PROPOSED

## SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 121

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

---

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

1. Citation

This bylaw may be cited for all purposes as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021”.

2. South Pender Island Local Trust Committee Bylaw No. 114, cited as “South Pender Island Land Use Bylaw No. 114, 2016” is amended as follows:

2.1 Article 3.10(1)(c) is amended by removing “; and” and replacing it with “;”.

2.2 Article 3.10(1)(d) is amended by removing “.” and replacing it with “;”.

2.3 Subsection 3.10.(1) is amended by adding a new Article after Article 3.10(1)(d) that reads: “(e) where a building permit has been issued for a dwelling, the building permit remain in effect and occupancy of a *recreational vehicle* not exceed two years; and”.

2.4 Subsection 3.10 (1) is amended by adding a new Article after 3.10 (e) that reads “(f) where a *recreational vehicle* is used for temporary camping, occupancy of a *recreational vehicle* not exceed 60 days in a calendar year.”.

### 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<sup>TH</sup> DAY OF JANUARY 2021.

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\_\_

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY



Islands Trust

# BYLAW REFERRAL FORM

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

**Island:** South Pender Island Local Trust Area **Bylaw No.:** 121 **Date:** February 9, 2021

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

**APPLICANTS NAME / ADDRESS:**

N/A

**PURPOSE OF BYLAW:**

To require the use of recreational vehicles (RV) as temporary dwellings to be tied to a building permit and be limited to two years as well as limit the use of RVs for camping to 60 days in a calendar year.

**GENERAL LOCATION:**

South Pender Island Local Trust Area

**LEGAL DESCRIPTION:**

N/A

**SIZE OF PROPERTY AFFECTED:**

N/A

**ALR STATUS:**

N/A

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

N/A

**OTHER INFORMATION:**

Additional information, including the current bylaws, is available at: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

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

(Signature)

Name: Narissa Chadwick

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

PLEASE TURN OVER →

This referral has been sent to the following agencies:

**Federal Agencies**

n/a

**Provincial Agencies**

Ministry of Municipal Affairs  
BC Assessment Authority

**Non-Agency Referrals**

Islands Trust – Bylaw Enforcement

**Regional Agencies**

Capital Regional District – Building Inspection  
Pender Island Fire Rescue

**Adjacent Local Trust Committees and Municipalities**

Saturna Island Local Trust Committee  
North Pender Island Local Trust Committee

**First Nations**

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

# BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

South Pender Island Local Trust Area

(Island)

121

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)



# PROPOSED

## SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 121

---

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

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2.2 Article 3.10(1)(d) is amended by removing “.” and replacing it with “;”.

2.3 Subsection 3.10.(1) is amended by adding a new Article after Article 3.10(1)(d) that reads: “(e) where a building permit has been issued for a dwelling, the building permit remain in effect and occupancy of a *recreational vehicle* not exceed two years; and”.

2.4 Subsection 3.10 (1) is amended by adding a new Article after 3.10 (e) that reads “(f) where a *recreational vehicle* is used for temporary camping, occupancy of a *recreational vehicle* not exceed 60 days in a calendar year.”.

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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\_\_

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

## Referrals: Bylaw SP-121

Agency	Sent	Received
<b>BC Assessment Authority</b> <i>Policy, Audit and Legal Services: Cathie McIntyre</i>	10-Feb-2021	
<b>Bylaw Enforcement</b> <i>Islands Trust: Warren Dingman</i>	10-Feb-2021	
<b>Capital Regional District - All Referrals Christine Condron</b> <i>625 Fisgard Street: Christine Condron</i>	10-Feb-2021	
<b>Cowichan Tribes</b> <i>5760 Allenby Rd: Tracey Flemming</i> <i>Comment: No Comment Received</i>	10-Feb-2021	
<b>Halalt First Nation</b> <i>7973 Chemainus Rd: Raven August</i> <i>Comment: Halalt First Nation has no comment on the bylaw referral.</i>	10-Feb-2021	11-Feb-2021
<b>Lake Cowichan First Nation</b> <i>313B Deer Road: Carole Livingstone</i> <i>Comment: No Comment Received</i>	10-Feb-2021	
<b>Lyackson First Nation</b> <i>7973A Chemainus Road: Linda Aidnell</i> <i>Comment: No Comment Received</i>	10-Feb-2021	
<b>Malahat First Nation</b> <i>110 Thunder Road, RR4: Heather Adams</i> <i>Comment: FN Coordinator let us know there are 'no comments' in regards to this bylaw referral.</i>	10-Feb-2021	03-Mar-2021
<b>Ministry of Municipal Affairs and Housing</b> <i>Planning and Land Use Management: Kris Nichols</i>	10-Feb-2021	
<b>North Pender Island Local Trust Committee</b> <i>Islands Trust: Jas Chonk</i> <i>Comment: Interests Unaffected.</i>	10-Feb-2021	25-Feb-2021
<b>Pauquachin First Nation</b> <i>9010 West Saanich Road: Darlene Henry</i> <i>Comment: No Comment Received</i>	10-Feb-2021	
<b>Pender Island Fire Rescue</b> <i>PO Box 61: Charlie Boyte</i>	10-Feb-2021	

## Referrals: Bylaw SP-121

Agency	Sent	Received
<b>Penelakut Tribe</b> <i>Box 360: Denise James</i> <i>Comment: No Comment Received</i>	10-Feb-2021	
<b>Saturna Island Local Trust Committee</b> <i>200 - 1627 Fort Street: Jas Chonk</i>	10-Feb-2021	
<b>Semiahmoo First Nation</b> <i>16049 Beach Rd: Chief &amp; Council</i> <i>Comment: No Comment Received</i>	10-Feb-2021	
<b>Stz'uminus First Nation</b> <i>12611A Trans Canada Hwy: Chenoa Akey</i>	10-Feb-2021	
<b>Tsartlip First Nation</b> <i>PO Box 70: Karen Harry</i> <i>Comment: No Comment Received</i>	10-Feb-2021	
<b>Tsawout First Nation</b> <i>Box 121: Cathy Webster</i> <i>Comment: Tsawout First Nation does not have any concerns at this time.</i>	10-Feb-2021	10-Feb-2021
<b>Tsawwassen First Nation</b> <i>1926 Tsawwassen Drive: Victoria Williams</i> <i>Comment: Tsawwassen First Nation (TFN) has no concerns regarding this file, at this time. However, TFN requests copies of all interim and final reports produced for this project.</i>	10-Feb-2021	10-Feb-2021
<b>Tseycum First Nation</b> <i>1210 Totem Lane: Chief Tanya Jimmy</i> <i>Comment: No Comment Received</i>	10-Feb-2021	

**SP-2021-011**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No. 119, cited as "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020" and Bylaw No. 120, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2020".

**CARRIED**

**13.3. Alternative Housing Project - Staff Report**

Planner Chadwick provided an overview of the staff report including the history of the project and rationale for staff recommendations.

A discussion was held regarding the use of recreational vehicles for housing, including duration and requirements for siting, sewer and water.

**SP-2021-012**

**It was Moved and Seconded,**

That the South Pender Island Local Trust Committee direct staff to amend Bylaw 121, such that "a maximum of 2 years" is moved to item e and that a clause be inserted that reads "the use of recreational vehicles as a camping unit be limited to a maximum of 60 days per calendar year".

**CARRIED**

**SP-2021-013**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee Bylaw No.121, as amended, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" be read a first time.

**CARRIED**

**SP-2021-014**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No.121, as amended, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" is not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED**

**SP-2021-015**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting for Bylaw No. 121, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" as part of the March 5th, 2021 South Pender LTC meeting.3

**CARRIED**

**SP-2021-016**

**It was Moved and Seconded,**

That the South Pender Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” as part of the March 5th, 2021 South Pender LTC meeting.

**CARRIED**

**14. REPORTS**

**14.1 Work Program Reports**

**14.1.1 Top Priorities Report Dated January 2021**

A discussion of projects to be included in the Top Priorities List was held.

A discussion of the Groundwater Project and the application of the data to future land use regulations was held.

There was general consensus that the LTC shall discuss the Groundwater Project and their objectives for the project shall be returned to at the March Business meeting. They requested that staff provide a list of potential options for them to consider.

**14.1.2 Projects List Report Dated January 2021**

Received for information.

**14.1.3 Review of Projects – Discussion**

A discussion of the projects list was held and there was general consensus that staff shall return to the March meeting with a list of projects that could be grouped under Land Use Bylaw (LUB) amendments or OCP amendments.

**14.2 Applications Report Dated January 2021**

No applications at this time.

**14.3 Trustee and Local Expense Report Dated October 2020**

Received for information.

**14.4 Adopted Policies and Standing Resolutions**

Received for information.

**14.5 Local Trust Committee Webpage**

No comments

**14.6 Islands Trust Conservancy Report Dated November 24, 2020**

Received for information.

**14.7 ITC Forest Conservation Outreach Campaign - Briefing November 25, 2020**

- Upholding the preserve and protect mandate through the TUP tool;
- Consideration of the standards that apply to water and septic capacity as well as the collection of rainwater for irrigation purposes only;
- Decision making on maximum allowable parking;
- Aligning conditions similar to North Pender where practical for South Pender; and
- Assessing the intention of property use through the application process.

Revisions to the draft STVR bylaw will be made and circulated to trustees with option for first reading by resolution without meeting and schedule of second reading at the January meeting. Referrals can go out over December.

The following issues were discussed in relation to B&B (Bed & Breakfast) operations:

- B&Bs differ to STVRs as the operator does live on the property;
- There are likely fewer number of guests at B&Bs;
- There may be less concern for nuisance activities such as parties; and
- B&Bs and STVRs both provide tourist accommodation, but B&B's fall under home based business.

Public input should be sought on B&Bs as this item was not included in the bylaw amendment.

#### **SP-2020-023**

#### **It was Moved and Seconded,**

that the South Pender Island Local Trust Committee Bylaw No. 119, cited as the "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020", be amended as discussed.

**CARRIED**

### **13.2 Alternative Housing – Staff Report**

Recreational vehicles (RVs) use as a dwelling and for seasonal workers housing was reviewed for an amendment to section 3.10 under Land Use Bylaw (LUB) - Use of Recreational Vehicles. The following issues were discussed:

- The requirement of a time limited building permit where an RV is used as a dwelling;
- The negative impact on bylaw enforcement and other issues that arise with setting time limits to RV use for both seasonal and recreational users;
- Consideration of the use of a TUP for seasonal worker accommodations or allowing outright use in agricultural use zones; and
- Given increased RV use with no intent to build, regulation through a TUP with conditions such as connection to water and septic.
- Do not include provision to allow seasonal use of RVs for periods not exceeding 60 days.

**SP-2020-024**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff to prepare draft bylaws addressing limits on the use of recreational vehicles as discussed at the November 6, 2020 South Pender LTC meeting.

**CARRIED**

**14. REPORTS**

**14.1 Work Program Reports**

**14.1.1 Top Priorities Report Dated October 2020**

Received for information. Planner Kojima reported that the groundwater program is wrapping up.

**14.1.2 Projects List Report Dated October 2020**

Discussion was held on the scheduling of upcoming meetings and town halls.

**SP-2020-025**

**It was Moved and Seconded,**

That South Pender Island Local Trust Committee requests staff to schedule a special town hall meeting for November 28, 2020 for North and South Pender Island Trustees.

**CARRIED**

**Chair Patrick Opposed**

Chair Patrick is unavailable for the November 28, 2020 meeting.

**The following points were discussed:**

- Regulating steel storage containers in future project;
- Derelict vehicles; and
- Referencing areas of the island to their First Nation names.

**14.2 Applications Report Dated October 2020 (attached)**

Received for information.

**14.3 Trustee and Local Expense Report Dated August & Sept 2020 (attached)**

Received for information.

**14.4 Adopted Policies and Standing Resolutions (attached)**

Received for information.

**14.5 Local Trust Committee Webpage**

No discussion.



Trustees suggested that they consult further with stakeholders and residents. Trustees will provide their written comments to staff.

**SP-2020-019**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff to prepare draft bylaws for the STVR Review project in accordance with the staff report dated September 4, 2020.

**CARRIED**

**13.2 Alternative Housing - Staff Report**

**SP-2020-020**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff prepare draft policies and regulations that would tie RV use to a building permit for a dwelling, with maximum limit of 2 years, and to limit recreational use of vehicles of RVs to 60 days, and to permit occupancy of RVs or bunkhouses for agricultural or forestry workers from May to September.

**CARRIED**

**13.3 Update on Southern Gulf Islands Groundwater Sustainability Strategy - Staff Memo**

Staff advised that the draft report is undergoing a professional review. The final report is due in November 2020.

**14. REPORTS**

**14.1 Work Program Reports**

**14.1.1 Top Priorities Report Dated August 2020**

**14.1.2 Projects List Report Dated August 2020**

RPM Kojima noted that the building and siting review and STVRs have been referred to the APC. Trustee Thorn suggested that the LTC consider issues to be sent to the APC.

**14.2 Applications Report Dated August 2020**

Received for information.

**14.3 Trustee and Local Expense Report Dated July 2020**

Received for information.

**14.4 Adopted Policies and Standing Resolutions**

Received for information.

**14.5 Local Trust Committee Webpage**

- Consideration of “grandfathering” existing STVRs;
- Regulatory tools available, including the use of Temporary Use Permit (TUPs,) lack of business licencing, and Official Community Plan (OCP) policies around STRVs;
- Enforcement of Land Use Bylaw (LUB) contraventions and conditions of the TUPs; and
- Public consultation with operators or owners of existing STVRs, with the Trustees, staff and the wider public.

**SP-2020-012**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request that staff explore Option 5 in the staff report in detail and report back at a future Local Trust Committee meeting.

**CARRIED**

Note: Option 5 relates to the use of TUPs in approvals for STVRs.

**SP-2020-013**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff revise the project charter to include consultation with owners on draft TUP conditions.

**CARRIED**

**4.5 Alternative Housing Project - Staff Report**

Planner Chadwick presented the staff report, which identified recreational vehicles (RVs) as permitted for residency only with a valid permit for construction of a house. The staff report presented suggested Project Charter steps in addressing alternative housing options, focussing on RVs.

Planner Chadwick noted that trustees have indicated that there area RVs that are being used year round for housing as by by seasonal farm employees. Alternative affordable housing is not available.

Trustees had discussion on the following points:

- The above issues, noting that the cost of housing is high, which adds to the incentive to use RVs on a permanent basis;
- The possibility of expanding the scope of project to include small structures;

Trustee Wright left the meeting at 12:05 p.m.

- There is presently no mechanism in place to allow alternative forms of housing, except for temporary occupancy while building a house; and
- Water supply and sewage disposal are key issues.

**SP-2020-014**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee South Pender Island Alternative Housing Project Charter be amended to include alternative forms of housing other than recreational vehicles.

**CARRIED**

Trustee Wright rejoined the meeting at 12:19 p.m.

**4.6 Bylaw Violations re disposal or storage of waste or recyclable materials or storage of vehicles**

Bylaw Enforcement Manager Dingman gave a verbal report, identifying derelict vehicles their parts and waste from those vehicles representing the majority of complaints. He recommended that policies be aligned with those of North Pender and the Capital Regional District (CRD).

Investigation of possible bylaw infractions are presently complaint-driven, which is sometimes awkward for neighbours to report such complaints.

**SP-2020-015**

**It was Moved and Seconded,**

that South 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 of other issues or if it is reliably reported to the officer that such activity may be taking place.

**CARRIED**

**4.7 Groundwater Sustainability Project – Verbal Update (William Shulba)**

Freshwater Specialist (FWS) William Shulba, advised that the Islands Trust had engaged GW Solutions to study groundwater recharge and groundwater availability. The project is under review and once the report is finalized, it will be sent to trustees and eventually form part of the Groundwater Sustainability Strategy. With the aid of a Power Point presentation, FWS Shulba advised that:

- South Pender has good recharge potential;
- Water usage and demand changes almost daily; and
- There are four (4) groundwater basins on South Pender.

Trustees discussed whether the data gathering was aimed at the present vs future development. In response, FWS Shulba advised that the present priority is existing development.



DATE OF MEETING: January 29, 2021

TO: South Pender Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner  
Southern Team

COPY: Robert Kojima, Regional Planning Manager  
Kim Stockdill, Island Planner

SUBJECT: RV and Seasonal Workers Housing – Draft Bylaw

## RECOMMENDATIONS

1. That the South Pender Island Local Trust Committee Bylaw No.121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” be read a first time.
2. That the South Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No.121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” is not contrary to or at variance with the Islands Trust Policy Statement.
3. That the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting for Bylaw No. 121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” as part of the March 5<sup>th</sup>, 2021 South Pender LTC meeting.
4. That the South Pender Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” as part of the March 5<sup>th</sup>, 2021 South Pender LTC meeting.

## REPORT SUMMARY

The purpose of this report is to present to the South Pender LTC draft Bylaw No.121 which would require the use of recreational vehicles as temporary dwellings to be tied to a building permit and be limited to two years.

## BACKGROUND

This project emerged out of the concern for the use of recreational vehicles as year round housing. A [project charter](#) focussing on addressing the issue of RVs as housing was presented to the LTC at their June 2<sup>nd</sup> special meeting. At that meeting the South Pender LTC requested that staff amend the Project Charter to include alternative forms of housing other than just recreational vehicles. Alternative forms of housing related specifically to temporary housing for seasonal workers in farming and forestry.

At the September 4, 2020 LTC meeting adopted the following resolution:

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff prepare draft policies and regulations that would tie RV use to a building permit for a dwelling, with maximum limit of 2 years, and to limit recreational use of RVs to 60 days, and to permit occupancy of RVs or bunkhouses for agricultural or forestry workers from May to September.

At the November 6, 2020 South Pender LTC meeting the LTC agreed that temporary housing for seasonal workers in farming and forestry could be best addressed through Temporary Use Permit (TUP). As indicated in the November 6<sup>th</sup> staff report, the TUP policy and guidelines as currently written in the OCP would support the issuance of TUPs for seasonal worker accommodation, which could include RVs.

At the November 6, 2020 South Pender LTC meeting Trustees also discussed whether the bylaw amendment should place a 60 day limit on the recreational use of RVs. The LTC decided that this limit should not be added to the bylaw. Instead, enforcement on the recreational use of RVs will continue on a complaint driven basis.

## ANALYSIS

Following up on the direction from the November 6<sup>th</sup> meeting, Bylaw 121 would:

1. Tie RV use to a building permit
2. Limit the use of RVs (while a building permit is open) to two years.

The proposed changes to the Land Use Bylaw proposed in the draft Bylaw 121 (Attachment 1) are indicated in blue below.

### 3.10 Use of Recreational Vehicles

(1) The use of a *recreational vehicle* as a temporary *dwelling* prior to the construction of a *dwelling* on the same lot is permitted *for a maximum of two years* in the any zone where a *dwelling* is a permitted use, subject to:

- (a) the connection of the *recreational vehicle* to sewage disposal facilities complying with *the Public Health Act*;
- (b) the provision of a domestic water supply to the building;
- (c) compliance with the use, density and siting requirements of this Bylaw for *dwellings* and *cottages*,
- (d) the occupancy of the recreational vehicle ceasing prior to or concurrently with occupancy of a dwelling on the lot ; *and*
- (e) *a building permit being issued, and remaining in effect, for the dwelling..*

## Issues and Opportunities

### Consultation

After first reading of draft Bylaw No.121 staff will refer the Bylaw to relevant agencies and First Nations prior to the public hearing. All comments received will be forwarded to the South Pender LTC and will be included in the Public Hearing binder.

In accordance with regular statutory requirements, a Public Hearing is required for any bylaw amendment and it is normal practice to hold a CIM prior to that. Staff are recommending that the CIM be scheduled in conjunction with the Public Hearing given that there has been no concerns from the public raised to date.

If LTC decides to proceed with a Public Hearing, the LTC will need to decide whether it be scheduled as part of a regular LTC meeting or a Special Meeting. The Public Hearing notice would be posted as per statutory and bylaw requirements in advance of the Public Hearing. Staff are recommending that if the LTC does proceed to public hearing that it be scheduled prior to March 31<sup>st</sup> as the project budget ends at the end of the fiscal year.

### **Timeline**

The project charter (see Attachment 2) provides the general timeline for the project. The project is currently on schedule as the Project Charter's timeline includes a community information meeting and public hearing to be scheduled for March 2021. Staff are recommending the CIM and Public Hearing for proposed Bylaw NO.121 be scheduled for the March 5, 2021 SP LTC regular meeting.

### **Rationale for Recommendation**

- Draft Bylaw 121 addresses the interests of the LTC to tie RV use to a building permit for a dwelling and limit RV use to a maximum of 2 years.
- There is enough time to provide between now and the March 5<sup>th</sup> South Pender LTC meeting to meet the statutory requirements for providing notice of public hearing.
- As there have been no major concerns raised by the public related to this topic there is no advantage to scheduling a community information meeting on a separate date from the public hearing.

### **ALTERNATIVES**

#### **1. Hold the Community Information Meeting on a separate date from the Public Hearing**

The LTC may choose to request that staff to schedule the CIM on a separate date from the PH. This would likely require delaying the public hearing.

*That the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting for Bylaw No. 121, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" on a date separate from the public hearing.*

*That the South Pender Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 121, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" following the Community Information Meeting.*

#### **2. Amend the bylaw prior to First Reading**

The LTC may choose to amend the Bylaw 121 prior to First Reading

*That the South Pender Island Local Trust Committee Bylaw No.121, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" be read a first time as amended.*

## NEXT STEPS

If the LTC supports the recommendation:

- Staff will refer the proposed Bylaw to relevant agencies and First Nations.
- Staff will post public hearing notice as per statutory requirements.
- Staff will schedule CIM and PH for the March 5<sup>th</sup>, 2021 South Pender LTC regular meeting.

Submitted By:	Narissa Chadwick RPP, Islands Planner	January 19, 2021
Concurrence:	Robert Kojima, Regional Planning Director	January 19, 2021

## ATTACHMENTS

1. Draft Bylaw 121
2. Project Charter
3. IT Policy Statement Checklist

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 121**

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

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

1. Citation

This bylaw may be cited for all purposes as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021".

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

2.1 Subsection 3.10(1) is amended for by adding "for a maximum of two years" after the words "the same lot is permitted".

2.2 Article 3.10(1)(c) is amended by removing "; and" and replacing it with ",".

2.3 Article 3.10(1)(d) is amended by removing "." and replacing it with "; and".

2.4 Subsection 3.10.(1) is amended by adding a new Article after Article 3.10(1)(d) that reads: "(e) a building permit being issued, and remaining in effect, for the dwelling."

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__
ADOPTED THIS	DAY OF	20__

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY



## South Pender Island Alternative Housing Project - Charter (Revision)

South Pender Island LTC

Date: August 26/ 2020

**Purpose:** To address issues associated with the use of Recreational Vehicles as housing on South Pender Island and identify options for other affordable housing alternatives.

**Background:** While recreational vehicles (RVs) are permitted on South Pender Island as a temporary dwelling prior to the construction of a permanent dwelling under a number of conditions, there are instances, including housing farm workers, where RVs being used do not adhere to bylaws. Enforcing bylaws would leave no other options for those living in RVs. Other options to support affordable housing need to be identified and considered.

### Objectives

To engage in an analysis of issues related to the use of RVs as housing on South Pender Island and identify options to support affordable housing alternatives for seasonal workers.

### In Scope

- Review of existing bylaws
- Analysis of issues associated with use of RVs
- Identify enforcement issues
- Identify policy and regulatory options to support affordable housing options for seasonal workers.
- Undertake legislative process to amend bylaws if required

### Out of Scope

- Unrelated OCP or LUB amendments
- Other housing/zoning related regulations and policies

### Workplan Overview

Deliverable/Milestone	Date
Project Initiation	May 1, 2020
Research and Review	May- August 2020
Report to SP LTC for discussion	September/Nov 2020
Draft bylaws for LTC Review, First Reading	January 2021
Bylaw referrals	Jan - Feb 2021
Community Information Meeting / Public Hearing / Further Readings	March 2021
Bylaw Amendment process complete	April 2021

### Project Team

Narissa Chadwick	Project Manager
Maple Hung	Planning Assistant
Robert Kojima	Regional Planning Manager
Updated: Oct.26/2020	

### Budget

#### Budget Sources:

Fiscal	Item	Cost
2020-21	Communications	\$500
2020-21	Public Hearing	\$1500
2020-21	Contingency	\$500
	Total	\$2500



## ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

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File No.: 12\_11\_6500\_20\_2020

(Alternative Housing)

File Name: Bylaw No.121

### PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

### POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

### DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

## PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	NO.	DIRECTIVE POLICY
	<b>3.1</b>	<b>Ecosystems</b>
N/A	<b>3.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	<b>3.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	<b>3.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
N/A	<b>3.2.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
N/A	<b>3.3.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
N/A	<b>3.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	<b>3.4.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

## PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	<b>4.1</b>	<b>Agricultural Land</b>
N/A	<b>4.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	<b>4.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	<b>4.1.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
N/A	<b>4.1.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	<b>4.1.8</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	<b>4.1.9</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	<b>4.2</b>	<b>Forests</b>
N/A	<b>4.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	<b>4.2.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	<b>4.2.8</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

	<b>4.3</b>	<b>Wildlife and Vegetation</b>
	<b>4.4</b>	<b>Freshwater Resources</b>
N/A	<b>4.4.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	<b>4.4.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	<b>4.5</b>	<b>Coastal Areas and Marine Shorelands</b>
N/A	<b>4.5.8</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	<b>4.5.9</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	<b>4.5.10</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	<b>4.5.11</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	<b>4.6</b>	<b>Soils and Other Resources</b>
N/A	<b>4.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

## PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	<b>5.1</b>	<b>Aesthetic Qualities</b>
N/A	<b>5.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	<b>5.2</b>	<b>Growth and Development</b>
✓	<b>5.2.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	<b>5.2.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	<b>5.2.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	<b>5.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	<b>5.3</b>	<b>Transportation and Utilities</b>
N/A	<b>5.3.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	<b>5.3.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	<b>5.3.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	<b>5.3.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
N/A	<b>5.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	<b>5.5</b>	<b>Recreation</b>
N/A	<b>5.5.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	<b>5.5.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	<b>5.5.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	<b>5.5.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	<b>5.5.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
N/A	<b>5.6.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	<b>5.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>
N/A	<b>5.7.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	<b>5.8</b>	<b>Health and Well-being</b>
N/A	<b>5.8.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	<b>POLICY STATEMENT COMPLIANCE</b>
✓	<b><i>In compliance with Trust Policy</i></b>
	<b><i>Not in compliance with Trust Policy for the following reasons:</i></b>

DATE OF MEETING: November 6, 2020

TO: South Pender Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner  
Southern Team

COPY: Robert Kojima, Regional Planning Manager  
Kim Stockdill, Island Planner

SUBJECT: RV and Seasonal Workers Housing

## RECOMMENDATION

1. **That the South Pender Island Local Trust Committee request staff to prepare draft bylaws addressing limits on the use of recreational vehicles as recommended in the November 6, 2020 staff report.**

## REPORT SUMMARY

The purpose of this report is to identify options for policies and regulations related to limiting the use of recreational vehicles and permitting the temporary use of recreational vehicles and bunkhouses for agricultural and forestry workers.

## BACKGROUND

This project emerged out of the concern for the use of recreational vehicles as year round housing. A number of problems related to the use of RVs as dwellings year round have been identified. A project charter focussing on addressing the issue of RVs as housing was presented to the LTC at their June 2<sup>nd</sup> special meeting. At that meeting the South Pender LTC requested that staff amend the Project Charter to include alternative forms of housing other than just recreational vehicles.

At the September 4, 2020 LTC meeting Trustees indicated that the “alternative forms of housing” related specifically to temporary housing for seasonal workers in farming and forestry. At the meeting:

### **It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff prepare draft policies and regulations that would tie RV use to a building permit for a dwelling, with maximum limit of 2 years, and to limit recreational use of RVs to 60 days, and to permit occupancy of RVs or bunkhouses for agricultural or forestry workers from May to September.

## ANALYSIS

This report address two interests:

1. Preventing the use of recreational vehicles as permanent housing.
2. Addressing the need to affordable housing for seasonal workers in farming and forestry.

### Recreational Vehicles:

As indicated in the September 4, 2020 report, there are a number of issues related to the use of RVs as permanent housing. These include:

- RVs may not be hooked up to septic systems.
- Power may be provided via extension cord, presenting a safety hazard.
- Year-round RV dwellers may be using heating systems that pose a fire hazard (e.g. wood burning stoves).
- RVs do not meet the required standards for dwelling use under the BC Building Code.
- As they are not designed for permanent, year-round housing, when exposed to damp conditions over a period of time RVs can be prone to leaks and the subsequent mould which can contribute to health problems.
- A proliferation of RVs can change the aesthetic of a community.

South Pender's land use regulations related to recreational vehicles are currently quite permissive. While the use of an RV is permitted "as a temporary dwelling prior to the construction of a dwelling" there are no limits of time placed on their use. The LTC has identified interest in limiting RV use as follows:

1. Tying RV use to a building permit
2. Limiting the use of RVs (while a building permit is open) to two years.
3. Limiting recreational use of RVs to 60 days.

The first two points could be addressed through the following suggested bylaw amendment (blue italics indicates what is currently not in the bylaw):

### 3.10 Use of Recreational Vehicles

(1) The use of a *recreational vehicle* as a temporary *dwelling* prior to the construction of a *dwelling* on the same lot is permitted *for up to two years from the date of issuance of the building permit for a dwelling* in the any zone where a *dwelling* is a permitted use, subject to:

- (a) a building permit being issued, and remaining in effect, for the dwelling;*
- (b) the connection of the recreational vehicle to sewage disposal facilities complying with the Public Health Act;*
- (c) the provision of a domestic water supply to the building;*
- (d) compliance with the use, density and siting requirements of this Bylaw for dwellings and cottages; and*
- (e) the occupancy of the recreational vehicle ceasing prior to or concurrently with occupancy of a dwelling on the lot.*

*(2) Recreational vehicles may be used for seasonal accommodation for a period not exceeding 60 days in a calendar year.*

With respect to allowing for the seasonal “recreational use” of RVs staff note that by including what has been proposed above (3.10 (2)) the LUB would be permitting a use that was not previously permitted. This is responding to the interests identified by Trustees at the September 4<sup>th</sup>, 2020 meeting to permit the “recreational use” of RVs which occurs on a number of properties during the summer months. Throughout the Islands Trust, including South Pender, where this use is not permitted it has only been enforced upon when there has been a complaint. This approach enables enforcement when the use is causing problems. Such enforcement would be more challenging if the use is permitted.

The use of a “mobile home” could be an alternative to a recreation vehicle use for more longer term temporary living. The South Pender definition of “dwelling” includes “mobile home”. A mobile home is defined in the LUB as “a dwelling suitable for year-round occupancy, designed, constructed or manufactured to CAN/CSA Z240 standards, to be moved from one place to another by being towed or carried”. All dwellings, including mobile homes, require building permits.

### **Permitting the Use of Recreational Vehicles and Bunkhouses for Seasonal Workers:**

While considering limitations on the use of RVs the LTC is interested in not limiting options for temporary accommodation for seasonal workers in farming and forestry. The use of temporary use permits is an option that currently exists and could effectively address the interests of the LTC without additional amendments.

### **Temporary Use Permits**

Section 493 of the *Local Government Act* authorizes the Local Trust Committee to issue temporary use permits to allow a use otherwise not permitted by zoning. An Official Community Plan may designate areas appropriate for allowing temporary uses that by their nature be of temporary duration and would not need a permanent use designation, may be considered transitional, or may create uncertainty about their appropriateness or viability as a continuous use.

A temporary use permit may be issued for a period of up to three years and may be renewed only once. The issuance of a temporary use permit is conditional on compliance with criteria identified at the time of issuance. Criteria to be considered when issuing a TUP are identified in the OCP.

The TUP policy and guidelines as currently written in the OCP would support the issuance of TUPs for seasonal worker accommodation which could include RVs. The TUP process allows neighbours to comment and TUPs can establish conditions specific to the application. Should the property owner be interested in continuing the use beyond the permitted time allowed by the original TUP and subsequent renewal, they may apply for another TUP or a rezoning. The LTC may decide to take on the rezoning as an LTC project or as part of a broader LUB update.

Given that there is currently not a high demand for temporary housing to accommodate seasonal workers in farming and forestry, encouraging application for a TUP is the recommended approach at this time. If the LTC supports the use of TUPs for this type of accommodation a future amendment to the TUP section of the OCP creating specific guidelines for seasonal worker accommodation could be considered.



Should the need for seasonal worker accommodation increases or a permanent need is identified, the LTC could consider the following options:

**1. Allow outright in Agricultural and Forestry Zones**

The LTC could consider allowing temporary housing for seasonal workers as an outright permitted use in forestry zones and agricultural zones that are not within the Agricultural Land Reserve.

Properties in the agricultural land reserve are subject to limits on farm/ranch worker accommodation as identified in the Agricultural Land Commission Act. Accommodations outside what is permitted under the Act requires an application to the Agricultural Land Commission to be permitted.

**2. Site Specific Zoning**

The LTC could choose to create site specific zones within forest and agricultural zones to accommodate seasonal farm and forest workers. Given that there is no specific property where housing for seasonal workers is currently known to be an issue, the LTC would need to develop a criteria for determining which properties to development site specific zoning for.

**Rationale for Recommendation**

**Recommendation:**

1. *That the South Pender Island Local Trust Committee request staff to prepare draft bylaws addressing limits on the use of recreational vehicles as recommended in the November 6, 2020 staff report .*

**Rationale:**

- The draft bylaw language provided in this report would address the interests of the LTC to: tie RV use to a building permit for a dwelling; limit RV use to a maximum of 2 years; and allow, but limit the recreational use of RVs to 60 days.
- There are no existing limitations to using Temporary Use Permits to permit the use of RVs and other accessory buildings to house temporary seasonal forestry and farm workers. This approach would require no additional changes to the OCP or LUB. The LTC can identify conditions, including the length of time permitted in a year, specific to each TUP application.

**ALTERNATIVES**

**1. Adopt the recommendation with amendments**

The LTC may choose to request that staff prepare draft bylaws based on amendments to the staff recommendation.

*That the South Pender Island Local Trust Committee request staff to prepare draft bylaws addressing limits on the use of recreational vehicles based on amends to the staff recommendation identified in the November 6, 2020.*

**2. Request further information**

The LTC may require additional information before requesting staff to draft bylaws. The additional information needed would need to be specified in the resolution.

*That the South Pender Island Local Trust Committee request staff to provide additional information related to.....*

#### **NEXT STEPS**

If the LTC supports the recommendation:

- Staff will prepare draft bylaw for next LTC meeting.

Submitted By:	Narissa Chadwick RPP, Islands Planner	October 23, 2020
Concurrence:	Robert Kojima, Regional Planning Director	October 27, 2020

#### **ATTACHMENTS**

1. Project Charter

## South Pender Island Alternative Housing Project - Charter (Revision)

South Pender Island LTC

Date: August 26/ 2020

**Purpose:** To address issues associated with the use of Recreational Vehicles as housing on South Pender Island and identify options for other affordable housing alternatives.

**Background:** While recreational vehicles (RVs) are permitted on South Pender Island as a temporary dwelling prior to the construction of a permanent dwelling under a number of conditions, there are instances, including housing farm workers, where RVs being used do not adhere to bylaws. Enforcing bylaws would leave no other options for those living in RVs. Other options to support affordable housing need to be identified and considered.

### Objectives

To engage in an analysis of issues related to the use of RVs as housing on South Pender Island and identify options to support affordable housing alternatives for seasonal workers.

### In Scope

- Review of existing bylaws
- Analysis of issues associated with use of RVs
- Identify enforcement issues
- Identify policy and regulatory options to support affordable housing options for seasonal workers.
- Undertake legislative process to amend bylaws if required

### Out of Scope

- Unrelated OCP or LUB amendments
- Other housing/zoning related regulations and policies

### Workplan Overview

Deliverable/Milestone	Date
Project Initiation	May 1, 2020
Research and Review	May- August 2020
Report to SP LTC for discussion	September/Nov 2020
Draft bylaws for LTC Review, First Reading	January 2021
Bylaw referrals	Jan - Feb 2021
Community Information Meeting / Public Hearing / Further Readings	March 2021
Bylaw Amendment process complete	April 2021

### Project Team

Narissa Chadwick	Project Manager
Maple Hung	Planning Assistant
Robert Kojima	Regional Planning Manager
Updated: Oct.26/2020	

### Budget

#### Budget Sources:

Fiscal	Item	Cost
2020-21	Communications	\$500
2020-21	Public Hearing	\$1500
2020-21	Contingency	\$500
	Total	\$2500



File No.: 12\_11\_6500\_20\_2020  
Alternative Housing\_Staff  
Reports

DATE OF MEETING: September 4, 2020  
TO: South Pender Island Local Trust Committee  
FROM: Narissa Chadwick  
Southern Team  
COPY: Robert Kojima, Regional Planning Manager  
Kim Stockdill, Island Planner  
SUBJECT: Alternative Housing

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## RECOMMENDATION

- 1. That the South Pender Island Local Trust Committee identify an option, or options, and that staff be requested prepare draft policies and regulations to implement the option.**

## REPORT SUMMARY

The purpose of this report is to identify some of the problems associated with the use of Recreational Vehicles (RVs) as housing, how South Pender Island Local Trust Committee (LTC) bylaws support and don't support affordable housing options and identify alternative affordable housing options that could be explored in more detail.

## BACKGROUND

This project emerged out of the concern for the use of recreational vehicles as year round housing. A number of problems related to the use of RVs as dwellings year round have been identified. The use of RVs as housing indicates a need in the community for affordable housing options both seasonal and year round.

A project charter focussing on addressing the issue of RVs as housing was presented to the LTC at their June 2<sup>nd</sup> special meeting. At that meeting the South Pender LTC requested that staff amend the Project Charter to include alternative forms of housing other than just recreational vehicles.

## ANALYSIS

South Pender's LUB defines "recreation vehicle (RV)" as "a tent trailer, travel trailer, motor home or other self-propelled vehicle containing sleeping, cooking and sanitary facilities, and includes a park model recreational vehicle".

There are a number of problems associated with RV use as dwellings. Primarily these are related to the fact that RVs, as vehicles, are not subject to the BC Building Code, consequently there is no permitting, inspection or regulatory process for RVs once they leave the factory. Issues include:

- RVs may not be hooked up to septic systems.
- Power may be provided via extension cord, presenting a safety hazard.
- Year-round RV dwellers may be using heating systems that pose a fire hazard (e.g. wood burning stoves).
- RVs do not meet the required standards for dwelling use under the BC Building Code.
- As they are not designed for permanent, year-round housing, when exposed to damp conditions over a period of time RVs can be prone leaks and the subsequent mould which can contribute to health problems.
- A proliferation of RVs can change the aesthetic of a community.

Some of these problems are addressed though conditions of RV use identified in South Pender's Land Use Bylaw (LUB), however this would be through enforcement action rather than a permitting process.

### **"3.10 Use of Recreational Vehicles as a Dwelling**

(1) The use of a recreational vehicle as a temporary dwelling prior to the construction of a dwelling on the same lot is permitted in the any zone where a dwelling is a permitted use, subject to:

- (a) the connection of the recreational vehicle to sewage disposal facilities complying with the Public Health Act;
- (b) the provision of a domestic water supply to the vehicle;
- (c) compliance with the use, density and siting requirements of this Bylaw for dwellings and cottages, as if the vehicle were a cottage; and
- (d) the occupancy of the recreational vehicle ceasing prior to or concurrently with the occupancy of a dwelling on the property"

While the use of an RV is "as a temporary dwelling prior to the construction of a dwelling" there are no limits of time placed on their use.

In many parts of BC, including the Gulf Islands, RVs have become a default form of housing for those that cannot afford to own or rent at markets rates. This is likely true on South Pender Island.

To address the need for affordable housing, there has recently been a movement toward the use of smaller dwellings sometimes referred to as "tiny homes". There are two types of tiny homes:

1. Small homes on wheels. Some tiny homes on wheels, if they meet Canadian Standards Association (CSA) standards for year-round occupancy can be CAN/CSA certified. Typically these are factory-built.
2. Small footprint homes built on the ground. These homes range in size from about 80 square feet to 400 square feet. These homes will sometimes, but not always, include bathroom and kitchen facilities. They may sometimes, but not always, adhere to the BC Building Code.

The increase in popularity of tiny homes is creating regulation and enforcement challenges. Under zoning regulations, a tiny home would be considered a dwelling or cottage, but where the maximum number of permitted dwellings or cottages is already constructed, an additional tiny home would not be permitted. For example, on South Pender enforcement action was taken with respect to a tiny home on a property that already had the permitted amount of dwelling units (permanent residence and cottage). The tiny home was sold and moved to North Pender where the same enforcement action was taken.

Supporting more affordable housing options for South Pender could involve considering bylaw changes to support the siting of tiny homes in addition to the number of permitted dwellings (as identified in options below).

### ***Supportive OCP Policies:***

South Pender's OCP identifies interest in supporting affordable housing options. OCP policies supporting the development of affordable housing include:

3.1.2 (d) Housing Policies for Affordable Housing, Rental Housing, and Special Needs Housing Provision is to be made for affordable housing, rental housing, and special needs housing land uses and developments when justified by demand from the community.

3.1.1 (g) to consider affordable, rental, and special needs housing development proposals when community need is demonstrated.

### ***Restrictive LUB Regulations:***

While the South Pender LUB appears to support the use of RVs as dwellings for an undetermined amount of time, the LUB restricts other affordable housing options in the following ways:

***No support for secondary suites*** - The South Pender Island LUB currently does not support the development of secondary suites. Secondary suites can provide rental housing options without impacting building footprint.

***Dwellings are limited to Primary Dwelling and One Cottage*** – In all zones where a dwelling is allowed a cottage is also allowed if the lot is large enough (size of lot permitting a cottage differs for different zones). This prohibits the siting of additional smaller dwelling units.

***Primary dwelling and cottage not permitted on smaller lots*** – In residential zones, cottages are not permitted on parcels less than 0.8 hectares (2acres). This limits the location of smaller housing units to lots where a cottage is permitted. The smaller housing unit would be considered the cottage.

***Temporary dwellings can only be placed on a lot prior to the construction of a permanent dwelling*** – An *accessory building* may be constructed or placed on a *lot* and occupied as a temporary *dwelling* prior to the construction of a *dwelling* on the same *lot*, subject to a number of conditions including having a building permit and connection to sewage disposal (Section 3.5 (2)). This restricts the ability to provide multiple temporary structures for seasonal worker accommodation and does not account for the option of shared bathroom facilities.

***An accessory building, other than a cottage, cannot be used for human habitation except in the Commercial Resort zone*** – This prevents the creation of bunk houses/separate sleeping units which may be connected to communal bathroom and kitchen. This is an option used to house season workers in other communities such as Tofino (Botanical Gardens).

## Options:

Identified below are a number of options that could be explored to address the use of RVs as permanent housing and support a range of alternative affordable housing arrangements.

### 1. Continue to permitting RVs as currently identified in the LUB

As identified above, the South Pender LUB currently supports the use of RVs as accommodation for an undetermined amount of time if conditions are adhered to. While this approach provides an affordable housing option it does not mitigate some of the concerns related to RV use as a permanent dwelling such as the use of a wood burning stoves for heating and the potential for mould.

### 2. Limit the time RVs can be used as dwellings

If the LTC is concerned about the ability for RVs to be occupied as dwellings for an undetermined amount of time, the LTC this would need to be addressed directly through changes to 3.10 (Use of Recreational Vehicles as a Dwelling). Changes could be made to require that a building permit be required to be in place for the duration of the RV occupancy. This is similar to 3.5 (2) which speaks to the use of an accessory building as a temporary dwelling.

### 3. Permitting Secondary suites

Secondary suites provide the potential for affordable rental accommodation. As has been done on other islands, such as North Pender, property owners have been prohibited from using secondary suites as short term vacation. This way secondary suites are retained to provide rental accommodation for longer term renters.

### 4. Increasing flexibility to build/site smaller homes

There are a number of approaches that can be taken to increase the flexibility to build/site smaller more affordable housing units. All the options identified below would require clearly defining smaller affordable unit/tiny home. Options include:

- a) **Allowing an additional smaller dwelling on smaller lots where a cottage accessory to the permanent dwelling is currently not allowed.** A floor space maximum would need to be identified in the definition of the smaller unit. As well, this additional dwelling unit would need to be part of the maximum allowable total floor space on lots.
- b) **Allowing a smaller unit in addition to a cottage in areas where cottages are permitted.** A floor space maximum could be identified in the definition of the smaller unit. As well, this additional dwelling unit would need to be part of the maximum allowable total floor space on lots.
- c) **Distributing Density.** Allow property owners to distribute the allowed maximum floor area for dwellings on their property amongst a number of dwellings as opposed to just the permanent dwelling and cottage. A limit could be placed on the number of dwelling units. Regulations related to siting could be developed to support the clustering of dwelling units. This would establish a residential footprint on the lot, with the rest of the property reserved for agriculture and/or forestry and/or environmental protection.

## **5. Zoning of Worker Accommodation**

As has been identified by South Pender Trustees there is a need to provide affordable housing for seasonal workers. This is currently accommodated in the Commercial Resort zone only. On land that is not in the agricultural land reserve, zoning could allow for additional smaller dwelling units and/or unique living arrangements such as the use of small sleeping units sharing a communal kitchen and bathroom facilities. This could be seasonal or year round.

It should be noted that there is an architect on South Pender Island, Everest McDonald, who is currently working on the design of small affordable, insulated and movable year round housing units. They contain a toilet but no shower or kitchen. These could be a possible option for living arrangements with access to communal bathroom and kitchen.

If one or more of these options is chosen, OCP policies would need to be reviewed and potentially amended to ensure consistency.

### **Rationale for Recommendation**

**Recommendation:** That the South Pender Island Local Trust Committee identify an option, or options, they would like staff to explore in more detail and report back to the LTC with potential policies and regulations.

#### **Rationale:**

- There is a need to explore affordable alternatives to RVs being used as permanent dwellings.
- Affordable housing is supported by the OCP.
- The LUB is relatively restrictive when it comes to supporting affordable housing options.
- Trustees have indicated interest in engaging the community in discussion of affordable housing options.

## **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.

### **2. Identify other options to be explored**

The LTC may identify other options they would like staff to explore. If selecting this alternatives these options need to be clearly identified.

### **3. Consider options in conjunction with other minor amendments**

The LTC may choose options that they would like to include in a technical review of the LUB.

### **4. Place project on hold**

The LTC may want to put the project on hold pending the conclusion of the STVR review of other factors that may influence the timing of this project.



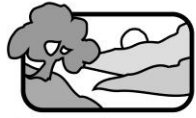
## NEXT STEPS

- Staff to provide more details on the options identified by the LTC.
- Staff to prepare for and schedule a community information meeting.

Submitted By:	Narissa Chadwick, Island Planner, RPP	August 25, 2020
Concurrence:	Robert Kojima, Regional Planning Manger	August 26, 2020

## ATTACHMENTS

1. Project Charter



DATE OF MEETING: May 1, 2020  
TO: South Pender Island Local Trust Committee  
FROM: Narissa Chadwick, Island Planner  
Southern Team  
COPY: Robert Kojima, Regional Planning Manager  
SUBJECT: South Pender Island Alternative Housing Project

## RECOMMENDATION

1. That the North Pender Island Local Trust Committee endorse the South Pender Island Alternative Housing Project Charter.

## REPORT SUMMARY

The purpose of this report is to present the project charter for the South Pender Island Alternative Housing Project to the SP LTC for endorsement.

## BACKGROUND

At the January 31, 2020 LTC meeting a discussion was held concerning the “RVs as Residences” item on the projects list and the following resolution was adopted:

### SP-2020-003

#### **It was Moved and Seconded,**

that item 4. *RVs as Residences* in the Projects Report be moved to the Top Priorities Report; and that the title *RVs as Residences* be changed to *Alternative Housing*.

Following the meeting staff received information on the topic independently from Trustees Wright and Thorn. It was identified that while recreational vehicles (RVs) are permitted on South Pender Island as a temporary dwelling prior to the construction of permanent dwelling under a number of conditions, there are instances, including housing farm workers, where RVs being used do not adhere to bylaws. Enforcing bylaws would leave no other options for those living in RVs.

## ANALYSIS

There are a variety of issues associated with the use of RVs as dwellings, compatibility with other regulations, and servicing standards; however, there is the potential to increase housing options through the use of pre-fabricated or other alternative types of accommodation. If the LTC wishes to proceed with the project the first step should be to direct staff to undertake a review of existing policies and regulations and provide a report outlining issues and options. The attached project charter outlines a process for staff to provide a report at the next regular meeting, with the LTC to provide some direction, and for community consultation in the fall, followed by the formal bylaw amendment process in the fall in the early new year if amendments are warranted.

### Rationale for Recommendation

Effectively addressing the issue of alternative housing on South Pender Island will require an analysis on the problems, existing policies and potential options.

## ALTERNATIVES

### 1. Amend the Project Charter

The LTC may request that the project charter be amended. If selecting this alternative, the LTC should describe how they would like to amend the project charter. Recommended wording for the resolution is as follows:

*That the project charter be amended as follows.....*

### 2. Take Alternative Housing off the Top Priority List and Proceed No Further

The LTC may decide not to move ahead with this project.

*That Alternative Housing be taken off the priority projects list and the project proceed no further.*

## NEXT STEPS

Begin research and development of a background report to help facilitate a discussion of options.

Submitted By:	Narissa Chadwick, Island Planner	April 22, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	April 22, 2020

## ATTACHMENTS

1. Project Charter

**From:** Jane Perch <pacific.cove@shaw.ca>  
**Sent:** Thursday, March 4, 2021 4:29 PM  
**To:** vicphsub <vicphsub@islandstrust.bc.ca>  
**Subject:** Bylaw 121

South Pender Island Local Trust Committee

I wish to record my opposition to Bylaw 121.

Our current bylaw requires that a recreational vehicle used for temporary accommodation must be hooked up to sewer and water. These are reasonable requirements that protect the environment and relate to land use. I see no need or reason to limit the use of recreational vehicles to 60 days unless one has a building permit in which case the use can continue for 2 years.

The September 4, 2020 Staff Report makes reference to “concerns related to RV use as a permanent dwelling such as the use of a wood burning stoves for heating and the potential for mould”. If these are concerns and were in the purview of the Trust, why would it be ok to live in such conditions for 2 years but not short stays. These concerns have nothing to do with land use matters.

A major consideration of any bylaw needs to address enforcement. Should you decide to proceed with this bylaw how would it be enforced?

I see no reasons to proceed with this bylaw.

Jane Perch



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## South Pender Island Alternative Housing Project - Charter (Revision)

South Pender Island LTC

Date: August 26/ 2020

**Purpose:** To address issues associated with the use of Recreational Vehicles as housing on South Pender Island and identify options for other affordable housing alternatives.

**Background:** While recreational vehicles (RVs) are permitted on South Pender Island as a temporary dwelling prior to the construction of a permanent dwelling under a number of conditions, there are instances, including housing farm workers, where RVs being used do not adhere to bylaws. Enforcing bylaws would leave no other options for those living in RVs. Other options to support affordable housing need to be identified and considered.

Objectives	In Scope	Out of Scope
To engage in an analysis of issues related to the use of RVs as housing on South Pender Island and identify options to support affordable housing alternatives.	<ul style="list-style-type: none"><li>Review of existing bylaws</li><li>Analysis of issues associated with use of RVs</li><li>Identify enforcement issues</li><li>Identify policy and regulatory options to support affordable housing options.</li><li>Undertake legislative process to amend bylaws if required</li></ul>	<ul style="list-style-type: none"><li>Unrelated OCP or LUB amendments</li><li>Other housing/zoning related regulations and policies</li></ul>

Workplan Overview	
Deliverable/Milestone	Date
Project Initiation	May 1, 2020
Research and Review	May- August 2020
Report to SP LTC for discussion	September 2020
Community Information Meeting	November 2020
Draft bylaws for LTC Review	January 2020
Bylaw referrals	January 2020
Bylaw Amendment First Reading	March 2021
Public Hearing, further readings	Spring 2021
Bylaw Amendment process complete	Summer 2021

Project Team		Budget		
Narissa Chadwick	Project Manager	Budget Sources:		
Maple Hung	Planning Assistant	Fiscal	Item	Cost
Robert Kojima	Regional Planning Manager	2020-21	Community Information Meeting	\$500
		2020-21	Public Hearing	\$1500
		2020-21	Contingency	\$500
			Total	\$2500