



South Pender Island Local Trust Committee

Regular Meeting Agenda

Date: February 11, 2014
Time: 10:00 am
Location: South Pender Fire Hall
8961 Gowlland Point Road
South Pender Island, BC
V0N 2M0

	Pages
1. Call Meeting to Order	10:00 AM - 10:15 AM
2. Approval of Agenda	
2.1 Additions/Deletions	
2.2 Questions from public on Agenda Items	
2.2.1 Town Hall	
3. Community Information Meeting	
none	
4. Public Hearing	
none	
5. Previous Meetings	
5.1 Local Trust Committee Minutes - for consideration	
5.1.1 South Pender Island Local Trust Committee Draft Meeting Minutes from January 4, 2014 (attached)	4 - 5
5.2 Public Hearing Records and Community Information Meeting Notes Received - for consideration	
5.2.1 South Pender Island Local Trust Committee Community Information Notes from January 4, 2014 (attached)	6 - 9
5.3 Section 26 Resolutions-without-meeting	10 - 10
RWM Report dated February 2014 (attached)	
5.4 Advisory Planning Commission Minutes	

none

- | | | | |
|------------|--|----------------------------|----------------|
| 6. | Business Arising from the Minutes | 10:15 AM - 10:20 AM | |
| 6.1 | Follow-up Action Report | | 11 - 12 |
| | FUAL Report dated February 2014 (attached) | | |
| 7. | Delegations | | |
| | none | | |
| 8. | Correspondence [correspondence received concerning applications and/or projects is considered with the application/project] | | |
| | none | | |
| 9. | Applications, Permits, Bylaws and Referrals | | |
| | none | | |
| 10. | Local Trust Committee Projects | 10:20 AM - 11:20 AM | |
| 10.1 | Land Use Bylaw Review | | |
| 10.1.1 | Land Use Bylaw - Project Memo (attached) | | 13 - 14 |
| 10.1.2 | Correspondence Received after the January Meeting (attached) | | 15 - 30 |
| 11. | Reports | 11:20 AM - 12:00 PM | |
| 11.1 | Work Program Reports | | |
| 11.1.1 | Adopted Policies and Standing Resolutions and Objectives (attached) | | 31 - 31 |
| 11.1.2 | South Pender Island Local Trust Committee Work Program | | 32 - 33 |
| | Work Program Report dated February 2014 (attached) | | |
| 11.2 | Applications Report | | |
| 11.2.1 | South Pender Island Local Trust Committee Application Report | | 34 - 34 |
| | Applications Report dated February 2014 (attached) | | |
| 11.3 | Expense/Budget Reports | | |
| 11.3.1 | Trustee and Local Expenses | | 35 - 35 |
| | LTC Expense Report dated January 2014 (attached) | | |
| 11.3.2 | 2014-15 Budget Request - Memo (attached) | | |

11.4 Bylaw Enforcement Reports

none

11.5 South Pender LTC Web Page

The South Pender Island Local Trust Committee
Web page can be found at:

www.islandstrust.bc.ca/islands/local-trust-areas/south-pender

11.6 Chair's Report

12:00 PM - 12:25 PM

11.7 Trustee Report

12. Other Business

12.1 Upcoming Meetings

The next meeting of the South Pender Island Local
Trust Committee will be held April 8, 2014, at 10:00
am, at the South Pender Island Fire Hall.

13. Town Hall Meeting

12:25 PM - 1:00 PM

14. Adjournment

1:00 PM - 1:00 PM

MINUTES OF THE SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE SPECIAL MEETING
HELD ON JANUARY 4, 2014, AT 1:00 PM
HOPE BAY STUDIO, 4301 BEDWELL HARBOUR ROAD
NORTH PENDER ISLAND, BC

PRESENT:	Liz Montague	Acting Chair and Local Trustee
	Mike Jones	Local Trustee
	Robert Kojima	Regional Planning Manager
	Kathy Gilbert	Recording Secretary
REGRETS:	Ken Hancock	Chair

There were approximately fifty (50) members of the public present.

1. RECEPTION

Those present were invited to enjoy the snacks and refreshments available at the meeting.

2. CALL TO ORDER

Acting Chair Montague called the meeting to order at 1:15 pm.

Acting Chair Montague thanked trustees past and present, thanked the Advisory Planning Commission (APC) members past and present who were at the meeting, and thanked those who had contributed but were not at the meeting.

3. APPROVAL OF AGENDA

The proposed agenda was amended as follows:

- add Item 5. Bylaw No. 111
- add Item 6. Review of Bylaw No. 92, 2003

The amended agenda, by consensus, was adopted

4. COMMUNITY INFORMATION MEETING

4.1 Town Hall

See separate Community Information notes of same date.

Note: The meeting recessed from 2:25 – 2:46 pm.

5. BYLAW No. 111

SP-2014-001

It was MOVED and SECONDED, that the South Pender Island Local Trust Committee defeat Bylaw No. 111, cited as “South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2012.”

CARRIED

6. REVIEW OF BYLAW No. 92, 2003

SP-2014-002

It was MOVED and SECONDED that the South Pender Island Local Trust Committee do a holistic, comprehensive review of the Land Use Bylaw; ensure effective community involvement and participation; and develop a project charter outlining scope and timeline for that project.

CARRIED

7. ADJOURNMENT

By consensus, at 3:38 pm, the South Pender Island Local Trust Committee Meeting was adjourned.

RECORDER

CHAIR

**NOTES OF THE SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE
COMMUNITY INFORMATION MEETING
HELD ON JANUARY 4, 2014, AT 1:00 PM
HOPE BAY STUDIO, 4301 BEDWELL HARBOUR ROAD
NORTH PENDER ISLAND, BC**

PRESENT:	Liz Montague Mike Jones Robert Kojima Kathy Gilbert	Acting Chair and Local Trustee Local Trustee Regional Planning Manager Recording Secretary
REGRETS:	Ken Hancock	Chair

There were approximately fifty (50) members of the public present.

4.1 Town Hall

Acting Chair Montague introduced the meeting as an opportunity to discuss the Land Use Bylaw (LUB) review process and later, to identify content items that might be included in the review.

A/Chair Montague solicited advice from the public as to how to proceed with the bylaw review process.

Initial input included a suggestion to identify topics and relate those to what is important to the community.

Further initial input related to the mandate of the Islands Trust to preserve and protect the islands; and that the process had not been as full and open with respect to community involvement as was desirable. It was noted that former trustees undertook a full review of the Official Community Plan (OCP.) Reference was made to the Trust Policy Statement regarding community participation.

A/Chair Montague referred to approximately seventeen (17) letters related to the LUB review process. Throughout the meeting, several letters were read aloud. These will be made available on the Islands Trust website.

A former South Pender Island Trustee noted that most people are not familiar with the content of the LUB, that some provisions are out-of-date and that some new provisions could be considered. It was suggested that an opportunity for an education process is available with the LUB review. In response to a question from A/Chair Montague, the general process regarding the recent OCP review was described. Some LUB amendments were dealt with by the former Local Trust Committee (LTC) and some laid over to the present term of office.

Another former Trustee and current Advisory Planning Commission (APC) member described the role of the APC and noted that there were some people in the gallery who were new to the various roles of elected officials and advisory bodies.

Following, members of the public provided input and suggestions on:

- the importance for the community to be involved in the amendment process;
- the need to protect agricultural land;
- the need for a full review of the Land Use Bylaw (LUB);
- that there might be a need for a mediated agreement if changes cannot be agreed upon.

In response to questions from the public, Trustees reviewed the process to date, reiterating that the Official Community Plan (OCP) is a policy document with regulatory changes following; and that the LUB review is on the South Pender Island Local Trust Committee (LTC) work program.

Trustee Jones clarified that there were three (3) categories) of items included in the LUB review:

- those policy directions stemming from the OCP review;
- those added by Trustees;
- those identified on the work program.

A member of the Advisory Planning Commission (APC) stated that there are shortfalls in the LUB and that a whole review of the LUB is required.

Additional input was sought from the public and provided by other former Trustees. They identified a detailed and lengthy process for review of both the OCP and previous review of the LUB.

Acting Chair Montague noted the opportunity to develop a project charter, a tool available, to scope the tasks and processes of this project.

In response to a question regarding a strategic vision for the LUB changes, Trustees identified several issues related to green initiatives:

- reducing building footprints by allowing for attached dwellings on a parcel, rather than separate dwellings (where permitted ;)
- measuring floor area from the inside of building walls instead of the outside of building walls in order to not penalize innovative building design such as straw bale construction;
- how to use the LUB to protect from gas transportation and global warming;
- shoreline protection.

A member of the public suggested using “pattern language,” that he had used to try to gain consensus on various topics. This was a fairly intensive process whereby stakeholders provided input at meetings on a regular basis, but were able to add to suggestions toward creative solutions to issues.

Further discussion followed amongst the public and Trustees noting the following:

- that the Trustees have decision-making authority and need to take a leadership role;
- that there is much talent on South Pender Island, including specialized areas by members of the Advisory Planning Commission (APC);
- whether or not to do a full review of the LUB;
- that some elements of proposed Bylaw No. 111 are worth carrying forward for further review in the event of a full review of the LUB;
- whether those members of the public at the meeting were satisfied with the process to date;
- that the LUB review process may lose community momentum if a protracted process is followed;
- use of both electronic and print media to involve the community;
- whether or not to revisit the Official Community Plan (OCP) review;

Further discussion followed as to options to deal with proposed Bylaw No. 111.

Regional Planning Manager Kojima responded to a question from Acting Chair Montague, suggesting the following:

- Trustees could consider and possibly defeat Bylaw No. 111 at the upcoming February 11, 2014 SPI LTC meeting;
- identify what a future consultation process might consist of – e.g. a project charter, including timelines;
- that different Islands have undertaken different processes, such as focus groups to discuss specific items.

After further discussion, Trustees passed two (2) motions: one to defeat proposed Bylaw. No. 111; and one to undertake a holistic review of the LUB that included additional public consultation and develop a project charter for further work on the LUB review. See Minutes from the January 4 2014 SPI LTC Special Meeting.

Note: the meeting recessed from 2:25 pm to 2:46 pm.

A/Chair Montague asked for suggestions on the topics that might be identified under the LUB review.

Suggestions included the following:

- definitions, particularly of “accessory;”
- addressing the encouragement of agriculture;
- use of the term “accessory,” vs “outbuilding; vs “storage building;”
- allowing an accessory building to be constructed prior to a principle building;
- the possibility of combining cottages and houses in one building footprint;
- the possibility of allowing for a cottage to be constructed over an accessory building;
- allowing for yurts to be erected and under what circumstances;
- Possible changes to pump houses and utility houses, which might introduce setback requirements that would make existing pump and utility houses non-conforming; and the possible financial implications on property values that a non-conforming building might have;
- home occupation regulations – addressing the issues around these, rather than identifying a list of permitted home occupations; changing the present restriction limiting home occupations to permanent residents; structuring wording that is clear enough such that enforcement does not become an issue after a home occupation has been established; and use of a temporary use permit as a means to consult with the public on a proposed home occupation.

More general suggestions included the following:

- the need for a rationale for items in the LUB;
- a recommendation for the public to attend SP LTC meetings on a regular basis;
- the possibility of recording SP LTC meetings so that the public may have a better sense of the meeting tone and proceedings;
- encouragement to the public to consult the Islands Trust website to keep apprised of the agendas and minutes; and to send emails to SP LTC Trustees to provide input on issues of concern;
- that the regulations need to be flexible enough to reflect different values from those of residents in urban areas, including a need for flexibility around setback requirements.

Hearing no further comments from the public, A/Chair Montague, by consensus, adjourned the meeting at 3:38 pm.

RECORDER

DATE



RWM From: October 28, 2013 To: February 03, 2014

South Pender Island

Resolution #	Action	Resolution Description	Resolution Date
2013-07	In Favour	THAT South Pender Island Local Trust Committee meeting minutes of November 5, 2013, be Adopted.	Dec 10, 2013



Islands Trust

Print Date: Feb-03-2014

Follow Up Action Report w/ Target Date

South Pender Island Jun-18-2013

No.	Activity	Responsibility	Target Date	Status
1	Item 8.1 - Correspondence from PCT: Allocate \$200 for the purchase of a series of reports from Pender Community Transition on their activities related to community transition and resilience \$100.00 paid January 2014 - Nancy Roggers	Nancy Roggers	Sep-16-2013	On Going

Nov-05-2013

No.	Activity	Responsibility	Target Date	Status
2	Item 8.1 Correspondence from Pender Community Transitions: disburse \$100 of funding in response to the PCT report dated Sept 12	Nancy Roggers	Feb-11-2014	Done
3	Item 8.2 - Correspondence from S. Steil: Trustee Montague to send a letter of appreciation regarding the shoreline workshops series	Liz Montague	Feb-11-2014	Done
4	Item 8.3 Memo from NPILTC: Trustee Montague to coordinate a meeting with the appropriate jurisdictional agencies regarding canal boat speed and enforcement	Liz Montague	Feb-11-2014	Done
5	Item 9.1 - Islands Trust Council Strategic Plan: forward the SPILTC resolution with recommendations to the Executive Committee and Financial Planning Committee for consideration	Lori Foster	Feb-11-2014	Done
6	Item 10.1 - Proposed Bylaw 111: amend the bylaw as presented and defer further consideration until the next LTC meeting	Andrea Pickard	Feb-11-2014	Done

7	Item 10.2 - Marine Geoexchange Systems: move item from top priorities to the projects list for future consideration as an OCP project, and add Canal Erosion and Boat Speed as item 3 in the top priority list	Andrea Pickard	Feb-11-2014	Done
8	Item 11.1.2 - Work Program: schedule a CIM for a Saturday for community input on the proposed and potential LUB amendments and any other topic of interest, and prepare an addressed mail out advertising the upcoming CIM	Andrea Pickard	Feb-11-2014	Done
9	Item 12.2 - 2014 Schedule: adopt the schedule as drafted	Lori Foster	Feb-11-2014	Done

Date January 31, 2014 File Number SP-6500-02 Land Use Bylaw Review 2012

To South Pender Island Local Trust Committee

From Robert Kojima
Regional Planning Manager

Re LUB Review

At the January 4, 2014 Community Information Meeting, the LTC resolved to proceed no further with proposed Bylaw 111 (LUB amendments) and to undertake further community consultation before amending the bylaw. Specifically, the LTC adopted the following resolution:

It was MOVED and SECONDED that the South Pender Island Local Trust Committee do a holistic, comprehensive review of the Land Use Bylaw; ensure effective community involvement and participation; and develop a project charter outlining scope and timeline for that project.

In order to assist the LTC in moving the consultation forward, I have outlined the following for consideration.

1. Options for Consultation

The LTC has stated that it wants to undertake more consultation, I circulated a document to the LTC which outlines a spectrum of consultation methods; specifically, the LTC has discussed the approach of utilizing topic-based focus groups. This approach has been used for significant policy reviews by other LTCs. Another option that a number of LTCs are using successfully to gather qualitative input on specific policy or regulatory options are on-line surveys (e.g. Galiano STVR project currently underway). The benefit of the survey method is that it allows individuals who can't attend meetings to participate. If the LTC wishes to proceed with focus groups, it should make this explicit by resolution.

2. Focus Groups. If the LTC does proceed with using a focus group approach, it should consider several questions.

- a. Structure: would the focus groups have appointed members or be open to any person who wanted to attend
- b. Should there be an appointed Chair/Convenor
- c. Should the groups be appointed as APCs
- d. Should there be written Terms of Reference
- e. What are the topics to be addressed
- f. How will the meetings be advertised
- g. Where should meetings be held
- h. Should they be required to be public
- i. How should they be recorded
- j. What sort of support should be provided or available

- k. What budget is available
 - l. How are the results to be reported
 - m. What is the timeline
3. The LTC resolution requested that a Project Charter be prepared. The content of a project charter addresses the following aspects of a project. The LTC should provide any relevant direction on each of the following:
- a. Objectives of the project
 - b. Scope – what is in scope, what is out of scope
 - c. Deliverables – what are the deliverables at each stage of the project
 - d. Timelines – a timeline tied to the deliverables
 - e. Budget – allocation of the available budget

Once the LTC provides some direction on the above, staff can draft a project charter and undertake any work needed to support the consultation.

[REDACTED]

From: Liz Montague
Sent: January 6, 2014 3:30 PM
To: Robert Kojima; Mike Jones
Subject: FW: South Pender Island Community Information Meeting - January 4, 2014

From: Susan Taylor [REDACTED]
Sent: December 29, 2013 4:34 PM
To: Liz Montague
[REDACTED]
Subject: Re: South Pender Island Community Information Meeting - January 4, 2014

Hello Liz and Buffy,

Thank you Buffy for forwarding this information.

Liz, after fifteen years of having a home-based business on South Pender, we are wondering about the impetus for the question regarding full time permanent residency for home-based businesses.

Is there an alleged abuse? Why is the question being raised?

We don't perceive that there is a problem and are opposed to any suggested over regulation of our small community.

We won't be able to attend the January 4 meeting and look forward to your reply. We would appreciate it if you would be willing to read out our comments at the meeting.

Thank you.

Susan Taylor and Frank Ducote
[REDACTED]

On 2013-12-29, at 4:40 PM, Buffy Paterson wrote:

Greetings,

To begin, I would like to extend warm holiday wishes to you, and to apologize if this email is repetitive to other messages or notices that you may have received.

I have attached a message from one of the South Pender Island trustees, together with topic sheets that have been prepared to provide further background and ideas on proposed amendments to the existing Land Use Bylaw for South Pender. As stated on the Islands Trust website, the Land Use Bylaw establishes regulations and requirements respecting the use of land, including the surface of water, the use, siting and size of buildings and structures, the provision of parking, landscaping and screening and the subdivision of land within the South Pender Island Local Trust Area.

As some may not be able to attend the Community Information Meeting on January 4, 2014 at 1:00 p.m. in the Hope Bay Studio, I urge you to read this information and to provide your comments in order for South Pender Island to have "a voice" in the development of land use bylaws that affect our community.

As stated in the message from Liz Montague, she can be reached by telephone or by email.

Regards,

Buffy Paterson

<13.12.18 - Trustee Montague Invitation.pdf>

<13.12.20 - Topic Sheets - LUB.pdf>

From: Howard Airey

Hi Elizabeth,



www.thehugoboss.com or www.thehugoboss.com

[REDACTED]

Jane Perch



January 2, 2014

Dear South Pender Island Local Trust Committee,

As I may not be able to attend the meeting on January 4th, I am writing to ask that you undertake a full review of the Land Use Bylaw rather than the piece meal approach that has taken place to date. I have expressed this view previously as has the Advisory Planning Commission of which I am a member.

I suggest that a review start with the definitions as these are vital to the interpretation of the whole bylaw. As an example, I find the first definition – “accessory” totally confusing and perhaps not even necessary. If a zone permits several uses including accessory buildings, do we care what order a property owner develops his or her property? Is there anything wrong with an owner wanting to construct a garage or a shed for storing wood cleared from the lot before building a residence? That is a question for the community to discuss.

Another example of the need to carefully look at the definitions involves one of the proposed Bylaw 111 changes relating to “floor area”. While the proposed change related to how floor area is calculated, I noticed that the definition excluded floor area occupied by a cistern used for the collection of rain water. I, along with many other property owners, have cisterns for the storage of water pumped from my well. I pointed this out at one of the public meetings and the definition was subsequently changed to allow for a more liberal and sensible definition of a cistern for storage of water regardless of where the water comes from. Although this issue was corrected, it again demonstrates the need for a more comprehensive review.

On another note, I am still questioning the need and rationale for the proposed change relating to pump/utility houses which are currently exempt from the setback provisions. For developed lands, the wells are already in place and were positioned by the developer of the lots as a requirement of the subdivision approval process. The proposed change has the potential of making a number of existing pump/utility houses non conforming. What happens if a non conforming pump/utility house burns down? If a pump house is made non conforming and a land owner wants to build something else on the property, is there potential that a permit may not be granted until the non conforming issue is addressed? Also, there are situations where the well head is not located in the pump/utility building. As the definition relates to the pump/utility building only, what is the status of the well head?

These are just a few examples of why I feel a complete review of our land use bylaw is necessary. It is our most important bylaw as it governs how we may use our land. While two years have gone by with not much being accomplished, there is still time for you to make a wise decision and opt for a comprehensive review which will ultimately clarify the many ambiguities and result in a bylaw that reflects the views and needs of our community.

Sincerely,
Jane Perch

[REDACTED]

From: Liz Montague
Sent: January 6, 2014 3:35 PM
To: Mike Jones; Robert Kojima
Subject: FW: input for town mtg forum on Jan. 4

From: John Roberts [REDACTED]
Sent: January 3, 2014 8:56 AM
To: Liz Montague
Cc: Charlene Roberts [REDACTED]
Subject: input for town mtg forum on Jan. 4

Liz,
My wife and I--John and Charlene Roberts--are property owners on [REDACTED] South Pender Island, and are responding to your request for community input on some recent by-law proposals from Island Trust. We are not sure if we will be on the island for tomorrow's meeting, so we are putting our thoughts in writing, as responses to your thoughtfully presented questions:

1. Do you believe property owners should have the option of containing a cottage and an accessory space in a single building?

Yes. For some people this may be the most financially feasible option for constructing the spaces they need. Their is no reasonable justification for Island Trust interfering in this.

2. Do you believe the land use bylaw should allow outbuildings to be used for more than just storage?

Yes. How can the Trust--or any of us--anticipate the uses that any one person might have for an "outbuilding"---and what could possibly be the value in limiting human creativity through such absurdly bureacratic definitions?!

3. Do you believe part time residents should be prohibited from conducting a home-based business on South Pender Island?

Absolutely not! The purpose of the Island Trust is to preserve the environment on the islands, and to ensure that human development does not damage that environment or threaten the resources that residents need, such as a clean water. The Trust has no moral authority to restrict resident's lifestyles or the business they engage in, whether they are full or part-time residents. If we are to be a welcoming community, we need to remember that people who are currently part-time could become full-time, so they should not be treated differently. A part-time resident may well need to first experiment with a livelihood on the island before committing to becoming full-time--the proposed by-law would not allow such experimentation, and would discriminate against part-time residents unfairly (and unnecessarily).

4. Would you be supportive of revised wording in the land use bylaw allowing part time residents / owners to conduct business as a home occupation when they are present on their property?

Yes, for the reasons above.

Essentially, the same philosophy underlies all of the answers above: one of "live and let live". Most of us who have come to the island have done so because we value our independence and individual lifestyles. The primary responsibility of the Island Trust is to ensure that the environment is not harmed, and that development is managed with thoughtful guidance--not through dogma, unnecessary rules, or restrictions on people's lives and lifestyles. People have a right to live their lives in ways that bring them happiness...and a livelihood. It is important for all residents, whether part-time or full-time, to be able to create a livelihood on their own property, in ways that make sense for them.

Until we move to the island permanently in 2016, we only come to the island for about 6 or 7 weeks a year, in December and summer, because we live and work in Kenya. Therefore we really appreciate the opportunity to provide input at this time, to prevent some poorly considered bylaws from coming into effect.

Appreciatively,
John Roberts and Charlene Roberts

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Liz Montague
Sent: January 6, 2014 3:36 PM
To: Robert Kojima; Mike Jones
Subject: FW: Bylaw thoughts

From: John Chapman [REDACTED]
Sent: January 3, 2014 10:32 AM
To: Liz Montague
Subject: Fwd: Bylaw thoughts

Thanks, Liz, for continuing your efforts to ensure Island input to this bylaw process is prioritised. Some of Kathleen's and my thoughts follow:

Liz,

Here are a few thoughts for your consideration. We plan to attend the meeting on Saturday.

With the contrpversies surrounding this, it may be advisable to extend the period for bylaw consideration. The turnout and input from this upcoming meeting Jan 4/14 should indicated the necessity of this step. If some residents have not fully examined the bylow revisions this will give them another chance.

The bylaw should totally reflect the OCP. The bylaw should be crafted to ensure clear definitions and unambiguous meanings.

On outbuildings or storage buildings:

It makes sense that if a person is planning to build, they be allowed to construct a storage shed/building first. The contents of this building should be of no concern, other than to fire regulations and noise/environmental considerations.

On nonresidential building size/height, possible configurations/combinations, permitted uses, and footprints that promote carbon reductions: Esthetics is important to property values and to feeling good about where you are living. There could be minimum standards for esthetics. However esthetics are very subjective. If the proposed structure interferes with the view or visibly affects neighbours property values, there should be some review process engaged.

The concept of carbon footprint is a bit nebulous. If a person builds compactly, they could still cut down all the surrounding trees. The bylaws should be more concerned with maintaining natural vegetation and trees and minimizing

the total footprint including cleared lands and driveway than the actual construction details. Combining footprints for different uses leads to stretching of the rules or abusing them. Tight standards are needed to maximise environmental protection. Reducing the carbon footprint is a "red herring" when considering building areas and uses and will only add to confusion over interpretation of the bylaws.

On allowing cottages over accessory buildings:

This should not be permitted. It is too hard to control the height of the building and the appearance of the property.

On home-based businesses:

There should be no restrictions on who runs businesses, part-time resident or not. It would be impossible to determine the degree of residency for enforcement purposes in any case.

On set-backs for well-heads and pump houses:

It makes sense to locate these close to the roadway in order to minimize environmental modifications, ie. bulldozing and tree cutting for access. It does make sense to discount pumphouse area from the accessory building definition. Existing pumphouses should be included, not just new pumphouses.

On holistic review:

With respect to the bylaw package, it is very important to take a holistic view. The bylaw contents should present an integrated document. We want to have a sound intelligent document. All definitions should be clear for the intent of the bylaw.

John Chapman and Kathleen Moriarty



[REDACTED]

From: Liz Montague
Sent: January 6, 2014 3:40 PM
To: Robert Kojima; Mike Jones
Subject: FW: Meeting

From: Mi2 [REDACTED]
Sent: January 3, 2014 4:20 PM
To: Liz Montague
Subject: Meeting

Hi Elizabeth,

Both Henry and I are off island and cannot attend the meeting. We were a bit miffed at why it is being held right after the holiday when people are traveling or gone.

Below are some comments to share. We are not commenting on all of them as some need more information. Will there be minutes or a synopsis of some kind as to the outcome of the forum? Sorry we could not be there.

Hope you had a good holiday season. Happy New Year!

Mimi and Henry

Due to this forum being held right after the holiday season we are unable to attend, as we are both off island. We are concerned about the review process of land use on Pender. The ones making these decisions should be the residents, rather than Island Trust planning staff whom not all live on the island and therefore, are not impacted by these regulations. We would like to see a process where the residents has more say in what directly affects them.

Regarding the issue of an out building:

An outbuilding could have other uses than storage. We see no harm if someone wants to use an outbuilding for an art studio, yoga room, workshop. If it is was meant for storage only, it would be termed a "storage unit".

Cottages over accessory buildings:

In the past, people have built cottages over their garage to reside in while building their house. If people are worried that the floor level will become part of the cottage, then state in the bylaw that this is not allowed.

Non residential building size, height, uses:

This is a complicated issue as there could be as many different uses and sizes as there are residents. We would need to know the concerns before commenting on this.

Must people be full time residents to have a business on the island:

We could see where full time residents may feel threatened with additional competition of part time resident businesses. Some part time residents could provide unique skills to others seasonally or occasionally while the resident was on island. Are there many part time resident businesses?

Sent from my iPad

[REDACTED]

From: Liz Montague
Sent: January 6, 2014 3:38 PM
To: Robert Kojima; Mike Jones
Subject: FW: South Pender Island Community Information Meeting - January 4, 2014

From: Nancy Chatfield [REDACTED]
Sent: January 3, 2014 2:09 PM
To: Buffy Paterson
Cc: Liz Montague
Subject: Re: South Pender Island Community Information Meeting - January 4, 2014

Hi Buffy,

Thanks for forwarding the info on the meeting. We just returned from holidays [REDACTED] -- and will be away tomorrow when the meeting is to take place. We are sorry to miss it but wanted to weigh-in with a response to the questions posed:

1. Yes to the question of a cottage and accessory space being in a single building.
2. Yes to the question of an outbuilding being used for more than storage.
3. Yes (of course!) part-time residents should be able to conduct their businesses while they are here.

Essentially, we believe property owners should have more freedom, not less to use their property as they see fit -- providing they are not harming the environment or their neighbors.

Please add our comments to the mix however you wish. Thanks again for keeping us all in the loop -- and Happy New Year!

***Submitted to Local Trustee Liz Montague
For consideration at the January 4, 2014 Community Information Meeting***

January 3, 2014

We have owned our property at [REDACTED] for over 20 years. Due to family commitments, we are unable to attend the January 4, 2014 South Pender Island Land Owners and Residents Meeting but wish to share our thoughts.

We attended the February 9, 2013 Community Information Meeting and expressed our views on the Land Use Bylaw (LUB) amendments that were proposed at that time. Our concerns with the proposed amendments were shared by most in attendance. We appreciate that some of the proposed amendments that caused concern were subsequently deleted from Bylaw No. 111.

To date, significant resources have been spent on researching, drafting and reviewing the proposed bylaw amendments, but based on our observations from the February 9, 2013 meeting, the rationale for the proposed amendments is not fully understood nor fully supported by the community.

As the Official Community Plan (OCP) is the guiding land use document, it is critical that the companion bylaws reflect the principles of the OCP. To ensure an effective process of aligning the LUB with the OCP, we strongly recommend that Bylaw No. 111 be filed or be held in abeyance until a comprehensive consultation on the overall objectives is undertaken with the South Pender Island community.

While it appears that significant effort has gone into drafting Bylaw No. 111, it is evident that the intent behind the proposed amendments is not fully embraced by the South Pender Island community. Rather than reviewing proposed bylaw wording, input should be sought on the broader objectives. Once the objectives are clear, the means to address the objectives and the associated pros and cons should be discussed before the technical bylaw drafting proceeds.

As always, we appreciate the opportunity to provide input.

Respectfully submitted,

Judith and Ken Robertson
[REDACTED]

Lori Foster

From: Liz Montague
Sent: January 6, 2014 3:40 PM
To: Robert Kojima
Subject: FW: Land Use Bylaw

From: Roger Dubeau [REDACTED]
Sent: January 3, 2014 10:18 PM
To: Liz Montague
Subject: Land Use Bylaw

I am a builder of homes and a resident of South Pender Island. I work mostly on South Pender with current projects on sites including my own property.

I am unable to make the meeting tomorrow because of a job I need to complete while owner is away but I feel that I could offer insights that would be beneficial and would like the opportunity to help review this Land Use Bylaw. I would like to be sent a copy of the bylaw if possible so I can read it before anything is set in stone.

Regards,
Roger Dubeau
[REDACTED]
[REDACTED]

Lori Foster

From: Liz Montague
Sent: January 6, 2014 3:32 PM
To: Robert Kojima; Mike Jones
Subject: FW: jan 4 public meeting

Importance: High

From: Donna Spalding [REDACTED]
Sent: December 31, 2013 1:37 PM
To: [REDACTED] Liz Montague
[REDACTED]

Subject: Re: jan 4 public meeting

Liz,
All:

Unfortunately I will not be able to be at the meeting on Jan 4.

I totally agree with the comments that Ron has made. I believe these amendments are inconsistent with the strategies and policies of our fully approved Official Community Plan (OCP), they have been proposed without full community consultation and concise explanation. They create confusion and as pointed out by the APC members in past discussions are inconsistent with good land use planning. It is not clear what is driving the amendments or what purpose they serve.

January 4th is an ill conceived time for a meeting, many people are away or involved with holiday events.

Thank you for taking these comments into consideration, I would appreciate if they could be read out for the record.

Regards,
Donna Spalding

[REDACTED]

[REDACTED]

Hopefully our voices and those of other S. Pender residents will hold sway and we will see a better and more inclusive process evolve as a result.

My best wishes to you all for a very happy New Year.

Donna Spalding

[REDACTED]

Sent: Monday, December 30, 2013 8:08:15 AM
Subject: jan 4 public meeting

Seasons greetings to all

I apologize if this email is repetitive to other messages you may have received regarding the upcoming community forum.

The preparation and implementation of amendments to our South Pender Land Use Bylaw (LUB) are commencing in the form of Bylaw 111 supported by Islands Trust planning staff, one of our Trustees and the Trust Chair for South Pender. The amendments largely have been made with a poor reflection of our fully approved Official Community Plan (OCP) that was prepared with much hard work and community input from our previous Trustees.

Our Trustee, Liz Montague and the South Pender Advisory Planning Committee (APC) have been dismissed in their efforts to review the LUB in a meaningful way that involves the community. Trust Planning Staff, Trustee Mike Jones and Trust Chair Ken Hancock, all of who live off Island have insisted that the piecemeal revisions being proposed are adequate.

Updating the LUB is an important step in interpreting and implementing the principles and vision of the OCP. The LUB provides a regulatory framework regarding the siting, size and use of buildings and structures that fit the OCP. A review of the LUB is very important as it impacts in a tangible manner the way in which property on South Pender is used. These uses should fit the OCP and a review of the LUB is where this takes place. Trustee Montague and the South Pender APC have indicated they are more than willing to put the work into this review.

After much struggling we have been given the opportunity to meet to discuss the issue and any other community based ideas on January 4th at 1PM in the meeting room at Hope Bay. This is a poor date for most people as the holidays are just ending and a large number of people are off island. I am hoping you can attend but if you can't or are off Island then a simple letter of support or acknowledgement would help show the support we need to be able to continue with a review of the LUB and not proceed with amendments being proposed by Staff in Bylaw 111.

I have also attached a message from Liz Montague regarding the Forum, together with topic sheets that have been prepared to provide further background and ideas on proposed amendments to the LUB. Please email your comments on this issue to Liz Monague at: lmontague@islandstrust.bc.ca.

This is an important issue, not only to ensure there is an adequate process to interpret our OCP but it will help define and protect the unique qualities of our community. As subtle as they may seem they are important.

I look forward to seeing or hearing from you on January 4th. Lets get the new year started off on the right foot.

Sincerely,
Ron Henshaw

South Pender Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Revised: February 14, 2012

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 23, 2006	SP-LTC-12-06	Adoption of Minutes	That staff prepare draft of meeting minutes for Local Trust Committee reading, correction and amendment as soon as possible following meetings. The South Pender Island Local Trust Committee will adopt these minutes by Resolution without Meeting within fourteen business days, if possible, of each meeting. [The adopted minutes will be posted to the website as soon as possible and a copy will also be included in the next meeting's agenda package].
2.	April 14, 2009	SP-LTC-19-09	Website	It was Moved and Seconded that the South Pender Island Local Trust Committee request that the "latest news" section of the South Pender Island webpage be updated monthly with the addition of the South Pender Island Local Trust Committee Report to the Pender Post.
3.	October 5, 2010		Follow up action list	Send FUAL to trustees once drafted following the meeting.

11.1.1



Top Priorities

South Pender Island

No.	Description	Activity	Received / Initiated	Responsibility	Target Date	Status
1	LUB Review and Update	1. Determine Scope of Review 2. Determine Timeline 3. Determine Methodology 4. Technical Update 5. Initiate Background Work on selected topics 6. Undertake Community Consultation/Communications 7. Legislative Process 8. Further community consultation/ communication	Oct-04-2011	Andrea Pickard		On Going
2	Shoreline Protection -- DONE	1. develop new MapIT shoreline application for South Pender 2. develop web-based, interactive resource including interactive mapping and educational information	Oct-04-2011	Andrea Pickard		Done
3	Canal Erosion and Boat Speed	coordinate a meeting of the appropriate agencies to discuss boat speed signage and enforcement	Nov-05-2013	Liz Montague Andrea Pickard		On Going

Projects

South Pender Island

No.	Description	Activity	Received/Initiated	Status
1	Development Approval Information Bylaw	To draft a DAI bylaw to provide certainty with respect to requirements for development permit applications	May-04-2010	On Going
2	Forest Lands	Public education regarding best management and stewardship practices on forest lands including wildfire prevention and preparedness	Feb-14-2012	On Going
3	Sensitive Ecosystem Mapping	consider DPA or other protective measure	Feb-14-2012	On Going
4	Geological Hazard Mapping	consider DPA or other protective measures	Feb-14-2012	On Going
5	Raptor Nests	consider DPA or other protective measure	Feb-14-2012	On Going
6	Parks and Recreation	update OCP schedule with more specific information after PIPRC Master Plan is reviewed	Feb-14-2012	On Going
7	Community Transition and Resilience	Support ongoing development of community transition and resilience to worldwide challenges such as climate change, peak oil, and food security	Jun-19-2012	On Going
8	Area Farm Plan	Potentially a Southern Gulf Island regional farm plan in conjunction with the CRD	Sep-18-2012	On Going
9	LUB Information Notes	consider including for clarification on: • roadside farm stands (setbacks, MoTI) • agriculture vs home occupation	Jun-18-2013	On Going
10	amend APC bylaw	consider amending the APC bylaw (draft bylaw no. 112) and consider adopting related terms of reference	Sep-06-2013	On Going
11	Marine Geoexchange Systems	consider alternative options to permit/ regulate ocean loops ie: OCP policies or development permit areas	Nov-05-2013	On Going



Print Date: Feb-03-2014

Applications w/ Status - South Pender Island

Status: Open

Applications

No Records Found

Islands Trust
 LTC EXP SUMMARY REPORT F2014
 Invoices posted to Month ending January 2014

665 South Pender	Invoices posted to Month ending January 2014	Budget	Spent	Balance
65000-665	LTC "Trustee Expenses"	1,100.00	636.36	463.64
LTC Local				
65200-665	LTC - Local Exp - LTC Meeting Expenses	1,500.00	1,441.52	58.48
65210-665	LTC - Local Exp - APC Meeting Expenses	500.00	463.32	36.68
65220-665	LTC - Local Exp - Communications	500.00	258.07	241.93
65230-665	LTC - Local Exp - Special Projects	2,000.00	0.00	2,000.00
65240-665	LTC - Local Exp - Miscellaneous	250.00	0.00	250.00
TOTAL LTC Local Expense		<u>4,750.00</u>	<u>2,162.91</u>	<u>2,587.09</u>
Projects				
73001-665-2011	South Pender OCP/LUB	2,000.00	2,131.39	-131.39
73001-665-4005	South Pender Shoreline Protection	5,000.00	5,037.50	-37.50
TOTAL Project Expenses		<u>7,000.00</u>	<u>7,168.89</u>	<u>-168.89</u>