



SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE

**BUSINESS MEETING AGENDA
TO COMMENCE AT 10:00 AM, TUESDAY, SEPTEMBER 18, 2012
AT THE FIRE HALL AT 8961 GOWLLAND POINT ROAD
SOUTH PENDER ISLAND, B.C.**

***Approximate** time is provided for the convenience of the public only and is subject change without notice.

	Page #	*Approx. Time*
1. CALL TO ORDER		10:00 am
2. APPROVAL OF AGENDA		
2.1 Additions/Deletions		
2.2 Questions from public on Agenda Items		
3. COMMUNITY INFORMATION MEETING - none		
4. PUBLIC HEARING - none		
5. PREVIOUS MEETINGS		10:05 am
5.1 Adopted Local Trust Committee Minutes (for information only)		
5.1.1 Local Trust Committee Business Meeting Minutes of June 19, 2012 (attached)	1	
5.2 Public Hearing Records and Community Information Meeting Notes - none		
5.3 Section 26 Resolutions-without-meeting (attached)	11	
5.4 Advisory Planning Commission Minutes - none		
6. BUSINESS ARISING FROM THE MINUTES		10:10 am
6.1 Follow-up Action Report (attached)	12	
7. DELEGATIONS - none		

8.	CORRESPONDENCE (attached) <i>[correspondence received concerning applications and/or projects is considered with the application]</i>	10:15 am
8.1	S. Steil email dated August 9, re: Assistance Request for Mailout	14
8.2	S. Steil letter dated July 31, 2012 re: Stairway for Beach Access	17
9.	APPLICATIONS, PERMITS, BYLAWS AND REFERRALS	10:30 am
9.1	SP-DVP-2012.3 (Scott) Staff Report (attached)	18
9.2	SP-TUP-2012.1 (Thorn) Staff Report (attached)	31
9.3	SP-SUB-2011.2 (Cadez) Staff Report (verbal)	
10.	LOCAL TRUST COMMITTEE PROJECTS	11:30 am
10.1	Shoreline Review (attached)	42
10.2	Land Use Bylaw Amendments (attached)	58
10.3	Community Survey (attached)	67
11.	REPORTS	12:30 pm
11.1	Work Program Reports	
	11.1.1 Adopted Policies and Standing Resolutions; and Objectives (attached)	93
	11.1.2 South Pender Island Local Trust Committee Work Program – September 2012 (attached)	94
11.2	Applications Report	
	11.2.1 South Pender Island Applications Report dated September, 2012 (attached)	96
11.3	Expense/Budget Reports	
	11.3.1 Trustee and Local Expenses (attached)	98
	11.3.2 Budget Submissions – 2013-14 (memo attached)	99
11.4	Bylaw Enforcement Report - none	
11.5	South Pender LTC Web Page (attached) – For Information	103
11.6	Chair's Report	1:00 pm
11.7	Trustee Report	

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Next Business Meeting – Tuesday,
November 13, 2012 at 10:00 am, at the
South Pender Fire Hall

**12.2 Local Trust Committee consider a resolution to
attend a meeting on October 4, 2012, hosted by
the North Pender Island Local Trust Committee**

13. TOWN HALL

1:15 pm

14. ADJOURNMENT

1:30 pm

ADOPTED

**MINUTES OF THE SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON TUESDAY, JUNE 19, 2012, AT 10:00 AM
AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD
SOUTH PENDER ISLAND, B.C.**

PRESENT:	Ken Hancock	Chair
	Elizabeth Montague	Local Trustee
	Mike Jones	Local Trustee
	Andrea Pickard	Island Planner
	Zorah Staar	Recording Secretary

REGRETS: **none**

There were ten (10) members of the public in attendance.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 10:00 am, acknowledging that it was taking place on the traditional territories of the Coast Salish First Nations people.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The proposed agenda was amended as follows:

- add the latest Advisory Planning Commission Minutes to item 5.4.2;
- add additional community submissions to item 9.1 (SP-SUB-2011.2);
- add a new item 12.3 for discussion of Islands Trust Minutes Guidelines.

The agenda as amended was adopted by consensus.

2.2 Questions from Public on Agenda Items

Paul Petrie asked about the Staff Report for item 9.1 (SP-SUB-2011.2, Cadez), and then (with the permission of the Chair) he commented he did not believe the proposed parkland dedication of the Good Shepherd Church to be inconsistent with the local Parks Master Plan; the proposal should provide “comparable value to the community” for the public ocean access which they were being asked to give up; and the Local Trust Committee should not “accept in principle” this proposal until many uncertainties were resolved.

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARINGS

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for adoption

5.1.1 Minutes of April 10, 2012 Local Trust Committee Business Meeting

It was noted that the April 10, 2012 Local Trust Committee Minutes had already been approved by Resolution-without-meeting.

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

Planner Pickard said there had been Resolutions-without-meeting to approve Local Trust Committee Minutes, and to allow posting of the May 4, 2012 draft Advisory Planning Commission Minutes on the Islands Trust website.

5.4 Advisory Planning Commission/Task Force Minutes

5.4.1 Advisory Planning Commission Minutes of May 4, 2012

5.4.2 Advisory Planning Commission Minutes of June 1, 2012

The Local Trust Committee received the Advisory Planning Commission Minutes of May 4 and June 1, 2012 (for further discussion under 9.1).

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard reviewed the available Follow-up Action Report, regarding completed or ongoing work items.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Z. Staar letter dated May 21, 2012, re: Pender Community Transition (PCT) Funding Request

Trustee Montague said that the work of Pender Community Transition (PCT) was in line with Islands Trust goals of decreasing greenhouse gas emissions and increasing local food security.

Chair Hancock said that the Local Trust Committee could not provide funding per se, but could purchase reports on activities consistent with the Work Program.

Resolution SP-LTC-30-12

It was Moved and Seconded that the South Pender Island Local Trust Committee add an item to the Projects List of the Work Program, entitled "Community Transition & Resilience" and described as: "support ongoing development of community transition and resilience to worldwide challenges such as climate change, peak oil, and food security".

CARRIED

Resolution SP-LTC-31-12

It was Moved and Seconded that the South Pender Island Local Trust Committee allocate \$200 towards the purchase of a series of reports from Pender Community Transition (PCT) regarding their activities in the coming year.

CARRIED

8.2 W. Scholefield email dated May 24, 2012, re: SP-SUB-2011.2 (Cadez)

The above email was received, and would be included under item 9.1.

9. APPLICATIONS, PERMITS, AND REFERRALS

9.1 SP-SUB-2011.2 (Cadez)

Planner Pickard noted the June 5, 2012 Staff Report and related community submissions and Advisory Planning Commission minutes. She commented that SP-SUB-2011.2 (Cadez) was an application for a 4-lot subdivision, involving a proposed parkland dedication of the Good Shepherd Church; the Pender Parks Master Plan allowed for heritage parks, but envisioned a public ocean access for the subdivision property; the Trustees could reject the Church proposal, or accept it in principle on the understanding that various details had to be worked out before Local Trust Committee final approval.

Trustee Montague said that the community had come out very strongly in favour of preserving the Good Shepherd Church.

However, there were a number of conditions to be satisfied first, including: confirming that the Church could be purchased from the Anglican Diocese, or perhaps gifted back to the community; removing the title restriction re: only Anglican Church use; providing water and a bathroom; creating a community organization to manage the project; and confirming the provision of funds from the applicants (e.g. for renovation and maintenance) in an amount of comparable value to a public ocean access.

Chair Hancock said that for the Church to be renovated as a public building, it would have to be brought up to Building Code standards (likely including water and septic), which might be cost prohibitive.

In addition, there had been other special CRD parks initiated with the keen support of a local non-profit organization (e.g. for skateboarding), but then it was key for this support to continue. Local parks in this region had to be owned by the CRD, with management delegated to a volunteer Parks & Recreation Commission.

Trustee Jones commented that to give up the park dedication of a public ocean access trail would require something significantly more beneficial to the community; the Advisory Planning Commission's suggested conditions (from their June 1, 2012 meeting) were very helpful, but sewer and water facilities should be confirmed rather than just investigated; if the subdivision applicants were willing to acquire the Good Shepherd Church, renovate it to Code, and provide a 10-year maintenance fund, then Jones believed this was worth more to the community than another public ocean access trail.

Trustee Montague noted that the Church included a Memorial Garden, which would understandably limit activities there. . However, there had been many good suggestions about appropriate community uses. Also, the Pender Islands Parks & Recreation Commission had limited capacity to manage the site, so a new community organization to help manage seemed necessary, perhaps assisted by the CRD. Following the recommendation of the APC, Trustee Montague indicated that she would support a motion to accept the proposal in principle with the understanding that the list of conditions set out in the APC's recommendation must be met before the application moves forward.

Further regarding the applicants needing to provide "comparable value" to a public ocean access, the Trustees discussed how South Pender no longer accepted cash-in-lieu of park dedication (in part because of the limitations of the legislative formula applied). They noted that the current proposal was not considered cash-in-lieu, but rather a unique form of park dedication.

Howard Airey was present on behalf of the applicants, and he described what they had already spent to acquire and improve the property. He also said that to be able to create two new oceanfront lots through subdivision was not worth as much as people might think, due to the property including a high bluff.

Resolution SP-LTC-32-12

It was Moved and Seconded that the South Pender Island Local Trust Committee considers the parkland proposal involving the adjacent Church property for application SP-SUB-2011.2 (Cadez) to be acceptable in principle, subject to a number of conditions being satisfied, including but not limited to the following:

1. Ensuring that condition D1109011 registered on title (which limits the Church property to Church of England use) is removed;
2. Ensuring that there is an agreement between the applicants and the Anglican Church for purchase of the Church property;
3. Confirming that the Pender Islands Parks & Recreation Commission is consulted and that their recommendation is considered;

4. Confirming specific details of the Church renovation, including the provision of sewer and water facilities, the cost of which will be borne by the applicants;
5. Establishing the value of a maintenance fund to maintain the Church for a period of 10 years which will be borne by the applicants;
6. Dedicating the Church property to the Capital Regional District as park land for the community;
7. Transferring management of the property and the maintenance fund to a body agreed to by the South Pender Island LTC and the Capital Regional District.

CARRIED
(All in favour)

Resolution SP-LTC-33-12

It was Moved and Seconded that South Pender Island Local Trust Committee, regarding application SP-SUB-2011.2 (Cadez), direct Staff to initiate a process to work with the stakeholders, to develop a more detailed proposal to be considered by the Committee.

CARRIED

9.2 Referral of Proposed North Pender Bylaw No. 191

Planner Pickard reviewed the May 1, 2012 Bylaw Referral Form, which sought comment on a proposed North Pender Island Bylaw No. 191. This bylaw would rezone to a particular property to allow an ocean-based geoexchange system for heating and cooling, with no apparent negative environmental impact.

Resolution SP-LTC-34-12

It was Moved and Seconded that the South Pender Island Local Trust Committee inform the North Pender Island Local Trust Committee that their interests are unaffected by Proposed Bylaw No. 191.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Community Survey

Planner Pickard noted the Staff Memorandum dated June 6, 2012, and the updated Community Survey results, commenting that this was an online survey using Survey Monkey software, initiated on May 18, 2012, with an invitation in the newsletter to South Pender residents; that so far there had been 17 responses, which provided some input (described) but it was not statistically representative; the survey had 27 questions on themes relating to South Pender Islands Trust issues (e.g. proposed Land Use Bylaw amendments, Shoreline Development, etc.).

Trustee Montague noted that not everyone on South Pender was internet-savvy, and perhaps we should try a mail-out survey with options for response.

Trustee Jones felt that the Community Survey had been a worthwhile experiment, and that as people became more familiar with the process, they might be more likely to respond.

To obtain a more significant sampling, the Trustees agreed by consensus to set a deadline for the existing Community Survey of August 28, and to make further efforts to encourage people to respond (i.e. using the Islands Trust email subscriber list, Pender Post, etc.).

10.2 Land Use Bylaw Review 2012

Planner Pickard referred to the June 7, 2012 Staff Report, which attached a draft bylaw to amend the South Pender Island Land Use Bylaw (LUB). She said that Draft Bylaw No. 111, contained the LUB amendments from the list which was previously discussed by the Trustees, plus a proposed definition for an ocean-based geoexchange system. Initial results of the Community Survey's questions about LUB amendments might lead the Trustees to make further revisions to Bylaw No. 111.

The Trustees discussed some additional revisions, considering what flowed out of the Official Community Plan Review, the survey, other community feedback, and also potential impacts of future development.

Resolution SP-LTC-35-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct Staff to revise Draft Bylaw No. 111, to include, limiting the maximum floor area of principal dwellings to 375 square metres and allowing attached dwellings where 2 or more are already permitted on a lot.

CARRIED

It was noted that 375 square metres equals 4,036 square feet, and "attached dwellings" means a form of duplex. The Trustees agreed that Draft Bylaw No. 111, would be considered further at their next meeting on September 18, 2012.

10.3 Shoreline Review

Planner Pickard referred to the June 7, 2012 Staff Report commenting that the recent Community Survey included some feedback about shoreline issues; that both the South and North Pender Island Local Trust Committees had initiated Shoreline Review projects; Trust Council was supporting new integrated watershed and shoreline mapping; and that there were various ways in which South Pender might now choose to proceed.

Resolution SP-LTC-36-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct Staff to report back with a draft scope, timeline, budget, and workplan for advancing the Shoreline Review, based on three phases: information gathering; education and consultation; and implementation.

CARRIED

Planner Pickard said that she would follow-up by emailing a detailed Staff Report to Trustees as soon as possible.

The Trustees agreed by consensus that shoreline issues should be a focus of the upcoming joint meeting with the North Pender Island Local Trust Committee (along with Ministry of Transportation & Infrastructure issues, and a few other matters).

Chair Hancock noted that shoreline mapping was shifting from a geologic approach to a more ecosystem-based orientation. Also, the Pender Islands Conservancy Association together with Parks Canada were having a shoreline ecosystem educational event, at the Pender Community Hall on October 13.

11. REPORTS

11.1 Work Program Reports

11.1.1 Adopted Policies and Standing Resolutions; and Objectives

See available report.

11.1.2 South Pender Island Local Trust Committee Work Program

See item 8.1 re: amending the Work Program.

11.2 Applications Report

11.2.1 South Pender Island Applications Report

Planner Pickard reviewed the available Applications Report.

11.3 Expense/Budget Reports

11.4.1 Trustee and Local Expenses

See available report.

11.4 Bylaw Enforcement

There was no Bylaw Enforcement report.

11.6 South Pender LTC Web Page

The Trustees agreed to publicize the Community Survey deadline of August 28, as well as posting the survey results after that deadline, and removing some older items from the webpage.

11.7 Chair's Report

Chair Hancock commented the recent Islands Trust Council meeting at the Pender Community Hall had been very successful; that this included a lovely event hosted by the South Pender Trustees. Meaningful motions were passed regarding advocacy on oil spill and tanker issues; and this would be followed up at the September meeting of the Union of BC Municipalities.

11.8 Trustee Reports

Trustee Montague found the recent Trust Council Meeting to be very productive, including taking a strong position against the pipelines that would increase tanker traffic on our coast. She also acknowledged the decision to grant a Community Stewardship Award to Penderite Margot Venton, for her legal work supporting Orca protection.

Trustee Jones acknowledged the high percentage of Trustees who supported greater marine protection, and also the impact when he recently took 4 Island Trustees to an oil spill emergency exercise. A movie about the Enbridge pipeline's path ("On the Line") was being shown on Pender tomorrow (June 20).

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Next Local Trust Committee Business Meeting

The next Local Trust Committee Business Meeting was scheduled for Tuesday, September 18, 2012, at 10:00 am at the South Pender Fire Hall.

12.2 Road Assessment for NZEV

Planner Pickard referred to the Staff Memorandum dated June 6, 2012, regarding new possibilities to have local roadways approved for the use of Neighbourhood Zero Emission Vehicles (NZEV), i.e. small electric vehicles.

Resolution SP-LTC-37-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct Staff to include all South Pender roadways in the application to the Ministry of Transportation & Infrastructure for a road assessment to allow Neighbourhood Zero Emission Vehicles.

CARRIED

12.3 Islands Trust Minutes Guidelines

Chair Hancock referred to the former “Local Trust Committee Minutes Guidelines”, and the new “Islands Trust Minutes Guidelines” just approved by Trust Council (and now to be implemented, including the new E-Scribe system). In the interim, Hancock commented that unless the Local Trust Committee had asked the Advisory Planning Commission to conduct a broad public consultation, their minutes should summarize their own discussions, and not attach submissions by themselves or others; these additional submissions (even by APC Members) should be sent directly to the Local Trust Committee; other than at a formal Public Hearing, community members who commented at an Islands Trust meeting were not required to give their names. However, if they did give their name, this may or may not be recorded in the minutes’ summary of the discussion. Chair Hancock said that he would try to attend the next Advisory Planning Commission Meeting, if this was helpful.

13. TOWN HALL MEETING

Buffy Paterson thanked the Trustees for their time and patience working on community issues.

John Rumble said he had heard that Advisory Planning Commission (APC) meetings could be held without notice to the public.

Planner Pickard responded that the APC operated somewhat independently of Islands Trust Staff, with the local APC Secretary posting a notice of upcoming meetings (on the South Pender Fire Hall Bulletin Board and elsewhere).

It was suggested that after an APC referral had been made, interested people contact one of the APC Members, and also subscribe to the Islands Trust email list.

Chair Hancock said that the new E-Scribe system (to be implemented) would hopefully make it easier for Advisory Planning Commission and other Islands Trust meeting notices, agendas, and minutes to be made available to the public.

14. MOTION TO CLOSE MEETING

Resolution SP-LTC-38-12

It was Moved and Seconded, pursuant to Section 90(1)(f) of the Community Charter, that the South Pender Island Local Trust Committee resolves to close the meeting to the public, for the purposes of adopting In Camera Local Trust Committee Minutes of April 10, 2012, and also for consideration of Board of Variance appointments, and further that Planner Andrea Pickard and Recording Secretary Zorah Staar remain present.

CARRIED

Note: See separate In Camera LTC Minutes of the same date.

Resolution SP-LTC-40-12

It was Moved and Seconded that the South Pender Island Local Trust Committee re-open the meeting to the public.

CARRIED

15. RECALL TO ORDER

The meeting was re-opened to the public at 2:05 pm. Chair Hancock reported that the following persons had been appointed to the South Pender Island Board of Variance: Priscilla Ewbank, Sara Steil, and Jim Petrie.

16. ADJOURNMENT

Resolution SP-LTC-41-12

It was Moved and Seconded that the meeting be adjourned at approximately 2:06 pm.

CARRIED

RECORDER

CHAIR



Islands Trust

RWM From: June 11, 2012 To: September 11, 2012

South Pender Island

Resolution #	Action	Resolution Description	Resolution Date
2012-07	In Favour	THAT South Pender Island Local Trust Committee Business Meeting minutes dated June 19, 2012 be Adopted.	Jul 19, 2012
2012-06	In Favour	THAT the South Pender Island Local Trust Committee adopt the following budget for the LTC Local Expenses which total \$3000: LTC Local Expense LTC Meeting Expenses 1,700.00 LTC Local Expense APC Meeting Expenses 300.00 LTC Local Expense Communications 500.00 LTC Local Expense Special Projects 200.00 LTC Local Expense Miscellaneous 300.00	Jun 28, 2012



Islands Trust

Follow Up Action Report w / Target Date

South Pender Island
Apr-10-2012

No.	Activity	Responsibility	Target Date	Status
1	Item 12.5 Joint Pender Meeting - staff to schedule a combined NP and SP meeting with an agenda of common interests	Robert Kojima	Jun-19-2012	Done

Jun-19-2012

No.	Activity	Responsibility	Target Date	Status
2	Item 8.1 - Correspondence from PCT: the SPILTC allocates \$200 for the purchase of a series of reports from Pender Community Transition on their activities in the coming year to address community resilience and climate change adaptation	Nancy Rogers	Sep-18-2012	On Going

3	Item 9.1 - SP-SUB-2011.2 (Cadez): staff to initiate a process to work with stakeholder to develop a more detailed proposal to dedicate the church property as parkland, subject to a number of conditions, for the LTC to consider	Andrea Pickard	Sep-18-2012	Done
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4	Item 9.2 - NPI Proposed Bylaw 191: SPILTC to respond that their interests are unaffected	Andrea Pickard	Sep-18-2012	Done
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5	Item 10.1 - Community Survey: the survey to remain open until Aug 28, the final results to be included with the Sept agenda package, and a note to be posted in Latest News	Andrea Pickard	Sep-18-2012	Done
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6	Item 10.2 - LUB Review: staff to revise the draft bylaw to include limiting the maximum floor area of a dwelling (375m2) and to permit attached dwellings where 2 or more are permitted on a lot.	Andrea Pickard	Sep-18-2012	Done
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7	Item 10.3 - Shoreline Review: staff to report back with a draft scope, timeline, budget and workplan for the shoreline review based on 3 phases of: information gathering, public education/consultation, and implementation	Andrea Pickard	Sep-18-2012	Done
8	Item 11.1.2 - Workplan: add to the projects list Community Transition and Resilience with adaptation to worldwide concerns of climate change as an activity	Andrea Pickard	Sep-18-2012	Done
9	Item 11.5 - Webpage: remove the items in latest news under Oct and July 2011	Kathy Jones	Sep-18-2012	Done
10	Item 12.2 - Neighbourhood Zero Emission Vehicles: include all South Pender roads in the request to MOTI for a roads assessment on North Pender	Andrea Pickard	Sep-18-2012	Done
11	Item 14 - InCamera late item: appoint Jim Petrie, Sara Steil and Priscilla Ewbank as Board of Variance members	Kathy Jones Sharon Lloyd-deRosario	Sep-18-2012	Done
12	Item 14 - InCamera late item: adopt the in camera minutes of Apr 10 as drafted	Sharon Lloyd-deRosario	Sep-18-2012	Done

Sharon Lloyd-deRosario

From: Andrea Pickard
Sent: August-09-12 4:29 PM
To: Sharon Lloyd-deRosario
Subject: FW: Assistance request for notification of Upland & Near-shore Apocalypse educational event
Attachments: Big poster apocalypse - email to LTC.doc

Hi Sharon, this one if the same as my previous email but for the SPILTC agenda please. thanks

From: Sara & Dick Steil [<mailto:steils@shaw.ca>]
Sent: August-09-12 4:28 PM
To: Liz Montague; Mike Jones; Ken Hancock
Cc: Andrea Pickard
Subject: Assistance request for notification of Upland & Near-shore Apocalypse educational event



South Pender Island Local Trust Committee,
 Suite 200, 1627 Fort Street,
 Victoria, B.C. V8R 1H8
 (Sent via email)

August 9, 2012

Dear Trustee Montague, Trustee Jones & Trustee Hancock

We thank you for your on-going interest in the Pender Islands Conservancy with Parks Canada educational initiative promoting good stewardship of marine uplands, intertidal zone to near-shore ecosystems now known as: -

Upland & Near-shore Apocalypse

How climate change, plunging fish stocks & declining Orcas
 will affect all our futures.

Saturday, October 13, 2012 at the Community Hall – 9:30 am

The Pender Islands Conservancy (PICA) became more aware of the urgent need for better shoreline stewardship as a result of the Islands Trust and San Juan County's Green Shores initiative. And we truly applaud your endeavours to protect our shorelines at this critical time of Climate Change, rising sea levels, more violent storm surges, continuous increase in contaminants, with associated debris, in our marine waters and along our beaches. The health of our marine waters is an important issue which has been endorsed by senior levels of government with the forthcoming National Marine Conservation Area in the Salish Sea.

We would greatly appreciate your assistance for the event being presented by ourselves with Parks Canada by providing a 'mail out' of the attached notification to all waterfront property owners two to three weeks prior to the event, as their attendance is critical to personally provide them with important data towards good stewardship of their uplands plus uses of beaches and near-shore marine waters with regards to pollutants and wharves and / or mooring buoys.

We thank you for the support & assistance –

Yours truly,

Sara Steil

Marine Representative for PICA – Coordinator of event

Cc Andrea Pickard

For your interest, the following organizations, groups and commercial adventures have endorsed this event as an important initiative for the health & well being of the marine ecosystems: -

Assisted by: The Pender Islands Trust Protection Society, The Pender Islands Marine Association.

*Supported by: CPS Pender Islands Squadron, Orca Network, Georgia Strait Alliance,
The Whale Museum, Saltwater Moon (salmon fishing) Charters*

An Invitation to -
The Pender Islands Conservancy with Parks Canada Presents
Upland & Near-shore Apocalypse

How climate change, plunging fish stocks & declining Orcas
will affect all our futures



Forge Fish (Sand Lance)



Chinook / Spring Salmon



Jeanne Hyde Orca

Saturday, October 13, 2012 at the Pender Island Community Hall

Morning session 'with the experts' commences at 9:30 AM

- 1) John Readshaw (coastal engineer) - Expected sea level rise in BC and implications to water levels, waves, shoreline response and shoreline structures. Options for adapting.**
- 2) Marlow Pellatt (Parks Canada – ecosystem scientist) - climate change, upland vegetation interconnection with intertidal areas**
- 3) Rick Harbo (author and retired DFO biologist) - our intertidal and sub-tidal marine life - "Whelks to Whales"**
- 4) Ramona de Graaf (Biologist) - forage fish - "More Than Just a Pretty Beach" & Nikki Wright, Chair for Seagrass Conservation Working Group – "Eelgrass Meadows"**
- 5) Steve Oates (Parks Canada – Ecosystem Scientist) - "Anchoring/Mooring"**

The afternoon will host "In the Field with Experts"

Sara J. Steil

6604 Harbour Hill Road, Pender Island, B.C. V0N 2M1
Tel: (250) 629-6885 email: steils@shaw.ca fax: (250) 629-6880

July 31, 2012

South Pender Island Local Trust Committee,
Suite 200, 1627 Fort Street,
Victoria, B.C. V8R 1H8
(Sent via email)

Attention: Andrea Pickard – Planner

Dear Andrea

Further to our recent conversation with regards to stairways for private beach access, it has become apparent that beach accesses are a concern on South Pender Island. And as we are all aware, many of these accesses are elaborate stairways, which are becoming more & more the norm within the Islands Trust Area.

With the present stairway under construction between Southlands Drive & Craddock Beach the issue has been brought to the forefront. These accesses into the inter-tidal zone interrupt marine ecosystem processes and should be controlled.

I would strongly recommend that a regulatory bylaw be brought forth to regulate size, structural & locations of all beach accesses for private property owners.

Thank you
Regards,

Sara Steil
6604 Harbour Hill Road
Pender Island, B.C. V0N 2M1

Cc Trustee Liz Montague



STAFF REPORT

September 6, 2012

File No.: SP-DVP-2012.3 (Scott)

To: South Pender Island Local Trust Committee
For the meeting of September 18, 2012

From: Andrea Pickard, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: Development Variance Application

Owner: Leighton Pullen
Applicant: David Scott
Location: Lot 1, Section 2, Pender Island, Cowichan District, Plan 33227
Gowlland Point Road

THE PROPOSAL:

The purpose of the application is to vary Subsection 3.4(2) of the South Pender Island Land Use Bylaw No. 92, 2003 (LUB) to increase the permitted height of an accessory building from 4.6 metres to 9.9 metres for a proposed agricultural building for storage of equipment for pasture maintenance and gardening, as well as a workshop area.

The subject property is currently developed with an existing cabin and small barn. The proposed building consists of 279 m² (4000 ft²) with 158 m² (1700 ft²) on the lower and 128 m² (1300ft²) on an upper level. The proposed building is located over 53 m (176 ft) from the property line, over 134 m (440 ft) from the natural boundary of the sea, and is relatively central on the lot.

The property is zoned Rural Residential and agriculture is a permitted principal land use. The property is not with the Agricultural Land Reserve nor does it have farm status at this time under the *BC Assessment Act*.

A draft Development Variance Permit is attached as Schedule A which includes a site plan and elevations of the proposed building.

SITE CONTEXT:

The subject property is a 10.3 ha (25.38 acre) property on Gowlland Point Road. Adjacent properties residential properties in the area are significantly smaller with many under 2 acres. The properties bordering the road, to the north of the property, are much larger in size including the Gulf Islands National Park Reserve. The property currently contains an approximately 32m² (345ft²) cabin and one approximately 61m² (655ft²) barn.

The subject property is one of two associated with a recent proposal to relocate the road dedication and recreational walking trail. The property owner purchased the subject property and the adjacent waterfront property to the south (shown as Lot 1, PI 32109 below) with the intent to consolidate the two lots.

Based on GIS data the property steeply rises to approximately 40-50 metres near the shoreline, with most of the property sloping in a southeasterly direction from a maximum height of 58 metres near Gowlland Point Road to 22 metres near South Lands Dr.

Figure 1: Subject Property

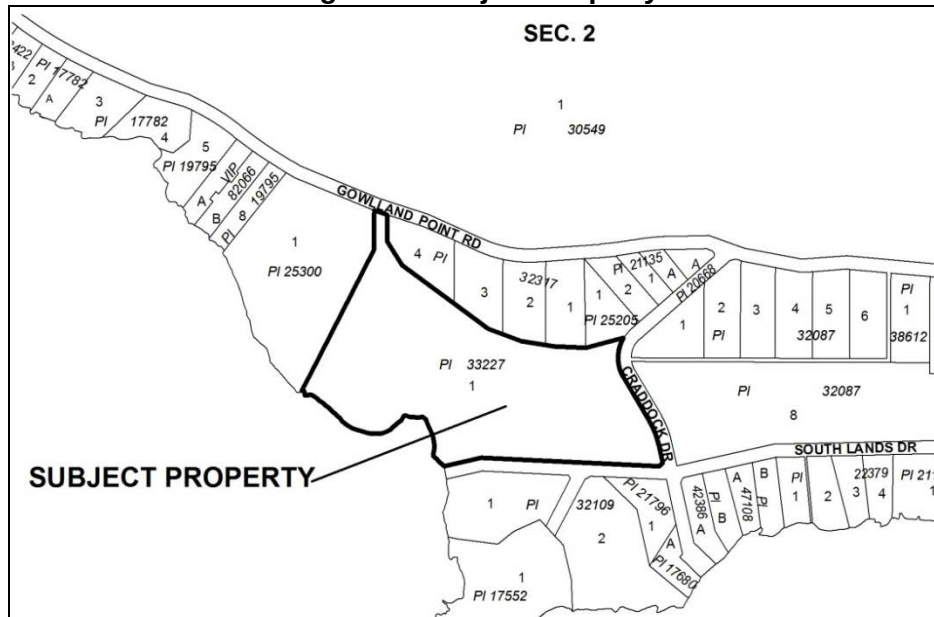


Figure 2: Orthophoto



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

Directive policies relevant to this application include: Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:

- 4.1.5 the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses;
- 4.1.6 the use of adjacent properties to minimize any adverse affects on agricultural land; and
- 5.2.3 policies related to the aesthetic, environmental and social impacts of development.

Official Community Plan:

The subject property is designated Rural Residential in the OCP.

Section 2.4 'General Policies' in the OCP includes:

- 2.4.6 Landowners are encouraged to consolidate undeveloped lots, particularly those smaller than the existing lot minimum size requirements, to assist in retaining the island's rural character.

Land Use Bylaw:

The subject property is zoned Rural Residential 2 (RR2) in the Land Use Bylaw, as are other properties along the water side of Gowlland Road. The bylaw states that the total accessory building floor area for lots greater than 4 ha (10 acres) is 372 m² (4000ft²). The proposal, once constructed, will bring the amount of floor area on the property to approximately 340 m² (3655 ft²); within the allowable amount of floor area.

Islands Trust Fund: There are no Trust Fund Board covenants on the property.

Sensitive Ecosystems and Hazard Areas: Land adjacent to the shoreline is identified as being low, moderate or high hazard areas due to steep slopes. The proposed building is located outside of the identified hazard areas.

Based on the Trust's Sensitive Ecosystem Mapping the property contains areas of primary mature forest and herbaceous ecosystem classes with tertiary component of wetland. The proposed building appears to be on the edge of a mature forest ecosystem.

Figure 3: Steep Slope Hazard Areas and 2m Contour Intervals

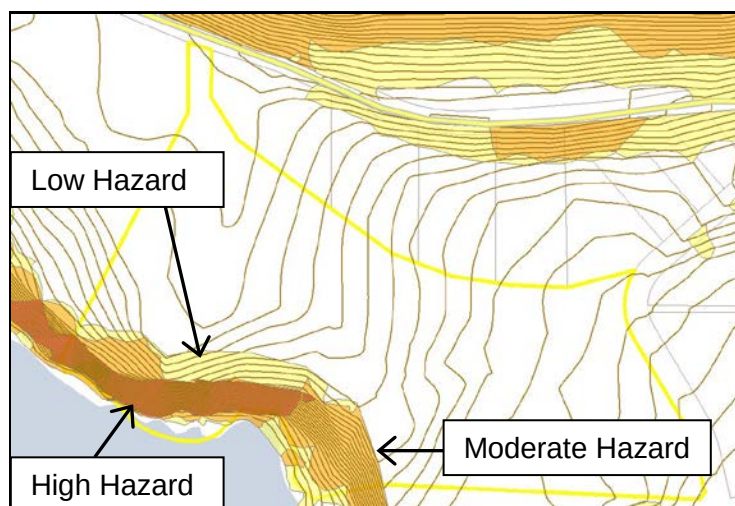
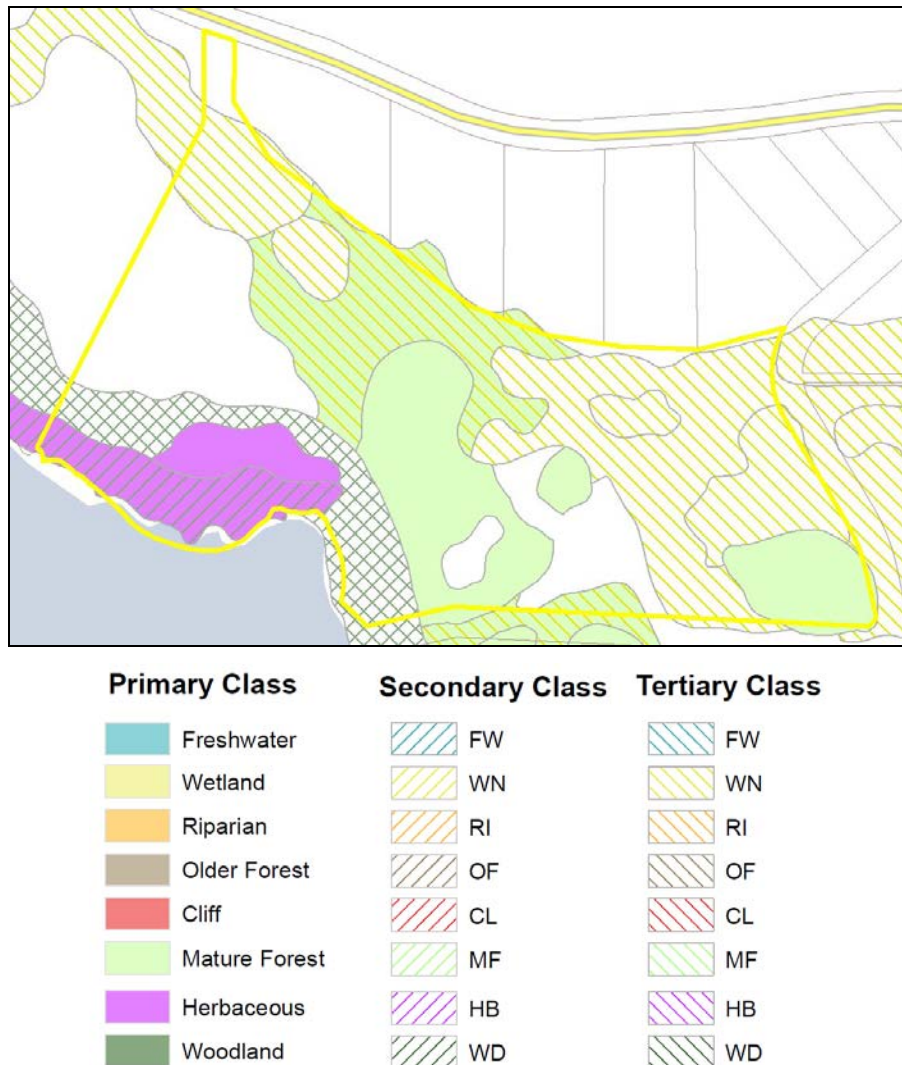


Figure 4: Sensitive Ecosystem Mapping



Archaeological Sites: There are no registered archaeological sites in the provincial database on the property or in close proximity.

Covenants: BC Hydro holds a right-of-way registered in 1964. Using the title documents Islands Trust GIS staff could not accurately determine if the proposed building is within the right-of-way boundaries. The applicant has since been in contact with Hydro directly to address the matter and Hydro has advised them that they do not have any concerns. The contact at Hydro was also forwarded a copy of the notice and proposed permit directly.

Bylaw Enforcement: There is no enforcement files associated with the property.

Climate Change Mitigation and Adaptation: As a large waterfront property the shoreline may be particularly vulnerable to storm surges and sea level rise. The proposed building is sited over 134m from the shore. The owners intention to use the land for residential and agriculture (pasture) purposes the natural buffering capacity of the land should be retained.

RESULTS OF CIRCULATION:

Notice was circulated to neighbouring residents and owners for comment and is attached as Schedule B. At the time of writing this report two comments have been received. One letter is in support of the application and one more generally comments on the current regulations. A third resident asked for some clarification but has not provided a written submission at this time. The two comments received are attached to this report as Schedule C and additional comments will be brought to the LTC meeting on September 18th.

ISSUES SUMMARY:

Applicant's stated rationale for the variance. The applicant wants to construct an accessory building with an agricultural barn character and function in keeping with the agricultural scale and character of the 25+ acre property. The proposed variance is within the conditionally approved 3.7(1) agricultural accessory building height of 12.2 metres allowable on Agricultural zoned properties of similar character, size and maintenance requirements to the subject property.

The overall intent of the regulation being varied. The overall purpose of height regulations is to minimize impacts on adjacent property related to: shading, aesthetic, and privacy concerns. Regulating lower height for accessory buildings also ensures that principal buildings remain dominant in size and scale relative to accessory uses. Regulating height also helps to provide a consistent pattern of development within a given zone. The South Pender Island Land Use Bylaw also addresses agricultural uses, buildings and structures in Section 3.7. Section 3.7 permits an agricultural building up to a maximum height of 12.2 metres, subject to a minimum setback of 7.6 metres, it being located on ALR land and the property having farm status under the BC Assessment Act. The subject property is not within the ALR nor does it have farm status at this time.

Potential impacts of granting the variance. Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation each application should be evaluated on its own merits.

STAFF COMMENTS:

The proposed building is of significant size, however relative to the size of the property the total floor area is not excessive and it complies with the floor area limits for accessory buildings for a property of this size. The applicant could construct a one-storey building using a larger footprint thereby reducing the maximum height; however that option would involve more land disturbance. Since it will be used for the storage of equipment for pasture maintenance, gardening and a workshop it appears to be in keeping with the size and scale of the larger property.

If the owner proposed to subdivide the property in the future, and if the building was going to be on a proposed lot less than 4 ha (10 ac) it would need to be reduced in size to comply with the accessory building regulations since no new non-conforming situation can be created by subdivision.

Given the proposed building is sited well back from the property line, it is intended to be used for land maintenance, and that no neighbouring property owners have expressed concerns or objections to the height, staff recommend approval.

RECOMMENDATIONS:

THAT Development Variance Permit SP-DVP-2012.3 (Scott) **BE APPROVED.**

Prepared and Submitted by:

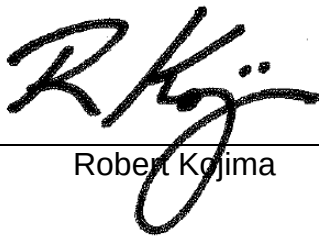


Andrea Pickard

September 6, 2012

Date

Concurred in by:



Robert Kojima

Sept 7, 2012

Date

PROPOSED

Islands Trust

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE**DEVELOPMENT VARIANCE PERMIT****SP-DVP-2012.3**

To: Leighton Pullen

1. This Development Variance Permit applies to the land described below

Lot 1, Section 2, Pender Island, Cowichan District, Plan 33227, PID: 000-231-207.

2. South Pender Island Land Use Bylaw 92, 2003 is varied as follows:

- a) Subsection 3.4 (2) is varied to increase the maximum height of an accessory building height from 4.6 metres to 9.9 metres.

The height and location of the accessory shall be consistent with Schedules 'A' and 'B' which are attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "South Pender Island Land Use Bylaw No. 92, 2003" and to obtain other approvals necessary for completion of the proposed development, including approval of the Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE SOUTH PENDER LOCAL TRUST COMMITTEE THIS xxth DAY OF _____, 2012.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____, 2014, THIS PERMIT AUTOMATICALLY LAPSES.

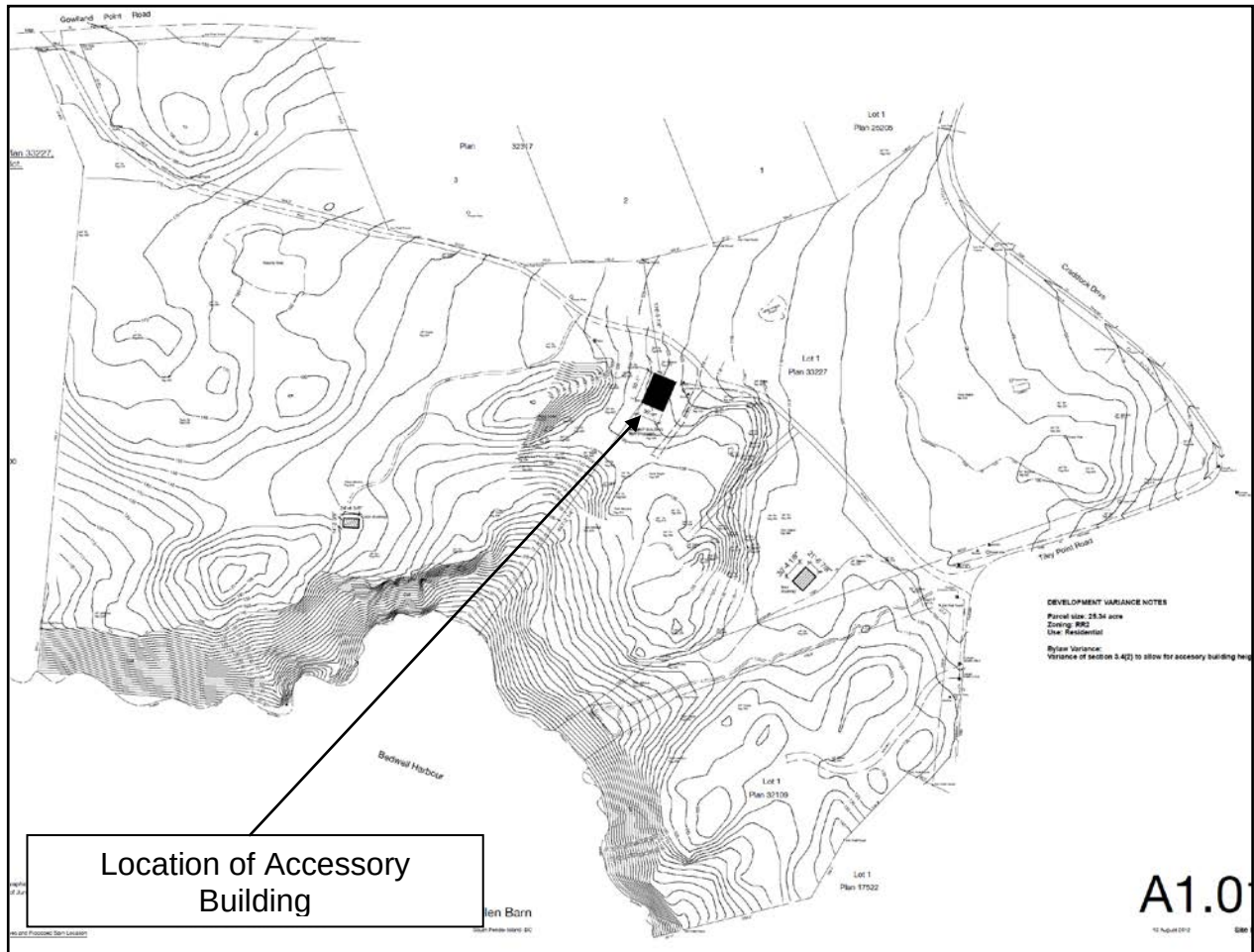
PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE

SP-DVP-2012.3

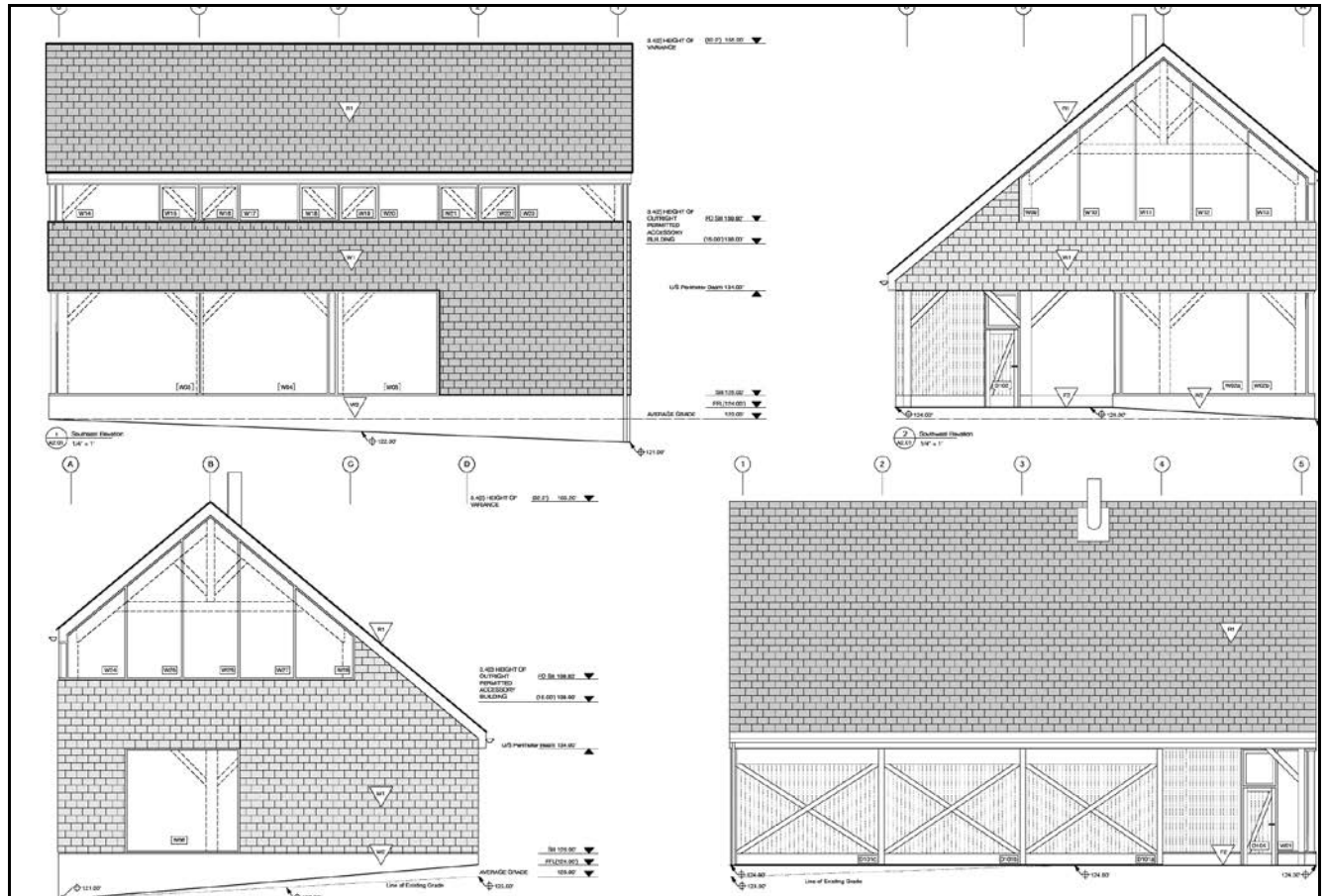
SCHEDULE 'A'

Site Plan



SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
SP-DVP-2012.3
SCHEDULE 'B'

Building Elevation



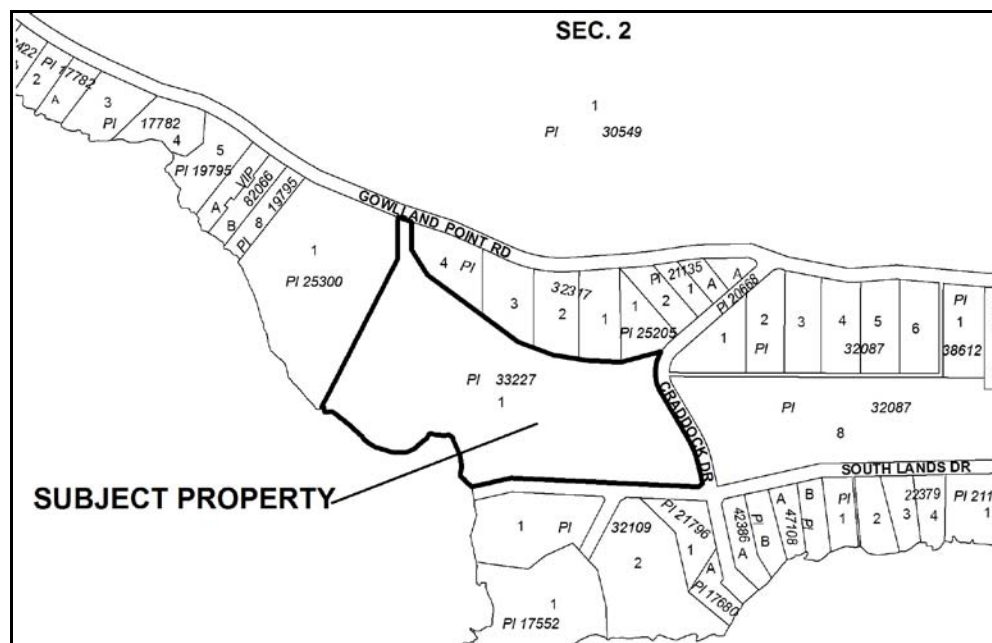
**NOTICE
SP-DVP-2012.3
SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE**

NOTICE is hereby given that the South Pender Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 922 of the *Local Government Act*.

The proposed permit would vary Subsection 3.4(2) of the South Pender Island Land Use Bylaw No. 92, 2003 (LUB) to permit an increase in the height of an accessory building from 4.6 metres to 9.9 metres.

The property is located at 8912 Gowlland Point Road, and is legally described as: Lot 1, Section 2, Pender Island, Cowichan District, Plan 33227, PID: 000-231-207

The general location of the subject property is shown on the following sketch.



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing September 7, 2012 and continuing up to and including September 17, 2012.

For the convenience of the public only, and not to satisfy Section 922(5) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Pender Island, B.C., commencing September 7, 2012. Also, attached for your convenience is a copy of the proposed permit.

Enquiries or comments should be directed to Planner Andrea Pickard at (250) 405-5189, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca before for 4:30 pm, September 17, 2012.

The South Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at 10:00 a.m., Tuesday, September 18, 2012 at the South Pender Island Fire Hall, 8961 Gowlland Point Road, South Pender Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Kathy Jones
Deputy Secretary

From: [Robert Kojima](#)
To: [Andrea Pickard](#)
Subject: FW: Attention Andrea Pickard
Date: September-04-12 11:24:42 AM

-----Original Message-----

From: Martin Mac Gregor [<mailto:martinmac@shaw.ca>]
Sent: September-03-12 1:23 PM
To: information
Subject: Attention Andrea Pickard

Re; Notice SP-DVP-2012.3

I support the granting of a variance for a greater building height than is normally permitted.
I am not sure exactly who this rule has ever served in its present application and the degree of limitation.
Sincerely

Martin Mac Gregor
9901 Craddock Drive
South Pender Island

From: [Robert Kojima](#)
To: [Andrea Pickard](#)
Subject: FW: South Pender Island Local Trust Committee
Date: September-04-12 11:46:27 AM

From: swright@gulfislands.com [mailto:swright@gulfislands.com]
Sent: September-03-12 6:46 PM
To: spltcwebmail
Cc: swright@gulfislands.com
Subject: South Pender Island Local Trust Committee



September 03, 2012

From: Steve Wright
Email: swright@gulfislands.com

Subject: South Pender Island Local Trust Committee

re: SP-DVP-2012.3

I would like to suggest that rather than considering the issuance of a DVP regarding height restrictions for accessory bldgs, that the matter of accessory bldg height, be brought forward as an amendment to the zoning bylaw. The height of 4.5 M (15 ft.), has long been difficult to comply with under most cases. There are a number of DVPs issued as a result and it does not make for good planning in my opinion. It would be preferable to have an allowable height that is practical for most uses and that fits in with the surroundings.

In this case, 9.9 M will allow with a flat roof, a 3 storey bldg and is higher than the height allowed for a residence. This application may be a good example why this height is required, but if the DVP does not apply to this specific design, or does not consider the siting and other proposed buildings for the property, how can anyone feel confident in supporting it?

www.islandstrust.bc.ca



STAFF REPORT

August 27, 2012

File No.: SP-TUP-2012.1(Thorn)

To: South Pender Island Local Trust Committee
For the meeting of September 18, 2012

From: Andrea Pickard, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: Temporary Use Permit and Development Variance Permit

Owner: Cameron Thorn

Applicant: same

Location: 9882 Castle Road, Strata Lot 13, Section 4, Pender Island, Cowichan District, Strata Plan VIS3428, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1, PID: 023-066-377

THE PROPOSAL:

The objective of the application is to permit the construction of a non-habitable, storage building on an undeveloped lot. The intended purpose is to function as an accessory building to the residential use on the adjacent lot. Since there is no principal residential use occurring on the subject property, the use is not permitted; therefore, approval by way of a temporary use permit (TUP) is being requested. Although the South Pender Island Local Trust Committee (LTC) is currently considering an amendment to the Land Use Bylaw (LUB) that would permit storage buildings as a principal use, the applicant would like to proceed with the application due to the timing considerations.

The applicant owns two adjacent lots in the Castle Road subdivision; one has been developed for residential use, the second remains undeveloped. The proposed building would consist of a storage area, artist studio and home office space accessory to the adjacent residential lot. The proposal is for a two storey building with a floor area of 53.2m² (572 ft²) and height of 5.7 m (18.7 ft).

A draft Temporary Use Permit is attached as Schedule A for the LTC's consideration.

SITE CONTEXT:

The subject property is a 0.43 ha (1.07 acres) lot, which is similar in size to neighbouring lots in the Castle Road subdivision. There are much larger lots zoned Forestry and Agriculture situated north and south of the Castle Road respectively.

Based on GIS data the subject property rises steadily from an elevation of approximately 64 metres near Spalding Road to a maximum elevation of approximately 92 metres.

Figure 1: Subject Property

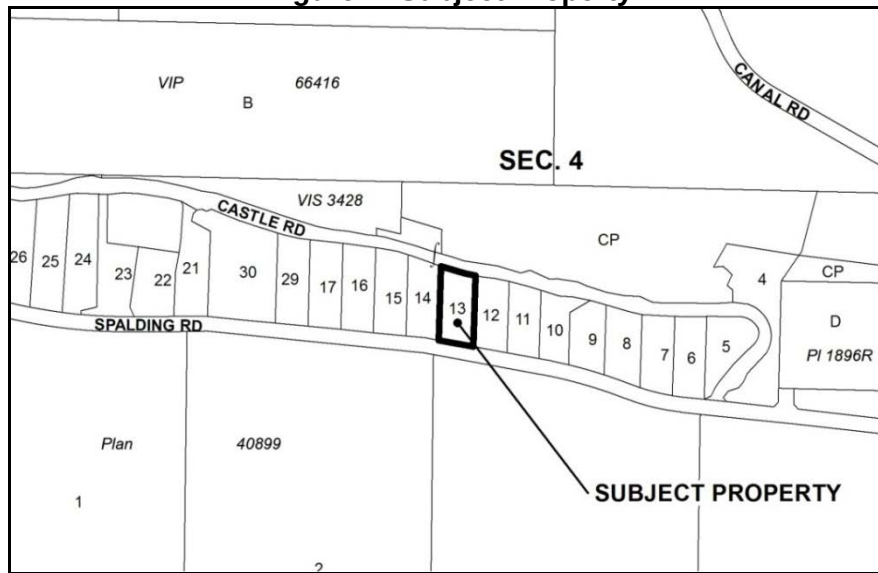


Figure 2: Orthophoto



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

There are no directive policies relevant to this application.

Official Community Plan

The LTC undertook an OCP review in 2011 and at that time a policy was introduced:

- 3.1.2(a)(iii) The LTC may consider implementing regulations that would permit outbuildings as a permitted principal use prior to construction of a residential dwelling on Rural Residential designated lands.

Implementation of this new policy is currently being considered as a LUB amendment initiated as an LTC project.

Land Use Bylaw

The subject property is zoned Rural Residential 2 (RR2). Surrounding properties are zoned:

- North – RR2 and Forestry
- East – RR2
- South – Agriculture
- West – RR2 and Passive Recreation Park

A draft bylaw that would amend the LUB to allow a 'storage building' as a principal use, is currently under consideration by the LTC. The draft bylaw also includes the following regulations for storage buildings:

1. The use is limited to the storage of goods and materials for use on the lot and personal effects of the owner of the lot,
2. Only one storage building is permitted on any lot,
3. The floor area is not to exceed 25 m² (269ft²),
4. The storage building is not to be used for human habitation, and
5. For certainty, the use of storage buildings as a commercial storage facility is prohibited.

As draft bylaws they above regulations are subject to change and it would be inappropriate to presume they would be adopted as they are drafted at this time.

Islands Trust Fund:

There are no Trust Fund properties or covenants on the subject property or in close proximity.

Sensitive Ecosystems and Hazard Areas:

Sensitive ecosystem mapping shows a sensitive woodland ecosystem on the property with a sensitive herbaceous subclass; however the proposed building is outside of the identified area.

The steep slope mapping shows the southern portion of the property as having low and moderate hazard areas; however the proposed building is outside of these areas.

Figure 3: Sensitive Ecosystem Mapping

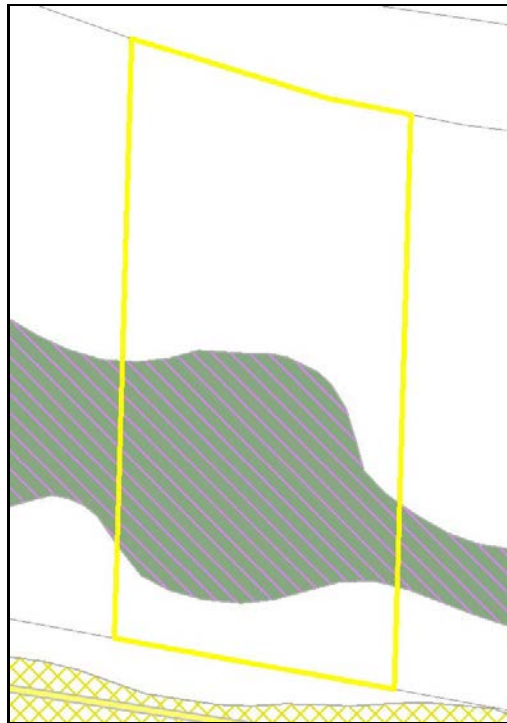
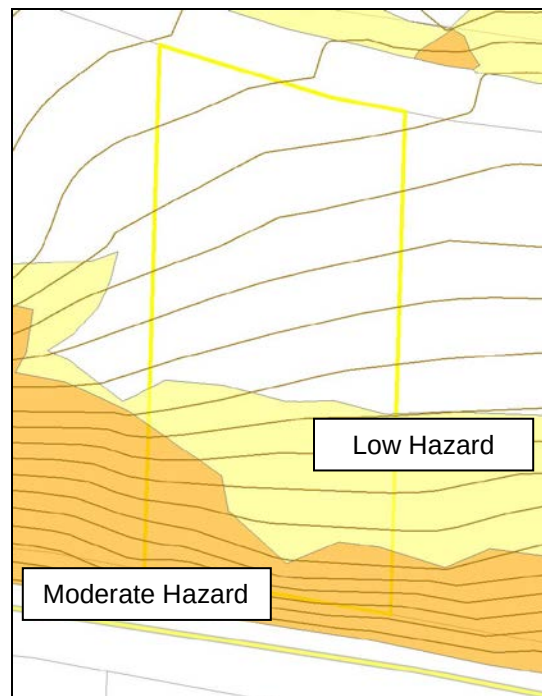


Figure 4: Steep Slope Hazard Areas and 2m Contour Intervals



Archaeological Sites:

There are no registered archaeological sites in the provincial database on the subject property or within close proximity.

Covenants

There is a covenant granted to the Ministry of Transportation and Infrastructure restricting the construction of habitable buildings on the southern portion of the property. The proposed building would not be sited within the covenant area.

Climate Change Mitigation and Adaptation

The proposal would impact an otherwise undeveloped lot' however it is smaller than would be constructed for a typical dwelling, which could be constructed on the property. Since it is to be used by the adjacent property owners the overall use of both properties would be similar to that if the two lots were consolidated; therefore the amount of land disturbance and vegetation removal should be reduced overall helping to maintain the buffering capacity of the natural landscape to extreme storm events.

Other:

The maximum height for the proposed building is 5.7 metres which exceeds the LUB regulations for an accessory building. The language of the height regulations does not address a maximum height for a non-residential, non-accessory building therefore the maximum height permitted is stipulated as a condition of the temporary use permit. If the TUP is issued, prior to the TUP expiring, the applicant would be required to apply for a variance if the building does not comply with the height or floor area regulations that are adopted in the intervening period. If provisions to allow a storage building generally are not adopted, the applicant could apply for a site-specific zoning amendment or remove the building. The floor area of the proposed building is less than the maximum permitted in the LUB for accessory buildings.

COMMUNITY INFORMATION MEETING(S):

A community information is not typically recommended for a TUP. Particularly as this application is not for a commercial or industrial use staff believe the standard notification process would be sufficient. In addition to the required mail out and delivery of a notice, an advertisement in two consecutive newspapers is required under the *Local Government Act*.

RESULTS OF CIRCULATION:

Notice was circulated to neighbouring residents and owners for comment and is attached as Schedule B. In addition to the delivered notification to properties, a notice of the TUP is published in two consecutive newspapers. At the time of writing this report no comments had been received. If any comments are received they will be brought to the Local Trust Committee meeting.

STAFF COMMENTS:

Typically, a TUP is used in two circumstances: (1) where a use is truly temporary (e.g. a temporary processing operation) or (2) where the local government is willing to permit a use to commence prior to rezoning. The latter situation can be in the interest of both the owner (they wish to undertake a particular use on a trial basis) or be in the interest of the local government (the local government wants the option of having the use cease if the impacts prove to be deleterious). A TUP can also be used in a situation where timing is an issue: the proposed use is consistent with the intent of the community plan and/or zoning and there is a willingness to allow the use to commence prior to completing a rezoning process. Finally, a TUP may be

preferable because conditions may be included in a TUP that cannot be included in zoning (such as hours of operation, or requirements for restoration).

Temporary use permits can be issued for a period of up to three years and can be renewed once. As noted above, if the permit is approved when it expires the applicant may be required to:

1. apply for a variance, the required variance would be determined by the LUB regulations in effect at that time;
2. apply for a second TUP, this would be an option if 'storage buildings' are not implemented as a principal use and the proposed bylaws are still under consideration;
3. apply for a zoning amendment, this would apply if the permitted use of 'storage buildings' has been considered but is not adopted;
4. remove the related structure and cease the use otherwise authorized under the TUP; or
5. construct a dwelling on the property and the storage building would convert to an 'accessory building' or convert the proposed structure to become a dwelling.

Conditions in the permit include:

- a maximum floor area of 53.2m² and 5.7 m height
- that the building is not used for habitation, and
- for certainty that no commercial storage use is permitted.

RECOMMENDATIONS:

THAT the South Pender Island Local Trust Committee approve Temporary Use Permit SP-TUP-2012.1 (Thorn) for a period of three years.

Prepared and Submitted by:



August 27, 2012

Date

Concurred in by:


Robert Koijma RPM

September 5, 2012

Date

PROPOSED



Islands Trust

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

TEMPORARY USE PERMIT

SP-TUP-2012.1

TO: Cameron Thorn

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

Strata Lot 13, Section 4, Pender Island, Cowichan District, Strata Plan VIS3428, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1. PID: 023-066-377.
2. This permit is issued for the purpose of allowing the following use:
 - a) A non-residential building for the purpose of general storage, an artist studio and a home office accessory to the adjacent residential property.
3. The uses may be carried on subject to the following conditions:
 - a) Construction and land alterations shall be substantially consistent with Schedules 'A' and 'B' attached to and forming part of this permit;
 - b) The building has a maximum floor area of 53.2 m²;
 - c) The building has a maximum height of 5.7 m;
 - d) The building is not used for human habitation; and
 - e) For certainty, there is no commercial storage use permitted.
4. This permit is valid for three years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust unless the permit is renewed by resolution of the South Pender Island Local Trust Committee.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "South Pender Island Land Use Bylaw No. 92, 2003" and to obtain other approvals necessary for completion of the proposed development, including approvals from the Capital Regional District, Vancouver Island Health Authority and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF ____, 20__.

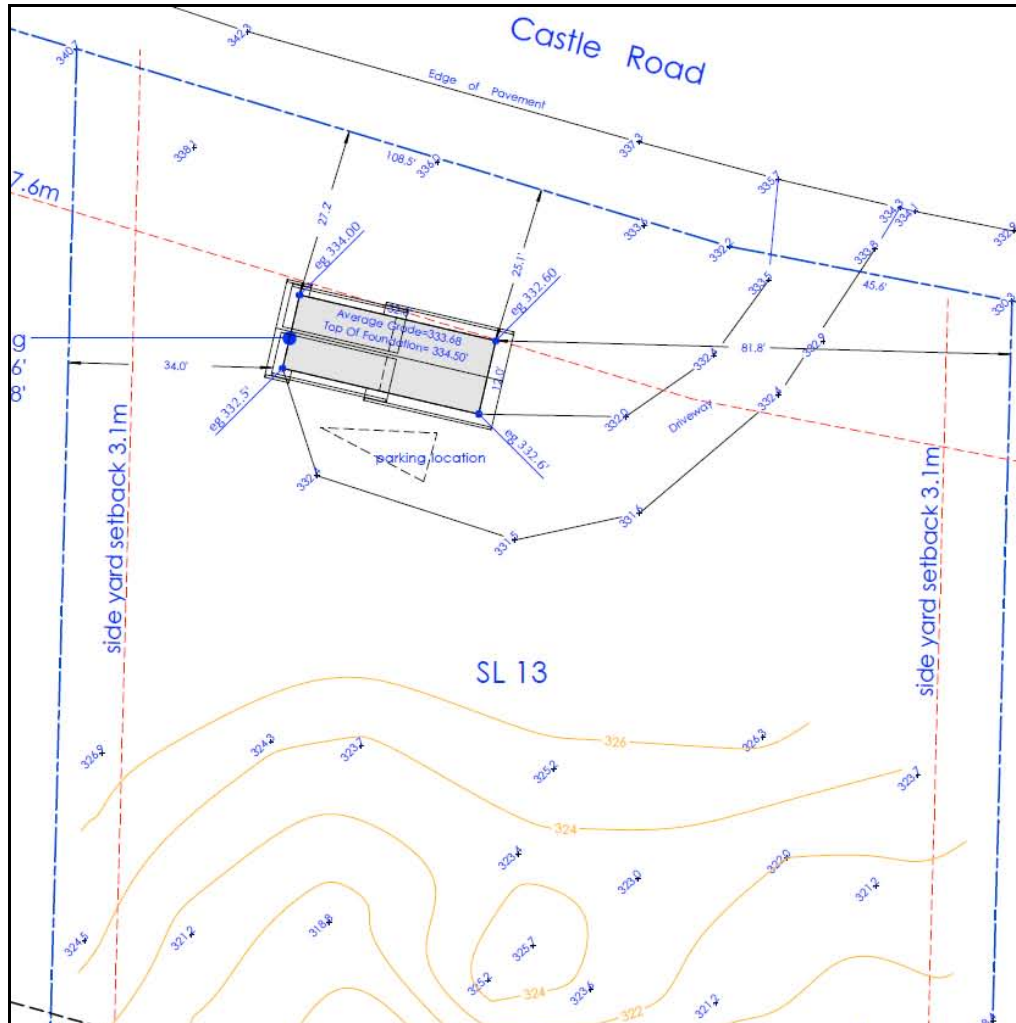
Deputy Secretary, Islands Trust

Date of Issuance

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE SP-TUP-20012.1 SCHEDULE 'A'

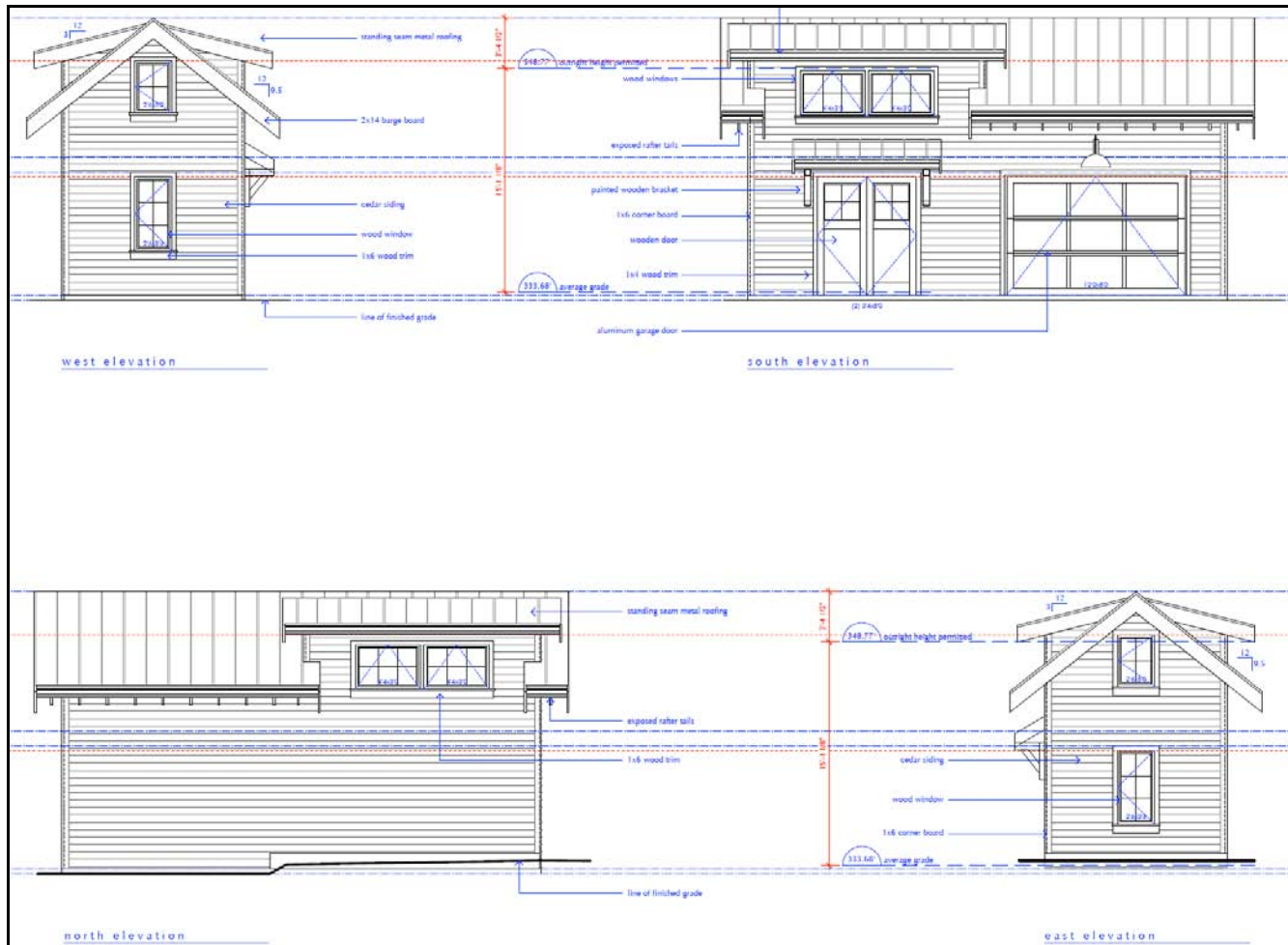
Site Plan



PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE SP-TUP-20012.1 SCHEDULE 'B'

Building Elevations





Islands Trust

Schedule B

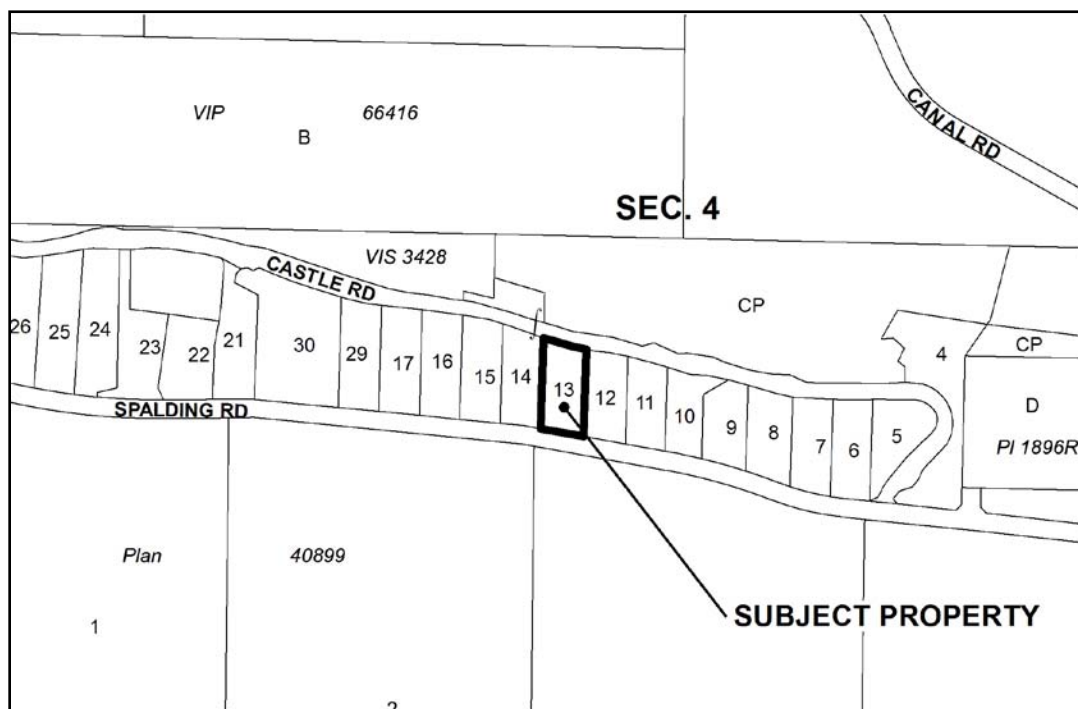
NOTICE SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE SP-TUP-2012.1

NOTICE is hereby given that the South Pender Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit pursuant to Section 921 of the *Local Government Act*. The proposed permit would apply to Strata Lot 13, Section 4, Pender Island, Cowichan District, Strata Plan VIS3428, PID: 023-066-377, which is located at 9882 Castle Road.

The purpose of this temporary use permit would be to allow a non-residential building for the purpose of general storage, an artist studio and a home office accessory to the adjacent residential property to be sited on the undeveloped lot. The proposed storage building would have a maximum floor area of 53.2 m² (572ft²) and height of 5.7m (18.7ft).

The establishment of these uses would be subject to the conditions specified in the permit. The permit would be issued for three years and the owner may apply to the South Pender Island Local Trust Committee to have it renewed once for an additional three years.

The general location of the subject property is shown in the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C., V8R 1H8, between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday inclusive, excluding Statutory Holidays, commencing, September 7, 2012, and up to and including September 17, 2012.

Enquiries or comments should be directed to Planner Andrea Pickard at (250) 405-5189, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca , before 4:30 p.m., September 17, 2012. The South Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at 10:00 a.m., Tuesday, September 18, 2012, at the South Pender Island Fire Hall on South Pender Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Kathy Jones
Deputy Secretary



STAFF REPORT

September 10, 2012

File No: SP-6500-20
Shoreline Review

To: South Pender Island Local Trust Committee
For the meeting of Sept 18, 2012

From: Andrea Pickard
Island Planner
Local Planning Services

CC: Robert Kojima, Regional Planning Manager

Re: Shoreline Review

BACKGROUND:

At the June meeting of the South Pender Island Local Trust Committee (LTC) the LTC requested staff to report back with a draft scope, timeline, budget, and work plan for advancing the Shoreline Review, based on three phases: information gathering; education and consultation; and implementation.

The combined South and North Pender Islands meeting is tentatively scheduled for October 4th and it will provide an opportunity for the consultants to review the draft mapping work, the shoreline categorization, and the methodology with the Trustees. It is also anticipated that a community information meeting will be scheduled later in 2012, also with the consultants attending, to gather community input on shoreline issues generally and to introduce the draft mapping.

At the June Trust Council meeting a request for decision was presented regarding a proposed approach to the integrated watershed and shoreline mapping project. The proposal is to create a Shoreline Mapping Working Group for the Islands Trust with representation from staff and trustees. The intent is to bring various efforts that have been initiated together and have the Working Group review and compile this information into a comprehensive package, to develop a strategy for public outreach and also consider how to integrate the information into our day-to-day operations. At this time the Working Group has only met once, by way of a phone conference. The direction of the working group was to request the consultants be contracted to make a presentation at the December Trust Council meeting.

Additionally, October 13th is when the Pender Islands Conservancy Association will be hosting a Marine Riparian Areas Educational Forum, which will be discussed separately as a correspondence item on the September agenda.

Available Resources:

As time allowed, staff have begun to review available documents and initiated a 'working draft' document in an attempt to summarize the key objectives and considerations for this complex project. Summary notes from various sources have been initiated; however significant effort is still required if it is to evolve into a comprehensive document. The working draft is attached but please keep in mind it is not complete and there are numerous resources yet to be addressed.

SCOPE:

There are two aspects to the scope of the project: determining information and data that is available and identifying if the LTC would need to secure further funding to resolve information gaps. The second aspect is the range of issues that the LTC may want to consider addressing as part of the education/consultation and implementation phases.

The following are some of the issues that have been identified in relation to shoreline development and were previously discussed by the LTC. Staff would recommend at a minimum, these issues are included within the scope of work for the implementation phase.

- Setbacks for buildings or structures
- Stairs/structures for foreshore access on private land
- Docks
- Erosion Protection Measures
- Ocean-based geothermal systems
- Hazards areas (steep slope and flood or storm surge)
- Visual and noise impacts
- Archaeological sites
- Existing development permit areas
- Connecting identified shoreline type to ecosystem or biodiversity features

The shoreline has been mapped for geomorphological characteristics as part of the existing contract and is essentially ready for review. Mapping of biological features (eelgrass and forage fish habitat) is currently being done through a partnership between the Trust Fund Board and SeaChange, a non-profit society focusing on marine conservation. Final versions of the eelgrass and forage fish habitat mapping is not anticipated until early in 2013, although draft mapping may be available for early review.

TIMELINE:

The following table outlines the key activities over the three phases of information gathering, public consultation and education, and implementation.

	Activities	Aug 2012	Sep-Oct 2012	Nov-Jan 2012/13	Feb-Mar 2013	Apr-Jun 2013	July-Sep 2013	Oct forward
Information Gathering	Working group established	X						
	Existing information reviewed, gaps identified	X	X					
	Information compiled for LTC use – if more data required funding options considered		X					
	Materials for preliminary public consultation prepared		XX					
Public Consultation/Education	Consultants review methodology and data with LTC's (SP/NP combined mtg)		X					
	Public outreach with existing consultants*			X				
	Additional community information meeting for input			XX	XX			
	Information materials revised based on additional data and public input				XX	X		
Implementation	Implementation options considered					X	X	
	Stewardship information mail out						X	X
	Draft DPA (new shoreline or revisions to existing)							X
	Draft amendments to the Land Use Bylaw							X
		2012/13 Fiscal				Next Fiscal Budget		

xx – indicates costs involved as part of the 2012/13 shoreline review budget

BUDGET:

The 2012/13 LTC budget for shoreline protection is \$6,000. Staff has identified three key areas where the LTC Shoreline budget could augment the existing funding for the Islands Trust shoreline mapping project.

1. Any community information meetings held in addition to one with the consultants who conducted the shoreline mapping,
2. Mail-outs and advertising, and
3. Review and tailoring of a materials and printing costs. The expectation is that the Shoreline Working Group may develop a generic brochure template that could be then be tailored for each Local Trust Area.

Activity	Cost Estimate
Communications (mail-outs, advertisements)	\$1,500
Community Information Meeting(s)	\$1,000
Brochure – review, finishing, printing	\$2,000
Contingency	\$1,500
Total:	\$6,000

NEXT STEPS:

The mapping consultants will be in attendance at the October 4th combined South and North Penders LTC meeting to provide background information on the mapping project and obtain feedback on the draft maps.

The LTC should then consider advancing the draft maps, with additional shoreline data, to be presented at a Community Information Meeting later this autumn.

RECOMMENDATION:

THAT the South Pender Island Local Trust Committee direct Staff to participate in a meeting scheduled for October 4, 2012 to be hosted by the North Pender Island Local Trust Committee.

THAT the South Pender Island Local Trust Committee direct Staff to schedule a community information meeting, in conjunction with the North Pender Island Local Trust Committee, with the consultants currently on contract for the shoreline mapping project.

Respectfully submitted by:



Andrea Pickard

Sept 10, 2012

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

Sept 10, 2012

Date

Shoreline Review Project Overview

Goal:

Phase 1: Information Gathering

- To create a comprehensive shoreline mapping product, with related information regarding the impacts of development, which would serve as a resource for Local Trust Committees when considering coastal development.
- To have a compiled resource with background information and data available for staff and Trustees when considering shoreline development proposals, policy direction or regulatory options.

Phase 2: Education and Consultation

- Provide a range of opportunities for engagement with the public in order to:
 - o increase awareness about shoreline issues,
 - o identify the issues of most concern to the community, and
 - o receive input on mapping products to improve the level of accuracy.
- Work in partnership with other stakeholders and to ensure professional experts are involved with the community dialogue.

Phase 3: Implementation

- To provide the Local Trust Committees with a comprehensive source of technical and science based knowledge of shoreline dynamics and features, and with consideration of community input, determine an implementation strategy appropriate for each Local Trust Area.

Objectives:

Phase 1

1. Combine new and existing data into one comprehensive inventory product of ecological characteristics (physical features, marine and backshore biota, and upland land uses) found along the shoreline zone of marine waters, foreshore and upland areas (distance of 50? 100? 200m?) including but not limited to:
 - geomorphological shoreline features including dominant wave energy direction, fetch, shoreline units, sediment source points and deposition patterns,
 - sensitive upland ecosystems and prioritizing of those with the highest ecosystem components or most vulnerable to degradation by development
 - locations identified as a priority in the Regional Conservation Plan
 - marine mapping of sensitive habitat (existing intertidal DPA, adjacent wetlands, estuaries, and new data – eelgrass, forage fish habitat)
 - fresh water outlets, noting those subject to RAR
 - registered archaeological sites
 - hazard areas along the coast – steep slope and storm surge/flood

- points of public access (existing or future)
 - upland Land Use (residential, commercial, marinas, industrial, utilities, agricultural, modified shorelines, Crown leases)
 - bathymetric values – wave base depth and sediment source
 - other?
2. Explore creating a query based model that could apply a weighted assessment of the shoreline features to rank different shore areas and prioritize those most vulnerable.
 3. Identify where more science based information is required – gap analysis with specific data needs determined.
 4. Review existing publications related to 'coastal development guidelines' and extract those aspects relevant to the North and South Pender shoreline and anticipated land use activities.

Phase 2

5. Provide early opportunity for the community to see the mapping product, identify concerns or questions related to shoreline development, and become engaged as a stakeholder of the island's shoreline.
6. Promote a broader interest in the shoreline as a public amenity for all island residents and BC generally, rather than only waterfront property owners, by using various community engagement tools.
7. Enhance knowledge and education of how the cumulative effects of land use and human activity impact the marine ecology generally such as the health of marine mammals or salmon species, water quality and biodiversity.

Purpose:

Experience with shoreline modification as a method to address erosion has shown that hardening of the shore often worsens the 'problem' or exacerbates erosion beyond the end points of the hardening structure.

Engineering of shoreline structures is not like any other environment and if structures are not designed or built to address marine influences (scour, energy dissipation, wave impacts, current effects, seasonal storm effects, sediment transfer, on and offshore wind effects, etc) often do not survive their life expectancy.

Generally highly valued sandy beaches exist in tandem with sediment sources, often some distance away, and if the sediment source is stopped the beach may disappear. Stop the sediment, starve the beach.

Upland vegetation provides similar function for marine waters as freshwater, riparian vegetation. Localized areas valuable to marine species can be highly impacted with upland disturbance.

Upland ecosystems form in part, based on the substrate materials. Substrates also have a huge impact on the shoreline type and function. Improved understanding of the coastal dynamics should result in better land use decisions that alter the land.

A natural shoreline finds balance between the geological factors, the terrestrial ecosystem, the range of shoreline diversity (marine and terrestrial), resulting in the shoreline units that exist. What we need to better understand, is how land use decisions and development influences the natural process.

Furthermore, there is a high social value placed on the natural beauty of the Gulf Islands and their relatively undeveloped coastlines; this extends to both local residents and all BC residents generally.

Green Shores – Just What Does It Mean?

Green Shores is a program of the Stewardship Centre for British Columbia, which is a non-profit organization that works collaboratively with conservation and stewardship organizations to develop tools, resources and programs for practitioners across the province and Canada. Green Shores also works with local and regional governments to enshrine the key principles within their policies and regulatory bylaws.

Green Shores for Homes is a related “coastal development rating system” that the Islands Trust has been working in partnership with the San Juan Islands to develop. This project is not part of the Shoreline Review undertaken at the LTC level; the project is still been developed and David Marlor, Director of Planning, is the project lead and he will continue to report directly to Trust Council on that matter.

The objective of Green Shores is to encourage sustainable use of coastal ecosystems through planning and design that recognizes the ecological features and functions of the coastal system.

The guiding principles for Green Shores are:

- Preserve the integrity or connectivity of coastal processes,
- Maintain or enhance habitat diversity and function (on a regional scale),
- Minimize or reduce pollutants to the marine environment.
- Reduce cumulative impacts to the coastal environment.

More information, including case studies, is available at: www.greenshores.ca

Status Quo Option:

What would happen if we did nothing?

The LTC's would increasingly see development proposals without the benefit of comprehensive mapping, and have to make isolated decisions without sufficient background information on cumulative impacts of shoreline development.

Property owners may continue to explore past practices rather than look to alternatives that may not been well demonstrated both visually (unnoticeable) or in number.

Furthermore, increasingly less federal and provincial resources are allocated to review, monitor or enforce development or other activities in the marine environment or on the foreshore. Regulatory processes are increasingly limited to those of local governments.

Target Audience:

Waterfront property owners - due to the impacts of upland development on the shoreline.

All residents – due to the foreshore being public land and the shoreline being a community amenity.

The boating community – due to the impacts of marine activities on the shoreline and marine ecosystem.

Fishers – due to the impacts on fisheries from alterations to the shoreline and related habitat.

Marine Specialist and other Professionals (engineers, biologists) – due to their knowledge, expertise and experience with the impacts of development.

The Province – due to the relationship to Crown lands, the environment, and archaeological sites.

First Nations – due to aboriginal rights that may be impacted, the presence of archaeological sites along or adjacent to the foreshore, and the cumulative environmental impacts affecting ecosystem components with significant First Nations value.

Parks Canada – due to the Gulf Islands National Marine Conservation Area.

Messages:

What it is? Largely based on the mapping component with an objective to provide an inventory of the shoreline features and the interrelationships between them.

What has history taught us? Experience that has resulted in the Green shores movement to a softer, more effective method of dealing with coastal forces when necessary. Understanding of why past practices have often had untoward impacts with unexpected results.

Where is the shoreline most vulnerable? Understanding the conditions that make one type of shoreline more sensitive than others. Where are the critical areas locally?

What are the aspects or shoreline features of most importance to individual community members?

How can we continue to use the shoreline and marine environment with minimal impacts?

What can we do as a community to provide better understanding of coastal processes and provide protection of the shoreline?

Communication Methods:

Presentations by consulting experts – providing information to the process.

Community information meetings – both education for the public and input from the public.

Public open houses or workshops – interactive engagement, can be with a number of topic specific stations, general brainstorming.

On-line survey – outreach to those who may not attend meetings.

Mail out – targeted invitation to attend meetings.

Information brochures – stewardship promotion.

Website – up to date notices of the shoreline project and background materials.

Selected Available Reference Materials:

1. ***Coastal Shore Stewardship: A Guide for Planners, Builders and Developers on Canada's Pacific Coast.*** Key concepts covered include:

The Work of Physical Forces

- Waves – wind waves are the primary forces causing most erosion, sediment transport and deposition. Waves are a product of wind velocity, fetch (distance over which wind blows), and length of time. Wave base depth, where the wave first touches the sea bottom, can churn up sediment if present. Influenced by the refraction, reflection and diffraction of the waves as they approach the shore.
- Sediment movements – by waves and currents moving towards, away from and along the coast. Longshore drift is created by the waves approaching at an angle to the shoreline and the longshore current along the shoreline. 'Longshore drift cells' contain a sediment source zone, transport zone and deposition zone. Cross shore transport is more immediate and usually results from the winter/summer storm cycle moving sediment seaward after winter storms and slowly replacing it over summer.
- Water levels – tidal, storm surges and sea level change. Tidal extremes occur in December and June. In winter low tides occur at night while in summer they occur

during the day time. Storm surges in the Strait of Georgia has a maximum of about 1 metre but can have a significant impact especially when combined with high tides.

Energy and Sediment Dynamics

- Table of nine shore types based on the energy they receive (high, medium or low) and their function within the longshore drift cell (eroding, transport or depositional). The development considerations are summarized in the table below.
- High energy shores can have very high levels of sediment movement with large beaches. Wind erosion can be considerable. Eroding shores with high energy can experience dramatic effects from storm events, soils can be exposed with vegetation difficulty to become established or loss due to undercutting. Depositional shores with high energy are very dynamic with huge volumes of sediment accumulation in the form of spits or beaches. Transport shores in between may fluctuate between periods of erosion or deposition; shoreline modification structures may interfere with sediment movement.
- Low energy shores are protected from predominant winds and wave forces (deep bays, inlets, behind headlands) and the shoreline tend to be fairly stable. Lower volumes of sediment are transported. They tend to have high biological productivity and are more susceptible to pollutants.
- Eroding shores include steep banks or bluffs with a lack or limited vegetation including fallen or leaning trees with exposed roots. When underlying materials are sand or gravel erosion is more likely.
- Depositional shores include low relief features (beaches, deltas, spits, sand dunes, beach ridges) and are typically in embayments or the lee side of headlands or islands. Continued deposition is required to sustain these features and they are prone to rapid changes in shape or volume. These shores tend to be scarce and typically have high recreational value.

ENERGY AND SEDIMENT DYNAMICS	Eroding Shores	Transport Shores	Depositional Shores
High Energy	-Development should be located well back from the shore -Native vegetation should be maintained -Shore protection should be avoided due to a likelihood of failure	-Development should be sited sufficiently back to accommodate the natural fluctuations. -Native vegetation should be maintained to prevent the shoreline becoming unstable -Groynes should be prohibited	-Development should be sufficiently back so backshore dunes and beach ridges are kept intact -Scarcity and fragility means they should be protected for public access and recreation
Medium Energy	-Development should be sited sufficiently back to accommodate erosion -Native vegetation should be maintained	-Development should be sited sufficiently back to accommodate the natural fluctuations. -Native vegetation should be maintained to prevent the	-Development should be sufficiently back so backshore dunes and beach ridges are kept intact -Includes pocket beaches

ENERGY AND SEDIMENT DYNAMICS	Eroding Shores	Transport Shores	Depositional Shores
	-Shoreline protection should be discouraged	shoreline instability -Groynes should be prohibited	
Low Energy	-Development should be sited back enough to protect against septic pollution -Native vegetation should be maintained	-Development should be sited back enough to protect against septic pollution and runoff -Native vegetation should be maintained	-Development should be avoided as should pollution from septic or runoff -These shores are highly productive aquatic environments and are very sensitive to contamination -Includes estuaries, mud flats and tidal marshes

Shore Classifications and their Development Sensitivities

SHORE CLASSIFICATION	Physical Feature	Biological Feature	Sensitivity
Rocky shores Very stable and cover much of BC's coast Resistant to change Provide habitat for a variety of intertidal organisms	-Limited sediment supply and low rates of sediment transport -Stable over human time scale	-Dominated by plants and animals attached to rocky substrate -Support diverse algal and invertebrate communities Include protected crevice areas -High species diversity in areas with greater wave exposure -Key species: kelp, rockfish, lingcod, sea urchins, scallops, prawn, rock crab, Oystercatcher, Pelagic Cormorant and Pigeon Guillemot	-Generally good areas for development if geotechnically stable -Relatively insensitive to changes in sediment - process -Rocky surfaces create microhabitats that are important for biodiversity Intertidal communities sensitive to impacts that scrape or abrade surfaces -Structure forming species such as kelp are important components -Algae sensitive to shade effects from docks etc.
Rock and Large Sediment shores (Boulder/Cobble) Occur where heavy sediments are available from eroding rock benches or cliffs. A dense cover of stable shore vegetation will grow if finer materials are included in the sediment	-Moderately resistant to erosion and stable over human time scale -Limited supply of sediment and low sediment transport rates -Driftwood accumulation in the backshore	-Low diversity of fixed biota where sediments are mobile -With undisturbed slope vegetation can develop a stable mix with the roots contributing to slope stability -Dominated by attached plants and animals such as mussels, oysters, limpets and kelp -Provide bird habitat and valuable winter feeding for Sea Ducks	-Generally good areas for development if geotechnically stable -Abrasion, shading and loss of habitat features are a concern -Conservation of riparian vegetation important -Dominant species vary if sediments are mobile (attached vs mobile species) -Long recovery time following oil spills

SHORE CLASSIFICATION	Physical Feature	Biological Feature	Sensitivity
Sediment shores (Sand/Gravel) Occur where large amounts of smaller sediments are available from sources such as sandstone bluffs Very sensitive to disturbance and can change quickly	-Easily eroded sediments with high sediment transportation rate -Large sediment supply and very dynamic on human time scale -Shape is determined by wave and tidal action -Rates of longshore transport larger than onshore/offshore	-Dominated by burrowing invertebrates, which attract large numbers of birds -Large mobile invertebrates such as sea stars may be present -Eelgrass often found in protected areas and is easily impacted by disruption to sand or gravel shores -Backshore vegetation of dune grasses, salt adapted plants and shrubs form a distinct habitat zone important for erosion protection	-Development pressures can be very high near these shores with a high risk of damage -Dynamic environment makes building risky -These shores are very sensitive to development interrupting sediment processes (seawall, groynes, wharves, docks) -Removal of vegetation should be avoided -Boat waves can be contribute significantly to erosion and vehicle traffic on these beaches can damage important habitat and spawning area
Estuaries and Mud Flats Located where rivers or streams provide upland sources of fine sediments which can form estuary deltas in short periods of time Very sensitive to change	-Primarily determined by river flow, sediment supply, tides, wind and longshore transport -Very dynamic especially due to major storms or flood -Extremely sensitive if the complex processes forming them are disturbed (freshwater flow, sediment input and longshore transport)	-Highly productive, brackish salt marshes with vegetation adapted to seasonal flooding and salty soils -Biological communities that tolerate rapid changes in temperature and salinity -Important rearing and feeding grounds for fish -Important habitat for overwintering waterfowl and shorebirds -Transition zone for salmon adapting from fresh to seawater -Detrital sinks where land-based carbon feeds into the aquatic food web	-If disturbed, recovery is very slow -Particularly sensitive to metal and organic contamination bound to fine sediments -Areas often crucial for bird and mammal life cycles -Eelgrass often in these areas and is very sensitive to changes in sediment -Marine riparian vegetation important for carbon cycling
Altered shores Modified by human made structures such as seawalls or walkways	-Typically riprap, concrete, steel or wooden structures -Hard, straight and impermeable -Alter local water action and sediment transport -Often include backfilling that buries natural substrate and biota -Often require maintenance resulting in repeated disturbance	-Smooth surfaces reduce surface area and are typically poorly colonized --Riprap may have more surface area but tend to have limited diversity -Dikes, seawalls accelerate erosion at the top of the slope and prevent the accretion of sediment and formation of low bench marshes --reduce vegetation and simplify foreshore habitat -Near estuaries and wetlands they can eliminate	-Altered shores may create impacts of: reduced diversity; damage habitat; destabilize banks (remove veg); alter sediment deposition; changes wave energy, reflection and resonance; shade marine plants; introduce pollutants; effect upland drainage; redirect freshwater inputs; encourage invasives

SHORE CLASSIFICATION	Physical Feature	Biological Feature	Sensitivity
		natural flows and over time they may revert to upland habitats	

The Coastal Shore Stewardship document also has more detailed information regarding:

- Water Quality, pollutants and their impacts.
- Connecting Physical Forces to Habitat and Species, the interconnection.
- Jurisdiction and Roles, four levels of government, landowners and NGO's over offshore, inland, and foreshore areas.
- Development of the Coast (residential, commercial, roads, marine facilities, marine discharge, coastal industry and commercial activities) using a 'Don't Disrupt, Don't Harden, Don't Pollute' approach.
- Coastal Living, good stewardship practices to restore and maintain natural shore systems.

2. On the Living Edge Your Handbook for Waterfront Living, Sarah Kipp and Clive Callaway. Federation of BC Naturalists

This document is a stewardship oriented guidebook for freshwater and marine waterfront property owners. It includes a wide range of topics for consideration by landowners including: construction projects, erosion, septic systems, landscaping, site drainage, groundwater wells, boating, and foreshore development. A shoreline purchaser checklist and how healthy is my shoreline quiz are also included.

3. Victoria and Esquimalt Harbours Ecological Inventory and Rating Final Report Phase 1: Intertidal and Backshore

This document is an overview of how the 'HEIR' was created and would provide an example of a similar process and provide recommendations to advance a comprehensive shoreline review for the gulf islands.

4. Protecting Nearshore Habitat and Functions in Puget Sound, EnviroVision, Herrera Environmental and Aquatic Habitat Guidelines Program

Although this document was prepared for Puget Sound and refers to US legislation, is provides a good summary of the key nearshore elements and provides recommendations for regulating developments that modify the shoreline.

ELEMENT	IMPORTANCE	COMMON IMPACTS
Beaches and Bluffs	-Beaches are continually evolving in response to physical processes -They provide important habitat and define the structure and composition	-Shoreline armouring is the most significant activity that impacts bluff erosion by limiting the supply of

ELEMENT	IMPORTANCE	COMMON IMPACTS
	of the backshore where marine riparian vegetation grows -valuable for commercial and recreational uses -Bluffs are a primary source of sand, gravel, and larger substrate that form beaches -the size and composition of substrate are key factors for determining the value of nearshore habitats, bluffs are important to replenish beaches and ensuring a variety of habitats are maintained	sediments -Immediately adjacent to armouring structures increased energy can downcut or lower a beach elevation and undermine the structure -Groynes or jetties can interrupt shore drift -vegetation removal can increase erosion and potential for landslides -Complexity of the natural processes make mitigation difficult, therefore avoidance and minimizing impacts is essential
Forage Fish Habitat	-Forage fish are a key component to the food web -Intertidal and shallow subtidal areas are spawning or rearing grounds -Large spawning numbers also make them particularly vulnerable during a critical life cycle stage -Eelgrass beds are particularly important for herring spawning -Water quality, food and predator abundance in the nearshore also important -Sand lance deposit their eggs in many events scattered over broad reaches of shoreline during high tides	-Any activity that impacts each substrate, such as footings for a dock or grounding of a barge or vessel, can impact spawning adults or eggs and reduce suitability for spawning -Shoreline armouring or other activities altering the size, shape or composition of a beach -Shading, poor water quality, changes in wave energy can reduce vegetation required by some species for spawning -Loss of marine vegetation that provides shade can impact species that spawn high on the beach
Kelp and Eelgrass Habitat	-Both play a role as carbon fixers and contribute to the carbon cycle -Both are primary producers generating nutrients and substrate; they also provide refuge and foraging habitat -Kelp or eelgrass meadows are critical for juvenile salmon -Both are photosynthesizers and need ambient light and clear water -Kelp requires a relatively stable, solid substrate to attach to while eelgrass requires fine-grained substrate to establish a mat of rhizomes	-Alterations to substrate and light levels by shoreline modification, dredging, filling etc can make a site unsuitable -Boat propellers and anchors can cause physical damage -Overwater structures can reduce light levels -Removal of riparian vegetation can increase sediments and alter the temperature and nutrient regime -Pollutants can affect growth and reproduction, cause algae

ELEMENT	IMPORTANCE	COMMON IMPACTS
		blooms and reduce light
Marine Riparian Vegetation	-Is directly influenced by the marine environment -Directly or indirectly influence nearshore aquatic habitat -Stabilize bluffs, filter surface runoff, provide shade, organic litter and large woody debris -Influenced by type of soil, amount of sediments, climate, topography, degree of saltwater or sea spray -Create a transition area from the marine aquatic to terrestrial habitat -Provide refuge in tidal plains for juvenile salmon -Large trees provide shade that is important to spawning habitat -Slows runoff and reduces turbidity	-Clearing of land for human uses or development -Disturbed areas vulnerable to invasive species -Vegetation removal can alter topography, soil composition, salt spray exposure etc and reduce habitat diversity
Juvenile Salmon Habitat	-Nearshore provides food, migratory corridor, predator protection, and a transitional environment for moving from freshwater to marine environments -Young salmon are particularly sensitive to small changes in habitat conditions -Typically use shallow water with low wave energy and fine-grained or mud substrate such as found in marsh or wetlands or pocket estuaries	-Shoreline modification that degrade the quality of habitat -Alterations to habitat are difficult to mitigate -Activities that alter wave energy or other physical properties with impact habitat (armouring, vegetation removal etc) -Salmon avoid moving under structures that reduce light such as docks, the cumulative effects of docks can impact their energy requirements and increase vulnerability to predatory species

Three categories of shoreline modification activities were addressed with consideration of the potential impacts and mitigation recommendations. Although other shoreline modifications may occur these three types represent the most common and account for the vast majority of adverse environmental impacts.

- **Overwater Structures:** includes piers, docks, mooring floats and other types of structures that have potential to alter physical characteristics such as light penetration, wave energy and sediment transport. Direct and indirect impacts occur and are classified as: short-term – site preparation and construction activities, or long-term, cumulative impacts. A number of design considerations are outlined.

- Shoreline Armouring: includes hard structures such as riprap and retaining walls (bulk heads, seawalls) that have potential for loss of terrestrial, shallow-water, and benthic habitat. These structures may cause local erosion, alter sediment deposition, increase turbidity and degrade water quality. Preferable approach is to use 'flexible defense works' constructed of natural materials including soft shore protection, bioengineering, beach nourishment, protective berms or vegetation stabilization first. 'Rigid works' constructed of artificial materials such as concrete or riprap. Larger works such as jetties or breakwaters should only be considered when benefits to the region outweigh local resource losses. Alternative structures, including floating or submerged breakwaters, should be considered where physical conditions make these alternatives feasible with less impact.
- Riparian Vegetation Alteration: vital for providing habitat structure, shade, and cover; fish prey; large wood and organic debris; connecting migratory corridors; filtering surface water; soil stability and erosion protection. Recommendations include site-specific assessments and limitations, riparian buffers, structural setbacks, and minimize impacts by conservation of vegetation.

5. **Proposed Southern Strait of Georgia National Marine Conservation Area Reserve Atlas, Parks Canada**



STAFF REPORT

September 10, 2012

File No.: SP-6500-20 LUB
Review 2012

To: South Pender Island Local Trust Committee
For the meeting of September 18, 2012

From: Andrea Pickard
Island Planner
Local Planning Services

CC: Robert Kojima, Regional Planning Manager

Re: Review of South Pender Island Land Use Bylaw

PROJECT BACKGROUND:

The South Pender Island Local Trust Committee (LTC) has identified a review of the Land Use Bylaw (LUB) on the work program. At the June 19th meeting the LTC reviewed a draft bylaw and directed staff to revise Draft Bylaw No. 111, to include, limiting the maximum floor area of principal dwellings to 375 square metres and allowing attached dwellings where two or more are already permitted on a lot.

As part of the community survey questions related to the proposed amendments were included and the results have been addressed in a separate report to be received at the same LTC meeting. Responses related to the proposed bylaw amendments are highlighted below.

1. Measuring the floor area to the interior side of the outside walls was supported at 55.6%, with 29.6% having conditional support and 14.8% being neutral; no responses indicated concern or not supported.
2. Allowing a storage building on a lot as a principal use had 46.2% support, with 34.6% having conditional support and 19.2% having some concern.
3. Allowing ocean-based geothermal systems in the marine zones was supported at 40.7% with 25.9% having conditional support. Having some concern received 22.2% of responses with neutral being 7.4% and it was not supported by 3.7%.

The draft bylaw is attached, and using the numbering on the draft bylaw the objectives of the proposed amendments are summarized below.

Amendments related to how floor area is calculated:

Paragraph 1: amends the LUB to use the interior side of the outside walls for floor area calculation instead of the exterior side. This amendment would remove a barrier to builders wanting to construct a more environmentally friendly building using alternative

materials such as cob or straw bale, or double thickness walls to obtain an insulation rating of R-40 or higher.

Amendments for allow marine geothermal loops:

Paragraph 4: to support alternative energy solutions that are safe for the environment by adding marine geothermal loops as a permitted use in all marine zones except the National Park Marine zone (W5). The definition specifies they only use freshwater as the circulating heat transfer fluid so proposed marine loops that do not use freshwater would require a site-specific rezoning application.

Paragraphs 47 to 50: introduces 'marine geothermal loop' as a use in the different marine zones.

Amendments to allow storage buildings as a principal use:

Paragraph 5: introduce 'storage buildings' as a building type and principal use that does not have to be accessory to another use on the lot.

Paragraph 8: Includes 'storage buildings' as a new building type subject to the height regulations.

Paragraph 10: clarifies the floor area of storage buildings are included in the total permitted floor area for accessory buildings.

Paragraph 11: introduces new regulations to limit the number, use and size of storage buildings.

Paragraphs 13, 18, 23, 30, 33, 37, 38 and 40: all introduce storage buildings as a principal use in different zones where a residential use is permitted.

Amendments to allow attached dwellings:

Paragraph 6: introduces a new regulation that would allow attached dwellings on lots where two or more dwellings are permitted.

Paragraph 14, 15, 19, 20, 24, 25, and 35: all note that dwellings may be attached subject to the regulations outlined in paragraph 6 within zones that may allow two dwellings

Amendments to limit the maximum floor area of a dwelling:

Paragraphs 16, 21, 26, 31, 34, and 39: introduces a maximum floor area for a dwelling in all zones permitting a single family dwelling.

General amendments for clarification:

Paragraph 2: removes accessory reference to pump houses since they are a permitted use in all zones.

Paragraph 7: reduces setback requirements for pump houses and solar collectors to 3 metres. The 3 m setback addresses Building Code separation requirements, including grade level solar collectors to support alternative energy technologies.

Paragraph 17, 22, 27 to 29, 32, 37 and 41 to 46: removes pump/utility house from the setback exemption due to building code spatial separation issues, setback is reduced to 3 metres in paragraph 7.

Paragraph 3: exempts utility lines from the definition of a structure: to provide certainty that above or below ground lines are not considered structures and therefore not subject to the setbacks.

Paragraph 9: specifies 'roof-top mounted solar collectors' are exempt from the height regulations, also prevents over height structures solely for solar collectors.

Paragraph 12: update technical reference for mapping to digital GIS records.

Paragraph 36: clarify accessory buildings can be up to 9.2 metres on lots zoned Forestry (currently), however exemptions for over height agricultural buildings do not apply (3.4(3)) but the exemptions in 3.7(4) would, those being 'radio, telecommunications, and television antennas, chimneys, flag poles, lightning poles, fire and hose towers, utility poles, roof-top mounted solar collectors, farm silos and grain bins and water storage tanks'.

STAFF COMMENTS:

The LTC should now consider further revisions to the draft bylaw, including any new amendments to be added to the draft bylaw. If the LTC is satisfied to proceed with the draft bylaw then you may choose to consider scheduling of a community information meeting (CIM) before the next LTC meeting which is scheduled for November 13th.

A possible timeline is:

- Sept LTC meeting:
 - o Consider any further revisions to the draft bylaw.
 - o Direct staff to schedule a CIM.
 - Options: request a separate CIM possibly on a Saturday, or schedule the CIM as part of the November LTC meeting.
 - o Draft bylaw will now advance to the referral process.
 - o Optional: referral to the Advisory Planning Commission.
- Nov LTC meeting:
 - o CIM in advance of, or part of the Nov meeting.
 - o Consider revisions to the draft bylaw.
 - o Give the draft bylaw First Reading.
 - o Direct staff to schedule a Public Hearing.
 - Options: the Public Hearing could be a separate meeting possibly on a Saturday, or schedule it as part of the first 2013 LTC meeting.
- Following the Public Hearing:

- o LTC to consider public input and referral responses, consider further amendments.
- o Give the bylaw Second and Third Reading.
- o Refer to Executive Committee for approval.

Following the Public Hearing the LTC may alter the bylaw without requiring another Public Hearing only if the amendments do not:

- Alter a use,
- Increase the density, or
- Decrease the density without the property owner's consent.

RECOMMENDATIONS:

Options include:

THAT the South Pender Island Local Trust Committee direct staff to revise draft Bylaw No. 111 cited as South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2012 to

THAT the South Pender Island Local Trust Committee direct staff to refer draft Bylaw No. 111 cited as South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2012 to the Advisory Planning Commission.

THAT the South Pender Island Local Trust Committee direct staff to schedule a community information meeting for draft Bylaw No. 111 cited as South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2012 to be held

in advance of the November Local Trust Committee meeting (*on a weekend vs weekday*)

Or

in conjunction with the November Local Trust Committee.

Prepared and Submitted by:



Andrea Pickard

September 10, 2012

Date

Concurred in by:



Robert Kojima

September 10, 2012

Date

DRAFT

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 111**

A BYLAW TO AMEND SOUTH PENDER ISLAND LAND USE BYLAW No. 92, 2003

WHEREAS the South Pender Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the South Pender Island Local Trust Area, pursuant to the *Islands Trust Act*;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the South Pender Island Local Trust Committee the same power and authority of a Regional District under Part 26 except sections 932 to 937 and 939 of the *Local Government Act*;

AND WHEREAS the South Pender Island Local Trust Committee wishes to amend Land Use Bylaw No. 92, 2003;

AND WHEREAS the South Pender Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the South Pender Island Local Trust Committee enacts in open meeting assembled as follows:

A. Bylaw No. 92, cited as "South Pender Island Land Use Bylaw No. 92, 2003" is amended as follows:

1. Section 1.1 – Definitions is amended for "floor area" by deleting "the outer surface of the exterior walls" and inserting "the interior surface of the exterior walls" such that it reads "floor area" means the sum of the horizontal areas of all storeys in a building, measured to the interior surface of the exterior walls, exclusive of any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection, and exclusive of all areas of a floor having a floor and ceiling less than 1.5 metres apart."
2. Section 1.1 – Definitions is amended for "pump/utility house" by deleting "an accessory building" and inserting "a building" such that it reads: "pump/utility house" means a building with a maximum floor area of 2.9 square metres (32 square feet) containing only equipment for pumping and processing of water or sewage, or electrical equipment and communication service equipment.
3. Section 1.1 – Definitions is amended for "structure" by inserting "above or below ground utility lines" such that it reads: "structure" means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, but excludes septic fields, septic tanks, absorption fields and related appurtenances below ground, above or below ground utility lines, concrete and asphalt paving, or similar surfacing of the land.

4. ~~Section 1.1 – Definitions is amended by inserting in the correct alphabetical location "ocean-based geoechange system" means a renewable energy system utilizing the natural occurring temperature of the ocean for the purpose of supplying energy to the abutting upland lot, that:~~
 - ~~a. meets or exceeds the Canadian CSA design standards CAN/CSA-448-02, as amended from time to time, and~~
 - ~~b. is designed and installed by a Residential System Designer accredited by the Canadian Geoechange Coalition, or the International Ground Source Heat Pump Association."~~

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4. Section 1.1 – Definitions is amended by inserting in the correct alphabetical location "marine geothermal loop" means a renewable geoechange system (geothermal heat exchange) utilizing the natural occurring temperature of the ocean for the purpose of heating and cooling that:
 - a. is a closed-loop system using only freshwater as the circulating heat transfer fluid,
 - b. meets or exceeds the Canadian CSA design standards CAN/CSA-448-02, as amended from time to time, and

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c. is designed and installed by a Registered System Designer accredited by the Canadian Geoechange Coalition, or the International Ground Source Heat Pump Association."

Following the definition the following be added: *Information Note: Installation of a marine geothermal loop is also required to obtain the necessary permits or approvals from provincial and federal agencies.*

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5. Section 1.1 – Definitions is amended by inserting in the correct alphabetical location ""storage building" means a non-residential building for the storage of goods and materials for use on the lot which it located and personal effects of the owner of the lot."

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6. Part 3 – General Regulations is amended by inserting a new Section 3.14 "Attached Dwellings" with the following subsections: "(1) Where a lot is permitted more than one dwelling in Part 5 of this bylaw, two dwellings may be attached subject to each dwelling complying with their respective floor area regulation and there is no interior passageway connecting the two dwellings. For clarity, permitted dwellings include single family dwellings or cottages. (2) Despite 3.14(1) dwellings may not be attached on land within the Agricultural Land Reserve where second dwellings are only permitted for persons engaged in on-going agricultural activities.

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7. Section 3.3 – Siting and Setback Regulations is amended by inserting a new subsection (6) "Despite the setback provisions in Part 5 of this Bylaw pump/utility houses and solar collectors less than 4.6 metres in height may be sited as close as 3.0 metres to a lot line. an interior side property line_

Following the definition the following be added: *Information Note: Buildings or structures sited within 4.5 metres of a dedicated road require a permit from the Ministry of Transportation and Infrastructure.*

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8. Subsection 3.4(2) –Height Regulations is amended by inserting "and storage buildings are" and deleting "is" such that is reads: "A building or structure accessory to a single family dwelling and storage buildings are not to exceed 4.6 metres (15 feet) in height."

- 6-9. Subsection 3.4(4) – Height Regulations is amended by inserting "roof-top mounted" such that it reads: "The height regulations for buildings and structures specified elsewhere in this Bylaw do not apply to radio, telecommunications and television antennas, chimneys, flag poles, lightning poles, fire and hose towers, utility poles, roof-top mounted solar collectors, farm silos and grain bins and water storage tanks.

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- 7-10. Subsection 3.5(4) – Accessory Uses, Buildings and Structures is amended by inserting "including storage buildings" such that it reads: "Subject to the density and siting provisions in Part 5, the total floor area of all accessory buildings, including storage buildings, on a lot shall not exceed the following:"

- 8-11. Section 3.5 – Accessory Uses, Buildings and Structures is amended by inserting a new subsection (6) that reads: "Where storage buildings are a permitted use in Part 5 of this Bylaw, they may be constructed prior to a single family dwelling subject to:

- (a) The use is limited to the storage of goods and materials for use on the lot and personal effects of the owner of the lot;
- (b) Only one storage building is permitted on any lot;
- (c) The floor area is not to exceed 25 square metres (269 square feet);
- (d) The storage building is not to be used for human habitation; and
- (e) For certainty, the use of storage buildings as a commercial storage facility is prohibited.

- 9-12. Subsection 4.2(4) – Zone Boundaries is amended by deleting "scaling from Schedule "B" and in that case the zone boundary is the midpoint of the line delineating the zone boundary" and inserting "reference to the digital records stored and maintained in a geographical information system (GIS) at the offices of the Islands Trust" such that it reads: "Where a zone boundary

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shown on Schedule "B" does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by reference to the digital records stored and maintained in a geographical information system (GIS) at the offices of the Islands Trust"

13. Subsection 5.1(1) - Rural Residential One (RR1) Permitted Uses is amended by inserting a new Article (f) "Storage buildings subject to Subsection 3.5(6)"

14. Subsection 5.1(3) – Density is amended by inserting at the end ",which may be attached subject to Section 3.14."

15. Subsection 5.1(4) – Density is amended by inserting at the end ",of which two of the permitted dwellings may be attached subject to Section 3.14."

~~10-16.~~ Section 5.1 is amended by inserting under Siting and Size a new subsection (7) "The maximum floor area of a single family dwelling is limited to 375 m² (4036ft²)." and renumbering the subsequent subsections accordingly.

~~11-17.~~ Subsection 5.1(6) – Rural Residential One (RR1) Siting and Size is amended by deleting "or pump/utility house" such that it reads: "The minimum setback for any building or structure, except a fence, shall be:"

18. Subsection 5.2(1) - Rural Residential Two (RR2) Permitted Uses is amended by inserting a new Article (f) "Storage buildings subject to Subsection 3.5(6)"

19. Subsection 5.2(3) – Density is amended by inserting at the end ",which may be attached subject to Section 3.14."

20. Subsection 5.2(4) – Density is amended by inserting at the end ",of which two of the permitted dwellings may be attached subject to Section 3.14."

21. Section 5.2 is amended by inserting under Siting and Size a new subsection (7) "The maximum floor area of a single family dwelling is limited to 375 m² (4036ft²)." and renumbering the subsequent subsections accordingly.

~~12-22.~~ Subsection 5.2(6) – Rural Residential Two (RR2) Siting and Size is amended by deleting "or pump/utility house" such that it reads: "The minimum setback for any building or structure, except a fence, shall be:"

23. Subsection 5.3(1) - Rural Residential Three (RR3) Permitted Uses is amended by inserting a new Article (f) "Storage buildings subject to Subsection 3.5(6)"

24. Subsection 5.3(3) – Density is amended by inserting at the end ",which may be attached subject to Section 3.14."

25. Subsection 5.3(4) – Density is amended by inserting at the end ", of which two of the permitted dwellings may be attached subject to Section 3.14."

26. Section 5.3 is amended by inserting under Siting and Size a new subsection (7) "The maximum floor area of a single family dwelling is limited to 375 m² (4036ft²)." and renumbering the subsequent subsections accordingly.
~~13.~~

~~14-27.~~ Subsection 5.3(6) – Rural Residential Three (RR3) Siting and Size is amended by deleting "or pump/utility house" such that it reads: "The minimum setback for any building or structure, except a fence, shall be:"

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~~15-28.~~ Subsection 5.5(3) – Community Service (S1) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”

~~16-29.~~ Subsection 5.6(3) – Government Service (S2) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”

30. Subsection 5.7(1) – Agriculture (A) Permitted Uses is amended by inserting a new Article (f) “Storage buildings subject to Subsection 3.5(6)”

31. Section 5.7 is amended by inserting under Siting and Size a new subsection (7) “The maximum floor area of a single family dwelling is limited to 375 m2 (4036ft2).” and renumbering the subsequent subsections accordingly.
~~17.~~

~~18-32.~~ Subsection 5.7(6) – Agriculture (A) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”

33. Subsection 5.8(1) – Forestry (F) Permitted Uses is amended by inserting a new Article (g) “Storage buildings subject to Subsection 3.5(6)”

34. Section 5.8 is amended by inserting under Siting and Size a new subsection (7) “The maximum floor area of a single family dwelling is limited to 375 m2 (4036ft2).” and renumbering the subsequent subsections accordingly.

35. Subsection 5.8(2) – Density is amended by inserting at the end “,which may be attached subject to Section 3.14.”

36. Subsection 5.8(6) – Siting and Size is amended by deleting “Section 3.4” and inserting “Subsections 3.4(2) and 3.4(3) such that it reads “Despite Subsection 3.4(3), the maximum height of any building or structure is 9.2 metres (30 ft).”
~~19.~~

~~20-37.~~ Subsection 5.8(5) – Forestry (F) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”

38. Subsection 5.9(1) – Natural Resource (NR) Permitted Uses is amended by inserting a new Article (e) “Storage buildings subject to Subsection 3.5(6)”

39. Section 5.9 is amended by inserting under Siting and Size a new subsection (6) “The maximum floor area of a single family dwelling is limited to 375 m2 (4036ft2).” and renumbering the subsequent subsections accordingly.
~~21.~~

40. Subsection 5.9(3) – Density is amended by inserting at the end “,which may be attached subject to Section 3.14.”

~~22-41.~~ Subsection 5.9(5) – Natural Resource (NR) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”

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- ~~23-42.~~ Subsection 5.10(3) – Passive Recreation Park (P1) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”
- ~~24-43.~~ Subsection 5.11(3) – Heritage Community Park (P2) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”
- ~~25-44.~~ Subsection 5.12(3) – Natural Area Community Park (P3) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”
- ~~26-45.~~ Subsection 5.13(3) – National Park (NP) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”
- ~~27-46.~~ Subsection 5.14(4) – Conservation (RC) Siting and Size is amended by deleting “or pump/utility house” such that it reads: “The minimum setback for any building or structure, except a fence, shall be:”
- ~~28-47.~~ Subsection 5.15(1) – Marine General (W1) Permitted Uses is amended by inserting a new Article (c) ~~“Ocean-based geoeexchange system”~~ “Marine geothermal loop”
- ~~29-48.~~ Subsection 5.16(1) – Marine Protection (W2) Permitted Uses is amended by inserting a new Article (c) ~~“Ocean-based geoeexchange system”~~ “Marine geothermal loop”
- ~~30-49.~~ Subsection 5.17(1) – Marina (W3) Permitted Uses is amended by inserting a new Article (f) ~~“Ocean-based geoeexchange system”~~ “Marine geothermal loop”
- ~~31-50.~~ Subsection 5.18(1) – Marine Transportation Service (W4) Permitted Uses is amended by inserting a new Article (d) ~~“Ocean-based geoeexchange system”~~ “Marine geothermal loop”

- B. This Bylaw may be cited for all purposes as “South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2012.”
- C. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

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

SECRETARY

CHAIR

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Memorandum

200 - 1627 Fort Street Victoria BC V8R 1H8

Telephone (250) 405-5151 FAX: (250) 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC 1.800.663.7867

information@islandstrust.bc.ca www.islandstrust.bc.ca

Date Sept 6, 2012

File: SP-6500-20-04
Community Survey

To: South Pender Island Local Trust Committee
For the meeting of Sept 18, 2012

From: Andrea Pickard
Island Planner
Local Planning Services

CC: Robert Kojima, Regional Planning Manager

Re: Community Survey

At the June 19, 2012 meeting of the South Pender Island Local Trust Committee (LTC) the LTC decided to keep the community survey open until the end of August. The survey was closed to responses on Sept 6 with a total of 28 respondents.

A summary report of the survey results is attached. Please note - the written responses are compiled at the end of the document.

The survey consisted of seven general themes: communications, issues of general concern, South Pender Land Use Bylaw regulations, shoreline development, forest fires, general suggestions, and demographics. Some key points are noted below.

Communications (Q 1-7): Emails and the website are the preferred method of communications, the Pender Post reports are read by most respondents and most respondents would reply to future on-line surveys.

Issues of General Concern (Q8): This question presented 11 different issues and asked if the respondents thought that Islands Trust was doing enough to address them. For all issues the majority of respondents thought 'enough' was being done with the responses ranging from a low of 46.2% to 76.9%. The second choice was 'not enough' for nine of the issues and 'uncertain' was second on three (one issue had not enough and uncertain tied for second). Responses indicating 'too much' being done were generally low, with the highest response being 15.4% for the issue of Protecting Vegetation.

Land Use Bylaw Regulations (Q 9-11): With regards to the amendments currently being proposed most respondents indicated they would support the amendments. Of the responses 85.2% support or conditionally support the floor area amendment (measuring to the interior side of the wall) with no concerns. Regarding allowing storage buildings without a residence 80.8% would

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support or conditionally support it, with 19.2% having some concerns. For ocean-based geothermal systems 66.6% support or conditionally support it with 22.2% having some concern.

With regards to the question of possible amendments the majority of responses were to support or conditionally support. All options had some respondents indicate they would have some concerns. The question regarding limiting the maximum floor area of a dwelling had the highest level of 'some concern' and 'would not support' combined at 30.8%.

With regards to the question of current regulations being appropriate, the majority of respondents answered appropriate. The second responses for all but one of the questions though the regulations were too restrictive. Responses' regarding the 'setback to the sea' regulations were different with no responses indicating it was too restrictive and 29.6% believing it was not restrictive enough.

Shoreline Development (Q12-18):

Responses regarding shoreline development were more diverse. Although 50% of respondents prefer the shoreline kept undeveloped as possible, 48% support protection measures. Most respondents did not feel a set of stairs to the foreshore should be regulated at 68%. Most respondents believe that public access, maintaining a natural looking shoreline, and habitat and ecosystems as the features they value. Most respondents also indicated they think the LTC should do more to protect the shoreline with more information and education noted.

Forest Fires (Q19-20): A high level of respondents feel adequately informed about what they can do around their home to prevent forest fires, and feel they know what to do in the event of a forest fire at 95.7% and 91.7% respectively.

Comments included they were not sure of the community plan for emergency situations and more could be learned from experts.

General Suggestions (Q21): Eight respondents identified issues: the proliferation of signs, promoting a pan-island trail network (2), a no-wake zone in the canal between North and South Pender, too many rules/bureaucracy (2), unclear expectations of Trustees, and existing cottages not approved.

Demographics (Q22-27): Respondents were relatively balanced between full-time and either seasonal or periodic residents. Full-time residents tended to not live here as long as the seasonal respondents with the earliest respondent living on South Pender since 1968. Male respondents dominated at 61.5%. Most respondents were 56-59 years or with 25 of 26 respondents being 41 yrs or more. Most respondents feel they are regularly engaged with select topics at 80% with 11.5% being highly engaged.

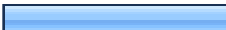
Next Steps:

Although a total of 28 respondents may not be sufficient to withstand a statistically rigorous review, it does provide some insight of community values that the LTC can take into consideration particularly with regards to the shoreline review and the proposed Land Use Bylaw amendments.

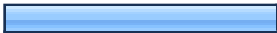
South Pender Island Community Survey



1. How do you prefer to hear about Local Trust Committee business? (select all that apply)

		Response Percent	Response Count
By visiting the website		40.7%	11
Email updates (subscriber)		66.7%	18
Newspaper - Pender Post		55.6%	15
Newspaper - Island Tides		25.9%	7
Newspaper - Driftwood		0.0%	0
Newspaper - other		0.0%	0
Conversations with a Local Trustee		33.3%	9
Conversations with staff (phone or office hours)		3.7%	1
From Trustee Newsletters sent by mail		29.6%	8
Posted notices		3.7%	1
Word of mouth		3.7%	1
Attend the Local Trust Committee meetings		29.6%	8
	Other (please specify)		0
answered question			27
skipped question			1

2. Do you read the monthly Pender Post report from the Local Trustees summarizing their activities?

		Response Percent	Response Count
Always		40.7%	11
Regularly		37.0%	10
Rarely		18.5%	5
Never		3.7%	1
answered question			27
skipped question			1

3. Are there changes you would suggest to make the Pender Post reports from the Local Trust Committee more valuable to you?

	Response Count
	6
answered question	6
skipped question	22

4. What is your preferred method of contact with the Local Trustees?

		Response Percent	Response Count
Phone		25.9%	7
Email		92.6%	25
Letter		3.7%	1
Attending Local Trust Committee meetings		25.9%	7
Face to face conversations		25.9%	7
I don't like to contact Trustees directly		0.0%	0
Other (please specify)			1
answered question			27
skipped question			1

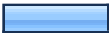
5. What is your preferred method of contact with the Islands Trust staff?

		Response Percent	Response Count
Phone		37.5%	9
Email		83.3%	20
Letter		8.3%	2
Attending Local Trust Committee meetings		12.5%	3
Face to face conversations (on-island office hours)		8.3%	2
I don't like to contact staff directly		4.2%	1
Other (please specify)			4
		answered question	24
		skipped question	4

6. The Local Trust Committee would like to explore using on-line surveys as a way to get input on community issues. How frequently would you respond to an on-line survey from the Local Trust Committee?

		Response Percent	Response Count
Almost always (more than 5 times a year)		50.0%	14
Frequently (3-4 times a year)		17.9%	5
Regularly (2-3 times a year)		17.9%	5
Occasionally (1-2 times a year)		7.1%	2
Almost never		7.1%	2
		answered question	28
		skipped question	0

7. How did you hear about this survey? (select all that apply)

		Response Percent	Response Count
By visiting the website		15.4%	4
Email updates (subscriber)		42.3%	11
Pender Post Report		23.1%	6
Conversations with a Local Trustee		11.5%	3
Conversations with staff		3.8%	1
From the Trustee Newsletter		23.1%	6
Word of mouth		7.7%	2
Other (please specify)			1
answered question			26
skipped question			2

8. For the following list of topics, please indicate if you think the Islands Trust is doing enough to address them:

	Too much	Enough	Not enough	Uncertain/No comment	Response Count
Promoting environmental stewardship and education	7.7% (2)	69.2% (18)	15.4% (4)	7.7% (2)	26
Enforcing bylaws	0.0% (0)	65.4% (17)	15.4% (4)	19.2% (5)	26
Ensuring open and transparent process and decision making by government	0.0% (0)	76.9% (20)	11.5% (3)	11.5% (3)	26
Protecting sensitive ecosystems and habitat	7.7% (2)	50.0% (13)	26.9% (7)	15.4% (4)	26
Protecting the shoreline and coastal environment	8.0% (2)	52.0% (13)	24.0% (6)	16.0% (4)	25
Protecting the marine environment	4.0% (1)	52.0% (13)	24.0% (6)	20.0% (5)	25
Advocacy work to other levels of government	8.0% (2)	44.0% (11)	12.0% (3)	36.0% (9)	25
Addressing economic development	0.0% (0)	50.0% (13)	30.8% (8)	19.2% (5)	26
Protecting vegetation (tree removal)	15.4% (4)	46.2% (12)	26.9% (7)	11.5% (3)	26
Fostering community discussions	0.0% (0)	61.5% (16)	30.8% (8)	7.7% (2)	26
Promoting alternative forms of transportation	8.3% (2)	50.0% (12)	25.0% (6)	16.7% (4)	24
Other (please specify)					3
answered question					27
skipped question					1

9. The South Pender Island Land Use Bylaw is the primary regulatory bylaw for land use on South Pender. Please indicate how you feel about proposed amendments to the Land Use Bylaw currently under consideration:

	Would support	Conditional support	Neutral	Would have some concerns	Would not support	Response Count
Allowing ocean-based geothermal systems for residential purposes	40.7% (11)	25.9% (7)	7.4% (2)	22.2% (6)	3.7% (1)	27
Allowing storage buildings on a lot without a residence	46.2% (12)	34.6% (9)	0.0% (0)	19.2% (5)	0.0% (0)	26
Measuring the floor area from the inside walls rather than the outside (this would be most applicable for cottages and accessory buildings that are limited in size and benefit owners wanting to use alternative building materials such as straw bale)	55.6% (15)	29.6% (8)	14.8% (4)	0.0% (0)	0.0% (0)	27
answered question						27
skipped question						1

10. Please indicate how you feel about possible amendments to the Land Use Bylaw that have been raised in previous discussions:

	Would support	Conditional support	Neutral	Would have some concerns	Would not support	Response Count
Requiring rainwater catchment systems with new construction	50.0% (13)	26.9% (7)	11.5% (3)	7.7% (2)	3.8% (1)	26
Limiting the extent of impermeable surfacing on a lot	44.0% (11)	28.0% (7)	8.0% (2)	12.0% (3)	8.0% (2)	25
Limiting the maximum floor area of a dwelling	23.1% (6)	38.5% (10)	7.7% (2)	7.7% (2)	23.1% (6)	26
Where two or more dwellings are permitted on a lot, allowing them to be attached	36.0% (9)	40.0% (10)	12.0% (3)	12.0% (3)	0.0% (0)	25
answered question						26
skipped question						2

11. Do you think the current regulations are restrictive enough for the following Land Use Bylaw regulations?

	Too restrictive		Appropriate		Not restrictive enough	Rating Average	Response Count
Height of accessory buildings (4.6m or ~15ft)	37.0% (10)	7.4% (2)	55.6% (15)	0.0% (0)	0.0% (0)	2.19	27
Floor area for accessory buildings (ranges from 70m2 or ~750ft2 to 372m2 or ~4000ft2)	25.0% (6)	12.5% (3)	50.0% (12)	12.5% (3)	0.0% (0)	2.50	24
Allowing cottages (Rural Residential zones require 2 acres or more)	19.2% (5)	7.7% (2)	65.4% (17)	0.0% (0)	7.7% (2)	2.69	26
Setback to the sea (7.6m or ~25ft)	0.0% (0)	0.0% (0)	70.4% (19)	11.1% (3)	18.5% (5)	3.48	27

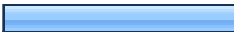
Other (please specify) 6

answered question	27
skipped question	1

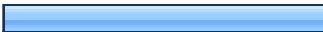
12. Have you heard of "Green Shores" as a new approach for shorelines?

		Response Percent	Response Count
Yes		44.4%	12
No		55.6%	15
answered question			27
skipped question			1

13. Would you prefer regulations restricting use of the shoreline so that they are kept visually natural with native vegetation, or allow shoreline development such that buildings and structures could be visible along the shore with vegetation greatly reduced or altered?

		Response Percent	Response Count
Kept undeveloped as possible		50.0%	13
Neutral		15.4%	4
Allow development		34.6%	9
Other (please specify)			2
answered question			26
skipped question			2

14. Waterfront property owners often have concerns with natural erosion of the shoreline. Generally, do you support the use of erosion protection structures (ie; seawalls, breakwaters etc) to prevent further erosion or prefer to 'let nature take its course'?

		Response Percent	Response Count
Support protection measures		48.0%	12
Neutral		24.0%	6
Let nature takes its course		28.0%	7
Other (please specify)			9
answered question			25
skipped question			3

15. Currently the Land Use Bylaw allows a set of stairs to access the foreshore with no specific restrictions. Do you think a set of stairs to the foreshore should be regulated for a maximum width and height?

		Response Percent	Response Count
Yes		32.0%	8
No		68.0%	17
	Other (please specify)		3
	answered question		25
	skipped question		3

16. What is the most important aspect or feature of the shoreline to you?

	Response Count
	18
answered question	18
skipped question	10

17. Do you have any specific concerns about the use and development of South Pender's shoreline?

	Response Count
	16
answered question	16
skipped question	12

18. Do you think the Local Trust Committee should do more to protect the shoreline?

		Response Percent	Response Count
Yes		63.6%	14
No		36.4%	8
Other (please specify)			5
answered question			22
skipped question			6

19. Do you feel adequately informed about what measures you could do around your home and property to to prevent forest fires?

		Response Percent	Response Count
Yes		95.7%	22
No		4.3%	1
Other (please specify)			2
answered question			23
skipped question			5

20. Do you feel you know what to do in the event of a forest fire?

		Response Percent	Response Count
Yes		91.7%	22
No		8.3%	2
Other (please specify)			4
answered question			24
skipped question			4

21. Do you have any other concerns or suggestions you think the Local Trust Committee should consider?

	Response Count
	11
answered question	11
skipped question	17

22. Do you live on South Pender?

		Response Percent	Response Count
Full-time		48.1%	13
Part-time / seasonal		29.6%	8
Short, periodic visits only		22.2%	6
answered question			27
skipped question			1

23. If you live on South Pender full-time, what year did you move here?

	Response Count
	13
answered question	13
skipped question	15

24. If you live on South Pender part-time or periodically, what year did you start visiting regularly?

	Response Count
	15
answered question	15
skipped question	13

25. As a citizen, how engaged with local issues do you consider yourself?

		Response Percent	Response Count
Highly engaged		11.5%	3
Engaged regularly with select topics		80.8%	21
Unsure		3.8%	1
Rarely engaged		3.8%	1
Not engaged		0.0%	0
	answered question		26
	skipped question		2

26. What is your gender?

		Response Percent	Response Count
Female		38.5%	10
Male		61.5%	16
answered question			26
skipped question			2

27. What is your age category?

		Response Percent	Response Count
25 yrs or less		0.0%	0
26-40 yrs		3.8%	1
41-55 yrs		26.9%	7
56-69 yrs		46.2%	12
70 yrs or more		23.1%	6
answered question			26
skipped question			2

Page 2, Q3. Are there changes you would suggest to make the Pender Post reports from the Local Trust Committee more valuable to you?

1	Put it online.	Aug 31, 2012 3:06 AM
2	I never really understood the mandate and don't know who to contact	Jul 4, 2012 4:11 PM
3	Concentrate on local issues and try to present the issues being discussed	Jun 20, 2012 10:27 PM
4	Less personal reflection and comments	May 31, 2012 2:57 PM
5	No	May 26, 2012 4:20 PM
6	No	May 19, 2012 12:49 PM

Page 2, Q4. What is your preferred method of contact with the Local Trustees?

1	don't know yet	Jun 30, 2012 2:46 PM
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Page 2, Q5. What is your preferred method of contact with the Islands Trust staff?

1	don't know yet	Jun 30, 2012 2:46 PM
2	Any interactuin I've had has been totally arrogant and not at all receptive of the views of the people of Pender	Jun 20, 2012 10:27 PM
3	I have never contacted the staff, so I do not have a preffered method at this time.	Jun 8, 2012 8:09 PM
4	So far, I haven't contacted the staff.	May 18, 2012 9:33 PM

Page 2, Q7. How did you hear about this survey? (select all that apply)

1	letter from Trustees	May 31, 2012 10:14 AM
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Page 2, Q8. For the following list of topics, please indicate if you think the Islands Trust is doing enough to address them:

1	We are new (6 months), we don't know yet	Jun 30, 2012 2:46 PM
2	Establish yardsticks (metrics) to measure "Preserve and Protect" mandate.	Jun 18, 2012 2:52 PM
3	So many uncertain's, as I've just signed on to email updates.	May 18, 2012 9:33 PM

Page 2, Q11. Do you think the current regulations are restrictive enough for the following Land Use Bylaw regulations?

1	There should be more flexibility regarding the maximum sq. ft. of a cottage	Aug 29, 2012 11:22 PM
2	These all depend on the size of the lot.	Jun 20, 2012 10:27 PM
3	Where a cottage (600) is allowed along with outbuildings (1000), change to allow 1600 sf with no more than 600 in a cottage,	Jun 20, 2012 10:22 PM
4	Full time rental of cottage concerns us, as it will likely increase density in long term	Jun 18, 2012 2:52 PM
5	For clarification on item 3 above, you should define what is meant by cottage in this context. Likewise any other terms that the ordinary reader may not precisely understand.	May 25, 2012 3:06 PM
6	Don't yet know enough about the issues in Questions 9, 10, and 11.	May 18, 2012 9:33 PM

Page 2, Q13. Would you prefer regulations restricting use of the shoreline so that they are be kept visually natural with native vegetation, or allow shoreline development such that buildings and structures could be visible along the shore with vegetation greatly reduced or altered?

1	The question more is the effects of erosion after vegetation has been removed	Jun 20, 2012 10:27 PM
2	Mostly undeveloped, but some carefully evaluated development may be appropriate.	May 18, 2012 9:33 PM

Page 2, Q14. Waterfront property owners often have concerns with natural erosion of the shoreline. Generally, do you support the use of erosion protection structures (ie; seawalls, breakwaters etc) to prevent further erosion or prefer to 'let nature take its course'?

1	depends on location and nature of erosion	Aug 31, 2012 3:06 AM
2	Design guidelines would need to be developed regarding the design of seawalls and break walls	Aug 29, 2012 11:22 PM
3	As above, if we let nature take its course we would NOT alter the foreshore	Jun 20, 2012 10:27 PM
4	Review each application	Jun 18, 2012 2:52 PM
5	Further to my comment in #11, it might be useful to have a prefatory explanatory paragraph with some or all of the questions. In this case, the average reader may not be aware that seawalls and breakwaters can be ecologically destructive.	May 25, 2012 3:06 PM
6	effect of seawalls on adjacent shoreline must be considered	May 23, 2012 10:09 AM
7	restrict tree cutting	May 22, 2012 9:11 AM
8	but use natural materials and keep a natural look, mandate native plants	May 21, 2012 11:41 PM
9	It depends on location.	May 18, 2012 4:10 PM

Page 2, Q15. Currently the Land Use Bylaw allows a set of stairs to access the foreshore with no specific restrictions. Do you think a set of stairs to the foreshore should be regulated for a maximum width and height?

1	depends on location	Aug 31, 2012 3:06 AM
2	And restrict where those structures end at the foreshore,i.e. not cross it	Jun 20, 2012 10:27 PM
3	OK within limits	Jun 18, 2012 2:52 PM

Page 2, Q16. What is the most important aspect or feature of the shoreline to you?

1	nature's interaction of plants and animals	Aug 31, 2012 3:06 AM
2	Public Accessibility	Aug 29, 2012 11:22 PM
3	access	Jul 4, 2012 4:11 PM
4	Accessability	Jul 1, 2012 10:01 AM
5	Accessability	Jun 30, 2012 4:39 PM
6	minimizing environmental impact of development	Jun 30, 2012 2:46 PM
7	Its naturalness	Jun 20, 2012 10:27 PM
8	natural look	Jun 18, 2012 2:52 PM
9	Public access	Jun 8, 2012 8:09 PM
10	Public ownership and access	May 31, 2012 2:57 PM
11	Public Access to beaches	May 26, 2012 4:20 PM
12	Natural state including nearshore ecosystems.	May 25, 2012 3:06 PM
13	undisturbed and natural	May 23, 2012 4:48 PM
14	natural	May 23, 2012 10:09 AM
15	natural views	May 22, 2012 9:11 AM
16	natural as possible look from the water	May 21, 2012 11:41 PM
17	Habitat for marine life	May 19, 2012 12:49 PM
18	No disturbance of intertidal zone	May 18, 2012 4:10 PM

Page 2, Q17. Do you have any specific concerns about the use and development of South Pender's shoreline?

1	Do not want it to become cluttered with too many individual structures.	Aug 31, 2012 3:06 AM
2	access for immobile persons	Jul 4, 2012 4:11 PM
3	No	Jul 1, 2012 10:01 AM
4	NO	Jun 30, 2012 4:39 PM
5	no	Jun 30, 2012 2:46 PM
6	Docks crossing the shoreline	Jun 20, 2012 10:27 PM
7	Avoid the look of Village Bay on Mayne	Jun 18, 2012 2:52 PM
8	There could be more public access, camping and hiking.	Jun 8, 2012 8:09 PM
9	Just leave present bylaws as they are	May 26, 2012 4:20 PM
10	Erosion and overhanging large trees being eroded	May 23, 2012 4:48 PM
11	should be accessible re beach constructions and lots of Ocean Accesses	May 23, 2012 10:09 AM
12	Large "showplace" houses that don't fit the environment	May 22, 2012 12:24 PM
13	Shoreline should be kept as natural as possible	May 22, 2012 9:11 AM
14	traffic	May 20, 2012 8:46 AM
15	Interference with habitat for marine life	May 19, 2012 12:49 PM
16	Not at this time.	May 18, 2012 9:33 PM

Page 2, Q18. Do you think the Local Trust Committee should do more to protect the shoreline?

1	I am not informed on this	Jun 30, 2012 2:46 PM
2	Refer to the prograams in Whatcom County and the SAn Juans	Jun 20, 2012 10:27 PM
3	provide owners with information about how to protect the shore from erosion	Jun 20, 2012 10:22 PM
4	Educate	Jun 18, 2012 2:52 PM
5	Don't know enough about what is presently done.	May 18, 2012 9:33 PM

Page 2, Q19. Do you feel adequately informed about what measures you could do around your home and property to to prevent forest fires?

1	There's always more to be learned from experts	Aug 31, 2012 3:06 AM
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Page 2, Q19. Do you feel adequately informed about what measures you could do around your home and property to to prevent forest fires?

2 Not sure

Jun 18, 2012 2:52 PM

Page 2, Q20. Do you feel you know what to do in the event of a forest fire?

1 Not enough

Aug 31, 2012 3:06 AM

2 Call 911?

Jun 18, 2012 2:52 PM

3 No specific actions have been publisized in my area

May 23, 2012 10:09 AM

4 Not sure of current community plan.

May 18, 2012 4:10 PM

Page 2, Q21. Do you have any other concerns or suggestions you think the Local Trust Committee should consider?

1	job descriptions would be nice so I know what is expected of you	Jul 4, 2012 4:11 PM
2	too many rules and regulations seem to be evolving..leaving the owner at the mercy of the rules	Jul 3, 2012 8:20 AM
3	No	Jul 1, 2012 10:01 AM
4	The growth of the Trust bureaucray	Jun 20, 2012 10:27 PM
5	Yes, use and existence of secondary cottages not originally approved	Jun 18, 2012 2:52 PM
6	Connections of hiking trails to create longer potential walks and hikes. Connecting our parks.	Jun 8, 2012 8:09 PM
7	Proliferation of signs	May 31, 2012 2:57 PM
8	No	May 26, 2012 4:20 PM
9	promote pan-island trail network, some for bikes	May 23, 2012 10:09 AM
10	Advocate making the waterway between N & S PI a "No Wake" zone - and enforcing it!	May 19, 2012 12:49 PM
11	Not yet. With more time, perhaps.	May 18, 2012 9:33 PM

Page 2, Q23. If you live on South Pender full-time, what year did you move here?

1	1989	Jul 3, 2012 8:20 AM
2	1990	Jul 1, 2012 10:01 AM
3	1990	Jun 30, 2012 4:39 PM
4	late 2011	Jun 30, 2012 2:46 PM
5	2004	Jun 20, 2012 10:27 PM
6	2005	Jun 20, 2012 11:05 AM
7	2010	Jun 8, 2012 8:09 PM
8	1999	Jun 8, 2012 8:03 PM
9	1999	May 26, 2012 4:20 PM
10	2008	May 23, 2012 4:48 PM
11	2004	May 23, 2012 10:09 AM
12	1984	May 22, 2012 9:11 AM
13	North Pender	May 20, 2012 8:46 AM

Page 2, Q24. If you live on South Pender part-time or periodically, what year did you start visiting regularly?

1	1976	Aug 31, 2012 3:06 AM
2	2006	Aug 29, 2012 11:22 PM
3	1979	Jul 1, 2012 10:01 AM
4	1991	Jun 20, 2012 10:27 PM
5	1988	Jun 18, 2012 2:52 PM
6	1981	May 31, 2012 2:57 PM
7	1994	May 31, 2012 10:14 AM
8	1976	May 26, 2012 4:20 PM
9	1979	May 25, 2012 3:06 PM
10	1977	May 25, 2012 12:53 PM
11	2004	May 23, 2012 10:09 AM
12	1995	May 19, 2012 12:49 PM
13	2012	May 18, 2012 9:33 PM
14	1968	May 18, 2012 5:49 PM
15	1976	May 18, 2012 4:10 PM

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.



Islands Trust

Print Date: Sep-11-2012

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	Oct-04-2011	Andrea Pickard		On Going
2	Shoreline Protection	1. Completion of watershed and shoreline mapping 2. Consideration of issues related to erosion, including Canal erosion 3. Education on shoreline stewardship and the Greenshores Project 4. Consider impacts of docks on shoreline	Oct-04-2011	Andrea Pickard		On Going
3	On-line survey	prepare an on-line survey for South Pender including questions re: general issues, the LUB amendments, and shoreline topics	Apr-10-2012	Andrea Pickard		On Going

11.1.2



Islands Trust

Print Date: Sep-11-2012

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



Islands Trust

Print Date: Sep-11-2012

Applications w / Status - South Pender Island Status: Open

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SP-ALR-2012.1	the Airey Group	Mar-08-2012	8970 GOWLLAND POINT RD Subdivision in the ALR - Sec. 21(2) ALC Act & Non-Farm Use in the ALR - Sec. 20(3) ALC Act
Planner: Andrea Pickard			

Planning Status

Status Date: Sep-10-2012
not expected to be considered during Sep ALC meeting, deferred to Nov

Status Date: Apr-12-2012
forwarded to ALC

Status Date: Mar-15-2012
Initiated review of application

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SP-DVP-2012.3	David Scott - Scott & Scott Architects	Aug-22-2012	8912 GOWLLAND POINT RD To construct an accessory building - to vary the hieght from 4.6m to 9.8m.
Planner: Andrea Pickard			

Planning Status

Status Date: Sep-10-2012
notice sent out - on Sept agenda

Status Date: Aug-23-2012
Sent letter of acknowledgment of receipt of fees and application to applicant. Copied to trustees and forwarded to Planner.

Subdivision

File Number	Applicant Name	Date Received	Purpose
SP-SUB-2011.2	Airey Group Planner: Andrea Pickard	Oct-26-2011	To create 4 new lots + remainder.
Planning Status			
Status Date: Jun-06-2012			
on June agenda for further discussion re: parkland and APC comments			
Status Date: Apr-12-2012			
PIPRC response considered at Apr LTC, referred to APC to discuss with stakeholders invited to participate			
Status Date: Feb-09-2012			
park proposal outline received and forwarded to PIPRC for comment			

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
SP-TUP-2012.1	Cameron Thorn Planner: Andrea Pickard	Aug-20-2012	9882 CASTLE RD Outbuilding for the use of a variety of things such as storage of tools, arts and crafts, home office space and socializing.
Planning Status			
Status Date: Sep-10-2012			
notice sent out - on Sept agenda			
Status Date: Aug-20-2012			
Sent acknowledgment letter of receipt of fees and application to applicant. Copied trustees and forwarded file to planner.			

Kathy Jones

From: Nancy Roggers
Sent: September-06-12 3:28 PM
To: Andrea Pickard; Ken Hancock; Liz Montague; Mike Jones; Robert Kojima; Kathy Jones; Sharon Lloyd-deRosario
Cc: Cindy Shelest
Subject: South Pender LTC expense report - Aug/12

Islands Trust
LTC EXP SUMMARY REPORT F2012
 Invoices posted to August 31, 2012

665 South Pender	Invoices posted to August 31, 2012	Budget	Spent	Balance
65000	LTC "Trustee Expenses"	1,100.00	469.84	630.16
65200	LTC Local Exp LTC Meeting Expenses	1,700.00	609.99	1,090.01
65210	LTC Local Exp APC Meeting Expenses	300.00	596.31	(296.31)
65220	LTC Local Exp Communications	500.00	125.38	374.62
65230	LTC Local Exp Special Projects	200.00	-	200.00
65240	LTC Local Exp Miscellaneous	300.00	-	300.00
TOTAL LTC Local Expense		3,000.00		1,668.32
73001-665-4005	South Pender Shoreline Protection	6,000.00	-	6,000.00

Thanks!

Nancy Roggers
 Finance Officer

Islands Trust
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Memorandum

Date August 2, 2012 File Number

To Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
EC as an LTC

From Robert Kojima
Regional Planning Manager
Local Planning Services

Re 2013-14 Budget Submissions

Local trust committees have been requested to submit budget requests for the next fiscal year.

What is Different this Year?

Local Trust Committee Expense Budgets

1. This year the Director of Administrative Services is recommending allocation of all the Local Expense Account lines based on historical spending. Currently some LTCs prepare their own budgets, others don't allocate the amounts to specific lines. For most LTCs there would be minimal or no change in the total funds allocated for LTC expenses such as meetings, APCs, communications, etc.
2. A re-allocation of some funding from OCP/LUB and Programs to the Special Projects line item in each Local Trust Committee Expense Account. This Special Projects funding is intended to support local planning initiatives at the discretion of the LTC. It is currently proposed that this budget line be \$3000 (more for Salt Spring and Gabriola). Generally, these funds would be for smaller projects, particularly issues that emerge on the LTC work program after the budget is approved. An example would be minor LUB or OCP amendments where there is not anticipated to be significant additional costs for meetings or consultants reports. LTCs could also continue to use this line to purchase reports from community groups. LTCs would not need to make budget requests in advance for these projects and would not need any approval for expenditure of these funds beyond an LTC resolution if needed. The increase in LTC expense budgets because of the additional discretionary Special Projects funding is expected to be off-set by a matching decrease in the OCP/LUB and Programs budget.
3. Combining the "OCP/LUB" and "Program" budgets into a single "Projects" budget. All LTC initiatives are considered projects, regardless of whether it involves an OCP or LUB amendment or not.

Project Budgets

Local trust committees will still have to make a funding request to support OCP and LUB or other project work that is identified in advance or that cannot be undertaken with the money available in the LTC Special Projects line. These projects would typically be major OCP or LUB reviews or other projects.

Un-used Funding

By November, 2013, any OCP/LUB or project funding that has not been committed to be used by the end of the fiscal year may be reallocated to other projects.

Budget Request Guidelines:

When making budget requests for the 2013/14 fiscal year, local trust committees and staff should consider the following in order to obtain support for the requested budget item:

1. the budget item is required to meet Provincial legislation (in other words, not undertaking the project means that the OCP or LUB would not comply with Provincial legislation);
2. the budget item advances one of the objectives of the Islands trust Strategic Plan;
3. the budget item is a continuation of an existing OCP or LUB program and is required to continue or complete the program; or
4. the budget item implements newly adopted policies in the OCP.

Budget Request Timeline:

1. July 2012 Regional Planning Managers develop detailed budget estimates for consideration by Local Trust Committees
2. Aug to Sept Local trust committees review and approve budget requests at an LTC meeting
3. Sept 28, 2012 Budget requests submitted to the Director of Local Planning Services

LTC Budget Requests

For each LTC, I have included in the attached worksheet all Top Priority work program items which are currently anticipated to commence in, or to carry, into the next fiscal year. I have also included items from the Projects List which I have anticipated to commence in the coming year. Generally speaking, where the project is to complete current work, I have estimated \$2000, for a new project not involving significant consultation or external consultants I have estimated \$4000, and I have added an additional amount to projects that could involve extraordinary consultation. The LTC should identify any other projects it is currently considering and add them to the budget request (and the work program if necessary) and identify an additional expenses associated with the identified projects. The LTC should keep in mind that with the proposed changes to the LTC expense budget allocation, more discretionary funding will be available to LTCs to support smaller projects that are either not anticipated or which arise during the course of the year.

Resolution Wording

U:\Budgets\2013-14 fiscal\LTC Memo.docx

1. THAT the ____ Island Local Trust Committee approve and forward the draft 2013-14 LTC Project Budget submission to Financial Planning Committee as presented; or
2. THAT the ____ Island Local Trust Committee revise the draft 2013-14 LTC Project Budget submission and forward to Financial Planning Committee as revised.

Attachments:

1. Project Budget Submission worksheet

pc Island Planners

S. PENDER	Project	Budget		Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes	Approved by LTC	Approved by FPC	Approved by TC
Project #1	Shoreline review - implementation	\$	5,000.00	x		x		Phase III of Shoreline Review project Completion of on-going amendments implementing OCP policies			
Project #2	LUB amendments	\$	2,000.00			x	x				
Project #3	OCP/LUB updates	\$	4,000.00	x			x	Consideration of DPA, Forest zone review, review of Park policies and regulations			
	TOTAL PROJECTS	\$	11,000.00								

11.5


Islands Trust

 Preserving **island** communities, culture and environment.

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Population (2011):

Approximately 201

Size:

911 hectares (2,251 acres)

Location:

15 kilometres east of the Swartz Bay ferry terminal on Vancouver Island via North Pender Island.

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South Pender Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the South Pender Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

June 2012

- [Ministry of Transportation Decision Re: Tilly Point Road Closure Application](#)

May 2012

- [South Pender Island Trustee Newsletter - May 2012](#)
- [Pender Post Trustee Reports](#)

Planner Office Hours on Pender Island

- [Planner Office Hours on Pender Island](#)

General Information

- [Eagle Brochure](#)
- ["A Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands" booklet](#)
- [A "Choosing a Building Site on your Lot" fact sheet](#)
- [A "Making Changes to your Lot Line" fact sheet](#)
- [An "Applying for a Variance" fact sheet](#)

South Pender Island Local Trust Committee Projects

Bylaw Enforcement

- [Staff Report - September 8, 2011 - Adoption of Bylaw Enforcement Notification Bylaw - TABLED until 2013](#)

Zoning and Density Review

- [Potential RR Zones Memo - June 9, 2011](#)
- [Staff Report - May 2010](#)
- [Residential Subdivision Potential Map](#)

Climate Change Action

- [Community Engagement Tools](#)
- [Climate Wise Islands](#)

Ecosystem Mapping Webpage

Geological Hazard Protection

- [Steep Slopes Hazard Map](#)

Applications

Committee Links

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[Land Use Application Forms](#)

SP-SUB-2011.2 (Cadez)

- [Referral Package dated April 19, 2012 - sent to Advisory Planning Commission for Comment](#)
- [Advisory Planning Commission Referral Response - Draft May 4, 2012 Minutes](#)

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