



South Pender Island Local Trust Committee Regular Meeting Agenda

Date: February 20, 2018
Time: 10:00 am
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

			Pages
1.	CALL TO ORDER	10:00 AM - 10:05 AM	
2.	APPROVAL OF AGENDA	10:05 AM - 10:10 AM	
3.	TOWN HALL AND QUESTIONS	10:10 AM - 10:30 AM	
4.	COMMUNITY INFORMATION MEETING		
	none		
5.	PUBLIC HEARING		
	none		
6.	MINUTES	10:30 AM - 10:45 AM	
6.1	Local Trust Committee Minutes Dated November 14, 2017 (for Adoption)		4 - 9
6.2	Section 26 Resolutions-without-meeting Dated February 2018		10 - 10
6.3	Advisory Planning Commission Minutes		
	none		
7.	BUSINESS ARISING FROM THE MINUTES	10:45 AM - 11:00 AM	
7.1	Follow-up Action List Dated February 2018		11 - 12
8.	DELEGATIONS		
	none		
9.	CORRESPONDENCE		
	<i>Correspondence received concerning current applications or projects is posted on the LTC webpage</i>		
	none		

10.	APPLICATIONS AND REFERRALS	11:00 AM - 11:15 AM	
10.1	SP-DP-2017.1 (Poets Cove) - Monitoring Progress		
10.2	Mayne Island Local Trust Committee Bylaw 172 Referral (attached) for response		13 - 15
10.3	Mayne Island Local Trust Committee Bylaw 171 Referral (attached) for response		16 - 18
11.	LOCAL TRUST COMMITTEE PROJECTS	11:15 AM - 12:15 PM	
11.1	Heritage Conservation - Staff Report (attached)		19 - 42
11.2	Pedestrian & Cycle Routes - Staff Report (attached)		43 - 61
12.	REPORTS	12:15 PM - 12:30 PM	
12.1	Work Program Reports (attached)		
12.1.1	<u>Top Priorities Report Dated February 2018</u>		62 - 62
12.1.2	<u>Projects List Report Dated February 2018</u>		63 - 63
12.2	Applications Report none		
12.3	Trustee and Local Expense Report Dated December 2017 (attached)		64 - 64
12.4	Adopted Policies and Standing Resolutions (attached)		65 - 65
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Report		
12.8	Trust Fund Board Report Dated November 2017 (attached)		66 - 67
13.	NEW BUSINESS	12:30 PM - 1:00 PM	
13.1	Housing Agreement Administration Briefing (attached)		68 - 70
13.2	First Nations Relationship Building - Verbal Report		
13.3	Executive Committee re: Farm Industry Review Board & Aquaculture - Staff Memo (attached) for information		71 - 72
13.4	Appointment of LTC Liaison to Plumper Sound Protection Association		

14. UPCOMING MEETINGS

14.1 **Next Regular Meeting Scheduled for April 3, 2018, at the Fire Hall, Pender Island**

15. TOWN HALL **1:00 PM - 1:15 PM**

16. CLOSED MEETING

none

17. ADJOURNMENT **1:15 PM - 1:15 PM**



DRAFT

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

South Pender Island Local Trust Committee Minutes of Regular Meeting

Date: November 14, 2017
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

Members Present: Peter Luckham, Chair
Wendy Scholefield, Local Trustee
Bruce McConchie, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Jason Youmans, Island Planner
Robyn Ludwig, Recorder

Public Present: There were approximately 8 members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:00 a.m. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

13.1 Greenburn Lake Beavers

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

The following members of the public spoke: **Peter Pare, Paul Petrie**. The following topics were raised:

- Moving Around Pender (MAP) recognizes the need for roadside trails on South Pender;
- South Pender Historical Society is concerned about conservation of the Church of the Good Shepherd.

4. COMMUNITY INFORMATION MEETING none

5. PUBLIC HEARING none

6. MINUTES

6.1 Adopted Local Trust Committee Minutes Dated September 19, 2017

Presented for information.

6.2 Section 26 Resolutions-without-meeting Dated November 2017

Presented for information.

6.3 Advisory Planning Commission Minutes none

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated November 2017

Presented for information.

8. DELEGATIONS none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 SP-DP-2017.1 (Poets Cove & Spa) - Staff Report

Planner Youmans summarized the staff report.

Trustee Scholefield had concerns about the location of staff accommodation and parking with regards to tree removal.

Trustee McConchie had concerns about getting written guidelines for possible disturbance of First Nations archaeological sites, potentially removing co-joined cedars and replacing firs with cedars / saplings.

SP-2017-36

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee request that development permit SP-DP-2017.1 be amended as follows:

5. In addition to the landscaping shown in Schedule 3-5, planting and maintenance of *Pseudotsuga Menziesii* (Douglas Fir) is required in, or near, each of Landscape Areas C and D as shown on Schedule 3-5.

and

7. Bylaw No. 92, 2003 amended to Bylaw No. 114, 2016.

and

10. Bylaw No. 92, 2003 amended to Bylaw No. 114, 2016.

CARRIED

SP-2017-37

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee request that Schedule 3-5 of development permit SP-DP-2017.1 be amended to include that native shrubs, which will attain a height of at least two metres, be planted in landscape areas B, C, D, E, and F.

CARRIED

SP-2017-38

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee issue development permit SP-DP-2017.1, as amended.

CARRIED

The South Pender Island Local Trust Committee recessed at 11:08 a.m. and returned at 11:16 a.m.

10.2 Islands Trust Fund Five-Year Plan - RFD & Referral

SP-2017-39

It was MOVED and SECONDED,

That South Pender Local Trust Committee receive the draft Islands Trust Fund Five-Year Plan for information.

CARRIED

10.3 Islands Trust Fund Regional Conservation Plan (2018-2027) - Briefing & Referral

Received for information.

10.4 North Pender Island Local Trust Committee Bylaws No. 211 & 212 Referral

SP-2017-40

It was MOVED and SECONDED,

That the interests of South Pender Island Local Trust Committee are unaffected by North Pender Island Local Trust Committee Bylaws No. 211 & 212.

CARRIED

10.5 North Pender Island Local Trust Committee Bylaws No. 214 & 215 Referral

SP-2017-41

It was MOVED and SECONDED,

That the South Pender Island Local Trust Committee declines to respond to North Pender Island Local Trust Committee Bylaws No. 214 & 215.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Heritage Conservation - Staff Report

SP-2017-42

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee request that staff forward the South Pender Historical Society's request for financial support for a First Nations reconciliation event and historical pamphlets, to the Executive Committee, for consideration pursuant to section 8(2)(H) of the *Islands Trust Act*.

CARRIED

SP-2017-43

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee direct staff to request funding for 2018 First Nations reconciliation events through the Union of BC Municipalities Community-to-Community program.

CARRIED

SP-2017-44

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee requests that staff report back on the implications of community heritage registry.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated November 2017

SP-2017-45

It was MOVED and SECONDED,

That item No. 1 - Land Use Bylaw (LUB) Review and Update - be removed from the Report.

CARRIED

12.1.2 Projects List Report Dated November 2017

SP-2017-46

It was MOVED and SECONDED,

That Pedestrian and Cycle Routes be moved to the Top Priorities Report.

CARRIED

SP-2017-47

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee direct staff to report back with a draft map for possible pedestrian and cycle routes.

CARRIED

12.2 Applications Report Dated November 2017

Received for information.

12.3 Trustee and Local Expense Report Dated September 2017

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

The South Pender Island Local Trust Committee thank staff for revisions to the LTC webpage.

12.6 Chair's Report

Chair Luckham attended the Union of BC Municipalities conference and met with the Ministers of Transportation, Environment, and Municipal Affairs. He also attended a Marine Conservation Area meeting in Cowichan and an Ocean Protection Plan meeting. Trust Council meets in December in Victoria.

12.7 Trustee Report

Trustee McConchie continues to work on the issue of freighter anchorages in Plumper Sound. He attended a Parks Canada meeting to discuss concerns around use of styrofoam floats for docks and anchorages.

12.8 Trust Fund Board Report Dated October 2017

Received for information.

13. NEW BUSINESS

13.1 Greenburn Lake Beavers

Trustee Scholefield has been responding to community concerns about the proposed beaver cull.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled on Pender Island

Tuesday, February 20, 2018 at 10:00 a.m.

14.2 Draft 2018 LTC Meeting Schedule - Memo

SP-2017-48

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee adopt the 2018 business meeting schedule as presented.

CARRIED

15. TOWN HALL

none

16. CLOSED MEETING

none

17. ADJOURNMENT

By general consent the meeting was adjourned at 1:19 p.m.

Peter Luckham, Chair

Certified Correct:

Robyn Ludwig, Recorder



Islands Trust

Print Date: February 13, 2018

Resolutions Without Meeting

South Pender Island

Resolution #	Action	Resolution Description	Resolution Date
2018-01	In Favour	THAT the South Pender Island Local Trust Committee amend Article 4 of Development Permit SP-DP-2017.1 to state: "All tree removal authorized under this permit must be undertaken between October 1 and January 31 to avoid bird nesting season" And That development permit SP-DP-2017.1 be issued as amended conditional upon receipt of a landscape security in the amount of \$13,500.	15-Jan-2018
2018-02	In Favour	THAT_South Pender Island Local Trust Committee reschedule their regularly scheduled April 10, 2018, local trust committee meeting to April 3, 2018.	16-Jan-2018

Follow Up Action Report

South Pender Island

14-Nov-2017

Activity	Responsibility	Target Date	Status
10.1 - Permit SP-DP-2017.1 approved as amended, to be issued once landscaping letter of credit received	Sharon Lloyd-deRosario Jason Youmans	24-Nov-2017	Done
10.2 ITF five year plan received for informaiton			Done
10.4 NPILTC bylaws 211 and 212 - interests unaffected	Sharon Lloyd-deRosario	17-Nov-2017	Done
10.5 - NPILTC Bylaws 214, 215 - declined to respond	Sharon Lloyd-deRosario	16-Nov-2017	Done
11.1 Heritage Conservation - refer Pender Historical Society funding request to EC November 27, 2018 - LPS director asks that briefing be held over to a non-Trust Council EC agenda. January 17, 2018 - EC defers consideration until development of an EC policy on heritage and conservation funding requests.	Jason Youmans	24-Nov-2017	Done
11.1 Heritage conservation - staff to initiate a C to C grant request for a 2018 event	Fiona MacRaid	22-Dec-2017	On Going
11.1 Heritage Conservation - staff to report back on implications of establishing a heritage registry	Jason Youmans	31-Jan-2018	Done
12.1 Work Program - Remove LUB Review from top priorities, amend #2 to add C to C, add pedestrian and cycle routes to Top Priorities, remove heritage conservation from projects list,	Robert Kojima	17-Nov-2017	Done
12.1 Top Priorities - staff to report back with draft map of potential cycle and pedestrian routes	Jason Youmans	31-Jan-2018	Done
14.2 Annual Meeting Schedule - adopted as presented	Lori Foster	24-Nov-2017	Done

Follow Up Action Report



Islands Trust

BYLAW REFERRAL FORM

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

Island: Mayne Island Local Trust Area Bylaw No.: 172 Date: January 8, 2018

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

APPLICANTS NAME / ADDRESS:

Reef Bay Holdings Ltd
536 Bayview Drive
Mayne Island BC, V0N2J0

PURPOSE OF BYLAW:

The subject property is currently zoned C1(a) Settlement Commercial. C1(a) limits the commercial uses on this specific lot to professional businesses and offices. Draft Bylaw 172 is the result of a bylaw amendment application by the property owner requesting to allow all of the uses permitted in the C1 Settlement Commercial zone on the subject lot. The permitted uses in the C1 zone include: Restaurants, Retail Sales, Offices, Personal Services, Medical and Dental Clinics, Printers and Publishers, Appliance Repair and Servicing, Clubs and Halls, Freight Depots, Studio, Apartment Residential, and Accessory Dwelling. Draft Bylaw 172 also proposes to limit the lot coverage of buildings and structures on the subject lot to a maximum of 20%.

GENERAL LOCATION:

Mayne Island Local Trust Area

LEGAL DESCRIPTION:

Lot 36, Section 6, Mayne Island, Cowichan District, Plan 22057

SIZE OF PROPERTY AFFECTED:

0.23 hectares

ALR STATUS:

n/a.

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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

Name: Gary Richardson

(Signature)

Title: Island Planner
Contact Info: Tel: 250-405-5157
Email: grichardson@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Transportation & Infrastructure

Non-Agency Referrals

Village Point Improvement District

Regional Agencies

Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee

North Pender Island Local Trust Committee

Saturna Island Local Trust Committee

South Pender Island Local Trust Committee

Salt Spring Island Local Trust Committee

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Mayne Island Local Trust Area

(Island)

172

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

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

Island: Mayne Island Local Trust Area Bylaw No.: 171 Date: February 5, 2018

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

APPLICANTS NAME / ADDRESS:

PURPOSE OF BYLAW:

To amend Mayne Island OCP Bylaw No. 144, 2007 to in order to comply with the Fish Protection Act and the Riparian Areas Regulation by creating Riparian Area Development Permit Areas.

Professional reports and staff reports are available on the Mayne island webpage:

www.islandstrust.bc.ca/islands/mayne/projects/RAR

GENERAL LOCATION:

Mayne Island Local Trust Area

LEGAL DESCRIPTION:

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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

Name: Gary Richardson

(Signature)

Title: Island Planner
Contact Info: Tel: 250-405-5157
Email: grichardson@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Forest, Lands & Natural Resource Operations – Andrew Appleton
Ministry of Transportation & Infrastructure

Regional Agencies

Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Mayne Island Local Trust Area

(Island)

171

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

DATE OF MEETING: February 20, 2018
TO: South Pender Island Local Trust Committee
FROM: Jason Youmans, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Implications of adopting a Community Heritage Register
Location: 8978 Gowlland Point Road

RECOMMENDATION

Staff have no recommendation at the current time (see “Alternatives” below).

REPORT SUMMARY

The purpose of this report is to provide the South Pender Island Local Trust Committee with detailed information on the implications of creating a Community Heritage Register for South Pender Island.

BACKGROUND

LTC Background

At its November 14, 2017 meeting, the LTC passed the following resolution concerning heritage conservation on South Pender Island.

SP-2017-44

It was MOVED and SECONDED,

That South Pender Island Local Trust Committee requests that staff report back on the implications of a community heritage registry.

CARRIED

The above resolution followed on a discussion about heritage protection options available to the Local Trust Committee under the British Columbia *Local Government Act*. See staff report of [November 14, 2017](#) for summary of available heritage protection options and further background on the history of this project.

At its November 14, 2017 meeting, the LTC also directed staff to forward a funding request from the South Pender Historical Society to the Islands Trust Executive Committee for consideration, and to initiate a Community-to-Community funding application as part of the LTC’s First Nations relationship building efforts. Both of these actions are ongoing.

Community Heritage Register

Authority to introduce a heritage register derives from Section 598 of the *Local Government Act* (See Appendix 1). The *Islands Trust Act* accords local trust committees all the heritage conservation authorities of Part 15 of the *Local Government Act* with some minor exceptions (See Appendix 2).

A Community Heritage Register is the local government's formal record of properties considered to be a "heritage property." The Community Heritage Register must indicate the reasons why a property included in the register is considered to have heritage value.

Implications for the South Pender Island LTC Work Program

The scale and scope of a project to adopt a Community Heritage Register on South Pender Island will depend on the LTC's objectives.

If the purpose of establishing such a register is simply to see the Church of the Good Shepherd property registered, then the steps (notwithstanding adoption of a project charter and other standard LTC project actions) are quite straightforward. Planning staff or a hired contractor would:

- 1) Compile and organize required documentation information for the Church of the Good Shepherd following the documentation standards of the British Columbia Register of Historic Places.
- 2) Write a Statement of Significance for the Church of the Good Shepherd that meets the requirements of the *Local Government Act* and using the standards set out in the "[Canadian Register of Historic Places Documentation Standards Handbook](#)."

Following this, the LTC could adopt the Heritage Register. Community Heritage Registers are adopted by resolution, not bylaw, and as such do not require multiple readings or public hearings.

However, the B.C. Government's "[Guide to Establishing Community Heritage Registers](#)" encourages communities to undertake thoughtful planning around the development of Community Heritage Registers. It urges local governments to do the following:

- 1) Determine the reasons for creating a Community Heritage Register
- 2) Identify community heritage values (i.e. aesthetic, historical, social, scientific, spiritual, etc) and the types of places – such as buildings, structures, districts, landscapes and/or archaeological sites – which embody those values and develop Community Heritage Register criteria that reflect those values
- 3) Review existing information, and undertake historical research, historical context studies, field surveys, and other necessary activities to select historic places to be included on the register.

For the LTC's interest, staff have attached brief excerpts from Community Heritage Register for the Town of Ladysmith (Appendix 4) and the City of Nelson (Appendix 5). The Ladysmith CHR is an example of the first approach to CHRs, which is to say, a simple listing of all included properties, without any discussion of criteria or the town's historical context. At the other end of the spectrum is the City of Nelson, whose CHR preamble, with extensive discussion of Nelson's historical context, goes on for a full 50 pages before the first property listing.

Full copies of Ladysmith and Nelson's Community Heritage Registries are available [here](#) and [here](#) respectively.

The Community Heritage Register is a living document to which entries can be added or deleted by LTC resolution as deemed appropriate.

Timelines

If the LTC wishes to move quickly to place the Church of the Good Shepherd on a Community Heritage Register, staff anticipate this could be done within a few months.

If the LTC wishes to undertake a more considered approach to development of a Community Heritage Register, staff anticipate a more likely timeline of nine months, particularly as this work may be best undertaken by Special Advisory Planning Commission. Alternatively, the South Pender Historical Society or a qualified heritage consultant could potentially be contracted to lead the project.

Implications for the South Pender Island community

Community Heritage Registers can have the following effect:

- They can enhance the public's appreciation of the identity and character of the community.
- They can facilitate public access to heritage information
- They can provide a means of informing property owners of the value of their property to the community

Inclusion in a Community Heritage Register may also improve access to heritage maintenance and other types of heritage grants.

Upon completion, the South Pender Island Community Heritage Register would be posted to the Islands Trust Website, and hard copies could be made available wherever they are needed.

Implications for properties included on a heritage register

As stated in the Government of British Columbia's "[Guide to Establishing Community Heritage Registers](#),"

A Community Heritage Register **does not**:

- put a limit on the changes a heritage property owner may make to his or her historic place.
- require agreement from a heritage property owner to include a historic place as a register listing.
- constitute designation or any other type of formal protection of an historic place.
- create financial liability for the local government.

What a heritage register can do, according to the B.C. Government's guide, is allow local government to consider and, if necessary, undertake protective action such as temporarily withholding demolition permits and building and development approvals, ordering heritage inspections, or monitoring changes in properties through a licensing and permit application process for historic places listed on a Community Heritage Register. Essentially, while inclusion on a heritage register does not afford a property permanent protection, it may allow the local government to draw on a number of tools that can be used to delay alterations to the building in question.

As to the effect of inclusion in a heritage register on property values, there is little data on which to draw. One study, published by the Vancouver Heritage Foundation, analysed the assessed values of three categories of comparable homes in Vancouver between 1998 and 2004: homes protected by heritage protection bylaw; homes included in a heritage register, and homes with no acknowledgement of their heritage character. This

report concludes, “. . . we found from our limited data, that the designation of heritage homes does not negatively affect assessed property value. Designated heritage homes increased at rates similar to or above growth rates of non-designated heritage and non-heritage homes. Overall, both designated and non-designated heritage homes outperformed non-heritage homes. We feel that it is both socially and economically worthwhile to protect these narrative structures of Vancouver’s past.”

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

There are two Policy Statement policies directly relevant to creating a Community Heritage Register for South Pender Island.

5.6 - Cultural and Natural Heritage

5.6.2 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.

5.6.3 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains

The LTC can anticipate that a project that aims to protect the cultural heritage of the Island will generally be consistent with the Islands Trust Policy Statement.

Official Community Plan:

See Appendix 3 for a full review of applicable OCP objectives and policies concerning heritage conservation. Generally speaking, the OCP supports LTC initiatives toward heritage conservation.

Issues and Opportunities

LTC Objectives

As noted above, before giving direction to begin the development of a Community Heritage Register, the LTC should be clear on what it hopes to achieve through the creation of this document. Is it simply a tool to demonstrate the importance of the Church of the Good Shepherd to the community, or is it to engage in a more fulsome discussion of the Island’s First Nations and settler past?

Land Owner Relations

While inclusion in a Community Heritage Register does not impose any obligations upon land owners, some land owners simply do not appreciate their properties being singled out for attention, largely for fear that it may affect their property values or limit ability to develop. Should the LTC move forward with the creation of a Community Heritage Register, it should be cognizant that land owners whose properties are considered for inclusion may be resistant to the idea.

Consultation

The depth of consultation necessary to establish a Community Heritage Register will depend on the scale of process the LTC wishes to see applied to its creation. As noted above, and in the “Alternatives” section below, the LTC could limit its Community Heritage Register to the Church of the Good Shepherd, or undertake a more robust community planning process to determine what other buildings, sites, or areas the community would like to see included.

Statutory Requirements

Per Section 598 (3) of the *Local Government Act*, the local government must, within 30 days of including a property in a community heritage register, give notice of inclusion in the register to both the owner of the property and the provincial Heritage Minister.

Protocols

N/A

Agencies

Consideration of adoption of a Community Heritage Register does not trigger a requirement to undertake agency referrals.

While no agency referrals will be required, staff would recommend that any Community Heritage Register be referred to the South Pender Historical Society for review and comment.

First Nations

Community Heritage Registers may contain archaeological sites and/or sites of First Nations cultural significance. If the LTC is contemplating inclusion of such sites in a South Pender Community Heritage Register, significant consultation should be undertaken with local First Nations to ensure that inclusion of such sites is done with their permission and in a culturally respectful manner.

If the LTC does not intend to include First Nations sites in a Community Heritage Register, staff do not recommend referral to First Nations.

Rationale for Recommendation

Determining whether to undertake a Community Heritage Register is a political decision. Staff will support the LTC to carry out whatever decision is made.

Alternatives

1. Undertake a Community Heritage Register including only the Church of the Good Shepherd

If the LTC simply wishes to ensure recognition of the heritage value of the Church of the Good Shepherd to the South Pender Island community, the LTC can direct staff to return with a project charter to do so. It can also initiate other actions to advance the file.

Recommended wording for such a resolution is as follows:

That the South Pender Island Local Trust Committee direct staff to develop a project charter for the creation of a Community Heritage Register that includes only the Church of the Good Shepherd.

The LTC could also consider whether it wishes this work to be carried out in-house, or by an external contractor. Resolutions to advance either of these approaches are as follows:

That the South Pender Island Local Trust Committee direct staff to develop a Community Heritage Register that includes only the Church of the Good Shepherd.

Or

That the South Pender Island Local Trust Committee direct staff to initiate a tendering process in accordance with Islands Trust purchasing procedures for development of a Community Heritage Register that includes only the Church of the Good Shepherd.

If the South Pender Island Community Heritage Register is to include only the Church of the Good Shepherd, staff suggest that this is a relatively modest undertaking that can be carried out in-house, with an understanding that the draft document should be referred to the South Pender Historical Society for review and comment.

2. Undertake a Community Planning Process to develop a Community Heritage Register for South Pender Island

As noted above, the B.C. government's "Guide to Establishing Community Heritage Registers" suggests that communities use the creation of such documents as an opportunity to reflect on the history, culture and values of the locale. Doing so should involve the broader community in a discussion of what matters to them and why. If the LTC wishes to entertain this more robust form of planning around the creation of a Community Heritage Register for South Pender Island, recommended wording is as follows:

That the South Pender Island Local Trust Committee direct staff to develop a project charter for a community planning process to inform development of a Community Heritage Register.

Work to inform development of a more robust Community Heritage Register could be undertaken by either a Special Advisory Planning Commission (APC) or by an external contractor. Resolutions to advance either of these approaches are as follows:

That the South Pender Island Local Trust Committee direct staff to initiate a Special Advisory Planning Commission for the purpose of informing development of a Community Heritage Register.

Or

That the South Pender Island Local Trust Committee direct staff to initiate a tendering process in accordance with Islands Trust purchasing procedures for a contractor to carry out a community planning process for the purpose of informing development of a Community Heritage Register.

3. Consider alternative options regarding heritage protection

The staff report of [November 14, 2017](#) contained a number of potential approaches to heritage conservation that the LTC could employ depending on its objectives. In summary, those options are:

- Community Heritage Register
- Heritage Recognition
- Heritage Conservation Area

- Heritage Designation Protection Bylaw
- Heritage Assessment Report

Optional resolutions the LTC could consider regarding the above-noted approaches are:

That that South Pender Island Local Trust Committee direct staff to report back on the implications of . . .

Or

That the South Pender Island Local Trust Committee direct staff to develop a project charter for . . .

4. Amend work program

The LTC may determine that it does not wish to proceed with this initiative as a priority project at the present time. Should this be the case, the following resolution is recommended:

That the South Pender Island Local Trust Committee amend the work program to remove Heritage Conservation as a top priority.

As follow-up the LTC may consider identifying an alternative top priority project. Staff would then return to the LTC with a scoping report for the proposed new project.

NEXT STEPS

If the LTC decides to proceed with developing a Community Heritage Register as described in either alternative options 1 and 2 above, staff will return to the LTC with a project charter addressing the timeline and resource requirements of the direction determined by the LTC and begin work accordingly.

Submitted By:	Jason Youmans, Island Planner	February 6, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	February 13, 2018

ATTACHMENTS

1. Local Government Act - Excerpt
2. Islands Trust Act - Excerpt
3. ITPS/OCP Policy Review
4. Ladysmith Community Heritage Register - Excerpt
5. Nelson Community Heritage Register - Excerpt

Community heritage register

598 (1) A local government may, by resolution, establish a community heritage register that identifies real property that is considered by the local government to be heritage property.

(2) A community heritage register

(a) must indicate the reasons why property included in the community heritage register is considered to have heritage value or heritage character, and

(b) may distinguish between heritage properties of differing degrees and kinds of heritage value or heritage character.

(3) Within 30 days after including property in a community heritage register or deleting property from a community heritage register, the local government must give notice of this

(a) to the owner of the heritage property in accordance with section 592, and

(b) to the heritage minister in accordance with section 595.

(4) The protection of heritage property is not affected by an error or omission in a community heritage register.

LTC Authority for Heritage Conservation Under Islands Trust Act

Heritage conservation

- 30** (1) Subject to this section, each local trust committee has, in respect of its local trust area, all the powers and authority of a local government under Part 15 of the *Local Government Act*.
- (2) Subject to this section and for the purposes of subsection (1), Part 15 of the *Local Government Act*, as it applies to regional district boards, applies to local trust committees.
- (3) As an exception to section 27 in relation to a heritage designation bylaw of a local trust committee under section 611 of the *Local Government Act*,
- (a) the local trust committee must, by request delivered to the secretary, refer the bylaw to the trust council for approval in accordance with section 16, and
 - (b) the bylaw has no effect until it is approved by the trust council.
- (4) For a heritage designation bylaw of a local trust committee, the temporary protection of section 607 (2) of the *Local Government Act* applies for
- (a) a period of 60 days beginning on the date of the first reading of the bylaw, and
 - (b) if the bylaw is referred to the trust council under subsection (3), a further period of 60 days beginning on the date the bylaw is referred, subject to the limit that, if the bylaw is refused by the trust council, the protection ends on the date of that refusal.
- (5) A local trust committee may order a heritage inspection under section 600 of the *Local Government Act* only if the order is approved by the executive committee.
- (6) Sections 604, 605 and 620 of the *Local Government Act* apply to an officer or employee of a regional district all or part of which is in a local trust area as though that person were an officer or employee of the local trust committee for the local trust area.

APPENDIX 3 – POLICY REVIEW

ISLANDS TRUST POLICY STATEMENT

ITPS Policy	Complies	Planner Comments
Section 5.6 – Cultural and Natural Heritage		
5.6.2 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.	TBD	LTC efforts to conserve Island heritage will generally be consistent with the Islands Trust Policy Statement.
5.6.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.	TBD	LTC efforts to conserve Island heritage will generally be consistent with the Islands Trust Policy Statement.

SOUTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 107

OCP Objective/Policy	Complies	Planner Comments
5.2.1 Heritage Cultural Resources Objectives		
a) To increase awareness and appreciation of the island's ancient and recent cultural heritage.	TBD	LTC efforts to conserve Island heritage will generally be consistent with the South Pender Island Official Community Plan.
b) To encourage and support measures that identify, inventory, and protect heritage cultural resources.	TBD	LTC efforts to conserve Island heritage will generally be consistent with the South Pender Island Official Community Plan.
c) To recognize First Nations presence on South Pender Island and to protect archaeological and other cultural heritage resources in cooperation with First Nations.	TBD	First Nations archaeological and cultural sites can be included in Community Heritage Registers.
5.2.2 Heritage Cultural Resources Policies		
The Local Trust Committee is to encourage the formation of a	TBD	Depends on LTC direction.

Community Heritage Commission to provide it and the community in general with advice and assistance regarding: i) criteria for determining community heritage values, eg., archeological evidence, historical significance, socio-cultural context, and architectural relevance; ii) identification, inventory, and information compilation regarding sites, artifacts, structures, buildings, and persons of interest; iii) measures to increase general awareness and appreciation of the island's cultural heritage; and iv) methods of securing protection for the island's cultural heritage resources.		
b) Roads or portions thereof identified as Scenic/Heritage Road on Schedule "H" are not to be altered without consultation, as referenced in the 1992/96 Letter of Agreement between the Ministry of Transportation and Infrastructure and the Islands Trust.	N/A	
c) All development applications shall be reviewed for the presence of known and recorded archaeological sites. Applicants should modify or revise proposed development plans to avoid archaeological site impacts as the best means of preserving archaeological resources. Alteration of a protected archaeological site requires a Provincial Heritage Alteration Permit prior to land altering activities.	N/A	
d) The Local Trust Committee should not approve applications that would result in disturbance to an archaeological site unless there are unavoidable conflicts with significant archaeological sites or other known First Nations cultural sites. If this is the case, the LTC should require measures	N/A	

to manage the impacts.		
e) Recognizing the inter-relationship of community interests and services between North and South Pender Islands, the Local Trust Committee is to encourage opportunities for mutually beneficial co-operative efforts relating to heritage cultural resources.	TBD	
f) The Local Trust Committee may consider designation of a Heritage Conservation Area or adoption of Heritage Bylaws to protect heritage cultural resources	TBD	Depends on LTC direction.

Town of Ladysmith

Community Heritage Register



Adopted: May 1, 2006
Updated: March 1, 2010
February 3, 2014

Heritage Register Summary

	Property	Date added to Ladysmith's Register	Listed on Canada's Register of Historic Places
1.	Traveller's Hotel 422 First Avenue	May 1, 2006	Yes
2.	St. John The Evangelist Anglican Church 314 Buller Street	May 1, 2006	Yes
3.	Agricultural Hall and Sports Field 1110 First Avenue	May 1, 2006	Yes
4.	Context Statement First Avenue West Side	March 1, 2010	No
5.	Island Hotel 440 First Avenue	March 1, 2010	Yes
6.	Ladysmith Trading Company 410 First Avenue	March 1, 2010	Yes
7.	Nicholson Block 436 First Avenue	March 1, 2010	Yes
8.	Mainstreet Building 512 First Avenue	March 1, 2010	Yes
9.	Small Shop 530 First Avenue Building	March 1, 2010	Yes
10.	Comox Logging and Railway Shops Building 610 Oyster Bay Drive	February 3, 2014	
11.	The Old Post Office 340 Esplanade	February 3, 2014	
12.	Temperance Hotel 32 High Street	February 3, 2014	
13.	The Convent School 210 Buller Street	February 3, 2014	
14.	Jones Hotel 12 Gatacre Street	February 3, 2014	
15.	516 First Avenue Building 516 First Avenue	February 3, 2014	
16.	Eagle's Hall 921 First Avenue	February 3, 2014	
17.	Coburn-Verchere Residence 641 Third Avenue	February 3, 2014	
18.	Jessups Drug Store 18 High Street	February 3, 2014	
19.	Music Hall 18 Roberts Street	February 3, 2014	
20.	Masonic Hall 26 Gatacre Street	February 3, 2014	
21.	Johnson's Shoes Building 526 First Avenue	February 3, 2014	
22.	Railway Station	February 3, 2014	



TRAVELLER'S HOTEL 422 FIRST AVENUE

Date Added to Register: May 1, 2006

Description of Historic Place

The Traveller's Hotel is a brick, three-storey Edwardian era building located on the main thoroughfare of Ladysmith's downtown core. The historic place is confined to the building footprint.

Heritage Value

The large and highly detailed Traveller's Hotel building speaks to the prosperity and optimism that existed in pre-war Ladysmith. From 1900, when it was first established as a coal trans-shipment point, to 1912, Ladysmith experienced rapid economic growth that saw the community transformed from a rough camp into a bustling urban centre. In 1912, a protracted regional coal miner's

strike brought work in the mines to a halt and Ladysmith's first economic 'boom' period was effectively over. Although construction was not completed until 1913, the Traveller's Hotel is an important tangible reminder of Ladysmith's earliest development and the sense of possibility and progress that accompanied it.

The Traveller's Hotel is an excellent example of an Edwardian-era, commercial style building. The symmetrical facade, simple form and massing are typical of Edwardian Classicism while the highly detailed brick facade and heavy cornices express an earlier, more exuberant Victorian aesthetic. The most striking features are the brick swastika symbols on the front facade. At the time of construction, the swastika was a relatively common symbol of prosperity and peace; during World War II, concerns were expressed about the symbol's association with Nazism. The building was not altered in response to these concerns and the Traveller's Hotel remains in substantially original condition.

The Traveller's Hotel is also a tangible reminder of the social and economic importance of hotels in Ladysmith's history. Although originally built to serve short-term guests, as its name implies, the Traveller's Hotel also served long-term boarders. Like most mining communities, early Ladysmith had a large population of single, often transient, men. As affordable housing alternatives, hotels functioned as living quarters and, in the bars and restaurants located on the ground floor, as social centres.

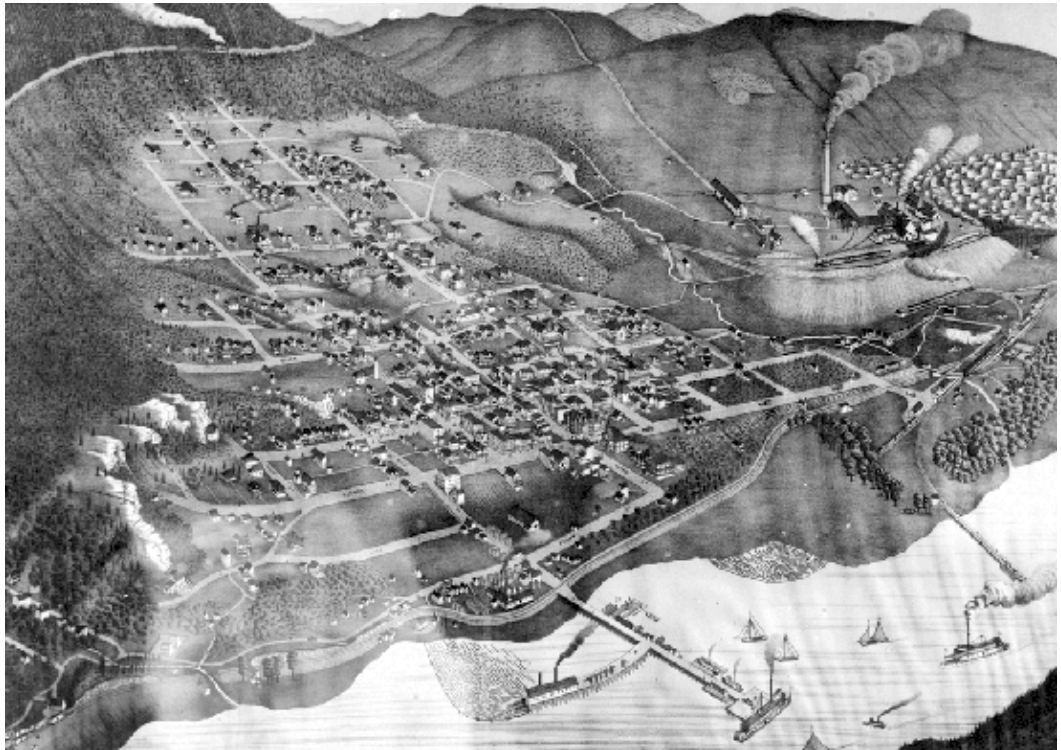
The Traveller's Hotel is located within a grouping of historic buildings on the main thoroughfare in the commercial core. Its height and mass, especially in relation to the smaller buildings that flank it, make it a highly visible community landmark.

Character-Defining Elements

Character-defining elements of the Traveller's Hotel include:

- all of the elements of an Edwardian-era commercial building as expressed in the simple form and massing, flat roof, multi-coloured, articulated brick façade, large storefront windows, brick columns flanking the central entry, casement windows with leaded glass transoms on front façade, and ornate upper and lower pressed-metal cornices that extend the full width of the building.
- The location of the building within a grouping of historic buildings on the main thoroughfare of the downtown core
- The use of the ground floor for commercial purposes
- The height of the building, especially in relation to adjacent buildings
- The sign at the roofline with the name of the hotel
- The brick swastika symbols on the front façade
- The blue and white sidewalk tiles at the front entry that spell out the building's name

City of Nelson
Community Heritage Register Update
June 2011



Bird's-eye view of Nelson, 1894
(BCAR A-02080)

Submitted by:

Denise Cook Design

Birmingham & Wood Architects and Planners

Stephanie Fischer

Report Contents

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Appendices

Appendix A: List of Current and Potential Resources

Appendix B: 70 Statements of Significance 2008

1.0 Historical Contexts and Themes

The Statements of Significance in this report are part of a wider study undertaken to update the City of Nelson Community Heritage Register. This update initiative involves determining what stories need to be told in order for the community to have a comprehensive and values-based understanding of the heritage of Nelson. This provides direction for determining what resources are needed on the Community Heritage Register to tell those stories.

An analysis of history, including the very recent past, is central to any values-based heritage assessment and management. The historical context of a place ensures that the significance of heritage resources can be understood, logically analyzed and clearly stated. The community's heritage resources need to be considered within the context of the history and historical geography of Nelson and area surrounding it, as well as the underlying historical influences that have shaped and continue to shape the city.

Historical Contexts

Historical contexts:

Identify and explain the major themes, factors and processes that have influenced the history of an area

Their objective is to provide a framework to investigate and identify heritage resources

They are not intended to be a detailed account of all aspects of the history of an area

They are not intended to replace histories designed to serve other purposes

An historic context statement is a document used in planning for a community's heritage resources. It identifies the broad patterns of historic development in the community and identifies historic property types, such as buildings, sites, structures, objects, landscapes or districts which may represent these patterns of development. An historic context statement provides direction for evaluating and protecting significant heritage resources. As a planning document, it is meant to be a dynamic work, evolving as community needs and desires change.

Historical contexts, used in conjunction with a thematic framework and information about the physical evidence of a place, can suggest areas requiring more detailed historical research. The use of contexts and themes can draw attention to gaps in an existing heritage register. The historical context developed for Nelson expands the thematic framework into a brief historical narrative about the place.

The historical context statement below is a summary of themes found in the historical record. This framework identifies heritage, social and urban design values important to Nelson's character.

The reader is encouraged to pursue additional resources for specific details on ethnic or national communities, property division, forms of development and other specialty subjects.

Nelson's core heritage themes have deep roots in the past and in the geography of the area. Since the 1890s, Nelson has served as the social, economic and transportation hub for the ever-evolving mining, agriculture and forestry industries. The community began as a rapidly growing industrial centre at the turn of the twentieth century. Its regular economic reinvention ensured its evolution into a sophisticated mix of heritage buildings and infill development that has made it a

centre for tourism and the location of one of the few intact main streets in the province.

Location has been the key to Nelson's development. Its access to Kootenay Lake's water transportation routes, the discovery of ore at nearby Toad Mountain and the arrival of the Canadian Pacific Railway ensured the city would become a navigational hub. The city's incorporation in 1897 was hastened by the need for civic infrastructure in the booming town. Even as Nelson entered the modern era, and has continued to reinvent itself economically, development has not altered the city's basic character and distinctiveness.

Thematic Framework

Historical themes are ways of describing a major force or process which has contributed to history. The following historical themes create an historical context of provincial, regional, and local history within which the heritage significance of resources found in Nelson and its surroundings can be understood, assessed, and compared.

Historical themes:

Put a resource historically in place and time

Unite a variety of actions, events, functions, people, place and time

Prevent the concentration on any one particular type of resource, period or event in history

Ensure that a broad range of heritage resources is considered, touching on many aspects of the city's history

Flow across all peoples, places, and time periods

History is complex, and as a result, important historical features, events and/or assets may not be easily slotted into one of the themes. Themes will overlap, and there will be repetition and perhaps ambiguity as to which is the most applicable theme.

The thematic framework summarizes the context and themes identified for Nelson. Essentially, the thematic framework was guided by asking the question, "What do people value about the history of Nelson, and why?". The framework was developed through a synthesis of the historical context, information collected at the community workshops, and through input from the Community Heritage Commission, Stakeholder Group, Touchstones Nelson Archives, and other knowledgeable researchers, professionals and citizens in the city.

This input generated comprehensive lists that covered the city's history from the natural environment, Indigenous Peoples, post-contact history, and more recent events.

Historical themes developed for Nelson can be used to inform the management of the area's heritage. This includes the selection of historic and cultural sites for nomination to the Community Heritage Register. It also includes the ability to sustain the area's rich diversity of intangible cultural heritage, such as stories, festivals, celebrations, arts, sports, and other valued forms of expression and community building.

Additionally, the themes provide a background on the area's historic identity and sense of place for consideration in any future economic or tourism initiatives.

Because themes connect the historical context to values and places, they are a good way to organize information so that it has continuity. This information can then be used to move forward with the Community Heritage Register and the writing of comprehensive Statements of Significance.

Together, the themes are intended to:

- Capture the heritage values of the City of Nelson and the evolution of its geographic community over time
- Capture the reader or audience's imagination in their language
- Capture the unique character defining elements of the community and overlaps between one community and elsewhere
- Connect the past to the present
- Connect heritage values to the experience of physical surroundings

These stories of the past and the themes that workshop participants, Community Heritage Commission members, the Stakeholder Group, Touchstones Nelson Permanent Museum Exhibition and others identified as important characteristics of Nelson are the stakeholders' heritage values. Considered against the factual record of the historical context, heritage values were used by the consultant team as the basis for defining the thematic framework.

2.0 A Thematic Framework for the City of Nelson

1 The Natural Setting

This theme captures Nelson's natural setting as the backdrop to the events that have occurred throughout the city's history.

- Role of geology, geography, topography
- Watercourses
- Microclimates

Historical resources that may be associated with this theme include creeks, Kootenay Lake, geological, topographical or ecological features, the Kokanee run, mining features, retaining infrastructure, unique city characteristics as a response to natural features, views, agriculture, and local flora and fauna.

2 Diverse Cultural Beginnings

- Nelson's mix of cultures through its history is expressed by this theme.
- Indigenous Peoples
- Immigrants: Americans, English, Scots, Italians, Chinese, Doukhobors, and many others

Historical resources associated with this theme may include buildings and structures, settlement patterns, streets, landscape features such as trees or gardens, or intangible heritage elements such as traditions, art or systems of belief.

3 The Water Resource

This theme expresses the important role that water, specifically lakes, rivers, streams and wetlands, has played in the development of Nelson.

- Lake and stream natural resources
- Port of Entry
- Hydro-electric power generation
- Recreational history

4 Lakefront Hub

This theme captures the way in which Nelson's origins grew from the lakefront, as the city expanded up the mountain slope and became a major transportation centre due to transportation links between water transportation and the railway.

- Benchland settlement
- Railways
- Steam sternwheeler terminal and transfers
- Roads, highways, ferries, bridges and trails

5 Economic Reinvention

Throughout its history, Nelson continually has had to reinvent itself economically. From the early mining strikes, to regional tourism development, to the current heritage, arts and culture initiatives, the city has taken advantage of its location and character to sustain itself economically.

- Mines and Smelters
- Port of Entry
- Orchard industry
- Early sawmills
- Power generation
- Manufacturing and industry
- Education and government centre
- Forestry, silviculture and other crops
- Tourism, arts, culture and heritage, and recreation
- Heritage revitalization: transformation of the downtown

6 Early City Development in Mountainous Terrain

Nelson's early development involved the placement of survey grids onto steep and mountainous terrain. This theme explores this early city expansion and the resulting physical character of the city.

- Origins and physical expansion
- The early surveys
- Built form
- Social life of a frontier town

7 The Queen City

This theme explores Nelson's important role as the cultural and administration focus of the Kootenay region, as well as addressing its characteristics as a typical British Columbia town.

- Administrative centre
- Cultural and Recreation centre
- Concentration of wealth
- Local and regional institutions
- Small-town Nelson
- Incorporation as a city in 1897

8 Cultural and Social Independence

Nelson's reputation as a city for alternative and unrestricted lifestyles is captured by this theme.

- Roots in isolated geography

- 1960s-70s counter-culture mecca
- Draft dodgers

9 Modern Nelson

This theme captures the city's evolution into a modern entity through its physical and social development.

- Development of Nelson in the 1930s and later
- Educational and cultural centre
- Moderne and Art Deco design aesthetic
- Nelson in World War II
- Rise of the automobile culture and car-oriented tourism
- Live here, work everywhere

10 Transforming the Environment

This theme explores the ways in which the development of the city has influenced the natural environment.

- Development of the lakefront
- Alterations of the creek-beds
- Hydroelectric dams
- Street construction and public transport
- Public housing development
- Creation of public parks

3.0 Historical Context Statement for the City of Nelson

The Natural Setting

Nelson's origins are as old as its landscapes. The geography of the Central Kootenay determined transportation patterns and the ways in which the city would develop. The Purcell, Selkirk and Monashee mountain ranges created natural east-west barriers effectively forcing transportation routes to follow the natural access corridors along the north-south valleys. This same geography gave rise to the Columbia River system of which the Kootenay River, Kootenay Lake and inflowing lakes and rivers in Canada and the United States are tributaries.

The Quesnellia Terrane, or plate, in which Nelson and the West Arm of Kootenay Lake is situated, "... runs from the US border through the Kootenays and up to Prince George, narrowing as it meets the thin strip of remaining Cassiar Terrane."¹ "This terrane is composed of a sequence of volcanic and sedimentary rocks of the Upper Triassic to Lower Jurassic age"², or approximately 200 million years old. When the Columbia and Rocky Mountains were formed around 150 million years ago, the upheaval affected the Quesnellia Terrane. Later granite intrusions near Nelson and the further shifting of the earth's crust created the large deposits of gold, silver, galena and copper found in the Nelson region, as well as the faults which form Slokan and Kootenay Lakes.³

This geology was the source and cause of the mining advances into the West Kootenay. This included the galena-rich Blue Bell outcropping, the silver deposits in Ainsworth, and other claims around the perimeter of Kootenay Lake. Men were mining gold on creeks in the South Kootenay as early as 1854, when gold was discovered on the Pend d' Oreille River where it joins the Columbia. In 1868, mining with rockers was occurring on Forty-Nine Creek west of Nelson. In 1882, there was gold mining near Ainsworth; in 1884 "The Ledge" or Bluebell mine came into existence; and in 1886 the Silver King mine was developed on Toad Mountain with rich deposits of silver, lead, copper, and gold just above the location of Nelson. As noted in the Report of the Minister of Mines for 1889:

*"The work done on the Kootonai [sic], Bonanza, and American Flag, exhibit a similar richness [of ore] to the Silver King on the surface, and, so far as ascertained, may be equally as rich. The lode running through these claims is from 12 to 16 feet wide, six feet of which is of solid ore. The foot and hanging walls are composed of dolomite of lime, the country rock being granite. The course of the ledge is east and west, and has been traced for a distance of four miles over mountains and through intervening depressions."*⁴

¹ Al Price, "Geological Diversity, Northern BC Has It All"

http://www.northword.ca/connections/Past_Issue/spring%2002/geological.html

² Province of British Columbia, Ministry of Energy, Mines and Resources,

http://propertyfile.gov.bc.ca/PDFTemp/fileid_37140.pdf

³ R.J.W. Turner et. al., *Geotour Guide for the West Kootenay, British Columbia*. Geological Survey of Canada Open File 6135, British Columbia Geological Survey Geofile 1009-06. (Victoria: Ministry of Energy, Mines and Petroleum Resources, 2009) 4-7.

⁴ Province of British Columbia. *Annual Report of the Minister of Mines for the Year Ending 31st December 1899, Being an Account of Mining Operations for Gold, Coal, etc in the Province of British Columbia*. (Victoria: Printed by Richard Wolfenden, Printer to the Queen's Most Excellent Majesty, 1900) 280.

DATE OF MEETING: February 20, 2018
TO: South Pender Island Local Trust Committee
FROM: Jason Youmans, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Pedestrian and Bicycle Route Mapping Project

RECOMMENDATION

1. That the South Pender Island Local Trust Committee direct staff to draft an amendment to Schedule “D” of Official Community Plan Bylaw No. 107 to show a future pedestrian and bicycle path consistent with that shown in Appendix 1 of the staff report dated February 8, 2018.
2. That the South Pender Island Local Trust Committee direct staff to draft amendments to Section 6.1.3 of OCP Bylaw No. 107 as shown in Appendix 2 of the staff report dated February 8, 2018.
3. That the South Pender Island Local Trust Committee direct staff to refer this staff report and draft bylaw amendments to the community groups, First Nations and agencies identified in the “Consultation” section of the staff report dated February 8, 2018 for review and comment.

REPORT SUMMARY

This staff report provides the South Pender Island Local Trust Committee with a potential map amendment to OCP Schedule “D” to show the preferred route for a pedestrian and bicycle path. This report also provides the LTC with possible OCP amendments to incorporate policies supportive of such a route.

BACKGROUND

At its November 14, 2017 meeting, the LTC passed the following resolution (per the draft minutes):

SP-2017-47

It was MOVED and SECONDED,

That SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE direct staff to report back with a draft map for possible pedestrian and cycle routes.

CARRIED

This direction from the LTC followed on a presentation at the November 14, 2017 LTC meeting by representatives of Moving Around Pender (MAP), advocating for inclusion of such routes in the South Pender OCP as a prudent step to demonstrate local interest in pedestrian and cycling infrastructure should government funding for such become available. MAP would also like the LTC to lobby the provincial and regional governments for greater investment in active transportation infrastructure on South Pender Island, and to direct funds toward survey work to determine the location of existing paved roadway within the statutory right-of-way. The LTC has not provided staff with direction relative to these latter requests.

See MAP's 2017 presentation to the LTC attached as Appendix 3. This appendix also contains meeting notes from a 2016 meeting between local trustees, MAP, and relevant agencies concerning pedestrian and cycling infrastructure on both North and South Pender Islands. This request from MAP advances previous work undertaken on bicycle and pedestrian route planning on South Pender Island over the last decade.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The subject map amendment and corresponding policies are specifically supported by the Islands Trust Policy Statement. In particular Policy 5.3.7 which states:

"Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use."

And Policy 5.5.7:

"Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle and equestrian trail systems."

The proposed pedestrian and cycle path map amendment does not appear to be inconsistent with any other provisions of the Policy Statement. Nonetheless, should bylaw amendments be advanced, the LTC will have to be cognizant of whether the proposed route may involve consideration of either/both ecological and First Nations heritage/cultural protection.

Any bylaw amendments will be reviewed against the Islands Trust Policy Statement Checklist for consistency.

Official Community Plan:

See Appendix 2 for proposed policy additions and amendments to South Pender OCP Bylaw No. 107.

OCP Section 6.1.3 already contains a number of objectives and policies concerning active transportation on the Island (see Appendix 4) and staff are recommending that these policies be refined and strengthened to reflect the proposed map amendment.

Land Use Bylaw:

Construction of a pedestrian and bicycle route as shown on the proposed amendment to OCP Schedule D does not appear to conflict with the South Pender Island Land Use Bylaw. A more comprehensive review will be undertaken upon direction to advance bylaw amendment.

Issues and Opportunities

CRD Gulf Islands Regional Trails Plan

The pedestrian and bicycle path route shown on the proposed amendment to Schedule D overlaps the proposed South Pender leg of the Gulf Islands Regional Trails Plan (see Appendix 5). The South Pender portion of the trail is proposed to extend from Canal Bridge to the entrance to Mount Norman/Beaumont Park. While construction of the trail is not geared to South Pender residents specifically, this may ultimately be the first portion of multi-

modal trail completed on the Island¹ and thus warrants LTC support. For this reason, staff recommend inclusion of an OCP policy demonstrative of the LTC's support for the initiative (see Appendix 2).

MOTI Letter of Agreement (1992/96)

Islands Trust's standing Letter of Agreement (LOA) with the Ministry of Transportation and Infrastructure (MOTI) appears primarily focused on the creation of "on-road" bicycle paths at the time of road upgrades. The LOA states, "The approved plan, for the designated cycle routes, will trigger adjustment of the shoulder standards for new roads and for existing roads when they are to be upgraded as indicated in Section E. The requirements for safely accommodating cyclists will be recognized when prioritizing roads for upgrading."

In Appendix 2 staff have proposed an advocacy policy that separated off-road paths are preferred to on-road infrastructure where feasible, recognizing that on-road bike lanes may become available in the shorter term.

Staff are confident that the proposed amendment to Schedule "D" is sufficient to designate the illustrated route as a "Cycle Route" per the language of the LOA with MOTI, which requires that such routes be registered with the Ministry in order to trigger consideration of cycling infrastructure at the time of road improvements. The proposed bylaw revisions will be referred to MOTI for review and comment, thus enabling them to flag any concerns.

Scenic/Heritage Roads

There is a potential tension between protecting the aesthetic values of the Island's scenic and heritage road segments and construction of off-road pedestrian and bicycle infrastructure.

See Appendix 2 for proposed policy that the Local Trust Committee, during consultations with MOTI or any agency undertaking installation of pedestrian or bicycle infrastructure, should ensure that the scenic or heritage values of such roads are not compromised.

Sensitive Ecosystem Protection

Among the overarching land transportation objectives for South Pender Island is to support transportation infrastructure that "has minimal adverse effects on the natural environment." Islands Trust mapping shows that portions of the roadside areas shown in Schedule "D" contain mature forest ecosystems and that there are raptor nests in the vicinity at some locations. In the absence of Development Permit Areas to protect these particular sensitive environmental values, the LTC does not have tools to manage development in their proximity. As such, the LTC is limited to advocating that best practices be observed.

See Appendix 2 for proposed advocacy policy that off-road pedestrian and bicycle pathways are preferable where they will not have detrimental impacts on the natural environment.

¹ Notwithstanding the fact that the South Pender leg is not among the first stretches proposed for completion according to the CRD's approximate timeline.

Schedule “D” or Schedule “H”

Staff deliberated over whether it was more appropriate to include the proposed pedestrian and cycling path in Schedule D (“Parks, Trails and Oceanfront Accesses”) or Schedule H (“Road Network”). Staff settled on Schedule “D.” The LTC may wish to consider whether this is the correct location, or if Schedule H is the more appropriate.

Public Expectations

Inclusion in the OCP of roadside pedestrian and cycling route shown in Appendix 1 would be aspirational. However, doing so may give non-residents the impression that the infrastructure for safe cycling is in place on the road. Staff have prefaced it with the word “future” on the proposed amendment to Schedule “D”.

Other Map Amendments

Staff have not had time to undertake a close review of current Schedule “D” against the current parks and ocean access mapping from the CRD to determine if any additional amendments to Schedule “D” are warranted while the map is open for revision. Staff will do so before first reading.

Consultation

Staff are recommending that direction be given to draft bylaw amendments that reflect the changes proposed in this staff report, and that said amendments be referred out for comment. Staff are recommending that the proposed bylaw amendments be referred to the following community groups, agencies and First Nations:

Community Groups

South Pender Island Advisory Planning Commission
CRD Pender Island Parks and Recreation Commission (PIPRC)
Moving Around Pender (MAP)

Agencies

Ministry of Transportation and Infrastructure
CRD Regional Parks and Trails

First Nations

Cowichan Tribes
Halalat First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe

Semiahmoo First Nation
Songhees First Nation
Stz’uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwasswen First Nation
Tseycum First Nation

The LTC may wish to consider whether any additional agencies or groups should receive referral of the proposed bylaw amendments.

Statutory Requirements

Should bylaw amendments be advanced, staff will carry out public notification in accordance with Section 466 of the *Local Government Act* and South Pender Island Development Procedures Bylaw No. 60 and will be undertaken once the LTC directs staff to schedule a public hearing.

As the project would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. Staff anticipate that referral to the community groups, First Nations and agencies noted above should satisfy the consultation requirement. The LTC should consider if it wishes to undertake additional consultation than identified above and direct staff accordingly.

Protocols

As noted, there is a 1992 Letter of Agreement between Islands Trust and the Ministry of Transportation and Infrastructure. Of relevance to this project are:

Objective 4: “To establish cycle routes and roadway standards to accommodate safe cycling.”

See Appendix 6 for a copy of policies concerning Cycle Route Plans from the Letter of Agreement.

Agencies

See “Consultation” section above for suggested agency referral recipients.

First Nations

As this project involves an amendment to the OCP, referrals to First Nations with a known interest in South Pender Island will be required. See list in “Consultation” above.

Rationale for Recommendation

The LTC has directed staff to provide a map of possible pedestrian and cycle routes on South Pender Island. Staff have provided such, based on previous mapping work by Moving Around Pender (MAP). The policy amendments recommended in Appendix 2 are intended to ensure there are policies in the OCP that support implementation of the attached map.

Staff anticipate that community group and agency referral of any proposed map or policy amendments will yield recommendations for additions or alterations to the proposed map and policies.

The LTC should be aware that staff are proposing referral of bylaw amendments before the LTC has had a chance to review the formal amendment documents in the hope of expediting the referrals process and receiving early feedback that can be incorporated into the bylaws. The LTC can be assured that any bylaws drafted will closely mirror Appendices 1 and 2 of this staff report, and incorporate any changes proposed by the LTC at its February 20 meeting.

ALTERNATIVES

1. Amend proposed map and/or policies

The LTC may already have a clear idea of shortcomings to the proposed map, or desired policy changes that have not been identified by staff. If this is the case, the LTC could make the following type of resolution:

That the South Pender Island Local Trust Committee direct staff to make the following amendments to the map shown in Appendix 1 of the staff report dated February 8, 2018:

1) *Amend the proposed pedestrian and bicycle route map by*

2) Amend Work Program

The LTC may determine that it does not wish to proceed with this initiative as a priority project at the present time. Should this be the case, the following resolution is recommended:

That the South Pender Island Local Trust Committee amend the work program to remove Pedestrian and Cycle Routes as a top priority.

As follow-up the LTC may consider identifying an alternative top priority project. Staff would then return to the LTC with a scoping report for the proposed new project.

NEXT STEPS

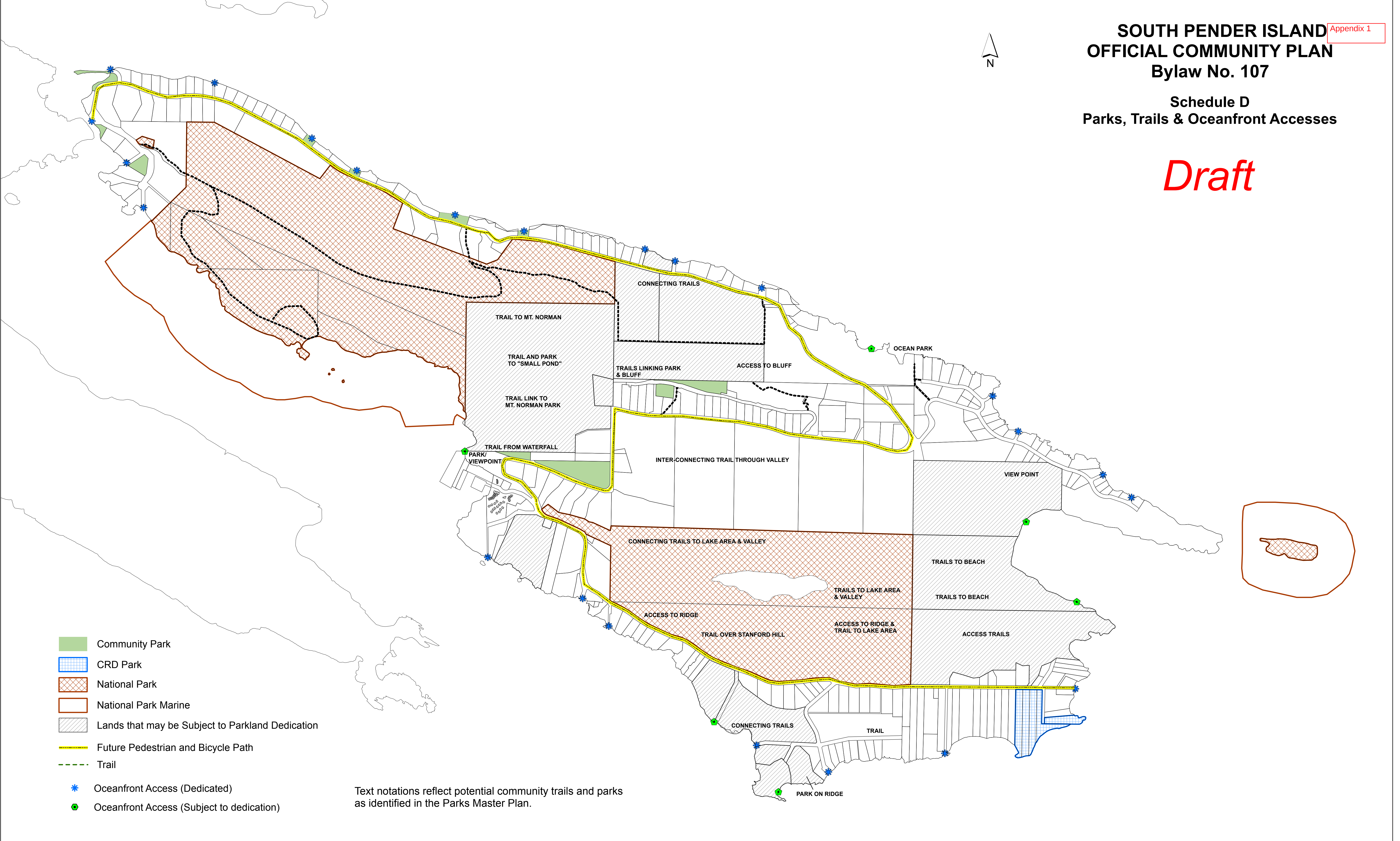
If the LTC accepts staff's recommendations, staff will begin the bylaw amendment and referrals process.

Submitted By:	Jason Youmans, Island Planner	February 8, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	February 8, 2018

ATTACHMENTS

1. OCP Schedule "D" – Proposed Amendment
2. Proposed OCP Transportation Policy Amendments
3. MAP submission to LTC
4. Current OCP Land Transportation Policies
5. CRD Regional Trails Plan – South Pender
6. MOTI/Islands Trust Letter of Agreement - Excerpt

Draft



Proposed OCP Policy Amendments

Existing objectives under OCP Section 6.1.3 (a) are sufficient and do not need amendment.

Staff propose inclusion of the following new OCP policies in Section 6.1.3 (b) – Land Transportation Policies:

“The Local Trust Committee will support agency and community group efforts to construct the network of bicycle routes, pathways, walkways and trails shown on OCP Schedule “D.”

“The Local Trust Committee should ensure that installation of pedestrian and bicycle infrastructure does not compromise the unique scenic and/or heritage values of the Scenic/Heritage roads identified in Schedule “H.”

“The Local Trust Committee will use rezoning applications as an opportunity to work toward development of the network of bicycle routes, pathways, walkways and trails shown on OCP Schedule “D.”

“The Local Trust Committee will support implementation of the Capital Regional District Gulf Islands Regional Trails Plan on South Pender Island.”

Staff proposed inclusion of the following new OCP advocacy policy in Section 6.1.3 (b)

“Agencies are requested to prioritize separated, off-road pedestrian and bicycle paths over on-road bicycle lanes where feasible and where they will not have adverse effects on the natural environment.”

“Agencies, in consultation with the Local Trust Committee, should ensure that installation of pedestrian and bicycle infrastructure does not compromise the unique scenic and/or heritage values of the Scenic/Heritage roads identified in Schedule “H.”

Robert Kojima

From: Peter Pare [REDACTED]
Sent: Wednesday, November 08, 2017 3:44 PM
To: Bruce McConchie; Wendy Scholefield
Cc: Robert Kojima; Niall Parker; John Chapman - mobile; Barry Mathias
Subject: Re: Roadside Trails on Pender
Attachments: LTC-MOTI -Map meeting July 2016.docx

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear SPI Trustees

As you are well aware, the SPI LTC has been heavily involved in bylaw revision over the past several years. Now that the process is complete, Moving Around Pender (MAP) would like to remind the LTC that road safety on SPI has not improved and remains precarious. Attached are the notes regarding these issues from our meeting with you and others in July of 2016.

MAP would like to work with the SPI LTC in support and/or as resource to improve road safety by dedicating SPI roads as bike routes and by planning roadside bike/pedestrian trails. Ongoing progress in this long-termed objective will improve safety and make alternatives to vehicle travel progressively more available for healthier lifestyle.

The Case for Roadside Trails on South Pender Island:

- South Pender Island Roads are very dangerous with heavy vehicular and bicycle traffic particularly during the summer months.
- Road safety is an objective of healthy and safe island living and trails will encourage more bicycling and fewer automobiles. This makes it part of the Trust's mandate. Increased advocacy for trails and participation in trail development by the Trust is desired.
- The development of a roadside trail network is a long term project but without incorporating it into Community plans it will never happen. It needs to get onto the Trustee's project list.
- We do not know where the road is within the right-of-way. This is needed to plan forward--ie where the trail could be constructed. Surveying funds are needed for this.
- Even construction of segments will benefit road safety as it will give Periodic places for bikes to pull off the road and allow vehicle passing.
- MAP needs support from the LTC to engage both the province (MOTI) and the CRD by making them aware of the current situation and putting our concerns and objectives on their 'radar'.

Immediate actions that the SPI LTC could take:

1. Engage the Province, the CRD, and the Islands Trust. Put this project on the action list for South Pender.
2. Funding for surveying is an immediate need. This will allow planning and prioritization of segments. Funding for construction can then be procured over the longer term.

Members of MAP would like to attend your November 14th meeting to discuss these issues

Sincerely

Peter Pare (on behalf of MAP)

You hold the hope! By giving to Lights of Hope, you enable St. Paul's Foundation to meet the greatest needs of our caregivers, patients, residents and their loved ones.

Please donate to our Lights of Hope fundraising page here:

<http://donate.helpstpauls.com/goto/hli>



Islands Trust

Transportation Information Meeting Notes

Date: July 27, 2016

Time: 10:30 a.m.

Location: Mary Winspear Centre, Sidney
Lebbetter Room

Attendees: Robert Kojima, Derek Masselink, Wendy Scholefield (Islands Trust)
June Klassen, Carolyn Stewart, John Hicks, Paul Leblond (CRD)
David Koch (MoTI)
Niall Parker, John Chapman, Andrea Mills (MAP)

1. CALL TO ORDER AND APPROVAL OF AGENDA

2. ROUNDTABLE – Roles and jurisdiction

a. Islands Trust/LTCs

Robert Kojima briefly outlined the role of the Islands Trust and Local Trust Committees as land use planning authorities for the two islands.

b. Local Trustees

Derek Masselink stated that as North Pender trustee, he is interested in supporting alternative transportation, addressing issues with right of ways, struggling with concerns about undermining rural nature of island, and also willing to explore expropriation.

Wendy Scholefield, South Pender trustee: issues include the small population base on South Pender, car stops, Canal Road as an obstacle for cycle route, past studies of cycle routes, and difficulties with big groups of cyclists.

c. CRD – Community Economic Development

June Klassen, Manager of Service Delivery for the SGI Electoral Area, explained the role of the Community Economic Sustainability Commission (CESC), and her role as point of contact.

John Hicks, Senior Transportation Manager, explained his role in supporting the Salt Spring Island Transportation Commission.

d. CRD – Regional Parks, Community Parks

Paul Leblond, Alternate Electoral Area Director, explained that he was here on behalf of Director Howe. He discussed some of the activities of the CESC, including of most interest: Experience the Gulf Islands (ETGI), fostering development of bus service, and broader vision of transportation

Carolyn Stewart – CRD Regional Parks Planner, discussed her role in planning and operations of regional parks and trails, liaison with other groups interested in parks and trails, and Community Parks separate function.

e. MoTI

David Koch described his role as Development Approvals Technician for the area, and that he is relatively new in the role, taking over from Ryan Evanoff.

f. MAP

John Chapman discussed his roles on MAP and the Pender Islands Parks and Recreation Commission

Andrea Mills discussed her involvement in the development of the community bus with MAP

Niall Parker explained that he is a director of MAP, its goals of alternative transportation, and some specific projects, including car stops and working on a bus service. Overall the goal of MAP is to make it easier to get out of the car if roads can be shared, making it easier for cyclists, pedestrians, or even horses. MAP is incorporated as a society. MAP sees ETGI as a parallel initiative and some overlap with PIPRC.

3. MAPs SUMMARY OF RECOMMENDATIONS AND UPDATES

Niall summarized MAP's initiatives, including the following:

- The updated transportation plan (2015), which has been revised from an earlier plan
 - The plan looked at traffic sources and destinations: ferry to Magic Lake, Driftwood, cultural centre, identified that it is hard to connect centres, the potential to use emergency routes, and that the Magic-ferry route has been incorporated into OCP.
 - Cycling: issue of dangerous corners (e.g. near the recycling centre)
 - Key Initiatives:
 - o Car stops: implemented, issue is time between cars, an app is being developed improving timing and connection, non-payment,
 - o Cycling: bike route defined in OCP, bike shelter at Otter Bay terminal encourages use of bikes on ferry and in town
 - o Identifying alternative transportation routes, survey (2012): number one issue was safety and hills. Traffic in bursts typically to or from ferry. Compared to e.g. Lochside Trail which is separated and flat. Einar's Hill bypass which is a dedicated highway an option. Shingle Bay, Irene Bay bypass, potential if Parks Canada agreeable
 - o Einar's bypass: as a dedicated highway, easiest for MoTI to approve, but an issue for neighbours who are used to it being undeveloped. Funding from CRD went for Mayne project, discussions with Parks Canada but no formal agreement. Purchase of heli-pad parcel also an issue.
 - o Karl Hamson has agreed to a trail on his property, ALC approval is needed (Community hall to Auchterlonie Centre). By agreement with owner, but not on title. ALC approval also received for extension to the south.
 - o Key issue: how do PIPRC, MAP, regional trail plan, ETGI work together
- Discussion:
- o ETGI: is a community tourism plan, which includes alternative means of getting around, the original map was a wishlist
 - o Regional Parks is moving towards a regional trail plan: ferry to primary commercial area or regional level attractions would be a regional parks trail option

- Regional trails and community parks trails relationship discussed
- Lack of engineering work or surveys to identify roads in dedication
- Parks Canada: starting to have more contact with CRD.
- Original trails: have been abandoned with creation of the highway system, eg Mary Church, Irene Bay–Shingle Bay. Lack of a management plan an issue.
- First Nation involvement is critical: traditional use trails existed and there is an interest in re-establishing

4. BREAK

5. DISCUSSION OF ISSUES AND OPTIONS

a. Community Bus Service

- Funding for a community bus (Community Works funding), one acquired, ready to go. Pilot project (2 years), use car stops for pick up, 3 days a week, scheduled with volunteer drivers. No cash fare.
- CRD consultant to work on community bus basic practices manual
- Question: SGI bus service and inter-island ferry are options for Regional District service delivery
- SGI transportation commission priorities: trails, sidewalks in Ganges, funded by taxes, some grants available

b. Car Stops – expand and add infrastructure

- Using them for bus stops
- Would like to widen pull outs
- No MOTI funding available
- Possibly for when widening roads to include in existing project budgets
- Important to identify locations early and plan for longer term

c. Cycle and Pedestrian improvements

- MOU agreement identified main cycle routes
- OCP identifies cycle route,
- Currently changing approach to climate change and transportation options, issue is how to come together to achieve this
- Mayne pilot project: community works funds, regional parks design, annual funding for future trail planning, pilot for future spine trails on all the islands
- Trail standards: 3 to 4 metres for dual bike trail, 2 metres for recreational use trails

d. Improved signage

- More warning signs desired
- MoTI process to add signage: request assessed and contractor can install
- MAP can submit a list of suggested locations to MoTI for consideration

e. Right-of-ways on private lands

- Expropriation: MoTI avoids at all costs, likely not an option for trails, an expensive proposition involving legal costs,
- Amenity zoning option discussed
- Potential for Trust Council budget request to pay for survey of constructed roadways within dedications

f. Funding for highway repair/improvement

- Funding for MoTI local office is for repair and maintenance of roads
- Minor improvements: MAP to pull out minor improvements from plan and send to MoTI

g. Traffic calming: speed bumps, more stop signs, enforcement, cross-walks

- Moti could pay for improvements once they have been assessed and approved

h. Access funds to purchase and maintain alternate transportation routes

- Regional parks funding is limited, need to access other funding sources

i. Equestrian trails

- Interest in using horses, recreationally and for transportation. Some portions of regional trails permit horses

j. Scheduled inter-island water taxi

- June: consultant who has experience on water taxi ferry has been located. Passenger ferry basics document, what would be involved in a pilot project.

k. Innovate transportation initiatives: electric car charging, electric car rental, bicycle rental

- Three charging stations on the Penders, interest in electric cars,

6. ADJOURNMENT

1:30 PM

PART 6 – SERVICES AND UTILITIES

This Part addresses the provision of the services and utilities to the South Pender Island community.

6.1 Transportation Services

Background

Transportation services available to the community consist primarily of the established public road system and the B.C. Ferries service operating from Otter Bay on North Pender Island. No on-island public transit exists; however, there is a commercial taxi service available. Car Stops have been implemented through the community group Moving Around Pender Alternative Transportation Society (MAP), as a simple and free alternative to single occupancy car use. Services of off-island based water taxis and floatplanes are also available.

The Ministry of Transportation and Infrastructure is responsible for the establishment and maintenance of public roads on South Pender Island. The Islands Trust has an agreement with the ministry regarding road standards within the Islands Trust area and the procedures for designation of scenic and heritage roads and cycle paths. Via the agreement, some road standards may be of reduced dimensions compared to those elsewhere in order to help maintain the Islands Trust rural character.

On-island water transportation facilities consist of the small portion of the federal government wharf at Bedwell Harbour and the private boat moorage space available at Poets Cove Resort marina. There are no boat launching ramps on the island.

Seasonal air transportation to South Pender Island is provided by commercial floatplane services that fly into Bedwell Harbour. Helicopter emergency evacuations use the designated site on North Pender Island or the site in the vicinity of Firehall #3 on South Pender Island.

6.1.1 Transportation General Objectives

- a) To support the development and maintenance of transportation services that primarily meets the needs of the South Pender Island community.
- b) To recognize the role of transportation in producing greenhouse gas emissions and the value of identifying options to reduce emissions including alternative forms of transportation.

6.1.2 Transportation General Policies

- a) Construction of transportation infrastructure is to be in response to rather than in anticipation of increased demand.
- b) Development of additional transportation fixed links between South Pender Island and any other Islands Trust island, Vancouver Island, or the Mainland is to be opposed.

6.1.3 Land Transportation

The location and classification of the island's roads, plus any intended additional or phased roads, heritage roads and car stops are shown on Schedule "H". The functional characteristics of these classifications are:

Minor Roads - access to principal developed areas;

Residential Roads - access from Minor Roads to individual properties; and

Scenic/Heritage Roads - having unique and scenic and/or heritage values.

6.1.3 (a) Land Transportation Objectives

i) To continue with the development and maintenance of a public road, pathway, walkway, and trail system that is safe and efficient, has minimal adverse effects on the natural environment, is compatible with the rural character of the island, and primarily serves the South Pender Island community.

ii) To encourage and support alternative transportation initiatives, including, but not limited to, car stops, neighbourhood zero emission vehicles, car shares, a bicycle path network and walking trails.

6.1.3 (b) Land Transportation Policies

i) The Local Trust Committee should support alternative transportation initiatives, including, but not limited to, car stops, neighbourhood zero and low emission vehicles, car shares, carpooling, a community bus, a bicycle path network and walking trails.

ii) Any agency with authority regarding the management of trails for use by the public is requested to restrict trail use to non-motorized use.

iii) Land uses shall be required to provide adequate off-street parking and where appropriate the Local Trust Committee may require alternatives to parking spaces, including but not limited to bicycle racks. Parking standards may be established for electric vehicle plug-ins in appropriate locations.

Advocacy Policies

i) The Ministry of Transportation and Infrastructure and its agents are requested to:

- continue to use the road standards established in the July 18, 1996 Letter of Administrative Understanding between the Islands Trust and the Ministry plus those of any agreed upon subsequent revisions which recognizes that lower road standards support the objective to maintain the rural character of the island, the need for a gentler approach in harmony with the land and applies a minor rural classification with paved width of 6.1m ;
- when developing new roads or improving existing ones, wherever possible, conform to land contours so the amount of cut and fill disturbance is reduced;
- encourage increased traffic safety by limiting vehicular speed, incorporating pull-offs, using cautionary signage in areas with limited visibility or traffic congestion, rather than by increasing road widths or straightening alignments;
- retain natural vegetation along the undeveloped portions of road rights-of-way, subject to traffic and fire safety considerations and operational maintenance constraints; and
- consult with the Local Trust Committee on behalf of the community regarding major roadwork.

ii) The creation of a network of pathways, walkways, and trails along routes shown on Schedule "D" is to be pursued by:

- requesting the Ministry of Transportation and Infrastructure to assist by developing pathways, walkways, and trails within road rights-of-way where their locations coincide with

network routes and to provide bicycle paths along Minor Road rights-of-way shown in Schedule "D";

- where land proposed for subdivision lies along a network route, requesting the subdivision Approving Officer to require dedication and construction of pathways for non-vehicular traffic. Such dedications are intended to secure non-vehicular public access routes in subdivision proposals where dedication of parkland is not required or the location of parkland to be dedicated does not coincide with a network route;
- encouraging a network of trail development within island parks and other public lands administered by Parks Canada, the Pender Islands Parks and Recreation Commission, and Capital Regional District Regional Parks; and
- encouraging landowners to donate land, grant easements over land, or to allow public passage over portions of their lands.

iii) The Ministry of Transportation and Infrastructure shall be requested to address safety by posting lower speed limits, installing crosswalks, and posting cyclist and pedestrian awareness signs in identified problem areas rather than by requiring roads to be straightened and widened.

iv) Residents and their guests are encouraged to use carpooling as a method to reduce single occupancy vehicle trips.

6.1.4 Water Transportation

6.1.4 (a) Water Transportation Objectives

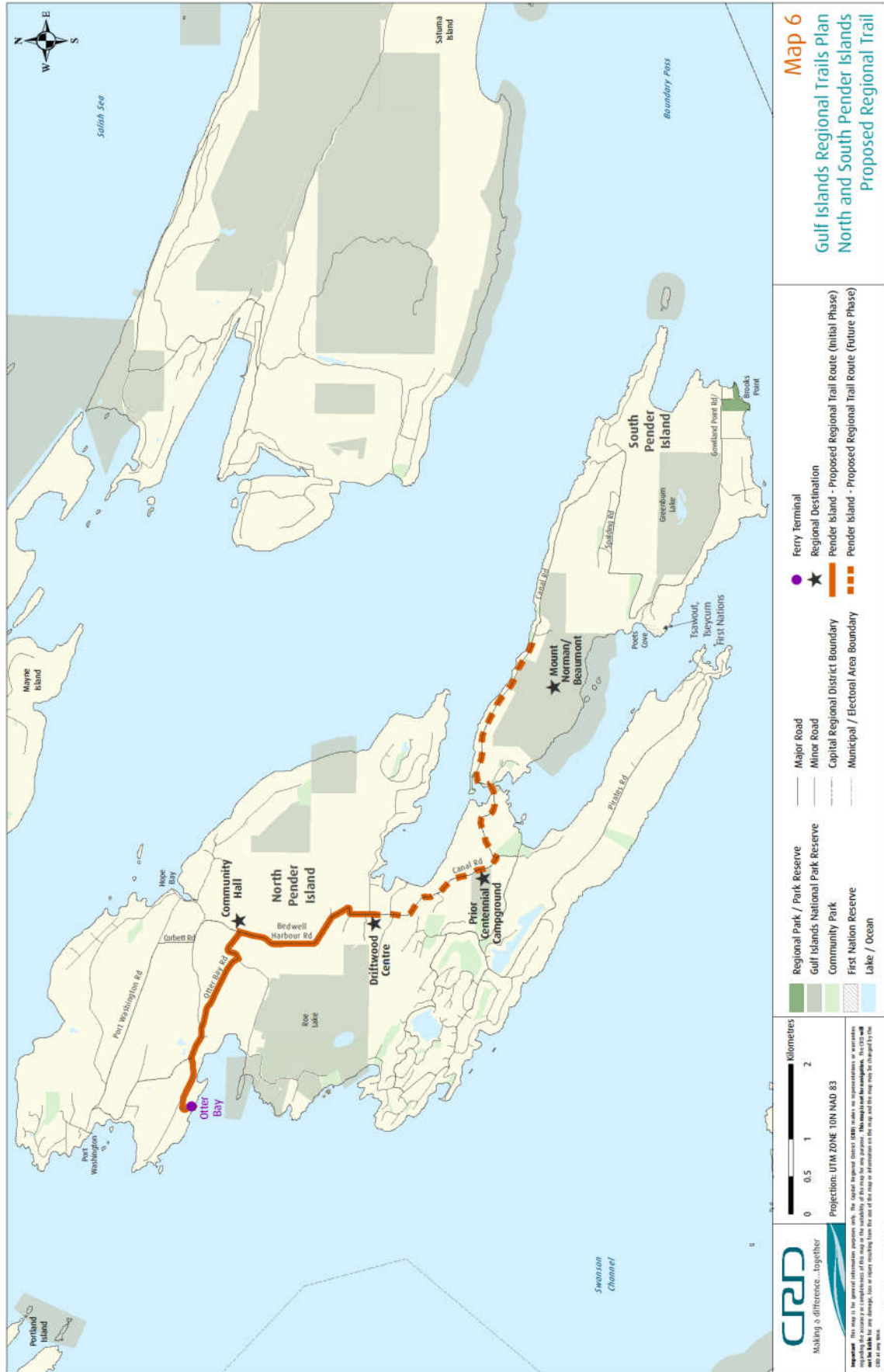
- i) To ensure ferry service is provided at a level adequate for both Pender Islands.
- ii) To help retain other water transportation services for the Pender Islands as a back-up and alternative to the ferry service, particularly in case of medical or other emergencies.

6.1.4 (b) Water Transportation Policies

- i) Any proposed wharves, barge landing and boat launching ramps shall be sited to minimize the impact on the natural environment.
- ii) All water transport operators shall be requested to ensure services do not exceed the needs of the local community.
- iii) The establishment of group or shared docks shall be encouraged.
- iv) The Local Trust Committee will support efforts to develop a foot passenger-only ferry service.

Advocacy Policies

- i) The B.C. Ferries Corporation is requested to:
 - continue to provide an adequate level of ferry service to the Pender Islands at an affordable price;
 - continue with consultative processes involving representation from the Pender Islands for proposed changes to the ferry service;
 - ensure, in cooperation with the Ministry of Transportation, provision of adequate parking arrangements for foot passengers leaving vehicles or bicycles at the North Pender Island



Islands Trust Nomenclature**Ministry of Transportation and
Highways Nomenclature**

Major Rural
Main Rural
Minor Rural
Residential Rural/Local

Secondary Highway
Major road
Minor Road
Local Road

The road standard for the applicable classifications as set out in Section E will be applied for new roads, including subdivisions, and to existing roads when being upgraded.

2. Cycle Route Plans

The Islands Trust will prepare proposals for cycle route plans on the islands. Consultation on these proposals will occur with the Ministry of Transportation and Highways.

A negotiated agreement on the cycle route plan for the Islands Trust area is to be achieved between the Islands Trust and Ministry of Transportation and Highways by September 1993 and will subsequently form a component of this letter of understanding (Proposed Appendix B).

The agreed-to cycle route plan, when adopted by resolution or bylaw by the Local Trust Committee, may be forwarded to the Ministry of Highways and Transportation for registration.

The approved plan, for the designated cycle routes, will trigger adjustment of the shoulder standards for new roads and for existing roads when they are to be upgraded as indicated in section E. The requirements for safely accommodating cyclists will be recognized when prioritizing roads for upgrading.

3. Scenic Heritage Designation

The Islands Trust will prepare proposals for scenic/heritage designation to recognize roadways having unique and significant scenic and/or heritage value. Only a limited portion of roadways on an island will qualify for such designation.



Islands Trust

Print Date: February 13, 2018

Top Priorities

South Pender Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
2	First Nations Reconciliation	To work with South Pender community to explore reconciliation initiatives on South Pender Island and to apply for a Community to Community grant for 2018	16-Jan-2017		
2	Heritage Conservation	To review options for designating church of the good shepherd	19-Sep-2017	Jason Youmans	01-Dec-2018
2	Pedestrian and Cycle Routes	Consider amending OCP map schedule and policies to designate future cycle / pedestrian routes	14-Nov-2017		01-Dec-2018

Projects

South Pender Island

Description	Activity	R/Initiated
Lower Ecological Footprint	explore alternative energy solutions, reducing GHG emissions, preservation of water supply and quality, and other initiatives to lessen our impact on our environment of the SPI LTA.	28-Apr-2015
Agricultural Land Review		06-Sep-2016
Pedestrian and Cycle Routes	Consider amending OCP map schedule and policies to designate future cycle / pedestrian routes	04-Nov-2014
Development Permit Areas	review existing DPAs for sensitive ecosystems to determine current status	28-Apr-2015
Sea level Rise and Shoreline Erosion		28-Apr-2015

Islands Trust
 LTC EXP SUMMARY REPORT F2018
 Invoices posted to Month ending December 2017

665 South Pender	Invoices posted to Month ending December 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-665	LTC "Trustee Expenses"	750.00	93.27	656.73
LTC Local				
65200-665	LTC - Local Exp - LTC Meeting Expenses	2,000.00	837.59	1,162.41
65210-665	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-665	LTC - Local Exp - Communications	300.00	0.00	300.00
65230-665	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>3,300.00</u>	<u>837.59</u>	<u>2,462.41</u>
Projects				
73001-665-2011	South Pender OCP/LUB	2,500.00	2,300.63	199.37
73001-665-4091	South Pender LUB Amendments	6,000.00	0.00	6,000.00
TOTAL Project Expenses		<u>8,500.00</u>	<u>2,300.63</u>	<u>6,199.37</u>

South Pender Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Revised: April 28, 2015

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.	October 5, 2010		Follow up action list	Send FUAL to trustees once drafted following the meeting.
3.	April 28, 2015	SP-2015-015	Printed Agenda Pkgs	That whereas full agendas are available for public perusal on the website, and whereas the SPILTC endeavours to lower its ecological footprint be it moved that full paper printed agenda packages no longer be provided for future SPILTC meetings. [Copies of the agenda cover will be brought to the meetings]



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality November 2017



TFB 2018 Meeting Dates

The Trust Fund Board finalized the 2018 TFB meeting dates. The dates are: January 30, April 3, May 29, July 17 (Annual meeting with the Executive Committee), September 25, and November 27.

Regional Conservation Plan (RCP)

The Trust Fund Board (TFB) reviewed a three-year work plan that builds on the approved draft Regional Conservation Plan (RCP) for 2018-2027. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. The three-year work plans will be used by staff and board members to guide their work and measure progress towards achieving the larger goals of the ten-year RCP. The Board has referred the RCP to local trust committees and Bowen Island Municipality for review. (It has also been referred to partner agencies and First Nations and will be posted on the Islands Trust Fund (ITF) website with a mechanism to enable public feedback). The Board is expecting to consider final approval of the Regional Conservation Plan in January 2018.

Land Trust Alliance of BC National Land Summit

Trust Fund Board members and staff shared key lessons learned from their participation and attendance at the Land Trust Alliance of BC National Land Summit (Nov. 15-17). Staff presented at the conference on Conservation Planning.

Board Retreat

The Trust Fund Board discussed possible follow-up actions emerging from the October 2, 2017 retreat. Staff provided the board with summaries of key information about ITF for members to use in developing personalized messages for outreach and fundraising, as discussed at the retreat.

Property Monitoring

The Board has received detailed reports on the results of this year's monitoring of our 27 nature reserves, the 24 NAPTEP covenanted areas and the 51 other covenants we hold. A number of management issues have been identified which are now being addressed (see below for highlights by island). All follow-up correspondence related to 2017 monitoring has been provided to land holders and co-covenant holders. This year, covenant outreach communications were included with the monitoring letters.

Summary of Current Island-by-Island Activities

Denman

Invasive species removal, restoration, planting and monitoring continues on all three TFB nature reserves (Inner Islands Nature Reserve, Lindsay Dickson Nature Reserve, and Morrison Marsh Nature Reserve). Management plan revisions and species at risk surveys are being completed for Morrison March Nature Reserve. In addition, public consultation planning - including a questionnaire and open

house, are in progress for a revised management plan for Morrison Marsh Nature Reserve to be completed by April 2018.

Gabriola

The Trust Fund Board approved a request from a NAPTEP landholder to remove limbs from several trees to maintain a viewscape with the conditions that the work is carried out by a professional arborist, the work is done outside of nesting season for birds and the woody debris is left on site to decompose naturally.

The Elder Cedar Nature Reserve continues to suffer from the impacts of unpermitted mountain bikes and horses. ITF is working with GaLTT to address these and other issues. Construction is set to begin on a boardwalk around the large western red cedar tree in late November. A boardwalk is also being built over a wet area on one section of the existing trail.

Galiano

The TFB accepted an updated conservation proposal from the Crystal Mountain Society, agreeing to accept the transfer of approximately 18.3 hectares of land on Galiano Island, provided specified conditions are met. The proposed nature reserve will be further protected by a conservation covenant held by the Land Conservancy of BC. Invasive species removal and trail clearing is in progress on the Laughlin Lake and Vanilla Leaf Nature Reserves.

Lasqueti

Riparian restoration and nesting box maintenance is in progress at the John Osland Nature Reserve.

North Pender

Public consultation planning - including a questionnaire and open house, are in progress for a revised management plan for the Medicine Beach Nature Sanctuary to be completed by April 2018.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca

To: South Pender Island Local Trust Committee **For the Meeting of:** January 30, 2018
From: David Marlor, DLPS **Date Prepared:** December 4, 2017
SUBJECT: Housing Agreement Administration

PURPOSE:

This briefing is intended to inform the local trust committees of existing housing agreements in the Trust Area and the progress of work on a new program to hold and administer housing agreements.

BACKGROUND

At the September 2016 Trust Council meeting the following resolution was passed:

TC-2016-083 that the Islands Trust Council allocate \$15,000 in the 2017-2018 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.

A Housing Agreement is a tool for local trust committees to encourage and enforce affordable housing developments. Housing agreements are covenants that are adopted by local trust committee bylaw; they may set the rates at which a housing unit can be rented or sold, and may stipulate the income threshold and types of the occupant(s). A housing agreement may be required for the owner to receive certain grants and funding.

1. Provisions to hold Housing Agreements

Section 483 of the *Local Government Act* authorizes local trust committees to enter into a housing agreement, which defines “terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

- (a) the form of tenure of the housing units;
- (b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
- (c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);
- (d) rents and lease, sale or share prices that may be charged, and the rates at which these may be

increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.”

2. Current Housing Agreements

There are currently seven housing agreements in the Islands Trust Area that are considered active (units are built and rented, or the housing agreement was recently finalized). These are located on Salt Spring Island (4), Denman Island (2) and Galiano Island (1).

All housing agreements have a clause whereby the Islands Trust can monitor the property to ensure compliance, through the completion of schedules submitted annually or upon request. Staff completed monitoring for 2017 in October.

3. Managing and Administering Housing Agreements

In creating a Trust-wide program to hold and administer housing agreements the following points were considered,

- a. Housing agreements to date have been handled on an individual basis by the planner assigned to the island/application;
- b. Extensive revision and legal review is required for each housing agreement;
- c. Active monitoring was not undertaken on any agreements until October 2017, with the exception of the property on Denman Island;
- d. Planning and administrative staff with already full workloads need a system that does not add a lot of extra work;
- e. Enforcement issues have not been thoroughly planned for or addressed;
- f. Applicants for Housing Agreements are usually not-for-profit societies with limited budgets.

Based on these factors, the following changes to the way housing agreements are administered have been proposed:

a. Templates

Templates have been drafted for the various different types of housing agreements, in an effort to decrease planner time and the need for multiple legal reviews. These templates combine legal advice and formats from recently established housing agreements to create a base draft. These templates are standard agreements, and owners/developers will be expected to keep changes and edits to a minimum.

b. New Staff Procedures

New procedures are currently under review for staff to use when developing housing agreements to streamline the process and avoid errors and omissions. In particular, these procedures will ensure that housing agreements are monitored, and that files and communications are kept up to date. Procedures are also prepared regarding the monitoring and management of adopted housing agreements.

c. Information Brochure for Owners/Societies/Developers

Staff will create an information brochure to outline the steps involved in creating a housing agreement, as well as specifying the limited edits that can be made to a template. This information, designed for those interested in entering into a housing agreement, will also be provided to Trustees for information.

Prepared By: Emily Kozak, Housing Agreement Project Coordinator

Reviewed By/Date: David Marlor, DLPS/December 4, 2017



MEMORANDUM

File No.:

(File Name or Cross Ref. No.)

DATE OF MEETING: February 20, 2018
TO: South Pender Island Local Trust Committee
FROM: David Marlor, Director of Local Planning Services
Local Planning Services
COPY:
SUBJECT: Farm Industry Review Board and Aquaculture

PURPOSE

At its business meeting on January 17, 2018, the Executive Committee passed the following resolution:

that the Islands Trust Executive Committee requests that the information about the BC Farm Industry Review Board be distributed to the Local Trust Committees and enquiries are to be directed to the Regional Planning Manager.

The attached news release advises under the *Fish and Seafood Act* that came into force on January 1, 2017 that the BC Farm Industry Review Board had jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the Farm Practices Protection (Right to Farm) Act.

NEXT STEPS

None

Submitted By:	David Marlor, Director of Local Planning Services	February 2, 2018
Concurrence:	[Managing Staff Name, Credentials Title]	Select Date.

ATTACHMENTS

Reorder/add/delete/modify attachments as needed:

1. Attachment 1 – March 2017 News Release – Aquaculture and the Farm Practices Protection (Right to Farm) Act.



AQUACULTURE AND THE *FARM PRACTICES PROTECTION (RIGHT TO FARM) ACT*

As of January 1, 2017 the BC Farm Industry Review Board (BCFIRB) has jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the *Farm Practices Protection (Right to Farm) Act (FPPA)*

Agriculture and aquaculture are important BC industries. Under the *Farm Practices Protection (Right to Farm) Act (FPPA)*, farmers using “normal farm practices” are protected from certain bylaw enforcement, court injunctions and lawsuits related to nuisance complaints. The *FPPA* balances community interests by both protecting farmers from disturbance complaints, and by giving neighbours of a specific farm the right to formal conflict resolution through BCFIRB. Both non-farming and farming neighbours have the right to file a complaint.

While normal farm practices are protected under legislation, BCFIRB encourages farmers and their neighbours to work together to resolve disputes in the first instance.

Although there are many options for resolving disputes between farmers and neighbours, in some situations, enforcement regarding use of a farm practice which is causing a disturbance may be called for.

Expanded Jurisdiction

The *Fish and Seafood Act* came into force by regulation on January 1, 2017. Concurrently consequential amendments to the *FPPA* came into force. These amendments bring fin and shellfish aquaculture back into the scope of nuisance complaints heard by BCFIRB under the *FPPA*. The types of aquaculture covered by the amendments are broad and include marine finfish, shellfish and freshwater (or land-based) operations as well as aquatic plants.

For more information contact

Case Manager
250-356-8945

British Columbia
Farm Industry Review Board

Mailing Address:
PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5
Telephone: 250 356-8945
Facsimile: 250 356-5131

Location:
1st Floor, 780 Blanshard Street
Victoria BC V8W 2H1
Email: firb@gov.bc.ca
Website: www.gov.bc.ca/BCFarmIndustryReviewBoard