



South Pender Island Local Trust Committee Regular Meeting Agenda

Date: September 6, 2019
Time: 10:30 am
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

			Pages
1.	CALL TO ORDER	10:30 AM - 10:35 AM	
2.	APPROVAL OF AGENDA		
3.	TRUSTEE REPORT	10:35 AM - 10:45 AM	
4.	CHAIR'S REPORT	10:45 AM - 10:50 AM	
5.	TOWN HALL AND QUESTIONS	10:50 AM - 11:00 AM	
6.	COMMUNITY INFORMATION MEETING none		
7.	PUBLIC HEARING none		
8.	MINUTES	11:00 AM - 11:10 AM	
8.1	Adopted Local Trust Committee Minutes Dated April 5, 2019 (for Information)		4 - 9
8.2	Section 26 Resolutions-without-meeting Dated August 2019		10 - 10
8.3	Advisory Planning Commission Minutes none		
9.	BUSINESS ARISING FROM THE MINUTES	11:10 AM - 11:15 AM	
9.1	Follow-up Action List Dated August 2019		11 - 11
10.	DELEGATIONS none		

11. CORRESPONDENCE

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

none

12. APPLICATIONS AND REFERRALS

11:15 AM - 11:20 AM

12.1 Saturna Island Local Trust Committee Bylaw No. 127 Referral (attached)

12 - 14

for response

13. LOCAL TRUST COMMITTEE PROJECTS

11:20 AM - 11:30 AM

13.1 Groundwater Sustainability Strategy Project Update - Staff Report (attached)

15 - 27

14. REPORTS

11:30 AM - 11:40 AM

14.1 Work Program Reports (attached)

14.1.1 Top Priorities Report Dated August 2019

28 - 28

14.1.2 Projects List Report Dated August 2019

29 - 29

14.2 Applications Report

none

14.3 Trustee and Local Expense Report Dated July 2019 (attached)

30 - 30

14.4 Adopted Policies and Standing Resolutions (attached)

31 - 32

14.5 Local Trust Committee Webpage

14.6 Islands Trust Conservancy Report Dated May 21, 2019 (attached)

33 - 36

15. NEW BUSINESS

11:40 AM - 12:40 PM

15.1 BEN Bylaw No. 116 - Staff Report (attached)

37 - 49

15.2 Model Cell Tower Strategy - Staff Briefing (attached)

50 - 51

15.3 Standing Resolution - Reconciliation Report (attached)

52 - 54

15.4 Short Term Vacation Rentals (STVRs) - Discussion

15.5 Recreational Vehicles Used as Residences - Discussion

15.6 Derelict Vehicles & Machinery - Discussion

15.7 Steel Storage Containers - Discussion

15.8 Building Guidelines - Discussion

16. **UPCOMING MEETINGS** 12:40 PM - 12:40 PM
- 16.1 **Next Regular Meeting Scheduled for November 1, 2019, at the South Pender Fire Hall**
17. **TOWN HALL** 12:40 PM - 12:50 PM
18. **CLOSED MEETING (Distributed Under Separate Cover)** 12:50 PM - 1:00 PM
- 18.1 **Motion to Close the Meeting**
- That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (a, & d) for the purpose of considering:*
- *Adoption of In-Camera Meeting Minutes Dated April 5, 2019*
 - *Appointment of Board Of Variance Members*
- AND that the recorder and staff attend the meeting.*
- 18.2 **Recall to Order**
- 18.3 **Rise and Report**
19. **ADJOURNMENT** 1:00 PM - 1:00 PM

ADOPTED



South Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: April 5, 2019
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

Members Present: Laura Patrick, Chair
Cameron Thorn, Local Trustee
Steve Wright, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Warren Dingman, Bylaw Enforcement Officer
Shannon Brayford, Recorder

Public: There were approximately (4) members of the public.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:30 a.m.

She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

Trustee Wright requested that the agenda address planning a future workshop with Lisa Wilcox, consideration of joining the North Pender Island water study, and a plan to advertise for new Advisory Planning Commission Members.

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Monica Petrie requested information regarding the “Right to a Healthy Environment” resolution adopted by the Trust Council and a former South Pender LTC. She asked whether the decision has informed any practices.

The LTC requested that information on the project be forwarded to them. Regional Planning Manager (RPM) Kojima provided an overview of the recent decision at Trust Council to declare a Climate Change Emergency and the ways this decision will inform future practices.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Adopted Local Trust Committee Minutes Dated February 1, 2019

It was noted that the Minutes dated February 1, 2019 were adopted by Resolution Without Meeting (RWM).

6.2 Section 26 Resolutions-without-meeting Dated March 2019

Received for information.

6.3 Advisory Planning Commission Minutes

none

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated March 2019

Received 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

none

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Pedestrian & Bicycle Paths - OCP Amendment Bylaw 115 - Staff Report

RPM Kojima provided an overview of the staff report and the process moving forward.

Trustee Wright requested information on Bylaw No. 115 section 1a. A discussion of the item was held.

Trustee Thorn noted that Salt Spring Island found success through organizing a Transportation Commission. He further noted that there are parties on the Penders considering this route.

SP-2019-002

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 115, cited as "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2018" be adopted.

CARRIED

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated March 2019

SP-2019-003

It was Moved and Seconded,

that the South Pender Island Local Trust Committee direct staff, including Lisa Wilcox, to find a date to facilitate a workshop on South Pender Island.

CARRIED

SP-2019-004

It was Moved and Seconded,

that the South Pender Island Local Trust Committee direct staff, to remove the Pedestrian and Cycle Route project from the priority list and replace it with a Ground Water Sustainability Project.

CARRIED

12.1.2 Projects List Report Dated March 2019

Trustee Wright requested information on the rationale for past LTC's decision to include the projects on the list

RPM Kojima provided an overview of each of the projects' history.

A discussion was held regarding the projects and consideration of removing or retaining each item. No resolutions were made.

12.2 Applications Report

none

12.3 Trustee and Local Expense Report Dated February 2019

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

No comments were made.

12.6 Trustee Report

Trustee Thorn noted that a report on Trustee activities can be found in the Pender Post. He also reported that he continues to meet with community members to learn about their concerns and priorities.

12.7 Chair's Report

Chair Patrick reported that at the recent Trust Council the Reconciliation Declaration was passed and she read a copy of the Declaration. She further noted that Strategic Planning sessions have begun at Trust Council and that she looks forward to the continuation of the project.

12.8 Islands Trust Conservation Report

none

13. NEW BUSINESS

13.1 Bylaw Enforcement Notice (BEN) Bylaw - Staff Report

Warren Dingman provided an overview of the report and the rationale for the recommendation. He also provided an overview of how the Bylaw Enforcement Notice process works and the advantages that have been observed in other areas.

A discussion of the proposal and the current challenges of Bylaw enforcement was held.

SP-2019-005

It was Moved and Seconded,

that South Pender Island Local Trust Committee request staff to prepare a draft Bylaw Enforcement Notification Bylaw for consideration by South Pender Island Local Trust Committee.

CARRIED

13.2 Advisory Planning Commission

Trustee Wright noted that the previous current Advisory Planning Commission (APC) members' terms have expired.

SP-2019-006

It was Moved and Seconded,

that the South Pender Island Local Trust Committee direct staff to advertise for expressions of interest for the South Pender Island Advisory Planning Commission.

CARRIED

It was noted that, depending on the number of expressions of interest, the LTC may be able to appoint the members by RWM.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for September 6, 2019 at the South Pender Fire Hall, Pender Island

15. TOWN HALL

Members of the public requested and received information regarding:

- The source of land that could be used to create bike paths.
- The Climate Change Emergency Resolution.
- The Bylaw Enforcement Notice process.

Monica Petrie requested information regarding the Climate Emergency adoption and the process moving forward.

Chair Patrick provided an overview of the plans moving forward.

A discussion was held regarding water catchment and opportunities for the LTC to create regulations related to that.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

SP-2019-007

It was Moved and Seconded,

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

- *Adoption of In-Camera Meeting Minutes Dated September 4, 2018*
- *Appointment of BOV Members*

AND that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

Chair Patrick recalled the meeting to order at 11:45 a.m.

16.3 Rise and Report

Chair Patrick reported that the South Pender LTC passed a resolution directing staff to advertise expressions of interest for new members of the Board of Variance.

17. ADJOURNMENT

By general consent the meeting was adjourned at 11:47 am.

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder



Islands Trust

Print Date: August 29, 2019

Resolutions Without Meeting

South Pender Island

Resolution #	Action	Resolution Description	Resolution Date
2019-02	In Favour	That the South Pender Island Local Trust Committee minutes of April 5, 2019, be Adopted.	17-May-2019
2019-03	In Favour	That the South Pender Island Local Trust Committee endorse the following text for inclusion in the 2018-2019 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing: The South Pender Island Local Trust Committee (SP LTC) held four regular business meetings in the 2018/19 fiscal year. Work for this period focused on advancing LTC priorities by adopting amendments to the Official Community Plan to designate and provide policies supporting pedestrian and bicycle routes, and by establishing a Community Heritage Registry. The LTC continued to work on building its relationships with First Nations.	03-Jun-2019
2019-04	In Favour	THAT the South Pender Island Local Trust Committee appoint Donna Spalding, Richard Friesen, Gordon Duncan, Steve Booth, Rod Kirkwood and Howard Airey, to the South Pender Island Advisory Planning Commission, commencing immediately and ending January 1, 2022.	05-Jun-2019
2019-05	In Favour	That the South Pender Island Local Trust Committee refer the Terms of Reference for Advisory Planning Commission consideration of Short Term Vacation Rentals, to the Advisory Planning Commission for consideration.	11-Jul-2019



Follow Up Action Report

South Pender Island

05-Apr-2019

Activity	Responsibility	Dates	Status
1 11.1 Bylaw 115 adopted - dates added, posted, ready for signing - Done Consolidation to OCP Bylaw No, 107	Jas Chonk	Target: 19-Apr-2019	Completed
2 12.1 Top Priorities: remove #2 and replace with Ground Water Sustainability project	Robert Kojima	Target: 12-Apr-2019	Completed
3 12.1 - Staff to schedule a date for a First Nations workshop on South Pender (Lisa Wilcox and Maple to help with this.)	Maple Hung Robert Kojima	Target: 28-Jun-2019	Completed
4 13.1 staff to draft a BEN bylaw - Bylaw # (116) provided to BEN Manager - JC (Done)	Robert Barlow Warren Dingman	Target: 26-Jul-2019	Completed
5 13.2 APC: staff to advertise for expressions of interest for APC (MH - prepared and sent to Pender Post for costs and proofs - will probably go out May 1st edition)	Jas Chonk Maple Hung	Target: 26-Apr-2019	Completed
6 16.3 Rise and Report - staff to advertise for EOI for BoV members (MH - prepared EOI for BOV notice and sent to Pender Post, will go out May 1st edition)	Jas Chonk Maple Hung	Target: 26-Apr-2019	Completed
7 16.3 In-camera minutes adopted as presented	Maple Hung	Target: 12-Apr-2019	Completed



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: Saturna Island Local Trust Area Bylaw No.: 127 Date: June 10, 2019

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:

Initiated by Saturna Island Local Trust Committee

PURPOSE OF BYLAW:

To implement Commercial Vacation Rental (CVR) guidelines for issuance of Temporary Use Permits (TUP) in the Saturna Island Local Trust Area. Bylaw (127) to amends the Saturna Island Official Community Plan No. 70, 2000 (OCP). Specifically bylaw 127: creates guidelines for the issuance of TUPs for CVRs; and 2) amends the TUP section of the OCP to comply with current legislation.

Professional reports and staff reports are available on the Saturna Island webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/saturna/projects-initiatives/short-term-vacation-rental-stvr/>

GENERAL LOCATION:

Saturna Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

NA

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

Various

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

Agricultural Land Commission
Ministry of Transportation and Infrastructure
FLNRORD – Pat Lapsevic

Non-Agency Referrals

Lyll Harbour Boot Cove Water District

Regional Agencies

Capital Regional District – Building Inspection
Capital Regional District – Southern Gulf Islands Harbours
Commission (Integrated Water Services)
Island Health

Adjacent Local Trust Committees and Municipalities

North Pender Island Local Trust Committee
Mayne Island Local Trust Committee
South Pender Island Local Trust Committee

First Nations

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

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

Saturna Island Local Trust Area

(Island)

127

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)



File No.: Southern Gulf Islands
Groundwater Sustainability
Project

DATE OF MEETING: September 6, 2019
TO: South Pender Island Local Trust Committee
FROM: William Shulba, P.Geo
Local Planning Services
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Southern Gulf Islands Groundwater Sustainability Strategy

RECOMMENDATION

1. That the South Pender Island Local Trust Committee endorse the attached Master Project Charter for the Southern Gulf Islands Groundwater Sustainability Strategy Project.

REPORT SUMMARY

This report is to update the Southern Gulf Islands Groundwater Sustainability Project Charter.

BACKGROUND

The South Pender LTC has identified this project as a Top Priority in conjunctions with the North Pender and Galiano LTCs. The project will develop information and data as part of a phased ecological approach to groundwater management on South Pender, North Pender, Mayne, Saturna, and Galiano Islands.

In addition to the master project charter; attached is the February 28, 2019 Staff Report "*Groundwater Sustainability Project: An Ecosystem Approach to Groundwater Management*" to North Pender Local Trust Committee describes the project in detail. At this point, staff are requesting that the LTC endorse the attached project charter which formally include the South Pender LTC in the project.

NEXT STEPS

Currently the project is being reviewed by Provincial Staff at Ministry of Forests, Lands, Natural Resource Operations, and Rural Development and a request for proposals has been created and is anticipated to be posted shortly.

Submitted By:	William Shulba, P.Geo Senior Freshwater Specialist	August 29, 2019
Concurrence:	Robert Kojima Regional Planning Manager	August 29, 2019

ATTACHMENTS

1. *Southern Gulf Islands Groundwater Sustainability Strategy Master Project Charter*
2. Staff Report – February 28, 2019 *Groundwater Sustainability Project: An Ecosystem Approach to Groundwater Management*

Southern Gulf Islands Groundwater Sustainability Strategy Master Project Charter

A collaboration of Southern Gulf Island Local Trust Committees

Date: 04 July 2019

Endorsed by Galiano, Mayne, North Pender, South Pender, and Saturna Local Trust Committees

Version: 2019.003

Purpose

Identifying evidence-based adaptation measures is imperative to protecting aquifers and preserving groundwater dependent communities and ecosystems in a changing climate. With vulnerabilities of seasonal precipitation changes, evapotranspiration forcing, recharge alterations, and saltwater intrusion, groundwater resources are a metric of climate change. Protection of aquifer recharge areas is identified in the Policy Statement and this project advances that commitment.

Background

Groundwater is a unique amenity supporting ecosystem health and overall hydrological function of watersheds. Southern Gulf Island Local Trust Committees have identified groundwater resources as a priority in their Official Community Plans and as part of land-use applications over the past decades. In March 2019 the Islands Trust Council declared a climate emergency in the Islands Trust Area, directing staff to include a central focus on equitable climate change mitigation, adaptation, and resilience into strategic planning. Actions with respect to an ecosystem vulnerability approach to groundwater sustainability strategy have been recommended by previous researchers, and the Province of BC supports deep collaboration in groundwater focused projects at the Local Government level, expressing interest as an external partner in this sustainability strategy.

Overall Objectives

Data Stewardship Strategy	Collate and synthesize existing groundwater information, data, references, and regulations into a common information dashboard providing access to information for climate change research and water use planning.
Scientific Analysis Strategy	Coordinate community groundwater monitoring network and determine analysis strategies to address how natural and anthropogenic changes will impact watershed hydrological function and groundwater use.
Groundwater Planning Strategy	Develop a groundwater sustainability strategy toolkit for Local Trust Committees to protect aquifers, preserve groundwater resources, and water plan for a sustainable future.
Community Outreach Strategy	Participate in community knowledge building initiatives and coordinate with other Local Trust Committees, regional districts, improvement districts, community organizations, and the Province on aquifer protection and groundwater preservation strategies.

In Scope

Data Stewardship Strategy	- Consolidation of existing information and identification of knowledge gaps - Define Community Aquifer - Create an information and data dashboard for research and regulation
Scientific Analysis Strategy	- Investigation into potential funding sources for monitoring and analysis - Coordinate a Community Aquifer Monitoring Network - Define Community Aquifer Recharge Areas
Groundwater Planning Strategy	- Review regulatory approaches to watershed protection and groundwater preservation - Identification of potential policy and regulatory changes. - Strategy development
Community Outreach Strategy	- Community workshops and community education initiatives - Advocacy/Education/Consultation/Coordination with other agencies and First Nations - Development of Groundwater Sustainability Strategy Toolkit for Local Trust Committees

Out of Scope

- OCP or Land Use Bylaw amendments
- Preparation of a Water Sustainability Plan under the Water Sustainability Act (WSA)
- North Pender Local Trust Committee Associated Islands

Southern Gulf Islands Groundwater Sustainability Strategy Master Project Charter

A collaboration of Southern Gulf Island Local Trust Committees

Date: 04 July 2019

Community Aquifer Concept

A first phase of an ecological approach to groundwater management is to identify an investigation scale that is symbiotic with ecosystem mapping. Community Aquifers are groundwater regions that provide significant volumes of groundwater to domestic, commercial, agricultural, and water supply wells. This groundwater management unit is defined by topography, watershed ecology, aquifer geology, resource use distribution, and climatic risk and will be the unit of investigation in this project.

Community Aquifer Recharge Areas

Community Aquifer Recharge Areas promote replenishment of water to subsurface hydrogeological networks via bedrock fractures, geological faults, and watershed ecosystems. Identifying recharge area for planning and conservation is a vital first step in an ecosystem approach to groundwater management using existing aquifer and watershed mapping in concert with ecological, geological, climatological, land-use, and water-use data and information.

Community Aquifer Seasonal Water Availability

Monthly groundwater balances at this scale of inquiry will include many existing datasets including climate, topography, drainage, land-use, geology, water-use data, hydrometric data, and climate change scenarios to determine seasonal stresses on the aquifer and contribute to future climate change scenarios and island zoning build out analysis.

Work Plan	Task	Start Date	Status	Budget	Staff Hours
Data Stewardship Strategy	Information Inventory	June 2019	Active	In-house	70
	Data Gap Analysis	June 2019	RFP	\$2000	35
	Data Management Dashboard	June 2019	RFP	\$8000	140
Scientific Analysis Strategy	Community Aquifer Boundary Mapping	Sept 2019	RFP	In-house	70
	Community Aquifer Recharge Areas Mapping	Sept 2019	RFP	\$10,000	35
	Community Aquifer Water Balance Analysis	Sept 2019	RFP	\$30,000	70
Groundwater Planning Strategy	Regulatory and Reference Review	June 2019	Active	In-house	140
	Groundwater Planning Strategy Workshop	Jan 2020	Proposed	In-house	70
	Groundwater Authorizations Harmonization	Jan 2020	Proposed	In-house	TBD
Community Outreach Strategy	Community Workshop #1	Fall 2019	Proposed	\$500	35
	Community Workshop #2	Spring 2020	Proposed	\$500	35
	Groundwater Sustainability Strategy Toolkit	Jan 2020	Proposed	\$1000	140

Project Team

William Shulba, Freshwater Specialist	Project Manager
Robert Kojima, Regional Planning Manager	Planning Support
Morgan Henderson, Co-op Student	
Maple Hung, Office Admin Asst.	Admin Support
Mark van Bakel, Technical Analyst	Technical Coordination
TBD	Project Consultant (s)

Director Approval: Approved

Date: June 5, 2019

EC Endorsement: Endorsed

Date: June 5, 2019

Budget

Budget Sources: LTC Special Projects (2019/20);
LPS Project Budget (2019/2020)

Fiscal	Item	Cost
2019-20	Community Workshops	\$1000
2019-20	Consultation & Communications	\$1000
2019-20	Consulting Services	\$40000
2019-20	Technical Services	\$10000
	Total	\$52000



File No.: NP-LTC-6500-20
Work Program (Groundwater Sustainability)

DATE OF MEETING: February 28, 2019
TO: North Pender Island Local Trust Committee
FROM: William Shulba, Senior Freshwater Specialist
Local Planning Services
COPY: Robert Kojima – Regional Planning Manager
SUBJECT: Groundwater Sustainability Project: An Ecosystem Approach to Groundwater Management

RECOMMENDATION

1. THAT the North Pender Island Local Trust Committee request staff to report back with a Project Charter for Groundwater Sustainability Project that would develop information and data as part of a phased ecological approach to groundwater management on North Pender Island.

REPORT SUMMARY

The purpose of this report is to:

- provide background;
- describe the *Community Aquifer Recharge Area* concept and associated scope of work; and
- recommend next steps.

BACKGROUND

Groundwater supplies approximately half of the water needs of the North Pender Island community and is a unique ecological amenity of watersheds.

The North Pender Island Local Trust Committee (LTC) has historically identified groundwater resources as a priority in its Official Community Plan and as part of land-use applications over the past decades. In 1994 J.D. Henderson submitted his thesis, [*An Ecosystem Approach to Groundwater Management in the Gulf Islands*](#), which outlined a framework for aquifer protection and groundwater resource preservation using North Pender Island as the case study. Two decades later, the recommendations and sentiments of the thesis resonate symbiotically with emerging scientific inquiry and technical tools to help manage and plan for groundwater resource use in a changing climate.

Groundwater is a unique amenity of North Pender Island and the Islands Trust Area in general, due to the uniqueness of gravity driven aquifers that support terrestrial and shoreline ecosystem function. Aquifers are at play in a delicate subsurface density balance between freshwater and saline subsurface water at the coastline. Groundwater is an important contributor to watershed ecosystem health and therefore an ecosystem approach to groundwater management and aquifer protection has extending benefits to the environment at large.

Watershed ecosystems are the interconnectivity and interactions between biotic and aquatic components of a watershed. Watershed functions are the vital cyclic events that are necessary for the continuation of life in aquatic and terrestrial systems. These functions are essential sources of substantial ecological services that support water quality in streams, wetlands, and drinking water lakes. The most sensitive locations with respect to watershed functions are the uplands of the watershed, which are commonly considered the “headwaters”. Watershed headwaters are important for a number of intrinsic reasons, as well as for their impact on maintenance of downstream environments. Headwaters are sources of a large proportion of the energy used to fuel watershed food webs via organic matter that enters headwaters in the form of leaf litter from riparian vegetation. Headwaters themselves harbour a number of poorly known species, some of which occur nowhere else. The cumulative effects of small, incremental alterations to headwater channels, ponds, wetlands, and springs may have significant impacts on downstream environments. Watershed headwaters on the Southern Gulf Islands are typically the most significant aquifer recharge zones and supports groundwater resources for island communities and healthy watershed ecosystem function.

Many of the Southern Gulf Islands watersheds host complex terrain with significant topographic relief that are constrained by ocean to create complex watershed hydrology. Understanding groundwater interactions with watershed ecosystems is largely governed by available hydrometric, topographic, geologic, and ecological data sets. Evolutions in watershed sciences are deeply considering the influence of subsurface water interactions with the forest floor and discovering that watershed drainage patterns have significant seasonal change from dry to wet seasons. Alike to a sponge, when very dry, the water tends to runoff quickly in predictable directions, however, after saturation, water tends to enter the subsurface and increase soil moisture in local topographic depressions that can contribute interflow (subsurface flow) or sheet flow (overland flow) to areas of the watershed that are different than the general flow paths of storm water runoff. Charging wetlands and other wet areas allowing for extension of desirable growing conditions in times of drought.

Over time, digital three dimensional representations of watersheds have evolved to be more representative of the natural landscape allowing for an unprecedented resolution that can identify micro drainage patterns and anthropogenic drainage diversions. However, this technological insight may misplace the sensitive interactions between subsurface water and ecology. Thus, modelling watershed features should take ecological function into account and therefore watershed boundaries based on strict drainage delineations should be considered approximate and include an ecological buffer zone. It would be reasonable to assume that the regional watershed and aquifer boundaries in the Islands Trust Area are completed using the best data available and are considered with a high degree of certainty. However due to contiguous biotic, fungal, and aquatic interactions between watershed ecosystems and aquifers; an intermediate groundwater management unit should be developed to identify evidence-based holistic watershed-aquifer conservation measures when defining strategies for climate change adaptation and on-going protection of watershed ecosystems.

The recommendations in this report will build on the community’s existing investment in coordinated groundwater management and aquifer protection strategies on North Pender Island. *Aquifer Protection* and *groundwater Preservation* are identified as top priorities when identifying strategies to mitigate climate change, since freshwater is a limiting factor to growth and ultimately the sustainability of healthy island communities.

PROJECT OBJECTIVES

The objectives of the proposed Groundwater Sustainability Project can be classified into four categories;

- Data Stewardship and Information Inventory:
 - *Provide access to aquifer and groundwater use information for member agencies and the public.*
- Monitoring and Analysis
 - *Coordinate monitoring and analysis strategies to address how natural and anthropogenic changes will impact aquifer function and groundwater use for North Pender Island.*
- Policy and Planning:
 - *Develop tools to protect aquifer function and preserve North Pender Island's limited groundwater resources.*
- Education and Outreach:
 - *Communicate to the public and associated agencies, the state of the North Pender Island's aquifers, groundwater resource, and groundwater use.*

The scope of work discussed in this report would constitute a first phase and address the first two objectives. Changes to policies or regulations would be a subsequent phase of the overall work program item.

COMMUNITY AQUIFER CONCEPT: AN ECOSYSTEM APPROACH TO GROUNDWATER MANAGEMENT

Groundwater is one of our most valuable resources: it supports and nourishes life and is a foundation for island and provincial economies. Holistic ecosystems approaches to groundwater management have been proposed by J.D. Henderson (1998) and others to raise awareness of groundwater resource sustainability in island communities.

Defining Community Aquifers

A first phase of an ecological approach to groundwater management is to identify an investigation scale that is symbiotic with ecosystem mapping. *Community Aquifers* which are regions of regional aquifers that are emerging as a groundwater management unit that takes an ecological and community approach to groundwater management.

Community Aquifers provide significant volumes of groundwater shared by domestic, commercial, agricultural, and water supply wells and are defined by topography, watershed ecology, aquifer geology, resource use distribution, and climatic risk.

The *Community Aquifer* concept for groundwater management has been proposed in several research initiatives and policy strategies. Notably in 1994, W.S Hodge of the Groundwater Section of the Water Investigation Branch of the Ministry of Environment authored [*A Preliminary Geohydrological Study of Salt Spring Island*](#); and presented intermediate-scale *groundwater regions*. Modern definitions of *Community Aquifers* are informed by the 1994 study in concert with similar projects related to groundwater resources in the Gulf Islands.

The protection of aquifers is a shared responsibility. According to the [*BC Groundwater Bylaws Toolkit*](#), local governments have an important role to play in understanding groundwater science, protecting aquifers, and maximizing the recharge of water into watersheds.

Community Aquifer Recharge Areas

Sustainable management of groundwater resources requires comprehensive aquifer characterization usually beyond regional aquifer classification approaches by the Province. This report presents an ecosystem approach to groundwater management by defining *Community Aquifer* boundaries and identifying *Community Aquifer Recharge Areas* using existing aquifer and watershed mapping in concert with ecological, geological, climatological, land-use, and water-use information.

Community Aquifer Recharge Areas promote replenishment of water to subsurface hydrogeological networks via bedrock fractures, geological faults, and watershed ecosystems. Identifying recharge area for planning and conservation is a vital first step in an ecosystem approach to groundwater management.

Aquifer recharge is considered to occur in most places on the Gulf Islands, however, due to changes in topography, geology, biogeography, climate and land-use, the magnitude and significance of recharge changes with the landscape. All *Community Aquifers* have associated recharge zones to sustain groundwater use in the region. *Community Aquifer Recharge Areas* are locations on a landscape that have potential to provide significant water replenishment to aquifers from interconnectivity of water on the surface landscape to subsurface environments.

Over the past decade or so, several geographic aquifer recharge potential methodologies have been proposed; using available map data and remote sensing analysis of land cover, thematic geographical information system (GIS) data layers are developed to assess the potential groundwater recharge for defined *Community Aquifers*. Lithology, land use land cover, precipitation and slope are determined to be the most influential factors controlling recharge potential, followed by lineament density, soil type and drainage density.

The regional influence of mountain block recharge and the relationship to the recharge areas in the upper watershed needs to be investigated to better understand the groundwater system and the lateral movement of water between aquifers. Identification of data gaps and strategies to fill those gaps are required to further refine recharge assessment by using three-dimensional hydrogeological models and improve groundwater resource data sets. The proposed analysis will use weighted thematic layers relating to groundwater recharge to calculate relative recharge potential. The results identified groundwater recharge potential in two dimensions at or near ground surface, in a mapping form that can be used by land-use planners and groundwater management programs.

The main objectives of using of remote sensing and GIS techniques to map groundwater recharge potential on North Pender Island is to identify higher recharge zones can be prioritized for additional research, more in-depth analysis, or for source water protection.

Community Aquifer Water Budget Analysis

Community Aquifer water budgets assist in groundwater management by addressing how much water is available for human use in an intermediate-scale groundwater management region. A water budget addresses the relationships between the natural hydrological environment and users of the water supply by those natural systems. Water budgets offer scientific measurement and estimates of the amount of water in each basic component of the hydrological cycle, affording calculation of the movement of water throughout the entire system.

Basic components of water budgets include precipitation (e.g., rain and snow), evapotranspiration (i.e., evaporation from soil, transpiration by plants, etc.), surface water (e.g., lakes and rivers), groundwater flow (i.e., aquifers) into and out of the watershed; changes in surface water and groundwater storage; changes in snow and ice storage; and human withdrawals and inter-basin transfers.

The climate, topography, and geology of North Pender Island is complex which varies the behavior of water budgets across the island. Increasing the spatial coverage of long-term surface water and groundwater monitoring allows for a spatial investigation of the behavior groundwater and aquifer water budget analysis.

A popular groundwater balance calculation is the “*Water Table Fluctuation*” method that is reliant on groundwater level monitoring data as the primary indicator of the availability of groundwater to meet demand. Increasing the density of groundwater monitoring locations across the island allows for smaller area units that are more realistic for analysis using the *Water Table Fluctuation* method. These types of analysis are used to determine the groundwater carrying capacity for specific aquifer regions on scales that are useful for land-use planning and conservation area designations.

Observation of groundwater levels across the island investigates how different groundwater regions react to climate and oceanic fluctuations. Furthermore; changes in groundwater levels in wells is due to fluctuations in the hydraulic pressure of the aquifer system which is an integral component of groundwater management in high-demand seasons. In addition to understanding volumes of availability and demand; investigating the hydraulic pressure of an aquifer is equally important and is a critical variable in groundwater management, especially in summer months when groundwater use is high and regional hydraulic aquifer pressures are lower.

Investigation of groundwater levels also gives insight to determining well capture zones; an identified area surrounding a groundwater well that is estimated to provide water to a well in approximately 100 days of regular use and withdrawals. As groundwater is pumped from a well, the level will drop creating a drawdown cone of pressure to induce radial flow toward the well. Estimating well capture zone is dependant on the behavior of the drawdown cone which is influenced by aquifer and well properties.

Long-term monitoring of groundwater levels in multiple areas of the island is of an investigative scale that is appropriate in observing impacts to recharge and for determining well capture zones both of which are central in determining carrying capacity of an aquifer or groundwater management region.

2019-2020 PRELIMINARY PROJECT CHARTER AND SCOPE OF WORK

In January 2019, the LTC requested staff to return with a report on data needed to address groundwater quality and quantity issues and options.

This report is recommending initiation of a project to retain a consultant to define *Community Aquifer* boundaries and identify *Community Aquifer Recharge Areas* on North Pender Island using 2019-2020 Local Planning Services project funds with associated deliverables to be completed in the 2019-2020 fiscal year.

The goals of the project would be to:

- *Coordinate groundwater and aquifer information between Islands Trust, associated agencies, and the consultant;*
- *Inventory information and data into a data framework to perform Community Aquifer Recharge Area analysis;*
- *Provide access of groundwater information data for the use of islands Trust staff and other agencies by way of a groundwater-focused data visualization dashboard;*
- *Create recharge potential base maps;*
- *Develop preliminary water budgets for priority Community Aquifers; and*

- *Recommend strategies to improve recharge area analysis and overall groundwater resource data gaps.*

Technical Coordination and Data Stewardship

Islands Trust is data-rich with respect to natural resources geographical information science (GIS); this project will involve technical coordination between Islands Trust Information Services and the consultant. Utilizing existing data datasets to create a recharge area map will leverage on existing data to provide a Spatial Decision Support System (SDSS) derivative knowledge product similar to the [Islands Trust Conservancy Regional Conservation Plan](#) mapping.

Recently, Ministry of Forests, Lands, Natural Resource Operations, and Rural Development have undertaken a significant project in the Islands Trust Area to determine how much water is available in aquifers on a regional scale. The data collected in those projects will inform the quantification of groundwater recharge, where as the *Community Aquifer Recharge Area* analysis will focus on *where* recharge occurs and in the future refine *how much* recharge is occurring to address carrying capacity and land-use planning questions.

Various datasets are needed to complete the recharge area analysis, therefore organization of the data into a framework is imperative. Over the past couple of years, information networks and data visualization software has advanced. Islands Trust staff have explored various data management strategies including watershed/aquifer centric data dashboards that can be explored by the end-user, asking questions of the data intuitively and timely.

In addition to the recharge base maps; this project will result in a demonstration dashboard and three-dimensional hydrogeological model of North Pender Island, which can be further defined and modified as the project matures.

Methodology and Analysis

The *Community Aquifer* concept for groundwater management has been proposed in several research initiatives and policy strategies. This project is proposing to modify existing groundwater management region delineations to determine *Community Aquifer* boundaries as intermediate-scale *groundwater management regions*.

The proposed *Community Aquifer Recharge Area* identification will be using a modified *Groundwater Recharge Index* method proposed by [G. Henderson \(2018\)](#) when determining groundwater recharge potential in the Englishman River watershed on Vancouver Island. Henderson modified a methodology of interrelationship influences of factors affecting groundwater recharge.

The influence of the interrelationship between potential recharge factors varies between factors. Ecological consideration is taken into account when classifying relationship strengths based on the influence strength that the parameter has on the other interrelated factors.

Data visualization dashboards are emerging as a successful vehicle for exploring and educating using information frameworks and databases. Islands Trust staff will coordinate with the consultant to develop strategies to visualize and present resulting data products in approachable methods for planning staff, associated agencies, groundwater practitioners, and the public.

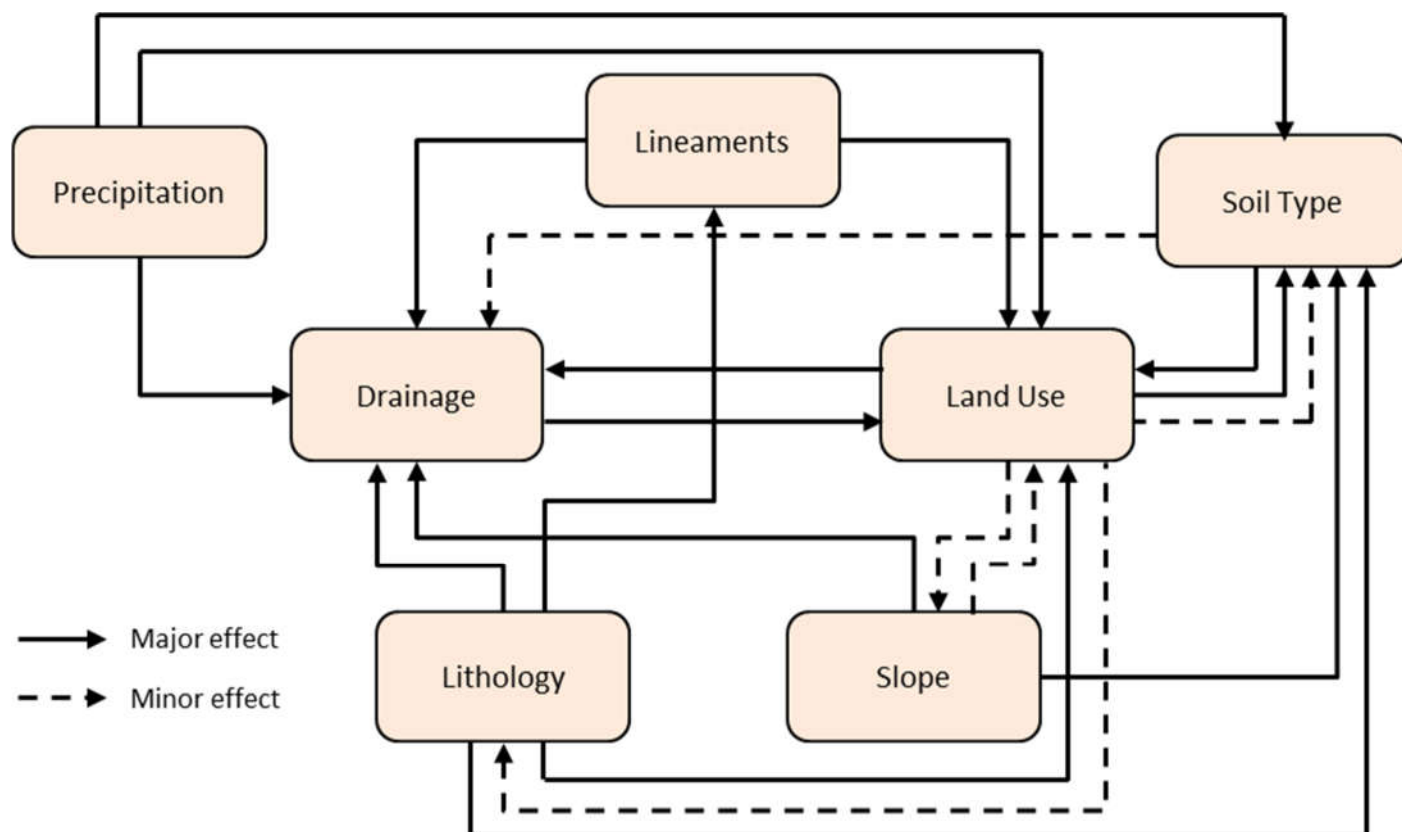


Figure 1: Community Aquifer Recharge Area Assessment Flow Diagram

The methodology to identify *Community Aquifer Recharge Areas* includes, but is not limited to, the following associated datasets:

- **Topography and Slope** in a gravity driven drainage system has great influence on groundwater flow and aquifer recharge;
- **Lineament density** is the quantitative measurement of the length of lineament features per area that are used as a proxy to infer higher potential for groundwater recharge in bedrock-dominated areas.
- **Drainage density** is the length of stream features per area. Higher drainage-length density is an indicator of lithology suitable for percolation rates associated with higher groundwater recharge
- **Soil type** is one of the key factors that control groundwater infiltration.
- **Precipitation** in the form of rainfall is the primary source of recharge for groundwater.
- **Land Use** influences the potential of groundwater recharge. Impermeable developed areas and non-fractured bedrock surfaces have restricted permeability, while surface water bodies, wetlands, and other vegetated areas have increased potential for groundwater recharge.
- **Lithology** is a primary factor controlling the infiltration of rainfall into aquifers which can be due to geological rock type, structural deformations (fractures and faults), and bedrock orientation.

Outcomes and Deliverables

The proposed deliverables of the proposed project would be:

- *Community Aquifer Recharge Areas* Base Maps;
- *Community Aquifer Water Budget* data dashboard, and
- *Community Aquifer Recharge Area* three-dimensional hydrogeological model.

If the LTC does support proceeding with the project as recommended, an allocation of up to \$15,000.00 from the 2019-2020 fiscal LPS project budget would be requested to hire a groundwater-focused consultant to develop a data framework and analysis methodology to determine *Community Aquifer* water balances, identify *Community Aquifer Recharge Areas* on North Pender Island and provide base maps and other outlined deliverables in the 2019-2020 fiscal year.

The deliverables are intended to be updated as new information, data, and priorities arise. Staff will work with the consultant to prioritize information that is required for long range planning to advance the project objectives.

SUMMARY

Groundwater supplies approximately half of the water needs of the North Pender Island community and is an ecological component of our watersheds. Aquifer protection measures are an integral component of land-use planning for protecting watershed ecosystems and management of groundwater resources for island communities.

The North Pender Island Local Trust Committee (LTC) has historically identified groundwater resources as a priority in its Official Community Plan and as part of land-use applications over the past decades. In 1994 J.D. Henderson submitted his thesis, *An Ecosystem Approach to Groundwater Management in the Gulf Islands*, which outlined a framework for aquifer protection and groundwater resource preservation using North Pender Island as the case study. Two decades later, the recommendations and sentiments of the thesis resonate symbiotically with emerging scientific inquiry and technical tools to help manage and plan for groundwater resource use in a changing climate.

If the LTC endorses the proposed project which includes *Community Aquifer* water balances and *Community Aquifer Recharge Areas* as a first phase to pursue Groundwater Sustainability as a top priority work program.

RATIONALE FOR RECOMMENDATION

The proposed Groundwater Sustainability Project as presented in this report, would advance the LTC's Top Priority and align with the relevant policies in the Official Community Plan.

ALTERNATIVES

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

1. THAT the North Pender Island Local Trust Committee not endorse the Groundwater Sustainability Project.
2. THAT the North Pender Island Local Trust Committee request staff to report back with other options to address groundwater sustainability.

NEXT STEPS

If the LTC chooses to endorse the proposed project staff will report back with a detailed project charter, including timeline, budget and scope of work.

Submitted By:	William Shulba, P.Geo Senior Freshwater Specialist	February 14, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	February 20, 2019

Top Priorities Report

South Pender Island

1. *First Nations Reconciliation*

Responsible

Dates

To work with South Pender community to explore reconciliation initiatives on South Pender Island

Rec'd: 16-Jan-2017

2. *Groundwater Sustainability project*

Responsible

Dates

Phase 1: to undertake analysis of groundwater resources

William Shulba

Rec'd: 05-Apr-2019

Target: 04-Jan-2020

Projects Report

South Pender Island

1. <i>Development Permit Areas</i>	Responsible	Date Received
review existing DPAs for sensitive ecosystems to determine current status		28-Apr-2015
2. <i>Sea level Rise and Shoreline Erosion</i>	Responsible	Date Received
		28-Apr-2015
3. <i>Agricultural Land Review</i>	Responsible	Date Received
		06-Sep-2016

Islands Trust
 LTC EXP SUMMARY REPORT F2020
 Invoices posted to Month ending July 2019

665 South Pender	Invoices posted to Month ending July 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-665	LTC "Trustee Expenses"	157.00	43.00	114.00
LTC Local				
65200-665	LTC - Local Exp - LTC Meeting Expenses	1,928.00	60.00	1,868.00
65210-665	LTC - Local Exp - APC Meeting Expenses	411.00	60.00	351.00
65220-665	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-665	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>2,883.00</u>	<u>120.00</u>	<u>2,763.00</u>
Projects				
TOTAL Project Expenses		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

South Pender Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Revised: February 1, 2019

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]
4.				- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - The proposed license should also be referred to First Nations for comment. - However, as a minimum, the local trust committee will mail or otherwise deliver a

				notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: ○ Name of the applicant and a description of the proposal in general terms ○ The location of the proposed establishment and the subject site ○ The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application ○ How public comments may be submitted to the local trust committee.
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Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality May 2019

Regional Conservation Plan

All of the work the Islands Trust Conservancy undertakes and reports on is guided by the science-based and community-informed 2018-2027 Regional Conservation Plan. The ITC continues to work towards four long-term goals (science-based conservation planning, collaboration with First Nations, protection of core conservation areas and a strong voice for nature conservation) and 25 objectives that further conservation in the entire Trust Area. The following is an update on the ITC activities from the May 2019 ITC Board meeting to meet these goals.

Islands Trust Conservancy Board Policy and Bylaw Revisions

Goal 4 – A strong voice for nature conservation, core ITC business and operations.

- The ITC Board gave first, second and third readings to Bylaw No. 2, the “Islands Trust Conservancy Meeting Procedures Bylaw, 2019.” The new bylaw replaces Bylaw No.1 and reflects the ITC name change, allows for the election of a Vice Chair and adds reference to committee meetings. The Board also amended Policy 1.2 Islands Trust Conservancy Board and Committee Elections.

Fund Development Advisory Committee (FDAC)

Goal 4 – A strong voice for nature conservation, Objective 4.1 – Develop and expand fundraising strategies to support Islands Trust Conservancy programs.

- The ITC Board received and approved the ITC Fund Development Advisory Committee Terms of Reference and Operating Guidelines.

2017-2018 Annual Report

Goal 4 – A strong voice for nature conservation, Objective 4.3 Continue to develop the Islands Trust Conservancy brand and promote organizational recognition through telling of the Islands Trust Conservancy story.

- The ITC Board received and approved the text for inclusion in the 2017-2018 annual report.

Canada Nature Fund

Goal 4 – A strong voice for nature conservation, Objective 4.1 – Develop and expand fundraising strategies to support Islands Trust Conservancy programs.

- The ITC Board discussed potential options for participating in the federal funding announced in 2018.

Draft Reconciliation Action Plan and Reconciliation Declaration

Goal 2 – Collaboration with First Nations, Objective 2.1 Amend or redraft policies, procedures, plans, document templates and reports to include acknowledgement and consideration of First Nations.

- The ITC Board direct staff to develop a specific draft reconciliation declaration and action plan for the Islands Trust Conservancy.

Executive Committee Liaison Meeting Draft Agenda

Goal Three- Objective 3.6 - Participate in significant ecosystem conservation opportunities related to land use planning in collaboration with local trust committees and island municipalities.

- The ITC Board discussed and approved the agenda items for the upcoming, annual Executive Committee Liaison Meeting.

Fire Smart from a Conservation Perspective

Goal One – Science-based Conservation Planning, Objective 1.3 - Investigate opportunities for protection of important conservation areas with partners.

- The ITC Board discussed the issues around fire safety and ecosystem management on ITC owned or protected properties.

Current Islands Trust Area Activities

Goal Three – Protection of Core Conservation Areas – Objective 3.1 – Manage islands Trust Conservancy conservation areas responsibly and strategically for ecological integrity, species and ecosystems at risk, known threats, public safety and protection of identified features using the Property Management strategy.

- The ITC has completed the management plan for Fairyslipper Forest Nature Reserve on Thetis Island, is nearing completion of three nature reserve management plans on Gambier Island, and is working on management plans for three nature reserves on Denman Island and one nature reserve on Lasqueti Island. Property monitoring was completed on Bowen, Denman, Hornby, Gabriola, Gambier, Lasqueti, Link, Little D'Arcy, Saturna, Sidney and Thetis Islands. Property monitoring is underway on North Pender and Salt Spring Islands and is being planned for Galiano, South Pender, and South Winchelsea Islands.

Current Island-by-Island Activities

Goal Three – Protection of Core Conservation Areas – Objective 3.1 – Manage islands Trust Conservancy conservation areas responsibly and strategically for ecological integrity, species and ecosystems at risk, known threats, public safety and protection of identified features using the Property Management strategy.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Denman

Management planning for three nature reserves, including the Valens Brook Nature Reserve addition, is under way. New ten-year management plans for Inner Island and Lindsay Dickson nature reserves will be completed in 2019. Property monitoring on Denman has been completed for 2019. Invasive species management activities continue at Inner Island, Lindsay Dickson, and Morrison Marsh nature reserves.

Gabriola

Expansion of the boardwalk over wet areas and exposed roots on the west side of the loop trail in Elder Cedar Nature Reserve has been completed and construction of a 93-ft boardwalk across a seasonally flooded section of trail in the northeast corner is planned for 2019. Property monitoring on Gabriola has been completed for 2019.

Galiano

Trail maintenance is being planned for Vanilla Leaf Land Nature Reserve in partnership with the Galiano Conservancy Association. Invasive species removal and annual cormorant nest monitoring are being planned for Trincomali Nature Sanctuary in partnership with the Habitat Acquisition Trust.

Gambier

Management planning for three Gambier Island nature reserves (Brigade Bluffs, Long Bay Wetland, and Mount Artaban) is nearing completion. Property monitoring on Gambier has been completed for 2019.

Lasqueti

The ITC and the Lasqueti Island Nature Conservancy (LINC) have met the fundraising goal for the Salish View acquisition campaign. Staff are continuing working to finalize the land transfer. Once the land transfer is complete, the ITC will begin public consultation on the draft management plan. Forest restoration activities at Mount Trematon Nature Reserve, led by LINC, have been completed for 2019 with assistance from Katimavik volunteers. Property monitoring on Lasqueti has been completed for 2019.

Link Island

ITC staff attended a celebration event at Link Island with the landowners and co-covenant holder (Nanaimo and Area Land Trust) and installed conservation covenant signage. Property monitoring on Link Island has been completed for 2019.

North Pender

The ITC Board discussed a referral from the North Pender Island Local Trust Committee for Bylaw No. 220. The subject property for the bylaw is adjacent to the Medicine Beach Nature Sanctuary. The ITC Board noted concerns about the effects of light pollution on many animal species, including bats, and concerns about storage of toxic materials on the site. Staff provided the ITC Board response to the local trust committee and followed up with planning staff

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

regarding best management practices for external lighting and wildlife. Property monitoring on North Pender is under way.

Salt Spring

The ITC Board considered a referral from Salt Spring Island planning staff regarding a Development Variance Permit for lands adjacent to the Lower Mount Erskine Nature Reserve. The ITC Board indicated that its interests are not significantly impacted and directed staff to work with the Salt Spring Island Planner to follow up with the landowner to provide information regarding conservation options to provide a natural buffer for the nature reserve. Property monitoring on Salt Spring is under way.

Thetis

The ITC Board approved a management plan for the Fairyslipper Forest Nature Reserve, which includes a commitment to developing a parallel *Management Plan for Areas of Cultural Heritage and Sacred Significance* with a flexible timeline. ITC is collaborating with Thetis Island Nature Conservancy and Cowichan Community Land Trust on the design and building of a publicly accessible trail loop in the nature reserve, with a trail opening celebration tentatively scheduled for Earth Day 2020. ITC staff plan to install signage informing the public of Thetis Island nature reserve boundaries later this year.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

DATE OF MEETING: September 6, 2019
TO: South Pender Island Local Trust Committee
FROM: Miles Drew, Bylaw Compliance and Enforcement Manager
Local Planning Services
SUBJECT: Adopt a Bylaw Enforcement Notification (BEN) Bylaw

RECOMMENDATIONS

1. That South Pender Island Local Trust Committee Bylaw No. 116, cited as “South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2019”, be read a first time.
2. That South Pender Island Local Trust Committee Bylaw No. 116, cited as “South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2019”, be read a second time.
3. That South Pender Island Local Trust Committee Bylaw No. 116, cited as “South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2019”, be read a third time.
4. That the South Pender Island local Trust Committee Bylaw No. 116, cited as “South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2019”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

This report provides an outline of the bylaw enforcement notification system and recommends adoption of a Bylaw Enforcement Notification (BEN) Bylaw, commencing with three readings of Bylaw No. 116 (attached) and forwarding the bylaw to the Executive Committee for approval.

BACKGROUND

At the April 5, 2019 meeting the South Pender Island LTC made the following resolution:

SP-2019-005

It was Moved and Seconded,

that South Pender Island Local Trust Committee request staff to prepare a draft Bylaw Enforcement Notification Bylaw for consideration by South Pender Island Local Trust Committee

ANALYSIS

Policy/Legislative

Bylaw Enforcement Notification

BEN bylaws have been in place in the Islands Trust Area since 2011 and have been adopted and used by nine local trust committees. (Denman LTC recently adopted a BEN Bylaw.) In 2012, South Pender Island LTC considered adopting a BEN Bylaw but eventually decided against adoption. Since the adoption of the first BEN bylaw in the Islands Trust Area, no serious concerns have emerged.

As noted in the linked document "[Local Government Toolkit: Bylaw Dispute Adjudication System](#)", the local government bylaw dispute adjudication system's goal is to create a simple, fair, and cost-effective process for dealing with uncomplicated bylaw contraventions. The model:

- promotes the timely resolution of bylaw enforcement disputes;
- establishes a dedicated forum for resolving local bylaw enforcement disputes;
- uses a dispute resolution-based approach to obtaining independently adjudicated decisions;
- permits negotiation of compliance agreements resulting in reduction of fine amounts to zero;
- eliminates the requirement for tickets to be handed directly to the accused (personal service);
- avoids the unnecessary attendance of witnesses; and
- avoids the need to hire legal counsel.

The Bylaw Dispute Adjudication System (explained in detail in the Toolkit) is a very effective and low cost way of helping to ensure respect for LTC bylaws and the community goals they represent. Gaining compliance with bylaws can be very difficult and expensive in the absence of a ticketing enforcement bylaw as enforcement may need to occur through costly Court processes.

The very high cost to taxpayers and individuals of Court action sometimes means that bylaws are not enforced and therefore do not meet the goals they were designed to achieve. Non-enforcement can be frustrating for community members who expect bylaw compliance. It also contributes to a lowering of the legitimacy of bylaws and general non-compliance.

Bylaw No.116

Draft Bylaw No. 116 cited as, "South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No 116, 2019" is attached to this report for consideration of the LTC. If adopted by the LTC, this Bylaw would enable Bylaw Compliance and Enforcement Staff to: issue fines; conduct hearings by impartial adjudicators of disputes to tickets; and negotiate compliance agreements in return for reducing fine amounts to zero.

The BEN Bylaw does not create any new rules or regulations for South Pender Islanders. It only lists the regulations that already exist in the Land Use Bylaw. The fine amounts are similar to those found in the eight BEN Bylaws already existing in the Islands Trust Area.

Rationale for Recommendation

Adoption of a BEN bylaw would allow the South Pender LTC to more effectively deal with complaints received from South Pender Islanders about potential bylaw infractions. The BEN bylaw provides the ability to negotiate compliance agreements – to outline the approach to be taken to achieve bylaw compliance and opportunity to reduce fines to zero when compliance is achieved.

Alternatives

- 1. Receive for information**
- 2. Request further information**

Submitted By:	Miles Drew Bylaw Compliance & Enforcement Manager	July 5, 2019
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Attachment

- Draft Bylaw No. 116

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 116**

**A BYLAW WITH RESPECT TO THE ENFORCEMENT OF BYLAW NOTICES WITHIN
THE SOUTH PENDER ISLAND LOCAL TRUST AREA**

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

WHEREAS the South Pender Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Notices in the South Pender Island Local Trust Area;

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

Citation

1. This Bylaw may be cited as “South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 116, 2019”.

1.0 INTERPRETATION

In this Bylaw:

- 1.1 “Act” means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 “Registry” means the Islands Trust established pursuant to section 6 of this bylaw.
- 1.3 “LTC” means the South Pender Island Local Trust Committee.

2.0 DEFINITIONS

The terms in this bylaw have the same meaning as the terms defined in the *Act*.

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedule “A” attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedule “A” as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Early Payment Penalty Amount set out in column A2 of Schedule “A” as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under

- paragraph (1) , and is the Late Payment Penalty Amount set out in column A3 of Schedule “A” as attached to this bylaw; or
- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedule “A” as attached to this bylaw.

5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

- 5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

- 5.2 A person may pay the indicated penalty after 14 days of receiving the notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.
- 5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the Act.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

- 6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the Act to resolve disputes in relation to bylaw violation notices.
- 6.2 The civic address of the Registry is Suite 200 – 1627 Fort Street, Victoria BC V8R 1H8.
- 6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice, or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

- 7.1 The position of screening officer is established.
- 7.2 The following are designated classes of person that may be appointed as screening officers:
- (1) Regional Planning Manager;
 - (2) Bylaw Compliance and Enforcement Manager;
 - (3) Bylaw Compliance and Enforcement Officer;
 - (4) Bylaw Compliance and Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

7.3 The powers, duties and functions of screening officers are as set out in the *Act*, and include the following powers:

- (1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
- (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the bylaw violation notice;
 - (c) the complainant or their representative;
 - (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.
- (3) To prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw violation notices, including to establish terms and conditions for compliance that the screening officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- (4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedule "A" and "B" as attached to this bylaw; and
- (5) To cancel bylaw violation notices in accordance with the *Act* or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule "A" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

8.0 BYLAW ENFORCEMENT OFFICERS

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- (a) Bylaw Compliance and Enforcement Manager;
- (b) Bylaw Compliance and Enforcement Officer.

9.0 FORM OF BYLAW VIOLATION NOTICE

The LTC may, from time to time, stipulate the form or forms of the bylaw violation notice provided the bylaw violation notice complies with Section 4 of the *Act*.

10.0 SCHEDULES

The following schedule is attached to and forms part of this bylaw:

- (a) Schedule A – South Pender Island Land Use Bylaw No. 114, 2016 Contraventions and Penalties

READ A FIRST TIME THIS DAY OF ,2019

READ A SECOND TIME THIS DAY OF ,2019

READ A THIRD TIME THIS DAY OF ,2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF ,2019

ADOPTED THIS DAY OF ,2019

SECRETARY

CHAIR

Schedule A
SOUTH PENDER ISLAND LAND USE BYLAW NO. 114, 2016
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.2(1)	Prohibited Airport	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(2)	Prohibited Heliport	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(3)	Prohibited Seaplane Facility	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(4)	Prohibited Private Marina	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(5)	Prohibited Disposal of Waste	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(6)	Prohibited Junkyard/Auto Wrecking Yard/Storage of Derelict Vehicles	\$350.00	\$262.50	\$525.00	Yes	100%
3.2(7)	Prohibited Landfill/ Disposal or Storage of Hazardous/Toxic Waste	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(8)	Prohibited Dirt Bike or ATV Trail	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(9)	Prohibited Rental/Sale/Commercial Storage of Personal Watercraft	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(10)	Prohibited Residential Use of Vessel	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(11)	Prohibited Commercial Use of Buoy/Float/Dock/Wharf/Structure	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(12)	Buildings/Structures Prohibited While Used for Prohibited Use	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(13)	Prohibited Dwellings/Cottages on Common Strata Property	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(14)	Prohibited Boathouse	\$500.00	\$375.00	\$750.00	Yes	100%
3.2(15)	Prohibited Floatplane Hangar	\$500.00	\$375.00	\$750.00	Yes	100%
3.3(2)	Building/Structure in Setback from Freshwater Waterbody	\$500.00	\$375.00	\$750.00	Yes	100%
3.3(3)	Building/Structure in Setback from Sea	\$500.00	\$375.00	\$750.00	Yes	100%
3.3(4)	Sewage System Too Close to	\$500.00	\$375.00	\$750.00	Yes	100%

Schedule A
SOUTH PENDER ISLAND LAND USE BYLAW NO. 114, 2016
CONTRAVENTIONS AND PENALTIES

	Watercourse/Well/Domestic Water Supply					
3.4(1)	Dwelling/Cottage Too High	\$350.00	\$262.50	\$525.00	Yes	100%
3.4(2)	Accessory Building/Structure Too High	\$350.00	\$262.50	\$525.00	Yes	100%
3.5(1)	Accessory Building Used For Human Habitation	\$500.00	\$375.00	\$750.00	Yes	100%
3.5(3)	Outbuilding On Lot Before Dwelling	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(1)	Home Businesses Goods Less Than 70% Homemade/ Retail Sales Unrelated To Personal Service	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(2)(a)/(b)/(c)	Prohibited Home Occupation	\$500.00	\$375.00	\$750.00	Yes	100%
3.6(3)	Home Occupation Not Indoors/Screened	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(4)	Home Occupation Too Big	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(5)	Home Occupation No Resident Owner/Operator	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(6)	Home Occupation Too Many Employees	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(7)	Home Occupation Improper Parking	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(8)(a)	B & B In Wrong Zone	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(8)(c)	B & B Too Many Bedrooms	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(8)(d)	B & B Too Many Employees	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(8)(e)	B & B Providing Meals Other Than in Morning	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(8)(f)	B & B Improper Parking	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(8)(g)	B & B In Accessory Building	\$350.00	\$262.50	\$525.00	Yes	100%
3.6(9)(a)	STVR In Wrong Zone	\$500.00	\$375.00	\$750.00	Yes	100%
3.6(9)(b)	STVR Use in Cottage and Dwelling	\$500.00	\$375.00	\$750.00	Yes	100%
3.6(9)(c)	More Than One Cottage On Lot Used For STVR	\$500.00	\$375.00	\$750.00	Yes	100%
3.7(1)	Over Height Agricultural Building/Structure	\$350.00	\$262.50	\$525.00	Yes	100%
3.8(1)	Over Height Fence	\$200.00	\$150.00	\$300.00	Yes	100%
3.9(1)	Improper Vegetative Landscape Screen	\$200.00	\$150.00	\$300.00	Yes	100%
3.9(2)	Improper Non-vegetative Screen	\$200.00	\$150.00	\$300.00	Yes	100%
3.10(1)	Unpermitted Use of Recreational Vehicle	\$500.00	\$375.00	\$750.00	Yes	100%

Schedule A
SOUTH PENDER ISLAND LAND USE BYLAW NO. 114, 2016
CONTRAVENTIONS AND PENALTIES

3.11(1)	Storing More Than One Unlicensed Vehicle	\$350.00	\$262.50	\$525.00	Yes	100%
3.11(2)	Storing Unusable Vehicle/Vessel	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(1)	Unpermitted Use In RR Zones	\$500.00	\$375.00	\$750.00	Yes	100%
5.1(2)/(3)/(4)	Unpermitted Dwelling/Cottage In RR Zones	\$500.00	\$375.00	\$750.00	Yes	100%
5.1(5)	Exceed Floor Area on Lot	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(6)(a)	Building/Structure In Setback From Front/Rear Lot Line	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(6)(b)	Building/Structure in Setback from Interior Lot Line	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(6)(c)	Building/Structure in Setback From Exterior Lot Line	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(7)	Accessory Building Exceeds Floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.1(8)	Using more than one Dwelling Or Cottage At Same Time in RR Zones	\$500.00	\$375.00	\$750.00	Yes	100%
5.2(1)	Unpermitted Use in C Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2(2)	Combined Floor Area of Buildings and Structures Covers Too Much Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(3)	A Building/Structure Covers Too Much Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(4)(a)	Building/Structure in Front/Rear Setback	\$500.00	\$375.00	\$750.00	Yes	100%
5.2(4)(b)	Building/Structure in Interior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(4)(c)	Building/Structure in Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.2(6)	Resort Hotel Fail To Comply With Conditions Of Use.	\$500.00	\$375.00	\$750.00	Yes	100%
5.3(1)	Unpermitted Use In S Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.3(2)	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(3)	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.3(4)	Building/Structure Too High	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(1)	Unpermitted Use In S2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.4(2)	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule A
SOUTH PENDER ISLAND LAND USE BYLAW NO. 114, 2016
CONTRAVENTIONS AND PENALTIES

5.4(3)	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.4(4)	Building/Structure Too High	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(1)	Unpermitted Use in A Zone	\$500.00	\$375.00	\$525.00	Yes	100%
5.5(2)	More Than One Dwelling	\$500.00	\$375.00	\$750.00	Yes	100%
5.5(3)	Extra Cottage/Dwelling Without Ongoing Agriculture	\$500.00	\$375.00	\$750.00	Yes	100%
5.5(4)/(5)	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(6)(a)	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(6)(b)	Building/Structure in Side Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(7)(a)/(b)/(c)/(d)	Agricultural Buildings/Structures in Setback	\$500.00	\$375.00	\$750.00	Yes	100%
5.5(9)	Exceed Dwelling Floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.5(10)	Using More Than One Dwelling Or Cottage At Same Time In RR Zones	\$500.00	\$375.00	\$750.00	Yes	100%
5.6(1)	Unpermitted Use In F Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.6(2)	More than One Dwelling and One Cottage	\$500.00	\$375.00	\$750.00	Yes	100%
5.6(3)/(4)	Exceed Lot coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.6(5)	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.6(6)	Building/Structure Too High	\$350.00	\$262.50	\$525.00	Yes	100%
5.6(7)	Exceed Dwelling floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.8	Using More Than One Dwelling Or Cottage At Same Time in RR Zones	\$500.00	\$375.00	\$750.00	Yes	100%
5.6(9)	Portable Sawmill In Setback	\$350.00	\$262.50	\$750.00	Yes	100%
5.7(1)	Unpermitted Use in NR Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.7(2)	More than One Dwelling	\$500.00	\$375.00	\$750.00	Yes	100%
5.7(3)	More Than One Dwelling and One Cottage	\$500.00	\$375.00	\$750.00	Yes	100%
5.7(4)	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.7(5)	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.7(6)	Exceed Dwelling Floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.7(7)	Using More Than One Dwelling Or Cottage At Same Time in RR Zones	\$500.00	\$375.00	\$750.00	Yes	100%
5.8(1)	Unpermitted Use In	\$500.00	\$375.00	\$750.00	Yes	100%

Schedule A
SOUTH PENDER ISLAND LAND USE BYLAW NO. 114, 2016
CONTRAVENTIONS AND PENALTIES

	Community Park Zone					
5.8(2)	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.8(3)	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.8(4)	Building/Structure Too High	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(1)	Unpermitted Use in NP Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.9(2)	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(3)	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.9(4)	Building/Structure Too High	\$350.00	\$262.50	\$525.00	Yes	100%
5.10(1)	Unpermitted Use In RC Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.10(2)	Exceed Lot Coverage	\$350.00	\$262.00	\$525.00	Yes	100%
5.10(3)	Building/Structure Exceeds Floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.10(4)	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.10(5)	Building/Structure Too High	\$350.00	\$262.50	\$525.00	Yes	100%
5.11(1)	Unpermitted Use in W1 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.11(2)	Unpermitted Building on Float/Wharf	\$500.00	\$375.00	\$750.00	Yes	100%
5.11(3)	Float/Wharf Exceeds combined Floor Area	\$500.00	\$375.00	\$750.00	Yes	100%
5.11(4)	Ramp/Walkway Exceeds Width	\$350.00	\$262.50	\$525.00	Yes	100%
5.11(5)	Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.12(1)	Unpermitted Use in W2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.12(2)	Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.13(1)	Non Permitted Use in W3 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.13(3)	W3 Uses Outside W3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.13(4)	Building Exceeds floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.13(5)	Structure Too High	\$350.00	\$262.50	\$525.00	Yes	100%
5.14(1)	Unpermitted Use in W4 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.15(2)	Unpermitted Use in W5 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
6.2(1)/(2)/(3)	Prohibited Sign	\$350.00	\$262.50	\$525.00	Yes	100%
6.4(1)	Sign Outside Front or Exterior Setback Area	\$350.00	\$262.50	\$525.00	Yes	100%
6.5	Fail to Remove Obsolete Sign	\$350.00	\$262.50	\$525.00	Yes	100%
6.6	Too Many/Too Large Sign	\$350.00	\$262.50	\$525.00	Yes	100%
7.2	Parking Fails To Meet Design Standard	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule A
SOUTH PENDER ISLAND LAND USE BYLAW NO. 114, 2016
CONTRAVENTIONS AND PENALTIES

7.2(2)	Parking Space Too Small	\$350.00	\$262.50	\$525.00	Yes	100%
7.3(4)	Fail to Provide/Maintain Required Off Street Parking	\$350.00	\$262.50	\$525.00	Yes	100%

BRIEFING

To:	Local Trust Committees	For the Meeting of:	Various
From:	David Marlor, Director, Local Planning Services	Date Prepared:	June 17, 2019
SUBJECT:	Model Radio Antenna Strategy		

PURPOSE: To provide the model radio antenna strategy to local trust committees for consideration of adoption.

BACKGROUND:

The federal Ministry of Innovation, Science and Economic Development Canada (ISED)(formerly Industry Canada),has jurisdiction over telecommunications uses such as radio broadcast towers and cellular telephone towers, which are licensed under the federal *Telecommunications Act*. ISED looks for the land use authority to issue a letter of concurrence or non-concurrence with the proposal put forward by telecommunications proponents and the consultation process they conduct. ISED recommends land use authorities establish a documented public consultation process to guide cell/radio tower proponents.

Within the Islands Trust, the consultation process on these types of applications was previously guided by the Letter of Understanding (LOU, signed October 30, 1996) that existed between ISED and the Islands Trust Council, on behalf of Local Trust Committees, for proposed towers of over 25m in height. Since ISED updated its Radio communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) in 2014 to include a Default Public Consultation Process, the Trust Council/ISED LOU was rescinded by ISED under the terms of the agreement.

When a land use authority does not have an established or documented public consultation process, proponents of radio towers must use the ISED default process outlined in the Radio communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03).

In March 2016, Trust Council passed the following resolution:

THAT the Islands Trust Council request the Local Planning Committee to make recommendations on policy that includes public consultation procedures and development guidelines for the siting and design of antenna systems, which may then be adapted and implemented by local trust committees.

The report, “Model Program for Antenna Systems,” dated May 3, 2018, (Attachment 1) was prepared by a consultant (James Van Hemert) under contract with Islands Trust. The report provides a model consultation program, land use siting criteria, and model official community plan policies. The report also presents a literature review and summary of background materials that were reviewed as part of the report’s creation.

The report was received by Trust Council the June 2018 Trust Council meeting and was requested to be forwarded to local trust committees. This is being forwarded to you now to allow the new local trust committees elected in November 2018 to consider adoption of the public process contained in the

“Model Program for Antenna Systems”, as well as the policy and regulatory recommendations contained in this document.

ATTACHMENT(S):

1. Model Program for Antenna Systems,” dated May 3, 2018

Link to IT Web Document: <http://www.islandstrust.bc.ca/media/346706/final-model-strategy-for-antenna-systems.pdf>

FOLLOW-UP:

A brochure is being developed to explain the process and will be posted on the Islands Trust website as soon as it is complete.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date:



File No.:

DATE OF MEETING: September 6, 2019

TO: South Pender Island Local Trust Committee

FROM: Lisa Wilcox, Senior Intergovernmental Policy Advisor
Robert Kojima, Regional Planning Manager
Southern Team

SUBJECT: Standing Resolution - Reconciliation

RECOMMENDATION

1. That the South Pender Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:

Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.

REPORT SUMMARY

The South Pender Island Local Trust Committee (LTC) is asked to consider adopting the above-noted standing resolution as a mechanism to guide reconciliation within the Local Trust Area.

BACKGROUND

From 2015 to the present the South Pender Local Trust Committee has passed resolutions that acknowledge First Nations territory, look for ways to develop and create joint relationship building, and engage on issues of environment, naming and recognition, and advocacy.

ANALYSIS

Issues and Opportunities

Standing Resolution

Staff have prepared a draft standing resolution for LTC consideration that will enable the LTC to transition from reconciliation being a First Nations “project” to incorporating reconciliation more holistically into the LTC’s business and work program.

The draft standing resolution references key documents to guide the LTC’s journey of reconciliation with local First Nations. These include:

- Truth and Reconciliation Commission (TRC) Calls to Action
https://nctr.ca/assets/reports/Calls_to_Action_English2.pdf
- United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- Draft Principles that Guide the Province of BC’s Relationship with Indigenous Peoples;
https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/diversity-inclusion-respect/draft_principles.pdf
- Islands Trust First Nations Engagement Principles.
<http://www.islandstrust.bc.ca/media/342128/firstnationsengagementprinciples.pdf>

The draft standing resolution includes five areas in which the LTC can endeavour to take action:

- a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations’ cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations’ traditional territories within the Islands Trust Area.

From Engagement to Reconciliation

The draft standing resolution is similar to one prepared for the Gabriola Island LTC in 2018, with an emphasis on the work that the LTC will do as part of their Reconciliation process. The intent is to provide processes that focus

on best practices and provide workable first steps for staff and Trustees to progress and develop a Reconciliation plan. The process acknowledges that reconciliation requires both internal and external knowledge building and will focus on processes to help and advise on First Nations engagement. It also provides a framework for the LTC to engage with all local First Nations with interests in the Local Trust Area.

Rationale for Recommendation

The South Pender Island LTC has made a significant progress in its recent efforts toward reconciliation. These efforts may continue, as an integral part of routine LTC business and work program activities. The LTC may also seek opportunities with other local First Nations that have asserted rights and title, treaty, or overlapping territory in the area. The draft standing resolution provides a framework to support reconciliation and continued relationship building, where capacity is available. The staff recommendation is included on Page 1 of the report.

ALTERNATIVES

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

- 1. Request further information**
- 2. Amend the Standing Resolution**
- 3. Receive for information**

NEXT STEPS

Should the LTC adopt the recommended standing resolution, staff will draft letters of introduction to all First Nations within interests in the Local Trust Area, as noted in item (a) of the resolution and welcome input, dialogue and opportunities to address items (b) through (e) of the resolution.

Submitted By:	Lisa Wilcox, kwakwemtenaat Senior Intergovernmental Policy Advisor	June 20, 2019
Concurrence:	Robert Kojima Regional Planning Manager	June 20, 2019

ATTACHMENTS

None