SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE

BUSINESS MEETING AGENDA
TO COMMENCE AT 10:00 AM, TUESDAY, FEBRUARY 14, 2012
AT THE FIRE HALL AT 8961 GOWLLAND POINT ROAD
SOUTH PENDER ISLAND, B.C.

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

			Page #	*Approx. Time*
1.	**CALL TO ORDER**			10:00 am
2.	**APPROVAL OF AGENDA**			
	2.1	**Additions/Deletions**		
	2.2	**Questions from public on Agenda Items**		
3.	**COMMUNITY INFORMATION MEETING** - none			
4.	**PUBLIC HEARING** - none			
5.	**PREVIOUS MEETINGS**			10:05 am
	5.1	**Adopted Local Trust Committee Minutes** (for information only)		
		5.1.1 Local Trust Committee Business Meeting Minutes of October 4, 2011 (attached)	**1**	
	5.2	**Public Hearing Records and Community Information Meeting Notes** (for information only)		
		5.2.1 Local Trust Committee Community Information Meeting Notes of October 4, 2011 (attached)	**11**	
		5.2.2 Local Trust Committee Record of Public Hearing of October 4, 2011 (attached)	**15**	
	5.3	**Section 26 Resolutions-without-meeting** (attached)	**17**	
	5.4	**Advisory Planning Commission Minutes** (attached)	**18**	
		5.4.1 APC Minutes of November 14, 2011		

6.	**BUSINESS ARISING FROM THE MINUTES**		10:15 am
6.1	**Follow-up Action Report** (attached)	**22**	
7.	**DELEGATIONS** - none		
8.	**CORRESPONDENCE** (attached) [*correspondence received concerning applications and/or projects is considered with the application*]		10:20 am
8.1	**C.A. Thorn letter dated October 6, 2011 re: South Pender OCP and Outbuildings Prior to Residential Dwelling** - Staff recommends that the LTC instructs to respond to the author informing him of the LTC discussion regarding the work program	**24**	
8.2	**J. Johnston letter dated January 17, 2012 re: Gulf Islands Learning Centre** - Staff recommends that no action is taken	**26**	
9.	**APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**		10:35 am
9.1	**North Pender Island Bylaws No. 187 and 189 Referral** (attached)	**28**	
10.	**LOCAL TRUST COMMITTEE PROJECTS** - none		
	Break – 15 minutes		
11.	**REPORTS**		11:00 am
11.1	**Work Program Reports**		
	11.1.1 2008-2011 Trust Council Strategic Plan (will only be circulated quarterly, following Trust Council) (attached)	**87**	
	11.1.2 Adopted Policies and Standing Resolutions; and Objectives For Information – (attached)	**103**	
	11.1.3 South Pender Island Local Trust Committee Work Program Memo (attached)	**107**	
11.2	**Applications Report**		11:30 am
	11.2.1 South Pender Island Applications Report dated February, 2012 (attached)	**111**	

	11.3	**Expense/Budget Reports** 11.3.1 Trustee and Local Expenses (attached) 11.3.2 LTC Budget 2011 – 2012 (attached) 11.3.3 Confirmation of 2012 – 2013 Budget Requests	 **113** **114**	
	11.4	**Bylaw Enforcement Report** - none		
	11.5	**South Pender LTC Web Page** (attached) – For Information	**115**	12:00 pm
	11.6	**Chair's Report**		
	11.7	**Trustee Report**		
12.	**OTHER BUSINESS**			12:20 pm
	12.1	**Upcoming Meetings** 12.1.1 Next Business Meeting – Tuesday, April 10, 2012 at 10:00 am, at the South Pender Fire Hall		
	12.2	**South Pender Advisory Planning Commission** (attached)	**118**	
	12.3	**Northern Pipeline, Tankers & Freighter Traffic** – discussion		
13.	**TOWN HALL**			12:40 pm
14.	**ADJOURNMENT**			1:00 pm

ADOPTED

MINUTES OF THE SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BUSINESS MEETING HELD ON TUESDAY, OCTOBER 4, 2011, AT 10:00 AM AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD, SOUTH PENDER ISLAND, BC

PRESENT:	**Gary Steeves**	**Chair**
	Wendy Scholefield	**Local Trustee**
	David Greer	**Local Trustee**
	Andrea Pickard	**Planner**
	Miles Drew	**Bylaw Enforcement Coordinator**
	Kathy Gilbert	**Recording Secretary**

There were eleven (11) members of the public present at the meeting.

1. CALL TO ORDER

Chair Steeves called the meeting to order at 10:04 am.

2. APPROVAL OF AGENDA

2.1 Additions / Deletions

Chair Steeves asked if there were any additions or amendments to the agenda; there being none the agenda was approved by consent.

2.2 Questions from public on Agenda items

None

3. COMMUNITY INFORMATION MEETING

3.1 Proposed Bylaw No. 108 cited as "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2011"

3.2 Proposed Bylaw No. 110 cited as "South Pender Islands Land Use Bylaw No. 92, Amendment No. 2, 2011"

Please see separate Community Information Meeting Notes of same date.

4. PUBLIC HEARING

4.1 Proposed Bylaw No. 108 cited as "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2011"

4.2 Proposed Bylaw No. 110 cited as "South Pender Islands Land Use Bylaw No. 92, Amendment No. 2, 2011"

Please see separate Public Hearing Record of same date.

5. PREVIOUS MEETINGS

5.1 Adopted Local Trust Committee Minutes

5.1.1 Local Trust Committee Business Meeting
Minutes of June 7, 2011

5.1.2 Local Trust Committee Special Meeting
Minutes of July 23, 2011

5.1.3 Local Trust Committee Special Meeting
Minutes of July 23, 2011

Chair Steeves noted that the above-referenced minutes are provided for information.

5.2 Public Hearing Records and Community Information Meeting Notes

5.2.1 Local Trust Committee Community Information Meeting Notes of June 4, 2011

Chair Steeves stated that the notes are provided for information.

5.3 Section 26 Resolutions-without-meeting

Chair Steeves clarified that Section 26 refers to Section 26 of the Islands Trust Act.

Planner Pickard identified 3 items that were dealt with by Resolution-without-meeting. Two dealt with minutes. The third item advanced the proposed Land Use Bylaw amendments being considered at the October 4, 2011 meeting through the approval process.

5.4 Advisory Planning Commission Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard presented the items as identified in the Follow-up Action Report and advised Trustees that the status of all items was as shown in the report, with the exception of Item 2, DVP-2011.2, which is now complete. She noted that Item 1, Pender Community Transition will be discussed later in the October 4, 2011 meeting.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Alma Lightbody letter dated September 9, 2011 re: Tree Covenant

Planner Pickard presented her report outlining the writer's request to remove several trees presently restricted from removal by a covenant. She explained that removal of trees as specified in the covenant is only with approval of the Local Trust Committee. She stated that she had conducted a site visit and saw no issues with the request. She also noted that a search of the files had not identified a specific rationale for the covenant, but it was thought that the trees were to have been retained for visual screening purposes. Since registration of the covenant, vegetation has grown substantially and screening is not an issue. She also commented that construction that had taken place on the property did not contravene the provisions of the covenant. She further noted that additional covenants were in place on the property that protected environmental and heritage values.

An arborist had inspected the trees and determined that they present a hazard due to their decaying condition.

The Fire Department determined that the trees present a fire hazard due to their proximity to the home.

Trustees Scholefield and Greer had attended the site and had no objections to the request to remove the trees as proposed.

During the discussion, Ms. Lightbody noted that the area where the trees are proposed for removal is flat and rocky, so there will be no impact on slope stability.

Chair Steeves noted that the Islands Trust had been named in the covenant by the Ministry of Transportation and Infrastructure as the approving body to allow for tree removal, without signature on the covenant by the Islands Trust.

Planner Pickard stated that this was not an uncommon practice, but that it was preferable for all named in covenants to be signatories.

Resolution-SP-LTC-44-11

It was Moved and Seconded that the South Pender Island Local Trust Committee grant permission to the property owners of Lot 4, Section 21, Pender Island, Cowichan District, Plan VIP53829 to remove up to four Douglas-fir trees within the covenant area identified by EF18179, which are located within close proximity to the single family dwelling and have been confirmed by an arborist to pose a hazard.

CARRIED

8.2 Z. Staar email dated September 13, 2011 re:
Pender Community Transition Interim Funding Report & Request for Disbursement

Trustees reviewed the report that was requested in order for the Islands Trust to provide funding to the program.

Resolution-SP-LTC-45-11

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to provide $200 to Pender Community Transition, following purchase of their report dated September 13, 2011.

CARRIED

Chair Steeves complimented Pender Community Transition on the quality of their report and suggested that it could serve as a model for future such submissions from community groups.

**Note – The meeting recessed from 11:15 am to 11:32 am.*

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

None

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 SP-OCP-2011.1 (LUB Amendments)

10.1.1 Proposed Bylaw No. 108 – for further consideration

10.1.2 Proposed Bylaw No. 110 – for further consideration

Planner Pickard reviewed her reports for both bylaws and provided information on the legislative approval process required.

In response to an enquiry from Trustee Scholefield, Planner Pickard confirmed that if the bylaw amendments are approved, a consolidated bylaw will be immediately produced incorporating the proposed numbering changes.

Trustee Greer stated that he supports the proposed changes to the bylaws.

Resolution-SP-LTC-47-11

It was Moved and Seconded that South Pender Island Local Trust Committee Proposed Bylaw 108, cited as “South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2011” be given Second Reading.

CARRIED

Resolution-SP-LTC-48-11

It was Moved and Seconded that South Pender Island Local Trust Committee Proposed Bylaw 108, cited as “South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2011” be given Third Reading.

CARRIED

Resolution-SP-LTC-49-11

It was Moved and Seconded that South Pender Island Local Trust Committee Proposed Bylaw 110, cited as South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 2, 2011” be given Second Reading.

CARRIED

Resolution-SP-LTC-50-11

It was Moved and Seconded that South Pender Island Local Trust Committee Proposed Bylaw 110, cited as “South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 2, 2011” be given Third Reading.

CARRIED

Resolution-SP-LTC-51-11

It was Moved and Seconded that South Pender Island Local Trust Committee Proposed Bylaw 108, cited as “South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2011” and Proposed Bylaw 110, cited as “South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 2, 2011” be forwarded to Executive Committee for approval.

CARRIED

11. REPORTS

11.1 Work Program Reports

11.1.1 2008-2011 Trust Committee Strategic Plan

No discussion.

11.1.2 Adopted Policies and Standing Resolutions and Objectives for 2009-2012

No discussion.

11.1.3 South Pender Island Local Trust Committee Work Program Report dated September, 2011

Planner Pickard reviewed the present list of priorities.

Trustees noted that the top three priorities, OCP Review and Update, Land Use Information Package and two Land Use Bylaw amending bylaws have been completed.

Resolution-SP-LTC-52-11

It was Moved and Seconded that the South Pender Island Local Trust Committee remove Items 1, 2 and 3 from the Top Priorities List at the October 4, 2011 meeting.

CARRIED

Resolution-SP-LTC-53-11

It was Moved and Seconded that the South Pender Island Local Trust Committee Top Priorities List be amended by adding the following items:
1 – Land Use Bylaw Review and Update
2 – Community Consultation for draft Bylaw Enforcement Notice Bylaw No. 109
3 – Shoreline Protection

CARRIED

Discussion followed on the "Activities" column associated with the Top Priorities list.

Trustees recommended that similar activities as were followed with the OCP review be followed with respect to the Land Use Bylaw review:

- Scope;
- Timeline;
- Methodology;
- Technical Update;
- Background work on selected topics;
- Community Consultation;
- Legislative Process.

These will be augmented through the process.

Trustees identified the following activities in connection with the Shoreline Protection Top Priority:

- Completion of work on watershed and shoreline;
- Consideration of issues arising from erosion, both around the Canal and around the Island;
- Public education for shoreline stewardship and the Greenshores Project;
- Work on the impact of docks on the South Pender Island shoreline.

Trustees reviewed the Projects list and noted that all items were attended to, except the Development Approval Information Bylaw.

Resolution-SP-LTC-54-11

It was Moved and Seconded that the South Pender Island Local Trust Committee update Item 1 on the Projects lists as follows:

Description: Development Approval Information Bylaw; Activity: To draft a DAI bylaw to provide certainty with respect to requirements for development permit applications;

And to remove the remaining items from the Projects list presented at the October 4, 2011 meeting.

CARRIED

11.3 Expense/Budgets Reports

11.3.1 Trustee and Local Expenses

No discussion

11.3.2 LTC Budget 2011-2012

No discussion

11.3.3 Budget Request for 2012-2013

Trustees revised the request by deleting the OCP implementation item.

Resolution-SP-LTC-55-11

It was Moved and Seconded that the South Pender Island Local Trust Committee amend its budget submission request by deleting the Official Community Plan follow-up ($10,000) and replacing it with a request of $5,000 for updates to the Land Use Bylaw.

CARRIED

Trustees confirmed that the $7,000 Shoreline Protection Project remains a 2012-2013 budget request.

11.4 Bylaw Enforcement Report

11.4.1 South Pender Island Draft Bylaw No. 109 - Enforcement Notification Bylaw

Bylaw Enforcement Coordinator (BEC) Miles Drew presented his report and the draft bylaw. He confirmed that no new offences are identified and that the bylaw provides, in general terms:

- Fines for the specific offences in the Land Use Bylaw;

- Provision for establishment of a compliance agreement with offenders;
- A registry for minor dispute resolution;
- Establishment of a screening officer for dispute resolution.

He stated that the bylaw will enable enforcement to be less formal and less costly for the Islands Trust and the public. He further noted that although there is not a lot of bylaw enforcement activity on South Pender Island, the new bylaw will provide a new tool for the instances where bylaw enforcement is required. He also presented a draft brochure on the bylaw enforcement process for the public.

In response to comments from Trustee Scholefield regarding the adjudication process, BEC Drew stated that he is revisiting that process.

In response to an enquiry from Trustee Greer, BEC Drew stated that the cost to the Islands Trust for the Registry is a flat fee of $1,900 per year and a further $75.00 per case elevated to the Registry.

Chair Steeves stated his support for this new process as it is relatively inexpensive; it deals effectively with minor offences; it does not require legal representation; and it shows that the Islands Trust is prepared to enforce its bylaws.

BEC Drew identified sample offences to be dealt with, such as setback infractions, height overages and home occupation issues.

Trustee Greer confirmed that the bylaw is a result of incremental Provincial initiatives to reduce land use bylaw offence appearances in the court system.

Trustee Greer also commented that the list of offences might help the LTC to identify issues to be reviewed during the Land Use Bylaw update process.

Trustees discussed various means to engage the public to advise of the proposed bylaw.

Trustees subsequently dealt with a bylaw naming issue.

Resolution-SP-LTC-56-11

It was Moved and Seconded that the South Pender Island Local Trust Committee amend draft Bylaw 109, Paragraph 1, Citation, by replacing the word “Area” with the word “Committee.”

CARRIED

Resolution-SP-LTC-57-11

It was Moved and Seconded that the South Pender Island Local Trust Committee refer to the Advisory Planning Commission for its consideration and recommendation to the South Pender Island Local Trust Committee draft Bylaw No. 109 cited as "South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 109, 2011", a bylaw to respect the enforcement of Bylaw notices within the South Pender Island Local Trust Area.

CARRIED

A member of the public commented that many people do not know about the various bylaws in place on South Pender Island and that a public consultation process would so advise and show that the Islands Trust is interested in adhering to its bylaws.

11.5 South Pender Island LTC Web Page

Staff was directed to remove the May and June "latest news" web pages, and the South Pender Update section from the July page.

The draft Bylaw Enforcement Notification Bylaw will be added to the Latest News.

Planner Pickard advised that her latest information for timing of the launch of the new website is within the next couple of months.

11.6 Chair's Report

Chair Steeves reported on the Ferry Commissioner's visits to the Gulf Islands. He stated that the submission by the Islands Trust was very comprehensive and is available on the Islands Trust website.

Chair Steeves reported on items of particular interest at the recent annual UBCM meeting. Coastal elected officials met with Premier Clark and Minister of Transportation and Infrastructure Lekstrom regarding the ferry system.

Chair Steeves also met with Minister of Forests, Lands and Natural Resource Operations Thompson regarding the problem of derelict vessels.

Discussion followed among the Trustees about the upcoming RCMP contract renewal between the Province and the Federal Government.

11.7 Trustee Report

None

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Next Business Meeting

Trustee Scholefield stated that discussions are required with the community regarding allocation of budgeted funds for community purposes. She noted that disposition of those funds may be done by a Resolution-without-meeting.

Discussion followed regarding the appreciated contribution of the Advisory Planning Commission (APC) during the term of office of the Trustees.

Trustees also discussed the possibility of increasing the number of APC members in recognition of the interest expressed in participation by South Pender Island residents.

Resolution-SP-LTC-58-11

It was Moved and Seconded that the South Pender Island Local Trust Committee direct the Chair to write to the members of the Advisory Planning Commission thanking them for their work and support during this term of office.

CARRIED

13. TOWN HALL MEETING

A member of the public expressed her appreciation for the work done by the Local Trust Committee during their term of office.

14. ADJOURNMENT

Resolution-SP-LTC-59-11

It was Moved and Seconded that the South Pender Island Local Trust Committee Meeting be adjourned at 1:20 pm.

CARRIED

RECORDER **CHAIR**

Community Information Meeting
Received For Information
By Local Trust Committee

NOTES OF THE SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE COMMUNITY INFORMATION MEETING
REGARDING BYLAW NOS 108 AND 110
HELD ON TUESDAY, OCTOBER 4, 2011, AT 10:10 AM
AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD,
SOUTH PENDER ISLAND, BC

PRESENT:	**Gary Steeves**	**Chair**
	Wendy Scholefield	**Local Trustee**
	David Greer	**Local Trustee**
	Andrea Pickard	**Planner**
	Miles Drew	**Bylaw Enforcement Coordinator**
	Kathy Gilbert	**Recording Secretary**

There were eleven (11) members of the public present at the meeting.

Chair Steeves called the meeting to order at 10:10 a.m., advising the public of the purpose of the meeting and explaining that the Community Information Meeting was an opportunity to exchange information and ask questions, whereas a Public Hearing (to follow) was more formal, where the public would be asked for comments on the proposed bylaws.

3. COMMUNITY INFORMATION MEETING

3.1 Proposed Bylaw No. 108 cited as "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2011"

3.2 Proposed Bylaw No. 110 cited as "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 2, 2011"

Planner Pickard explained that the proposed amending bylaws are presented following policy direction through the Official Community Plan (OCP) review.

The primary purpose of Bylaw 108 is to introduce three RR zones in order to clarify minimum parcel size for lots with water frontage with subdivision potential.

Further, the name of the "Resource Protection" zone will be changed to "Natural Resource" to clarify that the purpose of that zone is to allow for a residential land use; not to specifically protect lands so zoned.

Introduction of the new RR zones will trigger renumbering of many sections of the Land Use Bylaw. The new numbers are incorporated into the amending bylaw.

Planner Pickard stated that permitted land uses and regulations in the Land Use Bylaw, including in the new zones will not change from existing uses and regulations, except for the lot area requirements for subdivision.

Bylaw 110 will remove the restriction on length of tenancy of cottages, presently restricted to a maximum of thirty (30) days, so that cottages may be rented on a long term or permanent basis.

Planner Pickard briefly outlined the referral and legislative approval processes, noting that that information would be more formally provided during the public hearing that would follow the community information meeting.

Members of the public were invited to comment or ask questions.

A member of the public asked what type of development is permitted in the proposed Natural Resource Zone.

Planner Pickard confirmed that uses are residential, not commercial or industrial.

In response to a question from Trustee Scholefield, Planner Pickard stated that three (3) parcels of land are zoned (proposed) Natural Resource, primarily because there are water bodies associated with two of the parcels and that the third is Teece Point.

A member of the public asked whether Gowlland Point residents will be adversely affected by the proposed new zoning for waterfront parcels.

Planner Pickard outlined the consultation and notification process to advise residents of the proposed changes.

The same member of the public asked for an explanation of the rationale and process by which the RR zone is proposed to be split into RR1 and RR2.

Trustee Scholefield explained that there was confusion about the minimum parcel size that could be created by subdivision under the current zoning of waterfront lots and, in addition, that in order to maximize the number of waterfront lots, a developer may create parcels with awkward lot configurations.

The same member of the public asked whether there will be any ramifications for owners whose parcels will not meet the new minimum parcel size.

Planner Pickard confirmed that undersized parcels are not uncommon; that they still may be developed and sold with no restrictions as a result of the proposed change.

A member of the public, enquired as to the rationale for the proposed change in allowed length of tenancy for cottages (Bylaw 110.)

Trustee Scholefield responded that the proposed changes reflect the reality that cottages are now being rented on a longer-term basis than 30 days; that cottages provide both affordable housing opportunities and the ability to house relatives requiring care close-by.

Trustee Greer added that the other Islands allow for longer term rental.

Chair Steeves stated that the proposed change sends a message that the Island Trust wishes to either enforce the existing provisions or change the bylaw to reflect reality. He noted that Trustees had opted for the latter option.

A member of the public asked what the build-out potential might be with the proposed change to the length of tenancy of cottages.

Planner Pickard stated that an analysis had not been done as that would be a very time-consuming and subjective process.

Discussion by members of the gallery and Trustees ensued stating that it was unlikely that an owner would build a cottage simply for revenue purposes as that would be costly and would follow with the responsibilities of being a landlord.

A member of the public asked whether servicing was a consideration if a person wanted to build a cottage.

Planner Pickard stated that servicing standards are examined at time of building permit applications as well as at subdivision stage.

Chair Steeves noted that Vancouver Island Health Authority (VIHA) sets standards for sewage disposal.

The same member of the public asked when the present standards were introduced.

Chair Steeves responded that standards have been in place for many years and are incrementally changed. He cited the change to sewage disposal regulations now requiring installers to have training and certification. He also confirmed that existing servicing situations are “grandfathered,” and won’t generally require retroactive remediation.

The same member of the public asked whether the proposed change to minimum parcel size will affect assessed value of properties.

Planner Pickard responded that zoning is only one component that BC Assessment Authority considers in establishing assessed value; and that the proposed change should not materially affect assessed value.

Chair Steeves reported on new aerial photography software being used by BC Assessment that he viewed at the recent annual UBCM meeting that allows for very accurate observations on new construction that will facilitate more timely updates to assessed values. He stated that field visits by UBCM staff will be largely eliminated through use of the software.

A general discussion followed on privacy issues, including exchange of information among government agencies.

A member of the public asked whether there had been any opposition to the proposed change in the length of tenancy for cottage use.

Trustee Scholefield noted that the pros and cons had been discussed at the Official Community Plan (OCP) meetings and that residents had spoken both in favour and in opposition at the meetings.

Planner Pickard stated that one submission in opposition at that time had been received.

The same member of the public asked whether there had been any opposition to the proposed change to minimum parcel sizes for waterfront parcels.

Trustees noted that there had been no public opposition to the proposed change.

The same member of the public stated that some people will be negatively impacted (property assessment) by the proposed change to minimum parcel size.

Planner Pickard confirmed that the allowed uses will not change; that some may lose some subdivision potential; but there are other constraints that may restrict subdivision potential.

A short discussion followed on the specifics of the enquirer's property development potential.

There being no other questions or comments from the public, the meeting was adjourned at 10:52 a.m.

RECORDER	**DATE**

RECORD OF THE SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE PUBLIC HEARING REGARDING BYLAW NOS 108 AND 110 HELD ON TUESDAY, OCTOBER 4, 2011, AT 10:53 AM AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD, SOUTH PENDER ISLAND, BC

PRESENT:	**Gary Steeves**	**Chair**
	Wendy Scholefield	**Local Trustee**
	David Greer	**Local Trustee**
	Andrea Pickard	**Planner**
	Miles Drew	**Bylaw Enforcement Coordinator**
	Kathy Gilbert	**Recording Secretary**

There were eleven (11) members of the public present at the meeting.

Chair Steeves called the meeting to order at 10:53 am, advising the public of the purpose of the meeting.

4. PUBLIC HEARING

4.1 Proposed Bylaw No. 108 cited as "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No.1, 2011"

4.2 Proposed Bylaw No. 110 cited as "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No.2, 2011"

A formal public statement was read by Chair Steeves, pursuant to the *Local Government Act*, regarding the rules of a Public Hearing.

Planner Pickard was then asked to summarize the relevant legal requirements that the Trust was required to fulfill (i.e., notices in newspapers, notification to affected property owners etc.) as well as the Agency responses that were referred out (Tsawwassen First Nation, Capital Regional District, Ministry of Transportation and Infrastructure, Vancouver Island Health Authority, Saturna Island Local Trust Committee and North Pender Island Local Trust Committee.) She stated that one piece of written correspondence in support of the amending bylaws had been received.

Members of the public were invited to make submissions on the proposed bylaws.

Tracey Calvert, Spalding Road, stated that she supports the proposed bylaw amendments.

There being no further submissions Chair Steeves declared the Public Hearing closed at 11:00 am.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

________________________________ ________________________________

RECORDER **DATE**

Islands Trust

RWM From: September 27, 2011 To: February 02, 2012

South Pender Island

Resolution #	Action	Resolution Description	Resolution Date
2012-01	In Favour	THAT the regular meetings of the South Pender Island Local Trust Committee for 2012, be scheduled at 10:00 a.m., February 14th , April 10th, June 19st, September 18th, .and November 13th.	Jan 04, 2012
2011-10	In Favour	THAT the South Pender Island Local Trust Committee October 4, 2011, Business Meeting Minutes be Adopted; AND THAT the South Pender Island Local Trust Committee October 4, 2011, Community Information Notes and Public Hearing Record be Received.	Nov 28, 2011
2011-09	In Favour	THAT South Pender Island Local Trust Committee Bylaw No. 108 cited as "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2011" and Bylaw No. 110 cited as "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 2, 2011" be Adopted.	Oct 28, 2011
2011-08	In Favour	THAT South Pender Island Local Trust Committee Bylaw No. 107 cited as "South Pender Island Official Community Plan Bylaw No. 107, 2011" be Adopted.	Oct 28, 2011

MINUTES OF THE SOUTH PENDER ISLAND ADVISORY PLANNING COMMISSION HELD ON MONDAY, NOVEMBER 14, 2011, AT 10:30 AM AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD, SOUTH PENDER ISLAND, BC

COPIED TO
PLANNER
LTC

PRESENT:	**Paul Petrie**	**APC Chair**
	Bruce McConchie	**APC Member**
	Richard Rue	**APC Member**
	Jane Perch	**APC Member**
	Buffy Paterson	**APC Member**
	Mike Jones	**Local Trustee-Elect**
	Liz Montague	**Local Trustee-Elect**
	Miles Drew	**Bylaw Enforcement Coordinator**
	Kathy Gilbert	**Recording Secretary**
PUBLIC:	**One**	

1. CALL TO ORDER

APC Chair Petrie called the meeting to order at 10:32 am.

2. APPROVAL OF AGENDA

The agenda was approved by consensus.

3. APPROVAL OF MINUTES

It was Moved and Seconded that the Minutes of the South Pender Island Advisory Planning Commission Meeting of April 4, 2011 be approved.

CARRIED

4. REVIEW AND DISCUSS SOUTH PENDER ISLAND LOCAL TRUSTEE REFERRAL Resolution SP-LTC-57-11 (Draft Bylaw Notice Enforcement Bylaw No. 109, 2011)

The Chair opened the discussion, which will impose fines for various Land Use Bylaw infractions and provide for negotiation and adjudication processes, by ensuring that all members had received the background materials including the email that Local Trustee Wendy Scholefield had circulated with her comments on the draft bylaw.

The following points were clarified:

- Cabinet has approved the Order in Council allowing South Pender Island to participate in the program;

- Annual cost for the entire Islands Trust area for participation in the bylaw enforcement program is $4500;
- Each hearing costs $75;
- Fines are deposited in the Islands Trust Bylaw Enforcement account;
- No increase in staff will result from participation in the program.

In response from a question from the Chair, Bylaw Enforcement Coordinator (BLEC) Drew stated that there are no outstanding Municipal Ticket Informations (MTIs,) (the present bylaw enforcement system) on South Pender Island, as the process is very cumbersome.

BLEC Drew outlined several advantages of the draft bylaw over the present bylaw enforcement processes:

- No personal service is required for notices of bylaw infractions, allowing for better access to non-resident owners;
- The draft bylaw is applicable to minor infractions, so court appearances will be reduced;
- A dispute resolution mechanism has been introduced;
- Negotiated compliance is possible under the draft bylaw.

In response to a question from Chair Petrie, BLEC Drew confirmed that the maximum fine of $500 is a legislative limit.

He also stated that the draft bylaw is one tool available; that civil court and an injunction are still available for major infractions, or those not resolved through the fine process included in the draft bylaw.

In response to a question from Jane Perch, BLEC Drew stated that there are about 10 formal bylaw enforcement issues in the Trust area per year.

Bruce McConchie stated that many issues are resolved through personal contact, not requiring formal bylaw enforcement action. He also noted that the draft bylaw will lessen the involvement of Trustees in enforcement issues.

BLEC Drew confirmed that every day constitutes a new offence of the Land Use Bylaw. He further stated that if a fine is not paid, a debt collection process (small claims court) may follow.

A discussion followed on the origin of the request to engage in development of the draft bylaw. It was confirmed that the Local Trust Committee (LTC) had agreed to be part of the process. However, a concern was raised that at the time (2009,) Trustees may have not had enough information to evaluate the implications of the new bylaw.

In response to a query from Buffy Paterson, BLEC Drew stated that Trustees had not requested staff reports nor a draft bylaw.

BLEC Drew confirmed that Salt Spring and North Pender Islands are the only jurisdictions in the Islands Trust area to have recently adopted Notice Enforcement Bylaws, although the process has been in place on the North Shore of Vancouver and on Bowen Island for some years.

Chair Petrie suggested monitoring the success of the Notice Enforcement Bylaw elsewhere before recommending that South Pender Island proceed with implementing the bylaw.

Chair Petrie then asked for opinions from Advisory Planning Commission (APC) members. Discussion points, with input from BLEC Drew included:

- That presently, voluntary compliance works in many cases;
- Whether there is a need for this bylaw on South Pender Island, given that the present system seems to be working;
- That negotiation is part of the formal Islands Trust Policy;
- That there is just one active file presently on South Pender Island; and two or three situations have been enforcement issues over the last few years;
- That there are concerns about increasing bureaucracy and over use of fines;
- That the public needs to be better informed about the rules and regulations already in place;
- That fines will not encourage compliance, but community pressure usually resolves bylaw infraction issues;

Several APC members urged a cautionary approach, noting that there are two new Trustees. Simplification of the draft bylaw was also suggested, noting that there are many offences listed in the draft bylaw; and it might be prudent to wait to see how the bylaw works in other jurisdictions.

**Note – The meeting recessed from 11:15 am to 11:30 am.*

5. REVIEW STAFF REPORTS (BLEC Miles Drew)

Discussion took place in conjunction with the referral of Resolution SP-LTC-57-11.

6. PUBLIC COMMENT

None.

7. RECOMMENDATION TO SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE

Following the recess, Chair Petrie further polled the APC, looking for consensus on a recommendation to the Local Trust Committee. However, he identified two general options emerging: to recommend not proceeding with the draft bylaw; or to wait to see how the bylaw is working in other jurisdictions.

Comment was made that additional staff resources drafting further report(s) may be expended should the APC recommend waiting to see how the bylaw is working elsewhere.

Following further discussion,

It was Moved and Seconded that the South Pender Island Advisory Planning Commission recommend to the South Pender Island Local Trust Committee that draft Bylaw No. 109, cited as "South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 109, 2011" be not proceeded with.

CARRIED
Richard Rue and Paul Petrie opposed

It was Moved and Seconded that the South Pender Island Advisory Planning Commission recommend to the South Pender Island Local Trust Committee that draft Bylaw No. 109, cited as "South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 109, 2011" be tabled for a year.

NOT CARRIED, BUT AGREED TO BY CONSENSUS TO INCLUDE THIS OPTION SUPPORTED BY THE MINORITY FOR THE TRUSTEES' CONSIDERATION

8. OTHER BUSINESS

None.

9. ADJOURNMENT

It was Moved and Seconded that the South Pender Island Advisory Planning Commission be adjourned at 11:50 am.

CARRIED

CHAIR **Date Adopted**

Islands Trust

Follow Up Action Report w/ Target Date

South Pender Island

Apr-12-2011

No.	Activity	Responsibility	Target Date	Status
1	Item 8.2: Correspondence from Pender Community Transition (PCT): allocate $200 from the 2011/12 LTC budget for the purchase of a report on the activities of PCT during the coming year	Nancy Roggers	May-17-2011	Done

Oct-04-2011

No.	Activity	Responsibility	Target Date	Status
2	Item 8.1 - Correspondence Re: Tree Covenant: LTC granted approval for Lot 4 to remove up to 4 Douglas-fir trees within covenant EF18179 - letter to be sent to owners confirming permission	Andrea Pickard	Nov-18-2011	Done
3	Item 8.2 - PCT Correspondence: staff to process payment of $200 for report received from Pender Community Transition Society	Nancy Roggers	Nov-18-2011	Done
4	Item 10.1 Proposed Bylaws 108 and 110: given 2nd and 3rd Reading	Kathy Jones	Nov-18-2011	Done
5	Item 10.1 Proposed Bylaws 108 and 110: to be forwarded to EC for approval	Kathy Jones Andrea Pickard	Nov-18-2011	Done
6	Item 11.1.3 Work Program: remove items 1, 2 and 3 from the Top Priorities list and add LUB review and amendments, Community Consultation for the Bylaw Enforcement Notification Bylaw, and Shoreline Protection	Andrea Pickard	Nov-18-2011	Done
7	Item 11.1.3 Work Program: Amend projects list to keep only the DAI bylaw	Andrea Pickard	Nov-04-2011	Done
8	Item 11.3.3 - 2012-13 Budget Request: amend the budget request to delete OCP follow up and add an LUB review and update at $5000	Robert Kojima	Nov-18-2011	Done

9	Item 11.4.1 - Draft Bylaw 109 (Bylaw Enforcement Notification): revise the citation to replace Local Trust Area, with Local Trust Committee and then forward the draft bylaw with appropriate related documents to the APC	Miles Drew	Nov-18-2011	Done
10	Item 11.5 - Web: In the Latest News, delete May, June and the SP Update under July. Add the BEO staff report including draft bylaw 109 under latest news and under a new heading in the projects section	Kathy Jones	Nov-18-2011	Done
11	Item 12 - Other Business: Chair to write a letter to the APC Members to thank them for their time and support	Gary Steeves	Nov-18-2011	Done

CAMERON A. THORN

October 6, 2011

David Greer
Trustee, South Pender Island
9958 Gowlland Point Road
South Pender Island, BC V0N 2M3

Andrea Pickard
Island Planner, Islands Trust
200 – 1627 Fort Street
Victoria, BC V8R 1H8

RE: South Pender OCP and Outbuildings Prior to Residential Dwelling

I appreciate the time you have both taken over the course of the summer to discuss with me the 2011 South Pender Official Community Plan (OCP) and the various principles and objectives of the OCP as they relate to land use and the particulars of my own properties on Castle Road.

I attended the July 2011 Public Hearing for the OCP and support the roadmap that it provides regarding future development and the preservation of the rural character of the island. I certainly want to undertake future improvements to my properties consistent with the spirit of the OCP and feel that a discussion is important now to ensure that the land use bylaws (both current and as they may be amended) do not thwart the intentions of the OCP.

In 2006 my wife and I purchased a parcel of land on Castle Road (9884 Castle Road). In July 2011 we purchased the adjacent parcel of land (9882 Castle Road). The properties are each zoned RR thereby providing the ability to construct a single-family home on each property along with an accessory building on each property of up to one thousand square feet in size.

Our decision to purchase the neighbouring vacant land was based on ensuring a sense of privacy and quiet and preserving as large a natural buffer as possible between us and the neighbours farther to the west. We have constructed a small structure (our current residence) of less than a 1000 square feet on the original parcel and may elect to eventually build a larger single-family dwelling on our second property. Based on our long-term intentions for the two properties, I can report that our neighbours on either side - at 9886 and 9880 Castle Road - are delighted that we purchased the second property.

The new South Pender OCP describes a number of objectives including, Section 2.4.6 which states that "Landowners are encouraged to consolidate undeveloped lots, particularly those smaller than the existing lot minimum size requirements, to assist in retaining the Island's rural character." Although we do not plan to consolidate our two lots, our intention is to undertake improvements on the lots consistent with the retention of the Island's rural character.

216 – 2780 Acadia Road, Vancouver, BC, V6T 2L3
cameron@cameronthorn.com
(604) 317-8174

CAMERON A. THORN

In the course of building our current residence and undertaking other improvements I have acquired an array of tools that I want to be able to properly store and protect; I would also like some indoor workshop space. This past summer I spoke with Chris Watson regarding my intention to submit a building permit application to construct a small tool shed/workshop of less than 500 square feet; the tool shed/workshop was to be located on 9882 Castle Road, the property we had just bought.

Chris Watson and I determined, and Andrea Pickard subsequently confirmed, that although the new South Pender Island OCP envisions under 3.1.2.a) iii, the implementation of regulations permitting outbuildings as a permitted use prior to the construction of a residential dwelling, the existing 2003 Land Use Bylaw has not yet been updated to reflect this vision of the new OCP. Accordingly Mr. Watson was unable to accept my building permit application to construct the structure.

As you can appreciate, I do not want to have to build a single-family dwelling on the new property in order to qualify to build a tool shed!

Andrea, your efforts were appreciated to ponder options that might allow me to proceed with the construction of the accessory building in a timely manner. If I wished to build the accessory building in a manner fully compliant with the Island Trust, the two options were a) spend $1,100.00 to make application for a temporary use permit or b) lobby the Trust to instruct staff to bring forward land use regulations to give legal effect to clause 3.1.2.a) iii of the OCP.

Given Andrea and I did not start discussing temporary use permits until August 2011, Andrea was doubtful if my $1,100 expenditure would even result in approval by the Trust Committee of a temporary use permit prior to the elections in November 2012. Secondly, given the delays created by the election and the need to get any new Trustees up to speed on issues, the Temporary Use Application would mostly likely, not get addressed until January or February 2012.

David, as it appears there are no quick mechanisms to enable the Islands Trust to grant approval to build the structure, I would formally request that you and future Trustees direct staff to prepare a bylaw to give legal effect to clause 3.1.2.a) iii as quickly as possible.

Thank you for giving serious consideration to my request above. I look forward to hearing from you soon.

Best Regards,

Cameron Thorn

cc. Wendy Scholefield, Trustee, South Pender Island

216 – 2780 Acadia Road, Vancouver, BC, V6T 2L3
cameron@cameronthorn.com
(604) 317-8174

GULF ISLANDS LEARNING CENTRE

UNLEASHING EVERYONE'S POTENTIAL

3735 Bosun Way
Pender Island, BC
V0N 2M2

T 250-629-0043
gulfislandslearningcentre@gmail.com

COPIED TO
☑ PLANNER
☑ LTC
☑ Feb 14 – Agenda

RECEIVED
JAN 23 2012
ISLANDS TRUST

January 17, 2012

Mike Jones and Liz Montague
South Pender Island Trustees
Islands Trust
200 - 1627 Fort St
Victoria, BC V8R 1H8

Dear Liz and Mike:

We would like to introduce you to the Gulf Islands Learning Centre (GILC), a new Pender Island-based initiative that we believe will fill an unmet need in our community.

GILC will become either an island business or a social enterprise (an organization that applies business strategies to achieve philanthropic goals). It will provide two services:

- assessment of learning styles and abilities (and career counselling when requested);
- weekly help for both children and adults with low scores and dyslexic tendencies to work on their weak areas while helping them to maintain their strong or even gifted abilities.

Why do we need a learning centre for the Gulf Islands? New brain research shows that 30% of the population has dyslexic tendencies, and that dyslexia can manifest in almost 40 different ways. That's a lot of people – adults and especially children – whose needs are not met in the Gulf Islands. Parents currently have to take their children to Vancouver Island for timely assessment with remedial help.

Dyslexia and other learning difficulties can lead to great personal pain and enormous social costs. For example:

- over 50% of all suicides under age fifteen in Los Angeles County had been previously diagnosed as having learning disabilities;
- in an Ontario study, 89% of the adolescents who committed suicide had significant deficits in spelling and handwriting;
- according to the U.S. Department of Education, 60 percent of America's prison inmates are illiterate and 85 percent of all juvenile offenders have reading problems;
- in the UK's prison population, 80% of prisoners have poor writing skills, 50% have reading difficulties, and 65% have trouble with numeracy.

We have trained in the Structure of Intellect (SOI) system under Walter Loewen of Direct Action Career & Educational Consultants in Chilliwack. We will be using SOI's rigorous assessment of 27 different learning abilities as well as their research-validated remedial materials. We are eager and excited to offer these services to Penderites, and have been told by the school district that we may use the school's community room on Fridays for tutorial sessions. In the future, we plan to branch out to the other Southern Gulf Islands.

Please let us know if you'd like to learn more about the Gulf Islands Learning Centre. Believe it or not, dyslexia is a fascinating subject, especially since it affects so many people. Almost everyone knows someone with dyslexic tendencies. We would appreciate getting feedback from you, especially on the potential of GILC to provide year-round, sustainable (there will always be children!) employment on the Penders.

We look forward to hearing from you,

Julie Greg

Julie Johnston, BA, BEd, MAdEd & Greg Lucas, BA

Contact info:
gulfislandslearningcentre@gmail.com
Julie: 250-629-3811
Greg: 250-629-0043

Islands Trust
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

BYLAW REFERRAL FORM

Island: North Pender Island Local Trust Area **Bylaw No.:** 187 and 189 **Date:** October 6, 2011

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:

North Pender Island Local Trust Committee Initiated

PURPOSE OF BYLAW:

The purpose of bylaw 187 is to amend the North Pender Associated Islands Land Use Bylaw as it pertains to Sidney Island only. The substantive amendments include: permitting a storage building on a lot without a residence (with restrictions), allowing a second care-taker residence on common property, restricting the maximum floor area of a dwelling, restricting the storage of recreation vehicles, and recognizing the heritage orchard and covenant areas as 'conservation zone'. The bylaw would also update the permitted density since subdivision has been completed, and update numerous cross references throughout the bylaw.

The purpose of bylaw 189 is to amend the North Pender Associated Islands Official Community Plan by introducing two new Development Permit Areas that would be applicable to Sidney Island only: one related to geotechnical hazard areas, and one addressing development along the shoreline. The temporary use permit section is also updated to reflect recent changes to the *Local Government Act.*

GENERAL LOCATION:

North Pender Island Local Trust Area – Sidney Island

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
N/A	yes	N/A

OTHER INFORMATION:

A copy of a staff report dated September 12, 2011 is enclosed. Additional information, including the current bylaws, is available at: http://www.islandstrust.bc.ca/ltc/np/default.cfm and scrolling down to the 'Sidney Island Bylaw Review' heading.

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.

Andrea Pickard
(Signature)

Name: Andrea Pickard

Title: Island Planner

Contact Info Tel: 250-405-5189
Email: apickard@islandstrust.bc.ca

This referral has been sent to the following agencies:

Federal Agencies
Parks Canada
Fisheries and Oceans Canada (Habitat Management) (Small Craft Harbours)

Regional Agencies
Capital Regional District, Environmental – Electoral Area Director
Capital Regional District – Building Inspection

PLEASE TURN OVER →

Provincial Agencies
Ministry of Environment, Vancouver Island Regional Office
Ministry of Community, Sports and Cultural Development
Agricultural Land Commission
Ministry of Agriculture
Ministry of Forest, Lands & Natural Resource Operations – Ecosystem Protection
Ministry of Transportation & Infrastructure

Adjacent Local Trust Committees and Municipalities
South Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
District of Central Saanich
District of North Saanich
District of Saanich
Town of Sidney

Non-Agency Referrals
Islands Trust Fund
Islands Trust Bylaw Enforcement

First Nations
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
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**

North Pender Island Local Trust Area	184
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 187

****

A BYLAW TO AMEND NORTH PENDER ASSOCIATED ISLANDS LAND USE BYLAW NO. 148, 2003

****

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

AND WHEREAS the North Pender Island Local Trust Committee wishes to amend Land Use Bylaw 148, 2003;

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

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

A. Bylaw No. 148, cited as "North Pender Associated Islands Land Use Bylaw 148, 2003" is amended as follows:

1. Section 1.1 (Definitions) is amended by deleting ‘an accessory’ from the definition of “pump/utility house” such that is reads “pump/utility house means a building containing only equipment for pumping and processing of water or sewage, or electrical equipment and communication service equipment”
2. Subsection 3.3(3) is amended by deleting “under the provisions of subsection 701(6) of that bylaw” such that it reads “**Information Note**: Buildings or structures may not be sited within 15 metres (50 feet) of the natural boundary of the sea without first obtaining a development permit pursuant to Part 7 of the “North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002”, unless specifically exempted from a requirement for a permit. Septic fields, septic tanks, absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for this purpose.”
3. Subsection 5.5(3) is amended by deleting 5.4(1)(a) and inserting 5.5(1)(a) such that it reads “The number of food and beverage service establishments permitted in 5.5(1)(a) above is limited to one, with a maximum floor area of $200m^2$ ($2152ft^2$).”
4. Subsection 5.7(5) is amended by deleting 5.3(4) and inserting 5.7(4) such that it reads “Despite Subsection 5.7(4), the minimum setback for any building, structure or enclosure housing farm animals shall be 7.6 metres (25 feet) from any lot line and 15 metres (50 feet) any edge lot line.”
5. Subsection 5.7(6) is amended by deleting 5.3(1)(g) and inserting 5.7(1)(g) such that it reads “The occupancy of the accessory dwelling unit permitted by article 5.7(1)(g) above is limited to providing residential accommodation to the household of the owner, operator or an employee of a permitted principal use.”
6. Subsection 5.7(7) is amended by deleting 5.3(1)(c) and inserting 5.7(1)(c) such that it reads “All external storage areas associated with the uses permitted by Articles 5.7(1)(c), (d), (e) and (f) above must be screened from view from all lot lines and from the sea by screening or fencing complying with the provisions of Section 3.9 (Landscape Screening).”
7. Subsection 5.7(8) is amended by deleting 5.3(1)(a) and inserting 5.7(1)(a) such that it reads “Farm Uses permitted by Article 5.7(1)(a) above must comply with all regulations established in relation to that use in Section 3.14.”
8. Subsection 5.8(7) is amended by deleting 5.4(1)(a) and inserting 5.8(1)(a) such that it reads “Farm Uses permitted by Article 5.8(1)(a) above must comply with all regulations established in relation to that use in Section 3.14.”

9. Subsection 5.9(3) is amended by deleting 5.5(1)(e) and inserting 5.9(1)(e) such that it reads "The number of community meeting halls permitted by article 5.9(1)(e) above shall not exceed one."
10. Subsection 5.9(4) is amended by deleting 5.5(1)(e) and inserting 5.9(1)(e) such that it reads "The number of community offices permitted by article 5.9(1)(e) above shall not exceed one."
11. Subsection 5.9(5) is amended by deleting 5.5(1)(f) and inserting 5.9(1)(f) such that it reads "The number of single family dwellings permitted by article 5.9(1)(f) above shall not exceed one."
12. Subsection 5.9(5) is amended by deleting "shall not exceed one" and inserting "shall not exceed two," and inserting "of which one dwelling may be attached to a building for community uses permitted under Article 5.9(1)(e)" such that it reads "The number of single family dwellings permitted by article 5.9(1)(f) above shall not exceed two, of which one dwelling may be attached to a building for community uses permitted under Article 5.9(1)(e)."
13. Subsection 5.9(6) is amended by deleting 5.5(1)(g) and inserting 5.9(1)(g) such that it reads "The number of sleeping cabins permitted by article 5.9(1)(g) above shall not exceed a total of four and the floor area of any one sleeping cabin may not exceed 80 square metres (861 square feet)."
14. Subsection 5.9(9) is amended by deleting 5.5(1)(e) and inserting 5.9(1)(e) such that it reads "The floor area of the community office building permitted in article 5.9(1)(e) above shall not exceed 200 square metres (2153 square feet)."
15. Subsection 5.9(10) is amended by deleting 5.5(1)(a) and inserting 5.9(1)(a) such that it reads "Farm uses permitted by article 5.9(1)(a) above must comply with all regulations established in relation to that use in Section 3.14."
16. Subsection 5.9(11) is amended by deleting 5.5(1)(h) and inserting 5.9(1)(h) such that it reads "The non-commercial short-term accommodation permitted by 5.9(1)(h) above is limited to the use of rooms within a permitted community meeting hall, provided the use does not exceed a maximum of 10 days at any one time, totalling no more than 90 days per calendar year."
17. Subsection 5.9(12) is amended by deleting 5.5(1)(i) and inserting 5.9(1)(i) such that it reads "The retail sales permitted by article 5.9(1)(i) above are limited to the sale of groceries and household effects within a permitted community meeting hall, provided the use is limited to a total floor area of 30 square metres (323 square feet) or less."
18. Subsection 5.10(1) is amended by adding 5.10(e) "Community uses, consisting of emergency service buildings, community meeting hall, community office, maintenance uses and buildings, and vehicle and equipment storage uses and buildings."
19. Subsection 5.10(5) is amended by deleting 5.6(1)(a) and inserting 5.10(1)(a) such that it reads "Farm Uses permitted by article 5.10(1)(a) above must comply with all regulations established in relation to that use in Section 3.14."
20. Subsection 5.11(2) is amended by adding at the end "of the area zoned Community Service Three (S3)" such that it reads "The combined lot coverage of all buildings and structures shall not exceed 25 percent of the area zoned Community Service Three (S3)."
21. Subsection 5.11(5) is amended by deleting 5.7(1)(a) and inserting 5.11(1)(a) such that it reads "Farm Uses permitted by article 5.11(1)(a) above must comply with all regulations established in relation to that use in Section 3.14."
22. Subsection 5.15(4) is amended by deleting 5.8(1)(b) and inserting 5.15(1)(b) such that it reads "All mooring buoys permitted by 5.15(1)(b) above shall be located within 100 metres (328 feet) of the RR, A, CD1 or CD2 zones."
23. Subsection 5.15(5) is amended by deleting 5.8(4) and inserting 5.15(4) such that it reads "Despite Subsection 5.15(4) above, no mooring buoy shall be located within 100 metres (328 feet) of the NP zone."
24. Subsection 5.15(14) is amended by deleting 5.8(1)(b) and inserting 5.15(1)(b) such that it reads "Mooring buoys permitted by article 5.15(1)(b) above shall only be used for the purpose of mooring a private vessel accessory to the residential use of an upland lot."
25. Subsection 5.15(15) is amended by deleting 5.8(1)(d) and inserting 5.15(1)(d) such that it reads "Docks permitted by article 5.15(1)(d) above shall be accessory to a residential or agricultural use

of an upland lot, or lots, and shall provide access to that lot or lots for the residents of an upland lot."

26. Subsection 5.15(18) is amended by deleting 5.8(1)(e) and inserting 5.15(1)(e) such that it reads "Barge ramps and marine railways permitted by article 5.15(1)(e) above shall be accessory to the residential use of an abutting upland lot, or adjacent upland lots, and shall provide access to that lot or lots for the resident(s) of an upland lot on the island."

27. Subsection 5.15(19) is amended by deleting 5.8(1)(h) and 5.8(7) and inserting 5.15(1)(h) and 5.15(7) respectively such that it reads "Breakwaters and wave suppression devices permitted by article 5.15(1)(h) above shall not be used for the mooring of vessels, except where the total area of all floats, piers, breakwaters and wave suppression devices does not exceed the total area permitted by subsection 5.15(7) above."

28. Subsection 5.16(3) is amended by deleting 5.9(1)(b) and inserting 5.16(1)(b) such that it reads "Mooring buoys permitted by article 5.16(1)(b) above shall only be used for the purpose of mooring a private vessel accessory to the residential use of an upland lot."

29. Article 5.17(1)(e) is amended by deleting 5.10(1)(c) and inserting 5.17(1)(c) such that it reads "Ramps, walkways, footings and pilings necessary for the establishment and maintenance of the uses permitted in Articles 5.17(1)(c) and (d) above;"

30. Article 5.17(1)(f) is amended by deleting 5.10(1)(c) and inserting 5.17(1)(c) such that it reads "Breakwaters and wave suppression devices necessary for the establishment and maintenance of the uses permitted in Articles 5.17(1)(c) through (e) above or for the protection of an established use or feature."

31. Subsection 5.17(7) is amended by deleting 5.10(1)(b) and inserting 5.17(1)(b) such that it reads "Mooring buoys permitted by article 5.17(1)(b) above shall only be used for the purpose of mooring private vessels accessory to the residential use of an upland lot on the island abutting the water zone in which the marina is located."

32. Subsection 5.17(8) is amended by deleting 5.10(1)(c) and inserting 5.17(1)(c) such that it reads "Private marinas permitted by article 5.17(1)(c) above shall only provide docks, floats and piers for the mooring of private vessels accessory to a permitted use of an upland lot(s) on the island abutting the water area in which the marina is located."

33. Subsection 5.17(10) is amended by deleting 5.10(1)(d) and inserting 5.17(1)(d) such that it reads "Barge ramps and marine railways permitted by article 5.17(1)(d) above shall be accessory to a permitted use of an upland lot(s) on the island, and shall provide access to those lots for the residents of the upland lots."

34. Subsection 5.17(11) is amended by deleting 5.12(3), 5.12(5) and 5.12(6) and inserting 5.17(3), 5.17(5) and 5.17(6) respectively such that it reads "Despite Subsection 5.17(3), a maximum of two private marinas may be permitted." and "In addition to the siting and size regulations established in 5.17(5) and 5.17(6), the combined area of docks and marinas in the W3(a) zone shall not exceed 290 square metres (3122 feet^2)."

35. Article 5.18(1)(f) is amended by deleting 5.11(1)(c) and inserting 5.18(1)(c) such that it reads "Ramps, walkways, footings and pilings necessary for the establishment and maintenance of the uses permitted in article 5.18(1)(c) and (d) above;"

36. Article 5.18(1)(g) is amended by deleting 5.11(1)(c) and inserting 5.18(1)(c) such that it reads "Breakwaters and wave suppression devices necessary for the establishment and maintenance of the uses permitted in Articles 5.18(1)(c) through (e) above, or for the protection of another established use or feature;"

37. Subsection 5.18(3) is amended by deleting 5.11(1)(d) and inserting 5.18(1)(d) such that it reads "The maximum area of all dock floats and piers adjacent to any one island permitted by article 5.18(1)(d) above may not exceed 93 square metres (1001 square feet), exclusive of ramps and walkways."

38. Subsection 5.18(7) is amended by deleting 5.11(1)(d) and inserting 5.18(1)(d) such that it reads "Storage structures constructed on any part of a dock permitted by article 5.18(1)(d) above shall have a maximum height of 1 metre (3 feet) and a maximum total area of 10 square metres (107 square feet)."

39. Subsection 5.18(10) is amended by deleting 5.11(1)(d) and inserting 5.18(1)(d) such that it reads "Docks permitted by Article 5.18(1)(d) above shall be accessory to an established residential use of an upland lot, or lots, and shall provide access to that lot or lots by the residents of an upland lot on the island abutting the water area in which the dock is located."

40. Subsection 5.18(11) is amended by deleting 5.11(1)(c) and inserting 5.18(1)(c) such that it reads "Wharves permitted by Article 5.18(1)(c) shall be used to provide access to land in the NP zone."

41. Subsection 5.18(14) is amended by deleting 5.11(1)(e) and inserting 5.18(1)(e) such that it reads "Barge ramps and marine railways permitted by article 5.18(1)(e) above shall be accessory to the residential use of an abutting upland lot, or adjacent upland lots, or uses permitted in the NP zone, and shall provide access to that lot or lots."

42. Subsection 5.18(15) is amended by deleting 5.11(1)(g) and 5.11(3) and inserting 5.18(1)(g) and 5.18(3) respectively such that it reads "Breakwaters and wave suppression devices permitted by article 5.18(1)(g) above shall not be used for the mooring of vessels, except where the total area of all floats, piers, breakwaters and wave suppression devices does not exceed the total area permitted by subsection 5.18(3) above."

43. Subsection 5.19(5) is amended by deleting 5.14(4) and inserting 5.19(4) such that it reads "Despite Subsection 5.19(4), the minimum setback for any building, structure or enclosure housing animals and poultry shall be 7.6 metres (25 feet) from any lot line, except the natural boundary of the sea."

44. Subsection 5.20(1) is amended by inserting 5.20(1)(c) "Storage building; subject to subsection 5. 20(8)."

45. Subsection 5.20(2) is amended by deleting "No more than 111 single family dwellings may be constructed in the CD2 zone" and replacing it with "There may not be more than one single family dwelling on any lot."

46. Subsection 5.20(3) is deleted in its entirety including Articles 5.20(3)(a) to (c).

47. Subsection 5.20(4) is renumbered to 5.20(3).

48. Subsection 5.20(5) is renumbered to 5.20(4).

49. Subsection 5.20(6) is amended by adding "Despite Subsection 3.3(2)" at the beginning, "Septic fields, septic tanks, absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection." at the end, and deleting "or a pump/utility house" such that is reads "Despite Subsection 3.3(2) the minimum setback for any building or structure, except a fence, shall be 15 metres (49 feet) from the natural boundary of the sea. Septic fields, septic tanks, absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection."

50. Subsection 5.20(6) is renumbered to 5.20(5).

51. A new subsection 5.20(6) is inserted under the heading 'Siting and Size'

    "The maximum floor area of a single family dwelling is limited to 375 m^2 (4036ft^2)."

52. A new subsection 5.20(8) is inserted under the heading 'Conditions of Use'

    "The storage building permitted under 5.20(1)(c) may be constructed prior to a single family dwelling subject to:

    (a) The use is limited to the storage of goods and materials for use on the lot,

    (b) Only one storage building is permitted on any lot,

    (c) The floor area is not to exceed 25 square metres (269 square feet),

    (d) The storage shed is not to be used for human habitation, and

    (e) For certainty, this does not limit accessory buildings permitted under Section 3.5.

53. A new subsection 5.20(9) is inserted under the heading 'Conditions of Use"

"Despite Subsection 3.10 the storage of recreational vehicles that are not being used as a temporary residence under that section is not permitted."

54. Subsection 5.20(8) is renumbered to 5.20(10).
55. Subsection 5.20(9) is renumbered to 5.20(11).
56. Subsection 5.20(10) is deleted in its entirety.
57. Schedule B (Zoning Map) is amended in accordance with the maps attached to and forming part of this bylaw as Plans 1, 2 and 3.

B. This Bylaw may be cited as "North Pender Associated Islands Land Use Bylaw 148, 2003, Amendment No. 1, 2011".

C. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this day of , 200_

READ A SECOND TIME this day of , 200_

PUBLIC HEARING HELD this day of , 200_

READ A THIRD TIME this day of , 200_

APPROVED BY THE EXECUTIVE COMMITTEE this day of , 200_

ADOPTED this day of , 200_

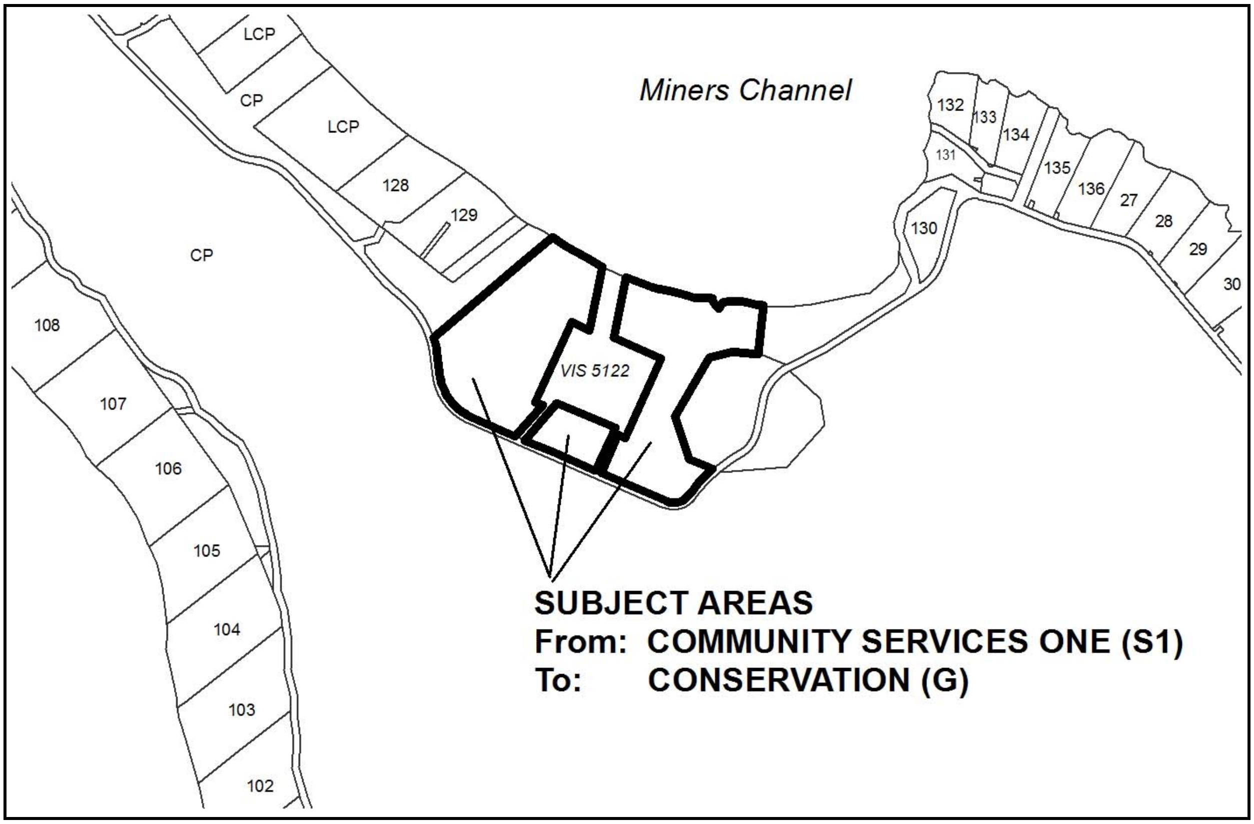
Chair

Secretary

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 187

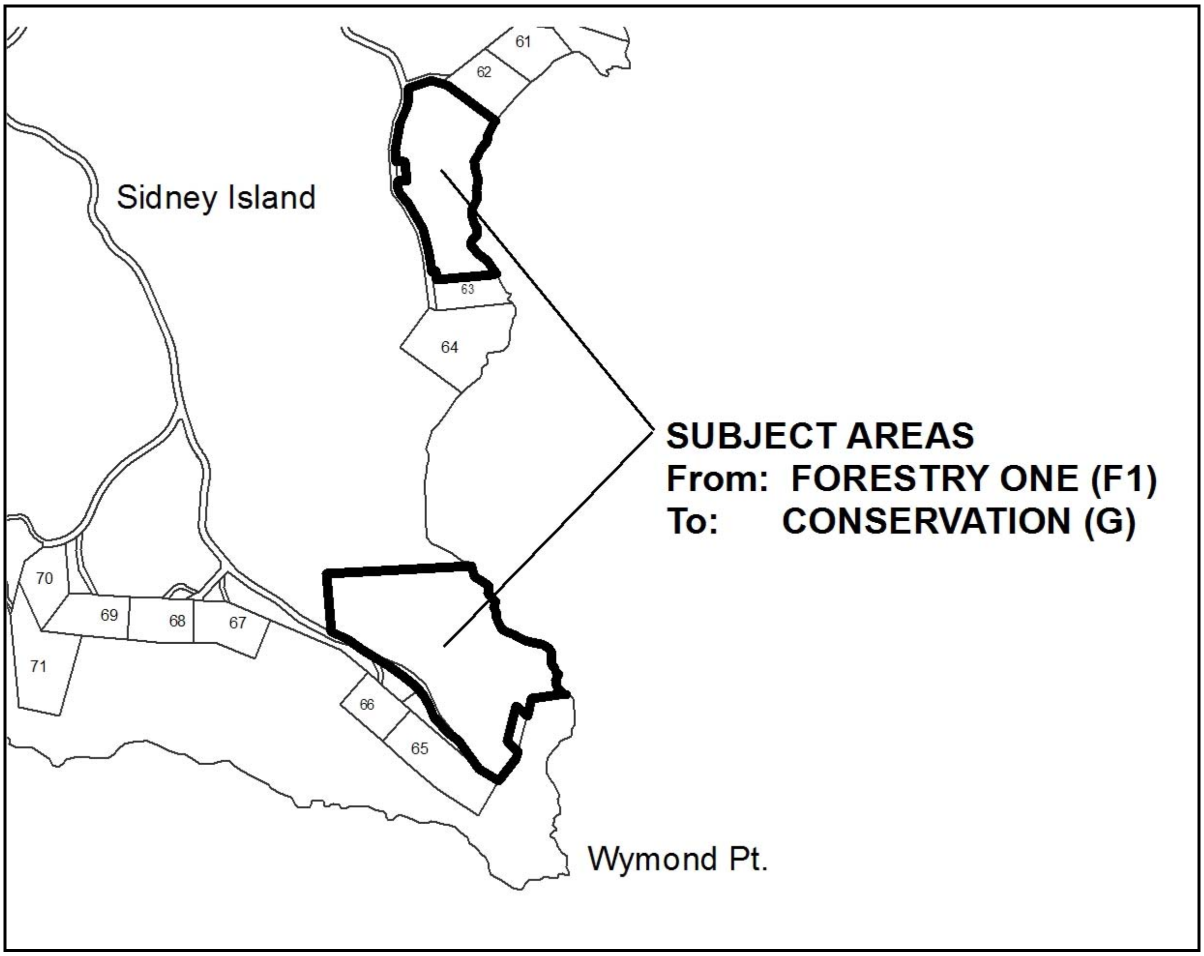
PLAN No. 1



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 187

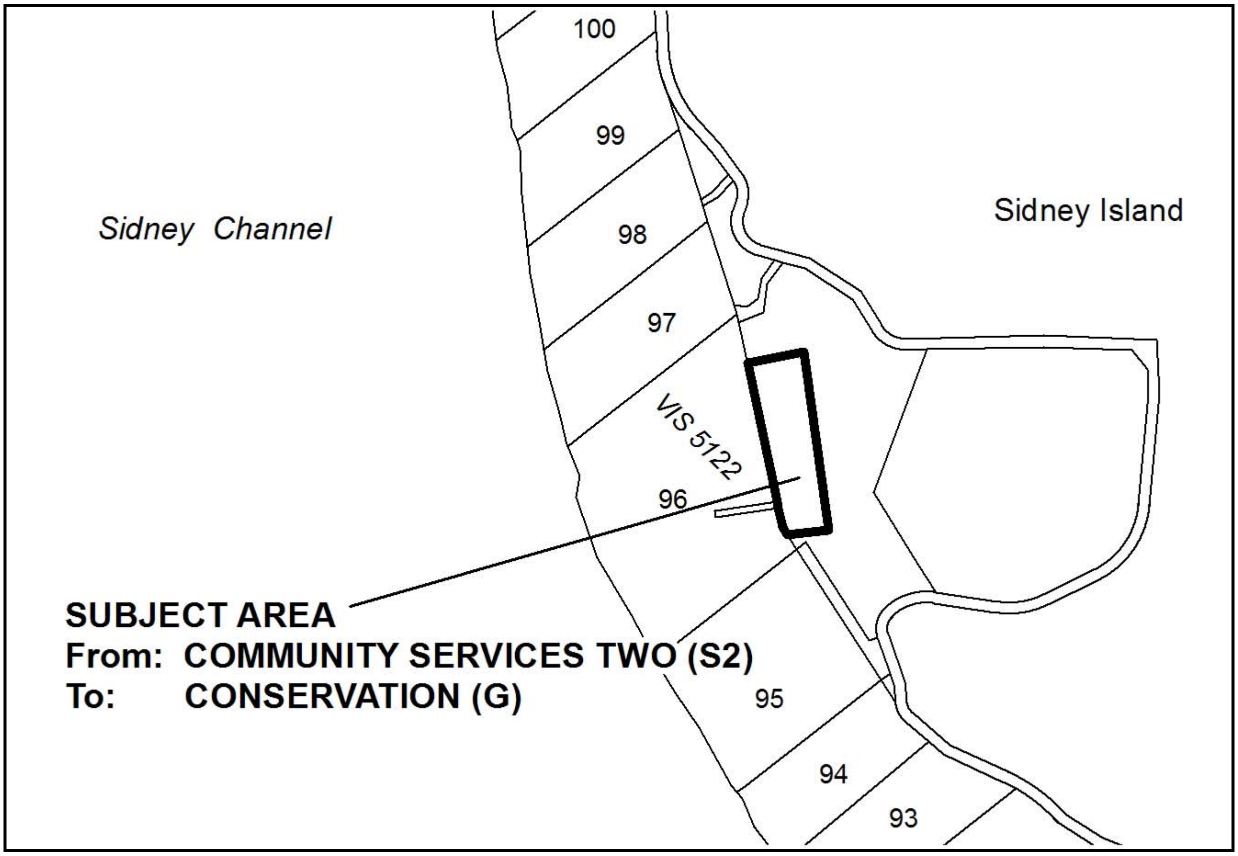
PLAN No. 2



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 187

PLAN No. 3



DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189

****

A BYLAW TO AMEND NORTH PENDER ASSOCIATED ISLANDS OFFICIAL COMMUNITY PLAN BYLAW NO. 147, 2002

****

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

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

AND WHEREAS the North Pender Island Local Trust Committee wishes to amend the North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002;

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

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

CITATION

This Bylaw may be cited for all purposes as "North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002, Amendment No. 1, 2011."

SCHEDULES

1. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is altered as shown on Schedule 1 attached to and forming part of this amending bylaw.

2. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is altered as shown on Schedule 2 attached to and forming part of this amending bylaw.

3. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is altered as shown on Schedule 3 attached to and forming part of this amending bylaw.

4. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is altered as shown on Schedule 4 attached to and forming part of this amending bylaw.

5. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 Schedule D – Land Use Policy Map, is altered as shown on Schedule 5 attached to and forming part of this amending bylaw.

6. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 Schedule D – Land Use Policy Map, is altered as shown on Schedule 6 attached to and forming part of this amending bylaw.

7. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 Schedule D – Land Use Policy Map, is altered as shown on Schedule 7 attached to and forming part of this amending bylaw.

8. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 Schedule D – Land Use Policy Map, is altered as shown on Schedule 8 attached to and forming part of this amending bylaw

SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this day of 2011

PUBLIC HEARING HELD this day of 2011

READ A SECOND TIME this day of 2011

READ A THIRD TIME this day of 2011

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this day of 2011

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT this day of 2011

ADOPTED this day of 2011

______________________________ ______________________________

SECRETARY **CHAIRPERSON**

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 1

Part 6 (Temporary Commercial and Industrial Use Permit Guidelines) of Schedule B (Goals, Objectives and Policies) of North Pender Associated Islands Official Community Plan No. 147, 2002 is amended as follows:

1. Section 604 is deleted and replaced with:

"**604 Temporary Use Permit Guidelines**

An Official Community Plan may designate areas where a temporary use may be allowed. A temporary use permit may, notwithstanding a zoning bylaw, allow a use, permit the construction or use of buildings or structures to accommodate persons who work at the use for which the permit is issued, and specify conditions under which a temporary use may be carried on. A permit may be issued for a period of up to three years and may be renewed only once.

Pursuant to section 920.01 of the *Local Government Act* (Designation of development approval information areas), the plan designates any area of this plan subject to application for a Temporary Use Permit as a circumstance for which development approval information may be required under that section. Development approval information means information on the anticipated impact of the proposed activity of development on the community.

The issuance of a temporary use permit should be conditional on compliance with the following guidelines:

Guideline 1 Temporary Use Permits may be issued for any area covered by this plan, except for areas designated Resource Conservation or lands within the Agricultural Land Reserve.

Guideline 2 Temporary Use Permits should only be issued for activities that are of short and fixed duration.

Guideline 3 An application for a Temporary Use Permit may only be considered if the proposal can be demonstrated to have minimal negative impact on the environment of the Associated Islands Area."

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 2

Part 7 (Development Permit Areas) of Schedule B (Goals, Objectives and Policies) of North Pender Associated Islands Official Community Plan No. 147, 2002 is amended as follows:

1. Part 7 is amended by inserting the following as a second paragraph in that part: "Pursuant to section 920.01 of the *Local Government Act* (Designation of development approval information areas), the plan designates all development permit areas as areas for which, in specified circumstances, development approval information may be required under that section. Development approval information means information on the anticipated impact of the proposed activity of development on the community."

2. Subsection 701(1) is amended by deleting "This development permit area includes all non-crown land within 15 metres upland of the natural boundary of the sea." and inserting "This development permit area includes all non-crown land within 15 metres upland of the natural boundary of the sea on all North Pender Associated Islands except for Sidney Island."

3. A new Subsection 701(3) is inserted as follows:

   "(3) Application Requirements

   All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee."

4. Subsection 701 (3) 'Justification' is renumbered to 701 (4).

5. Subsection 701 (4) 'Objectives' is renumbered to 701 (5).

6. Subsection 701 (5) 'Guidelines' is renumbered to 701 (6) and "Work not requiring a permit is detailed in subsection (6) below." is deleted and replaced with "Work not requiring a permit is detailed in subsection (7) below."

7. Subsection 701 (6) 'Work Not Requiring a Permit' is renumbered to 701(7)

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 3

Part 7 (Development Permit Areas) of Schedule B (Goals, Objectives and Policies) of North Pender Associated Islands Official Community Plan No. 147, 2002 is amended as follows:

1. The following is inserted as a new Section 702:

"**702 Sidney Island Hazard Lands**

(1) Designation

This development permit area (DPA) is shown in a generalized area on Schedule E. The definitive designation and delineation of the development permit area consists of a digital record based on the survey plans associated with registered covenant ES065752, stored and maintained in a Geographical Information System (GIS) at the offices of the Islands Trust.

(2) Authority

The development permit area is established pursuant to Section 919.1(1)(b) of the *Local Government Act,* specifically for the protection of development from hazardous conditions.

(3) Application Requirements

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.

(4) Justification

It is the Object of the Islands Trust to "preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."

It is policy of the Islands Trust Council that local trust committees and island municipalities shall, in their official community plans and regulatory bylaws address:

- the planning for and regulation of development in coastal regions to protect natural coastal processes, and
- the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

Furthermore, Section 877(1)(d) of the provincial *Local Government Act* requires that an Official Community Plan include restrictions on the use of land that is subject to hazardous conditions or is environmentally sensitive to development.

The development permit area coincides with the recommended building setbacks in the geotechnical investigation report prepared at the time of subdivision for Sidney Island *"Report of Geotechnical Investigation For Sidney Island Residential Subdivision"* by Bruce McLeod of Levelton Engineering. The report identifies that the soil/sandbanks forming the westerly and north-easterly shorelines, which are not protected by bedrock, as being steeper than the long term stable slope angle due to on-going toe erosion. The on-going toe erosion and slope flattening processes are resulting in a landward regression of the crest of the slope. The report summarizes that building sites should be located beyond the recommended setbacks, and that disturbance to the shoreline banks by storm water drainage, land alterations, vegetation disturbance, or other means should be avoided. The building setback established in the geotechnical report is based on a 75 year design period with no stabilization techniques.

When required, bank stabilization measures should apply the ‘softest’ possible measure and be limited in number and extent to the minimum necessary. Protection measures are often referred to as ‘soft’ to ‘hard’, where ‘soft’ measures utilize less rigid materials such as vegetation, while ‘hard’ measure refer to those with solid, hard surfaces such as concrete walls. In general, the harder the construction measure, the greater the impact on shoreline processes, including sediment transport, geomorphology, and biological functions. There is a range of measures that include:

- Vegetation enhancement
- Upland drainage control
- Biotechnical measures
- Beach enhancement
- Anchor trees
- Gravel placement
- Rock (rip rap) revetments
- Gabions
- Concrete or rock groins
- Retaining walls or bulkheads (concrete, lock blocks, etc.)
- Seawalls

SOFT

HARD

This development permit area is important to protect the shoreline banks, which are sensitive features vulnerable to erosion, from development activities that may exacerbate the hazardous condition, and to protect any land improvements or development from hazardous conditions that may result from the erosional processes.

(5) Objectives

The objectives of this development permit area are as follows:

Objective 1 To protect the shoreline banks from development activities which exacerbate the natural erosion process;

Objective 2 To limit development in hazardous areas susceptible to erosion; and

Objective 3 To preserve the integrity of coastal processes and reduce cumulative impacts to the coastal shoreline.

(6) Applicability

The following activities shall require a development permit wherever they occur within the DPA unless specifically exempted below:

a) Subdivision of land.
b) Construction of, addition to or alteration of a building or other structure.
c) Alteration of land.

Information Note: Any proposed building or structure within 15m of the natural boundary of the sea will also require a variance to the required setbacks prior to issuance of a development permit. For this purposes, structures includes septic disposal systems, concrete or asphalt paving or similar surfacing, and retaining structures.

(7) Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

a) For certainty, development or alteration of land occurring outside of the development permit area.

b) The placement of impermanent structures such as, benches, tables and garden ornaments.

c) Forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act.*

d) Works undertaken by an agent of the Crown.

e) The maintenance of existing gardens or landscaped areas provided the general contours of the land are not altered.

f) The removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property, provided that stumps and root systems are not removed and the large woody debris remains on site.

g) Habitat enhancement work including the planting of native trees or vegetation.

h) Selective limb removal or trimming of trees or vegetation, not including the topping of trees.

i) The repair and maintenance of existing roads, driveways, paths or trails, provided there is no expansion of the width or length and no additional impervious surfacing, including paving, asphalting or similar surfacing.

(8) Guidelines

The intent of this development permit area is to ensure that development in the form of new buildings or structures, and land alterations, including vegetation and tree removal, meet the objectives described above. Work not requiring a permit is detailed in subsection (7) Development Permit Exemptions. In considering the issuance of a development permit, the following guidelines should be met where applicable

Guideline 1 A development permit should not allow any land alteration or other development activities to take place within any area identified by a geological hazard assessment as subject to a landslide or other geotechnical hazard with a probability in excess of 2% in 50 years.

Guideline 2 All applications should include a geological hazard assessment from a qualified professional licensed in the Province of BC with experience in geotechnical engineering stating that the proposed development will not result in slope instability or other geological failure hazard with a probability in excess of 2% in 50 years. Where the geological hazard assessment report describes an area a suitable for development provided that specific measures are taken, the development permit should only allow the development to occur in compliance with the measures described in the report.

Guideline 3 Any area proposed to be cleared and disturbed for development should be minimized and landowners are encouraged to retain existing trees and vegetation in areas that may be reasonably considered subject to erosion as determined by a qualified professional. Where a permit authorizes the cutting of trees, re-planting and maintenance of disturbed areas should be considered for inclusion as a condition of the permit. The introduction of non-native species should be avoided and the permit may require a landscaping plan and a security, in the form of an irrevocable letter of credit, for 125% the cost of re-planting as determined by a professional landscaper.

Guideline 4 All on-site drainage should be directed away from the shoreline or crest of slope.

Guideline 5 Any land alteration or development involving the disturbance of the soil must be conducted in such a manner as to limit direct run-off into the sea and prevent the release of sediment towards the shore.

Guideline 6 When structures for bank stabilization measures are proposed, it should be demonstrated that the ‘softest’ possible measures have been applied but increasingly ‘harder’ measures are required.

Guideline 7 Any proposed bank stabilization should be limited to that minimally necessary to prevent damage to existing structures, uses or features. Applications involving stabilization features should include a report, prepared by a qualified professional licensed in the Province of BC with experience in geotechnical engineering, which describes the proposed stabilization measures including:

a) The need for the proposed bank stabilization to protect existing structures, uses or features, including alternative measures available that would be feasible or sufficient.
b) An evaluation of on-site drainage and confirmation that the erosion is not caused or exacerbated by upland conditions such as drainage control or loss of vegetation.
c) How the stabilization measure would protect existing or proposed structures, and the locations on the property where structures could be built and not require bank stabilization.
d) If any natural hazards, erosion, or interruption of geohydraulic processes may arise from the proposed stabilization, including at sites on other properties or foreshore locations.
e) Potential impacts to the natural shoreline processes resulting from the proposed stabilization.

f) Whether there will be any degradation of water quality or loss of fish or wildlife habitat because of the stabilization.
g) Recommendations for conditions that should be incorporated into the development permit in order to achieve the objectives of this Development Permit Area.

Guideline 8 The Local Trust Committee may consider variances to siting or size regulations where the variance could result in enhanced protection of the eroding sandbanks.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 4

Part 7 (Development Permit Areas) of Schedule B (Goals, Objectives and Policies) of North Pender Associated Islands Official Community Plan No. 147, 2002 is amended as follows:

1. The following is inserted as a new Section 703:

“**703 Sidney Island Shoreline**

(1) Designation

This development permit are (DPA) includes all non-crown land on Plan VIS5122 (Sidney Island) within 15 metres upland of the natural boundary of the sea. Buildings or structures and land alteration within 15 metres of the natural boundary of the sea, as determined by a professional surveyor, must be approved by development permit, with the exception of that work specifically exempted in subsection (7) of this section.

(2) Authority

The development permit area is established pursuant to Section 919.1(1)(a) of the *Local Government Act,* specifically for the protection of the natural environment, its ecosystems and biological diversity.

(3) Application Requirements

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.

(4) Justification

It is the Object of the Islands Trust to “preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is policy of the Islands Trust Council that local trust committees and island municipalities shall, in their official community plans and regulatory bylaws address:

- the identification and protection of environmentally sensitive areas and significant natural sites, features and landforms in their planning areas,
- the protection of sensitive coastal areas, and
- the planning for and regulation of development in coastal regions to protect natural coastal processes.

Furthermore, Section 877(1)(d) of the provincial *Local Government Act* requires that an Official Community Plan include restrictions on the use of land that is subject to hazardous conditions or is environmentally sensitive to development.

This development permit area covers all land 15 metres upland from the natural boundary of the sea on Sidney Island (Plan VIS5122) to capture the coastal ecosystem, and the natural form and function of the shoreline processes.

Generally, the southern portion of Sidney Island is comprised of bedrock or sandstone with relatively shallow overburden. This area is more resistant to erosion and is exposed to the prevailing winds and currents. The northern portion of the island is comprised of finer sedimentary materials with overlying deposits of glacial till creating the sand bank shorelines that are highly vulnerable to erosion. On-going erosion of the sandbanks provides the source materials that get transported northward by longshore drift, and eventually they are deposited as sandy sediments creating Sidney Spit on the north end of the island.

Shorelines are complex, dynamic features responding to external forces such as wind, waves, tides, and increasingly, impacts of climate change. The physical nature of the shoreline with variations in slopes, substrates, exposure, salinity and tide elevations influence the biological communities that can exist there and creates different types of shore types. Each shore type has a different ability to accommodate disturbance with some being stable and robust while others are fragile and highly sensitive.

This development permit area is important for protection the coastal shoreline, a significant natural feature of Sidney Island that has remained relatively free of development.

(5) Objectives

The objectives of this development permit area are as follows:

Objective 1 To preserve and protect the physical form and ecological function of the coastal ecosystems from the impacts of development;

Objective 2 To minimise adverse impacts of land development practices on aquatic habitats; and

Objective 3 To recognize and maintain the values of the natural shoreline of Sidney Island.

(6) Applicability

The following activities shall require a development permit wherever they occur within the DPA unless specifically exempted below:

a) Subdivision of land.
b) Construction of, addition to or alteration of a building or other structure.
c) Alteration of land.

Information Note: Any proposed building or structure within 15m of the natural boundary of the sea will also require a variance to the required setbacks prior to issuance of a development permit. For this purposes, structures includes septic disposal systems, concrete or asphalt paving or similar surfacing, and retaining structures.

(7) Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

a) For certainty, development or alteration of land occurring outside of the development permit area.

b) The placement of impermanent structures such as, benches, tables and garden ornaments.

c) Forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act.*

d) Works undertaken by an agent of the Crown.

e) The maintenance of existing gardens or landscaped areas provided the general contours of the land are not altered.

f) The removal of dangerous tree posing an immediate threat to life or property provided that stumps and root systems are not removed and the large woody debris remains on site.

g) Habitat enhancement work including the planting of native trees or vegetation.

h) Selective limb removal or trimming of trees or vegetation, not including topping of trees.

i) The repair, maintenance, alteration or reconstruction of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of undisturbed land or vegetation

j) The repair and maintenance of existing roads, driveways, paths or trails, provided there is no expansion of the width or length and no additional impervious surfacing, including paving, asphalting or similar surfacing.

k) The installation of one trail per lot for pedestrian access only to the shoreline provided the trail does not exceed 1m in width and the trail surface remains permeable.

l) Construction of a fence provided no trees are removed and the disturbance to native vegetation is limited to 0.5 metres on either side of the fence.

(8) Guidelines

The intent of this development permit area is to ensure that development in the form of new buildings or structures, and land alterations, including vegetation and tree removal, meet the objectives described above. Work not requiring a permit is detailed in subsection (7) Development Permit Exemptions. In considering the issuance of a development permit, the following guidelines should be met where applicable.

Guideline 1 Land alteration or other development of the shoreline area should be limited and minimize the negative impacts on ecological function.

Guideline 2 Land alteration or other development should not detract from the shoreline qualities that are derived from natural features, such as shore types, natural vegetation, scenic vistas, and a wilderness-like shore.

Guideline 3 Any area proposed to be cleared and disturbed should be minimized and landowners are encouraged to retain existing trees and vegetation.

Guideline 4 New developments involving structures should be sited sufficiently inland from the crest of slope to ensure that stabilization measures will not become necessary during the life of the structure and the development would not be impacted from hazardous conditions.

Guideline 5 Land alteration or other development should not occur in areas containing sensitive ecosystems or be sited or designed in any manner that may impact sensitive ecosystems in the vicinity. A report from a qualified professional should confirm that the area proposed for development does not contain a sensitive ecosystem. If a sensitive ecosystem is in the vicinity of the area proposed for development, the report should include recommendations for protecting these areas that can be included as conditions of the permit.

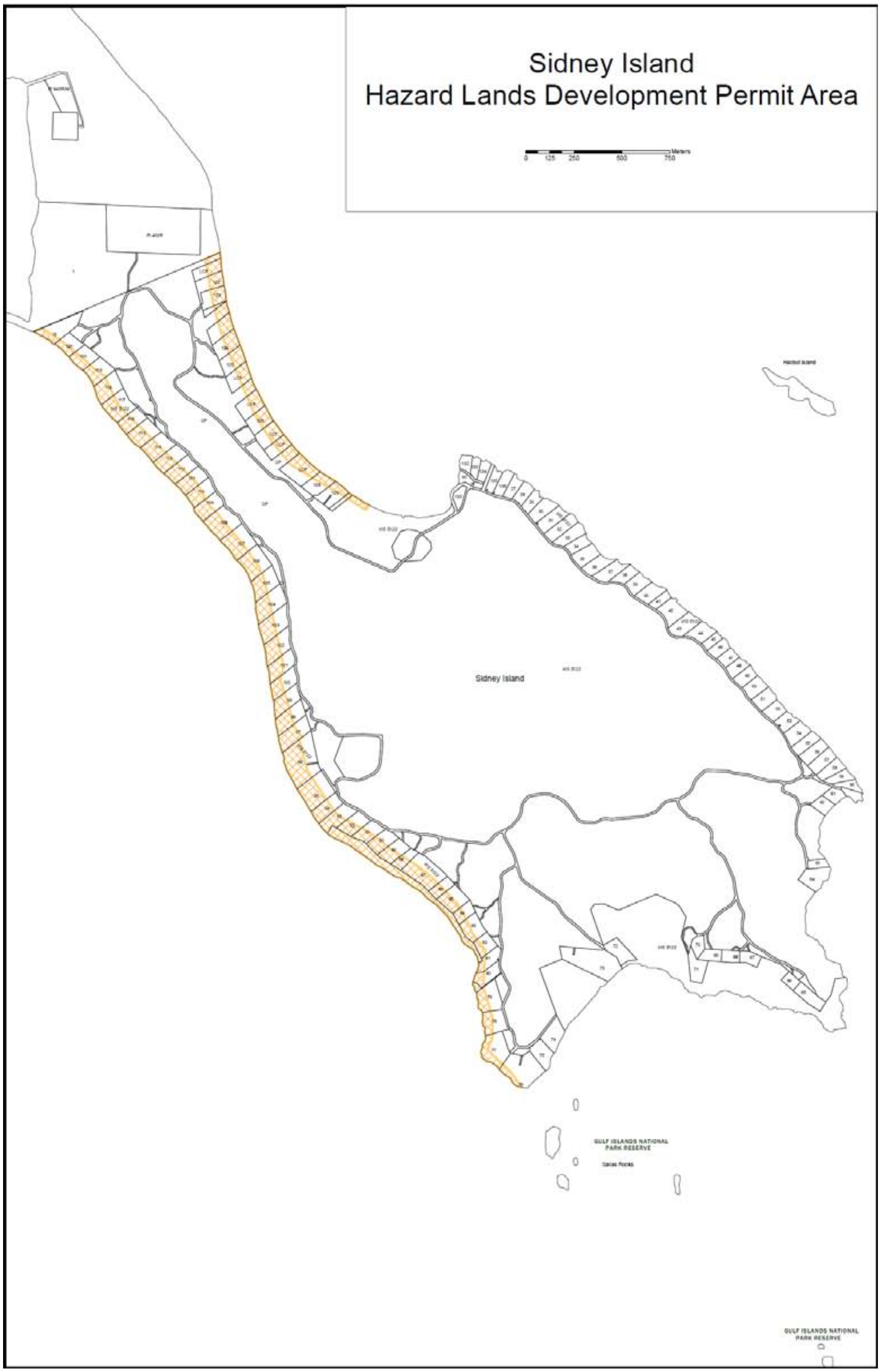
Guideline 6 Any proposed structures required to access the shoreline should be located on common property or provide shared access by legal agreement as part of a comprehensive, community trail network.

Guideline 7 Land alteration or other development involving the disturbance of the soil must be conducted in such a manner as to limit direct run-off into the sea and prevent the release of sediment towards the shore.

Guideline 8 The Local Trust Committee may consider variances to siting or size regulations where the variance could result in enhanced protection of the shoreline

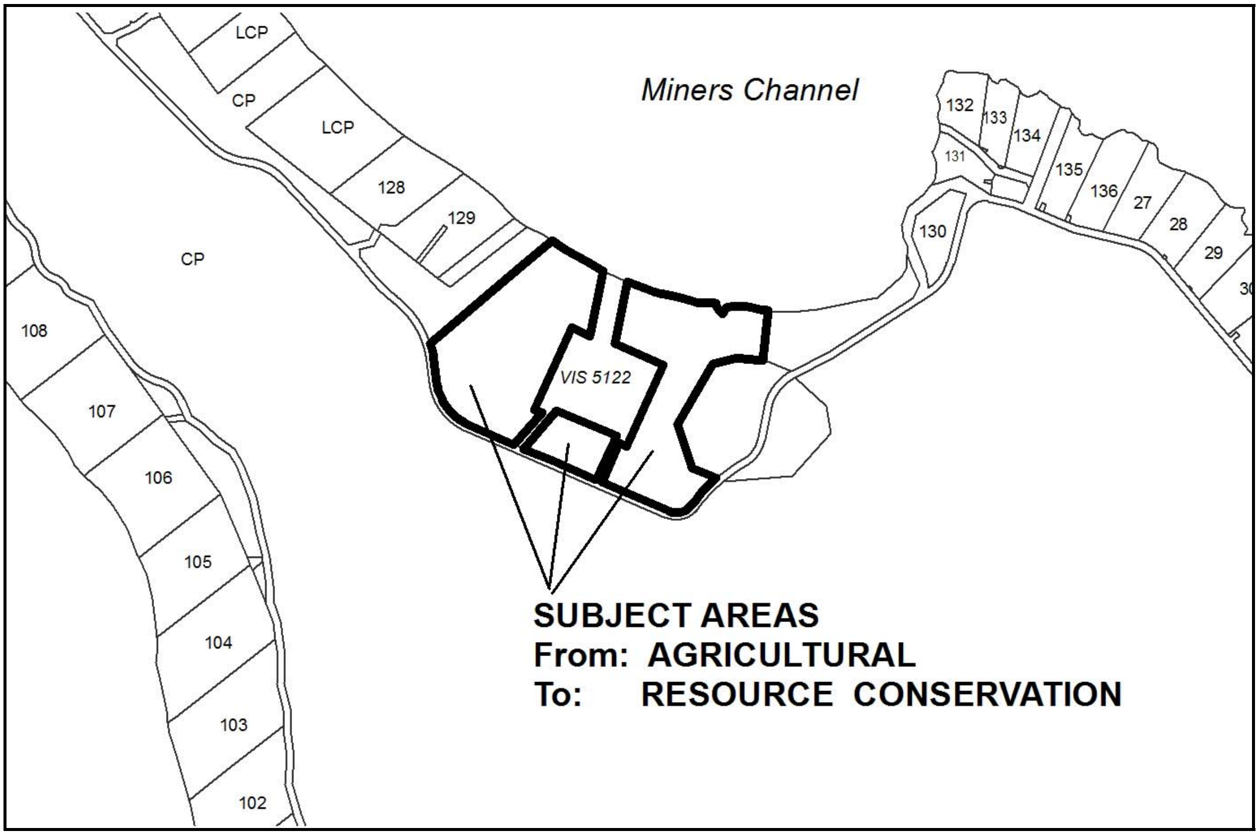
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 5

North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is amended by inserting as "Schedule E – Sidney Island Hazard Lands Development Permit Area" the following:



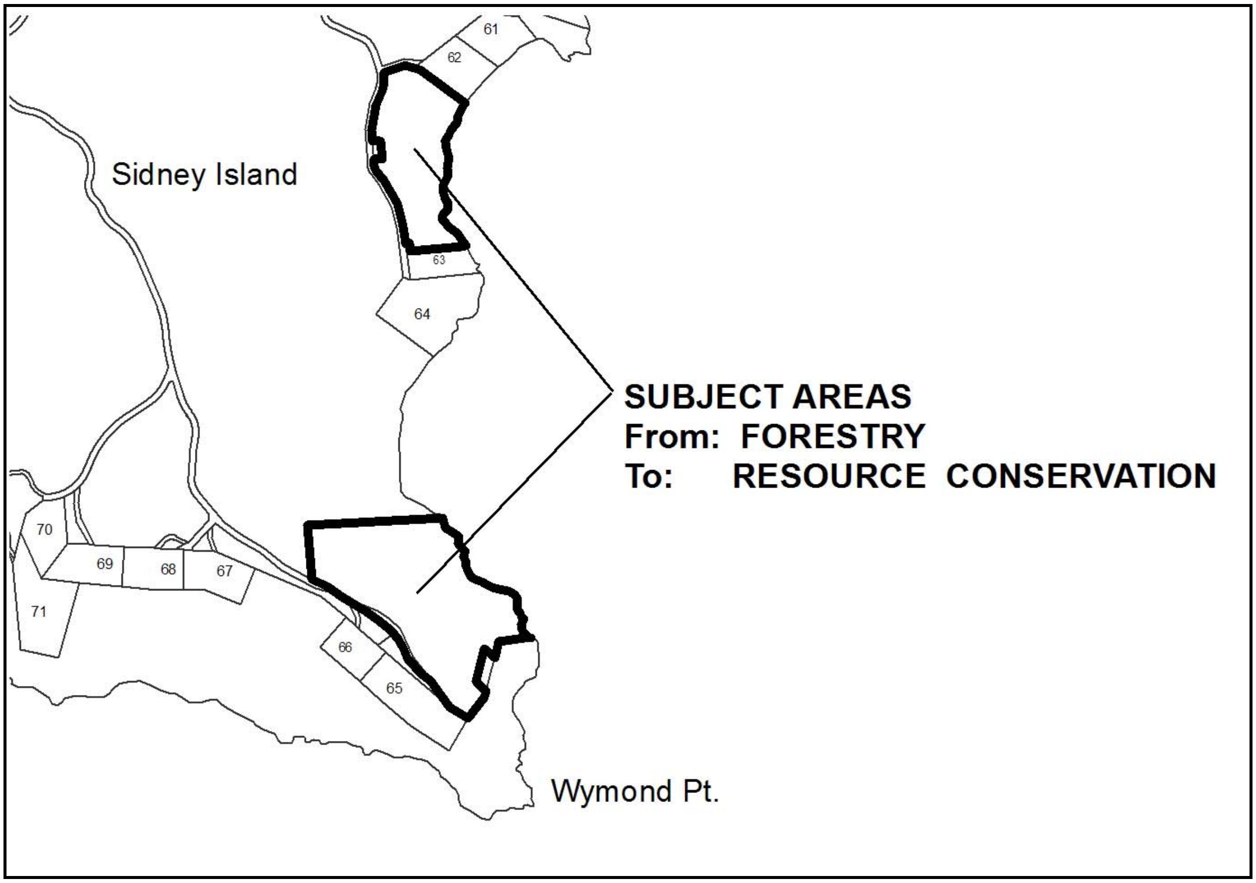
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 6

North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002, Schedule D-Land Use Policy Map is amended as follows:



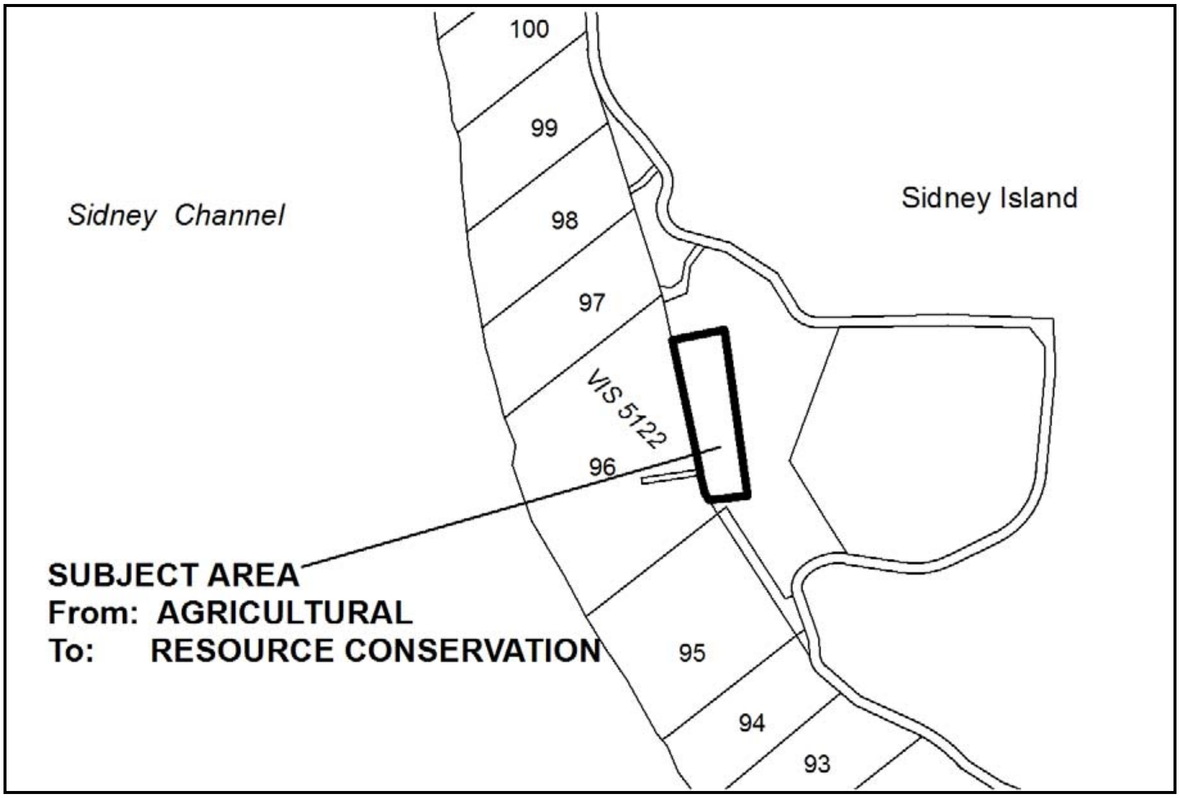
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 7

North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002, Schedule D-Land Use Policy Map is amended as follows:



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 8

North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002, Schedule D-Land Use Policy Map is amended as follows:



STAFF REPORT

September 12, 2011 **File No.:** NP-LUB-2011.1 and NP-OCP-2011.1

To: North Pender Island Local Trust Committee
For the meeting of September 22, 2011

From: Andrea Pickard
Island Planner
Local Planning Services

CC: Robert Kojima, Regional Planning Manager

Re: Amendments to North Pender Associated Islands Bylaws

PROJECT BACKGROUND:

The North Pender Island Local Trust Committee (LTC) has identified a technical review of the North Pender Associated Islands Bylaws as they pertain to Sidney Island as a top priority on the work program. At the July meeting the LTC gave direction to staff to draft bylaws based on a preliminary table of possible amendments guided by feedback from the Sidney Island Strata Council.

Staff held a drop-in open house on Sidney Island in August, a time when many of the property owners may be on the island. Based on the discussions the initial list of amendments for consideration reviewed by the LTC has been revised, with a notation in the "proceed" column of the table below. Additions to the list resulting from input from Sidney Island residents are to include:

1. Provisions to restrict the storage of recreational vehciles once their use as a temporary residence ceases, and
2. Adding a second permitted residence for an assistant caretaker that could possibly be located within a future Fire Hall/Community Building.

When drafting the LUB amending bylaw it was noted in many sections throughout the bylaw cross-references to subsection numbers had not been updated when additional zones were previously added to the bylaw. Updating these cross-references resulted in forty-four amendments in addition to ten substantive amendments to the text and four plans amending Schedule B, the zoning map.

The proposed amendments to the Official Community Plan to create two separate development permit areas (DPA) applicable to for Sidney Island has not changed. Amendments to the 'Temporary Use Permits' section has also been included to reflect legislative changes.

At the time of writing this report an accurate location of the 7095m^2 area identified as the 'heritage orchard' was still being determined. A place holder for the plan is included in the both LUB and OCP draft bylaws, at this time.

The purpose of this report is to provide the LTC an opportunity to review two related draft bylaws; draft Bylaw 187 amending the Land Use Bylaw (LUB) and draft Bylaw 189 amending the Official Community Plan (OCP). The draft bylaws are attached as Schedules to this report.

Table 1: Land Use Bylaw Sections Iniitally Considered for Amendment

	Applicable LUB Sections		**Possible Amendment**	**Reason for Amendment**	**Proceed**
1	Schedule B	Zoning Map	Recognize Local Trust Committee (LTC) covenants by zoning	Zone LTC covenant areas as Conservation (G) – these are the areas often referred to as conservation light, the covenants were granted after zoning was adopted	Yes
2	Schedule B	Zoning Map	Recognize LCP adjacent to lots 122-129 for limited residential purpose	Zone as CD2 accessory to adjacent lot	No, area is intended for buffer only
3	Schedule B	Zoning Map	Identify orchard area (7095m^2 adjacent to SL96) Could be zoned as conservation	No buildings or structures (as per strata bylaw 8A(2))	Yes** see below
4	Part 1.1	Definitions – pump house	Remove accessory reference: "pump/utility house'"	Are permitted in any zone under the general regulations, remove reference to accessory for clarity	Yes

	Applicable LUB Sections		Possible Amendment	Reason for Amendment	Proceed
5	Section 5.9: Community Services One (S1)	Subsections 3-6, 9-12	References to section 5.5 should be 5.9 throughout section	Correct typo	Yes and applies to other sections
6		Subsection 5.9(1): permitted uses	Delete h) non-commercial short-term accommodation	See below	No
7		Subsection 5.9(11): conditions of use	Remove community hall as a building for short term accommodation	Short-term accommodation is permitted in hunter's cabins; community hall should not be required for accommodation any longer.	No, community hall may still be required on occasion, strata prefers to maintain this as a legal use
8		*Subsection 5.9(5)*	*Increase permitted residences to 2, and one may be within fire/ community hall*		*Additional consideration raised by Strata*
9	Subsection 5.10: Community Services Two (S2)	Deer slaughter facility	Needs further review and comment to determine if the bylaws should be amended to reflect the use		No, ALC confirmed structures/use are deemed a farm use in ALR
10	Section 5.20: Sidney Island Comprehensive Development Zone (CD2)	Subsection (1): Permitted Uses	Recognize agriculture as a permitted use on those lots within the ALR (western half and eastern half north of the dock)	include 'Farm Use' as a permitted use only in the CD2 lots affected, or all CD2 lots	No, confirmed ALR exclusion of these properties should apply, requirements to finalize still being determined
11		Subsection (1):	Permit 1 utility/storage shed	To allow storage/utility shed prior to	Yes

	Applicable LUB Sections		Possible Amendment	Reason for Amendment	Proceed
		Permitted Uses	of limited size as a principal use	construction of, or building permit to construct, a dwelling	
12		Subsection (2): Density (table)	Delete 5.20(3)	Outdated – subdivision finalized	Yes
13		Siting and size	Add a maximum floor area	Address overly large dwellings, particularly for an island without services. A size consistent with strata Building Scheme or less.	Yes
14		Subsection (6): Siting and size	Setback to the sea, delete a pump/utility house from the exemptions	No rationale to justify this exemption particularly given concerns with saltwater intrusion into wells, size of lots and often unsuitable topography within 15 m setback	Yes
15		Addition of a Max height)	Increase to 12 m	Consistency with strata bylaw	No, LUB regs of 9.7m thought to be more suitable
16		Subdivision Lot Size Requireme nts	Delete 5.20(10)	Outdated – references previous 24 strata lots and number of permitted dwellings	Yes
17	Gen regulations or CD2	Water storage/ Rainwater collection	Consider new requirement for cistern:	Well and ground water protection, reduce peak demands and supply imbalance, improve fire flows, adaptation to climate change	No, cistern and water storage are being addressed as part of Building Permits and fire protection requirements. LUB regulating

	Applicable LUB Sections		Possible Amendment	Reason for Amendment	Proceed
					the same unnecessary
18	Section 5.20: Sidney Island Comprehensi ve Development Zone (CD2)		*Restrict the storage of trailers once no longer required for temporary residential use*		*Additional consideration raised by Strata*

COMMUNICATONS:

Communications to all property owners on Sidney Island will occur through the Sidney Island Strata which maintains an email list for all owners, and provides opportunity for internal discussions through their strata website.

Owners of other Associated Islands would be sent a letter of information, noting the amendments would not impact their property.

Unless otherwise directed by the LTC, referrals would include:

- First Nations
- Parks Canada
- Fisheries and Oceans Canada
- Agricultural Land Commission
- Ministry of Agriculture
- Ministry of Community, Sport and Cultural Development
- Ministry of Environment
- Ministry of Forest, Lands & Natural Resource Operations, Ecosystem Protection
- Ministry of Transportation
- Capital Regional District, Area Director and Building Inspection Services
- Adjacent local governments: Central Saanich, North Saanich, Saanich, Sidney
- Adjacent Local Trust Areas: South Pender Island LTC and Salt Spring Island LTC
- Island Trust Fund
- Islands Trust Bylaw Enforcement

NEXT STEPS:

It is not feasible that the OCP amending bylaw would be adopted during this term by this LTC, although the LUB amending bylaw possibly could. Typically it is recommended to adopt both bylaws at the same time in the event that issues arise with obtaining Ministry approval; however for these bylaws, the amendments to the Land Use Bylaw are not contigent upon the amendments to the OCP.

The next steps in the process are:

- Give First Reading to the draft bylaws,
- Schedule a Community Information meeting, possibly on a weekend in Sidney either separately or in conjuction with the Public Hearing,
- Amend the proposed bylaw at Second or Third Reading,
- Refer to Executive Committee,
- Refer to the Ministry of Community, Sport and Cultural Development (OCP only),
- Final adoption.

Due to upcoming local elections the LTC may direct staff with regards to the timeline for scheduling the Public Hearing, that being either before or after the final LTC meeting schedule for 2011 on Nov 24th.

RECOMMENDATIONS:

1. THAT the North Pender Island Local Trust Committee direct staff to proceed with agency referrals of Draft Bylaws 187 and 189.
2. THAT the North Pender Island Local Trust Committee direct staff to Schedule a Community Information Meeting for a weekend date to be held in the Town of Sidney.

Prepared and Submitted by:

Andrea Pickard	September 12, 2011
Andrea Pickard	Date

Concurred in by:

R Koj	September 14, 2011
Robert Kojima Regional Planning Manager	Date

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 187

****

A BYLAW TO AMEND NORTH PENDER ASSOCIATED ISLANDS LAND USE BYLAW NO. 148, 2003

****

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

AND WHEREAS the North Pender Island Local Trust Committee wishes to amend Land Use Bylaw 148, 2003;

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

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

A. Bylaw No. 148, cited as "North Pender Associated Islands Land Use Bylaw 148, 2003" is amended as follows:

1. Section 1.1 (Definitions) is amended by deleting 'an accessory' from the definition of "pump/utility house" such that is reads "pump/utility house means a building containing only equipment for pumping and processing of water or sewage, or electrical equipment and communication service equipment"
2. Subsection 3.3(3) is amended by deleting "under the provisions of subsection 701(6) of that bylaw" such that it reads "**Information Note**: Buildings or structures may not be sited within 15 metres (50 feet) of the natural boundary of the sea without first obtaining a development permit pursuant to Part 7 of the "North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002", unless specifically exempted from a requirement for a permit. Septic fields, septic tanks, absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for this purpose."
3. Subsection 5.5(3) is amended by deleting 5.4(1)(a) and inserting 5.5(1)(a) such that it reads "The number of food and beverage service establishments permitted in 5.5(1)(a) above is limited to one, with a maximum floor area of $200m^2$ ($2152ft^2$)."
4. Subsection 5.7(5) is amended by deleting 5.3(4) and inserting 5.7(4) such that it reads "Despite Subsection 5.7(4), the minimum setback for any building, structure or enclosure housing farm animals shall be 7.6 metres (25 feet) from any lot line and 15 metres (50 feet) any edge lot line."
5. Subsection 5.7(6) is amended by deleting 5.3(1)(g) and inserting 5.7(1)(g) such that it reads "The occupancy of the accessory dwelling unit permitted by article 5.7(1)(g) above is limited to providing residential accommodation to the household of the owner, operator or an employee of a permitted principal use."
6. Subsection 5.7(7) is amended by deleting 5.3(1)(c) and inserting 5.7(1)(c) such that it reads "All external storage areas associated with the uses permitted by Articles 5.7(1)(c), (d), (e) and (f) above must be screened from view from all lot lines and from the sea by screening or fencing complying with the provisions of Section 3.9 (Landscape Screening)."
7. Subsection 5.7(8) is amended by deleting 5.3(1)(a) and inserting 5.7(1)(a) such that it reads "Farm Uses permitted by Article 5.7(1)(a) above must comply with all regulations established in relation to that use in Section 3.14."
8. Subsection 5.8(7) is amended by deleting 5.4(1)(a) and inserting 5.8(1)(a) such that it reads "Farm Uses permitted by Article 5.8(1)(a) above must comply with all regulations established in relation to that use in Section 3.14."

9. Subsection 5.9(3) is amended by deleting 5.5(1)(e) and inserting 5.9(1)(e) such that it reads "The number of community meeting halls permitted by article 5.9(1)(e) above shall not exceed one."
10. Subsection 5.9(4) is amended by deleting 5.5(1)(e) and inserting 5.9(1)(e) such that it reads "The number of community offices permitted by article 5.9(1)(e) above shall not exceed one."
11. Subsection 5.9(5) is amended by deleting 5.5(1)(f) and inserting 5.9(1)(f) such that it reads "The number of single family dwellings permitted by article 5.9(1)(f) above shall not exceed one."
12. Subsection 5.9(5) is amended by deleting "shall not exceed one" and inserting "shall not exceed two," and inserting "of which one dwelling may be attached to a building for community uses permitted under Article 5.9(1)(e)" such that it reads "The number of single family dwellings permitted by article 5.9(1)(f) above shall not exceed two, of which one dwelling may be attached to a building for community uses permitted under Article 5.9(1)(e)."
13. Subsection 5.9(6) is amended by deleting 5.5(1)(g) and inserting 5.9(1)(g) such that it reads "The number of sleeping cabins permitted by article 5.9(1)(g) above shall not exceed a total of four and the floor area of any one sleeping cabin may not exceed 80 square metres (861 square feet)."
14. Subsection 5.9(9) is amended by deleting 5.5(1)(e) and inserting 5.9(1)(e) such that it reads "The floor area of the community office building permitted in article 5.9(1)(e) above shall not exceed 200 square metres (2153 square feet)."
15. Subsection 5.9(10) is amended by deleting 5.5(1)(a) and inserting 5.9(1)(a) such that it reads "Farm uses permitted by article 5.9(1)(a) above must comply with all regulations established in relation to that use in Section 3.14."
16. Subsection 5.9(11) is amended by deleting 5.5(1)(h) and inserting 5.9(1)(h) such that it reads "The non-commercial short-term accommodation permitted by 5.9(1)(h) above is limited to the use of rooms within a permitted community meeting hall, provided the use does not exceed a maximum of 10 days at any one time, totalling no more than 90 days per calendar year."
17. Subsection 5.9(12) is amended by deleting 5.5(1)(i) and inserting 5.9(1)(i) such that it reads "The retail sales permitted by article 5.9(1)(i) above are limited to the sale of groceries and household effects within a permitted community meeting hall, provided the use is limited to a total floor area of 30 square metres (323 square feet) or less."
18. Subsection 5.10(5) is amended by deleting 5.6(1)(a) and inserting 5.10(1)(a) such that it reads "Farm Uses permitted by article 5.10(1)(a) above must comply with all regulations established in relation to that use in Section 3.14."
19. Subsection 5.11(5) is amended by deleting 5.7(1)(a) and inserting 5.11(1)(a) such that it reads "Farm Uses permitted by article 5.11(1)(a) above must comply with all regulations established in relation to that use in Section 3.14."
20. Subsection 5.15(4) is amended by deleting 5.8(1)(b) and inserting 5.15(1)(b) such that it reads "All mooring buoys permitted by 5.15(1)(b) above shall be located within 100 metres (328 feet) of the RR, A, CD1 or CD2 zones."
21. Subsection 5.15(5) is amended by deleting 5.8(4) and inserting 5.15(4) such that it reads "Despite Subsection 5.15(4) above, no mooring buoy shall be located within 100 metres (328 feet) of the NP zone."
22. Subsection 5.15(14) is amended by deleting 5.8(1)(b) and inserting 5.15(1)(b) such that it reads "Mooring buoys permitted by article 5.15(1)(b) above shall only be used for the purpose of mooring a private vessel accessory to the residential use of an upland lot."
23. Subsection 5.15(15) is amended by deleting 5.8(1)(d) and inserting 5.15(1)(d) such that it reads "Docks permitted by article 5.15(1)(d) above shall be accessory to a residential or agricultural use of an upland lot, or lots, and shall provide access to that lot or lots for the residents of an upland lot."
24. Subsection 5.15(18) is amended by deleting 5.8(1)(e) and inserting 5.15(1)(e) such that it reads "Barge ramps and marine railways permitted by article 5.15(1)(e) above shall be accessory to the residential use of an abutting upland lot, or adjacent upland lots, and shall provide access to that lot or lots for the resident(s) of an upland lot on the island."

25. Subsection 5.15(19) is amended by deleting 5.8(1)(h) and 5.8(7) and inserting 5.15(1)(h) and 5.15(7) respectively such that it reads “Breakwaters and wave suppression devices permitted by article 5.15(1)(h) above shall not be used for the mooring of vessels, except where the total area of all floats, piers, breakwaters and wave suppression devices does not exceed the total area permitted by subsection 5.15(7) above.”
26. Subsection 5.16(3) is amended by deleting 5.9(1)(b) and inserting 5.16(1)(b) such that it reads “Mooring buoys permitted by article 5.16(1)(b) above shall only be used for the purpose of mooring a private vessel accessory to the residential use of an upland lot.”
27. Article 5.17(1)(e) is amended by deleting 5.10(1)(c) and inserting 5.17(1)(c) such that it reads “Ramps, walkways, footings and pilings necessary for the establishment and maintenance of the uses permitted in Articles 5.17(1)(c) and (d) above;”
28. Article 5.17(1)(f) is amended by deleting 5.10(1)(c) and inserting 5.17(1)(c) such that it reads “Breakwaters and wave suppression devices necessary for the establishment and maintenance of the uses permitted in Articles 5.17(1)(c) through (e) above or for the protection of an established use or feature.”
29. Subsection 5.17(7) is amended by deleting 5.10(1)(b) and inserting 5.17(1)(b) such that it reads “Mooring buoys permitted by article 5.17(1)(b) above shall only be used for the purpose of mooring private vessels accessory to the residential use of an upland lot on the island abutting the water zone in which the marina is located.”
30. Subsection 5.17(8) is amended by deleting 5.10(1)(c) and inserting 5.17(1)(c) such that it reads “Private marinas permitted by article 5.17(1)(c) above shall only provide docks, floats and piers for the mooring of private vessels accessory to a permitted use of an upland lot(s) on the island abutting the water area in which the marina is located.”
31. Subsection 5.17(10) is amended by deleting 5.10(1)(d) and inserting 5.17(1)(d) such that it reads “Barge ramps and marine railways permitted by article 5.17(1)(d) above shall be accessory to a permitted use of an upland lot(s) on the island, and shall provide access to those lots for the residents of the upland lots.”
32. Subsection 5.17(11) is amended by deleting 5.12(3), 5.12(5) and 5.12(6) and inserting 5.17(3), 5.17(5) and 5.17(6) respectively such that it reads “Despite Subsection 5.17(3), a maximum of two private marinas may be permitted.” and “In addition to the siting and size regulations established in 5.17(5) and 5.17(6), the combined area of docks and marinas in the W3(a) zone shall not exceed 290 square metres (3122 feet^2).”
33. Article 5.18(1)(f) is amended by deleting 5.11(1)(c) and inserting 5.18(1)(c) such that it reads “Ramps, walkways, footings and pilings necessary for the establishment and maintenance of the uses permitted in article 5.18(1)(c) and (d) above;”
34. Article 5.18(1)(g) is amended by deleting 5.11(1)(c) and inserting 5.18(1)(c) such that it reads “Breakwaters and wave suppression devices necessary for the establishment and maintenance of the uses permitted in Articles 5.18(1)(c) through (e) above, or for the protection of another established use or feature;”
35. Subsection 5.18(3) is amended by deleting 5.11(1)(d) and inserting 5.18(1)(d) such that it reads “The maximum area of all dock floats and piers adjacent to any one island permitted by article 5.18(1)(d) above may not exceed 93 square metres (1001 square feet), exclusive of ramps and walkways.”
36. Subsection 5.18(7) is amended by deleting 5.11(1)(d) and inserting 5.18(1)(d) such that it reads “Storage structures constructed on any part of a dock permitted by article 5.18(1)(d) above shall have a maximum height of 1 metre (3 feet) and a maximum total area of 10 square metres (107 square feet).”
37. Subsection 5.18(10) is amended by deleting 5.11(1)(d) and inserting 5.18(1)(d) such that it reads “Docks permitted by Article 5.18(1)(d) above shall be accessory to an established residential use of an upland lot, or lots, and shall provide access to that lot or lots by the residents of an upland lot on the island abutting the water area in which the dock is located.”
38. Subsection 5.18(11) is amended by deleting 5.11(1)(c) and inserting 5.18(1)(c) such that it reads “Wharves permitted by Article 5.18(1)(c) shall be used to provide access to land in the NP zone.”

39. Subsection 5.18(14) is amended by deleting 5.11(1)(e) and inserting 5.18(1)(e) such that it reads "Barge ramps and marine railways permitted by article 5.18(1)(e) above shall be accessory to the residential use of an abutting upland lot, or adjacent upland lots, or uses permitted in the NP zone, and shall provide access to that lot or lots."
40. Subsection 5.18(15) is amended by deleting 5.11(1)(g) and 5.11(3) and inserting 5.18(1)(g) and 5.18(3) respectively such that it reads "Breakwaters and wave suppression devices permitted by article 5.18(1)(g) above shall not be used for the mooring of vessels, except where the total area of all floats, piers, breakwaters and wave suppression devices does not exceed the total area permitted by subsection 5.18(3) above."
41. Subsection 5.19(5) is amended by deleting 5.14(4) and inserting 5.19(4) such that it reads "Despite Subsection 5.19(4), the minimum setback for any building, structure or enclosure housing animals and poultry shall be 7.6 metres (25 feet) from any lot line, except the natural boundary of the sea."
42. Subsection 5.20(1) is amended by inserting 5.20(1)(c) "Storage building; subject to subsection 5. 20(7)."
43. Subsection 5.20(2) is amended by deleting "No more than 111 single family dwellings may be constructed in the CD2 zone" and replacing it with "There may not be more than one single family dwelling on any lot."
44. Subsection 5.20(3) is deleted in its entirety including Articles 5.20(3)(a) to (c).
45. Subsection 5.20(4) is renumbered to 5.20(3).
46. Subsection 5.20(5) is renumbered to 5.20(4).
47. Subsection 5.20(6) is amended by adding "Despite Subsection 3.3(2)" at the beginning, "Septic fields, septic tanks, absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection." at the end, and deleting "or a pump/utility house" such that is reads "Despite Subsection 3.3(2) the minimum setback for any building or structure, except a fence, shall be 15 metres (49 feet) from the natural boundary of the sea. Septic fields, septic tanks, absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection."
48. Subsection 5.20(6) is renumbered to 5.20(5).
49. A new subsection 5.20(6) is inserted under the heading 'Siting and Size'

    "The maximum floor area of a single family dwelling is limited to 375 m^2 (4036ft^2)."

50. A new subsection 5.20(8) is inserted under the heading 'Conditions of Use'

    "The storage building permitted under 5.20(1)(c) may be constructed prior to a single family dwelling subject to:

    (a) The use is limited to the storage of goods and materials for use on the lot,

    (b) Only one storage building is permitted on any lot,

    (c) The floor area is not to exceed 25 square metres (269 square feet),

    (d) The storage shed is not to be used for human habitation, and

    (e) For certainty, this does not limit accessory buildings permitted under Section 3.5.

51. A new subsection 5.20(9) is inserted under the heading 'Conditions of Use"

    "Despite Subsection 3.10 the storage of recreational vehicles that are not being used as a temporary residence under that section is not permitted."

52. Subsection 5.20(8) is renumbered to 5.20(10).

53. Subsection 5.20(9) is renumbered to 5.20(11).
54. Subsection 5.20(10) is deleted in its entirety.
55. Schedule B (Zoning Map) is amended in accordance with the maps attached to and forming part of this bylaw as Plans 1, 2 and 3.

B. This Bylaw may be cited as "North Pender Associated Islands Land Use Bylaw 148, 2003, Amendment No. 1, 2011".

C. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this day of , 200_

READ A SECOND TIME this day of , 200_

PUBLIC HEARING HELD this day of , 200_

READ A THIRD TIME this day of , 200_

APPROVED BY THE EXECUTIVE COMMITTEE this day of , 200_

ADOPTED this day of , 200_

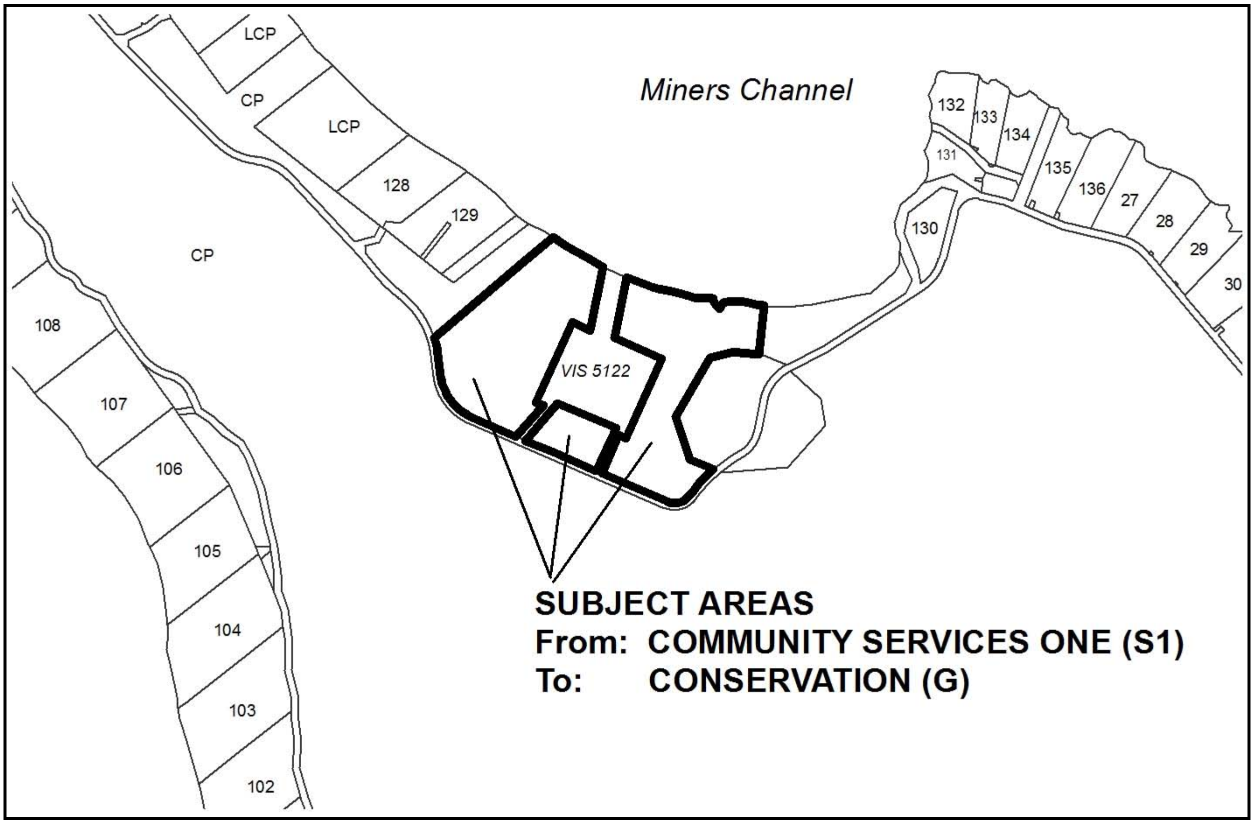
Chair

Secretary

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 187

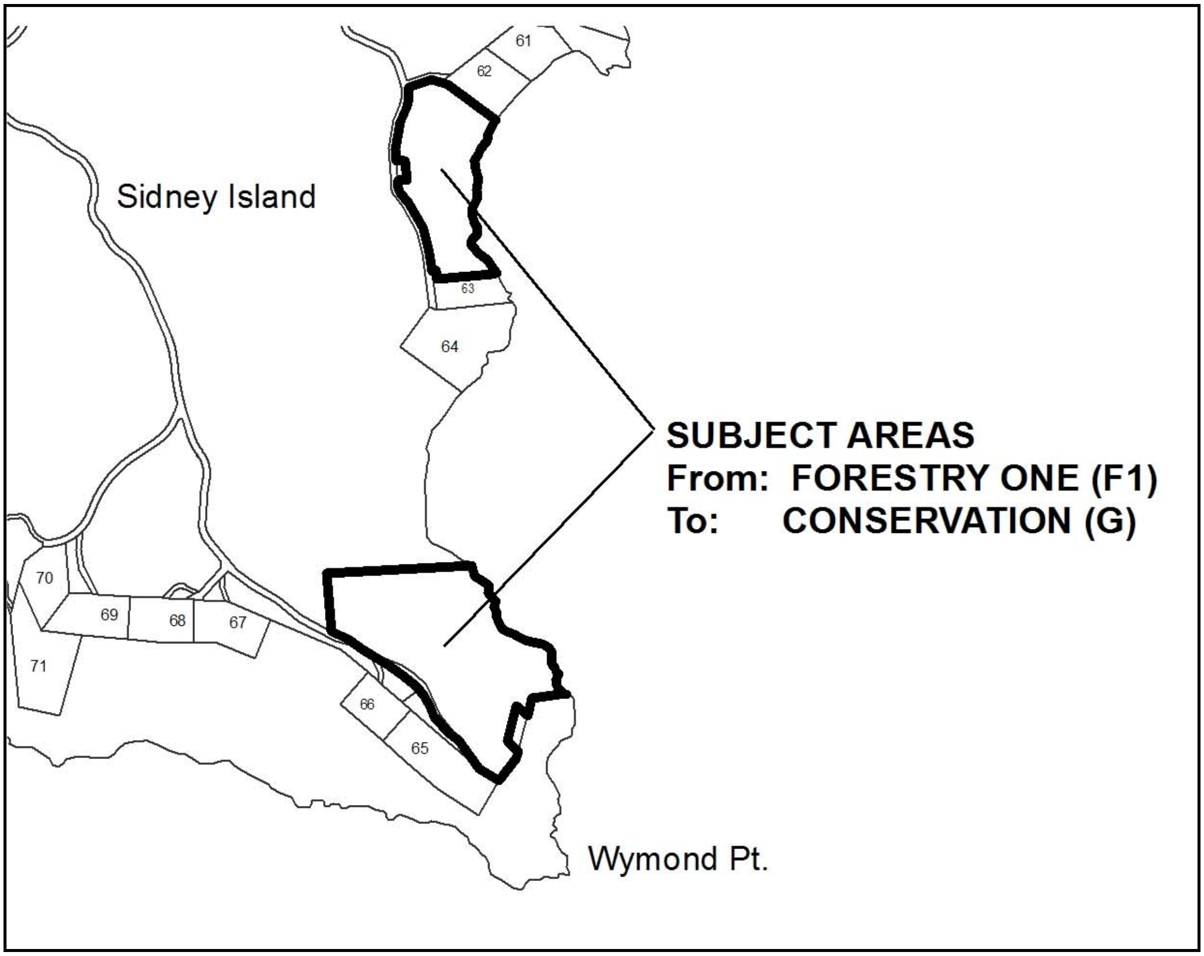
PLAN No. 1



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 187

PLAN No. 2



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW No. 187

PLAN No. 3

And the heritage orchard area still determining exact location.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189

****

A BYLAW TO AMEND NORTH PENDER ASSOCIATED ISLANDS OFFICIAL COMMUNITY PLAN BYLAW NO. 147, 2002

****

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

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

AND WHEREAS the North Pender Island Local Trust Committee wishes to amend the North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002;

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

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

CITATION

This Bylaw may be cited for all purposes as "North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002, Amendment No. 1, 2011."

SCHEDULES

1. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is altered as shown on Schedule 1 attached to and forming part of this amending bylaw.
2. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is altered as shown on Schedule 2 attached to and forming part of this amending bylaw.
3. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is altered as shown on Schedule 3 attached to and forming part of this amending bylaw.
4. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is altered as shown on Schedule 4 attached to and forming part of this amending bylaw.
5. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 Schedule D – Land Use Policy Map, is altered as shown on Schedule 5 attached to and forming part of this amending bylaw.
6. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 Schedule D – Land Use Policy Map, is altered as shown on Schedule 6 attached to and forming part of this amending bylaw.
7. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 Schedule D – Land Use Policy Map, is altered as shown on Schedule 7 attached to and forming part of this amending bylaw.

8. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 Schedule D – Land Use Policy Map, is altered as shown on Schedule 8 attached to and forming part of this amending bylaw

SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this day of 2011

PUBLIC HEARING HELD this day of 2011

READ A SECOND TIME this day of 2011

READ A THIRD TIME this day of 2011

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this day of 2011

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT this day of 2011

ADOPTED this day of 2011

______________________________ ______________________________

SECRETARY **CHAIRPERSON**

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 1

Part 6 (Temporary Commercial and Industrial Use Permit Guidelines) of Schedule B (Goals, Objectives and Policies) of North Pender Associated Islands Official Community Plan No. 147, 2002 is amended as follows:

1. Section 604 is deleted and replaced with:

"**604 Temporary Use Permit Guidelines**

An Official Community Plan may designate areas where a temporary use may be allowed. A temporary use permit may, notwithstanding a zoning bylaw, allow a use, permit the construction or use of buildings or structures to accommodate persons who work at the use for which the permit is issued, and specify conditions under which a temporary use may be carried on. A permit may be issued for a period of up to three years and may be renewed only once.

Pursuant to section 920.01 of the *Local Government Act* (Designation of development approval information areas), the plan designates any area of this plan subject to application for a Temporary Use Permit as a circumstance for which development approval information may be required under that section. Development approval information means information on the anticipated impact of the proposed activity of development on the community.

The issuance of a temporary use permit should be conditional on compliance with the following guidelines:

Guideline 1 Temporary Use Permits may be issued for any area covered by this plan, except for areas designated Resource Conservation or lands within the Agricultural Land Reserve.

Guideline 2 Temporary Use Permits should only be issued for activities that are of short and fixed duration.

Guideline 3 An application for a Temporary Use Permit may only be considered if the proposal can be demonstrated to have minimal negative impact on the environment of the Associated Islands Area."

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 2

Part 7 (Development Permit Areas) of Schedule B (Goals, Objectives and Policies) of North Pender Associated Islands Official Community Plan No. 147, 2002 is amended as follows:

1. Part 7 is amended by inserting the following as a second paragraph in that part: “Pursuant to section 920.01 of the *Local Government Act* (Designation of development approval information areas), the plan designates all development permit areas as areas for which, in specified circumstances, development approval information may be required under that section. Development approval information means information on the anticipated impact of the proposed activity of development on the community.”

2. Subsection 701(1) is amended by deleting “This development permit area includes all non-crown land within 15 metres upland of the natural boundary of the sea.” and inserting “This development permit area includes all non-crown land within 15 metres upland of the natural boundary of the sea on all North Pender Associated Islands except for Sidney Island.”

3. A new Subsection 701(3) is inserted as follows:

   “(3) Application Requirements

   All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.”

4. Subsection 701 (3) ‘Justification’ is renumbered to 701 (4).

5. Subsection 701 (4) ‘Objectives’ is renumbered to 701 (5).

6. Subsection 701 (5) ‘Guidelines’ is renumbered to 701 (6) and “Work not requiring a permit is detailed in subsection (6) below.” is deleted and replaced with “Work not requiring a permit is detailed in subsection (7) below.”

7. Subsection 701 (6) ‘Work Not Requiring a Permit’ is renumbered to 701(7)

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 3

Part 7 (Development Permit Areas) of Schedule B (Goals, Objectives and Policies) of North Pender Associated Islands Official Community Plan No. 147, 2002 is amended as follows:

1. The following is inserted as a new Section 702:

"**702 Sidney Island Hazard Lands**

(1) Designation

This development permit area (DPA) is shown in a generalized area on Schedule E. The definitive designation and delineation of the development permit area consists of a digital record based on the survey plans associated with registered covenant ES065752, stored and maintained in a Geographical Information System (GIS) at the offices of the Islands Trust.

(2) Authority

The development permit area is established pursuant to Section 919.1(1)(b) of the *Local Government Act,* specifically for the protection of development from hazardous conditions.

(3) Application Requirements

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.

(4) Justification

It is the Object of the Islands Trust to "preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."

It is policy of the Islands Trust Council that local trust committees and island municipalities shall, in their official community plans and regulatory bylaws address:

- the planning for and regulation of development in coastal regions to protect natural coastal processes, and
- the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

Furthermore, Section 877(1)(d) of the provincial *Local Government Act* requires that an Official Community Plan include restrictions on the use of land that is subject to hazardous conditions or is environmentally sensitive to development.

The development permit area coincides with the recommended building setbacks in the geotechnical investigation report prepared at the time of subdivision for Sidney Island *"Report of Geotechnical Investigation For Sidney Island Residential Subdivision"* by Bruce McLeod of Levelton Engineering. The report identifies that the soil/sandbanks forming the westerly and north-easterly shorelines, which are not protected by bedrock, as being steeper than the long term stable slope angle due to on-going toe erosion. The on-going toe erosion and slope flattening processes are resulting in a landward regression of the crest of the slope. The report summarizes that building sites should be located beyond the recommended setbacks, and that disturbance to the shoreline banks by storm water drainage, land alterations, vegetation disturbance, or other means should be avoided. The building setback established in the geotechnical report is based on a 75 year design period with no stabilization techniques.

When required, bank stabilization measures should apply the ‘softest’ possible measure and be limited in number and extent to the minimum necessary. Protection measures are often referred to as ‘soft’ to ‘hard’, where ‘soft’ measures utilize less rigid materials such as vegetation, while ‘hard’ measure refer to those with solid, hard surfaces such as concrete walls. In general, the harder the construction measure, the greater the impact on shoreline processes, including sediment transport, geomorphology, and biological functions. There is a range of measures that include:

SOFT

- Vegetation enhancement
- Upland drainage control
- Biotechnical measures
- Beach enhancement
- Anchor trees
- Gravel placement
- Rock (rip rap) revetments
- Gabions
- Concrete or rock groins
- Retaining walls or bulkheads (concrete, lock blocks, etc.)
- Seawalls

HARD

This development permit area is important to protect the shoreline banks, which are sensitive features vulnerable to erosion, from development activities that may exacerbate the hazardous condition, and to protect any land improvements or development from hazardous conditions that may result from the erosional processes.

(5) Objectives

The objectives of this development permit area are as follows:

Objective 1 To protect the shoreline banks from development activities which exacerbate the natural erosion process;

Objective 2 To limit development in hazardous areas susceptible to erosion; and

Objective 3 To preserve the integrity of coastal processes and reduce cumulative impacts to the coastal shoreline.

(6) Applicability

The following activities shall require a development permit wherever they occur within the DPA unless specifically exempted below:

a) Subdivision of land.
b) Construction of, addition to or alteration of a building or other structure.
c) Alteration of land.

Information Note: Any proposed building or structure within 15m of the natural boundary of the sea will also require a variance to the required setbacks prior to issuance of a development permit. For this purposes, structures includes septic disposal systems, concrete or asphalt paving or similar surfacing, and retaining structures.

(7) Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

a) For certainty, development or alteration of land occurring outside of the development permit area.

b) The placement of impermanent structures such as, benches, tables and garden ornaments.

c) Forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act.*

d) Works undertaken by an agent of the Crown.

e) The maintenance of existing gardens or landscaped areas provided the general contours of the land are not altered.

f) The removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property, provided that stumps and root systems are not removed and the large woody debris remains on site.

g) Habitat enhancement work including the planting of native trees or vegetation.

h) Selective limb removal or trimming of trees or vegetation, not including the topping of trees.

i) The repair and maintenance of existing roads, driveways, paths or trails, provided there is no expansion of the width or length and no additional impervious surfacing, including paving, asphalting or similar surfacing.

(8) Guidelines

The intent of this development permit area is to ensure that development in the form of new buildings or structures, and land alterations, including vegetation and tree removal, meet the objectives described above. Work not requiring a permit is detailed in subsection (7) Development Permit Exemptions. In considering the issuance of a development permit, the following guidelines should be met where applicable

Guideline 1 A development permit should not allow any land alteration or other development activities to take place within any area identified by a geological hazard assessment as subject to a landslide or other geotechnical hazard with a probability in excess of 2% in 50 years.

Guideline 2 All applications should include a geological hazard assessment from a qualified professional licensed in the Province of BC with experience in geotechnical engineering stating that the proposed development will not result in slope instability or other geological failure hazard with a probability in excess of 2% in 50 years. Where the geological hazard assessment report describes an area a suitable for development provided that specific measures are taken, the development permit should only allow the development to occur in compliance with the measures described in the report.

Guideline 3 Any area proposed to be cleared and disturbed for development should be minimized and landowners are encouraged to retain existing trees and vegetation in areas that may be reasonably considered subject to erosion as determined by a qualified professional. Where a permit authorizes the cutting of trees, re-planting and maintenance of disturbed areas should be considered for inclusion as a condition of the permit. The introduction of non-native species should be avoided and the permit may require a landscaping plan and a security, in the form of an irrevocable letter of credit, for 125% the cost of re-planting as determined by a professional landscaper.

Guideline 4 All on-site drainage should be directed away from the shoreline or crest of slope.

Guideline 5 Any land alteration or development involving the disturbance of the soil must be conducted in such a manner as to limit direct run-off into the sea and prevent the release of sediment towards the shore.

Guideline 6 When structures for bank stabilization measures are proposed, it should be demonstrated that the 'softest' possible measures have been applied but increasingly 'harder' measures are required.

Guideline 7 Any proposed bank stabilization should be limited to that minimally necessary to prevent damage to existing structures, uses or features. Applications involving stabilization features should include a report, prepared by a qualified professional licensed in the Province of BC with experience in geotechnical engineering, which describes the proposed stabilization measures including:

a) The need for the proposed bank stabilization to protect existing structures, uses or features, including alternative measures available that would be feasible or sufficient.
b) An evaluation of on-site drainage and confirmation that the erosion is not caused or exacerbated by upland conditions such as drainage control or loss of vegetation.
c) How the stabilization measure would protect existing or proposed structures, and the locations on the property where structures could be built and not require bank stabilization.
d) If any natural hazards, erosion, or interruption of geohydraulic processes may arise from the proposed stabilization, including at sites on other properties or foreshore locations.
e) Potential impacts to the natural shoreline processes resulting from the proposed stabilization.

f) Whether there will be any degradation of water quality or loss of fish or wildlife habitat because of the stabilization.
g) Recommendations for conditions that should be incorporated into the development permit in order to achieve the objectives of this Development Permit Area.

Guideline 8 The Local Trust Committee may consider variances to siting or size regulations where the variance could result in enhanced protection of the eroding sandbanks.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 4

Part 7 (Development Permit Areas) of Schedule B (Goals, Objectives and Policies) of North Pender Associated Islands Official Community Plan No. 147, 2002 is amended as follows:

1. The following is inserted as a new Section 703:

"**703 Sidney Island Shoreline**

(1) Designation

This development permit are (DPA) includes all non-crown land on Plan VIS5122 (Sidney Island) within 15 metres upland of the natural boundary of the sea. Buildings or structures and land alteration within 15 metres of the natural boundary of the sea, as determined by a professional surveyor, must be approved by development permit, with the exception of that work specifically exempted in subsection (7) of this section.

(2) Authority

The development permit area is established pursuant to Section 919.1(1)(a) of the *Local Government Act,* specifically for the protection of the natural environment, its ecosystems and biological diversity.

(3) Application Requirements

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.

(4) Justification

It is the Object of the Islands Trust to "preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."

It is policy of the Islands Trust Council that local trust committees and island municipalities shall, in their official community plans and regulatory bylaws address:

- the identification and protection of environmentally sensitive areas and significant natural sites, features and landforms in their planning areas,
- the protection of sensitive coastal areas, and
- the planning for and regulation of development in coastal regions to protect natural coastal processes.

Furthermore, Section 877(1)(d) of the provincial *Local Government Act* requires that an Official Community Plan include restrictions on the use of land that is subject to hazardous conditions or is environmentally sensitive to development.

This development permit area covers all land 15 metres upland from the natural boundary of the sea on Sidney Island (Plan VIS5122) to capture the coastal ecosystem, and the natural form and function of the shoreline processes.

Generally, the southern portion of Sidney Island is comprised of bedrock or sandstone with relatively shallow overburden. This area is more resistant to erosion and is exposed to the prevailing winds and currents. The northern portion of the island is comprised of finer sedimentary materials with overlying deposits of glacial till creating the sand bank shorelines that are highly vulnerable to erosion. On-going erosion of the sandbanks provides the source materials that get transported northward by longshore drift, and eventually they are deposited as sandy sediments creating Sidney Spit on the north end of the island.

Shorelines are complex, dynamic features responding to external forces such as wind, waves, tides, and increasingly, impacts of climate change. The physical nature of the shoreline with variations in slopes, substrates, exposure, salinity and tide elevations influence the biological communities that can exist there and creates different types of shore types. Each shore type has a different ability to accommodate disturbance with some being stable and robust while others are fragile and highly sensitive.

This development permit area is important for protection the coastal shoreline, a significant natural feature of Sidney Island that has remained relatively free of development.

(5) Objectives

The objectives of this development permit area are as follows:

Objective 1 To preserve and protect the physical form and ecological function of the coastal ecosystems from the impacts of development;

Objective 2 To minimise adverse impacts of land development practices on aquatic habitats; and

Objective 3 To recognize and maintain the values of the natural shoreline of Sidney Island.

(6) Applicability

The following activities shall require a development permit wherever they occur within the DPA unless specifically exempted below:

a) Subdivision of land.
b) Construction of, addition to or alteration of a building or other structure.
c) Alteration of land.

Information Note: Any proposed building or structure within 15m of the natural boundary of the sea will also require a variance to the required setbacks prior to issuance of a development permit. For this purposes, structures includes septic disposal systems, concrete or asphalt paving or similar surfacing, and retaining structures.

(7) Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

a) For certainty, development or alteration of land occurring outside of the development permit area.

b) The placement of impermanent structures such as, benches, tables and garden ornaments.

c) Forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act.*

d) Works undertaken by an agent of the Crown.

e) The maintenance of existing gardens or landscaped areas provided the general contours of the land are not altered.

f) The removal of dangerous tree posing an immediate threat to life or property provided that stumps and root systems are not removed and the large woody debris remains on site.

g) Habitat enhancement work including the planting of native trees or vegetation.

h) Selective limb removal or trimming of trees or vegetation, not including topping of trees.

i) The repair, maintenance, alteration or reconstruction of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of undisturbed land or vegetation

j) The repair and maintenance of existing roads, driveways, paths or trails, provided there is no expansion of the width or length and no additional impervious surfacing, including paving, asphalting or similar surfacing.

k) The installation of one trail per lot for pedestrian access only to the shoreline provided the trail does not exceed 1m in width and the trail surface remains permeable.

l) Construction of a fence provided no trees are removed and the disturbance to native vegetation is limited to 0.5 metres on either side of the fence.

(8) Guidelines

The intent of this development permit area is to ensure that development in the form of new buildings or structures, and land alterations, including vegetation and tree removal, meet the objectives described above. Work not requiring a permit is detailed in subsection (7) Development Permit Exemptions. In considering the issuance of a development permit, the following guidelines should be met where applicable.

Guideline 1 Land alteration or other development of the shoreline area should be limited and minimize the negative impacts on ecological function.

Guideline 2 Land alteration or other development should not detract from the shoreline qualities that are derived from natural features, such as shore types, natural vegetation, scenic vistas, and a wilderness-like shore.

Guideline 3 Any area proposed to be cleared and disturbed should be minimized and landowners are encouraged to retain existing trees and vegetation.

Guideline 4 New developments involving structures should be sited sufficiently inland from the crest of slope to ensure that stabilization measures will not become necessary during the life of the structure and the development would not be impacted from hazardous conditions.

Guideline 5 Land alteration or other development should not occur in areas containing sensitive ecosystems or be sited or designed in any manner that may impact sensitive ecosystems in the vicinity. A report from a qualified professional should confirm that the area proposed for development does not contain a sensitive ecosystem. If a sensitive ecosystem is in the vicinity of the area proposed for development, the report should include recommendations for protecting these areas that can be included as conditions of the permit.

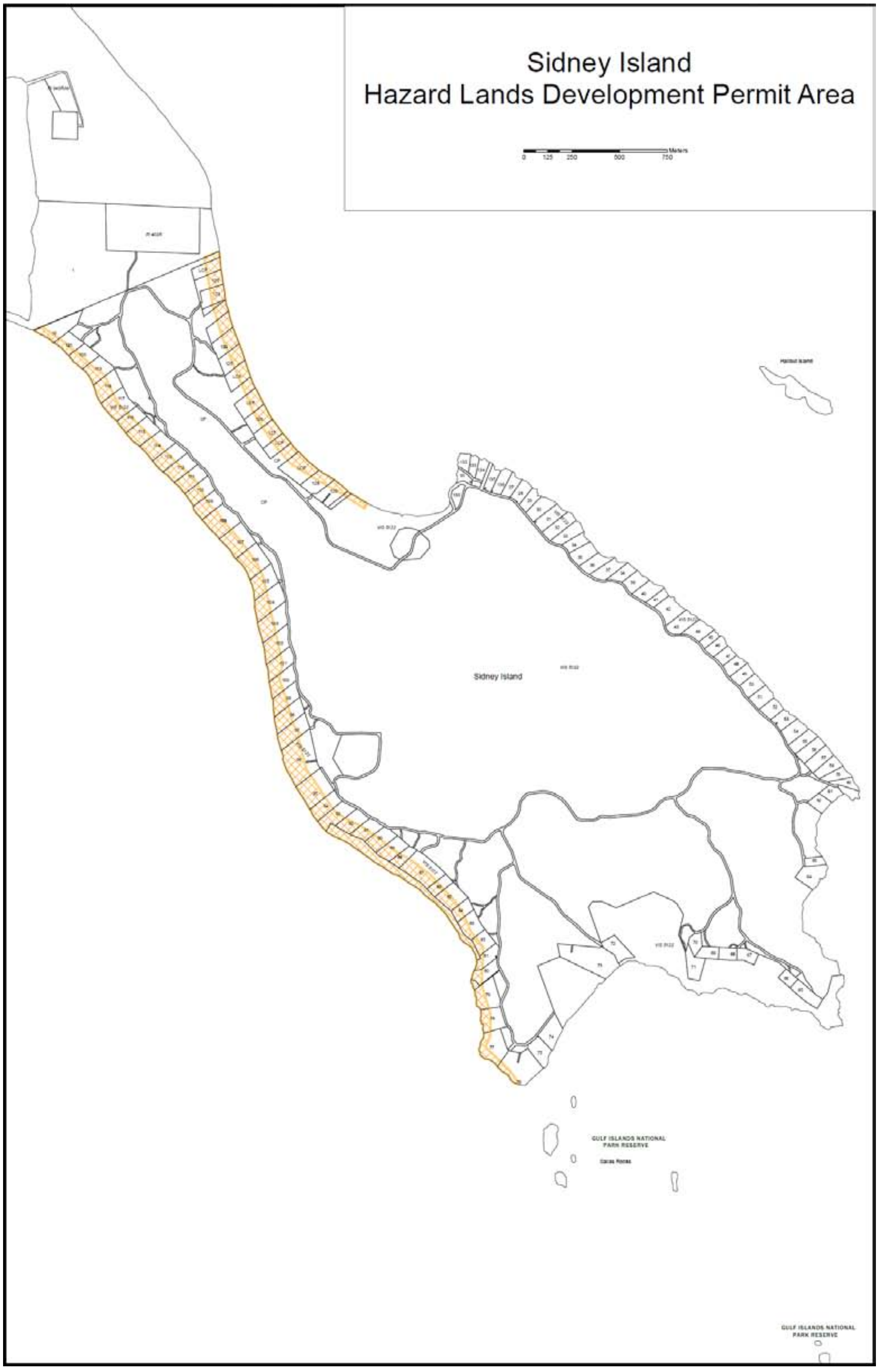
Guideline 6 Any proposed structures required to access the shoreline should be located on common property or provide shared access by legal agreement as part of a comprehensive, community trail network.

Guideline 7 Land alteration or other development involving the disturbance of the soil must be conducted in such a manner as to limit direct run-off into the sea and prevent the release of sediment towards the shore.

Guideline 8 The Local Trust Committee may consider variances to siting or size regulations where the variance could result in enhanced protection of the shoreline

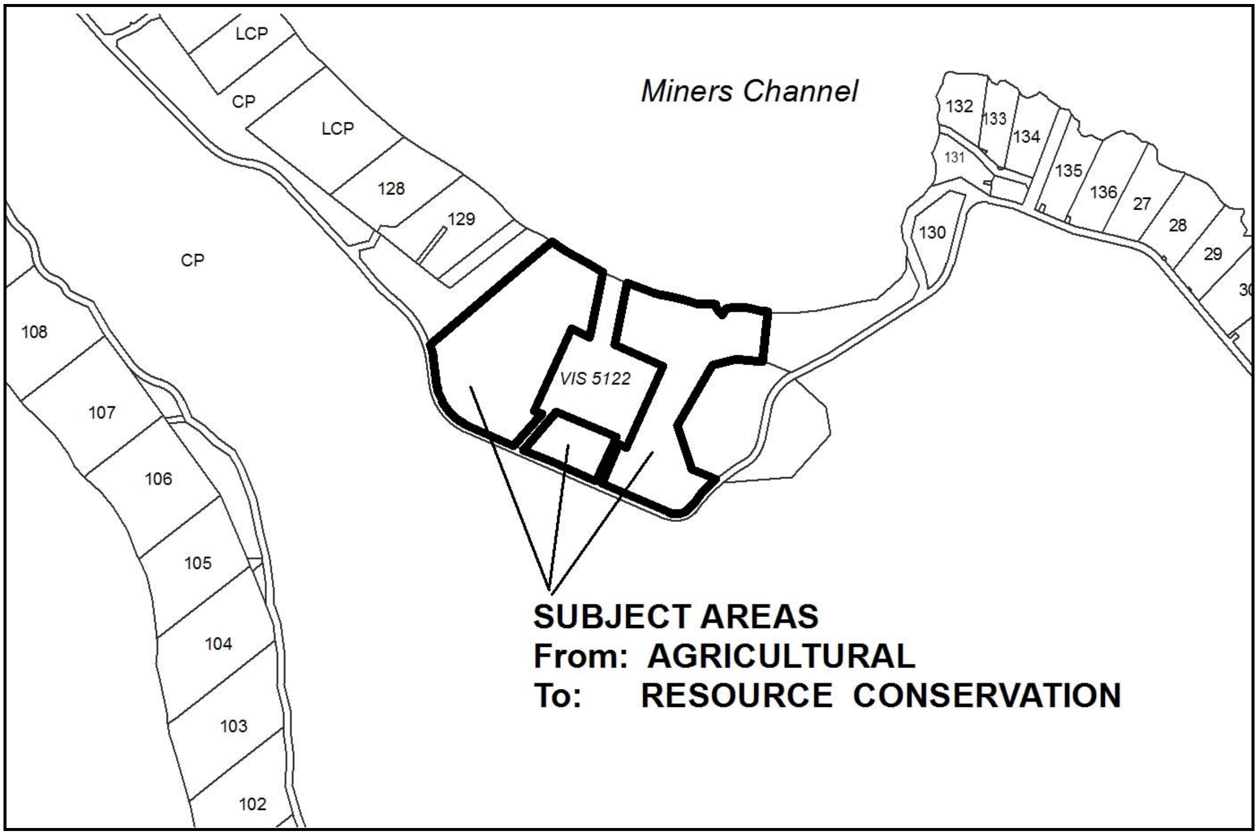
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 5

North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002 is amended by inserting as “Schedule E – Sidney Island Hazard Lands Development Permit Area” the following:



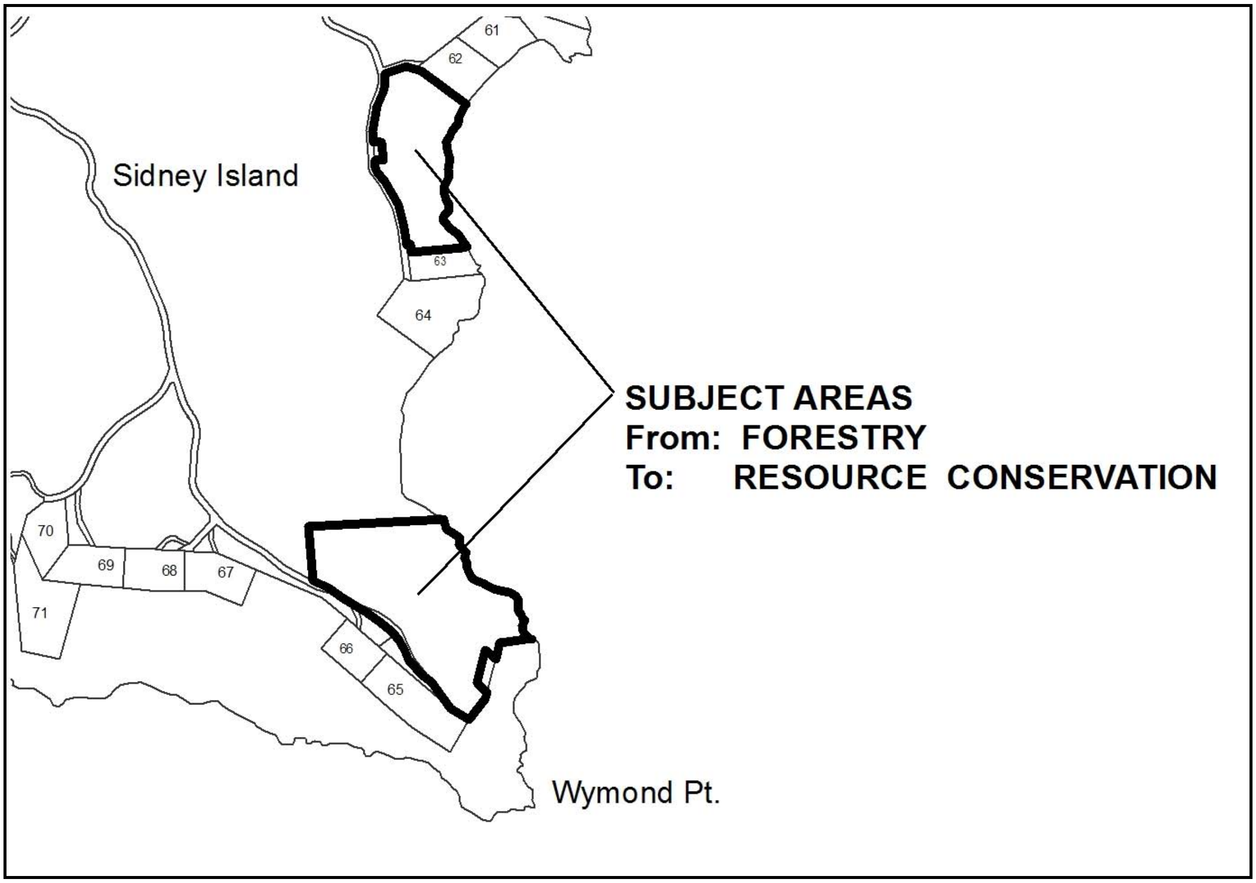
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 6

North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002, Schedule D-Land Use Policy Map is amended as follows:



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 7

North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002, Schedule D-Land Use Policy Map is amended as follows:



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 189
SCHEDULE 8

North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002, Schedule D- Land Use Policy Map is amended as follows:

Pending heritage orchard area map

Preserving Island communities, culture and environment

Our Provincial Mandate

"to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia"

– Islands Trust Act

Islands Trust Council - Strategic Plan 2008-2011

Adopted: September, 2009 -– Updated: November 22, 2011

The Trust Area

The Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island, including Howe Sound and as far north as Comox. This is a unique and special place composed of 13 major islands and more than 450 smaller islands covering approximately 5200 square kilometres.

The beauty, tranquility, and unique natural environment of the islands in the Strait of Georgia and Howe Sound have given the area national recognition.

The islands support strong communities characterized by a mix of lifestyles, livelihoods and individuals. Island residents bring unique skills, viewpoints and sense of place together to sustain a tradition of community involvement.

Our Council

The Islands Trust Council is made up of the 26 locally-elected officials of the Trust Area who are responsible for land use decisions in their island communities. Our Council has a unique mandate from the province to protect the unique environment and amenities of the islands. It meets quarterly to make decisions about overall policy, staff resources and budget. Our current Council was elected for a 3-year term during BC Local General Elections in November 2008. The current term will end in December 2011.

A Strategic Plan for our 2008-2011 term

Since December 2008, we have worked hard to identify the most important goals for the current term. By identifying these goals and developing a strategic plan to achieve them, we can focus finite resources and measure progress. Through adoption of a Strategic Plan, we have confirmed the following focus areas for our 2008-2011 term:

Goal 1 Ecosystem Preservation and Protection

We can create a legacy for the future by preserving and protecting the most significant parts of our natural environment:

- We will identify and protect our most significant riparian areas.
- We will improve the identification and protection of island biodiversity, as well as our most sensitive environments, and significant natural areas.
- We will work to reduce greenhouse gas emissions, both by managing our internal operations and by fostering energy-efficient communities in our land use decisions.

Goal 2 Stewardship of Island Resources

We will work to steward island resources, and to ensure that the scale, rate and type of development is compatible with the maintenance of island ecosystems.

- o We will use land use planning tools to address the sustainability and quality of freshwater resources.
- o We will support initiatives to achieve reliable, adequate and sustainable funding for the Trust Fund Board, our conservation land trust.
- o We will take steps to advance good management of coastal areas, by encouraging landowner stewardship and by considering new planning tools.

Goal 3: Sustain Island Character and Healthy Communities

We recognize that the health of our communities is improved if our islands are safe and secure, if there is strong public involvement in decision-making, and if we accommodate people of differing age groups and income levels.

- o We will work to support and restore socio-economic diversity with strategies for affordable, accessible and appropriate community housing.
- o We will work to understand and minimize the negative effects that climate change could have on island communities.
- o We will cultivate community engagement and participation in land use planning.

Goal 4 Organizational Effectiveness

Our island communities need effective and efficient government services:

- We will continue our work to provide services on an increasingly cost-effective basis.
- We will encourage recognition and support of the Islands Trust object by our communities and by other agencies and levels of government.

(*Italics indicate significant changes since last Trust Council meeting*; shaded text represents actions in past and future years)

*** See last page for key to abbreviations used in this document**

Goal 1: Ecosystem Preservation and Protection…

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS Italics indicate status changes since last TC meeting
1.1 To identify and protect riparian areas	1.1.1 Implement Riparian Area Regulations throughout the Trust Area	**FY 2009/10** 1.1.1.1 Review watershed mapping by UBC	LPC	Funded by 09/10 program budget	By whether watershed mapping contract is complete.	Complete.
		FY 2010/11 & 2011/12 1.1.1.2 Obtain MOE designation of RAR watersheds	LPC	Funded by base budget	By whether MOE designation of RAR watersheds is complete	Complete for 11 LTAs. Gambier LTA in progress.
		FY 2010/11 1.1.1.3 Establish application processing procedures compliant with RAR	LPC	Funded by base budget	By whether all applications are processed compliant with RAR	Complete.
		FY 2010/11 & 2011/12 1.1.1.4 Develop bylaws re RAR requirements, subject to MOE's RAR designation	LTCs***/BIM*	Funded by program budget	By whether all islands are RAR compliant through bylaw development	*19 of 43 bylaws are compliant. 8 bylaw amendments in process.*
		FY 2010/11 & 2011/12 1.1.1.5 Develop communications materials about RAR for use in LTC meetings	LPC	Funded by program budget	By whether staff have developed RAR communications materials	QEP presentation made to Trust Council in Sept 2010. SSI, NP presentation materials developed. General communications materials in development.
		FY 2010/11 & 2011/12 1.1.1.6 Utilize RAR communication materials in LTC meetings	LTCs***	Funded by program budget	By whether LTCs have utilized RAR communications materials	Materials used on SSI and NP.
	1.1.2 Integrate riparian area protection into Regional Conservation Plan	**FY 2009/10 & 2010/11** 1.1.2.1 Within the Regional Conservation Plan, set targets and develop implementation plan for riparian area protection where mapping is completed.	TFB**	Funded by base budget	By whether the 2011-2015 Regional Conservation Plan and implementation plan is complete	Complete.
		FY 2011/12 1.1.2.2 Implement riparian area protection strategy	TFB**	Subject to funding	To be determined (by objectives set in RCP)	Not started.
		1.1.2.3 Mapping of non-RAR watercourses and riparian areas	TFB**	Subject to funding	By whether mapping of non-RAR watercourses and riparian areas is complete	Not started.
	1.2.1 Continue improvements to mapping data (i.e. ecosystem maps)	**FY 2009/10** 1.2.1.1 Complete DEM acquisition & implementation programs for Trust Area	LPC	Funded by 09/10 program budget	By whether DEM program is complete	Complete.
		FY 2010/11 & 2011/12 1.2.1.2 Complete SEM acquisition and implementation programs for Trust Area	LPC	Funded by program budget	By whether SEM program is complete	*Complete.*

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS Italics indicate status changes since last TC meeting
1.2 To improve the identification and protection of biodiversity, environmentally sensitive areas and significant natural sites, features and landforms		**FY 2009/10** 1.2.1.3 Finalize TEM mapping for Howe Sound	TFB**	Funded by 09/10 program budget	By whether mapping is finalized	Complete.
	1.2.2 Develop 2011-2015 Regional Conservation Plan (RCP)	**FY 2009/10 & 2010/11** 1.2.2.1 Complete first draft of RCP	TFB**	Funded by 09/10 program budget	By whether first draft is complete	Complete.
		FY 2010/11 1.2.2.2 Community consultation re RCP	TFB**	Funded by base budget	By whether consultation has been completed	Complete.
		1.2.2.3 Finalize RCP	TFB**	Funded by base budget	By whether plan is finalized	Complete.
		FY 2011/12 1.2.2.4 Implement RCP	TFB** LTCs***	May be subject to funding	By whether plan has been implemented	Council planning session complete. *Implementation on-going*
	1.2.3 Protect sensitive and significant land through land use planning decisions	**2008-2011 term** 1.2.3.1 Optimize opportunities to protect land	LTCs***/BIM*	Funded by base budget	By the hectares of land that have been protected	Awaiting opportunities and LTC decisions. (e.g. Denman protected area – 790 ha, SSI community farmland – 24 ha). LTCs *have developed* relevant OCP policies on several islands.
	1.2.4 Monitor and enforce LTC conservation covenants	**FY 2009/10 & 2010/11** 1.2.4.1 Establish management plan for LTC conservation covenants	LPC	Funded by base budget	By whether a management plan has been finalized	Covenant inventory complete. Covenant monitoring report to Trust Council in Mar/11.
		FY 2011/12 1.2.4.2 Implement management/monitoring program for LTC conservation covenants	LTCs	Funded by base budget	By whether the management plan has been funded and implemented	Report to TC circulated to LTCs re management/monitoring of future covenants.
	1.2.5 Improve protection & planning for 'executive' islands	**FY 2009/10** 1.2.5.1 Develop work program for 'Executive' Islands	EC LPS	Funded by base budget	By whether a work program for Executive Islands protection has been approved.	Complete.
		FY 2010/11 & 2011/12 1.2.5.2 Develop new bylaws for 'Executive' islands	EC LPS	Funded by 11/12 program budget	By whether new bylaws have been developed.	OCP and LUB drafts under review.
	1.2.6 Finalize Crown land profiles (including ID of environmentally sensitive areas, etc.)	**FY 2009/10 & 2010/11** 1.2.6.1 Finalize Bowen and Gambier profiles	TPC	Funded by program budget	By whether Bowen and Gambier Crown land profiles are complete	Bowen – pending Parks Canada proposal. Gambier – scope under review.

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS Italics indicate status changes since last TC meeting
	1.2.7 Expand NAPTEP program to entire Islands Trust Area	FY 2009/10 1.2.7.1 Approach Comox Valley RD	TPC		Funded by base budget	By whether Comox Valley RD has been formally contacted to discuss NAPTEP	Complete.
		FY 2010/11 1.2.7.2 Roll out to Comox Valley RD	TFB**		Funded by 10/11 program budget	By whether NAPTEP program is in place in Comox Valley RD.	Complete.
		FY 2010/11 1.2.7.3 Approach Powell River RD	TPC		Funded by base budget	By whether Powell River RD has been formally contacted to discuss NAPTEP	Complete.
	1.2.8 Seek legislative change to NAPTEP to expand to island municipalities	FY 2009/10 & 2010/11 1.2.8.1 Monitor/advocate with MCRD re legislative changes for 2010	EC		Funded by base budget	By whether legislative changes have been made.	Complete.
		FY 2011/2012 1.2.8.2 Roll out on Bowen (develop tax impact models, agreements & revised promotional materials)	TAS	TFB**	Funded by 11/12 program budget	By whether NAPTEP is in place in Bowen Island Municipality	Bowen tax implications identified. Meeting with BIM Council to be scheduled.
	1.2.9 Acquire land for conservation	FY 2009/10 & 2010/11 1.2.9.1 Complete Fairy Fen Crown land Acquisition (Bowen)	TAS	TFB**	Funded by base budget	By whether Fairy Fen Crown land has been acquired.	Complete.
		FY 2010/11 & 2011/12 1.2.9.2 Initiate action on Lasqueti Crown land acquisition	TFB**		Funded by donors	By whether funding is in place for acquisition.	Complete.
		1.2.9.3 Initiate FN consultation re Lasqueti Crown land acquisition (if acquisition funding in place).	TAS	TFB**	Funded by base budget	By whether consultation is complete	Referrals to First Nations underway.
	1.2.10 Develop and implement plans to ensure safety and ecological integrity of protected areas	FY 2009/10 1.2.10.1 Hire property manager	TFB**		Funded by base budget	By whether property manager has been hired	Complete.
		FY 2010/11 & 2011/12 1.2.10.2 Implement high priority management recommendations from Risk Management Assessment	TFB**		Funded by base budget	By the number of high priority risk management tasks completed	Complete.
		FY 2010/11 & 2011/12 1.2.10.3 Implement medium and low priority management recommendations from Risk Management Assessment	TFB**		Funded by base budget and donors	By the number of medium and low priority risk management tasks completed	All medium priority tasks complete.
	1.3.1 Make Islands Trust organizational operations carbon neutral by 2012	FY 2009/10 1.3.1.1 Collect data regarding organizational GHG emissions	TAS		Funded by 09/10 program budget	By whether data have been collected	Complete.
		FY 2009/10 1.3.1.2 Develop strategy to reduce GHG or purchase offsets.	TAS		Funded by 09/10 program budget	By whether a strategy has been developed	Complete.

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS Italics indicate status changes since last TC meeting
1.3 To reduce greenhouse gas emissions		**FY 2009/10 to 2011/12** 1.3.1.3 Implement the staff education program and GHG reduction strategies and actions related to transportation, building energy use, and paper consumption set out in our 2008 Corporate Climate Action Plan	ADMIN	Funded by base budget	By whether the 2008 Corporate Climate Action Plan has been implemented.	In progress.
		FY 2011/12 1.3.1.4 Develop policy regarding carbon neutrality and purchase of carbon offsets	TAS FPC	Funded by 11/12 budget	By whether a policy regarding carbon neutrality and carbon offset purchase is complete	Initial research and training begun. Council workshops held June 2011. *RFD re draft policy to Dec TC*
		FY 2012/13 1.3.1.5 Purchase carbon offsets for remaining corporate emissions	ADMIN	Subject to funding (12/13 budget)	By whether IT operations are carbon neutral.	Not started. Pending policy development.
		FY 2012/13 1.3.1.6 Initiate on-going corporate emissions reporting	ADMIN	Subject to funding (future budgets)	By whether we have a program for on-going reporting of corporate emissions.	Initial planning started.
	1.3.2 Provide information on community GHG emissions for each island	**FY 2010/11 & 2011/12** 1.3.2.1 Finalize community GHG emissions inventories	TPC LPC	GB LTA funded by 11/12 budget	By whether GHG emissions inventories have been prepared for each LTA/IM.	Complete except for Gabriola Assoc. islands.
		1.3.2.2 Review inventories at Trust Council workshop	TPC LPC	Funded by 09/10 program budget	By whether Council has reviewed GHG emission inventories.	Complete.
		FY 2010/11 1.3.2.3 Establish and fund a strategy for ongoing reporting of community GHG emissions	TPC	May be subject to funding	By whether we have developed and funded an on-going strategy to report community GHG emissions.	Complete. (Province will provide 2007 baseline + 2010 and every 2 years thereafter).
		FY 2012/13 1.3.2.4 Evaluate and respond to 2012 provincial reports regarding GHG emissions	LPC	Subject to funding (12/13 budget)	By whether community GHG emissions reductions are reducing	Not started.
	1.3.3 Recommend emission reduction targets and provide model policies and actions for consideration in island OCP amendments	**FY 2009/10** 1.3.3.1 Hold Council workshop on GHG emission reduction, with advice about targets and a 'menu' of model policies and actions for inclusion in OCPs	TPC	Funded by 09/10 program budget	By whether we have held a Trust Council workshop and provided recommended targets, model policies and actions by Sept 09.	Complete.
		FY 2009/10 1.3.3.2 Develop communications tools to assist LTCs in including GHG emission reduction targets, policies and actions in OCPs.	TPC	Funded by 09/10 program budget	By whether communications tools have been distributed to LTCs.	Complete.

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS Italics indicate status changes since last TC meeting
	1.3.4 Amend OCPs to include emission reduction targets, policies and actions (TPAs)	FY 2009/10 1.3.4.1 LPS staff to attend ministry workshops for planners re TPAs	LPS		Funded by base budget	By whether relevant staff have attended workshops	Complete.
		1.3.4.2 Develop a Trust-wide work program to include targets, policies and actions for GHG emission reduction in all island OCPs by legislated deadline (May 31/10)	LPC		Funded by base budget	By whether LTCs and BIM have focused work programs to include targets, policies and actions for GHG emission reduction in their OCPs.	Complete.
		FY 2010/11 & 2011/12 1.3.4.3 Establish targets, policies, and actions in OCPs by legislated deadline (May 31/10)	LTCs***/BIM*		Completion funded by base budget	By whether all OCPs have been amended to include GHG emission reduction targets, policies and actions by May 31/10	Targets, policies and action included in eighteen OCPs submitted for ministerial approval. One not started (Piers).
	1.3.5 Foster energy-efficient communities through land use planning decisions	FY 2009/10 1.3.5.1 Develop relevant information on a Trust-wide basis that will serve all LTCs	LPC		Funded by program budget (09/10 budget)	By whether we have developed tools to assist LTCs/IMs in reducing GHG emissions through land use decisions	Complete.
		FY 2010/11 1.3.5.2 Consider the inclusion of the information provided by the LPC into appropriate bylaws and processes	LTCs***/BIM*		Funded by 10/11 program budget	By whether GHG emission reduction is achieved in LTC land use decisions	All future OCP reviews must address GHG emissions reduction.
	1.3.6 Foster energy efficient communities through public education	FY 2009/10 1.3.6.1 Place relevant links on IT website	TAS		Funded by base budget	By whether relevant links are on IT website	Webpage complete Addition of new links on-going.
		FY 2010/11 1.3.6.2 Develop new public education tools in addition to website.	LTCs***		Funded by program budget	By whether new public education tools have been funded and developed	GHG Communications Plan being implemented regionally. Staff training re GHG emission reduction scenarios complete.
		FY 2011/12 1.3.6.3 Continue development of new public education tools	TPC	LTCs***	Subject to grant funding	By whether new public education tools have been funded and developed	Complete. Salt Spring Climate Action Plan to June TC. Southern Islands – development guides. Northern Islands – public education events and materials.

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

Goal 2: Stewardship of Island Resources...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
2.1 To increase the sustainability and quality of freshwater resources	2.1.1 Include new policies and regulations as OCPs and LUBs are amended	**FY 2009/10** 2.1.1.1 Provide trustees and planning staff with Groundwater Bylaws Toolkit	TAS	Funded by base budget	By whether Groundwater Bylaws Toolkit has been circulated.	Complete.
		FY 2009/10 2.1.1.2 OCP/LUB reviews underway on selected islands	LTCs***	Funded by 09/10 program budget	By the number of LTCs/IM with new policies and regulations for protection of freshwater resources	Reviews continuing in 10/11.
		FY 2010/11 & 2011/12 2.1.1.3 OCP/LUB reviews underway on selected islands	LTCs***	Funded by program budget		*Seven OCPs complete or near completion this term with modified policies for freshwater protection.*
		FY 2010/11 & 2011/12 2.1.1.4 Advocate for provincial regulation of island groundwater	TAS	Funded by base budget	By whether submissions to the provincial review have been made	First and second submissions complete.
2.2 To establish reliable, adequate and sustainable funding for TFB to meet Regional Conservation Plan goals and stewardship requirements for protected lands	2.2.1 Identify and implement strategies for long-term funding	**FY 2009/10 & 2010/11** 2.2.1.1 Analyze options and develop a long term funding strategy	TFB**	Funded by 09/10 program budget	By whether a strategy has been adopted	Compete.
		2.2.1.2 Prepare implementation plan including the development of a business case in support of the long-term funding strategy	TFB**	Funded by 10/11 program budget	By whether the implementation plan and business case have been developed	Received advice from Province to focus on specific properties and on building public profile.
		FY 2010/11 and beyond 2.2.1.3 Execute the implementation plan. Evaluate and adjust plan as required – Develop strategy for name change	TFB**	Funded by base budget	In early stages: by whether initial reaction to the long-term funding strategy is positive. Later on: by whether we have secured source(s) of long-term funding.	Trust Council endorsed long term funding strategy, including name change. Long term funding strategy's current focus is rebranding to Islands Trust Conservancy.
		FY 2011/12 2.2.1.4 Seek legislative change re new name	TFB**	Funded by base budget	By whether legislation has been changed	Legislative change request made, but likely to be delayed. TFB exploring ways to use Islands Trust Conservancy name until legislative change occurs.
		FY 2012/13 2.2.1.5 Implement name change strategy IF any required legislative change is in place	TFB	Subject to funding	By whether a name change strategy has been implemented	Not started.
2.3 To advance the stewardship of coastal areas and marine shore lands	2.3.1 Provide stewardship information about waterfront lands to community members	**FY 2009/10** 2.3.1.1 Host a landowner workshop on one island	TFB**	Funded by base budget	By whether one workshop has been hosted	Complete (workshop on Pender held).
		FY 2009/10 & 2010/11 2.3.1.2 Update website links regarding existing shoreline stewardship information	TPC	Funded by base budget	By whether website links have been updated	Content being developed in cooperation with TFB and LPS.

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
*** Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
		FY 2011/12 2.3.1.3 Circulate stewardship information to shoreline property owners	LPC		Subject to budget or grants	By whether stewardship information has been circulated	See item 2.3.2.4.
	2.3.2 Develop and implement new land use planning tools for shoreline and marine protection	**FY 2009/10** 2.3.2.1 Develop integrated shoreline and watershed protection mapping for one island to assist OCP process (joint UBC/IT project)	LPC		Funded by 09/10 program budget	By whether mapping is complete	Complete.
		FY 2009/10 to 2011/12 2.3.2.2 Thetis Island LTC – consider the use of integrated shoreline & watershed protection into OCP review process	LTC***		Funded by program budget	By whether OCP has been amended to include new forms of protection	Background shoreline research complete. Map incorporated as information schedule in OCP.
		FY 2010/11 2.3.2.3 Provide recommendations to the Trust Council regarding a Trust –wide adoption of an integrated shoreline & watershed protection approach for OCP processes	LPC		Funded by base budget	By whether recommendations have been provided to TC.	Complete.
		FY 2011/12 2.3.2.4 Initiate Green Shores for Homes project: Extend integrated shoreline & watershed protection approach to Islands Trust Area	EC	LTC***/BIM*	External and internal funding in place	By whether integrated shoreline and watershed protection mapping is complete	Integrated shoreline maps completed. *Community consultation anticipated in spring 2012.* Greenshores for Homes steering committee established. Technical committee and technical advisory committee established. *Draft rating system expected by summer 2012.*

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

Goal 3: Sustain Island Character and Healthy Communities…

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
3.1 To support socio-economic diversity of island communities	3.1.1 Support/restore socio-economic diversity through land use planning strategies about affordable/accessible/appropriate housing	**FY 2009/10** 3.1.1.1 Provide recommendations and guidance for LTCs with respect to relevant options for land use planning decisions to advance affordable housing	LPC	Funded by 09/10 program budget	By whether recommendations/guidance has been provided.	Complete.
		FY 2010/11 & 2011/12 3.1.1.2 Consider implementing land use planning decisions to advance affordable housing	LTCs***	Funded by program budget	By the number of LTCs have implemented land use planning decisions regarding affordable housing.	Being taken into consideration in current OCP reviews. SSI affordable housing strategy adopted. SSI Housing Council established. SSI review of secondary suites in progress. Gabriola OCP amendments to encourage affordable housing. Educational materials prepared by LPC.
		FY 2011/12 3.1.1.3 Measure and report on island housing affordability	TAS LPS	TBD	TBD	Completed for SSI&GB. May be included in indicators program.
	3.1.2 Support local food security	**FY 2009/10** 3.1.2.1 Support public education by creating IT resource webpage (e.g. with SSI area farm plan) and encouraging community gardens	TAS LPS	Funded by base budget	By whether IT resource webpage with food security links have been created	Complete.
		FY 2009/10 3.1.2.2 Provide trustees with current BC documents about local government's role in food security	TAS	Funded by base budget	By whether relevant documents have been provided to trustees	Complete.
		FY 2010/11 to 2012/13 3.1.2.3 Complete a second area farm plan (Denman)	LTC***	Phase 1 funded by 10/11 programs budget. Phase 2 funded by 11/12 program budget	By whether a second area farm plan is complete	Phase 1 (Denman Agricultural Strategy) complete. Phase 2 (Denman Agricultural Plan): external funding received, on track for completion by end of 2012.
		FY 2010/2011 3.1.2.5 Trust Council workshop about local government role in food security	TPC LPC	Funded by base budget	By whether a workshop has been held	Complete. Council endorsed recommendations Dec/10.

*   Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
		<u>FY 2011/12</u> 3.1.2.6 Amend internal protocols to address food security	EC	Funded by base budget	By how many protocols have been amended to address food security	Not started.
	3.1.3 Include new policies and regulations about food security in OCPs and LUBs as they are reviewed	**<u>FY 2009/10 to 2011/12</u>** 3.1.3.1 Address in OCP reviews underway on selected islands	LTC***	Funded by program budget	By the number of LTCs/IMs with new policies and regulations related to food security	Food security toolkit complete. LTC's considering policy and regulatory amendments in OCP/LUB reviews. Several LTCs have amended bylaws to address food security matters.
3.2 To minimize the impact of climate change upon islands and communities	3.2.1 Research and communicate about expected climate change impacts	**<u>FY 2009/10</u>** 3.2.1.1 Apply for funding	TPC	N/A	By whether funding has been obtained.	No funding sources identified.
		<u>FY 2011/12</u> 3.2.1.2 Conduct Trust Area vulnerability assessment and risk assessment (part of adaptation planning framework) and communicate results	TPC	Funded by base budget	By whether assessments have been completed	Not started. Provincial studies may be sufficient. Some staff training underway.
	3.2.2 Develop climate change adaptation plan	**<u>FY 2011/12</u>** 3.2.2.1 Initiate implementation of existing adaptation planning framework, including establishment of Adaptation Planning Working Group	TPC / LPC	Subject to funding (grant or partnership with others)	TBD	Not started. May be delayed.
		<u>FY 2012/13</u> 3.2.2.2 Continue implementation of adaptation planning framework.	TPC / LPC	Subject to funding	TBD	Not started. May be delayed.
	3.2.3 Integrate climate change adaptation into land use planning and regulatory decisions	**<u>FY 2012/13</u>** 3.2.3.1 Continue implementation of adaptation planning framework	LTCs***/BIM*	Subject to funding	TBD	Not started. May be delayed.
3.3 To cultivate community engagement and participation in land use planning	3.3.1 Develop new tools and strategies to encourage community engagement in land use planning processes	**<u>FY 2009/10</u>** 3.3.1.1 Develop new tools and strategies to encourage community engagement in land use planning processes	LPC	Funded by base budget	By whether information about new tools and strategies has been circulated to trustees and staff.	'World Café demo held during June TC. Staff training planned. Info circulated as part of Climate Wise Islands materials and regarding sensitive ecosystems. Sensitive ecosystems webpage developed.

*   Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
		FY 2010/11 & 2011/12 3.3.1.2 Consider new tools and strategies to encourage community engagement in land use planning processes	LTCs***	Funded by base budget	TBD	Developing public portal for IT mapping data. Affordable housing webpage planned. Food security toolkit complete. SSI – new community engagement strategies in use. LPS staff training *held* Sept 2011.
	3.3.2 Enable greater diversity of trustee candidates	**FY 2009/10** 3.3.2.1 Develop process and budget for review of trustee remuneration	FPC	Funded by base budget	By whether a process has been designed and a budget approved	Complete.
		FY 2010/11 3.3.2.2 Complete review of trustee remuneration	FPC	Funded by 10/11 programs budget	By whether a review is complete	Complete.
		FY 2010/11 3.3.2.3 Develop policy regarding trustee remuneration	FPC	Funded by base budget	By whether trustee remuneration policy has been developed	Complete.
		FY 2011/12 3.3.2.4 Amend Trustee Remuneration bylaw in accordance with policy	FPC	Funded by 11/12 base budget	By whether a trustee remuneration bylaw has been adopted in accordance with policy	Complete.
3.4 To foster good relations with First Nations	3.4.1 Develop a strategic approach to First Nations relations	**FY 2011/12** 3.4.1.1 Develop a First Nations Relationship Strategy and Policy– identify overlapping interests, treaty process schedules, priorities and resource requirements for protocol agreements, referral practices, etc.	EC	Funded by 11/12 program budget	By whether a strategy has been completed	Initial discussions begun. *Delayed by other priorities.*
		FY 2012/13 3.4.1.2 Acquire or identify sufficient staff capacity to implement First Nations Relationship Strategy and Policy	EC	Subject to budget (12-13 budget)	By whether sufficient staff capacity(or work program adjustment/training) has been identified and/or acquired to implement strategy	Not started.

*   Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

Goal 4: Organizational Effectiveness…

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?*	IS FUNDING IN PLACE OR REQUIRED?	HOW WOULD WE MEASURE SUCCESS?	STATUS
4.1 To provide services on an increasingly effective basis	4.1.1. Develop cost effective bylaw enforcement tools	**FY 2009/10 & 2010/11** 4.1.1.1 Establish a Bylaw Dispute Adjudication System for the Islands Trust	LPC	Funded by base budget	By whether a Bylaw Dispute Adjudication System is established.	Complete.
		FY 2009/10 to 2011/12 4.1.1.2 Consider bylaw amendments to allow Bylaw Dispute Adjudication System	LTCs***	Funded by base budget	By the number of islands where a Bylaw Dispute Adjudication System is in place	*Two bylaws adopted, two have EC approval ready for adoption, six planned for spring 2012.* . Public information pamphlet *complete*.
	4.1.2 Organizational review and improvements to corporate secretary/legislative services functions	**FY 2009/2010** 4.1.2.1 Review responsibilities and capacity in existing positions re: corporate services and consider establishment of corporate secretary/ legislative services (records management, FOIPP, administrative procedural certainty and consistency, policies, legislation, inter-agency agreements and elections)	EC / MGMT	Funded by base budget	By whether the review is complete and presented to EC	Complete
		FY 2010/11 4.1.2.2 Hiring, orientation and transfer of functions from senior managers to legislative services manager position	MGMT	Funded by base budget	By whether a new position has been created/filled and functions transferred	Complete
		FY 2010/11 & 2011/12 4.1.2.3 Develop strategies for further improvement of corporate secretary/legislative services functions	MGMT	Funded by base budget	By whether there is a greater capacity and consistent delivery of corporate secretary/legislative services functions and a greater capacity for delivery of core services by senior managers.	Significant improvements achieved in records management, elections planning, and other legislative services. Increased capacity for senior managers realized (i.e. overdue annual reports completed).
	4.1.3 Seek alternate forms of funding (i.e. grants)	**FY 2009/10** 4.1.3.1 Develop and implement policy and procedures for seeking funding and awards.	TAS	Funded by base budget	By whether a policy is in place and implemented (e.g. on-line data base)	Complete. Grant revenue is now 10 times that in 2008/09.

*   Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?*	IS FUNDING IN PLACE OR REQUIRED?	HOW WOULD WE MEASURE SUCCESS?	STATUS
	4.1.4 Improve records management systems	**FY 2009/10 to 2011/12** 4.1.4.1 Develop records management procedures 4.1.4.2 Staff/trustee training 4.1.4.3 Destroy unneeded records	ADMIN	*Partially* funded by 11/12 program budget. Further funding proposed in 12/13 budget to complete assessment of archived records.	By whether records management bylaw and manual is in place By whether staff/trustee training is complete By whether unneeded records have been culled	Bylaw approved by Trust Council. New file procedures on track to be implemented by Jan 2012. Assessment of archived records *partially completed. Full completion subject to 2012/13 budget*
		FY 2011/12 4.1.4.4 Develop and implement auditing of records handling 4.1.4.5 Evaluate and revise 4.1.4.6 Evaluate RM software	ADMIN	Funded by base and program budgets	By whether RM procedures are in place	Not started.
		FY 2012/13 4.1.4.7 Purchase RM software 4.1.4.8 Incorp. RM software procedures 4.1.4.9 Staff training on new procedures	ADMIN	Subject to budget and staffing (12/13 budget)	By whether software has been purchased and procedures incorporated. By whether staff have been trained.	Not started.
	4.1.5 Develop new TC/LPC/FPC/TPC meeting procedure bylaw regarding electronic meetings	**FY 2009/10** 4.1.5.1 Amend TC meeting procedure bylaw or committee Terms of Reference as necessary	EC	Funded by base budget	By whether bylaw and/or committee terms of reference have been amended.	Complete.
	4.1.6 Develop new TFB meeting procedure bylaw regarding electronic meetings	**FY 2009/10 and 2010/11** 4.1.6.1 Prepare and adopt amendments to meeting procedure bylaw	TFB**	Funded by base budget	By whether the meeting procedure bylaw has been adopted	Complete.
	4.1.7 Ensure Trust Council policies are current and consistent	**FY 2009/10** 4.1.7.1 Amend administrative fairness policies	EC	Funded by base budget	By whether administrative fairness policies have been reviewed and amended.	Three policies amended in 2009.
		FY 2010/11& 2011/12 4.1.7.2 Select policies for review and amendment	EC	Funded by base budget	By whether selected policies have been reviewed and amended.	Eleven policies updated during the term.
		FY 2010/11 & 2011/12 4.1.7.3 Develop and implement a regular maintenance schedule for Islands Trust Council Policy Manual and Procedures Manual	EC	Funded by base budget	By whether the Islands Trust Policy Manual is being regularly maintained to keep policies current and consistent	Initial inventory in development.

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?*	IS FUNDING IN PLACE OR REQUIRED?	HOW WOULD WE MEASURE SUCCESS?	STATUS
	4.1.8 Review of devt application fee levels and cost recovery mechanisms	**FY 2011/12** 4.1.8.1 Develop terms of reference and identify budget and data needs for review of application fees	FPC LPC	Funded by base budget	By whether terms of reference has been developed and any necessary budget and data needs have been identified.	Complete.
		FY 2011/12 4.1.8.2 Review of application fees, development of amendments to model fees bylaw and related policies	FPC LPC	Funded by base budget	By whether application fees and cost recovery mechanisms have been reviewed, policies have been amended and a model fees bylaw has been developed.	Joint task force recommendations *endorsed by Trust Council* Sept 2011. Model bylaw *in development for Council consideration in 2012.*
		4.1.8.3 Adoption of amended fees bylaws	LTCs***	Funded by base budget	By whether all LTCs have adopted amended fees bylaws	Not started. *For further consideration in 2012.*
4.2 To encourage recognition and support of the Island Trust object in policies and programs of other levels of government and agencies	4.2.1 Advocacy to influence other levels of government (federal/provincial/RD)	**FY 2009/10** 4.2.1.1 Maintain existing levels of advocacy (e.g. UBCM resolutions, letters to relevant jurisdictions as issues arise and staff capacity permits)	EC	Funded by base budget	By whether current levels of advocacy are maintained.	EC meeting with provincial government re PMFL Act. UBCM resolution re ferries. EC attendance at UBCM. Chair correspondence.
		FY 2010/11 to 2012/13 4.2.1.2 Maintain enhanced levels of advocacy (e.g. UBCM resolutions, letters to relevant jurisdictions as issues arise and staff capacity permits) with a high priority on marine advocacy.	EC	Funded by base budget	By whether enhanced levels of advocacy are maintained, and progress is made in protection of the marine environment	UBCM workshop and resolutions complete re derelict vessels and NMCA. More frequent Chair correspondence. Meeting with provincial agencies and Minister of Community, Sport and Cultural Development. Enhanced advocacy re marine issues approved by Trust Council. Minister meeting *held at* UBCM re derelict vessels.
		FY 2010/11 4.2.1.3 Repeat 2004 Ipsos Reid poll regarding public support for preservation and protection of Islands Trust Area	EC	Funded by base budget	By whether the 2004 Ipsos Reid poll has been repeated	Complete
	4.3.1 Develop new tools to communicate about organizational successes	**FY 2009/10 to 2011/12** 4.3.1.1 Finalize Indicators Program reports	TPC	Funded by base budget	By whether Indicators Program reports are complete	Staff meeting and trustee survey complete. Agricultural indicators complete. Economic dependency complete. Housing is next.

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?*	IS FUNDING IN PLACE OR REQUIRED?	HOW WOULD WE MEASURE SUCCESS?	STATUS
4.3 To promote understanding and support of the Islands Trust and its object in island communities		4.3.1.2 Develop plans/strategies/related budgets for new communications tools	EC	Funded by base budget.	TBD	Considering use of social media – staff training on-going. Some pilot projects underway.
		FY 2011/12 4.3.1.3 Implement new communication tools. Add Advocacy sections to web-site	EC	Funded by 11/12 program budget	TBD	Marine advocacy page complete. Further work pending website upgrades.
	4.3.2 Develop new tools to communicate about the history and role of the Islands Trust	**FY 2009/10 & 2010/11** 4.3.2.1 Develop presentations for delivery at TC meetings/LTC meetings/professional conferences in 2009 (35 anniversary)	EC	Funded by base budget	By whether presentations have been created/delivered	Complete.
		FY 2010/11 & 2011/12 4.3.2.2 Develop video re interviews with former trustees	EC	Subject to external funding	By whether funding is received and a video is created	Funding approved. Video history project advisory group meetings underway. Three short videos *in development*
	4.3.3 Develop new tools and use plain language to communicate to communities about relevance of land use planning and conservation	**FY 2009/10 – 2011/12** 4.3.3.1 Continue delivering approved communications strategy	EC	Funded by base budget	By whether approved priorities are delivered	On track (e.g. e-news, annual reports). Nineteen staff attended a 'plain language' webinar.
		FY 2009/10 4.3.3.2 Develop presentation/display for use at public meetings to explain the linkage between GHG emissions and land use/conservation	EC	Funded by base budget	By whether a presentation has been developed and delivered	Complete.
	4.3.4 Review and redesign website	**FY 2009/10** 4.3.4.1 Develop plans and strategies and related budgets	EC	Funded by base budget	By whether a plan and related budget is in place to review and redesign website	Complete.
		FY 2010/11 4.3.4.2 Develop business case and proposed budget	EC	Funded by base budget	By whether a business case and proposed budget is complete	Complete.
		FY 2011/12 4.3.4.3 Review and redesign website	EC	Funded by 11/12 program budget	By whether website has been reviewed and redesigned	Contract issued for website redevelopment. Redesign in process. Launch estimated for *early 2012*.
		FY 2009/10 4.3.5.1 Hold legal session and develop checklist for trustees	EC	Funded by base budget	By whether a legal session and checklist have been prepared	Complete.

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?*	IS FUNDING IN PLACE OR REQUIRED?	HOW WOULD WE MEASURE SUCCESS?	STATUS
	4.3.5 Develop new tools to enhance administrative fairness practices	4.3.5.2 Develop staff checklist and hold staff workshop regarding administrative fairness	EC	Funded by base budget	By whether a staff checklist and workshop are complete	Complete.
		FY 2011/12 4.3.5.3 Develop focused training for orientation of new trustees in December 2011	EC	Funded by base budget	By whether new trustee orientation session includes a focus on administrative fairness	*Scheduled* for December 2011.
	4.3.6 Review and update Islands Trust Policy Statement	**FY 2010/11 & 2011/12** 4.3.6.1 Initial scoping of Policy Statement review topics and process	TPC (PSSC)	Funded by base budget	By whether an initial scoping exercise is complete	Complete.
		FY 2011/12 4.3.6.2 Preliminary research and design of review process	EC / TPC	Subject to external grants	By whether preliminary research is complete and review process has been designed	Complete.
		FY 2012/13 4.3.6.3 Public, agency and First Nations consultation regarding Policy Statement update and development of draft amendments	EC / TPC	Subject to budget (12/13 budget) or external grants	By whether consultation is complete and draft amendments prepared	Not started.
		FY 2013/14 4.3.6.4 Adoption of revised Policy Statement bylaw	EC / TPC	Subject to budget (13/14 budget)	By whether an amended Policy Statement bylaw is adopted	Not started.

Abbreviations:
ADMIN – Administrative Services
BIM – Bowen Island Municipality
DEM – Digital Ecosystem Mapping
EC – Executive Committee
FN – First Nations
FPC – Financial Planning Committee
FY – Fiscal Year
GHG – Green House Gases
ID -- identification
IM – Island Municipality
IT – Islands Trust
LPC – Local Planning Committee
LPS – Local Planning Services
LTA – Local Trust Area
LTC – Local Trust Committee
LUB – Land Use Bylaw
MCSC – Ministry of Community and Rural Development
MGMT – Management Team
NA – Not Applicable
NAPTEP – Natural Area Protection Tax Exemption Program
OCP – Official Community Plan
PSSC – Policy Statement Sub Committee
PMFL – Private Managed Forest Land
RAR – Riparian Area Regulations
RCP – Regional Conservation Plan
RD – Regional District
RFD – Request for Decision document
RM – Records Management
SEM – Sensitive Ecosystem Mapping
SSI – Salt Spring Island
TAS – Trust Area Services
TEM – Terrestrial Elevation Mapping
TBD – To Be Determined
TC – Trust Council
TFB – Trust Fund Board
TPA – Targets, Policies and Actions (re GHG emission reduction)
TPC–Trust Programs Committee
UBC – University of British Columbia
UBCM – Union of BC Municipalities

For more information, contact

Sheila Malcolmson, Chair,
Islands Trust Council
email: smalcolmson@islandstrust.bc.ca
telephone 250.247.8078

Linda Adams, Chief Administrative Officer,
Islands Trust
email: ladams@islandstrust.bc.ca
telephone 250.405.5151

Visit our website at
www.islandstrust.bc.ca

Colour Key for fourth column:

Colour	Potential committee/unit/body taking lead for strategy/activity				
(pink)	Local Planning (through Local Planning Committee, Local Planning Services staff, Local Trust Committees or Bowen Island Municipality)				
(blue)	Trust Programs Committee or Trust Area Services staff	(purple)	Financial Planning Committee/Administrative Services staff		
(yellow)	Executive Committee/CAO's office	(orange)	Management team	(green)	Trust Fund Board or Islands Trust Fund staff

* Depends upon decisions of the Bowen Island Municipal Council
** Depends upon decisions of the Trust Fund Board
***Depends upon decisions of individual Local Trust Committees

South Pender Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 23, 2006	SP-LTC-12-06	Adoption of Minutes	That staff prepare draft of meeting minutes for Local Trust Committee reading, correction and amendment as soon as possible following meetings. The South Pender Island Local Trust Committee will adopt these minutes by Resolution without Meeting within fourteen business days, if possible, of each meeting. [The adopted minutes will be posted to the website as soon as possible and a copy will also be included in the next meeting's agenda package].
2.	April 14, 2009	SP-LTC-18-09	Objectives for 2009 – 2010 See attached document	It was Moved and Seconded that the South Pender Island Local Trust Committee adopt as its objectives for 2009-2012 the following: That the South Pender Local Trust Committee and its assigned staff communicate clearly with residents and land owners and handle applications and requests for information in a timely manner so that our community members understand and feel committed to upholding the Official Community Plan and Land Use Bylaws of our island; That the South Pender Local Trust area has a comprehensive program to identify areas of possible development (build-out potential), shoreline fragility, water course challenges, riparian areas, forest lands and endangered species habitat; That the South Pender Official Community Plan and Land Use Bylaws provide clear guidance to owners and residents so that essential natural features are protected during the process of building and, to the extent possible within our mandate, conservation of water and energy are key components of any development proposal; That the South Pender Local Trust Committee has an effective working relationship with

				Parks Canada to enhance the Park's contribution to the local community; and That the South Pender Local Trust Committee work with developers, or potential developers, to resolve conflicts between any proposed development and the requirement to preserve and protect the natural beauty of our island.
3.	April 14, 2009	SP-LTC-19-09	Website	It was Moved and Seconded that the South Pender Island Local Trust Committee request that the "latest news" section of the South Pender Island webpage be updated monthly with the addition of the South Pender Island Local Trust Committee Report to the Pender Post.
4.	October 5, 2010		Follow up action list	Send FUAL to trustees once drafted following the meeting.

South Pender
Local Trust Committee
OBJECTIVES FOR 2009-2012

That the South Pender Local Trust Committee and its assigned staff communicate clearly with residents and land owners and handle applications and requests for information in a timely manner so that our community members understand and feel committed to upholding the Official Community Plan and Land Use Bylaws of our island.

That the South Pender Local Trust area has a comprehensive program to identify areas of possible development (build-out potential), shoreline fragility, water course challenges, riparian areas, forest lands and endangered species habitat.

That the South Pender Official Community Plan and Land Use Bylaws provide clear guidance to owners and residents so that essential natural features are protected during the process of building and, to the extent possible within our mandate, conservation of water and energy are key components of any development proposal.

That the South Pender Local Trust Committee has an effective working relationship with Parks Canada to enhance the Park's contribution to the local community.

That the South Pender Local Trust Committee work with developers, or potential developers, to resolve conflicts between any proposed development and the requirement to preserve and protect the natural beauty of our island.

Memorandum

200 - 1627 Fort Street Victoria BC V8R 1H8
Telephone **(250) 405-5151** FAX: (250) 405-5155
Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**
information@islandstrust.bc.ca www.islandstrust.bc.ca

Date	January 19, 2012
File:	SP-6500-02: LTC Top Priorities
To	South Pender Island Local Trust Committee
From	Andrea Pickard Island Planner Local Planning Services
Re	South Pender Island Work Program

The purpose of this memo is to provide an overview to the South Pender Island Local Trust Committee (LTC) regarding the work program, highlight projects initiated during the 2008-11 term, and to receive direction from the LTC for future projects.

As you are aware the work program consists of two components: the top priorities and the projects list.

1. Top Priorities: these are projects which the LTC has identified as most important, which have been approved where necessary, and for which staff and budget resources are available. There are conventionally no more than 3 Top Priority projects at any one time; however, with larger more complex projects, such as a comprehensive OCP review, there may only be one top priority.
2. Project List: this consists of projects, actions, or activities which the LTC has formally identified as desirable, but which have not been commenced because of lack of resources or time. Once resources become available, the LTC may decide to move an item from the Projects List to the Top Priorities. The project list is not priorized in any way, nor would the LTC be obligated to address them.

Projects identified for the top priorities may be partially determined by: legislative requirements or the Trust Council Strategic Plan.

The tables below show the current work program and other projects that have been initiated, considered or or recently completed.

Staff are requesting the LTC review the list below, identify any other issues you may want to add, and direct staff to make any revisions to the work program.

Table 1: Current Top Priorites

No.	Description	Activity	Staff Comments
1	LUB Review and Update	1. Determing Scope of Review 2. Determine Timeline 3. Determine Methodology 4. Technical Update 5. Initiate Background Work on Selected Topics 6. Undertake Community Consultation/Communications 7. Legislative Process	*Could include issues identified below such as: 6,7 and 15 to 17*
2	Community Consultation for Draft Bylaw 109 – Bylaw Enforcment Notification Bylaw		*Referred to APC in Nov 2011 Depending upon LTC direction may be completed*
3	Shoreline Protection	1. Completion of watershed and shoreline mapping 2. Consideration of issues related to erosion, including Canal erosion 3. Education on shoreline stewardshop and the Greenshores Project 4. Consider impacts of docks on shoreline	*Could consider reviewing SPI regulations separately fromTrust Wide Shoreline/Greenshores Eg: setback to sea, shoreline DPA, dock regulations*

Table 2: Current Projects List

No.	Description	Activity	Staff Comments
1	Development Approval Information (DAI) Bylaw (Note: DAI bylaws establish the scope of information that an applicant would be required to provide as part of a development application in order for the LTC to consider the potential impacts and mitigation options)	To draft a DAI bylaw to provide certainty with respect to requirements for development permit applications	*Previous discussions preferred DAI to be implemented in tandem with DPA's* *DAI's could also address Temporary Use Permit and Bylaw Amendment applications.*

Table 3: Projects Previously Considered, Initiated or Completed

No.	Description	Activity	Staff Comments
1	Development of FAQ sheets	No bylaw amendments required	*completed*
2	Riparian Areas Regulation	Field assessment by QEP confirmed no RAR applicable streams outside of National Park	*Completed – no amendment required*
3	Use of Cottages	Policy changed during OCP review	*LUB amendment to implement completed*
4	RR zoning and density clarification	Policy changed during OCP review	*LUB amendment to implement completed*
5	GHG Target – Bill 27	OCP amended	*Completed – could consider further LUB amendments to address adaptation and mitigation*

6	Climate Change	Consider previously discussed policy options. Consider new policy options for mitigation. Eg: policies for alt energy: (solar, wind, geothermal), attached dwellings, identification of bike routes etc.	*Considered but not advanced as part of OCP review due to time constraints*
7	Permitted uses of land - outbuildings	Consider policy to permit limited 'utility or storage' buildings as a permitted use prior to residential use.	*OCP Policy changed but LUB amendment required to implement*
8	Sensitive Ecosystem Mapping	Considered as a possible DPA, added as a Schedule for information only during OCP review	*Some background work completed, consideration of DPAs deferred due to time constraints*
9	Geological Hazard Mapping	Considered as a possible DPA, added as a Schedule for information only during OCP review	*Some background work completed, consideration of DPAs deferred due to time constraints*
10	Raptor Nests	Considered as a possible DPA, added as a Schedule for information only during OCP review	*Background work completed, consideration of DPAs deferred due to time constraints*
11	Parks and Recreation Schedule	Consider revising schedule for more precise indication of type and location of future parks, ocean views, public access, etc.	*Based on current Parks Master Plan and identified priority areas of PIPRC.* *Parks Master Plan tentatively under review.* *Any identified desired Public Access should be topographically feasible and reviewed with Approving Officer.*
12	Public Access (differs from park land dedication and is jurisdiction of Approving Officer)	Bears some relationship to above with practice of trails through public access points	*Any identified desired Public Access should be topographically feasible and reviewed by Approving Officer.*
13	Heritage Protection	Consider church property and/or other sites for heritage designation. OCP policies enhanced during OCP review. Could consider Heritage bylaw or DPA for heritage designation	*Protection of church may be addressed through alternate proposal.*
14	Roadway Plan	Included as an information Schedule.	*Updated during OCP review*

15	Groundwater protection /Water conservation	OCP policies enhanced Identified in OCP as a possible future regulation	*Could consider options for further protection eg: cisterns, requiring rain catchment, DPA in critical areas*
16	Agri-tourism	Are permitted within ALR but may be further regulated by Local Government	*Identified in OCP as a possible future regulation*
17	Agricultural setbacks	Consider increased setbacks on adjacent lands, a common approach to reduce conflict with farm activities	*Identified in OCP as a possible future regulation*

pc Robert Kojima, Regional Planning Manager

Islands Trust

Applications w/ Status - South Pender Island
Status: Open

Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SP-SUB-2011.1	JE Anderson & Assoc. **Planner:** Andrea Pickard	Feb-08-2011	8986 GOWLLAND POINT RD Creating 1 new lot

Planning Status

Status Date: Aug-03-2011

letter to MOTI confirming DVP and waiver

Status Date: Jul-13-2011

DVP for lot width to depth and frontage waiver on July agenda

Status Date: Mar-17-2011

Subdivision reviewed, referral response sent by email to MOTI, owners and applicant. Advised hard copy will not follow unless requested.

File Number	Applicant Name	Date Received	Purpose
SP-SUB-2011.2	Airey Group **Planner:** Andrea Pickard	Oct-26-2011	To create 4 new lots + remainder.

Planning Status

Status Date: Jan-17-2012

response sent to MOTI and applicant

Status Date: Jan-04-2012

Sent letter of acknowledgment of receipt of fees and completed application form to applicant. Copied to trustees and forwarded to Panner.

Status Date: Oct-27-2011

Sent letter to applicant requesting fee and application form completion.

Kathy Jones

From:	Nancy Roggers
Sent:	January-25-12 7:39 AM
To:	Andrea Pickard; Ken Hancock; Liz Montague; Mike Jones; Robert Kojima; Kathy Jones; Sharon Lloyd-deRosario
Cc:	Cindy Shelest; Craig Elder
Subject:	South Pender expense report - Jan/12

		Budget	Spent	Balance
Invoices posted to JAN 23, 2012				
665 South Pender	65000 Trustee Expense	1,000.00	181.96	818.04
665 South Pender	65200 LTC Meetings	1,700.00	1,422.14	277.86
	65210 APC Meetings	300.00	113.58	186.42
	65220 Communications	500.00	204.11	295.89
	65230 Special Projects	-	200.00	(200.00)
	65240 Miscellaneous	500.00		500.00
	TOTAL LTC Local Expense	**3,000.00**	**1,939.83**	**1,060.17**
665 South Pender	72300 OCP/LUB Expense	3,000.00	3,199.59	(199.59)

Thanks!

Nancy Roggers
Finance Officer

Islands Trust
#200 1627 Fort Street
Victoria, B.C. V8R 1H8
Phone: (250) 405-5154
Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving *island* communities, culture and environment

Please consider the environment before printing this email.

South Pender
Local Trust Committee

BUDGET 2011-12

665 South Pender

65000 Trustee Expense	1,000.00
65200 LTC Meetings	3,000.00

65200 LTC meetings	1,200.00
65210 APC meetings	300.00
65220 Communications Printing	500.00
65240 Miscellaneous	500.00
652?? Equipment for Community Room	500.00

11.5

Islands Trust
Preserving island communities, culture and environment.

[Meeting Agendas](#) | [Contact](#) | [Secure Login](#) | [Home](#)

search site Go

- Local Trust Committees
- Trust Council
- Islands Trust Fund
- Island Municipalities
- About Us
- Employment
- News and Subscriber Services

Population:
Approximately 236

Size:
911 hectares (2,251 acres)

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

- Land Use Planning
- Related Planning Services
- Related Resources
- Trust Area Mapping
- Related Links

South Pender Island Local Trust Committee

Latest News

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

October 2011

- South Pender Update - October 2011
- South Pender Bylaw Enforcement Notification Bylaw

September 2011

- South Pender Update - September 2011

July 2011

- South Pender Island Local Trust Committee Newsletter re: Proposed Official Community Plan
- " Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands"
- Fact sheet:"Choosing a Building Site on your Lot"
- Fact sheet:"Making Changes to your Lot Line"
- Fact sheet:"Applying for a Variance"

Planner Office Hours on Pender Island

- Planner Office Hours on Pender Island

South Pender Island Local Trust Committee Projects

Bylaw Enforcement

- Staff Report - September 8, 2011 - Adoption of Bylaw Enforcement Notification Bylaw

Official Community Plan Review

- Current Official Community Plan Bylaw No. 91
- Official Community Plan Bylaw No. 107(Adopted)

Staff Reports:

- Staff Report - March 4, 2011
- Staff Report - April 1, 2011
- Staff Report – May 5, 2011
- Staff Report - May 24, 2011

Drafts:

- Draft No. 1
- Draft No. 2
- Draft No. 3
- Draft No. 4
- Draft No. 5

Committee Links

- Committee Home
- Trustee Membership
- Contact Trustees
- Contact Planning Staff
- Planning Bylaws
- Administrative Bylaws
- Meetings Schedule
- Meeting Agendas
- Meeting Minutes
- Resolutions-Without-Meeting
- Associated Islands
- Land Use Application Forms

Schedules:

- Schedule B - Land Use Designation
- Schedule C - Development Permit Areas
- Schedule D - Parks, Trails and Oceanfront Accesses
- Schedule E - Environmentally Sensitive Areas
- Schedule F - Steep Slopes Hazzard
- Schedule G - Raptor Nests
- Schedule H - Road Network

Land Use Bylaw Updates

- Bylaw 108 – A Land Use Bylaw amendment to the Rural Residential Zone (Adopted)
- Bylaw 110 – A Land Use Bylaw amendment for the use of cottages (Adopted)

Zoning and Density Review

- Potential RR Zones Memo - June 9, 2011
- Staff Report - May 2010
- Residential Subdivision Potential Map

Climate Change Action

- Community Engagement Tools
- Climate Wise Islands

Ecosystem Mapping Webpage

Geological Hazard Protection

- Steep Slopes Hazard Map

General Information

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

Historical South Pender Updates

- South Pender Update - July 2011
- South Pender Update - June 2011
- South Pender Update - May 2011
- South Pender Update - February 2011
- South Pender Update - January 2011
- South Pender Update - December 2010
- South Pender Update - November 2010
- South Pender Update - October 2010
- South Pender Update - September 2010
- South Pender Update - August 2010
- South Pender Update - July 2010
- South Pender Update - June 2010
- South Pender Update - May 2010
- South Pender Update - April 2010
- South Pender Update - March 2010
- South Pender Update - January 2010
- South Pender Update - December 2009
- South Pender Update - November 2009
- South Pender Update - October 2009
- South Pender Update - September 2009
- South Pender Update - August 2009
- South Pender Update - July 2009
- South Pender Update - June 2009
- South Pender Update - May 2009

^ top

Islands Trust

Memorandum

200 - 1627 Fort Street Victoria BC V8R 1H8
Telephone **(250) 405-5151** FAX: (250) 405-5155
Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**
information@islandstrust.bc.ca www.islandstrust.bc.ca

Date	January 25, 2012	File Number	SP/02
To	South Pender Island Local Trust Committee		
From	Kathy Jones Planning Clerk Local Planning		
Re	South Pender Island Advisory Planning Commission (APC) – Expired Terms		

The five South Pender Island Advisory Planning Commission appointments expired on January 1, 2012.

The members whose terms expired are:

Bruce McConchie
Buffy Paterson
Jane Perch
Paul Petrie
Richard Rue

If the Local Trust Committee wishes to advertise an Expression of Interest for up to five members; they can do so by directing staff to:.

1. Publish an Expression of Interest (EOI) in the Pender Post and if also directed in the Island Tides.
2. Post the EOI on island notice boards; and
3. Post the notice on the South Pender LTC web page and send out to subcribers of the webpage.

In the past, when advertising for APC members, we send a letter thanking the current members and invite them to re-apply, if they are interested in serving another term.

The following is a draft resolution for your consideration:

THAT the South Pender Island Local Trust Committee direct staff to advertise for expression of interest for Advisory Planning Commission membership for up to five (5) positions to serve a three year term; and;
THAT the South Pender Island Local Trust Committee directs staff to send a thank you letter to the expiring Advisory Planning Commission members and ask them to reapply if they are interested in serving another term.

pc