



# South Pender Island Local Trust Committee Regular Meeting Agenda

**Date:** November 14, 2017  
**Time:** 10:00 am  
**Location:** South Pender Fire Hall  
8961 Gowlland Point Road, South Pender Island, BC

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	<b>Pages</b>
1. CALL TO ORDER	10:00 AM - 10:20 AM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	
4. COMMUNITY INFORMATION MEETING	
none	
5. PUBLIC HEARING	
none	
6. MINUTES	10:20 AM - 10:30 AM
6.1 Adopted Local Trust Committee Minutes Dated September 19, 2017 (for Information)	4 - 9
6.2 Section 26 Resolutions-without-meeting Dated November 2017	10 - 10
6.3 Advisory Planning Commission Minutes	
none	
7. BUSINESS ARISING FROM THE MINUTES	10:30 AM - 10:40 AM
7.1 Follow-up Action List Dated November 2017	11 - 11
8. DELEGATIONS	
none	
9. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted on the LTC webpage</i>	
none	

<b>10.</b>	<b>APPLICATIONS AND REFERRALS</b>	<b>10:40 AM - 11:40 AM</b>	
10.1	SP-DP-2017.1 (Poet's Cove & Spa) - Staff Report (attached)		12 - 29
10.2	Islands Trust Fund 5-Year Plan - RFD & Referral (attached) (for response)		30 - 31
10.3	Islands Trust Fund Regional Conservation Plan (2018-2027) - Briefing & Referral (attached) (for response)		32 - 33
10.4	North Pender Island Local Trust Committee Bylaws No. 211 & 212 Referral (attached) (for response)		34 - 36
10.5	North Pender Island Local Trust Committee Bylaws No. 214 & 215 Referral (attached) (for response)		37 - 39
<b>11.</b>	<b>LOCAL TRUST COMMITTEE PROJECTS</b>	<b>11:40 AM - 12:20 PM</b>	
11.1	Heritage Conservation - Staff Report (attached)		40 - 76
<b>12.</b>	<b>REPORTS</b>	<b>12:20 PM - 1:00 PM</b>	
12.1	Work Program Reports (attached)		
12.1.1	<u>Top Priorities Report Dated November 2017</u>		77 - 77
12.1.2	<u>Projects List Report Dated November 2017</u>		78 - 78
12.2	Applications Report Dated November 2017 (attached)		79 - 79
12.3	Trustee and Local Expense Report Dated September 2017 (attached)		80 - 80
12.4	Adopted Policies and Standing Resolutions (attached)		81 - 81
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Report		
12.8	Trust Fund Board Report Dated October 2017 (attached)		82 - 83
<b>13.</b>	<b>NEW BUSINESS</b>		
	none		
<b>14.</b>	<b>UPCOMING MEETINGS</b>	<b>1:00 PM - 1:10 PM</b>	
14.1	Next Regular Meeting Scheduled on Pender Island - TBA (2018)		
14.2	Draft 2018 LTC Meeting Schedule - Memo		84 - 85
<b>15.</b>	<b>TOWN HALL</b>	<b>1:10 PM - 1:20 PM</b>	

**16. CLOSED MEETING**

none

**17. ADJOURNMENT**

1:20 PM - 1:20 PM



# ADOPTED

## South Pender Island Local Trust Committee Minutes of Regular Meeting

**Date:** September 19, 2017  
**Location:** South Pender Fire Hall  
8961 Gowlland Point Road, South Pender Island, BC

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

**Staff Present:** Robert Kojima, Regional Planning Manager  
Robert Barlow, Recorder

**Others Present:** Six (6) members of the public were in attendance.

### 1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:05 a.m. He acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

The following reordering of an item was presented for consideration:

**10.3 SP-DP-2017.1 (Poets Cove Resort) - Staff Report** be addressed at front end of the meeting to accommodate Poets Cove Resort representatives.

The following addition to the agenda was presented for consideration:

### 13. NEW BUSINESS 13.2 Driftwood Office

**By general consent** the agenda as amended was Approved.

### 3. TOWN HALL AND QUESTIONS

**Paul Petrie**, of the South Pender Historical Society, informed the Trustees of the Society's use of the Anglican Church of the Good Shepherd property in promoting community activities.

### 4. COMMUNITY INFORMATION MEETING none

### 5. PUBLIC HEARING none

## 10. APPLICATIONS AND REFERRALS

### 10.3 SP-DP-2017.1 (Poets Cove Resort) - Staff Report

Regional Planning Manager (RPM) Kojima summarized the staff report on the Development Permit amendment to allow new staff accommodation buildings.

The Trustees discussed issues in regards to:

- First Nations concerns and the possible requirement for a permit from the BC Archaeological Branch;
- The possibility of minimizing the need to remove a number of mature trees by altering the orientation and placement of the two buildings;
- The planting of native trees, rather than non-native trees; and,
- Development of a landscaping screen.

#### **SP-2017-30**

**It was MOVED and SECONDED,**

that the South Pender Island Local Trust Committee requests staff to work with the applicant with respect to the concerns raised in the discussion.

**CARRIED**

The meeting was paused from 11:26 am to 11:40 am.

## 6. MINUTES

### 6.1 Local Trust Committee Minutes Dated May 6 & 30, 2017 (Adopted)

The minutes were presented for information.

### 6.2 Section 26 Resolutions-without-meeting Dated September 2017

The resolutions were presented for information.

### 6.3 Advisory Planning Commission Minutes

none

## 7. BUSINESS ARISING FROM THE MINUTES

### 7.1 Follow-up Action List Dated September 2017

The List was presented and no questions were asked.

## 8. DELEGATIONS

none

**9. CORRESPONDENCE**

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

None

**10. APPLICATIONS AND REFERRALS**

**10.1 CRD – Draft Gulf Islands Regional Trails Plan**

Regional Planning Manager (RPM) Kojima presented the draft plan, indicating that the CRD is seeking comments from the Local Trust Committee.

**SP-2017-31**

**It was MOVED and SECONDED,**

that the South Pender Island Local Trust Committee requests staff to advise the Capital Regional District that the South Pender Island Local Trust Committee supports the Draft Gulf Islands Regional Trails Plan in regards to South Pender Island.

**CARRIED**

**10.2 Saturna Island Local Trust Committee Bylaws 117 & 118 Referral**

**SP-2017-32**

**It was MOVED and SECONDED,**

that the interests of the South Pender Island Local Trust Committee regarding Saturna Island Local Trust Committee Bylaws No. 117 & 118 are unaffected.

**CARRIED**

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Top Priority Project Options - Staff Report**

**SP-2017-33**

**It was MOVED and SECONDED,**

that the South Pender Island Local Trust Committee amend the Work Program by moving Heritage Conservation Options for the Church of the Good Shepherd from the Projects list to the Top Priorities list.

**CARRIED**

**SP-2017-34**

**It was MOVED and SECONDED,**

that the South Pender Island Local Trust Committee amend the Work Program by replacing the description of the activity for First Nations Reconciliation to read "To work with the South Pender Island community to explore reconciliation initiatives on South Pender Island."

**CARRIED**

**SP-2017-35**

**It was MOVED and SECONDED,**

that the South Pender Island Local Trust Committee amend the Work Program by replacing the description of the activity for Land Use Bylaw Review and Update to read "To direct staff to develop communications material with respect to the LUB and OCP updates."

**CARRIED**

**12. REPORTS**

**12.1 Work Program Reports**

12.1.1 Top Priorities Report Dated September 2017

Received for information.

12.1.2 Projects List Report Dated September 2017

Received for information.

**12.2 Applications Report Dated September 2017**

Received for information.

**12.3 Trustee and Local Expense Report Dated July 2017**

Received for information.

**12.4 Adopted Policies and Standing Resolutions**

Received for information.

**12.5 Local Trust Committee Webpage**

Trustees commented that the webpages are poorly designed which results in documents being difficult to find. Staff will investigate options for providing more links to information sheets.

## **12.6 Chair's Report**

Chair Luckham indicated that the Trust Council meeting in the previous week on Denman Island was productive. He commented on the substantial turn-out in voters for the recent Salt Spring Island incorporation referendum and the clear decision of the voters. He indicated his desire to meet with the new BC Minister of Municipal Affairs and Housing, Selina Robinson.

## **12.7 Trustee Report**

Trustee Scholefield attended the Islands Trust sponsored workshop "Wells and our groundwater" on North Pender Island July 7.

Trustee McConchie stated that he is working on anchorage issues; attended the "Wells and our groundwater" workshop on North Pender Island and attended a town hall meeting with MP Elizabeth May and MLA Adam Olsen.

## **12.8 Trust Fund Board Report** none

## **13. NEW BUSINESS**

### **13.1 Southern Gulf Islands Freighter Anchorages Update**

No discussion.

### **13.2 Islands Trust Office in Driftwood Centre**

Islands Trust Planners (Justine Starke and Phil Testemale) will be available twice a month at the Driftwood Centre, which replaces the office space in Hope Bay. Staff will be reviewing printed material for the office.

## **14. UPCOMING MEETINGS**

### **14.1 Next Regular Meeting Scheduled for November 14, 2017, at the South Pender Fire Hall, Pender Island**

## **15. TOWN HALL**

A member of the public encouraged the Local Trust Committee to discuss affordable housing issues for South Pender.

## **16. CLOSED MEETING** none

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 12:47 pm.

\_\_\_\_\_  
Peter Luckham, Chair

Certified Correct:

\_\_\_\_\_  
Robert Barlow, Recorder



Islands Trust

Print Date: November 7, 2017

## Resolutions Without Meeting

### South Pender Island

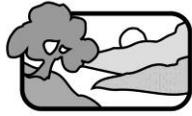
Resolution #	Action	Resolution Description	Resolution Date
2017-04	In Favour	THAT South Pender Island Local Trust Committee Adopt Bylaw No. 113 cited as "South Pender Island Official Community Plan, 107, 2011, Amendment No. 1, 2016".	02-Oct-2017
2017-05	In Favour	THAT South Pender Island Local Trust Committee Adopt Bylaw No. 114 cited as "South Pender Island Local Trust Committee Land Use Bylaw No. 114, 2016".	03-Oct-2017
2017-06	In Favour	THAT_South Pender Island Local Trust Committee meeting minutes of September 19, 2017, be Adopted as amended.	25-Oct-2017

## Follow Up Action Report

### South Pender Island

#### 19-Sep-2017

Activity	Responsibility	Target Date	Status
10.3 SP-DP-2017.1 (Poets Cove): staff to work with applicant to revise permit.	Jason Youmans	27-Oct-2017	Done
10.1 GIRTP: respond to CRD referral that SPILTC supports proposed trail plan.	Robert Kojima	29-Sep-2017	Done
10.2 SALTC Bylaws 117, 118: Interests unaffected	Sharon Lloyd-deRosario	22-Sep-2017	Done
11.1 Top Priorities: Work program amended by moving Heritage Conservation project from the projects list to a Top Priority; revise LUB Review activities to develop communications materials, and revise First Nations reconciliation activities to explore reconciliation initiatives on South Pender	Robert Kojima	20-Sep-2017	Done
Webpage: look into linking information sheets from landing page	Robert Kojima	22-Sep-2017	Done
Gather or re-print material for Driftwood office	Robert Kojima	04-Oct-2017	Done
Heritage Conservation project: draft project charter and initial staff report	Jason Youmans	01-Nov-2017	Done



File No.: SP-DP-2017.1  
SP-DP-2008.1

DATE OF MEETING: November 14, 2017  
TO: South Pender Island Local Trust Committee  
FROM: Jason Youmans, Island Planner  
Southern Team  
COPY: Robert Kojima, Regional Planning Manager  
SUBJECT: Development permit to allow new staff accommodation buildings  
Applicant: Stuart Hammond  
Location: 9801 Spalding Road

## RECOMMENDATION

1. That the South Pender Island Local Trust Committee issue development permit SP-DP-2017.1.

## REPORT SUMMARY

At the September 19, 2017 South Pender Island Local Trust Committee (LTC) meeting, the LTC expressed concern about certain aspects of the Poets Cove Resort's plan for new staff accommodation buildings. This report and the attached revised development permit are provided in response to the LTC's concerns and for its consideration. Staff recommend that the LTC issue the revised permit as it is generally consistent with the applicable guidelines. Proposed permit is attached as Appendix 1.

For further background on Poets Cove's plans and the property more generally, see the staff report of September 19, 2017 [here](#).

See Appendix 2 for DPA guideline assessment.

## BACKGROUND

The draft minutes of the September 19, 2017 LTC meeting show the following discussion and resolution passed by the LTC:

### 10.3 SP-DP-2017.1 (Poets Cove Resort) - Staff Report

Regional Planning Manager (RPM) Kojima summarized the staff report on the Development Permit amendment to allow new staff accommodation buildings.

The Trustees discussed issues in regards to:

- First Nations concerns and the possible requirement for a permit from the BC Archaeological Branch;
- The possibility of minimizing the need to remove a number of mature trees by altering the orientation and placement of the two buildings;
- The planting of native trees, rather than non-native trees; and,

- Development of a landscaping screen.

**SP-2017-30**

**It was MOVED and SECONDED,**

that the South Pender Island Local Trust Committee requests staff to work with the applicant with respect to the concerns raised in the discussion.

**CARRIED**

**ANALYSIS**

**Issues and Opportunities**

Staff did not receive a draft of the applicant's revised site and landscape plans until Sunday, November 5, one day before scheduled LTC agenda publication day. As such, there was little time for thorough review and amendment to the proposed plans. Nonetheless, staff provide the following assessment of the applicant's response to the issues highlighted during the September 19, 2017 meeting:

First Nations concerns

The applicant states that he has discussed installation of the staff accommodation buildings with the lands manager of the Tsawout First Nation and that the lands manager did not identify significant concerns with the proposal. The applicant did, however, indicate that the Tsawout would like an archaeologist on hand when any excavating is to take place, and that the applicant has agreed to this request. Permit approval cannot be contingent on archaeology or First Nations interests.

Minimizing Tree Removal

The applicants have revised the configuration of the two planned staff accommodation buildings so that the front doors now face inward, thereby allowing them to locate the access pathway in the interior courtyard and to back the new buildings up against the proposed fence. In reconfiguring the buildings in this way, the permit can retain two of the trees (labelled CDR 8 and 9 of Schedule 3-5) previously slated for removal under the applicant's original plan.

However, under the proposed building siting, a new cedar tree, previously retained, may be need to be removed (labelled CDR 12 on Schedule 3-5). In sum, under the new site plan, four mature trees (three cedars and one Douglas Fir) will be removed, rather than the five trees that would have been removed under the original draft permit. The applicant indicates that removal of CDR 12 is not assured, and that there may be room for further siting adjustments. However, he has identified it for removal in the site plan as it is probable that it will be removed to accommodate Building #2 as shown on Schedule 2-15.

While not reflected in the landscape plan attached to the permit, staff, with the applicant's assent, have included Condition 5 in the text of the permit which will require the planting of either one *Pseudotsuga Menziesii* (Douglas Fir) or one *Thuja Plicata* (Western Red Cedar) in or near each of Landscape Areas C and D as shown on Schedule 3-5. This will mean that four native trees will replace the four trees being lost.

### Native vs. Non-Native Plantings

The revised landscape plan provided by the applicants shows the two Paper Birch trees originally proposed for the northwest and northeast corners of subject area are being replaced by two native Douglas Firs. It is appropriate to replace the mature trees being lost with those of a similar potential scale and genus.

The Salal and Oregon Grape proposed as shrubbery in landscape areas A, B, C, D, E and F remain as originally proposed. Both Salal and Oregon Grape are native to coastal British Columbia.

Plant choices are consistent with DPA guideline 7.1.8 (a) - "Where landscaping of commercial areas is visible from public areas, natural landscaping that gives a native appearance or the retention of existing vegetation is encouraged as opposed to formal, decorative plantings."

### Development of a Landscaping Screen

EFlora BC shows that the type of Oregon Grape selected by the applicants (*Mahonia Repens*) grows only to between 15 cm and 100 cm tall. As such, it will not provide much screening capability.

Salal (*Gaultheria Shallon*) grows up to 3 metres (10 feet) tall. However, it generally does not grow to that height in full sun, which those planted on the south side of the staff accommodation compound would potentially be. As such, even the Salal may provide only limited screening capability.

However, condition 5 in the proposed permit, the planting of two additional Douglas Fir or Western Red Cedar in or near landscape area C and D will, in time, increase the screening effect.

It does not appear that the revised landscaping plan provided by the applicant would provide a vegetative screen. The revised plan did not alter the shrub selection to increase screening. Nonetheless, the Salal and Oregon Grape will soften the visual impact of the staff accommodation compound. This is generally consistent with the DPA guidelines calling for an informal and natural appearance.

### Alternative Location

Staff proposed potential relocation of the staff accommodation units elsewhere on the property to avoid tree loss. The applicant indicated the resort is committed to clustering its staff accommodation in the vicinity of the existing administration building and does not wish to consider alternative locations at this time. Locating the staff accommodation elsewhere would likely result in the loss of existing parking spaces.

### **Rationale for Recommendation**

The applicant has proposed native landscaping generally consistent with the DPA guidelines that speak to that issue. The permit requirement to plant four native trees of the same type as those to be removed will, in time, offset their loss. Staff recognize that it will be many decades before the replanted trees attain the scale of those proposed for removal. Nonetheless, as they mature, they will provide a screening effect and general improvement in the natural character of the immediate vicinity.

While the removal of four mature native trees is not ideal, the rationale for clustering the proposed staff accommodation buildings together with the existing administration building is sound. And while the proposed buildings do not meet the high standard of form and character elsewhere on the property, staff concur with the applicant's stated rationale that it should be acceptable for the administration and operations area of the resort to prioritize function over form, while still maintaining a reasonable design standard.

**ALTERNATIVES**

**1. Request amendments to the application**

If the LTC determines that the form and character of the proposed staff accommodation units does not conform sufficiently to the guidelines of Development Permit Area 1, or that the removal of four mature trees is too significant a departure from the DPA 1 guidelines, then it may request that the applicant amend their application to better address the guidelines. The LTC should be specific in identifying the guidelines where the application has been deemed inadequate. Recommended wording for the resolution is as follows:

*That the South Pender Island Local Trust Committee request that the applicant submit to the Islands Trust an amended development permit application that better addresses the following Development Permit Area 1 guidelines . . . ”*

The implications of this direction are that permit issuance will be delayed.

**NEXT STEPS**

If the LTC resolves to issue the permit, the permit will be issued and work can commence upon receipt of the required landscape security.

If the LTC resolves that the applicant should amend the application to better address the guidelines of DPA1, staff will work with the applicant to ensure that the application is consistent with the guidelines identified by the LTC.

Submitted By:	Jason Youmans, Island Planner	November 7, 2017
Concurrence:	Robert Kojima, Regional Planning Manager	November 7, 2017

**ATTACHMENTS**

- 1. Revised SP-DP-2017.1
- 2. DPA Guideline Assessment



## SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE

### DEVELOPMENT PERMIT SP-DP-2017.1

To: Guo Qing Zhang

1. This Development Permit Amendment applies to the lands described below:
 

9801 Spalding Road, South Pender Island, BC – Lot 1, Section 20, Pender Island Cowichan District, Plan VIP51866, except part in Strata Plan VIS2410 (Phases 1-9)

Plan VIS2410, Pender Island, Cowichan District
2. Buildings and structure must be sited and constructed substantially in accordance with development permit SP-DP-01-01, as amended by SP-DP-2002.1, SP-DP-2004.1, SP-DP-2008.1 and SP-DP-2017.1 in which the following schedules are supplemented:
  - a. Site Plan, Drawing A1.0, attached to and forming part of development permit SP-DP-2008.1 as **Schedule 2-2B** is supplemented, but not replaced, by General Site Plan, dated November 12, 2016, prepared by David Gobeil, CTech, of Technical Services and Design, attached to and forming part of this permit as **Schedule 2-2C**, for the purpose of demonstrating the general location of employee accommodation dwelling units and reconfigured automobile parking spaces.
  - b. Landscape Plans L-1, L-2, L-3 and L-4, attached to and forming part of development permit SP-DP-2008.1 as **Schedules 3-1B, 3-2B, 3-3B and 3-4B** are supplemented, but not replaced, by Proposed Landscaping Plan, dated November 6, 2017, prepared by Kristin Taggart of IslandScapes, attached to and forming part of this permit as **Schedule 3-5**, for the purpose of demonstrating the landscaping in the vicinity of employee accommodation dwelling units.
3. Buildings and structure must be sited and constructed substantially in accordance with development permit SP-DP-01-01, as amended by SP-DP-2002.1, SP-DP-2004.1, SP-DP-2008.1 and SP-DP-2017.1 in which the following schedules have been added:
  - a. Building Site Plan, prepared by David Gobeil, CTech, of Technical Services and Design, dated November 5, 2017, attached to and forming part of this permit as **Schedule 2-15**.
  - b. Staff Accommodation Elevation Views, prepared by David Gobeil, CTech, of Technical Services and Design, dated November 12, attached to and forming part of this permit as **Schedule 2-16**.

- c. Total Staff Accommodation Elevation Views, prepared by David Gobeil, CTech, of Technical Services and Design, dated November 5, 2017, attached to and forming part of this permit as **Schedule 2.17**.
4. All tree removal authorized under this permit must be undertaken between October 1 and December 31 to avoid bird nesting season.
5. In addition to the landscaping shown in **Schedule 3-5**, planting and maintenance of either one *Pseudotsuga Menziesii* (Douglas Fir) or one *Thuja Plicata* (Western Red Cedar) is required in, or near, each of Landscape Areas C and D as shown on **Schedule 3-5**.
6. Pursuant to Section 502 of the *Local Government Act*, the Local Trust Committee requires security to ensure that any conditions respecting new planting and other landscape elements are satisfied:
  - a. Where the Local Trust Committee considers that a condition in the permit respecting restoration has not been satisfied the Local Trust Committee may undertake and complete the works required to satisfy the condition, at the cost of the permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the permit holder.
  - b. Any interest earned on the security provided under Condition 4 shall accrue to the permit holder and be paid to them immediately on return of the security or, on default, become part of the amount of the security.
  - c. The security provided by the permit holder shall be in the form of:
    - i. An irrevocable letter of credit with a clause for automatic renewal, or cash equivalent.
    - ii. Payable to the Islands Trust,
    - iii. In the amount of 125% of the quoted landscaping cost of \$10,800.00 based upon the cost estimate provided by Landscapes, dated March 16, 2017.
  - d. The applicant shall submit to the South Pender Island Local Trust Committee, within two years of the date of permit issuance, a letter from a qualified landscape professional stating that the landscaping has been installed substantially in accordance with Schedule 3-5 and will, upon standard upkeep, become established.
  - e. Where the development authorized by this permit has been completed or the permit has lapsed prior to commencement of any work pursuant to this permit, the security shall be returned to the permit holder, minus any funds still required to satisfy Condition 4a of this permit, provided the conditions have been met.
7. This Permit does not authorize the construction of buildings or structures that are not in compliance with the setback or height regulations contained in the South Pender Island Land Use Bylaw No. 92, 2003.
8. For clarity, this Permit applies only to the land identified in Condition 1 of this Permit, and does not apply to road rights-of-way or the foreshore.
9. This Permit is not a building permit nor does it provide permission to construct any works without other lawfully required approvals and permits.

10. This Permit does not relieve the applicant from complying with the provisions of South Pender Island Land Use Bylaw No. 92, 2003 or any restrictive covenants.

AUTHORIZING RESOLUTION PASSED BY THE SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS XXth day of XXXXX , 20XX.

\_\_\_\_\_  
Deputy Secretary, Islands Trust

\_\_\_\_\_  
Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE XXth DAY OF XXXXXXXXXXXX, 20XX THIS PERMIT AUTOMATICALLY LAPSES.

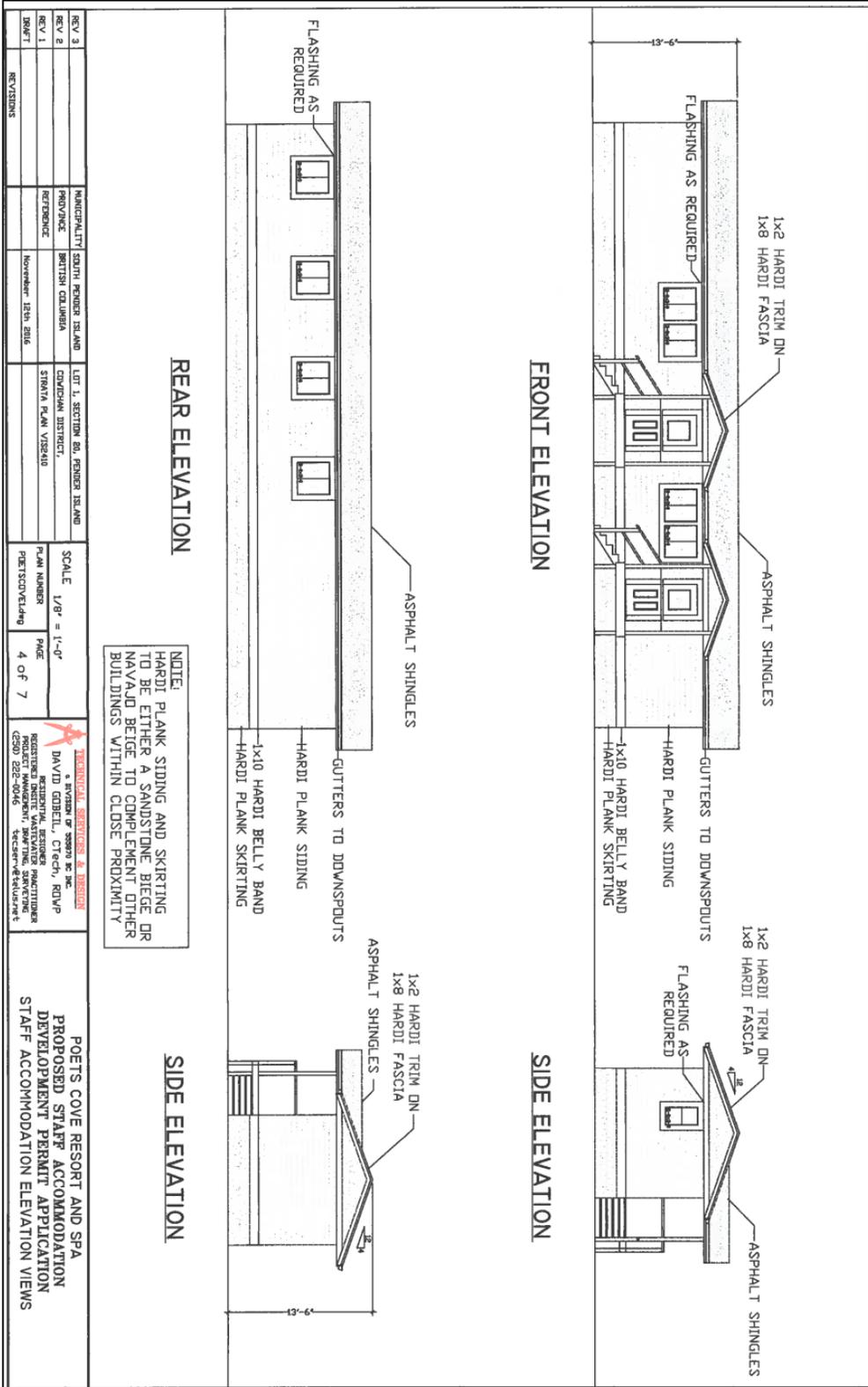






**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE  
DEVELOPMENT PERMIT SP-DP-2017.1**

**Schedule 2-16  
Staff Accommodation Elevation Views**



REV 3	MUNICIPALITY SOUTH PENDER ISLAND	LOT 1, SECTION 8B, PENDER ISLAND	SCALE	1/8" = 1'-0"	<b>TECHNICAL SERVICES &amp; DESIGN</b> a DIVISION OF SERRA BE INC. DAVID GIBBELI, ARCH, RUPP REGISTERED ARCHITECTS PROJECT MANAGEMENT, PLANNING, SERVICES 6250 222-0046    tsc@tscservices.com	POETS COVE RESORT AND SPA PROPOSED STAFF ACCOMMODATION DEVELOPMENT PERMIT APPLICATION STAFF ACCOMMODATION ELEVATION VIEWS
REV 2	PROVINCE	BRITISH COLUMBIA	PLAN NUMBER	PETSCOV018		
REV 1	REFERENCE	NOVEMBER 15TH 2016	PAGE	4 OF 7		
DRWT		STRATA PLAN V158410				
REVISONS						



## APPENDIX 2 – DEVELOPMENT PERMIT AREA GUIDELINES

### DEVELOPMENT PERMIT AREA 1 (DPA1) – COMMERCIAL FORM AND CHARACTER

Guideline	Complies	Planner Comments
<b>7.1.7 Guidelines for General Site Design, Building Location and Access</b>		
a) Property line setbacks shall not be varied from those allowed by local bylaws.	yes	Siting of the proposed structures complies with the required property line setbacks.
b) Site access to commercial properties shall maintain the character of the surrounding neighbourhood as much as possible; there shall ideally be only one access to a commercial property from the public street.	n/a	
c) Sites shall be designed to reduce impacts on neighbouring properties and public areas, including water surfaces. Particular attention shall be paid to locating and screening loading docks, sewage and wastewater treatment facilities, garbage and recycling containers and other service areas so that visual, odour and noise impacts are minimal.	yes	The proposed fencing and landscaping associated with installation of the employee accommodation units will be an improvement on the status quo.
d) Existing trees shall be maintained as much as possible.	no	Four mature cedar trees and one mature Douglas Fir will be removed to accommodate the proposed employee accommodation units.  Landscaping plan proposes the planting of two Douglas Fir ( <i>Pseudotsuga Menzeseii</i> ) and beds of Mahonia Repens (Creeping Oregon Grape) and Gaultheria Shallon (Salal).
e) An effective vegetation screen shall be maintained along any boundary with a non-commercial property.	n/a	
f) No buildings or structures or irrigation system shall be allowed in an area subject to slippage or natural hazard.	n/a	
g) Facilities for treatment and disposal of sewage shall be screened from view.	n/a	
h) Existing public pedestrian	yes	No impact on existing public access.

automobile access and parking areas shall be retained.		
i) Public access to the beaches and waterfront shall be retained.	n/a	
j) Public open space and greenbelt areas shall be provided throughout the development.	n/a	
k) The marine location shall be reflected in the detailing, colour and materials of the buildings and shall be consistent throughout the development	no	Beige hardiplank siding does not evoke marine location. However, it is reasonably consistent with the colour palette of nearby cottages.
l) Refuelling facilities shall be designed in a manner to prevent environmental contamination.	n/a	
m) The character of riparian zones within 15 metres of a watercourse or wetland shall be maintained and undisturbed, as much as possible.	n/a	
n) Highway access to and from a site shall be designed to meet prevailing provincial safety standards.	n/a	
<b>7.1.8 Guidelines for Offstreet Parking, Location and Design</b>		
a) All surface parking areas shall be screened and landscaped with native plants as much as possible.	no	Generally speaking, the gravel parking area in the vicinity of the proposed employee accommodation dwelling units and operations area of the resort is not particularly well landscaped. The proposed development and associated landscaping will not exacerbate this issue.
b) Areas shall be provided for the loading and unloading of delivery trucks. The site shall allow delivery trucks to manoeuvre without having to block public access routes.	n/a	
c) Emergency vehicles shall be able to readily reach all parts of the development.	yes	Employee accommodation units will be accessible to emergency vehicles.
<b>7.1.9 Guidelines for Building Form</b>		
a) All development shall maximize sun penetration to pedestrian levels and to neighbouring public and private spaces in order to provide for outdoor activity areas. Important view corridors, particularly to the sea, shall also be preserved.	n/a	
b) Building colours shall be muted and consist of natural colours	yes	Proposed employee accommodation units will consist of sandstone or Navajo beige hardiplank siding. Buildings will

found in the South Pender Island setting and be consistent throughout the development.		be partially screened by cedar fencing and landscaping.
c) Building height shall not exceed that permitted by local bylaws and shall minimize the obstruction of views.	yes	Proposed employee accommodation units are within permitted building height.
d) On sloping land, horizontal modulation (stepped buildings) shall be used so buildings and structures conform to the site.	n/a	
e) Existing site topography and landscape shall not be significantly altered and shall be complemented by proposed structures.	yes	Employee accommodation units to be constructed on already cleared area, notwithstanding the five mature trees proposed for removal.
f) Where development is allowed along shorelines, it shall be designed to conform to, rather than conceal the natural contours of the land that borders the shoreline.	n/a	
g) Rooftop mechanical equipment (satellite dishes, air-conditioning) shall be screened from view.	yes	No rooftop mechanical equipment apparent in development permit plans submitted. Compound will be fenced.
h) All portions of a building shall be authentic, functional space - artificial or contrived architectural features shall not be included in building designs.	yes	Proposed employee accommodation units are functional.
i) A sense of quality and solidity shall be established in the use of material. Most wall materials could be suitable if well detailed and sensitively combined. Brick, stone, wood siding and split face concrete block all express a sense of quality and permanence. Stucco would preferably be used in combination with other materials. Large areas of curtain-wall glazing shall not be used.	no	<p>The proposed employee accommodation buildings are prefabricated and inconsistent with the high quality buildings of the rest of the resort. However, they will be partially obscured behind a cedar plank fence, which should soften their visual impact.</p> <p>The buildings proposed are a significant improvement over the applicant's first plan, which consisted of Atco trailers with front doors facing inward, and obscured by an overly tall fence.</p>
j) The effects of the South Pender Island climate shall be accounted in the choice of material and detailing. Stucco shall be treated to prevent discolouration and particular care shall be taken in detailing of north facing facades.	yes	Hardiplank siding and asphalt shingle roof will be largely resistant to the local climate.

k)	Pitched roofs are a predominant theme of the development. Roofing materials shall be selected that are suitable for the level of articulation desired in the roof forms. Metal roofing and cedar shingles would facilitate this, whereas heavy tiled roofing would not.	yes	Asphalt shingle roof will accommodate the minimal articulation of the roofline of the proposed buildings.
l)	Materials shall fit to the form, style and character of the building overall.	yes	The proposed buildings are prefabricated, functional buildings. Materials used are consistent with the building type and purpose.
m)	The waterfront theme shall be reflected in material and colour.	yes	To the extent that beige is a reasonably “waterfront” colour (eg. sandstone).
n)	Building form, character, including roof type, and building walls shall be consistent throughout the development.	no	Nearby cottages are reminiscent of the arts and crafts architectural style. Proposed employee accommodation units are of significantly lower architectural value. However, as they are to be located in the operations section of the resort, planning staff suggest that this is of less concern and they should not be held to the same design standard as the guest portion of the resort.
<b>7.1.8 Guidelines for Landscaping and Screening</b>			
a)	Where landscaping of commercial areas is visible from public areas, natural landscaping that gives a native appearance or the retention of existing vegetation is encouraged as opposed to formal, decorative plantings.	yes	Area of proposed structures is not highly visible to resort guests. Use of Salal and Oregon Grape in landscaping should lend a natural appearance.
b)	Where landscaping of large new commercial and industrial areas is visible from public areas, informal, natural landscaping that gives a native appearance or the retention of existing vegetation is encouraged as opposed to formal, decorative plantings.	yes	Area in question is not a large new industrial area.
c)	New plant materials shall be chosen with a view to conserve water.	yes	Proposed landscaping are local varieties suited to the local climate.
d)	Landscaping next to creeks and lakes shall remain natural and wild to protect fish habitat. Plant species with a high water demand or that may require the use of pesticides or fertilizers shall not be located in this area. Bark mulches and impermeable landscape fabric shall not be used.	n/a	

e) Where practical, special care shall be taken to retain existing vegetation, particularly trees, and incorporate it into new development.	no	Proposed development will see the removal of four mature cedar trees and one mature Douglas Fir.
f) Fencing shall be natural in appearance and coordinated with the design of the main building.	yes	Cedar fencing is reasonably consistent with the proposed buildings.
g) Landscaping and screening shall be located on private property and not impede traffic sight lines.	n/a	
<b>7.1.11 Guidelines for Lighting</b>		
a) Lighting shall be kept to the minimum necessary for safety and visibility, to maintain a low level of light in the island's nighttime atmosphere.	n/a	No exterior lighting proposed, except above doorways to employee dwelling units.
b) Light fixtures shall be carefully chosen to focus light on the area to be illuminated.	n/a	
c) Incandescent fixtures are preferred.	n/a	
d) Flashing or strobe lights shall not be used to attract attention to commercial uses. Neon lighting shall not be used outside buildings.	n/a	
<b>Guidelines for Signs</b>		
a) Total sign area shall not exceed that permitted by local bylaws.	n/a	No new signage proposed
b) Signs shall not be more than 5 m above ground.	n/a	
c) Plastic, back lit signs shall not to be used.	n/a	
d) Signs shall not move or be audible. They shall not incorporate lighting that moves or flashes or gives the impression of doing so. Streamers, spinners and coloured flags are not appropriate.	n/a	
e) Signs shall be located on private property and not impede traffic sight lines.	n/a	
<b>7.1.13 Guidelines for Subdivision</b>		
a) Land in this Development Permit Area shall not be subdivided so that existing structures are made inconsistent with setback requirements of zoning or in a way	n/a	

that invalidates an existing Development Permit condition.”		
<b>7.1.14 Development Permit Security</b>		
a) Prior to issuing a development permit, the Local Trust Committee may require security in an amount acceptable to that Committee.	yes	Staff recommend that the LTC take a landscape security deposit.
b) On receipt of a written request, as stipulated in the development permit, the Local Trust Committee is to return the security, minus any amount required to correct any contravention of a condition in the development permit	yes	Draft development permit contains language concerning the return of landscape security upon confirmation that landscape works have been completed in accordance with permit terms.
c) Development permits issued in this development permit area are to contain a condition requiring the permit holder to submit a letter by a time specified in the permit indicating that the development has been completed in accordance with permit’s terms and conditions.	yes	Draft development permit contains language concerning the return of landscape security upon confirmation that landscape works have been completed in accordance with permit terms.



ISLANDS TRUST FUND

## REQUEST FOR DECISION

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**TO:** All local trust committees/  
Bowen Island Municipality

**For the meeting of:**  
**Date:** October 12, 2017

**FROM:** Islands Trust Fund

**SUBJECT: REFERRAL OF ISLANDS TRUST FUND FIVE YEAR PLAN**

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**RECOMMENDATION:**

That the \_\_\_\_\_ Island Local Trust Committee/Bowen Island Municipality receive the draft Islands Trust Fund Five Year Plan for information.

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### **IMPLICATIONS OF RECOMMENDATION**

**ORGANIZATIONAL:** None

**FINANCIAL:** None

**POLICY:** Consistent with policy.

**IMPLEMENTATION/COMMUNICATIONS:** The Islands Trust Fund Plan has been referred to all local trust committees and Bowen Island Municipality, as well as First Nations with interests in the Trust Area and Trust Council. Comments received will be considered and addressed. The Trust Fund Board intend to submit a final plan to the Minister of Municipal Affairs and Housing in December 2017 with a request for approval.

---

### **BACKGROUND**

The *Islands Trust Act* requires that the Trust Fund Board prepare and submit to the Minister, at least once every five years, a plan for the Islands Trust Fund respecting policies on acquisition, management, and disposal of property, investment of money, goals for major acquisitions, and other matters as required.

Islands Trust Policy 3.3.ii Islands Trust Fund and Local Planning Services Coordination (TFB Policy 3.1) requires the plan to be referred to every LTC and Island Municipality for comment. The Trust Fund Board will also be submitting the plan to Trust Council for comment at its December 2017 meeting.

The Islands Trust Fund Plan is administrative in nature, and explains current Trust Fund Board policies on land acquisition, management and disposition of land, and investment of funds. It also summarizes the goals of the draft Regional Conservation Plan.

It is important to distinguish between the Islands Trust Fund Five Year Plan which requires Ministerial approval under the *Islands Trust Act*, and the Regional Conservation Plan, which provides science-based operational direction to the Trust Fund Board and its staff. The documents are complementary, but serve different functions.

**REPORT/DOCUMENT:** [Draft Islands Trust Fund Five Year Plan](#)

**RELEVANT POLICY:** Islands Trust Policy 3.3.ii Islands Trust Fund and Local Planning Services Coordination (TFB Policy 3.1)

**DESIRED OUTCOME:** Local Trust Committee/Islands Municipality review of the Islands Trust Fund Five Year Plan and approval of plan from the Minister of Municipal Affairs and Housing.

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## **RESPONSE OPTIONS**

**Recommended:** That the \_\_\_\_\_ Island Local Trust Committee/Bowen Island Municipality receive the draft Islands Trust Fund Plan for information.

**Alternatives:** That the \_\_\_\_\_ Island Local Trust Committee/Bowen Island Municipality provide the following comments on the Islands Trust Fund Five Year Plan:

**PREPARED BY:** \_\_\_\_\_  
Jennifer Eliason  
Islands Trust Fund Manager

**REVIEWED BY:** \_\_\_\_\_  
Clare Frater  
Director of Trust Area Services



ISLANDS TRUST FUND

## BRIEFING

**To:** All local trust committees/Bowen Island Municipality  
**From:** Kate Emmings, Ecosystem Protection Specialist  
**For the Meeting of:**  
**Date prepared:** October 11, 2017

**SUBJECT: REFERRAL OF DRAFT ISLANDS TRUST FUND REGIONAL CONSERVATION PLAN 2018-2027**

### **PURPOSE:**

The Islands Trust Fund has completed a draft of its Regional Conservation Plan 2018-2027 and is providing it for information to all local trust committees and to the Bowen Island Municipality. The draft Regional Conservation Plan is also being shared with all First Nations with interests in the Islands Trust Area as well as conservation partners.

### **BACKGROUND:**

#### Why a Regional Conservation Plan?

The rich diversity of life in the Islands Trust Area makes the region ecologically significant, not only locally, but globally. Most of the region is within the Coastal Douglas-fir zone, one of the rarest of British Columbia's 16 biogeoclimatic zones. The Douglas-fir ecosystems of this zone, including Garry oak and associated ecosystems, are globally rare – in the entire world they occur only on the east coast of southern Vancouver Island, the islands of the Georgia Basin, and a small area of the mainland. The Islands Trust Area is also home to several other sensitive ecosystems and hundreds of rare terrestrial and marine plants and animals.

Despite its ecological significance, biodiversity in the Islands Trust Area is exposed to significant threats. With over 68% of the Islands Trust Area in private land ownership and over 3.3 million people living in the surrounding areas, the pressures to develop and change the natural landscape in the islands are substantial.

Because of the significance of the ecosystems found in the Islands Trust Area and the threats they are under, conservation planning is an important tool to ensure that the natural beauty that draws so many to the region is not lost. Since 2005, the work of the Trust Fund Board and, in some cases, the Islands Trust's local planning work, has been guided by Regional Conservation Plans.

#### What's in the Regional Conservation Plan?

The Regional Conservation Plan provides background on the ecosystems in the Islands Trust Area, evaluates their current status, identifies priorities and threats, and sets goals and objectives for the next ten years. The goals identified in the draft 2018-2027 Regional Conservation Plan are:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities
2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals

3. Continue to secure and manage Trust Fund Board lands and conservation covenants to maximize ecological integrity
4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

Local trust committees and the Bowen Island Municipality will find island profiles in Appendix II with information specific to their area of interest.

When will the Regional Conservation Plan Begin?

The draft Regional Conservation Plan will cover a ten-year period and will begin with approval of the Trust Fund Board. Review and approval of the final draft will happen in early 2018. The final Regional Conservation Plan will be provided to the Trust Council in March 2018 with a request for endorsement.

Who will the Regional Conservation Plan affect?

The Regional Conservation Plan directs the work of the Trust Fund Board and its staff. It is not binding on the work of the local trust committees, Bowen Island Municipality or Trust Council, although each of these corporate bodies may choose to incorporate elements of the plan into their work.

How will the Regional Conservation Plan be implemented?

The Trust Fund Board will implement the Regional Conservation Plan through three-year work plans, which will be approved by the Trust Fund Board and will be implemented by staff. At the end of each three-year period, staff will evaluate progress and set the next three-year work plan with the Trust Fund Board.

**ATTACHMENT(S):** [Draft Regional Conservation Plan 2018-2027](#)

**FOLLOW-UP:**

If the local trust committee or Bowen Island Municipality chooses to provide comment, they should pass a resolution citing comments and direct staff to relay the comments to Islands Trust Fund staff. Feedback will be considered by the Trust Fund Board when it finalizes its Regional Conservation Plan at its first meeting in 2018.

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**Prepared By:** Kate Emmings, Ecosystem Protection Specialist

**Reviewed By/Date:** Jennifer Eliason, Islands Trust Fund Manager/October 6, 2017



Islands Trust

# BYLAW REFERRAL FORM

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

Island: North Pender Island Local Trust Area Bylaws No.: 211 & 212 Date: September 27, 2017

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:**

Pender Island Community Services Society (PICSS – 'Nu to Yu')

**PURPOSE OF BYLAW:**

The purpose of **Bylaw 211** is to amend to amend the North Pender Island Official Community Plan Schedule "B" - Land Use Map to re-designate a portion of Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP54822 from **Rural – R to Community Service – CS**. In addition, **Bylaw 211** will amend the Schedule "A" - Policy Document to designate Development Permit Area Nine – Commercial and Industrial Form and Character on that portion of the land.

The purpose of **Bylaw 212** is to amend the North Pender Island Land Use Bylaw to rezone a portion of Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP54822 from **Rural – R** to a site specific **Community Service (o) - CS (o)** zone to permit the development of a new location of the Pender Island 'Nu to You' store on the subject portion of the property. The only use permitted in the zone is the retail sale of used goods where all proceeds from sales are donated to community organizations and projects on North Pender Island. Furthermore, the minimum area of a lot created by subdivision is 0.6 ha to ensure no further subdivision.

Professional reports and staff reports are available on the North Pender island webpage:  
<http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/current-applications/current-application-documents/>

**GENERAL LOCATION:**

North Pender Island Local Trust Area

**LEGAL DESCRIPTION:**

Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP54822

**SIZE OF PROPERTY AFFECTED:**

0.64 ha (1.58 acres)

**ALR STATUS:**

N/A

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

Rural – R

**OTHER INFORMATION:**

Additional information, including the current bylaws, is available at: <http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/current-applications/current-application-documents/>

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

Name: Phil Testemale

\_\_\_\_\_  
(Signature)

Title: Island Planner  
Contact Info: Tel: 250-405-5170  
Email: ptestemale@islandstrust.bc.ca

This referral has been sent to the following agencies:

**Federal Agencies**

N/A

**Provincial Agencies**

Ministry of Municipal Affairs and Housing  
BC Assessment Authority  
Ministry of Transportation & Infrastructure

**Non-Agency Referrals**

Islands Trust Fund

**Regional Agencies**

Capital Regional District – Electoral Area Director  
Capital Regional District – Building Inspection  
Island Health  
North Pender Island Fire Rescue

**Adjacent Local Trust Committees and Municipalities**

Mayne Island Local Trust Committee  
Saturna Island Local Trust Committee  
South Pender Island Local Trust Committee  
Salt Spring Island Local Trust Committee

**First Nations**

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

# BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

\_\_\_\_\_  
North Pender Island Local Trust Area

(Island)

\_\_\_\_\_  
211 & 212

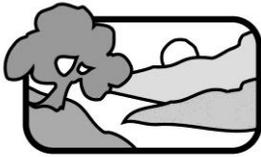
(Bylaw Numbers)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name and Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Agency)



Islands Trust

# BYLAW REFERRAL FORM

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

Island: North Pender Island Local Trust Area Bylaw(s) No.: 214 (OCP) & 215 (LUB) Date: October 4, 2017

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

**PURPOSE OF BYLAW:**

Bylaws 214 and 215 are proposed by the North Pender Island Local Trust Committee to meet community need for expanded waste transfer, compost and commercial recycling facilities on the Island, while ensuring that these uses do not have detrimental neighbourhood or environmental impacts.

Generally speaking, Bylaw 214 (attached as Appendix 1) will amend North Pender Island Official Community Plan Bylaw No. 171 by introducing enabling policies and a new Development Permit Area for the management of environmental, agricultural, and hazard impacts from waste transfer, compost and commercial recycling facilities on North Pender Island.

Bylaw 215 (attached as Appendix 2) will amend North Pender Island Land Use Bylaw No. 103 to zone for selected waste transfer, composting, and recycling uses on five properties on the Island. The bylaw includes new definitions and regulations to permit a range of uses in different locations – public drop off waste transfer, limited waste transfer, and full service waste transfer.

**GENERAL LOCATION:**

North Pender Island Local Trust Area

**LEGAL DESCRIPTION:**

Various

**SIZE OF PROPERTY AFFECTED:**

Various

**ALR STATUS:**

One subject property is within the ALR

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

Various

**OTHER INFORMATION:**

For additional comprehensive information on the proposed bylaw amendments and planning process that informed them, please see here:

<http://www.islandstrust.bc.ca/media/344521/staff-report-dated-sept-21-2017.pdf>

and here:

<http://www.islandstrust.bc.ca/media/344100/waste-man-staff-report-april-27-2017-plus-appendices.pdf>

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

Name: Justine Starke

(Signature)

Title: Island Planner  
Contact Info: Tel: 250-405-5189  
Email: jstarke@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

**Federal Agencies**

**Provincial Agencies**

Agricultural Land Commission  
Ministry of Agriculture – Regional Agrologist  
Ministry of Forest, Lands & Natural Resource Operations  
- Archaeology Branch  
- Ecosystems Branch  
- Water Protection  
Ministry of Transportation & Infrastructure

**Non-Agency Referrals**

North Pender Island Advisory Planning Commission  
BC Assessment Authority  
Islands Trust – Bylaw Enforcement

**Regional Agencies**

Capital Regional District – Electoral Area Director  
Capital Regional District – Environmental Resource Management  
Island Health  
North Pender Island Fire Rescue

**Adjacent Local Trust Committees and Municipalities**

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

**First Nations**

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

# BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

214 & 215

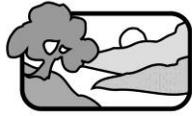
(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)



DATE OF MEETING: November 14, 2017

TO: South Pender Island Local Trust Committee

FROM: Jason Youmans, Island Planner  
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Heritage Conservation Options for the Church of the Good Shepherd  
Location: 8978 Gowlland Point Road

## RECOMMENDATION

1. That the South Pender Island Local Trust Committee direct staff to report back with a project charter.

## REPORT SUMMARY

The purpose of this report is to provide the South Pender Island Local Trust Committee with an overview of options it may wish to pursue regarding conservation of the heritage character of the Church of the Good Shepherd on South Pender Island. The report does not make any specific recommendations beyond preparation of a project charter, pending LTC discussion concerning its objectives and directing staff accordingly.

## BACKGROUND

### *LTC Background*

At its September 19, 2017 meeting, the LTC elevated heritage conservation of the Church of the Good Shepherd to its priority projects list.

### **SP-2017-33**

**It was MOVED and SECONDED,**

that the South Pender Island Local Trust Committee amend the Work Program by moving Heritage Conservation Options for the Church of the Good Shepherd from the Projects list to the Top Priorities list.

**CARRIED**

This matter was first added to the LTC's project long list following a 2015 letter from the South Pender Historical Society requesting that the LTC explore avenues to protect the property. See the SPHS letter attached as Appendix 4.

## Building Background

The Church of the Good Shepherd is located at 8978 Gowlland Point Road. It was opened in 1938, according to information contained in “A Gulf Islands Patchwork: Stories of Canada’s Beautiful Western Islands,” published in 1961. The building and grounds are also featured in “Island Heritage Buildings: A Selection of Heritage Buildings in the Islands Trust Area,” published by Islands Trust in 1984. See Appendices 5 and 6 for further information.

Today, the church is owned by the Anglican Synod Diocese of British Columbia. The church and grounds are managed on the Diocese’s behalf by the Parish of Pender and Saturna Island. The South Pender Historical Society (SPHS) contributes to the ongoing maintenance and groundskeeping of the subject property on a volunteer basis. A representative of the SPHS tells staff that as use of the building as a place of worship has declined, it has become more frequently used as a place of gathering, for events like historical lectures, Christmas sing-alongs, and art fairs.



Image 1: Relative location of subject property.



Image 2: 2013 ortho photo of subject property.

See Appendix 1 and 2 for further site context and photos.

## ANALYSIS

### Policy/Regulatory

#### ***Islands Trust Policy Statement:***

There are two Policy Statement policies directly relevant to the LTC’s proposed project.

#### 5.6 Cultural and Natural Heritage

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

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

The LTC can anticipate that a project that aims to protect the heritage value of a particular property or area will generally be consistent with the Islands Trust Policy Statement.

**Official Community Plan:**

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

The subject property’s OCP land use designation is Community and Government Services. Applicable objectives and policies of that designation are as follows:

**3.4.1 Community and Government Services Objectives**

- a) To support the provision of appropriate community and government services to the South Pender Island community.
- b) To maintain the land use designation on lands currently designated Community and Government Service into the future.

**3.4.2 Community and Government Services Policies**

- a) The fire protection, first responder, and meeting hall services provided by the Pender Islands Fire Protection Society, the services provided at the Church of the Good Shepherd, and the land based Canada Border Services Agency facilities are to be regulated through the bylaws implementing this OCP.
- d) Multiple-use community and government services facilities are to be supported as a means of making their on-island availability more viable.

The subject property is not located within any Development Permit Areas.

The LTC can anticipate that a project that aims to protect the heritage value of a particular property or area will generally be consistent with the South Pender Island Official Community Plan.

**Land Use Bylaw:**

The subject property is zoned Community Service (S1).

Permitted uses in the S1 zone are:

- a) Community halls, fire halls, libraries, museums, schools, and churches;
- b) Cemeteries;
- c) Farmer’s Market;
- d) Accessory uses, buildings and structures, other than dwellings

See Appendix 7 for additional regulations applicable in the S1 zone.

**Issues and Opportunities**

LTC Objectives

In areas prone to frequent or rapid change, heritage designation of buildings and neighbourhoods is a way for local governments to maintain a particular form and character, and celebrate the history of the community. South Pender Island is not subject to the type of development pressure that often precipitates formal heritage protection. Both the zoning and underlying OCP land use designation for the Church of the Good Shepherd property preclude residential or commercial development of the lot. Thus, there does not appear to be a particular urgency to introduce additional regulatory measures that would preserve the church building. Nonetheless, should the Anglican Diocese determine that the building is a liability and wish it torn down, or should it wish to drastically reconfigure the property, it could do so. If the LTC desires to prevent significant

alteration to the buildings and property, there are regulatory measures it can take as described in the below section on legislative/regulatory approaches to heritage conservation.

If, however, the LTC is simply interested in acknowledging the history of the property and its value to the community, there are several non-regulatory approaches it may consider, also described below.

### Legislative/Regulatory Approaches to Heritage Conservation

Local Trust Committee authority to introduce legislation or regulation related to heritage conservation derives from the *Local Government Act*.

Under the *Local Government Act*, there are four actions a Local Trust Committee can take concerning heritage conservation. In ascending order of strength these are:

- 1) Community Heritage Register (LGA Section 598) – see Appendix 8.

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

A heritage register does not impose any obligations on the property owner.

- 2) Heritage Recognition (LGA Section 599) – See Appendix 9.

The local government may formally recognize the heritage value of a property through installation of a plaque or other marker on the property. This can only be done with the permission of the property owners.

- 3) Heritage Conservation Area (LGA Section 614) – See Appendix 10.

The local government may designate a particular area and the built or landscape features within it to be a Heritage Conservation Area within its Official Community Plan. A Heritage Conservation Area functions similarly to a Development Permit Area, in that undertaking particular types of alterations to a building or landscape feature identified in the Heritage Conservation Area would require a Heritage Alteration Permit from the local government. The OCP would be amended to introduce a number of guidelines that a property owner would be required to meet if their proposed development plans triggered the requirement for a Heritage Alteration Permit.

See Appendix 12 for a copy of Salt Spring Island’s Heritage Conservation Area bylaw.

Introduction of a Heritage Conservation Area does not require the consent of effected property owners.

Introduction of a Heritage Conservation Area would be consistent with South Pender Island OCP policy 5.2.2 (f).

- 4) Heritage Designation Protection Bylaw (LGA Section 611) – See Appendix 11.

The local government may adopt a heritage protection bylaw for a particular property. Such a bylaw prohibits any of the following activities from being undertaken without a Heritage Alteration Permit from the local government:

- (a) alter the exterior of a building or other structure protected under this section;
- (b) make a structural change to a building or other structure protected under this section;
- (c) move a building or other structure protected under this section;
- (d) alter, remove or take an action that would damage an interior feature or fixture that is identified under subsection (2) (c);
- (e) alter, remove or take an action that would damage a landscape feature that is identified under subsection (2) (d);
- (f) alter, excavate or build on land protected under this section.

Unlike a Heritage Conservation Area, there are no guidelines to direct local government decisions on whether a Heritage Alteration Permit should be issued, thus making permit issuance a purely discretionary political decision.

In the Local Trust Committee context, adoption of Heritage Designation Protection Bylaw would require land owner consent. The reason for this is that under the *Local Government Act*, local governments must compensate land owners for loss of property value as a result of heritage designation. Since the *Islands Trust Act* does not authorize Local Trust Committees to pay compensation to property owners, the property owner of the subject property would have to agree to waive their right to compensation.

Both Heritage Conservation Area Bylaws and Heritage Designation Protection Bylaws may establish minimum standards to which heritage designated properties must be maintained.

See Appendix 13 for a copy of Saturna Island’s Heritage Designation Protection Bylaw.

### Heritage Assessment Report

All four *Local Government Act* options for heritage protection ask that local governments identify why a particular building or property is being considered for heritage designation or protection. Introduction of a heritage designation protection bylaw specifically requires production of a report that, in part, includes information about the heritage value or heritage character of the property. Thus, if the LTC is contemplating any of the heritage conservation actions permitted under the *Local Government Act*, the first step could be to use a portion of the project budget to hire a recognized heritage consultant to undertake a heritage assessment report for the subject property.

Alternatively, the heritage character of the Church of the Good Shepherd may lie less in it being an example of a particular architectural style, and instead simply in its value as a longstanding focal point of South Pender Island life. If the latter is the case, a formal report may be unnecessary, though potentially still valuable.

### Other Legislative/Regulatory Approaches

#### *Future Park Land Designation*

The 2015 letter from the South Pender Island Historical Society indicates that the SPHS would like to see the Church of the Good Shepherd Property added to Schedule D of the Official Community Plan as “Lands that may be Subject to Park Dedication.”

While not directly related to heritage conservation, the LTC could amend Schedule D to add the subject property. The LTC may wish to consider this change as it could enable a developer undertaking subdivision or other development elsewhere on the Island to purchase the property and gift it to the Capital Regional District

or other government agency as parkland to satisfy their parkland dedication requirements or as a community amenity at time of rezoning.

The success of such a project would be contingent on a government agency being willing to take on ownership of the property as a park. Furthermore, the preservation of the church and accessory buildings under CRD or other parkland ownership would be at the discretion of the park land owner.

If the LTC is to entertain adding the subject property to OCP Schedule D, it may also wish to consider adding an additional policy to the Community and Government Services section of the OCP, to the effect that future LTC's could consider rezoning the subject property to a Parks and Recreation zone variant allowing for community halls.

See Appendix 14 for Schedule D.

#### Non-Legislative/Non-Regulatory Approaches to Heritage Conservation

A representative of the South Pender Historical Society indicated that there would be interest in production of a pamphlet chronicling the lives of the Island pioneers whose names appear in the church memorial garden. However, the LTC cannot grant money to third-party organizations, nor can an LTC engage in activities outside the scope its authority to regulate the use and development of land.

#### Community Consultation

The South Pender Island OCP suggests that the LTC may consider forming a Heritage Advisory Planning Commission to advise on heritage matters. This seems excessive given the Island's modest size and limited heritage features (from the settler period at least). Nonetheless, the LTC may wish to engage the community in a broader conversation about the Island's heritage to discuss not only the Church of the Good Shepherd property, but also any and all other areas of the Island to which the LTC may wish to turn its attention for consideration of recognition or formal protection.

The outcome of such an engagement exercise could inform a second phase of this project, whereby the LTC may implement one or more of the heritage conservation measures authorized under the *Local Government Act*.

#### Land Owner Perspective

Preliminary conversations with staff of the Anglican Synod Diocese of British Columbia suggest that the land owners are not supportive of formal designation of the property as a heritage property, whether by its inclusion in a heritage registry, creation of a Heritage Conservation Area, or adoption of a Heritage Designation Protection Bylaw.

Staff will continue to seek a more detailed understanding of the Diocese's position on the subject, providing a LTC with a verbal update if further communications are had prior to the LTC meeting.

#### **Consultation**

The approach chosen by the LTC will dictate the nature of the LTC's consultation methods and requirements. To be considered in a project charter and future staff report, and dependant on the LTC's preferred direction, are:

- Statutory requirements
- Agency referrals
- First Nations
- Community engagement

- Stakeholder engagement

### **Staff Comment/Rationale for Recommendation**

Staff are recommending that initially the LTC consider its objectives concerning heritage protection of the Church of the Good Shepherd, following which a project charter with a timeline and budget implications could be prepared. Following discussion at the November 14, 2017 LTC meeting, staff will be better positioned to advise how the LTC could proceed. If the LTC wishes to consider any of the heritage conservation options under the *Local Government Act*, commissioning a professional heritage assessment may be the first step.

### **Alternatives**

#### **1. Commission a heritage assessment report**

If the LTC is contemplating any of the heritage conservation actions permitted under the *Local Government Act*, particularly a Heritage Designation Protection Bylaw or Heritage Conservation Area, it may wish to direct a portion of its project budget to hiring a consultant to undertake a heritage assessment report for the subject property. Recommended wording for such a resolution is as follows:

*That the South Pender Island Local Trust Committee direct staff to engage a consultant to undertake a heritage assessment report for 8978 Gowlland Point Road and that this report address:*

*(a) the heritage value or heritage character of the property;*

*(b) the compatibility of conservation with the official community plan and any other community planning objectives in the area in which the property is located;*

*(c) the compatibility of conservation with lawful uses of the property and adjoining lands;*

*(d) the condition and economic viability of the property;*

*(e) the possible need for financial or other support to enable appropriate conservation.*

If the LTC resolves to undertake any of the heritage conservation measures identified in the *Local Government Act*, staff encourage that the above recommendation be adopted.

#### **2. Introduce a Heritage Conservation Area**

If the LTC wishes to move quickly to ensure that substantial changes cannot be made to the Church of the Good Shepherd and its property, it could amend the OCP to introduce a Heritage Conservation Area without a supporting heritage assessment report.

Recommended wording for such a resolution is as follows:

*That the South Pender Island Local Trust Committee direct staff to develop a project charter for the introduction of a Heritage Conservation Area for 8978 Gowlland Point Road.*

The ultimate implication of this approach would be that following bylaw adoption, certain types of building or land altering activities would henceforth require a permit from the LTC. A brief preliminary conversation with the Anglican Diocese suggests that the Diocese does not support heritage protection of the property. As such, implementing a Heritage Conservation Area risks souring relations with Diocese. This may also complicate the relationship between the South Pender Historical Society and the Diocese.

### 3. Amend OCP Schedule D

If the LTC wishes to ensure that the subject property is identified for consideration of future parkland dedication, it can direct staff to amend Schedule D of the OCP. Recommended wording for such a resolution is as follows:

*That the South Pender Island Local Trust Committee direct staff to develop a project charter for the amendment of OCP Schedule D to include 8978 Gowlland Point Road.*

Amending Schedule D to include 8978 Gowlland Point Road makes it clear that the community supports public ownership of the subject land for public use.

### 4. Conduct further stakeholder engagement

The LTC may wish that staff continue to consult with the Anglican Synod Diocese of British Columbia and the South Pender Historical Society to determine if there is a mutually agreeable path forward concerning heritage recognition or protection for the Church of the Good Shepherd.

*That the South Pender Island Local Trust Committee direct staff to continue to work with the Anglican Diocese and South Pender Historical Society to determine if there is a role for the LTC in the heritage protection of the Church of the Good Shepherd.*

### 5. Amend work program

If the above options for LTC intervention in the heritage conservation of the Church of the Good Shepherd are considered unnecessary, the LTC may amend its work program to remove it as a top priority. Recommended wording for such a resolution is as follows:

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

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

## NEXT STEPS

If the LTC decides to proceed with the project, staff will return to the LTC with a project charter addressing the direction adopted by the LTC.

Submitted By:	Jason Youmans, Island Planner	November 5, 2017
Concurrence:	Robert Kojima, Regional Planning Manager	November 6, 2017

## ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. ITPS/OCP Policy Review
4. Letter from South Pender Historical Society
5. Excerpt – Gulf Islands Patchwork
6. Excerpt – Island Heritage Buildings

7. S1 Zoning
8. LGA Section 598
9. LGA Section 599
10. LGA Section 614
11. LGA Section 611
12. Salt Spring Island Heritage Conservation Area
13. Saturna Island Heritage Designation Protection Bylaw No.
14. South Pender Island OCP Schedule D

## APPENDIX 1 – SITE CONTEXT

### LOCATION

Legal Description	THAT PART OF PARCEL C (DD 79609I) OF SECTION 20, PENDER ISLAND, COWICHAN DISTRICT; COMMENCING AT A POST ON THE SOUTHERLY BOUNDARY OF THE PUBLIC ROAD, DISTANT 7.97 CHAINS ON A BEARING OF S 71 DEG 28 MIN E FROM THE NORTH WEST CORNER OF SAID PARCEL C; THENCE S 70 DEG 14 MIN E ALONG THE SOUTHERLY BOUNDARY OF SAID ROAD FOR 2.25 CHAINS; THENCE SOUTH WESTERLY AT RIGHT ANGLES FOR 2.24 CHAINS; THENCE NORTH WESTERLY AT RIGHT ANGLES FOR 2.25 CHAINS; THENCE NORTH EASTERLY AT RIGHT ANGLES FOR 2.24 CHAINS TO THE POINT OF COMMENCEMENT, CONTAINING 0.5 OF AN ACRE, MORE OR LESS, AS SHOWN OUTLINED IN RED ON PLAN 224R
PID	009-686-428
Civic Address	8978 Gowlland Point Road

### LAND USE

Current Land Use	Church/Community Hall
Surrounding Land Use	Agricultural designation to the east, south and west. National Park to the north across the road. Poets Cove Resort and Tsawout First Nations reserve lands nearby to the west.

### HISTORICAL ACTIVITY

File No.	Purpose
Not Applicable	

### POLICY/REGULATORY

Official Community Plan Designations	OCP Land Use Designation: Community and Government Services (CG)  The subject property is not within any Development Permit or Heritage Conservation Areas.
Land Use Bylaw	The property is zoned Community Service 1 (S1). See Appendix 15 for applicable regulations.
Other Regulations	The property contains a seasonal stream. However, it is not identified as fish habitat under the Riparian Areas Regulation.  The accessory building in the southeast corner of the property appears to be located within the rear property line setback, though its siting is likely lawfully non-conforming.  Staff are unaware of any additional regulatory issues about which the LTC

	should be aware.
Covenants	Not Applicable
Bylaw Enforcement	Not Applicable

## SITE INFLUENCES

Islands Trust Fund	Not Applicable
Regional Conservation Strategy	The Islands Trust Fund Regional Conservation Plan indicates that the subject property is of lower estimated habitat composition importance owing to its developed character.
Species at Risk	<p>The subject property is in an area known to contain the American Bird's-Foot Trefoil (<i>Acemispou Americanus</i>).</p> <p>For more information, visit:</p> <p><a href="http://a100.gov.bc.ca/pub/eswp/esr.do;jsessionid=Dpp8WVTTJGnb6SzYBkMd9t2qcTKxnfWsYQ0mh9v06W74jl9gTgkK!-2094372724?id=16055">http://a100.gov.bc.ca/pub/eswp/esr.do;jsessionid=Dpp8WVTTJGnb6SzYBkMd9t2qcTKxnfWsYQ0mh9v06W74jl9gTgkK!-2094372724?id=16055</a></p> <p>As no new development is proposed under the current heritage conservation initiative, staff do not recommend any LTC action on this matter, unless the LTC wishes to direct further investigation as to whether this species is present on the property.</p>
Sensitive Ecosystems	Islands Trust Sensitive Ecosystem Mapping does not show the subject property to contain any sensitive ecosystem features.
Hazard Areas	Islands Trust mapping does not show the subject property to be within an area of slope stability or flood hazard.
Archaeological Sites	<p>The subject property is located within 100 metres of recorded archaeological site DeRt-4.</p> <p>As not development is proposed in conjunction with the LTC's heritage conservation project, staff do not recommend that any LTC action is required on this matter. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.</p>
Climate Change Adaptation and Mitigation	Staff are unaware of any projected impacts on, or results of, climate change that should impact the LTC's consideration of heritage conservation measures for the subject property.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable



## APPENDIX 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

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Image 3: Church of the Good Shepherd.



Image 4: Church of the Good Shepherd.



Image 5: Church of the Good Shepherd accessory building.



Image 6: Church of the Good Shepherd property.



Image 7: Church of the Good Shepherd interior.



Image 8: Church of the Good Shepherd Memorial Garden.

## APPENDIX 3 – POLICY REVIEW

### ISLANDS TRUST POLICY STATEMENT

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

### SOUTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW No. 107

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

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

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

## South Pender Historical Society

May 25, 2015

Wendy Scholefield  
Bruce McConchie



Dear South Pender Local Trust Committee

Re: Land Use Bylaw Review

The South Pender Historical Society is committed to preserving the history of South Pender Island including land and structures of historical value. We are specifically interested in preserving and maintaining the buildings, grounds and Memorial Garden of the Church of the Good Shepherd for the benefit and use of the Pender community and visitors.

The Society would like to explore with the LTC options under the South Pender OCP and LUB to support this goal.

In particular, the Society is interested in:

1. the designation of the Church as a heritage cultural resource under S 5.2.1(b) of OCP;
2. the development of a bylaw to protect the Church property as a Heritage Conservation Area under S 5.2.2(f) as part of the current Land Use Bylaw review; and,
3. the addition of the church property to Schedule D of our OCP for consideration of future parkland as a Community Heritage Park.

The Society has had a preliminary meeting with the PIPRC to discuss these options on March 27, 2015 and they were well received. We would welcome an opportunity to make a presentation to the LTC at a future meeting in support of these possible options.

Thank you for your consideration of this request.

Yours Truly,



Bert Hol, President  
South Pender Historical Society

Cc: Michael Symons, Chair  
Pender Islands Parks and Recreation Commission

## THE CHURCH OF THE GOOD SHEPHERD

(By G. F. PARKYN)

IN the Spring of 1937 a meeting was called by the Rector, Rev. R. D. Porter, to discuss the possibility of building a church on South Pender, in view of the fact that Rev. H. S. Payne had offered to give the fittings from the Saturna church, which was being closed, to South Pender if a suitable building in which to put them could be provided.

The meeting was held in Mrs. Hodgson's hall and was attended by most of the residents of the island.

Three suggestions were put forward:

1. Mrs. Hodgson offered the use of the hall for services if a small sanctuary be built attached to the hall, that could be closed off, and which would serve as a chancel.
2. That a log building be erected.
3. That if a log building should be impracticable, a frame building be erected if sufficient funds could be raised to defray the cost.

After some discussion it was decided that a frame building would be most suitable if it could be financed.

Mr. Parkyn undertook to draw plans and estimate the cost of material for a building of this type.

A committee was appointed to be known as the South Pender Church Building Committee and was composed of the following residents: Rev. Porter, chairman; Mrs. A. R. Spalding, treasurer; Mrs. F. X. Hodgson, hon. sec.; Mrs. Kelly, Dr. Aldridge, Major Pender and Mr. Parkyn.

The committee decided to open a fund and invited all people who were interested to donate, and also to hold entertainments etc.

It was suggested that a site on the Richardson Estate, owned by the Misses Richardson in England, would be most suitable if it could be procured, and the meeting adjourned to inspect the proposed location. With the assistance of Mr. Conery, who was then occupying the Richardson property, a suitable site was selected, and the committee was instructed to contact the Misses Richardson, who subsequently not only gave the site, but a substantial cash donation as well.

The plans were drawn, submitted, and approved by the Synod who also made a cash contribution of \$300, and in March, 1938, work on the building was commenced by the residents with Mr. Parkyn in charge.

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It was decided to hire two carpenters to get the heavy frame work started, and Mr. Fred Smith and Mr. Macdugal from Hope Bay were hired for a week with Mr. Smith in charge. Both gentlemen also donated extra time to the work.

Under Mr. Smith's expert guidance most of the heavy work in connection with getting the frame up was completed before they left.

The rough lumber was procured from Mr. Jock MacDonald's sawmill on North Pender and was donated by Dr. and Mrs. Aldridge.

The shingles for the roof were supplied at cost by Mr. Murray.

The hauling was all done voluntarily by Mr. Teece and his sons.

The church was opened in May, 1938 free of debt.

Gifts to the church included:

Altar, chancel furniture, tapestry, pictures, chairs and carpets by Rev. Payne from Saturna Church.

Bell by Misses Richardson as a memorial to their brothers, G. F. and N. A. Richardson.

Font by Mr. L. H. Walker and the Spalding family as a memorial to Helen Walker.

Stained glass window by Miss C. M. P. Lyon.

Altar cloth and communion linen by the Guildford Ladies' Guild, per Mrs. Crane.

An oak tree, grown from an acorn from Windsor Great Park, was planted in the churchyard to commemorate the coronation of King George VI.

## DATES

First meeting: May, 1937.

Site surveyed: October, 1937.

Building commenced: March, 1938.

Opening service: May 1st, 1938.

Dedication by Bishop (now Archbishop) Sexton, June 17th, 1938.

First wedding: Andrews — Hodgson.

First baptism: Joan Stallybrass.

Salvation Army wedding: Laird — Teece.

Shantymen's service.

It has always been a community church—most of the original work was done by non-Anglicans.

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**PENDER — 19**

**Location:** Camp Bay, at the eastern end of South Pender Island\*

**Date Built:** 1921

**Builder:** Walter Bowerman for Mr. and Mrs. Arthur Crane

**Historical Notes:** The "Camp Bay Place" was built in 1921 by Walton Bowerman for Mr. and Mrs. Arthur Crane who bought part of the original A. E. Stanford farm for retirement. Originally the large dwelling had a wrap-around verandah, as was the style in South Africa, the Crane's former home. The Cranes farmed their 65-acre property but decided to sell when their children reached high school age, there being no secondary school on the Pender Islands in those days.

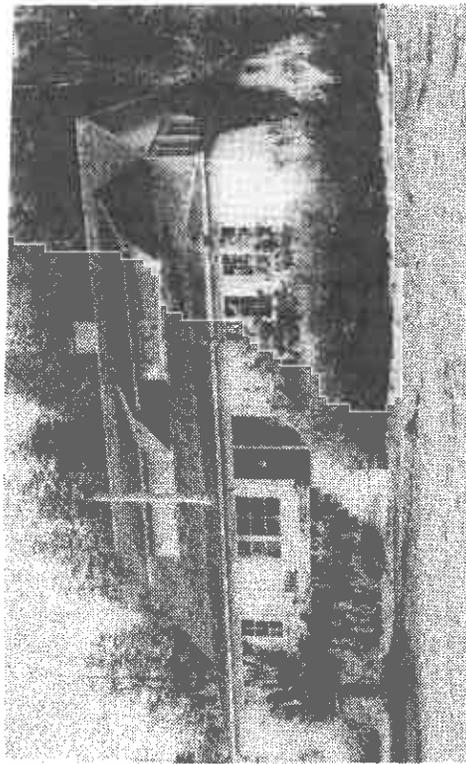
In about 1943 the Crane property was purchased by Mrs. A. E. Craddock, who had just sold "Waterlea", the resort on North Pender Island near James Point (see PENDER—14). Mrs. Craddock and her daughter, Patricia, made their home here for about 20 years before selling out in the early 1960s. Today the Camp Bay Place remains in excellent condition but differs from the original building in that the large verandah has been enclosed to increase the floor area.

Sources of information:—Mrs. Mary Roddick, daughter of Arthur Crane.

—Mrs. Victoria Gillespie, daughter of Captain A. E. Craddock.

—A *Gulf Islands Patchwork*, pp. 171–172.

\* Not accessible by public road.



The Camp Bay Place (1984 photo).

**PENDER — 20**

**Location:** Gowland Point Road, South Pender Island

**Date Built:** 1938

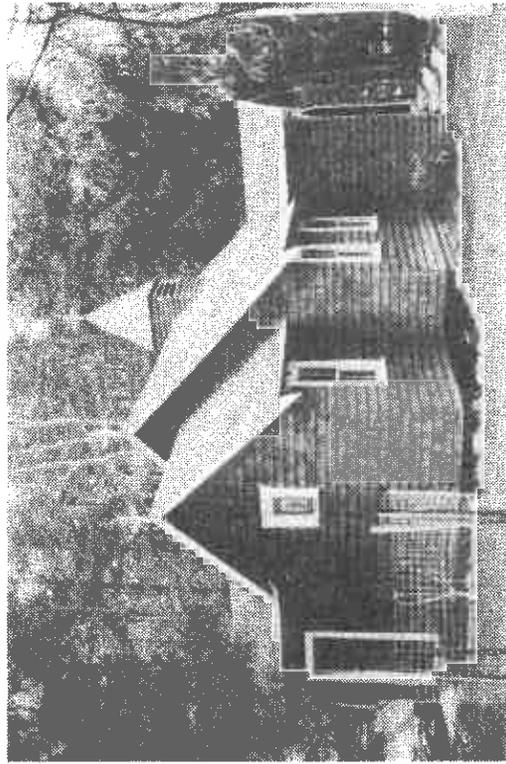
**Builder:** Frederick Smith, Sr. and volunteer labour

**Historical Notes:** In 1937 a South Pender Church Building Committee was appointed to raise money for the construction of a frame church on South Pender Island. The wooded site on Gowland Point Road was donated by the Richardsons and Frederick Smith, Sr. (see PENDER—9) was hired, along with a Mr. Macdugal, to erect the framing. Volunteer labour completed the job.

The "Church of the Good Shepherd" was opened in May 1938, free of debt. The altar, chancel furniture, and other furnishings were donated by Rev. Hubert Payne and came from his Saturna church, which was being closed (see SATURNA—1). Many of the other gifts have been noted in *A Gulf Islands Patchwork*.

This picturesque little Anglican church was dedicated by Bishop Sexton on June 17, 1938, and continues to serve islanders of many faiths to this day.

Source of information:—A *Gulf Islands Patchwork*, pp. 112–113.



The Church of the Good Shepherd (1984 photo).

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### 5.3 Community Service (S1)

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#### Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
  - (a) Community halls, fire halls, libraries, museums, schools, and *churches*;
  - (b) Cemeteries;
  - (c) *Farmer's Market*;
  - (d) *Accessory uses, buildings and structures, other than dwellings.*

#### Density

- (2) The *lot coverage* of all *buildings and structures* may not exceed 25 percent.

#### Siting and Size

- (3) The minimum *setback* for any *building or structure*, except a fence or *pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (4) Despite Section 3.4, the maximum height of any *building or structure* is 9.2 metres (30 ft.).

#### Subdivision Lot Size Requirements

- (5) Minimum and average *lot area* requirements are 0.4 hectares (1.0 acre) for any *lot* created by subdivision.

**Community heritage register**

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

(2) A community heritage register

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

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

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

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

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

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

**Heritage recognition**

**599** (1) A local government may recognize the heritage value or heritage character of a heritage property, an area or some other aspect of the community's heritage.

(2) The local government may have a plaque or other marker installed to indicate recognition under subsection (1), subject to the requirement that permission for this must be obtained from the owner of the property on which the marker is installed.

## Designation of heritage conservation areas

**614** (1) For the purposes of heritage conservation, an official community plan may designate an area as a heritage conservation area to which section 615 (1) [*requirements for heritage alteration permit*] applies.

(2) If a heritage conservation area is designated under subsection (1),

(a) the official community plan must

(i) describe the special features or characteristics that justify the designation, and

(ii) state the objectives of the designation, and

(b) either the official community plan or a zoning bylaw must specify guidelines respecting the manner by which the objectives are to be achieved.

(3) If a heritage conservation area is designated under subsection (1), the official community plan may do one or more of the following:

(a) specify conditions under which section 615 (1) does not apply to property within the area, which may be different for different properties or classes of properties;

(b) include a schedule listing buildings, other structures, land or features within the area that are to be protected heritage property under this Act;

(c) for the purposes of section 615 (3), identify features or characteristics that contribute to the heritage value or heritage character of the area.

(4) At least 10 days before the public hearing on an official community plan that includes a schedule under subsection (3) (b), the local government must give notice in accordance with section 592 to the owner of each property that is to be included in the schedule, unless the property was already included in the schedule.

(5) Within 30 days after the adoption of a bylaw that includes a property in or deletes a property from a schedule under subsection (3) (b) to an official community plan, the local government must

(a) file a notice in the land title office in accordance with section 594, and

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

### **Permit requirements in relation to heritage conservation areas**

**615** (1) If an official community plan designates a heritage conservation area, a person must not do any of the following unless a heritage alteration permit authorizing the action has been issued:

(a) subdivide land within the area;

(b) start the construction of a building or structure or an addition to an existing building or structure within the area;

(c) alter a building or structure or land within the area;

(d) alter a feature that is protected heritage property.

(2) Subsection (1) does not apply if conditions established under section 614 (3) (a) apply.

(3) If a heritage alteration permit is required by subsection (1), a delegate may act in relation to such a permit only if

(a) the property is protected heritage property, or

(b) the permit relates to a feature or characteristic identified under section 614 (3) (c).

## Heritage designation protection

**611** (1) A local government may, by bylaw, on terms and conditions it considers appropriate, designate real property in whole or in part as protected under this section if the local government considers that

(a) the property has heritage value or heritage character,  
or

(b) designation of the property is necessary or desirable for the conservation of a protected heritage property.

(2) A heritage designation bylaw may do one or more of the following:

(a) apply to a single property or to part of a property;

(b) apply to more than one property, including properties owned by different persons;

(c) apply to affixed interior building features or fixtures identified in the bylaw;

(d) apply to landscape features identified in the bylaw;

(e) establish policies or procedures regarding the provision of financial or other support for the conservation of the heritage property;

(f) specify types of alterations to the property that are allowed without a heritage alteration permit;

(g) establish policies regarding the issuance of heritage alteration permits in relation to property covered by the bylaw.

(3) Except as authorized by a heritage alteration permit or allowed under subsection (2) (f), a person must not do any of the following:

(a) alter the exterior of a building or other structure protected under this section;

(b) make a structural change to a building or other structure protected under this section;

(c) move a building or other structure protected under this section;

(d) alter, remove or take an action that would damage an interior feature or fixture that is identified under subsection (2) (c);

(e) alter, remove or take an action that would damage a landscape feature that is identified under subsection (2) (d);

(f) alter, excavate or build on land protected under this section.

### **Heritage designation procedure**

**612** (1) Before a heritage designation bylaw is adopted, the local government must hold a public hearing on the proposed bylaw for the purpose of allowing affected parties and the general public to make representations respecting matters contained in the proposed bylaw.

(2) The following provisions of Part 14 [*Planning and Land Use Management*] apply with respect to the public hearing and enactment of the heritage designation bylaw:

(a) section 465 [*public hearing procedures*];

(b) section 469 [*delegating the holding of public hearings*];

(c) section 470 [*procedure after public hearing*];

(d) section 480 [*adoption of municipal zoning bylaw*].

(3) At least 10 days before the public hearing, a notice in the prescribed form must be given in accordance with section 592 [*giving notice to owners and occupiers*] to

(a) all persons who, according to the records of the land title office, have a registered interest in real property that would be designated, and

(b) all occupiers of real property that would be designated.

(4) A notice in the prescribed form must also be published in at least 2 consecutive issues of a newspaper, with the last publication to be at least 3 days but not more than 10 days before the public hearing.

(5) The local government must have a report prepared regarding the property to be designated that includes information respecting the following matters:

(a) the heritage value or heritage character of the property;

(b) the compatibility of conservation with the official community plan and any other community planning objectives in the area in which the property is located;

(c) the compatibility of conservation with lawful uses of the property and adjoining lands;

(d) the condition and economic viability of the property;

(e) the possible need for financial or other support to enable appropriate conservation.

(6) At least 10 days before the public hearing, the report under subsection (5) must be available for public inspection at the local government office during its regular office hours.

(7) No heritage designation bylaw is invalid for inadvertent and minor non-compliance with this section or Division 2 [*Notices under this Part*], or for an error or omission in the report required under subsection (5).

(8) Within 30 days after a local government adopts or defeats a heritage designation bylaw or determines not to proceed with the bylaw, the local government must give notice of this in the prescribed form to the owners entitled to notice under subsection (3) (a).

(9) Within 30 days after adopting a heritage designation bylaw, the local government must give notice of this

(a) to the land title office in accordance with section 594, and

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

### **Compensation for heritage designation**

**613** (1) If a designation by a heritage designation bylaw causes, or will cause at the time of designation, a reduction in the market value of the designated property, the local government must compensate an owner of the designated property who makes an application under subsection (2),

(a) in an amount or in a form the local government and the owner agree on, or

(b) failing an agreement, in an amount or in a form determined by binding arbitration under subsection (4).

(2) The owner of a designated property may apply to the local government for compensation for the reduction in the market value of the designated property.

(3) An application under subsection (2)

(a) must be made, in order for the owner to be entitled to compensation under this section, no later than one year after the heritage designation bylaw is adopted, and

(b) may be made before the heritage designation bylaw is adopted.

(4) If the local government and an owner are unable to agree

(a) that the owner is entitled to compensation, or

(b) on the amount or form of compensation,

then either the local government or the owner may require the matter to be determined by binding arbitration under the *Arbitration Act*.

(5) An arbitration under this section must be by a single arbitrator unless the local government and the owner agree to the appointment of an arbitration panel.

(6) The arbitrator or arbitration panel, in determining whether the owner is entitled to compensation and the amount or form of compensation, must consider

(a) financial and other support available for conservation of the designated property, and

(b) any other benefits that are available because of the designation of the property.

(7) Compensation must not be paid, and an arbitration must not continue, if the local government defeats or decides not to proceed with the heritage designation bylaw.

(8) Nothing in this section authorizes the local government to give any financial or other benefit to an owner except that which is commensurate with the reduction in the market value of the designated property caused by that designation.

(9) This section does not apply with respect to property that, immediately before the adoption of the heritage designation bylaw, is already designated under a heritage designation bylaw or under section 9 of the *Heritage Conservation Act*.

## PART F HERITAGE CONSERVATION AREAS

### F.1 HERITAGE CONSERVATION AREA 1 - GANGES VILLAGE CORE

#### F.1.1 Description of Permit Area and Exemptions

- F.1.1.1 Heritage Conservation Area 1 is shown on Map 25. It is designated according to Section 880 (1) of the *Municipal Act* to conserve the community's cultural heritage.
- F.1.1.2 **All** development in this Heritage Conservation Area is exempted from the requirement to obtain a Heritage Alteration Permit, **except**:
- a. Structural alterations or additions to the exterior of buildings or structures listed in Section F.1.5, including alterations to add or remove windows or doors.
  - b. Exterior repairs or non-structural alterations to the buildings listed in Section F.1.5 where the original materials are not to be either salvaged and reused or simulated by new materials on visible parts of the building.
  - c. Construction or alteration of a building or structure greater than one storey in height on a property that adjoins a property with a building listed in Section F.1.5.
  - d. The removal of heritage trees listed in Section F.1.5, unless the tree is identified as unsafe by an arborist or is causing an immediate threat to life or property.
  - e. The consolidation of land parcels.

#### F.1.2 Reasons for this Heritage Conservation Area

Ganges Village has played an important part in the development of Salt Spring Island and of the Southern Gulf Islands for over one hundred years. Many of the island's earliest commercial enterprises and larger residences were in Ganges Village due to the presence of a relatively deep draft harbour and nearby farms. Several original buildings still stand and their preservation is an objective of this Plan.

The future development of Ganges Village could result in a loss of the community's cultural heritage if the identifiable heritage features and character of the village are not recognized and if changes to them are not carefully managed.

#### F.1.3 Objective of this Heritage Conservation Area

The objectives of the Ganges Village Core Heritage Conservation Area are:

- F.1.3.1 To identify and protect the heritage significance of the Ganges Village Core in a way that reinforces the village's appearance and its economic value and stability for property owners and the community.
- F.1.3.2 To guide changes made to the exteriors of buildings of heritage value so that their heritage character is retained.
- F.1.3.3 To avoid the assembly and consolidation or joint development of small frontage parcels in Ganges Village Core that would facilitate the removal of heritage structures. To avoid the construction of structures that span several original land parcels.
- F.1.3.4 To promote the retention or salvage of heritage orchard trees, mature trees and hedges and commemorative trees in the Area.

#### **F.1.4 Special Features and Characteristics that contribute to Heritage Value and Character**

The following features and characteristics of the Area are identified as contributing to its heritage value and character and justify its heritage designation:

- F.1.4.1 A compact group of older wooden buildings, many built over 50 years ago and clustered within a short walking distance of Ganges Harbour.
- F.1.4.2 A small core area with its original rectilinear street structure, narrow street frontages and many of the island's oldest land parcels, fronting onto Rainbow, Hereford, McPhillips, and Jackson Avenues and Seaview and Drake Roads.
- F.1.4.3 Mature trees and the remnants of fruit tree orchards over 50 years old.
- F.1.4.4 Commemorative structures and trees in public areas such as Centennial Park and the grounds of Salt Spring Elementary School.

#### **F.1.5 Schedule of Protected Heritage**

The following buildings, structures, land and features are protected heritage property as outlined in Section 970.1 of the *Local Government Act*. The heritage value of some buildings listed below has been identified in *Island Heritage Buildings* by T. Ovanin (1984) published by the Queen's Printer. Following further research and community consultation, this schedule could be expanded.

- F.1.5.1 The Mahon Hall building at 114 Rainbow Road.
- F.1.5.2 The Mouat's Trading Co. Store building at the foot of Fulford-Ganges Road at Purvis Avenue.
- F.1.5.3 The Salt Spring Island Trading Co. building at 110 Lower Ganges Road.
- F.1.5.4 The "Core Inn" building at 134 McPhillips Avenue.
- F.1.5.5 The Salt Spring Island Creamery building at 174 Fulford-Ganges Road.
- F.1.5.6 The Leonard Tolson House building at 181 Fulford-Ganges Road.
- F.1.5.7 The "Old Manse" building at 112 Hereford Avenue.
- F.1.5.8 The building at 133 Hereford Avenue.
- F.1.5.9 The "Tides Inn" building at 132 Lower Ganges Road.
- F.1.5.10 All trees and the cenotaph site in Centennial Park on Fulford-Ganges Road opposite the intersection with Lower Ganges Road.
- F.1.5.11 The "royal oak" trees planted on the grounds of Salt Spring Elementary School at 122 Rainbow Road
- F.1.5.12 Mature trees with a trunk diameter greater than 20 cm (measured 1.5 m above the ground) and fruit trees over 50 years old, as decided by a certified arborist.

## F.1.6 Guidelines for Conserving Community Heritage

*Background Note: Heritage Alteration Permits that are issued for developments in this Heritage Conservation Area could contain conditions that are based on the following guidelines. Not all guidelines will apply to every permit. Permits will not contain conditions that are unrelated to these guidelines. The conditions on a Heritage Conservation Permit will not prevent a property from being used as the local zoning bylaw allows.*

- F.1.6.1 Structural alterations to protected buildings listed in Section F.1.5 should salvage and reuse original materials wherever practical and should retain or restore the building's original architecture. Where original materials cannot be salvaged, new durable materials should be used that simulate the original materials. Particular attention should be given to replicating the materials and patterns of original roofing surfaces; the materials, widths and types of original siding; and the size, shape, number, pattern and spacing of original windows and doors. Whenever possible, photographs or drawings produced near the time of original construction should be used to ensure authentic restoration.
- F.1.6.2 Additions to buildings listed in Section F.1.5 should be made in a way that retains or restores the original architecture of the building exterior. They should not detract from its heritage character. Roof slopes should be retained and reflected in building additions. Additions or alterations should use sizes and spacings of windows and doors that reflect the sizes and architectural rhythms found in the original building. Additions should have a smaller mass and lower height than original buildings to which they are attached, and should maintain setbacks from roads. They should be carefully designed to complement and focus attention on the original building, rather than detract from its significance. Additions to protected buildings listed in Section F.1.5 should not obstruct views of the protected building from public roads and areas, including the sea.
- F.1.6.3 New buildings constructed next to protected heritage buildings should not generally exceed the height of protected heritage buildings or obstruct views of them from public areas. Where new buildings on adjoining properties are to be of a greater height than a heritage building, special attention should be paid to ensuring that its architecture is compatible with the heritage building. Site layouts should focus attention on the heritage building.
- F.1.6.4 Fruit trees and mature trees that are protected heritage property should be retained in place where possible or relocated to elsewhere on the same parcel where they are situated. They should not be pruned or moved without advice from a certified arborist experienced in the preservation of heritage fruit trees. Fruit trees identified as protected heritage property that are to be removed should be offered to a local agricultural or historical society for salvage.
- F.1.6.5 Commemorative trees in Centennial Park and on the grounds of Salt Spring Elementary School should not be altered or removed unless they have been found unsafe or unhealthy by a certified arborist. Trees removed should be replaced by other commemorative trees that can be expected to have a similar scale and visual impact as the existing trees. The significance of new commemorative trees should be identified by a permanent plaque positioned nearby.
- F.1.6.6 Mature vegetation, including hedges, which provides a visual backdrop or context for protected heritage buildings listed in Section F.1.5, should be retained. Standard horticultural guidelines for retention of mature vegetation should be followed.
- F.1.6.7 Parking requirements and building setbacks may be relaxed on properties containing protected heritage property to help retain heritage character on the property.
- F.1.6.8 To retain the existing spacing and rhythm of buildings, no structure should straddle the original property lines of land parcels with frontage on Rainbow Road, Hereford Avenue, or McPhillips Avenue between Jackson Avenue and Lower Ganges Road.

- F.1.6.9 Where demolition or significant alteration of protected heritage property is proposed, the development proponent may be required to provide a heritage impact assessment, prepared by a qualified individual.
- F.1.6.10 To guarantee the performance of the terms, requirements and conditions of a Heritage Alteration Permit, security may be required in a form and in any amount satisfactory to the Local Trust Committee.

## SATURNA ISLAND LOCAL TRUST COMMITTEE

### BYLAW NO. 92

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\*

#### A BYLAW TO DESIGNATE THE SATURNA ISLAND COMMUNITY HALL AS A HERITAGE SITE

\*\*\*\*\*

\*

Whereas the Saturna Island Local Trust Committee considers that the property described in s.3 of this bylaw has heritage value and heritage character.

And Whereas the owners of the property described in s. 3 of this bylaw have applied to the Saturna Island Local Trust Committee to have the existing hall on the property designated as a heritage site; and have waived in writing any entitlement to compensation for the designation under s. 969 of the *Local Government Act*;

The Saturna Island Local Trust Committee, in open meeting assembled, enacts as follows:

#### Title

1. This bylaw may be cited for all purposes as “Saturna Island Local Trust Committee Heritage Designation Bylaw No. 92 (Saturna Community Hall), 2007”.

#### Definition

2. The following definition applies to this bylaw:  
  
2.1 **Ordinary Maintenance** – means the routine, cyclical non-destructive actions necessary to slow the deterioration of a historic place. Physical work limited to routine, cyclical, non-destructive cleaning, minor repair and refinishing operations; and replacement of damaged or deteriorated materials that are impractical to save, with matching materials.

#### Designation

3. The Building known as the Saturna Island Community Hall located on East Point Road, on land legally described as Lot 1, Section 18, Plan 8905, Saturna Island, Cowichan District is designated as a heritage site pursuant to section 967 of the *Local Government Act*.

#### Alterations to the Building

4. Except for ordinary maintenance as defined by this bylaw, a Heritage Alteration Permit is required before making changes or modifications to:  
  - (a) the exterior of the building which, for purposes of greater certainty, includes the siding, windows and roofing; and
  - (b) the main meeting room, proscenium arch and stage which, for purposes of greater certainty, includes the flooring, wall and ceiling materials.

5. All other changes or modifications should, where practicable and if they otherwise comply with applicable building and safety codes, and support appropriate conservation of the character defining elements.

READ A FIRST TIME THIS	15th	DAY OF	September	,2008
PUBLIC HEARING HELD THIS	10th	DAY OF	October	, 2008
READ A SECOND TIME THIS	10th	DAY OF	October	,2008
READ A THIRD TIME THIS	10th	DAY OF	October	,2008
APPROVED BY THE ISLANDS TRUST COUNCIL THIS	12th	DAY OF	December	, 2008
ADOPTED THIS	25th	DAY OF	February	, 2009

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CHAIR

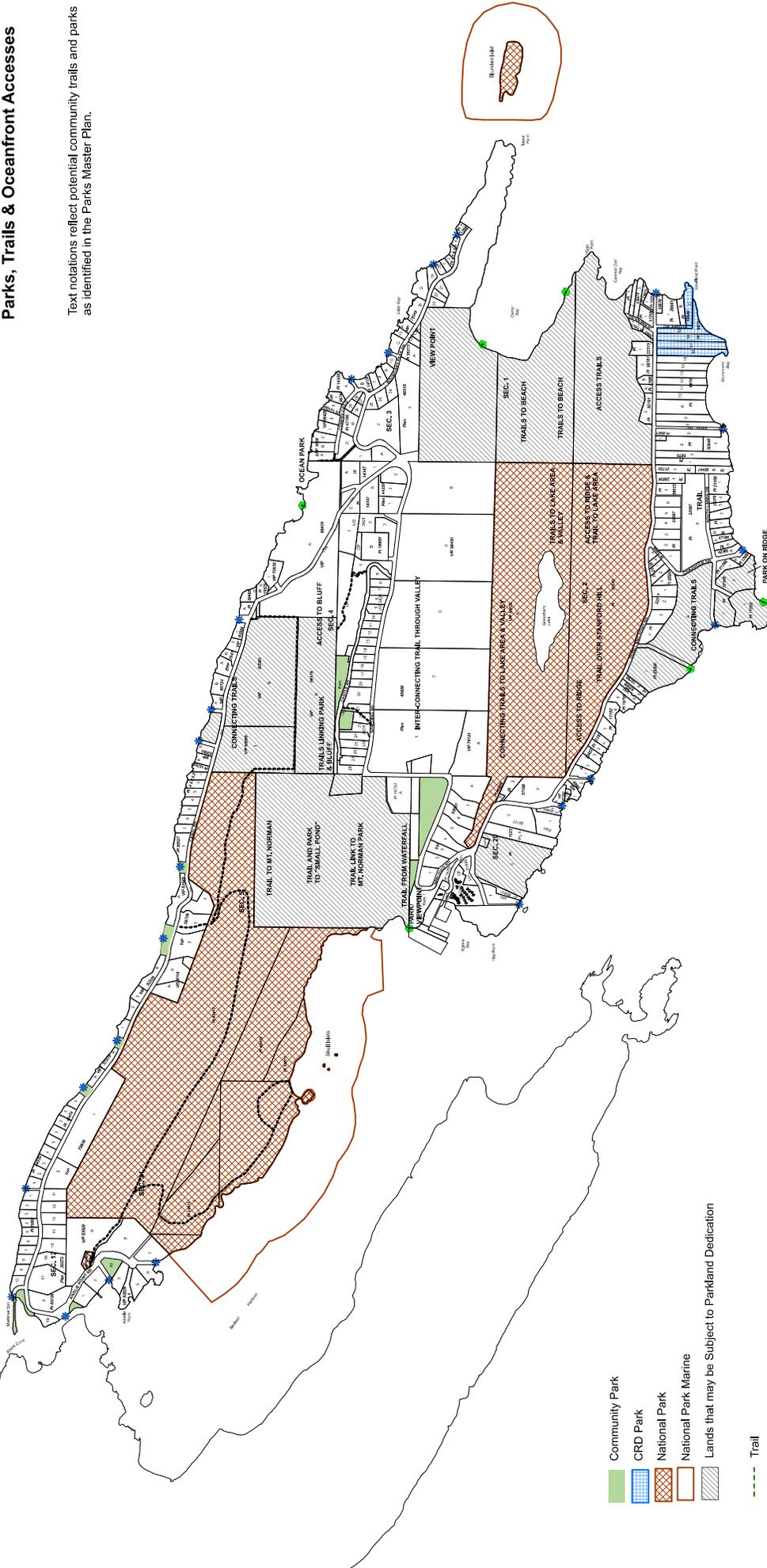
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SECRETARY

**SOUTH PENDER ISLAND  
OFFICIAL COMMUNITY PLAN  
Bylaw No. 107**

**Schedule D  
Parks, Trails & Oceanfront Accesses**

Text notations reflect potential community trails and parks as identified in the Parks Master Plan.



Scale 1 : 10,000  
0 125 250 500 750 1,000  
Meters

**SOUTH PENDER ISLAND**

Islands Trust

South Pender Island  
Local Trust Committee

Schedule D  
Parks & Trails



## Top Priorities

### South Pender Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	LUB Review and Update	Develop communications material	04-Oct-2011	Robert Kojima	30-Sep-2017
2	First Nations Reconciliation	To work with South Pender community to explore reconciliation initiatives on South Pender Island	16-Jan-2017		
2	Heritage Conservation	To review options for designating church of the good shepherd	19-Sep-2017	Jason Youmans	01-Dec-2018



### Projects

## South Pender Island

Description	Activity	R/Initiated
Lower Ecological Footprint	explore alternative energy solutions, reducing GHG emissions, preservation of water supply and quality, and other initiatives to lessen our impact on our environment of the SPI LTA.	28-Apr-2015
Agricultural Land Review		06-Sep-2016
Pedestrian and Cycle Routes	Consider amending OCP map schedule and policies to designate future cycle / pedestrian routes	04-Nov-2014
Development Permit Areas	review existing DPAs for sensitive ecosystems to determine current status	28-Apr-2015
Sea level Rise and Shoreline Erosion		28-Apr-2015
Heritage conservation Options for the Church of the good shepherd		01-Sep-2015



Development Permit

File Number	Applicant Name	Date Received	Purpose
SP-DP-2017.1	POETS COVE RESORT & SPA LTD Planner: Jason Youmans	18-May-2017	9801 Spalding Road, Pender Island - construct 2 additional buildings adjacent to existing staff accommodation building

**Planning Status**

**Status Date:** 07-Nov-2017  
Revised application for November 14, 2017 agenda.

**Status Date:** 05-Nov-2017  
Revised landscape plan received

**Status Date:** 17-Oct-2017  
Planner checks in with applicant on status of amended application

# Islands Trust

LTC EXP SUMMARY REPORT F2018

Invoices posted to Month ending September 2017

665 South Pender	Invoices posted to Month ending September 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-665	LTC "Trustee Expenses"	750.00	72.52	677.48
<b>LTC Local</b>				
65200-665	LTC - Local Exp - LTC Meeting Expenses	2,000.00	515.57	1,484.43
65210-665	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-665	LTC - Local Exp - Communications	300.00	0.00	300.00
65230-665	LTC - Local Exp - Special Projects	500.00	0.00	500.00
<b>TOTAL LTC Local Expense</b>		<u>3,300.00</u>	<u>515.57</u>	<u>2,784.43</u>
<b>Projects</b>				
73001-665-2011	South Pender OCP/LUB	2,500.00	1,938.65	561.35
73001-665-4091	South Pender LUB Amendments	6,000.00	0.00	6,000.00
<b>TOTAL Project Expenses</b>		<u>8,500.00</u>	<u>1,938.65</u>	<u>6,561.35</u>

# South Pender Island Local Trust Committee

## POLICIES AND STANDING RESOLUTIONS

Revised: April 28, 2015

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 23, 2006	SP-LTC-12-06	Adoption of Minutes	That staff prepare draft of meeting minutes for Local Trust Committee reading, correction and amendment as soon as possible following meetings. The South Pender Island Local Trust Committee will adopt these minutes by Resolution without Meeting within fourteen business days, if possible, of each meeting.  [The adopted minutes will be posted to the website as soon as possible and a copy will also be included in the next meeting's agenda package].
2.	October 5, 2010		Follow up action list	Send FUAL to trustees once drafted following the meeting.
3.	April 28, 2015	SP-2015-015	Printed Agenda Pkgs	That whereas full agendas are available for public perusal on the website, and whereas the SPILTC endeavours to lower its ecological footprint be it moved that full paper printed agenda packages no longer be provided for future SPILTC meetings. [Copies of the agenda cover will be brought to the meetings]



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



### **Regional Conservation Plan (RCP)**

The Trust Fund Board (TFB) has approved the draft Regional Conservation Plan (RCP) for 2018-2027. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. A new element is a focus on relationship building with First Nations. The Board has referred the RCP to local trust committees and Bowen Island Municipality for review. (It has also been referred to partner agencies and First Nations and will be posted on the Islands Trust Fund (ITF) website with a mechanism to enable public feedback). Staff will be available to attend LTC and BIM meetings in person if possible and electronically if not. The Board is expecting to consider final approval of the Regional Conservation Plan in January 2018.

### **Islands Trust Fund Five Year Plan**

The *Islands Trust Act* requires the TFB to submit a plan to the minister every five years providing information on goals and key policies. The Board has approved a draft plan for 2018-2022 which references the new Regional Conservation Plan and describes relevant policies. This draft is also being referred to local trust committees, Bowen Island Municipality and First Nations. The Board expects to submit the plan to the Minister by the end of the year.

### **Board Retreat**

The TFB and senior staff will be participating in a day long retreat in October for high level discussions on future directions with a particular focus on fundraising, (with facilitation from an experienced expert in the field).

### **Property Monitoring**

The Board has received detailed reports on the results of this year's monitoring of our 27 nature reserves, the 24 NAPTEP covenanted areas and the 50 other covenants we hold. A number of management issues have been identified which are now being addressed (see below for highlights by island).

### **Summary of Current Island-by-Island Activities**

#### **Bowen**

Trees recently planted at the David Otter Nature Reserve are looking healthy.

#### **Denman**

Communication is continuing with neighbours of the Lindsay Dickson Nature Reserve to clearly delineate property boundaries. Mountain bike damage is a concern in the Morrison Marsh Nature Reserve; addressing this issue will be considered during the current review of the management plan. There is no further evidence of tree cutting at the Inner Island Nature Reserve following two large trees being felled there last year. The Trust Fund Board has registered a covenant on the Denman Conservancy Association's Settlement Lands.

**Gabriola**

The Elder Cedar Nature Reserve continues to suffer from vandalised signs and the impacts of unpermitted mountain bikes and horses. ITF is working with GaLTT to address these and other issues.

**Galiano**

Monitors were excited to see falcons at the cliffs on Trincomali Nature Reserve. ITF and Galiano Conservancy Association are looking into possible vehicle intrusions and tree removal in the Vanilla Leaf Land Nature Reserve.

**Gambier**

Recent plantings at Brigade Bay Bluffs and Long Bay Wetland Nature Reserves are looking healthy.

**Keats**

The fifth draft of a covenant for Sandy Beach has been sent to Sunshine Coast Conservation Association and The Land Conservancy of BC for review. A draft baseline report has been received and is now being reviewed.

**Lasqueti**

Sheep browsing is proving to be a challenge for restoration work at the John Osland Nature Reserve, (where approximately 50% of the plantings have died) and Mount Trematon Nature Reserve. Stronger materials will be required for protective cages.

**South Pender**

Progress is being made towards establishing the covenant for Brooks Point Regional Park.

**Salt Spring**

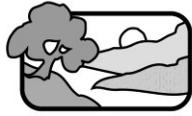
A trail location issue at Lower Mount Erskine Nature Reserve and a tree cutting incident at McFadden Creek Nature Reserve are being addressed.

**Thetis**

The first monitoring visit was completed at Moore Hill Nature Reserve and management planning is in progress. Pledges for Fairyslipper Forest are processed and there are two grant applications in progress to raise more funds to complete the purchase. Hydrological and ecosystem assessments are complete for the property.

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

Tony Law, Chair [tlaw@islandstrust.bc.ca](mailto:tlaw@islandstrust.bc.ca)  
Islands Trust Fund [itfmail@islandstrust.bc.ca](mailto:itfmail@islandstrust.bc.ca)



DATE OF MEETING: November 14, 2018  
 TO: South Pender Island Local Trust Committee  
 COPY: Robert Kojima, Regional Planning Manager  
 FROM: Lori Foster, Planning Team Assistant  
 SUBJECT: Proposed South Pender Island LTC 2018 Meeting Schedule

The proposed South Pender Island 2018 Meeting Schedule is attached for consideration. The intent is to adopt the South Pender Island Local Trust Committee (LTC) regular business meeting schedule for the upcoming year.

The LTC meets bi-monthly on the preferred 2nd Tuesday of the month at the Fire Hall. The following dates have been proposed: February 20\*\*, April 10, June 12, and September 4\*\* and November 13.

The following exceptions are noted to the preferred timing:

- February 20 because of trustee availability
- September 4 because September 11 UBCM

### RECOMMENDATION

**“THAT** the South Pender Island Local Trust Committee proposed 2018 regular business meeting schedule as presented be Adopted.”

If the LTC requests revisions to the schedule, then the LTC may adopt the amended schedule at the next meeting or by RWM.

### ATTACHMENTS

1. South Pender Island DRAFT 2018 Meeting Schedule



## **SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE**

### **NOTICE OF 2018 BUSINESS MEETINGS**

**THE LTC HAS ADOPTED THE FOLLOWING DATES FOR ITS  
2018 MEETING SCHEDULE.**

**THE LTC MEETS BI-MONTHLY ON THE PREFERRED 2ND TUESDAY OF THE MONTH UNLESS  
OTHERWISE NOTE. \*\***

**MEETINGS ARE SUBJECT TO CHANGE. PLEASE VISIT THE SOUTH PENDER LTC WEBSITE FOR  
UP-TO-DATE SCHEDULE INFORMATION.**

<b>Tuesday, February 20**</b>	<b>Time: 10:00 a.m.</b> <b>Location: South Pender Fire Hall 8961 Gowlland Point Rd.</b>
<b>Tuesday, April 10</b>	<b>Time: 10:00 a.m.</b> <b>Location: South Pender Fire Hall 8961 Gowlland Point Rd.</b>
<b>Tuesday, June 12</b>	<b>Time: 10:00 a.m.</b> <b>Location: South Pender Fire Hall 8961 Gowlland Point Rd.</b>
<b>Tuesday, September 4**</b>	<b>Time: 10:00 a.m.</b> <b>Location: South Pender Fire Hall 8961 Gowlland Point Rd.</b>
<b>Tuesday, November 13</b>	<b>Time: 10:00 a.m.</b> <b>Location: South Pender Fire Hall 8961 Gowlland Point Rd.</b>

**These are regular business meetings of the Local Trust Committee, where they will  
consider items such as bylaws, applications, and correspondence.**

**ALL MEETINGS ARE OPEN TO THE PUBLIC**

**Website: [www.islandstrust.bc.ca/spender](http://www.islandstrust.bc.ca/spender)  
Email: [information@islandstrust.bc.ca](mailto:information@islandstrust.bc.ca)  
Phone: 250-405-5151**