



South Pender Island Local Trust Committee Regular Meeting Agenda

Date: January 29, 2021
Time: 10:30 am
Location: Electronic Meeting

			Pages
1.	CALL TO ORDER	10:30 AM - 10:30 AM	
2.	APPROVAL OF AGENDA	10:30 AM - 10:35 AM	
3.	TRUSTEE REPORT	10:35 AM - 10:45 AM	
4.	CHAIR'S REPORT		
5.	TOWN HALL AND QUESTIONS	10:45 AM - 11:00 AM	
6.	COMMUNITY INFORMATION MEETING		
	None		
7.	PUBLIC HEARING		
	None		
8.	MINUTES	11:00 AM - 11:10 AM	
8.1.	Adopted Local Trust Committee Minutes Dated November 6, 2020 (for Receipt) November 14 & 28, 2020 / January 15, 2021 (for Adoption)		4 - 21
8.2.	Section 26 Resolutions-without-meeting Dated January 2021		22 - 22
8.3.	Advisory Planning Commission Minutes		
	None		
9.	BUSINESS ARISING FROM THE MINUTES		
9.1.	Follow-up Action List Dated January 2021		23 - 23
10.	DELEGATIONS		
	None		

11.	CORRESPONDENCE	
	<i>Correspondence received concerning current applications or projects is posted on the LTC webpage</i>	
12.	APPLICATIONS AND REFERRALS	11:10 AM - 12:30 PM
12.1.	North Pender Local Trust Committee Bylaw No. 222 Referral (for Response) (attached)	24 - 30
13.	LOCAL TRUST COMMITTEE PROJECTS	
13.1.	STVR Review - Staff Report (attached)	31 - 45
13.2.	Alternative Housing Project - Staff Report (attached)	46 - 55
13.3.	Groundwater Project PowerPoint Presentation	
14.	REPORTS	12:30 PM - 12:45 PM
14.1.	Work Program Reports (attached)	
14.1.1.	<u>Top Priorities Report Dated January 2021</u>	56 - 56
14.1.2.	<u>Projects List Report Dated January 2021</u>	57 - 57
14.1.3.	<u>Review of Projects - Discussion</u>	
14.2.	Applications Report Dated January 2021 (attached) No applications at this time.	58 - 58
14.3.	Trustee and Local Expense Report Dated October 2020 (attached)	59 - 59
14.4.	Adopted Policies and Standing Resolutions (attached)	60 - 62
14.5.	Local Trust Committee Webpage	
14.6.	Islands Trust Conservancy Report Dated November 24, 2020 (attached)	12:45 PM - 12:55 PM 63 - 65
14.7.	ITC Forest Conservation Outreach Campaign - Briefing November 25, 2020 (attached)	66 - 69
15.	NEW BUSINESS	12:55 PM - 1:15 PM
15.1.	Salt Spring Island STVR - Letter (attached)	70 - 70
16.	UPCOMING MEETINGS	

16.1. Electronic Meetings

that in order to meet the principles of openness, transparency, and accessibility, meetings of the North Pender Island Local Trust Committee will be held electronically until Ministerial Orders under the Emergency Program Act and requirements or recommendations under the Public Health Act change regarding public attendance at trust body meetings; and that such meetings be live streamed, and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

16.2. Next Regular Meeting Scheduled for March 5, 2021 - Location: TBD

- | | | |
|------------|-----------------------------------|-------------------|
| 17. | TOWN HALL | 1:15 PM - 1:30 PM |
| 18. | CLOSED MEETING

None | |
| 19. | ADJOURNMENT | 1:30 PM - 1:30 PM |

Adopted



South Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: November 6, 2020
Location: Electronic Meeting (via Zoom Webinar)

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

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Planner
Narissa Chadwick, Planner

Lauren Edwards, Recorder
Maple Hung, Recorder

Public: There were approximately (2) attendees in the Zoom Webinar.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:30 a.m. She acknowledged that the meeting was being held across the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

8.3 Advisory Planning Commission Minutes: A change to the membership of the Advisory Planning Committee.

By general consent the agenda was approved as amended.

3. TRUSTEE REPORT

Trustee Thorn commented that a Local Trust Committee (LTC) meeting was held on September 4th and a special meeting was held on September 26th. He reported that the public participated virtually and provided comments on a broad range of things. Conversations will continue through more meetings and the public were encouraged to view documents on the Trustee Corner web page.

Trustee Wright commented that his focus is what we leave for the next generation.

4. CHAIR'S REPORT

Chair Patrick reported that the next council meeting is on December 3rd and the budget is to be approved in March. Deadline is November 10th to receive a delegation.

5. TOWN HALL AND QUESTIONS

One public attendee commented on the University of Victoria report regarding the preservation and protection of the coastal douglas fir zone which was sent to the Trustees. He further commented that he believes the Development Permit Area (DPA) suggestion has merit.

Trustees responded with the following information:

- Chair Patrick reported a good meeting with the minister prior to the election and also that at the Trust Council's last meeting, there was discussion about changes to legislation to regulate tree cutting; and
- Trustee Wright advised that the minister will assess LTCs and would question whether or not the DPA has been adequately used.

In response to a public attendee's question regarding the posting of STVR correspondence to the LTC website, Chair Patrick clarified that new correspondence has been received and discussed and will be posted.

In response to a question from a public attendee regarding community information meetings, clarification was provided that those meetings do not follow an agenda, however, issues for discussion may be emailed in advance to the LTC.

In response to a public attendee's concern regarding opportunities for community involvement on LTC matters, such as the drafting of the Land Use and STRV bylaws, it was clarified that the community information meetings will be announced and support for the LTC efforts to increase community involvement and create a listing of STVRs would be welcomed. The value of community mail-outs was also discussed.

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Adopted Local Trust Committee Minutes (for Adoption)

8.1.1 September 4, 2020 Regular Meeting Minutes

The following amendments to the minutes of September 4, 2020 were presented for consideration: Change the last sentence in Item 3.

From: Chair Patrick suggested that communication with prospective new owners would be a way to provide information on those topics enumerated above and other items that might help to information their purchase.

To: Chair Patrick suggested that communication with prospective new owners would be a way to provide information on those topics enumerated above and other items that might help to inform their purchase.

By general consent the Local Trust Committee meeting minutes of September 4, 2020 were adopted as amended.

8.1.2 September 26, 2020 Special Meeting Minutes

By general consent the Local Trust Committee Special Meeting minutes of September 26, 2020 were adopted.

8.2 Section 26 Resolutions-without-meeting Dated October 2020

Received for information.

8.3 Advisory Planning Commission Minutes – None

SP-2020-021

It was Moved and Seconded,

that the South Pender Island Local Trust Committee accept the resignation of Gordie Duncan from the South Pender Island Advisory Planning Committee with regrets.

CARRIED

SP-2020-022

It was Moved and Seconded,

that the South Pender Island Local Trust Committee appoint Gary Davidson to the South Pender Island Advisory Planning Committee.

CARRIED

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated October 2020

Item #5 Upcoming Meetings were discussed confirming there was a resolution without meeting and that the Community Information Meeting on November 14th remains scheduled with an agenda to be posted.

10. DELEGATIONS

None

11. CORRESPONDENCE

None

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

12. APPLICATIONS AND REFERRALS

None

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Short Term Vacation Rental Review - Staff Report

Received for information.

Discussed the short term vacation rental (STVR) draft bylaws and the option to consider the removal of bed and breakfast (B&B) operations from home based business classification.

Bylaw 119 is a draft bylaw that would amend the Temporary Use Permit (TUP) section of the OCP.

There was discussion on the following points:

- Deciding cumulative impact of STVRs;
- Developing guidelines for buffer zones with consideration for specific neighbourhoods;
- Defining allowable maximum usage and providing a balanced year-round economy;
- Current health restrictions that apply;
- Creating a list of all South Pender Island STVRs;
- Obtaining input from current STVR operators and the public;
- Process for bylaw amendments and communicating with operators and the public during the process;
- Reducing confusion regarding tourism accommodation;
- Challenges to bylaw enforcement;
- Ability to address neighbour complaints during operations when owners are absent;
- Creating a registration process that will develop a baseline, collect data and support enforcement;
- Accommodating the request from the Fire Chief for fire inspections made possible through TUPs;
- Current operations would be grandfathered in, but new operations would require a TUP;
- Timelines required for discussions regarding bylaw development, amendments and public hearing;

- Upholding the preserve and protect mandate through the TUP tool;
- Consideration of the standards that apply to water and septic capacity as well as the collection of rainwater for irrigation purposes only;
- Decision making on maximum allowable parking;
- Aligning conditions similar to North Pender where practical for South Pender; and
- Assessing the intention of property use through the application process.

Revisions to the draft STVR bylaw will be made and circulated to trustees with option for first reading by resolution without meeting and schedule of second reading at the January meeting. Referrals can go out over December.

The following issues were discussed in relation to B&B (Bed & Breakfast) operations:

- B&Bs differ to STVRs as the operator does live on the property;
- There are likely fewer number of guests at B&Bs;
- There may be less concern for nuisance activities such as parties; and
- B&Bs and STVRs both provide tourist accommodation, but B&B's fall under home based business.

Public input should be sought on B&Bs as this item was not included in the bylaw amendment.

SP-2020-023

It was Moved and Seconded,

that the South Pender Island Local Trust Committee Bylaw No. 119, cited as the "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020", be amended as discussed.

CARRIED

13.2 Alternative Housing – Staff Report

Recreational vehicles (RVs) use as a dwelling and for seasonal workers housing was reviewed for an amendment to section 3.10 under Land Use Bylaw (LUB) - Use of Recreational Vehicles. The following issues were discussed:

- The requirement of a time limited building permit where an RV is used as a dwelling;
- The negative impact on bylaw enforcement and other issues that arise with setting time limits to RV use for both seasonal and recreational users;
- Consideration of the use of a TUP for seasonal worker accommodations or allowing outright use in agricultural use zones; and
- Given increased RV use with no intent to build, regulation through a TUP with conditions such as connection to water and septic.
- Do not include provision to allow seasonal use of RVs for periods not exceeding 60 days.

SP-2020-024

It was Moved and Seconded,

that the South Pender Island Local Trust Committee request staff to prepare draft bylaws addressing limits on the use of recreational vehicles as discussed at the November 6, 2020 South Pender LTC meeting.

CARRIED

14. REPORTS

14.1 Work Program Reports

14.1.1 Top Priorities Report Dated October 2020

Received for information. Planner Kojima reported that the groundwater program is wrapping up.

14.1.2 Projects List Report Dated October 2020

Discussion was held on the scheduling of upcoming meetings and town halls.

SP-2020-025

It was Moved and Seconded,

That South Pender Island Local Trust Committee requests staff to schedule a special town hall meeting for November 28, 2020 for North and South Pender Island Trustees.

CARRIED

Chair Patrick Opposed

Chair Patrick is unavailable for the November 28, 2020 meeting.

The following points were discussed:

- Regulating steel storage containers in future project;
- Derelict vehicles; and
- Referencing areas of the island to their First Nation names.

14.2 Applications Report Dated October 2020 (attached)

Received for information.

14.3 Trustee and Local Expense Report Dated August & Sept 2020 (attached)

Received for information.

14.4 Adopted Policies and Standing Resolutions (attached)

Received for information.

14.5 Local Trust Committee Webpage

No discussion.

14.6 Islands Trust Conservancy Report Dated October 2020

No discussion.

15. NEW BUSINESS

No discussion

16. UPCOMING MEETINGS

16.1 Next Regular Meeting - 2021 Schedule for Adoption

SP-2020-026

It was Moved and Seconded,

that South Pender Island Local Trust Committee adopt the Local Trust Committee meeting schedule as outlined in the draft notice of the 2021 Business Meeting Schedule.

CARRIED

16.2 Next Special CIM Meeting - November 14th, 2020

It was confirmed that staff will create an agenda.

17. TOWN HALL

Concern was expressed by a public attendee regarding the process used for bylaw development, stating that the community could have provided useful comments and input and added that more open discussion should occur prior to the first reading.

In response to the concern expressed, it was confirmed that these issues will be taken to the community, and that no decisions have been made. It was affirmed that the Committee seeks as much community input as possible.

Chair Patrick thanked the community attendee and confirmed the need to be transparent.

18. CLOSED MEETING

None

19. ADJOURNMENT

By general consent the meeting was adjourned at 1:24 p.m.

Laura Patrick, Chair

Certified Correct:

Lauren Edwards, Recorder



South Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: November 14, 2020

Location: Electronic Meeting

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

Staff Present: Kim Stockdill, Planner
Maple Hung, Recorder

Public: There are approximately (8) attendees in the Zoom Webinar.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:01 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented

3. BUSINESS ITEMS

3.1 Town Hall

Chair Patrick invited the Trustees to provide an overview and context for the Community Information Meeting. Trustee Wright and Trustee thorn reviewed the purpose of the Official Community Plan (OCP), the Land Use Bylaw (LUB), Development Permit Areas (DPAs) and other relevant Islands Trust policy documents.

Chair Patrick invited members of the public to address the LTC and provided instructions on participating in the Zoom meeting.

Paul Petrie addressed Trust Policy Statements under 5.2, Growth and Development. He encouraged the LTC to continue working toward protection of vulnerable ecosystems. He also spoke in favour of careful consideration of using DPAs for preservation and as part of the overall response to climate change.

Donna Spalding provided remarks on the following topics:

- Managed forests, and the importance of education of the policy makers and public prior to deciding on policies related to managed forests.
- Encouragement for the LTC to work with the community to develop a shared idea of the overall Official Community Plan so that a comprehensive plan can be referenced when making decisions on individual policies.
- Encouragement to use the break created by the moratorium on Short Term Vacation Rentals (STVRs) to carefully consider STVR regulations as part of an overall tourism plan and to consider the practical impacts of STVR regulations on homeowners.
- Encouragement to consider Temporary Use Permits (TUPs) to allow mobile homes for temporary housing solutions such as when family visits or while building on a property.
- Noted that the moratorium on STVRs is the subject of a legal challenge and encouraged the LTC to reconsider moving ahead with OCP amendments related to STVRs while that challenge is active.
- Encouraged the LTC to continue community engagement and take all measures required to ensure fulsome public participation.

The Trustees shared their rationale for considering regulations for residing in mobile homes/recreational vehicles and operating STVRs.

Donna Spalding addressed the rationales provided by the Trustees. She noted the value of STVRs for people to visit their families who live on the island or for large families that travel.

A discussion was held regarding regulations for residing in recreation vehicles in other Trust areas. There was general consensus that the LTC should consider of the regulations employed on Salt Spring Island.

Donna Spalding provided further comments on STVRs and encouraged the LTC to discuss the policy with the community.

Further discussion was held regarding the regulation of STVRs. The LTC reviewed the process of community consultation to date and their commitment to community engagement.

Barbara Johnstone requested and received information on TUPs for recreation vehicles as housing on agricultural land.

Planner Stockdill provided an overview of the application fees and time limits, purpose, and reapplication fees for TUPs.

Barbara Johnstone provided an overview of the impacts that the TUP process, as suggested, would have on farmers, particularly as regards the cost.

Barbara Johnstone noted that the North Pender Island Special Agricultural Advisory Commission (AAPC) is also looking at RVs for farm housing.

A discussion of the importance of accommodating affordable housing to support farm work was held.

Donna Spalding encouraged the LTC to consider housing for farm workers and STVRs as separate matters.

Alma Lightbody expressed concern for setback amendments that will make a large number of existing homes legal non-conforming. She noted the impact that the amendment would have on the value of homes.

Trustee Wright provided a rationale for considering the setback including reference to setbacks in other Trust areas and direction from provincial bodies to protect residences against sea-level rise and also to protect the foreshore.

Alma Lightbody encouraged the LTC to carefully consider the messaging through the variety of media available and the extent of the reach of the controls that are being considered.

The LTC provided an overview of the regulations being considered and the rationale for engaging the community on the balance between private privacy rights and regulations.

Donna Spalding addressed regulating setbacks and the additional regulations that govern them including subdivision applications and DPAs. She encouraged site-specific consideration.

A discussion of house size and its relation to density was held.

A discussion was held regarding the rationale for considering DPAs and the extent to which the regulations will reach, including building and design guidelines.

Chair Patrick invited further comments from the community and none were heard.

19. ADJOURNMENT

By general consent the meeting was adjourned at 12:00 p.m.

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder



North & South Pender Island Local Trust Committee

Minutes of Special Meeting

Date: November 28, 2020
Location: Electronic Meeting (Zoom Webinar)

Members Present: Laura Patrick, Chair
Steve Wright, Local Trustee (South Pender)
Cameron Thorn, Local Trustee (South Pender)
Deb Morrison, Local Trustee (North Pender)
Ben McConchie, Local Trustee

Staff Present: Wil Cottingham, Administrative Assistant, Host
Carly Bilney, Recorder

Public: There were approximately 20 attendees at the Zoom Webinar.

1. CALL TO ORDER

Chair Patrick called the special joint meeting to order at 10:03 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

3.1 Maximum Floor Area Discussion

Discussion was held and the following comments were made:

- The joint local trust committees of North and South Pender aim to engage community members in open dialogue to assess how climate change can be addressed with relation to housing;
- The Official Community Plan (OCP) emphasizes the importance of maintaining the rural character of the islands and there is a need to reflect that sentiment in regulations;
- New regulations should not unnecessarily restrict development;
- There is need for careful implementation of growth and development;

- North and South Pender island residents currently have an unfettered ability to construct large buildings that could have a significantly negative impact on the community and environment;
- Design guidelines exist across jurisdictions worldwide to give expression to a community's values;
- The ability to implement a community's vision can increase a property's value (e.g. Carmel); and
- Variances can always be applied for in relation to any bylaw.

3.2 Town Hall

Town hall was held and the following comments were made:

- Support was expressed for defining maximum house size based on lot size;
- If a homeowner wants to exceed the defined floor area ratio, they should be restricted by increased setbacks;
- It is desirable to allow property owners the freedom to do what they want, but bad architecture sticks out like a sore thumb;
- Suites and accessory buildings should be legalized;
- Support was expressed for a replacement approach to taking down trees that would provide for ecological diversity;
- Concern was expressed about a lack of clarity regarding how new land use bylaws (LUB) that would make existing houses legal nonconforming might impact a homeowner's ability to rebuild in the event their house was significantly damaged (e.g. fire);
- There is need for a grandfather clause that allows people to rebuild their home as it was at a specific date, regardless of limits set by future bylaws;
- Design guidelines should be broad and allow for aesthetic benefits, but also minimize the impact on the environment;
- Rural character is subjective and needs to be defined;
- There is a need to limit the size of new houses and to create social housing;
- It is difficult to create a one-sized fits all bylaw;
- Often the best approach is a variance to a bylaw;

Members of the public were encouraged to contact local trustees of both North and South Pender with their concerns and ideas.

4. ADJOURNMENT

By general consent the meeting was adjourned at 12:07 pm.

Laura Patrick, Chair

Certified Correct:

Carly Bilney, Recorder



North & South Pender Island Local Trust Committee

Minutes of Special Meeting

Date: January 15, 2021

Location: Electronic Meeting (Zoom Webinar)

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

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
Maple Hung, Planning Assistant, Host
Shannon Brayford, Recorder

Public: There were approximately fifty-five (55) attendees at the Zoom Webinar.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

3.1 Staff presentation – Legal Non-Conforming

Planner Stockdill delivered a presentation on the concept of Legal Non-Conforming, which included a slideshow presentation through the shared screen function. The presentation included the answers to frequently asked questions and concerns from the community.

Members of the North Pender Local Trust Committee and South Pender Local Trust Committee (LTC) noted some of the concerns that they have heard from the community and provided information regarding those concerns.

Chair Patrick invited members of the community to speak:

A member of the community identified as “Rose”, requested and received information on how Legal Non-Conforming regulations apply when the foundation of the structure is damaged.

A discussion was held regarding the impact of complete damage to a dwelling unit in terms of Legal Non-Conforming status.

Bruce McConchie addressed the changing nature of the Penders and the challenges of defining “rural” as the community and its membership evolves. He provided an overview of the history of the current Islands Trust South Pender Island Bylaws and their role in limiting house size.

Jim Morgan spoke in favour of including exemptions in the bylaw that would allow property owners to rebuild a legal non-conforming home should it suffer destruction. He requested and received information on how the regulations would impact accessory buildings.

Wayne Kouf requested and received direction on how to locate both the Frequently Asked Questions about Legal Non-Conforming document and also the options being considered for limiting floor size.

David Hooper noted that a large family may require greater square footage than the 2000 square feet used in the example.

A discussion of limiting square footage and providing for clear direction around variances.

A member of the community identified as “Michael” requested information on the process for making bylaw amendments and expressed concern about public engagement when meetings are held during the regular work day.

A discussion of the decision-making process, public notification, and challenges of public engagement was held.

David Goudge used his own property as an example of one for which a 2000 square foot rebuild limitation causes concern for him, not on the grounds of personal need for space, but due to land valuation and resale.

Rhonda Porter requested information from the South Pender Island LTC regarding whether the size limitations in the South Pender Island Bylaws are working. She encouraged both LTCs to work together to develop a uniform bylaw for both of the Penders.

Shelley Richards spoke in favour of adopting a similar sliding scale for size limitation on North Pender as they have on South Pender.

Niall Parker spoke in favour of gradual increase noted that challenge for the community is that concentrating usage in high density is the most efficient, but that for the Penders, balancing that with rural character is the goal. He further noted that development permits and appeals increase the cost of a home and prices them out of people’s reach.

Shahid Hussain encouraged the LTC to consider alternative modes of protecting the rural nature that still allow flexibility for families to build suitable sized homes to meet their needs. He expressed concern that property owners have over the impact of legal non-conforming on their property value and ability to rebuild a damaged home.

It was noted that the LTC’s could benefit from hearing the ranges of square footage that the community members would like to see should floor area be limited.

Diane Logan encouraged the LTC to select a square footage that minimizes the number of homes that are legal non-conforming. She further encouraged the LTC to consider the relevance of property sizes in the area of the build and also the value larger homes encouraging visiting friends and families who then support the local economy.

Donna Spalding noted that the participation in the current meeting, which involves two islands, is still much smaller than the attendance that South Pender Island attracts in times of in-person meetings. She addressed concerns with rationales for limiting house size on the grounds that it will protect rural character, or protect affordable housing. She encouraged the LTC to consider a sliding scale.

Murray Vaseliv spoke in favour of a graduated approach to limiting home size. He requested information on how many undeveloped lots are available on each of the islands and how many are available within the Magic Lake Estates. He further encouraged the LTC to send letters regarding this matter to property owners in order to ensure that off-island property owners are notified.

Planner Stockdill acknowledged the request for data.

A member of the community identified as “**Rose**” spoke in favour of online meetings for convenience and accessibility. She encouraged the LTC to identify the types of undesirable houses and create legislation to prevent that, which consideration of the larger properties available on Pender.

Karen Bell noted that she has emailed the North Pender LTC Trustees a number of questions and echoed the encouragement to of sending a mail out to all North Pender property owners. She encouraged the LTC to consider the qualities of a home that make the community rural beyond house size.

Sue Long encouraged the LTC to communicate information about meetings by mailed letter. She provided options for the LTC to consider in order to limit house size in relationship to the lot size and with consideration of Magic Lake Estates as a unique area.

3.2 Town Hall – Maximum Floor Area Discussion

Note: Public comments on this matter were heard under item 3.1.

4. ADJOURNMENT

By general consent the meeting was adjourned at 12:25 p.m.

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder



Resolutions Without Meetings Log

South Pender Island

Resolution Number	Action	Date
2021-003 That the South Pender Island Local Trust Committee regular business minutes of November 6, 2020 be adopted as presented.	Carried	14-Jan-2021
2021-002 THAT the South Pender Island Local Trust Committee That the South Pender Island Local Trust Committee Bylaw No. 120, cited as the "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2020", be read a first time.	Carried	19-Jan-2021
2021-001 THAT the South Pender Island Local Trust Committee Bylaw No. 119, cited as the "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020", be read a first time.	Carried	19-Jan-2021

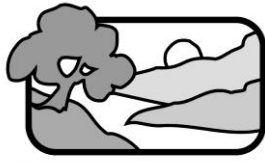


Follow Up Action Report

South Pender Island

06-Nov-2020

Activity	Responsibility	Dates	Status
1 8.1.1 Sept 4 SP LTC minutes adopted as amended.	Maple Hung	Target: 20-Nov-2020	Completed
2 8.1.2 SP LTC Special Meeting Sept 26th minutes adopted as presented.	Maple Hung	Target: 20-Nov-2020	Completed
3 8.3 APC Resignation & Appointment: 1. SP LTC accepted resignation of APC member Gordie Duncan. Staff to send service thank you letter to Mr. Duncan. 2. SP LTC appointed Gary Davidson to the SP APC. Staff to send appointment letter to Mr. Davidson.	Maple Hung	Target: 27-Nov-2020	Completed
4 13.1 Staff to amend draft Bylaw No. 119 as discussed at meeting and circulate bylaws (draft bylaw nos. 119 & 120) by RWM.	Kim Stockdill Maple Hung	Target: 20-Nov-2020	Completed
5 13.2 Staff to draft bylaws for the Alternative Housing (RV) project as discussed at the Nov 6 meeting.	Maple Hung Narrisa Chadwick	Target: 22-Jan-2021	Completed
6 16.1 SP LTC adopted annual meeting schedule for 2021.	Maple Hung	Target: 27-Nov-2020	Completed
7 Staff to schedule a Special Meeting (CIM) in conjunction with the NP LTC on Saturday, November 28th to discuss maximum floor area. (MH scheduled meeting, need to finish notice/agenda and send out to public - have Minute Taker post on bulletins)	Maple Hung	Target: 20-Nov-2020	Completed



Islands Trust

BYLAW REFERRAL FORM

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

Island: North Pender Island Local Trust Area Bylaw No.: 222 Date: November 4, 2020

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:

N/A

PURPOSE OF BYLAW:

The North Pender Island Local Trust Committee (LTC) is reviewing the Temporary Use Permit (TUP) guidelines for Short Term Vacation Rentals (STVRs) as part of the LTC's Top Priority Project. The LTC is now proposing to amend the TUP section in the North Pender Island Official Community Plan (OCP) Bylaw No. 171, 2007 (OCP) in order to amend and add new STVR TUP guidelines.

Additional project background, including staff reports and results of community engagement, are available on the STVR review project webpage: <http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/projects-initiatives/np-stvr-review-project/>

GENERAL LOCATION:

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

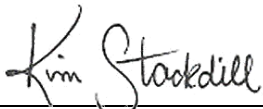
OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

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

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


(Signature)

Name: Kim Stockdill

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

PLEASE TURN OVER 

This referral has been sent to the following agencies:

Federal Agencies

n/a

Provincial Agencies

Ministry of Municipal Affairs & Housing
BC Assessment Authority

Non-Agency Referrals

Islands Trust – Bylaw Enforcement
Magic Lake Property Owners Society
Razor Point Improvement District
Trincomali Water Improvement District

Regional Agencies

Capital Regional District – Building Inspection
Capital Regional District – Magic Lake Water & Sewer Committee

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
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)

222

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 222

A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

The North Pender Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2020”.

2. SCHEDULES

North Pender Island Official Community Plan No. 171, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS	29	DAY OF	OCTOBER	2020
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 222**

SCHEDULE 1

The North Pender Island Official Community Plan Bylaw No. 171, 2007, is amended as follows:

1. By deleting Part 6 Temporary Use Permits and replacing it with the following:

“PART 6 TEMPORARY USE PERMITS

An Official Community Plan may designate areas where temporary uses may be allowed. A temporary use permit may allow a use not permitted by zoning, specify conditions under which the temporary use may be carried on, and allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued. A permit may be issued for a period of up to three years and may be renewed only once, after which a new application is required.

Temporary Use Permit Policies and Guidelines

- 6.1 The North Pender Island Local Trust Committee may issue temporary use permits for any area covered by this plan.
- 6.2 The Local Trust Committee may consider requiring development information for temporary use permit applications through adoption of a development approval information bylaw.
- 6.3 The Local Trust Committee should consider the climate change impacts of any significant change in use in reviewing temporary use permit applications.
- 6.4 In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a short term vacation rental temporary use permit:
 - 6.4.1 For the purpose of a temporary use permit, “short term vacation rental” means the use of a dwelling, cottage, or secondary suite as temporary commercial accommodation for a period of less than a month at a time by persons other than the owner or a permanent occupier.
 - 6.4.2 The Local Trust Committee may consider issuance of a short term vacation rental temporary use permit provided the short term vacation rental use would not alter the residential appearance of the residence.
 - 6.4.3 The Local Trust Committee should consider the cumulative effects on the neighbourhood and Island of all temporary use permits issued for short term vacation rentals.

- 6.4.4 The Local Trust Committee should not approve more than one short term vacation rental temporary use permit within a 200 metre radius from another short term vacation rental temporary use permit.
- 6.4.5 The applicant should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use.
- 6.4.6 If the property is serviced by a private well, the applicant must demonstrate the well has adequate quality and quantity of water for the short term vacation use. A pump test, professional report, or rainwater system may be required for the application or as a condition of the permit.
- 6.4.7 If the property is serviced by a community water system, the application should be referred to the water system for information.
- 6.4.8 A short term vacation rental temporary use permit should not be issued if located within the Trincomali Improvement District.
- 6.4.9 The applicant should demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles.
- 6.4.10 If the proposal is located on a property identified as containing a sensitive ecosystem, the temporary use permit should require that the applicant provide information for guests indicating the location of the sensitive areas, and information on how to avoid impacting the sensitive features.
- 6.4.11 The temporary use permit should restrict advertising to one unilluminated sign, with a maximum area of 0.6 m².
- 6.4.12 The temporary use permit should require that the owner or other designated contact be available on North or South Pender Island by telephone or email at all times when the short term vacation rental is in use.
- 6.4.13 The temporary permit should require the owner or manager provide neighbours within a 100 metre radius of the vacation rental with the owner or manager's phone number and email, and a copy of the temporary use permit.
- 6.4.14 The permit should require the applicant post the following information for guests:
- a) remind guests that the property is located in a residential area;
 - b) information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted);
 - c) emergency services contact information, and to provide a means for contacting them if the property is located in an area with no cellular service; and

- d) the applicant provide the name and contact information of the property owner or designated contact who is available on North or South Pender Island at all times when the short term vacation rental is in use.

6.4.15 In addition to any other conditions the Local Trust Committee may consider appropriate, in some situations the permit may:

- a) limit the number of bedrooms that can be used for short term vacation rentals;
- b) limit the number of guests to 6 for properties located within the Magic Lake Estates Water System Area;
- c) limit the number of days the short term vacation rental may be in use from the period of May 1 to September 30 in a calendar year to a total of thirty days;
- d) require mitigating measures to address neighbours' concerns, such as retention of existing screening and fencing, or installation of additional screening;
- e) require the landowner/operator to post contact information and permit information at the entrance to the property;
- f) prohibit camping or occupancy of RVs on the property;
- g) prohibit the rental or provision of motorized personal watercraft;
- h) prohibit watercraft that has been brought from off island to be used on Magic Lake or Buck Lake;
- i) prohibit outdoor fires; and
- j) establish the dates during which the use may occur.

6.4.16 A temporary use permit for a short term vacation rental on a parcel in the Agricultural Land Reserve may require the approval of the Agriculture Land Commission prior to the permit being issued.

6.4.17 A temporary use permit may be issued for a short term vacation rental within a secondary suite.

6.4.18 An application for a short term vacation rental temporary use permit should not be considered if the dwelling unit is not occupied on a regular basis by the property owners.

DATE OF MEETING: January 29, 2021
TO: South Pender Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: SP STVR Review – CIM/Public Hearing Scheduling

RECOMMENDATION

1. That the South Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw Nos. 119 and 120, cited as “South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020” and “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2020”, are not contrary to or at variance with the Islands Trust Policy Statement.
2. That the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No. 119, cited as “South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020” and Bylaw No. 120, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2020”.

REPORT SUMMARY

The purpose of this report is to provide a project update and to outline the next steps for the Short Term Vacation Rental (STVR) project.

BACKGROUND

A draft Official Community Plan (OCP) bylaw No. 119 and draft Land Use Bylaw (LUB) No. 120 were presented to the South Pender Island Local Trust Committee (LTC) at the November 6th, 2020 regular LTC meeting. The LTC then passed the following resolution:

SP-2020-023

that the South Pender Island Local Trust Committee Bylaw No. 119, cited as the “South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020”, be amended as discussed.

Staff made the revisions as requested by the LTC and then circulated the draft bylaws for consideration of First Reading by Resolution without Meeting (RWM). Proposed Bylaw Nos. 119 and 120 (LUB Amendment) were given First Reading through this process.

Background information regarding the project and the updated Project Charter can be found on the South Pender Project webpage: [STVR Review Project - South Pender](#)

ANALYSIS

Proposed Bylaw No. 119 & 120

Proposed Bylaw No. 120 would amend the South Pender LUB by removing short term vacation rental use of cottages as a home business. A home business in the South Pender LUB is defined as “a commercial use that is accessory to a permitted residential use on the same lot and includes, where permitted, the use of a cottage for short term vacation rental.” The bylaw includes removing short term vacation rental from the definition of home business and all regulations associated with STVRs. Proposed Bylaw No. 119 would amend the South Pender OCP by adding STVR guidelines to the TUP section and also include policy amendments (removing reference to short term vacation rentals as a form of home business in OCP policies).

If the LTC is proposes to make minor amendments to the bylaws, draft resolutions are included in the ‘Alternatives’ section of this staff report. Making significant amendments after First Reading may require the bylaw to be resent out for referral. A bylaw may be altered after the public hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner’s consent.

Both the South Pender LTC and the North Pender LTC have expressed interest to align their STVR TUP guidelines. In order to achieve similar TUP guidelines, the South Pender OCP amendment bylaw attached to this staff report are derived from the NP OCP amendment bylaw No. 222 which was given First Reading on November 26, 2020. The North Pender LTC has scheduled a Community Information Meeting and Public Hearing for Bylaw No. 222 on February 25, 2021 and has indicated that if they do make minor amendments to the bylaw, they will be made after the Public Hearing.

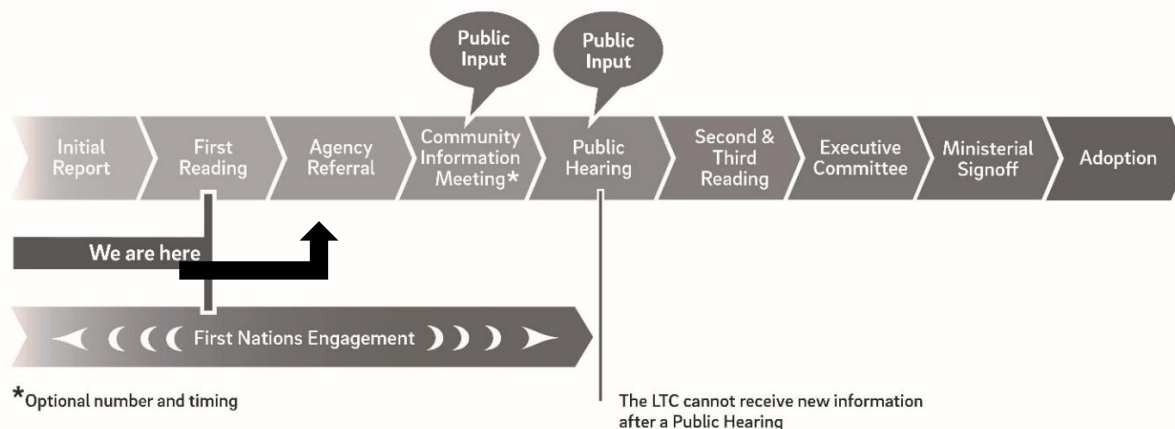
Consultation

Staff have referred Bylaw Nos. 119 and 120 to the agencies and First Nations outlined in the November 6, 2020 staff report. At the time of writing this report, no responses from agencies or First Nations have been received. All comments received will be forwarded to the South Pender LTC and will be included in the Public Hearing binder.

Timeline

The [project charter](#) provides the timeline for the project, but generally the process for OCP amendments are as follows:

- LTC gives direction to staff to draft bylaws;
- LTC gives first reading;
- Bylaw referrals sent, with comments to be received prior to Public Hearing;
- Community Information Meeting and Public Hearing held;
- LTC gives second and third reading;
- Proposed bylaw referred to Executive Committee and the Minister of Municipal Affairs & Housing for approval; and
- LTC gives final reading and adopts bylaw.



Statutory Requirements

In accordance with regular statutory requirements, a Public Hearing is required for any bylaw amendment and it is normal practice to hold a CIM prior to that. Staff are recommending that the CIM be scheduled in conjunction with the Public Hearing given there has already been public and stakeholder consultation on this topic.

If LTC decides to proceed with a Public Hearing, the LTC will need to decide whether it be scheduled as part of a regular LTC meeting or a Special Meeting. The Public Hearing notice would be posted as per statutory and bylaw requirements in advance of the Public Hearing.

The project is currently on schedule as the Project Charter's timeline includes a public hearing to be scheduled for early 2021. Staff are recommending the CIM and Public Hearing for proposed Bylaw Nos. 119 and 120 be scheduled for the March 5, 2021 SP LTC regular meeting.

Islands Trust Policy Statement

The proposed bylaw amendments are consistent with the policy directives of the Policy Statement. The Policy Statement Directives Checklist is included as Attachment 3 and will need to be endorsed by the LTC if the LTC gives first reading to the draft bylaws. The checklist will then be forwarded to the Executive Committee after third reading of the proposed bylaws.

Rationale for Recommendation

Staff are recommending that the LTC schedule a CIM and Public Hearing in early 2021 based on the following:

- The LTC completed community consultation at the beginning of the project;
- The proposed bylaw addresses a number of issues and concerns raised during the community consultation;
- Bylaw referral deadline is at the end of February.
- The project budget ends March 31st, 2021

ALTERNATIVES

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

1. Conduct a CIM on a separate day prior to the Public Hearing.

The LTC may consider conducting a CIM electronically on a day prior to holding a Public Hearing.

Resolution:

That the South Pender Island Local Trust Committee direct staff to schedule an electronic Community Information Meeting for proposed Bylaw Nos. 119 and 120 on a day prior to the Public Hearing for Bylaw Nos. 119 and 120.

2. Minor amendments to proposed Bylaw No. 119

The LTC may consider making amendments to proposed Bylaw No. 119. If the amendments are minor and do not require the bylaw to be rescinded, the following resolution can be used.

Resolution:

That Bylaw No. 119 cited as "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020" be amended as follows:...

3. Minor amendments to Proposed Bylaw No. 120

The LTC may consider making amendments to Proposed Bylaw No. 120. If the amendments are minor and do not require the bylaw to be rescinded, the following resolution can be used.

Resolution:

That Bylaw No. 120 cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2020" be amended as follows:...

4. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

Resolution:

That the South Pender Island Local Trust Committee request that staff provide the following additional information:_____.

5. Receive for information

The LTC may receive the report for information.

NEXT STEPS

Based on direction from LTC, staff will make arrangements for a Public Hearing in conjunction with a CIM for the March 5, 2021 LTC meeting.

Submitted By:	Kim Stockdill Island Planner	January 18, 2021
Concurrence:	Robert Kojima, Regional Planning Manager	January 19, 2021

Attachment:

1. Proposed Bylaw No. 119
2. Proposed Bylaw No. 120
3. ITPS – Bylaw Nos. 119 & 120

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 119

A BYLAW TO AMEND SOUTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 107, 2011

The South Pender Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020".

2. SCHEDULES

South Pender Island Official Community Plan No. 107, 2011 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS	19	DAY OF	January	2021
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 119**

SCHEDULE 1

The South Pender Island Official Community Plan Bylaw No. 107, 2011, is amended as follows:

1. Clause 3.1.2(a)(ii) is amended by deleting “short-term rental of a single family dwelling;”.
2. Article 3.1.2 (e) (Background) is amended by deleting “Short-term rentals of dwellings provide economic return, offer the visitor an opportunity to experience rural island living, and are an alternative form of accommodation to bed and breakfast or commercial resorts.”
3. Clause 3.1.2(e)(i) is amended by deleting the third bullet “Lots having more than one cottage are limited to using not more than one cottage for short-term rental at any one time.”
4. By deleting Clause 3.1.2(e)(ii) “Short-term Rental of Single Family Dwellings” in its entirety.
5. Clause 3.5.2(d)(iv) is amended by deleting “including short-term rental of a single family dwelling and”.
6. Clause 3.6.2(b)(iii) is amended by deleting “short-term rental of a single family dwelling;”.
7. By adding the following to Section 8.2 (Temporary Use Permit Policies):

“8.2.6 In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a short term vacation rental temporary use permit:

- a) For the purpose of a temporary use permit, “short term vacation rental” means the use of a dwelling or cottage as temporary commercial accommodation for a period of less than a month at a time by persons.
- b) The Local Trust Committee may consider issuance of a short term vacation rental temporary use permit provided the short term vacation rental use would not alter the residential appearance of the residence.
- c) The Local Trust Committee should consider the cumulative effects on the neighbourhood and Island of all the temporary use permits issued for short term vacation rentals.

- d) The Local Trust Committee should not approve more than one short term vacation rental temporary use permit within a 200 metre radius from another short term vacation rental temporary use permit.
- e) The applicant should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use.
- f) If the property is serviced by a private well, the applicant must demonstrate the well has adequate quality and quantity of water for the short term vacation use. A pump test or professional report may be required for the application or as a condition of the permit.
- g) The applicant should demonstrate that the property is able to accommodate off-street parking for a minimum of four vehicles.
- h) If the proposal is located on a property identified as containing a sensitive ecosystem, the temporary use permit should require that the applicant provide information for guests indicating the location of the sensitive areas, and information on how to avoid impacting the sensitive features.
- i) The temporary use permit should restrict advertising to one unilluminated sign, with a maximum area of 1.0 m².
- j) The temporary use permit should require that the owner or other designated contact be available on South Pender Island by telephone or email at all times when the short term vacation rental is in use.
- k) The temporary use permit should require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager's phone number and email, and a copy of the temporary use permit.
- l) The permit should require that the applicant post the following information for guests:
 - i. remind guests that the property is located in a residential area;
 - ii. information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted);
 - iii. emergency services contact information, and to provide a means for contacting them if the property is located in an area with no cellular service; and,
 - iv. the applicant provide the name and contact information of the property owner or designated contact who is available on South Pender Island at all times when the short term vacation rental is in use.
- m) In addition to any other conditions the Local Trust Committee may consider appropriate, in some situations the permit may:
 - i. limit the number of bedrooms that can be used for short term vacation rentals;
 - ii. limit the number of guests who are 18 years of age or older to four;
 - iii. limit the number of days the short term vacation rental may be in use from the period of May 1 to September 30 in a calendar year to a total of thirty days;

- iv. require mitigating measures to address neighbours' concerns, such as retention of existing screening and fencing, or installation of additional screening;
 - v. require the landowner/operator to post contact information and permit information at the entrance to the property;
 - vi. prohibit camping or occupancy of RVs on the property;
 - vii. prohibit the rental or provision of motorized personal watercraft;
 - viii. prohibit outdoor fires; and
 - ix. establish the dates during which the use may occur.
- n) A temporary use permit for a short term vacation rental on a parcel in the Agricultural Land Reserve may require the approval of the Agriculture Land Commission prior to the permit being issued.
- o) An application for a short term vacation rental temporary use permit should not be considered if the dwelling unit is not occupied on a regular basis by the property owners."

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 120

A BYLAW TO AMEND SOUTH PENDER ISLAND LAND USE BYLAW NO. 114, 2016

The South Pender Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the South Pender Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2020”.

2. South Pender Island Local Trust Committee Bylaw No. 114, cited as “South Pender Island Land Use Bylaw No. 114, 2016,” is amended as follows:

2.1 Section 1.1 (Definitions) is amended for “home business” by deleting “and includes, where permitted, the use of a cottage for short term vacation rental”.

2.2 Subsection 3.6(1) is amended by deleting “short-term vacation rental of *cottages*,”.

2.3 By deleting Subsection 3.6(9) in its entirety.

3. SEVERABILITY

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

READ A FIRST TIME THIS	19	DAY OF	January	2021
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: SP_6500_2020_STVR Review

File Name: Bylaw Nos. 119 & 120

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	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.
N/A	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.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>



DATE OF MEETING: January 29, 2021

TO: South Pender Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner

SUBJECT: RV and Seasonal Workers Housing – Draft Bylaw

RECOMMENDATIONS

1. That the South Pender Island Local Trust Committee Bylaw No.121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” be read a first time.
2. That the South Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No.121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” is not contrary to or at variance with the Islands Trust Policy Statement.
3. That the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting for Bylaw No. 121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” as part of the March 5th, 2021 South Pender LTC meeting.
4. That the South Pender Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 121, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021” as part of the March 5th, 2021 South Pender LTC meeting.

REPORT SUMMARY

The purpose of this report is to present to the South Pender LTC draft Bylaw No.121 which would require the use of recreational vehicles as temporary dwellings to be tied to a building permit and be limited to two years.

BACKGROUND

This project emerged out of the concern for the use of recreational vehicles as year round housing. A [project charter](#) focussing on addressing the issue of RVs as housing was presented to the LTC at their June 2nd special meeting. At that meeting the South Pender LTC requested that staff amend the Project Charter to include alternative forms of housing other than just recreational vehicles. Alternative forms of housing related specifically to temporary housing for seasonal workers in farming and forestry.

At the September 4, 2020 LTC meeting adopted the following resolution:

It was Moved and Seconded,

that the South Pender Island Local Trust Committee request staff prepare draft policies and regulations that would tie RV use to a building permit for a dwelling, with maximum limit of 2 years, and to limit recreational use of RVs to 60 days, and to permit occupancy of RVs or bunkhouses for agricultural or forestry workers from May to September.

At the November 6, 2020 South Pender LTC meeting the LTC agreed that temporary housing for seasonal workers in farming and forestry could be best addressed through Temporary Use Permit (TUP). As indicated in the November 6th staff report, the TUP policy and guidelines as currently written in the OCP would support the issuance of TUPs for seasonal worker accommodation, which could include RVs.

At the November 6, 2020 South Pender LTC meeting Trustees also discussed whether the bylaw amendment should place a 60 day limit on the recreational use of RVs. The LTC decided that this limit should not be added to the bylaw. Instead, enforcement on the recreational use of RVs will continue on a complaint driven basis.

ANALYSIS

Following up on the direction from the November 6th meeting, Bylaw 121 would:

1. Tie RV use to a building permit
2. Limit the use of RVs (while a building permit is open) to two years.

The proposed changes to the Land Use Bylaw proposed in the draft Bylaw 121 (Attachment 1) are indicated in blue below.

3.10 Use of Recreational Vehicles

(1) The use of a *recreational vehicle* as a temporary *dwelling* prior to the construction of a *dwelling* on the same lot is permitted *for a maximum of two years* in the any zone where a *dwelling* is a permitted use, subject to:

- (a) the connection of the *recreational vehicle* to sewage disposal facilities complying with *the Public Health Act*;
- (b) the provision of a domestic water supply to the building;
- (c) compliance with the use, density and siting requirements of this Bylaw for *dwelling*s and *cottages*,
- (d) the occupancy of the recreational vehicle ceasing prior to or concurrently with occupancy of a dwelling on the lot ; *and*
- (e) *a building permit being issued, and remaining in effect, for the dwelling..*

Issues and Opportunities

Consultation

After first reading of draft Bylaw No.121 staff will refer the Bylaw to relevant agencies and First Nations prior to the public hearing. All comments received will be forwarded to the South Pender LTC and will be included in the Public Hearing binder.

In accordance with regular statutory requirements, a Public Hearing is required for any bylaw amendment and it is normal practice to hold a CIM prior to that. Staff are recommending that the CIM be scheduled in conjunction with the Public Hearing given that there has been no concerns from the public raised to date.

If LTC decides to proceed with a Public Hearing, the LTC will need to decide whether it be scheduled as part of a regular LTC meeting or a Special Meeting. The Public Hearing notice would be posted as per statutory and bylaw requirements in advance of the Public Hearing. Staff are recommending that if the LTC does proceed to public hearing that it be scheduled prior to March 31st as the project budget ends at the end of the fiscal year.

Timeline

The project charter (see Attachment 2) provides the general timeline for the project. The project is currently on schedule as the Project Charter's timeline includes a community information meeting and public hearing to be scheduled for March 2021. Staff are recommending the CIM and Public Hearing for proposed Bylaw NO.121 be scheduled for the March 5, 2021 SP LTC regular meeting.

Rationale for Recommendation

- Draft Bylaw 121 addresses the interests of the LTC to tie RV use to a building permit for a dwelling and limit RV use to a maximum of 2 years.
- There is enough time to provide between now and the March 5th South Pender LTC meeting to meet the statutory requirements for providing notice of public hearing.
- As there have been no major concerns raised by the public related to this topic there is no advantage to scheduling a community information meeting on a separate date from the public hearing.

ALTERNATIVES

1. Hold the Community Information Meeting on a separate date from the Public Hearing

The LTC may choose to request that staff to schedule the CIM on a separate date from the PH. This would likely require delaying the public hearing.

That the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting for Bylaw No. 121, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" on a date separate from the public hearing.

That the South Pender Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 121, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" following the Community Information Meeting.

2. Amend the bylaw prior to First Reading

The LTC may choose to amend the Bylaw 121 prior to First Reading

That the South Pender Island Local Trust Committee Bylaw No.121, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021" be read a first time as amended.

NEXT STEPS

If the LTC supports the recommendation:

- Staff will refer the proposed Bylaw to relevant agencies and First Nations.
- Staff will post public hearing notice as per statutory requirements.
- Staff will schedule CIM and PH for the March 5th, 2021 South Pender LTC regular meeting.

Submitted By:	Narissa Chadwick RPP, Islands Planner	January 19, 2021
Concurrence:	Robert Kojima, Regional Planning Director	January 19, 2021

ATTACHMENTS

1. Draft Bylaw 121
2. Project Charter
3. IT Policy Statement Checklist

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 121**

A BYLAW TO AMEND SOUTH PENDER ISLAND LAND USE BYLAW No. 114, 2016

The South Pender Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the South Pender Island Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2021".

2. South Pender Island Local Trust Committee Bylaw No. 114, cited as "South Pender Island Land Use Bylaw No. 114, 2016" is amended as follows:

2.1 Subsection 3.10(1) is amended for by adding "for a maximum of two years" after the words "the same lot is permitted".

2.2 Article 3.10(1)(c) is amended by removing "; and" and replacing it with ",".

2.3 Article 3.10(1)(d) is amended by removing "." and replacing it with "; and".

2.4 Subsection 3.10.(1) is amended by adding a new Article after Article 3.10(1)(d) that reads: "(e) a building permit being issued, and remaining in effect, for the dwelling."

3. SEVERABILITY

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

READ A FIRST TIME THIS	DAY OF	20__
PUBLIC HEARING HELD THIS	DAY OF	20__
READ A SECOND TIME THIS	DAY OF	20__
READ A THIRD TIME THIS	DAY OF	20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	20__
ADOPTED THIS	DAY OF	20__

CHAIR

SECRETARY

South Pender Island Alternative Housing Project - Charter (Revision)

South Pender Island LTC

Date: August 26/ 2020

Purpose: To address issues associated with the use of Recreational Vehicles as housing on South Pender Island and identify options for other affordable housing alternatives.

Background: While recreational vehicles (RVs) are permitted on South Pender Island as a temporary dwelling prior to the construction of a permanent dwelling under a number of conditions, there are instances, including housing farm workers, where RVs being used do not adhere to bylaws. Enforcing bylaws would leave no other options for those living in RVs. Other options to support affordable housing need to be identified and considered.

Objectives

To engage in an analysis of issues related to the use of RVs as housing on South Pender Island and identify options to support affordable housing alternatives for seasonal workers.

In Scope

- Review of existing bylaws
- Analysis of issues associated with use of RVs
- Identify enforcement issues
- Identify policy and regulatory options to support affordable housing options for seasonal workers.
- Undertake legislative process to amend bylaws if required

Out of Scope

- Unrelated OCP or LUB amendments
- Other housing/zoning related regulations and policies

Workplan Overview

Deliverable/Milestone	Date
Project Initiation	May 1, 2020
Research and Review	May- August 2020
Report to SP LTC for discussion	September/Nov 2020
Draft bylaws for LTC Review, First Reading	January 2021
Bylaw referrals	Jan - Feb 2021
Community Information Meeting / Public Hearing / Further Readings	March 2021
Bylaw Amendment process complete	April 2021

Project Team

Narissa Chadwick	Project Manager
Maple Hung	Planning Assistant
Robert Kojima	Regional Planning Manager
Updated: Oct.26/2020	

Budget

Budget Sources:

Fiscal	Item	Cost
2020-21	Communications	\$500
2020-21	Public Hearing	\$1500
2020-21	Contingency	\$500
	Total	\$2500



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 12_11_6500_20_2020

(Alternative Housing)

File Name: Bylaw No.121

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	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.
N/A	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.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

Top Priorities Report

South Pender Island

1. *Groundwater Sustainability project*

Phase 1: to undertake analysis of groundwater resources. Project final report in spring 2021

Responsible

William Shulba

Dates

Rec'd: 05-Apr-2019
Target: 30-Sep-2020

2. *STVR Review Project*

Proposed Bylaw Nos. 119 & 120 were given First Reading and referrals have been sent. A Community Information Meeting and Public Hearing will be schedule for March 5, 2021.

Responsible

Kim Stockdill

Dates

Rec'd: 06-Sep-2019
Target: 31-Mar-2021

3. *Alternative Housing*

Review regulations relating to recreational vehicles and consider tiny homes and secondary dwellings. Bylaws to be reviewed by LTC in January 2021, public hearing anticipated prior to April 2021

Responsible

Narrisa Chadwick

Dates

Rec'd: 31-Jan-2020
Target: 31-Mar-2021



Projects Report

South Pender Island

1. *Development Permit Areas*

Responsible

Date Received

Review of existing and potential development permit areas

28-Apr-2015

2. *Sea level Rise and Shoreline Erosion*

Responsible

Date Received

Review of policies and regulations including setback from the sea, structures permitted in setback

28-Apr-2015

3. *Steel Storage Containers*

Responsible

Date Received

Review LUB regulations to consider prohibiting or regulating steel storage and shipping containers

06-Sep-2019

4. *Derelict vehicle and machinery*

Responsible

Date Received

Review derelict vehicle and discarded equipment regulations

06-Sep-2019

5. *First Nations Language*

Responsible

Date Received

Consider OCP amendment to include a more fulsome historical accounting of First Nations

01-Nov-2019

6. *Building and Siting Guidelines*

Responsible

Date Received

Review policy and regulations related to building and siting on residential properties, including floor area, setbacks, siting and other regulations.

31-Jan-2020

Applications

File Number	Applicant Name	Date Received	Purpose
-------------	----------------	---------------	---------

Planner:

Planning Status

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending October 2020

665 South Pender	Invoices posted to Month ending October 2020	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-665	LTC "Trustee Expenses"	119.00	0.00	119.00
LTC Local				
65200-665	LTC - Local Exp - LTC Meeting Expenses	1,745.00	517.65	1,227.35
65210-665	LTC - Local Exp - APC Meeting Expenses	374.00	0.00	374.00
65220-665	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-665	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>2,663.00</u>	<u>517.65</u>	<u>2,145.35</u>
Projects				
73001-665-4107	South Pender Short Term Vacation Rental (STVR) Review	3,500.00	171.25	3,328.75
73001-665-4109	South Pender Building and Sitting Review	2,000.00	0.00	2,000.00
73001-665-4111	South Pender Alternative Housing	2,500.00	0.00	2,500.00
TOTAL Project Expenses		<u>8,000.00</u>	<u>171.25</u>	<u>7,828.75</u>



Standing Resolutions Log

South Pender Island

Resolution Number	Action	Date
2020-015 (Standing) that South Pender Island Local Trust Committee directs bylaw enforcement officers to commence bylaw investigations and enforcement without written complaint if bylaw violations related to disposal or storage of waste or recyclable materials or storage of vehicles or vehicle parts are observed by the bylaw enforcement officer while doing inspections of other issues or if it is reliably reported to the officer that such activity may be taking place.	Carried	04-Jun-2020
2019-015 (Standing) that the South Pender Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.	Carried	06-Sep-2019
2019-014 (Standing) that the South Pender Island Local Trust Committee endorse the Model Cell Tower Strategy.	Carried	06-Sep-2019



Standing Resolutions Log

South Pender Island

Resolution Number	Action	Date
2019-001 (Standing) - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - The proposed license should also be referred to First Nations for comment. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms - o The location of the proposed establishment and the subject site - o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - o How public comments may be submitted to the local trust committee.	Carried	01-Feb-2019
2015-015 (Standing) 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.	Carried	28-Apr-2015
2010-000 (Standing) Send FUAL to trustees once drafted following the meeting.	Carried	05-Oct-2010
2006-012 (Standing) 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.	Carried	23-May-2006



Standing Resolutions Log



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality November 24, 2020

Islands Trust Conservancy Board News

Due to the COVID-19 pandemic, the Islands Trust Conservancy (ITC) Board resolved to hold meetings electronically due to Ministerial Orders under the Emergency Program Act and requirements or recommendations under the Public Health Act. Meetings will be live streamed, and the public can participate by connecting to the link or the phone number provided in the meeting notice. The Board also directed staff to investigate the use of electronic meetings as a primary meeting format. Electronic meetings have resulted in cost savings to ITC as well as reductions in travel time and greenhouse gas emissions for Board members.

A Board meeting schedule for 2021 was approved and will be posted to www.islandstrustconservancy.ca/about-us/meetings/.

ITC reviewed options for sustainable investing as guided by policies and guidelines in its 5-year plan. ITC staff will work with administrative staff to move investments into funds that are in alignment with the [United Nations Sustainable Development Goals](#).

The 2021/22 budget was reduced by \$3,600 to reflect anticipated cost savings in areas of Board training, staff training, and associated training travel. ITC travel budgets were not greatly reduced as they are required for property management and are not meeting related.

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work of ITC. The ITC continues to work towards 4 long-term goals and 25 objectives that further conservation in the entire Trust Area. For more information, visit www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

ITC has signed a Contribution Agreement with Environment and Climate Change Canada for a new, three-year Species at Risk Program. Staff are working to launch the program and plan to develop a project charter for Board consideration.

Goal 2 – Strong relationships with First Nations

In October, ITC Board directed staff to create an ITC Reconciliation Action Plan that reflects prior directions in Goal 2 of the Regional Conservation Plan. Staff continue to work towards this plan and are also currently incorporating information from indigenous knowledge holders into land securement (acquisitions and covenants) and land management.

Goal 3 – Protection of core conservation areas

Two Natural Area Protection Tax Exemption Program (NAPTEP) proposals on Salt Spring Island were approved (See details below).

The ITC Board concluded its 2020 property monitoring program and reviewed and approved the 2020 Nature Reserve Monitoring Report and the 2020 NAPTEP Covenant Monitoring Report. Staff were directed to undertake actions identified in the reports.

The Covenant Management and Outreach Specialist outlined plans for outreach with NAPTEP landowners in 2021.

Goal 4 – A strong voice for nature conservation

The [Opportunity Fund](#), which is a funding program for island-based land conservation, has been very popular this year and is down to \$10,000. Through small grants (~\$5,000), the Fund supports hard to fundraise costs for island-based land conservation. ITC has done an appeal for fund donations through the Heron Newsletter mail-out, and via E-news. A Holiday Appeal letter from Chair Stamford will follow in December. Donations are tax receiptable and are greatly appreciated.

Visit www.islandstrustconservancy.ca/donate/ to donate.

The Board reviewed annual training opportunities and indicated a preference for training on the following topics:

- Fund Development and Speaking with Donors
- Cultural Sites and Property Management
- Species at Risk in the ITC Area

The Board received a briefing on completion of the 2020 forest outreach campaign, where over 400 letters and NAPTEP brochures were mailed to landowners to encourage conservation. Staff are following up with several landowners who have expressed an interest in formal land conservation. Conservation proposals have been received from landowners included in the outreach.

The recently released [Fall Heron Newsletter](#) reflects changes for greater readability and a more donor-centric approach.

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

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

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Activities by Local Trust Area/Island Municipality

Bowen – Staff are working with the Bowen Island Conservancy on an invasive species management strategy for a conservation covenant, and monitoring of three ITC nature reserves and to complete the Opportunity Fund grant for the Bowen Island Conservancy.

Gabriola – Invasive species management and ecological restoration work has been completed for the year in one conservation covenant, and in Elder Cedar Nature Reserve. Staff are working on new signage for the Elder Cedar Nature Reserve.

Galiano – Forest restoration activities with Habitat Acquisition Trust at Trincomali Nature Sanctuary including removing invasive species and monitoring areas of past plantings, including maintaining fencing. Cormorant nest monitoring and reporting also took place.

Gambier/Keats – The transfer of the Sandy Beach Nature Reserve, Keats Island, is pending.

Lasqueti – Staff reported that Visual Quality Objectives (VQO) for Lasqueti Island were being revised by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, and the area adjacent to the ITC Mount Trematon Nature Reserve was proposed for removal from the VQO. Staff responded requesting that the area remain as part of the VQO.

Restoration activities were conducted at the pond in Salish View Nature Reserve to improve habitat for Species at Risk. With funding from Environment and Climate Change Canada, restoration activities included fence installation and planting of 841 native species. Work was completed with assistance of volunteers on Lasqueti and conservation covenant partners Lasqueti Island Nature Conservancy and Nanaimo & Area Land Trust. Provincial CoViD-19 safety guidelines were followed.

North Pender/Sidney Island – Staff are participating in the Steering Committee and working groups of a Parks Canada-led initiative to restore forest ecosystems on Sidney Island, where ITC holds eight conservation covenants. Staff have encouraged covenant landholders on North and South Pender to participate in The Pender Islands Big Tree Registry initiative.

Salt Spring – The ITC Board approved negotiation of two NAPTEP covenants: 45 ha near Burgoyne Bay Provincial Park and 5 ha of forest, bluff and wetland near Stowel Lake.

Invasive species management and ecological restoration has been completed for the year in two nature reserves and is under way in two NAPTEP covenants.

Planning has begun for species-at-risk habitat conservation and enhancement projects across a network of conservation covenants and nature reserves.

Staff participated in the annual meeting of the Special Management Area Resource Team for Mount Tuam Special Management Area, which includes an ITC conservation covenant and nature reserve.

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

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

Islands Trust Conservancy itcmail@islandstrust.bc.ca



BRIEFING

To: Local Trust Committees and South Pender Island Municipality **For the Meeting of:** January 29, 2021

From: Islands Trust Conservancy **Date Prepared:** November 25, 2020

SUBJECT: 2020 Forest Conservation Outreach Campaign Completion

PURPOSE: To inform the Local Trust Committees and Bowen Island Municipality of the completion of Islands Trust Conservancy's 2020 forest conservation outreach campaign.

BACKGROUND: In January 2020 Islands Trust Conservancy staff initiated an outreach campaign to encourage voluntary forest conservation and stewardship on private lands in the Islands Trust Area. This campaign was a response to part of Trust Council Resolution 2019-24, which directed staff to:

- create a strong communications program that will support Islands Trust Conservancy conservation initiatives for Coastal Douglas-fir protection as well as support the land use planning process, with a special focus on communicating the role of Development Permit Areas as a tool for Coastal Douglas-fir protection that permits development; and
- bring recommendations for how the Natural Areas Property Tax Exemption Program (NAPTEP) can be tailored to highlight and prioritize contiguous tracks of the Coastal Douglas-fir zone in the outreach, communications, and approval of NAPTEP covenants by the Islands Trust Conservancy.

The campaign also helps to address objective 1.5 of the Islands Trust Conservancy Regional Conservation Plan, which is to seek opportunities to provide information to landholders to support voluntary conservation initiatives.

Forest conservation outreach packages were developed by ITC staff in consultation with Islands Trust Directors of Trust Area Services and Local Planning Services, and included the following:

1. Personalized cover letter from the Covenant Management & Outreach Specialist
2. Customized forest ecosystem information sheets: Coastal Douglas-fir forest information and mapping for Gulf Islands LTAs, and Coastal Western Hemlock forest information and mapping for Gambier LTA and Bowen Island Municipality
3. Forest Conservation Checklist
4. NAPTEP rack card

The 2020 forest conservation outreach campaign focused on landholders with over five hectares of old-growth or mature forest on their property. Mapping identified 348 properties as meeting this criteria, with over 400 associated landholders (households). The following is a breakdown of packages mailed, by local trust area/municipality:

Local Trust Area/ Municipality	Outreach Package Recipients
Ballenas-Winchelsea	0
Bowen	29

Denman	23
Gabriola	19
Galiano	11
Gambier	49
Hornby	5
Lasqueti	171
Mayne	11
North Pender	10
Salt Spring	44
Saturna	14
South Pender	4
Thetis	13
Total	403

Outreach packages were mailed to these landholders on August 13th and 18th. The immediate response from outreach package recipients has been positive, and to date has included at least two NAPTEP covenant inquiries and two forest stewardship conversations.

In addition to the mailout, a Forest Protection webpage on the Islands Trust website has been created as a platform for ongoing forest conservation outreach: <http://islandstrust.bc.ca/trust-council/projects/forest-protection/>. The forest ecosystem information sheets for each LTA are available at www.islandstrust.bc.ca/islands/island-ecosystems/.

ATTACHMENT(S):

1. Cover letter template
2. Sample Coastal Douglas-fir Forests information sheet
3. Sample Coastal Western Hemlock Forests information sheet
4. Forest Conservation Checklist

FOLLOW-UP: A small number of paper copies of the forest ecosystem information sheets will be distributed to each island in late November, either to the Islands Trust Office/Municipal Office, LTC office, where available, or to the local conservancy, as appropriate.

The Covenant Management & Outreach Specialist will track responses to the forest conservation outreach letter in Islands Trust Conservancy's contact management database, connect respondents with other ITC specialists as needed, and assess the overall response to the campaign to inform future outreach activities.

Prepared By: Jemma Green, Covenant Management & Outreach Specialist

Reviewed By/Date: Kate Emmings, A/Manager / November 26, 2020

Coastal Douglas-fir Forests

What are Coastal Douglas-fir Ecosystems?

The Coastal Douglas-fir (CDF) zone describes a unique set of ecosystems found only on southeast Vancouver Island, the Gulf Islands, and the southwest coast of BC. CDF ecosystems are rare and highly endangered. These ecosystems include Douglas-fir forests, as well as Garry oak woodlands, wetlands, estuaries, and other unique communities of plant, animal, and fungi found nowhere else in the world.

Why are CDF Ecosystems Important?

CDF ecosystems have:

- The highest diversity of plant species in BC
- The highest diversity of overwintering bird species in Canada
- The highest density of species at risk in BC, including 24 globally imperiled species

Yet 98% of the 45 ecological communities in the CDF zone are at risk of being lost.

In addition to supporting biodiversity, CDF forests benefit our communities by:

- Mitigating climate change by capturing and storing carbon from the atmosphere
- Supporting cultural and spiritual values of First Nations that have lived in the region since time immemorial
- Reducing pollution by removing dust, pollen, and smoke from the air
- Controlling and filtering stormwater runoff into lakes and streams, which protects drinking water and reduces flood risk
- Supporting resilient food systems by providing habitat for native pollinators
- Increasing property values
- Providing recreational opportunities and spaces for relaxation

This resource was developed by:



Photos by Kristine Mayes except lichen photo by Ken Lertzman, header and footer photos by Alex Harris for Raincoast. Map produced by Islands Trust.



LICHEN, PILEATED WOODPECKER

CDF Forest Ecosystems

- Young Forest (40 - 80 yrs)
- Mature Forest (80 - 250 yrs)
- Old Forest (over 250 yrs)
- Other Land Cover



Why are CDF Forests at Risk?

Since European settlement, almost half of the historically forested land in the CDF zone has been lost due to land uses such as forestry and development. Most old-growth forests have been replaced by second-growth forests that are not as biodiverse or resilient. Remaining CDF forests are in a hotspot of urban and rural development, and under increasing pressure from a growing population.

Climate change will have significant impacts on CDF forests as intensifying summer droughts stress trees. Islander observations indicate that climate change has already impacted western redcedar and other species. It is likely that drought is the primary cause of increased stress, but work needs to be done to understand these changes and adapt conservation of CDF habitats.

CDF forests and associated ecosystems are among the most endangered in Canada, yet only 11% of land in this zone is protected. Eighty percent of the land in the CDF zone is privately owned, highlighting the importance of voluntary conservation actions by individuals to protect what's left.



Only 11% of land in the CDF zone is under some form of protection

What You Can Do

Become a land steward:

- ☐ Protect living trees
- ☐ Leave large patches of natural forest intact
- ☐ Leave standing dead trees (snags) and fallen trees to decay in place to provide shelter and food for wildlife
- ☐ Restrict vehicle and livestock access into forests
- ☐ Control invasive species, like ivy, holly, daphne, and broom
- ☐ Keep cats indoors as much as possible
- ☐ Garden with native species
- ☐ Keep forest health in mind while managing fire risk. Focus on fire-proofing your home and planting a buffer of fire-resistant native plants like salal and Oregon-grape. Help protect your community by protecting older forests: their high moisture-holding capacity makes them a natural fire break.
- ☐ Become a citizen scientist — add your observations to a growing global database using the iNaturalist app, or keep a nature journal

Consider how your community can protect forests through Environmental Development Permit Areas and conservation guidelines in your Official Community Plan and Land Use Bylaw.

Permanently protect your land with conservation covenant.

A covenant is a voluntary, legal agreement between you and a conservancy that protects your land from development — not just while you own and live on the land, but even after your property is sold or transferred to new owners. Covenants registered through the Islands Trust's **Natural Areas Protection Tax Exemption Program (NAPTEP)** are eligible for a 65% reduction in property taxes on the portion of land protected.

Create a nature reserve through a donation of land to a conservancy or parks agency. If you donate land with significant ecological value, you may be eligible for additional tax benefits through the federal [Ecological Gifts Program](#).

The Morrison Waxler Biodiversity Protection Legacy Fund offers grants to Pender Island landowners to help cover costs associated with protecting land. It can also help cover costs associated with protecting land. Contact Islands Trust Conservancy to learn more at 250-405-5186 or itcmail@islandstrust.bc.ca

Resources

For information on conservation covenants, land donations, and stewardship programs, contact:

Islands Trust Conservancy: visit islandstrustconservancy.ca, email itcmail@islandstrust.bc.ca, or phone 250-405-5186

Pender Island Conservancy Association: visit penderconservancy.org or email info@penderconservancy.org

For information on CDF ecosystems at risk, contact:

Coastal Douglas-fir Conservation Partnership: visit cdfcp.ca or email info@cdfcp.ca

For information about Raincoast Conservation Foundation's Gulf Islands Forest Project, visit: raincoast.org/gulf-islands



1-500 Lower Ganges Road, Salt Spring Island, BC V8K 2N8

Telephone: **250-537-9114**

Fax: 250-537-9116

Toll Free via Enquiry BC in Vancouver: 604-660-2421

Elsewhere in British Columbia: **1-800-663-7867**

Email: ssiinfo@islandstrust.bc.ca

Website: www.islandstrust.bc.ca

December 21, 2020

via email: southinfo@islandstrust.bc.ca

South Pender Local Trust Committee
Islands Trust
1627 Fort Street
Victoria, BC V8R 1H8

Dear Members of the South Pender Local Trust Committee:

Re: Short Term Vacation Rental Communications and Strategies

On Tuesday, December 15, 2020, a resolution was passed by the Salt Spring Island Local Trust Committee (SSI LTC) to invite the Southern Gulf Island Local Trust Committee's to meet and discuss Short Term Vacation Rentals (STVR) communications and strategies:

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee reconfirm their direction to staff to work with staff from the Island Trust's Southern Region to set up a meeting between the Southern Gulf Island Trustees to discuss Short Term Vacation Rental (STVR) policies and regulations and communication strategies.

If you are interested in attending a zoom discussion in the New Year please provide feedback on your preferred meeting method:

- 1) Each Local Trust Committee (LTC) agrees to have a Joint Special Business or
- 2) The SSI LTC hosts a meeting and each Southern Gulf Island LTC appoints an attendee.

Please email ssiinfo@islandstrust.bc.ca to notify us of your desire to participate and the preferred method of meeting. Staff will reach out to you to arrange a date accordingly.

Thank you,

Chair Peter Luckham
Salt Spring Island Local Trust Committee
PL/sb