



South Pender Island Local Trust Committee

Regular Meeting Agenda

Date: January 16, 2017
Time: 10:30 am
Location: South Pender Fire Hall
8961 Gowlan Point Road, South Pender Island, BC

	Pages
1. CALL TO ORDER	10:30 AM - 10:35 AM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	10:35 AM - 11:00 AM
4. COMMUNITY INFORMATION MEETING	
none	
5. PUBLIC HEARING	
none	
6. MINUTES	11:00 AM - 11:05 AM
6.1 Adopted Local Trust Committee Minutes Dated November 8, 2016 (for Information)	3 - 7
6.2 Section 26 Resolutions-without-meeting Dated January 2017	8 - 8
6.3 Advisory Planning Commission Minutes	
none	
7. BUSINESS ARISING FROM THE MINUTES	11:05 AM - 11:10 AM
7.1 Follow-up Action List Dated January 2017	9 - 9
8. DELEGATIONS	
none	
9. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted on the LTC webpage</i>	
none	

10. APPLICATIONS AND REFERRALS

none

11. LOCAL TRUST COMMITTEE PROJECTS

11:10 AM - 12:30 PM

11.1 Land Use Bylaw (LUB) Review - Staff Report

10 - 67

11.2 Relationship Building with First Nations - Staff Report

68 - 78

12. REPORTS

12:30 PM - 12:45 PM

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated January 2017

79 - 79

12.1.2 Projects List Report Dated January 2017

80 - 80

12.2 Applications Report Dated January 2017 (attached)

81 - 81

12.3 Trustee and Local Expense Report Dated November 2016 (attached)

82 - 82

12.4 Adopted Policies and Standing Resolutions (attached)

83 - 83

12.5 Local Trust Committee Webpage

12.6 Chair's Report

12.7 Trustee Report

12.8 Trust Fund Board Report

none

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

12:45 PM - 12:50 PM

14.1 Next Regular Meeting Scheduled for April 11, 2017, at the South Pender Fire Hall, Pender Island

15. TOWN HALL

12:50 PM - 1:00 PM

16. CLOSED MEETING

none

17. ADJOURNMENT

1:00 PM - 1:00 PM



ADOPTED

South Pender Island Local Trust Committee Minutes of Regular Meeting

Date: November 8, 2016
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

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

Staff Present: Robert Kojima, Regional Planning Manager
Robyn Ludwig, Recorder

Others Present: Approximately 10 members of the public present

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Paul Petrie thanked the Trustees for requesting that RPM Kojima draft the Land Use Bylaw (LUB) discussion paper; he indicated that the discussion paper had provided useful information for the community and the LTC.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Adopted Local Trust Committee Minutes Dated September 6, 2016 (For information)

Received for information.

6.2 Section 26 Resolutions-without-meeting Dated October 2016

Received for information.

6.3 Advisory Planning Commission Minutes

none

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated November 2016

Received for information.

8. DELEGATIONS

none

9. CORRESPONDENCE

none

10. APPLICATIONS AND REFERRALS

none

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Land Use Bylaw (LUB) Review - Discussion Paper

RPM Kojima summarized the LUB discussion paper and clarified the options. .

The Trustees discussed specific issues related to accessory buildings and structures, including height, setbacks and floor area regulations. The Trustees then discussed options for regulating by lot size and/or lot coverage, and whether to regulate by percentage and/or maximum floor area.

The LTC broke at 11:41 p.m. and reconvened at 11:54 p.m. to revisit the LUB.

SP-2016-21

It was MOVED and SECONDED,

that draft Bylaw 114 be revised for rural residential zones to have the Floor Area Ratio (FAR) of all buildings not exceed 10%, not including buildings less than 10 sq m.

CARRIED

SP-2016-22

It was MOVED and SECONDED,
that draft Bylaw 114 be revised for rural residential zones to have a maximum dwelling size of 560 sq m.

CARRIED

SP-2016-23

It was MOVED and SECONDED,
that draft Bylaw 114 be revised for agricultural, forestry and natural resource properties to have a maximum dwelling size of 560 sq m.

CARRIED

SP-2016-24

It was MOVED and SECONDED,
that draft Bylaw 114 be revised for rural residential zones to limit the maximum size of any one accessory building to 140 sq m.

CARRIED

SP-2016-25

It was MOVED and SECONDED,
that draft Bylaw 114 be revised for all zones to require all new dwelling construction to include cisterns for the storage of rainwater, with a minimum cistern capacity of 18,000 L.

CARRIED

Trustee Scholefield briefly reviewed changes to various definitions in the bylaw.

11.2 Community Information Meeting Format

SP-2016-26

It was MOVED and SECONDED,
that the Trustees request that RPM Kojima prepare, in conjunction with the Trustees, a community information package for mail distribution in December.

CARRIED

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated November 2016

Received for information.

12.1.2 Projects List Report Dated November 2016

Received for information.

12.2 Applications Report

none

12.3 Trustee and Local Expense Report Dated September 2016 (attached)

Received for information.

12.4 Adopted Policies and Standing Resolutions (attached)

Received for information.

12.5 Local Trust Committee Webpage

none

12.6 Chair's Report

Work continues on: a 2017/2018 budget; a transition plan in the event of the incorporation of Salt Spring; and ongoing work on ship safety, anchorages, and oil spill prevention. The Trust Council is meeting on Salt Spring in December.

12.7 Trustee Report

Trustee McConchie continues his work regarding tanker traffic in Plumper Sound; styrofoam and debris on South Pender beaches; and the select committee for reviewing the Victoria office location.

12.8 Trust Fund Board Report Dated September 2016 (attached)

Received for information.

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1 The Next Regular Meeting of the South Pender Local Trust Committee is To Be Determined.

14.2 Proposed South Pender Island LTC 2017 Meeting Schedule - Staff Memo

SP-2016-27

It was MOVED and SECONDED,

that the Trustees request that staff schedule a meeting for January 2017, cancel the February 2017 meeting, and adopt the remainder of the schedule as presented.

CARRIED

The LTC wishes to hold a community information meeting, regarding Bylaw 114, as part of the January 2017 meeting.

15. TOWN HALL

No comments received from the public.

16. CLOSED MEETING

none

17. ADJOURNMENT

By general consent the meeting was adjourned at 1:26 p.m.

Peter Luckham, Chair

Certified Correct:

Robyn Ludwig, Recorder



Resolutions Without Meeting

South Pender Island

Resolution #	Action	Resolution Description	Resolution Date
2016-04	In Favour	THAT the South Pender Island Local Trust Committee Meeting minutes of November 8, 2016, as amended be Adopted.	06-Dec-2016

Follow Up Action Report

South Pender Island

08-Nov-2016

Activity	Responsibility	Target Date	Status
LUB Review - revise bylaw to: 1. Establish a maximum FAR of 10% (0.10) for all buildings in the RR zones, excluding buildings less than 10m2. 2. Establish a maximum floor area of 560m2 for all dwellings, in the RR, A, F and NR zones 3. Establish a regulation to limit the floor area of any one accessory building to 140m2 4. Revise the cistern regulations to require a minimum 18,000 litre capacity in all zones	Robert Kojima	14-Nov-2016	Done
Prepare a mail out for all on and off island owners, in consultation with local trustees, providing information on changes to the draft LUB, to be sent out in December	Robert Kojima Regina Robinson	02-Dec-2016	Done
Revise draft meeting schedule to: - Cancel February meeting - schedule a meeting in January prior to the 17th and adopt the rest of the schedule as presented	Regina Robinson	18-Nov-2016	Done
Add a community information meeting on the topic of the LUB Review to the January meeting agenda	Sharon Lloyd-deRosario		Done
Cancel the meeting tentatively scheduled for December 3rd	Regina Robinson	11-Nov-2016	Done



DATE OF MEETING: January 16, 2017
TO: South Pender Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Planning Team
SUBJECT: LUB Review

RECOMMENDATION

1. That South Pender Island Local Trust Committee Bylaw No. 113, cited as South Pender Island Official Community Plan, 107, 2011, Amendment No. 1, 2016, be read a first time.
2. That South Pender Island Local Trust Committee Bylaw No. 114, cited as South Pender Island Land Use Bylaw No. 114, 2015, be read a first time.
3. That the South Pender Island Local Trust Committee request staff to schedule a Public Hearing for Bylaws No. 113 and 114, and that a Community Information Meeting be scheduled to precede the public hearing.

REPORT SUMMARY

The purpose of the report is to summarize the status of the project, principally the most recent revisions to the draft Land Use Bylaw, and provide options and recommendations for proceeding.

BACKGROUND

This project was initiated in the previous term, and to date this term the LTC has identified issues, conducted public consultation, overseen a technical review, provided direction on a number of substantive issues, initiated the legislative amendment process, including referrals, reviewed drafts of the LUB, and held community information meetings. Background on the project is posted on the LTC webpage: **Land Use Bylaw Amendments**.

At the November meeting (November 8, 2016), the LTC reviewed a discussion paper on the issues associated with lot coverage and floor area and provided direction for further revisions to the draft LUB. Consequential revisions have also been made to the OCP amendment bylaw (Bylaw 113) to remove amendments referring to minimum lot area for the Forest and Agricultural zones and add reference to Floor Area Ratio.

ANALYSIS

Issues and Opportunities:

The following are the revisions made to the draft LUB at the November meeting:

- A maximum Floor Area Ratio (FAR) of 10% for all buildings in the Rural Residential zones (not including buildings with a floor area of less than 10 m²).

- A maximum floor area of 560 m² (6027 ft²) for dwellings in the Rural Residential zones.
- For agricultural, forestry and natural resource properties, a maximum dwelling floor area of 560 m² (6027 ft²).
- Limit the maximum size of any one accessory building to 140 m² (1506 ft²) in the Rural Residential zones.
- Require all new dwelling construction to include cisterns for the storage of rainwater, with a minimum cistern capacity of 18,000 L.

These revisions have been incorporated into the **draft LUB** and noted in a **table of significant amendments**.

Consultation:

To date the LTC has held two Community Information Meetings, an open house, referred the draft LUB to the Advisory Planning Commission (APC), and conducted agency and First Nations referrals. Those agencies that responded to the referrals noted that their interests are unaffected. Following the last meeting, the LTC distributed a newsletter to all on- and off-island owners, providing an update on the progress of the project and the proposed changes to the LUB.

At, and following, the last meeting, the LTC deliberated on the timing and need for a subsequent community information meeting. No community information meeting has been scheduled; however the project charter does include provision for an additional Community Information meeting if required.

Rationale for Recommendation:

The LTC has gathered input from the community and agencies through consultation and the referral process. As result of consultation, a number of revisions have been made to the draft LUB. At this point, the LTC should consider proceeding with First Reading and scheduling of a Public Hearing. Alternately, the LTC.

ALTERNATIVES

If the LTC is not prepared to proceed with First Reading at this point, it could:

- Make further revisions to the draft LUB
- Request staff to report back with options and recommendations on specific issues
- Schedule a community information meeting to obtain additional community input

NEXT STEPS

1. Consider First Reading of bylaws and direction to schedule a Public Hearing

Submitted By:	Robert Kojima Regional Planning Manager	January 5, 2017
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ATTACHMENTS

1. Draft Bylaw 113
2. Draft Bylaw 114

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO.113**

A BYLAW TO AMEND SOUTH PENDER ISLAND OFFICIAL COMMUNITY PLAN, 107, 2011

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

AND WHEREAS Section 29 of the *Islands Trust Act* gives the South Pender Island Local Trust Committee the same power and authority of a Regional District under Part 14 except sections 558 to 570 and 507 to 508 of the *Local Government Act*;

AND WHEREAS the South Pender Island Local Trust Committee wishes to amend Bylaw No. 91, Official Community Plan, 2002;

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

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

- A. Bylaw No. 107, cited as “South Pender Island Official Community Plan, 107, 2011” is altered as shown in Schedules 1 to 2 of this amending bylaw.
- B. This Bylaw may be cited for all purposes as “South Pender Island Official Community Plan, 107, 2011, Amendment No. 1, 2016.”
- C. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this _____ day of _____, 201.

PUBLIC HEARING HELD this day of , 201.

READ A SECOND TIME this _____ day of _____, 201.

READ A THIRD TIME this _____ day of _____, 201.

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

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT
this _____ day of _____ 201.

ADOPTED this _____ day of _____, 201.

SECRETARY

CHAIR

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 113

SCHEDULE 1

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

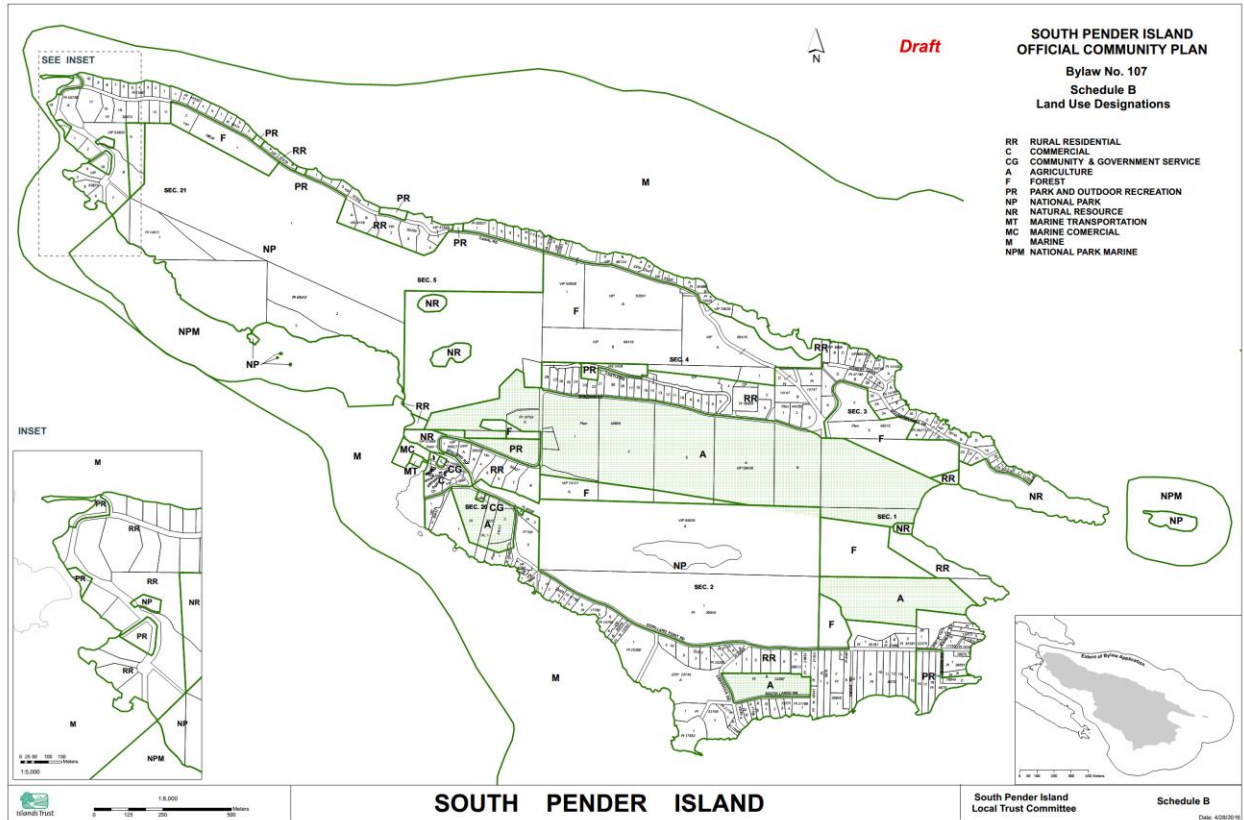
1. The definition of "cottage" in Section 1.6 (Definitions) is amended by deleting "56m² (603ft²)" and replacing it with "70m²".
2. Subsection 2.4.3 (General Policies) is amended by inserting "maximum floor area of dwellings, floor area ratio," following the phrase "number of buildings," and preceding "lot site coverage,".
3. Clause 4.2(b)(iv) is amended by deleting it in its entirety and replaced with the following:

"iv) existing private moorage for docks permitted on a site-specific basis in those areas designated as Marine (M) on Schedule "B". New applications for private moorage for docks may be considered by site-specific rezoning subject to:

 - the proposal demonstrating minimal impacts on the marine environment, including eelgrass, bull kelp, forage fish, or other important habitat;
 - the proposal demonstrating minimal impacts on upland sensitive ecosystems or habitat;
 - the proposal demonstrating no impacts on archaeological or cultural sites or resources;
 - structures being appropriately sited and of a scale to minimize visual impacts;
 - consideration being given to providing for shared or common moorage; and
 - consideration being given to the cumulative impacts of private moorage."
4. Article 4.2(c) is deleted and replaced with the word "*rescinded*".

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 113
SCHEDULE 2**

“South Pender Island Official Community Plan, Bylaw No. 107, 2011” amended by deleting Schedule B in its entirety and replaced with a new Schedule B as follows:





Islands Trust

**SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE**

LAND USE BYLAW No. 114, 2016

DRAFT FOR COMMENT

**LUB REVIEW
DECEMBER 2016**

DRAFT

A Bylaw to establish regulations and requirements respecting the use of land, including the surface of water, the use, siting and size of buildings and structures, the provision of parking, landscaping and screening and the subdivision of land within the South Pender Island Local Trust Area.

1. This Bylaw may be cited for all purposes as the “South Pender Island Land Use Bylaw No. 114, 2016”
2. The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Land Use Bylaw for that part of the South Pender Island Local Trust Area as shown on Schedule C:
 - (1) Schedule A (Land Use Bylaw Text)
 - (2) Schedule B (Zoning Map)
 - (3) Schedule C (Bylaw Area Map)
3. 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.
4. Bylaw No. 92 cited as “South Pender Island Land Use Bylaw No. 92, 2003” and all of its amendments are repealed.

ADOPTED this _____ day of _____, 20xx.

CHAIRPERSON

DRAFT

SCHEDULE A

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PART 1 INTERPRETATION

1.1 Definitions

Information Note: where defined terms appear in the body of the bylaw they are denoted by the use of *italics*.

"accessory use" means a use that is incidental, secondary and exclusively devoted to a principal use expressly permitted by this Bylaw on the same lot.

"accessory building or structure" means a building or structure that is incidental, secondary and exclusively devoted to a principal building or structure expressly permitted by this Bylaw on the same lot.

"agriculture" means the use of land for the growing, rearing, harvesting, or production of plants, crops, livestock and other farm animals.

"Approving Officer" means the Approving Officer for South Pender Island appointed pursuant to the *Land Title Act*.

"bed and breakfast" means a home business comprising the provision of sleeping accommodation and includes provision of only a morning meal to paying guests.

"building" means a roofed structure, wholly or partially enclosed by walls, used or intended to be used for supporting or sheltering any use or occupancy.

"buoy" means a device that is secured to the bed of the sea to mark a location or provide a moorage point.

"church" means a building or structure used for religious worship, which does not provide for overnight accommodation or residential use.

"cottage" means a dwelling with a floor area of 70m² or less that is located on the same parcel as another dwelling.

"dock" means a structure or set of structures, accessory to the residential or agricultural use of an upland lot, typically consisting of a pier, ramp, and float, constructed on or over the water and connected to the shore, that is used as a landing or moorage place for private marine transport or for private recreational purposes.

"dwelling" means a building, including a mobile home used as a residence for a single household and containing sleeping and living areas plus a single set of facilities for food preparation and eating.

"ecological reserve" means an area of land or water established as an ecological reserve under the *Ecological Reserve Act*.

"farm use" means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other activity designated as farm use by the *Agricultural Land Commission Act* or its regulation and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*.

"farmer's market" means an occasional or periodic temporary market held in the open air or in a building where individual sellers offer for sale to the public items such as fresh or seasonal produce, agricultural products, arts and craft items, or food or beverages.

"fence" means a structure used as a barrier to separate, prevent escape or intrusion or mark a boundary and includes gate, screen and freestanding wall.

"fitness facility" means an indoor facility equipped and used for physical activities related to fitness, health and well-being.

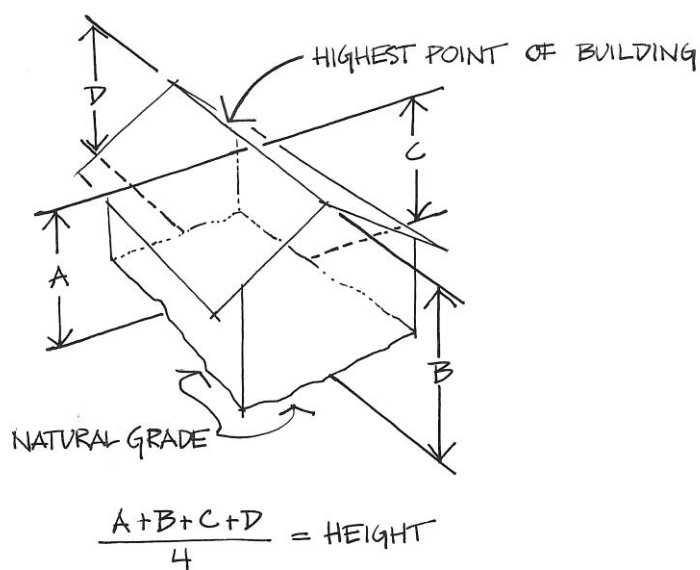
"float" means a floating non-roofed structure that is used as a landing or wharfage place for watercraft and which is free to rise and fall with sea level change and, for all tidal conditions, does not rest on the sea floor.

"floor area" means the sum of the horizontal areas of all storeys in a building, measured to the outer surface of the exterior walls, exclusive of any floor area occupied by a cistern used for the storage of water for domestic use or fire protection, and exclusive of all areas of a storey having a floor and a ceiling less than 1.5 metres apart.

"floor area ratio" means the figure obtained by dividing the floor area of all buildings on a lot with a floor area greater than 10m² by the lot area, or in the instance of a split-zoned lot, by the dividing the floor area of buildings with a floor area greater than 10m² within a zone by the respective zoned area.

"frontage" means the length of that lot boundary which abuts a highway, other than a lane or a walkway, or an access route in a bare land strata plan.

"height" means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the distance between the natural grade and the highest point of a building or structure measured at the midpoints of all the exterior walls.



"highway" includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but does not include a private right-of-way on private property.

"home business" means 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.

"hotel, resort" means a building, or a set of buildings, used exclusively for hotel accommodation and other uses set out in paragraphs (b) and (c) of this definition, which contains areas accessible to the public and to transient occupants for lobby check-in and registration, restaurant, licensed neighbourhood pub, café food services, lounge, beer parlour, public assembly and retail sales uses, including liquor sales, and which hotel:

- (a) may comprise hotel cottages, hotel rooms, hotel villas or a combination thereof;
- (b) may include or contain areas that are accessible to the public and to transient occupants for indoor or outdoor recreation use ;
- (c) may include or contain other uses set out in Section 11.1;
- (d) shall not include a video arcade, video lottery terminal, slot machine or any machines or devices used for games of chance;

"hotel accommodation" means the successive occupancy by different persons, whether by licence, rental, or otherwise, of a hotel villa, hotel room or hotel cottage where the same person does not occupy a sleeping unit for more than 87 days in a calendar year, except that

- (a) such occupancy in the case of any particular person is limited to not more than:
 - (i) 29 days in the period commencing June 1 and ending the following September 30, and
 - (ii) two 29 day terms in the period commencing October 1 and ending the following May 31, and
- (b) that person does not occupy a sleeping unit for 30 days prior to or after any occupancy on:
 - (i) the first or last of the 29 days during the period referred to in clause (a)(i); or
 - (ii) the first or last of either of the 29 day periods referred to in clause (a)(ii).

"hotel cottage" means a building that forms part of a resort hotel use, which building:

- (a) contains one, two or three sleeping units;
- (b) may contain cooking facilities; and
- (c) is used only for temporary accommodation.

"hotel room" means a set of one or two sleeping units that:

- (a) is not a hotel cottage and is not located in a hotel cottage;
- (b) is not a hotel villa and is not located in a building containing hotel villas;
- (c) is located with other hotel rooms in a building housing all or part of a hotel use;
- (d) has access or egress to a common hotel interior corridor, hall or lobby;
- (e) may not contain cooking facilities; and
- (f) is used only for temporary accommodation.

"hotel villa" means a set of one, two or three sleeping units that:

- (a) is not a hotel cottage and is not located in a hotel cottage;
- (b) is not a hotel room and is not located in a building containing hotel rooms;
- (c) is located with other hotel villas in a building housing all or part of a hotel use;
- (d) may have access or egress to an interior corridor, hall or lobby, and
- (e) may have a second means of access or egress to a common exterior veranda or patio;
- (f) may contain cooking facilities; and
- (g) is used only for temporary accommodation.

"landscape screen" means a visual barrier consisting of natural vegetation, trees, shrubs, fencing or a combination of those elements, which may be broken solely by necessary access ways for pedestrians and vehicles and screening land uses from abutting land and highways.

"Local Trust Committee (LTC)" means the South Pender Island Local Trust Committee.

"lot" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Strata Property Act*.

"lot coverage" means the total area of those portions of a lot that are covered by buildings and structures, divided by the area of the lot, for this purpose the area of a lot that is covered by a roofed building or structure is measured to the drip line of the roof and for the purpose of lot coverage regulations in Part 5 the common property in a bare land strata plan is a "lot" if it is used for accessory buildings or structures.

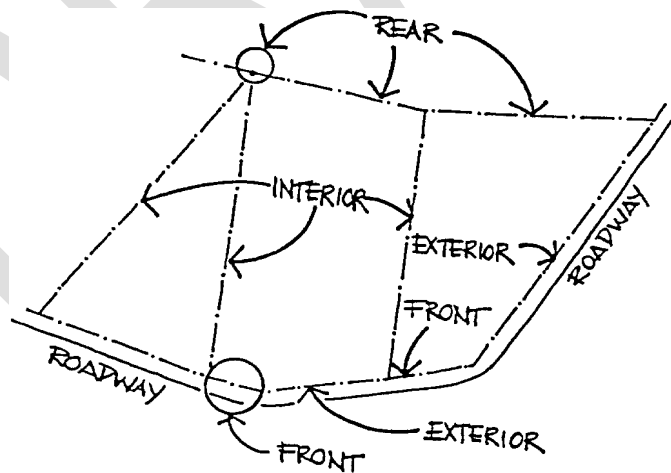
"lot line" means the boundary of a lot as shown on a plan of survey registered in the land title office, and

"front lot line" means the lot line that is common to the lot and an abutting highway or an access route in a bare land strata plan, and where there are two or more such lot lines, not including corner cuts, the shortest is deemed the front lot line;

"rear lot line" means the lot line that is opposite the front lot line in the case of a lot having four sides, and where the rear portion of a lot is bounded by intersecting side lot lines, means the point of intersection of those lot lines;

"exterior side lot line" means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan; and

"interior side lot line" means a lot line that is not a front, rear or exterior side lot line.



"marina" means the use of a water area for the temporary storage of boats and includes the use of floats, wharves, piers, ramps and walkways and the provision of wharfage services to the general boating public, but specifically excludes the rental or sale of personal water craft, the use of boats and vessels as live-aboards, and roofed structures used or intended for use in sheltering or storing boats or vessels.

"mobile home" means a dwelling suitable for year-round occupancy, designed, constructed or manufactured to CAN/CSA Z240 standards, to be moved from one place to another by being towed or carried

"mooring" means the securing of a boat to a buoy or similar object that is in turn secured to the bed of the sea.

"natural boundary" means the visible high water mark of the sea, a lake, a stream or other body of water, where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil or rock of the bed of the body of water a character distinct from that of its banks, as well as in the nature of the soil itself.

"outbuilding" means a building or structure that may be constructed or placed on a lot prior to a principal dwelling and which may be used for uses ordinarily accessory to a principal residential use.

"panhandle lot" means a lot that fronts on a highway by means of a strip of land that is narrower than the main portion of the lot.

"park" means any land dedicated as park under the *Park Act*, the *Land Title Act* or the *Local Government Act*, which is open to the general public and reserved for outdoor recreational, scenic, or nature conservation purposes.

"personal service use" means a commercial use of a building in which services are provided to the body or the clothing of a person.

"personal watercraft" means a vessel less than 5 metres (16 feet) in length that is propelled by machinery, commonly a jet pump, and designed to be operated by a person standing, kneeling or sitting on the vessel rather than standing or sitting inside the vessel.

"principal use" means the main or primary use conducted on a lot.

"principal building" or "principal structure" means the main or primary building or structure constructed on a lot.

"pump/utility house" means an accessory building or structure with a maximum floor area of 2.9 square metres (32 square feet) containing only equipment for pumping and processing of water or sewage, electrical equipment, or communication service equipment.

"recreational vehicle" means a tent trailer, travel trailer, motor home or other self-propelled vehicle containing sleeping, cooking and sanitary facilities, and includes a park model recreational vehicle.

"residence" means a home, abode or place where an individual is living at a specific point in time.

"restaurant" means the use of a building for the preparation and serving of alcoholic beverages and meals.

"retail sales" means the selling of goods or merchandise other than liquor to the general public for personal or household consumption

"school" means a public or private educational institution not including residential accommodation or dormitories.

"setback" means the minimum horizontal distance by which this bylaw requires a building or structure to be separated from a specified lot line, building or other feature.

"sign" means any device or medium, including its supporting structure that is visible from any highway or lot other than the one on which it is located and used to attract attention for advertising, information or identification purposes.

"short term vacation rental" means the commercial use of a dwelling or a cottage to provide accommodation for periods of less than 30 consecutive days to persons who normally maintain a residence elsewhere.

"sleeping unit" means a room intended for sleeping, which contains not more than two beds and does not contain any facilities for cooking.

"structure" means a construction or portion thereof of any kind that is fixed to, supported by or sunk into land or water, but excludes septic fields, septic tanks, and related appurtenances below ground, wells, landscaping, concrete and asphalt paving, and similar surfacing of the land, and retaining structures less than 1.2 metres (4 feet) in height at all points.

"third party sign" means a sign conveying information that does not pertain to the lot on which it is located.

"usable site area" means the total area of a lot excluding:

- (a) land below the natural boundary of the sea;
- (b) land where the natural slope exceeds 30 percent; and
- (c) land within 7.6 metres (25 ft.) of the natural boundary of the sea or 15.2 metres (50 ft.) of the natural boundary of a watercourse.

"use" means the purpose or activity for which land or buildings are designed, arranged or intended, or for which land or buildings are occupied or maintained.

"utilities" mean broadcast transmission, electrical, telecommunications, sewer or water services and facilities and navigation aids and does not include private telecommunication facilities.

"watercourse" means a naturally formed area of land that usually or periodically contains surface water, including a lake, river, creek, spring, ravine, wetland, salt water marsh, and bog, but does not include a constructed ditch, or surface drain, or the sea.

"wharf" means a structure consisting of a fixed platform extending beyond the natural boundary of the sea over water which is used as a landing or wharfage place for watercraft, and includes the railings and supporting structure embedded in the sea.

"wharfage" means the tying of a boat or seaplane to a wharf, float or dock that is in turn connected to an upland lot by a ramp or walkway.

"zone" means a zone established by Part 5 of this Bylaw.

1.2 Referencing

- (1) In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the parenthetical numbers subsections, the lower case letters articles and the roman numerals clauses:

Part: 1

Section: 1.1

Subsection: (1)

Article: (a)

Clause (i)

1.3 Units of Measure

- (1) Metric dimensions are used in this Bylaw. Imperial equivalents, where shown in parentheses are approximate, are provided for convenience only, and do not form part of this Bylaw.

1.4 Information Notes

- (1) Where a paragraph or sentence in this Bylaw is preceded by the words “Information Note”, the contents of the paragraph or sentence are provided only to assist in understanding of the bylaw and do not form a part of it.

PART 2 ADMINISTRATION

2.1 Application

- (1) This Bylaw shall apply to that part of the South Pender Island Local Trust Area as shown on Schedule C. Encompassed in this area of application are the entire land area of all islands, islets, reefs, rocks, and the seabed, and also all surface waters and air spaces.

2.2 Conformity

- (1) No person may use or occupy or permit any land, water surface, *building* or *structure* to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- (2) No person may construct, reconstruct, place, alter, extend or maintain any *building*, *structure* or *sign* except as permitted by this Bylaw.
- (3) Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their *use* of land, *buildings* or *structures* or the subdivision of land.
- (4) The *use* of land, *buildings* or *structures* that is lawful at the time of adoption of this Bylaw, although not conforming to the provisions of this Bylaw, may be continued subject to Section 911 of the *Local Government Act*.
- (5) Any existing *lot* that has less area than the minimum *lot* area specified in the applicable *zone* for the creation of *lots* by subdivision may be used for any *use* permitted in that *zone* unless otherwise specified in this Bylaw.
- (6) No land may be subdivided, no *building*, *structure* or land may be used, and no *building* or *structure* may be sited in a manner which renders any existing *use*, *building* or *structure* illegal or non-conforming.

2.3 Inspection

- (1) The Islands Trust Bylaw Enforcement Officer or any other person designated by the Islands Trust to administer this Bylaw is authorized to enter, at any reasonable time and after having given prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of inspecting and determining whether the regulations, prohibitions and requirements are being met.

2.4 Violation

- (1) Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have committed an offence under this Bylaw. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.5 Penalty

- (1) Any person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty, pursuant to the *Offence Act* and the costs of prosecution.

2.6 Covenants

- (1) Where under this Bylaw an owner of land is required or authorized to grant a covenant restricting subdivision or development, the covenant must be granted to the *Local Trust Committee* pursuant to Section 219 of the *Land Title Act* in priority to all financial charges and delivered in registerable form satisfactory to the *Local Trust Committee* prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant must indemnify the *Local Trust Committee* in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenanter.

2.7 Owner's Cost

- (1) If any provision of this Bylaw requires a report, study, covenant, plan or similar item to be prepared, unless otherwise stated, the owner shall pay all costs.

2.8 Enforcement of Siting Regulations

- (1) Every applicant for a development permit or a development variance permit must provide a plan signed by a B.C. Land Surveyor showing the location on the *lot* of all existing and proposed *buildings, structures* and sewage absorption fields in relation to *lot* and *zone* boundaries, *watercourses*, wells and the sea, and in relation to other *buildings* on the *lot*, unless the *Local Trust Committee* or the official assigned to provide planning services to the Local Trust Area determines that the provision of such a plan is not reasonably necessary to establish whether the proposed *buildings, structures* and sewage absorption fields comply with the siting requirements of this or any other Bylaw.

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

The following *uses*, *buildings* and *structures* are permitted in any *zone*, except where specifically prohibited:

- (1) Underground infrastructure for the provision of *utility* services and above-ground hydro and telecommunications cabling.
- (2) Hiking, equestrian and bicycle trails.
- (3) *Ecological reserves* and other habitat reserves.
- (4) Marine navigation aids.
- (5) *Parks* and public open space.
- (6) *Fences* in any land *zone*, subject to regulations under Section 3.8.
- (7) *Signs*, subject to regulations under Part 6.
- (8) *Pump/utility houses*.

3.2 Prohibited in All Zones

Only the *uses*, *buildings* and *structures* expressly permitted in Part 5 of this Bylaw are permitted in the relevant *zones*. Without limiting the generality of the foregoing, the following *uses*, *buildings* and *structures* are prohibited in all *zones*:

- (1) Airport and airstrip facilities and related *accessory buildings and structures*.
- (2) Heliports and helipads, other than for emergency evacuation *use*.
- (3) The *use* of the water area adjoining a residential *zone*, *park*, ecological and other habitat reserve for a sea plane facility, excepting those sea plane facilities associated with permitted uses in the Commercial Resort (C), Marina (W3), and Marine Transportation Service (W4) Zones.
- (4) *Marinas*, the *use* of which is restricted to members of a private club.
- (5) Disposal of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the *Public Health Act* or the *Environmental Management Act*.
- (6) Junkyards, auto wrecking yards, and storage of derelict vehicles, subject to Section 3.11.
- (7) Landfills and areas of land used for disposal or storage of hazardous or toxic waste.
- (8) The *use* of land for motorized trail bike, motor cycle, or all- terrain vehicle paths or trails.
- (9) The rental, sale or commercial storage of *personal watercraft*.

- (10) The *use* of an anchored, moored or docked vessel as a *residence*.
- (11) The *use* of a *buoy, float, dock, wharf*, ramp or related *structure* for any commercial or industrial *use*, excepting commercial *use* of such facilities within the Marina (W3) and Marine Transportation Service (W4) Zones.
- (12) *Buildings* and *structures* for uses prohibited in this Part.
- (13) *Dwellings* and *cottages* located on land comprising common property in a strata plan.
- (14) Boathouses, on the surface of the sea or within a *building setback* area on land adjacent to the sea.
- (15) Floatplane hangars.
- (16) Retail sale or wholesaling of groundwater extracted on South Pender Island.

3.3 Siting and Setback Regulations

- (1) All siting measurements must be made on a horizontal plane from the *natural boundary, lot line* or other feature specified in this Bylaw to the nearest portion of the *building* or other *structure* in question.
- (2) *Buildings* or other *structures*, except a fence or *pump/utility house*, shall not be sited within 15 metres (50 feet) of the *natural boundary* of any *watercourse*, lake or other body of fresh water or within 30 metres (98 feet) of any *watercourse*, lake or other body of freshwater used as a source of domestic water supply and, for this purpose only, paved areas of asphalt, concrete or similar material are "*structures*".
- (3) *Buildings* or other *structures*, except a fence, *pump/utility house*, stairway, wharf and *dock* ramps or their footings, shall not be sited within 7.6 metres (25 feet) of the *natural boundary* of the sea and, for this purpose only, paved areas of asphalt, concrete or similar material are "*structures*".
- (4) An underground sewage disposal system, including all septic tanks, absorption fields and related appurtenances shall not be sited within 30 metres (98 feet) of a *watercourse*, well or source of domestic water supply.
- (5) Steps, eaves, gutters, cornices, sills, chimneys, retaining walls, balconies, decks, sunshades and similar features may project up to 1.0 metres (3 feet) into a required *setback* area.

3.4 Height Regulations

Except as may be otherwise provided for in any *zone*, the following regulations apply:

- (1) A *dwelling* or *cottage* shall not exceed 9.2 metres (30 feet) in height.
- (2) A *building* or *structure* accessory to a *dwelling* shall not exceed 4.6 metres (15 feet) in height.

- (3) An *accessory building* or *structure* used for agricultural purposes may exceed 4.6 metres (15 feet) in height where the provisions of subsection 3.7(1) apply.
- (4) The height regulations for *buildings* and *structures* specified elsewhere in this Bylaw do not apply to radio, telecommunications and television antennas, chimneys, flag poles, lightning poles, fire and hose towers, *utility* poles, solar collectors, farm silos and grain bins or water storage tanks.

3.5 Accessory Buildings and Structures

- (1) A *building* *accessory* to a *dwelling*, other than a *cottage*, shall not be used for human habitation, except as provided for in Subsections 3.5(2) or as permitted by the zoning regulations in Part 5 of this Bylaw.
- (2) An *accessory building* may be constructed or placed on a *lot* and occupied as a temporary *dwelling* prior to the construction of a *dwelling* on the same *lot*, subject to:
 - (a) a *building* permit being issued, and remaining in effect, for the *dwelling*;
 - (b) the connection of the *accessory building* to sewage disposal facilities complying with the *Public Health Act*;
 - (c) the provision of a domestic water supply to the *building*;
 - (d) compliance with the *use*, density and siting requirements of this Bylaw for *dwellings* and *cottages*; and
 - (e) the occupancy of the *accessory building* ceasing prior to or concurrently with occupancy of a *dwelling* on the *lot*.
- (3) One *outbuilding* may be constructed or placed on a *lot* prior to the construction of a *dwelling* on the same *lot*, subject to:
 - (a) the *floor area* not exceeding 70m² (753 ft²), or in the case of an open-sided *structure*, the *lot coverage* of the *outbuilding* not exceeding 70m² (753 ft²).
 - (b) a maximum of one *outbuilding* per *lot*.
 - (c) the *height* not exceeding 4.6 metres (15 feet).
- (4) Unless a *building*, excluding an attached deck and patio, is attached to a *principal building* by a *structure* having walls, roof, and a floor, it is for the purposes of this Bylaw deemed not to be part of the *principal building*, but is deemed to be an *accessory building* or *structure*.
- (5) The *floor area* occupied by any cistern used for the storage of water for domestic, irrigation, or fire protection purposes may be excluded from the calculation of the *floor area* of any *accessory building* or *structure*.

3.6 Home Businesses

- (1) *Home businesses* permitted by Part 5 include any home craft, repairing of goods, professional practice, services to a client, creation of a product, short-term vacation rental of *cottages*, *bed and breakfasts*, the retail or wholesale sale of goods or products provided that at least 70% of the goods or products for sale are produced, processed or repaired as part of the *home business*, and the retail sale of articles directly related to the provision of a *personal service* provided as a *home business*.
- (2) Without limiting the generality of subsection 3.6(1), the following activities are specifically not permitted as a *home business*:

- (a) The serving of food or drink products on the premises as part of a *home business*, except for the serving of a morning meal as part of *bed and breakfast home business*;
 - (b) Commercial water bottling or sales;
 - (c) Boarding kennels, except where permitted as a *Farm use*.
- (3) *Home businesses* must be conducted entirely within an occupied *dwelling* or a permitted *accessory building* on a *lot* with an occupied *dwelling*, except that outdoor areas may be used for storage of articles used in the *home business* if the storage area is enclosed by a *fence* or by a *landscape screen* at least 2.0 metres (6.6 feet) in *height* conforming with the provisions of Section 3.9.
- (4) The combined *floor area* used in all *home businesses* on a *lot*, except a *bed and breakfast*, must not exceed 65 m² (700 ft²).
- (5) The business owner or operator or at least one of the employees of a *home business* must be resident on the *lot* on which the *home business* is conducted at the time the *home business* is operated.
- (6) Not more than two persons per property may be employed in any *home business* in addition to any residents of the *lot* on which such business is conducted.
- (7) Off-street parking spaces for *home business uses* are to be provided in accordance with the regulations contained in Part 7.
- (8) The following additional regulations apply to *bed and breakfast home businesses*:
 - (a) *bed and breakfast home businesses* are permitted only in the Rural Residential One, Rural Residential Two, Rural Residential Three, Agricultural, Natural Resource and Forest Zones;
 - (b) part or all of a *bed and breakfast home business* may be undertaken within a permitted *cottage*;
 - (c) the total number of bedrooms used to accommodate overnight guests may not exceed three;
 - (d) despite Subsection 3.6(6) not more than one non-resident person may be engaged or employed in a *bed and breakfast home business*;
 - (e) meals may only be provided to *bed and breakfast* guests in the morning;
 - (f) off-street parking spaces for a *bed and breakfast home business use* shall be provided in accordance with the requirements contained in Part 7; and
 - (g) a *bed and breakfast home business* may not be undertaken within an *accessory building*
- (9) The following additional regulations apply to the short-term vacation rental of a *cottage* as a *home business*:
 - (a) *Short-term vacation rental* of a *cottage* is permitted in the Rural Residential One, Rural Residential Two, Rural Residential Three, Agriculture, Natural Resource and Forest zones only;
 - (b) a *cottage* shall not be used for *short-term vacation rental* at the same time as a *dwelling* on the same *lot* is being used for *short-term vacation rental*; and,
 - (c) only one *cottage* per *lot* may be used for *short-term vacation rental*.

3.7 Agricultural Buildings and Structures

- (1) An *accessory building* or *structure* used for agricultural purposes may exceed 4.6 metres (15 feet) in height where the following apply:
 - (a) the *building* or *structure* used for agricultural purposes is located in the Agricultural Land Reserve;
 - (b) the *building* or *structure* used for agricultural purposes is sited a minimum of 7.6 metres (25 feet) from all *lot lines*; and
 - (c) the height of the *building* or *structure* does not exceed 12.2 metres (40 feet) .

3.8 Fences

- (1) The height of *fences* shall not exceed 2.0 metres (6.6 feet) in any *zone*.
- (2) *Landscape screens* and protective netting or wire used to control animal nuisances are exempt from Subsection 3.8(1).

3.9 Landscape Screening

- (1) Where vegetative *landscape screening* is required by this Bylaw, it shall be provided in the form of:
 - (a) Existing vegetation of the required height that provides a complete visual screen between the uses being separated in all seasons of the year; or,
 - (b) A row of drought-tolerant evergreen plants that will attain the required height, planted and maintained continuously so as to provide a complete visual screen in all seasons of the year between the uses being separated;and such screening shall be continuous, except for points of vehicular or pedestrian entrance and exit.
- (2) Where a non-vegetative screen is required by this bylaw, it shall be provided in the form of either a solid or latticed wooden fence, or a brick or stone wall which is continuous, except for points of vehicular or pedestrian entrance and exit.

3.10 Use of Recreational Vehicles as a Dwelling

- (1) The *use* of a *recreational vehicle* as a temporary *dwelling* prior to the construction of a *dwelling* on the same *lot* is permitted 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 vehicle;
 - (c) compliance with the *use*, density and siting requirements of this Bylaw for *dwellings* and *cottages*, as if the vehicle were a *cottage*; and
 - (d) the occupancy of the *recreational vehicle* ceasing prior to or concurrently with the occupancy of a *dwelling* on the property.

Nothing in this Subsection prohibits the storage on a *lot* of *recreational vehicles* that are not being used as *dwellings*.

3.11 Derelict Vehicles

- (1) A *lot* shall not be used for the storage of more than one unlicensed motor vehicle, other than farm and forestry vehicles, that is not completely enclosed in a permanent *building* or *structure* and for this purpose a motor vehicle is unlicensed if it does not display:
 - (a) Motor vehicle number plates and the current licence year decal, or
 - (b) An interim vehicle licence issued pursuant to the *Motor Vehicle Act* Regulations.
- (2) No land shall be used for the storage of unusable, disassembled, detached, stripped, non-functional or abandoned vehicles or vessels, including but not limited to automobiles, all-terrain vehicles, golf carts, tractors, campers, trailers, or parts of such vehicles, which are not completely enclosed in a permanent *building*.

3.12 Lots Divided by a Zone Boundary

- (1) If a *lot* is divided by one or more *zone* boundaries, the residential density permitted must be calculated by reference to the areas of the portions of the *lot* lying within each *zone*, and the *dwellings* and *cottages* may only be constructed on any portion of the *lot* if and to the extent that the minimum *lot* area or density regulation for that portion is complied with.
- (2) If a *lot* is divided by one or more *zone* boundaries, *lot coverage and floor area ratio* must be calculated by reference to the areas of the portions of the *lot* lying within each *zone*.
- (3) Despite Subsection 3.12(1), if one of the portions of the *lot* is in the Agricultural (A) Zone, the *dwelling* or *cottage* permitted in respect of that portion of the *lot* may be sited on another portion of the *lot*.

3.13 Use of Common Property

- (1) Land comprising the common property in a strata plan is not a *lot* for the purposes of the density regulations in this Bylaw but may be used for permitted *uses, buildings* or *structures accessory* to *principal uses* located on strata *lots* in the same strata plan.

3.14 Groundwater Protection

- (1) A building permit shall not be issued for a new building to be used as a *single family dwelling* on a lot in the RR(1), RR(2) or RR(3) zones unless a *building* on the lot is equipped with a rainwater catchment system and cistern(s) for the storage of rainwater with a minimum cistern capacity of 18,000 litres (3960 gallons).

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

- (1) The South Pender Island Local Trust Area is divided into the following *zones*, the geographic boundaries of which are as shown on the Zoning Map designated as Schedule "B" that forms part of this Bylaw:

<u>Zone Name</u>	<u>Zone Abbreviation</u>
Rural Residential One	RR1
Rural Residential Two	RR2
Rural Residential Three	RR3
Commercial Resort	C
Community Service	S1
Government Service	S2
Agriculture	A
Forestry	F
Natural Resource	NR
Passive Recreation Community Park	P1
Heritage Community Park	P2
Natural Area Community Park	P3
National Park	NP
Conservation	RC
Marine General	W1
Marine Protection	W2
Marina	W3
Marina Transportation Service	W4
National Park Marine	W5

4.2 Zone Boundaries

- (1) Where *zone* boundaries on Schedule "B" coincide with *lot* boundaries, the *lot* boundary is the *zone* boundary.
- (2) Where a *zone* boundary is shown on Schedule "B" as following any highway, right-of-way or stream, the centre line of such highway, right-of-way, or stream is the *zone* boundary.
- (3) Where land based and water based *zones* shown on Schedule "B" share a boundary, the boundary shall be the surveyed boundary as shown on a plan registered in the land title office, and where there is no such plan the *natural boundary* of the sea is the boundary.
- (4) Where a *zone* boundary shown on Schedule "B" does not follow a legally defined line, no dimensions are shown by which the boundary could otherwise be located, and subsection (3) does not apply, the location of the boundary must be determined by scaling from Schedule "B" and in that case the *zone* boundary is the midpoint of the line delineating the *zone* boundary on Schedule "B".

4.3 Zoning Tables

- (1) The table titles and column headings are part of the bylaw.
- (2) A check mark in a column headed by the zoning code indicates that the *uses* listed to the left, and no others, are permitted in that *zone*.
- (3) The absence of a check mark in a column headed by the zoning code indicates that the *use* listed to the left is not permitted in that *zone*.
- (4) A check mark in a column headed by the zoning code indicates that the density, siting or size, or other conditions apply within that zone.
- (5) Regulations listed under the heading "Subdivision Lot Size Requirements" apply to subdivision of land under the *Land Title Act* or the *Strata Property Act*.

PART 5 ZONE REGULATIONS

5.1 Rural Residential Zones

Permitted Uses

	RR1	RR2	RR3
(1) The following <i>uses</i> are permitted, subject to the regulations set out in this Section and the general regulations, and all other <i>uses</i> are prohibited:			
(a) <i>Dwelling</i> ;	✓	✓	✓
(b) <i>Cottage</i> ;	✓	✓	✓
(c) <i>Agriculture</i> ;	✓	✓	✓
(d) <i>Short-term vacation rental</i> of a <i>dwelling</i> ;	✓	✓	✓
(e) <i>Accessory uses, buildings and structures</i> , including, but not limited to, <i>home businesses</i> and roadside stands for the sale of produce grown on the same <i>lot</i> .	✓	✓	✓

Density

	RR1	RR2	RR3
(2) On a parcel less than 0.8 hectares (2 acres) in area, one (1) <i>dwelling</i> is permitted and no <i>cottage</i> is permitted.	✓	✓	✓
(3) On a parcel 0.8 hectares (2 acres) or greater in area, but less than 4.0 ha (10 acres) in area, one (1) <i>dwelling</i> and one (1) <i>cottage</i> are permitted.	✓	✓	✓
(4) On a parcel 4 hectares (10 acres) or greater in area, two (2) <i>dwellings</i> and two (2) <i>cottages</i> are permitted.	✓	✓	✓

Siting and Size

	RR1	RR2	RR3
(5) The <i>floor area ratio</i> of all <i>buildings</i> greater than 10m ² may not exceed 0.1 (10%).	✓	✓	✓
(6) The minimum <i>setback</i> for any <i>building</i> or <i>structure</i> , except a fence or <i>pump/utility house</i> , shall be:			
(a) 7.6 metres (25 ft.) from any front or rear <i>lot line</i> ;	✓	✓	✓
(b) 3.0 metres (10 ft.) from any interior side <i>lot line</i> ;	✓	✓	✓
(c) 4.5 metres (15 ft.) from any exterior side <i>lot line</i> .	✓	✓	✓
(7) The <i>floor area</i> of a <i>dwelling</i> may not exceed 560 m ² (6028 ft ²).	✓	✓	✓
(8) The <i>floor area</i> of any <i>accessory building</i> may not exceed 140 m ² (1507 ft ²).	✓	✓	✓

Conditions of Use

	RR1	RR2	RR3
(9) Only one <i>dwelling</i> or <i>cottage</i> may be used for <i>short-term vacation rental</i> on a <i>lot</i> at the same time.	✓	✓	✓

Subdivision Lot Size Requirements

	RR1	RR2	RR3
(10) Subject to subsection 5.1(11), the minimum and average <i>lot</i> area requirements for any <i>lot</i> created by subdivision are:	0.4 ha	0.8 ha	4.0 ha

Site-Specific Regulations

- (11) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the *zone* abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations set out in the third column apply:

Site-Specific Zone	Location Description	Site Specific Regulations
RR1(a)	<i>Lots 1 through 7, inclusive, of Plan VIP53829, Section 21, Pender Island, Cowichan District</i>	(a) Despite 5.1(10), the minimum <i>lot</i> area is 0.76 hectares (1.90 acres) and the average <i>lot</i> area is 1.05 hectares (2.6 acres)
RR1(b)	<i>Lots 8 and 9 of Plan VIP53829, Section 21, Pender Island, Cowichan District</i>	(a) Despite 5.1(10) the minimum <i>lot</i> area is 0.8 hectares (2 acres) and the average <i>lot</i> area is 2.3 hectares (5.7 acres)

5.2 Commercial Resort (C)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) *Resort hotel*;
 - (b) Boat ramp, boat, bicycle and sport equipment rental, resort activity centre, *fitness facility*; and,
 - (c) *Uses accessory* to the *principal use* permitted under 5.2(1)(a) and (b): *retail sales*, administrative offices and business facilities, child care and service, maintenance, laundry, shower and housekeeping facilities, marine related sales and service, cold beer and wine *retail sales*; accommodation of individual persons employed at the resort by the hotel operator for wages or salary, in respect of permitted uses, in a dormitory *building accessory* to the hotel use.

Density

- (2) All *buildings* and *structures* are not to cover more than 33% of the *usable site area* of all *lots* in the C Zone.
- (3) A *building* or *structure* is not to cover more than 33% of the *usable site area* of the *lot* on which it is located.

Siting and Size

- (4) The minimum *setback* for any *building* or *structure*, except a fence, shall be:
 - (a) 7.6 metres (25 ft.) from any front or rear *lot line*;
 - (b) 3.1 metres (10 ft.) from any interior side *lot line*;
 - (c) 4.6 metres (15 ft.) from any exterior side *lot line*.
- (5) Despite Section 3.4, the maximum *height* of any *building* or *structure* is 9.15 metres (30 ft.).

Resort Hotel Conditions of Use

- (6) In respect of a *resort hotel* in the C Zone:
 - (a) The total *floor area* of a *hotel cottage* is to:
 - (i) In the case of a *hotel cottage* containing two *sleeping units* not exceed 78.5 square metres (845 sq. ft.); and,
 - (ii) In the case of a *hotel cottage* containing three *sleeping units* not exceed 88 square metres (947 sq. ft.).
 - (b) The total *floor area* of a *hotel room* is to:
 - (i) In the case of one *sleeping unit* not exceed, 37 square metres (400 sq. ft.); and,
 - (ii) In the case of two *sleeping units* not exceed 65 square metres (700 sq. ft.).
 - (c) The total *floor area* of a hotel villa shall not exceed 197 square metres (2,120 sq. ft.) and the average *floor area* of hotel villas shall not exceed 130 square metres (1405 sq. ft.);
 - (d) Nothing in this bylaw prohibits a permitted *hotel cottage* from being physically attached in one *building* to not more than one other allowed *hotel cottage*;

- (e) Nothing in this bylaw prohibits an allowed *hotel room* containing one *sleeping unit* from being physically accessible internally to not more than one other allowed *hotel room* containing one *sleeping unit*;
- (f) Each *hotel cottage* and each hotel villa is to contain not more than one set of cooking facilities;
- (g) The density of hotel temporary accommodation *use* in the C Zone is not to exceed:
 - (i) Eight hotel villas, each containing no more than two *sleeping units*;
 - (ii) One hotel villa, containing no more than three *sleeping units*;
 - (iii) Eleven *hotel rooms*, each containing no more than two *sleeping units*;
 - (iv) Twelve *hotel cottages*, each containing no more than two *sleeping units*; and
 - (v) Three *hotel cottages*, each containing no more than three *sleeping units*.
- h) The total *floor area* of employee dormitory accommodation shall not exceed 372 square metres (4,004 sq. ft.). An accommodation *building* is not to be used for other purposes, except hotel administrative offices and service areas.

Subdivision Lot Size Requirements

- (7) The minimum and average *lot area* requirements are 0.20 hectares (0.5 acres) for any *lot* created by subdivision.

5.3 Community Service (S1)

Permitted Uses

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

Density

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

Siting and Size

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

Subdivision Lot Size Requirements

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

5.4 Government Service (S2)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this section and the general regulations, and all other *uses* are prohibited:
 - (a) Customs agency employee housing;
 - (b) *Accessory uses, buildings, and structures.*

Density

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

Siting and Size

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

Subdivision Lot Size Requirements

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

5.5 Agriculture (A)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this section and the general regulations, and all other *uses* are prohibited:
 - (a) *Farm Use*;
 - (b) *Dwelling*;
 - (c) *Cottage* or other *dwelling* for the housing of persons engaged in on-going agricultural activities;
 - (d) *Short-term vacation rental of a dwelling*;
 - (e) *Accessory uses, buildings and structures*, including, but not limited to, *home businesses* and roadside stands for the sale of produce grown on the same *lot*.

Density

- (2) Only one (1) *dwelling* is permitted on each *lot*.
- (3) One *cottage* or other *dwelling* is permitted on each *lot* for the housing of persons engaged in on-going agricultural activities on the *lot*.
- (4) For a parcel less than 4.0 ha (10 acres) in area, the *lot coverage* of all *buildings and structures* may not exceed 8 percent.
- (5) For a parcel 4.0 ha (10 acres) or greater in area, the *lot coverage* of all *buildings and structures* may not exceed 3 percent.

Siting and Size

- (6) The minimum *setback* for any *building or structure*, except a *fence or pump/utility house*, shall be:
 - (a) 7.6 metres (25 ft.) from any front or rear *lot line*;
 - (b) 6.1 metres (20 feet) of any side *lot line*.
- (7) Despite Subsection 5.7(6), *buildings or structures* used for housing livestock, poultry or for manure storage may not be located within 30 metres (98 feet) of:
 - (a) a front *lot* or exterior side *lot line*;
 - (b) an interior side *lot line* or rear *lot line* abutting a residential, *park* or institutional *use*;
 - (c) a lake or natural *watercourse*; or
 - (d) a well or source of domestic water supply.
- (8) Despite Article 5.5(6)(a), roadside stands for *accessory sale* of farm products may be sited within the setback from a front *lot line* or exterior side *lot line*.
- (9) The *floor area* of a *dwelling* may not exceed 560 m² (6028 ft²).

Conditions of Use

- (10) Only one *dwelling* or *cottage* may be used for short-term vacation rental on a *lot* at the same time.

Subdivision Lot Size Requirements

- (11) Minimum and average *lot* area requirements are 4 hectares (10 acres) for any *lot* created by subdivision.

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5.6 Forestry (F)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this section and the general regulations, and all other *uses* are prohibited:
 - (a) Timber production, harvesting, silviculture and forest protection;
 - (b) Portable sawmills;
 - (c) *Dwelling*;
 - (d) *Cottage*;
 - (e) *Short-term vacation rental of a dwelling*;
 - (f) *Accessory uses, buildings and structures*, including, but not limited to, *home businesses*.

Density

- (2) One (1) *dwelling* and one *cottage* is permitted on each *lot*.
- (3) For a parcel less than 4.0 ha (10 acres) in area, the area of a *lot* covered by *buildings and structures* shall not exceed 4 percent.
- (4) For a parcel 4.0 ha (10 acres) and greater in area, the area of a *lot* covered by *buildings and structures* shall not exceed 2.5 percent.

Siting and Size

- (5) The minimum *setback* for any *building* or *structure*, except a *fence* or *pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (6) Despite Section 3.4, the maximum height of any *building* or *structure* is 9.2 metres (30 ft.).
- (7) The *floor area* of a *dwelling* may not exceed 560 m² (6028 ft²).

Conditions of Use

- (8) Only one *dwelling* or *cottage* may be used for short-term vacation rental on a *lot* at the same time.
- (9) Despite 5.6(5) above, the minimum *setback* for a portable sawmill permitted by 5.6(1)(b) above shall be 20 metres (66 feet).

Subdivision Lot Size Requirements

- (10) Minimum and average *lot* area requirements are 4 hectares (10 acres) for any *lot* created by subdivision.

5.7 Natural Resource (NR)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Cottage*;
 - (c) *Short term vacation rental of a dwelling*;
 - (d) *Accessory uses, buildings and structures*, including, but not limited to, *home businesses*.

Density

- (2) One (1) *dwelling* is permitted on each *lot*.
- (3) For a parcel 8 ha (20 acres) and greater in area, one (1) *dwelling* and one (1) *cottage* is permitted on each *lot*.
- (4) The area of a *lot* covered by *buildings and structures* shall not exceed 1.5 percent.

Siting and Size

- (5) The minimum *setback* for any *building or structure*, except a *fence or pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (6) The *floor area* of a *dwelling* may not exceed 560 m² (6028 ft²).

Conditions of Use

- (7) Only one *dwelling or cottage* may be used for *short-term vacation rental* on a *lot* at the same time.

Subdivision Lot Size Requirements

- (8) Minimum and average *lot area* requirements are 12 hectares (30 acres) for any *lot* created by subdivision.

5.8 Community Park Zones

Permitted Uses	P1	P2	P3
(1) The following <i>uses</i> are permitted, and including the uses set out in 3.1, all other <i>uses</i> are prohibited:			
(a) Pedestrian trails, open space areas	✓	✓	✓
(b) Preservation, display and interpretation of sites, <i>buildings</i> and <i>structures</i> and items or features of historical significance		✓	
(c) Protection, maintenance, display and interpretation of sites with flora, fauna or other innate features of natural significance			✓
(d) <i>Accessory uses</i> and <i>structures</i> .	✓	✓	✓
Density	P1	P2	P3
(2) The area of a <i>lot</i> covered by <i>buildings</i> and <i>structures</i> shall not exceed:	1.0%	1.0%	1.0%
Siting and Size	P1	P2	P3
(3) The minimum <i>setback</i> for any <i>building</i> or <i>structure</i> from any <i>lot line</i> , except a <i>fence</i> or <i>pump/utility house</i> , shall be:	7.6 m	7.6 m	7.6 m
(4) Despite Section 3.4, the maximum <i>height</i> of any <i>building</i> or <i>structure</i> is:	4.6 m	4.6 m	4.6 m

5.9 National Park (NP)

Information Note: *The Federal Crown is not subject to local government regulations, including zoning, and uses consistent with the Canada National Parks Act and other approved Gulf Islands National Park Reserve management documents are generally permitted on lands in the National Park Reserve.*

Permitted Uses

- (1) The following *uses* are permitted, and including the *uses* specified in 3.1, all other *uses* are prohibited:
 - (a) Informational, interpretive, cultural, and historical *uses* and facilities;
 - (b) Natural and cultural resource management and protection;
 - (c) Backcountry camping and picnicking areas;
 - (d) Park operations and maintenance facilities.

Density

- (2) The area of a *lot* covered by *buildings* and *structures* shall not exceed 1.0 percent.

Siting and Size

- (3) The minimum *setback* for any *building* or *structure*, except a *fence* or *pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (4) Despite Section 3.4, the maximum *height* of any *building* or *structure* is 4.6 metres.

Subdivision Lot Size Requirements

- (5) Minimum and average *lot* area requirements are 65 hectares for any *lot* created by subdivision.

5.10 Conservation (RC)

Permitted Uses

- (1) The following *uses* are permitted, and including the *uses* specified in 3.1, all other *uses* are prohibited:
 - (a) Bird watching station;
 - (b) Wildlife interpretation centre.

Density

- (2) The area of a *lot* covered by *buildings* and *structures* shall not exceed 1.0 percent.
- (3) No *building* or *structure* shall be constructed or erected on land within the RC zone, except for a *building* or *structure* not exceeding a total combined *floor area* of 9.3 square metres (100 square feet), for a use permitted in Subsection 5.10(1).

Siting and Size

- (4) The minimum *setback* for any *structure*, except a *fence* or *pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (5) Despite Subsection 3.4, the maximum permitted *height* for any *structure* is 4.6 metres (15 ft.).

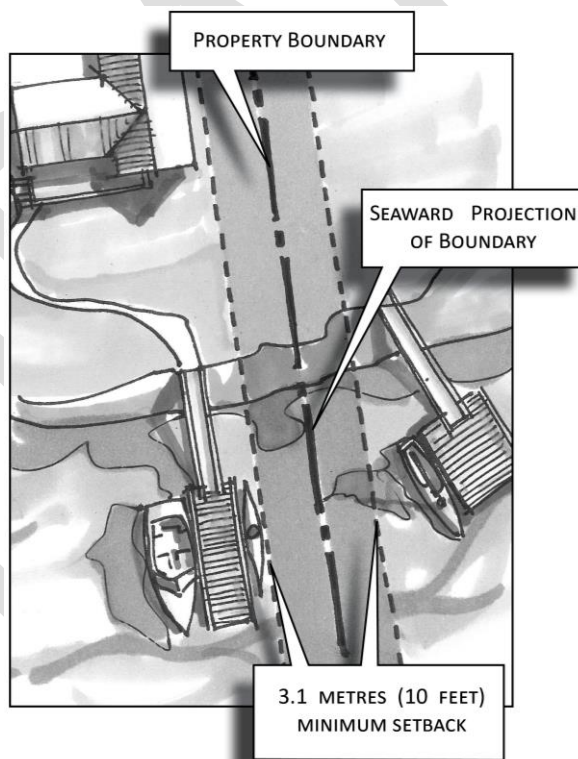
5.11 Marine General (W1)

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Anchorage and mooring of a private vessel by the owner or occupier of the upland lot abutting the water area in which the vessel is anchored or moored;
 - (b) Floats, docks, wharves, ramps, walkways accessory to the residential use of an abutting upland lot, or adjacent upland lots, and providing access to that lot or lots.

Siting and Size

- (2) No building, including a boathouse, may be constructed or erected on any float or wharf.
- (3) The maximum combined area of any float and wharf, accessory to a principal residential use of one or more upland lots, shall not exceed 46.5 square metres (500 square feet), exclusive of ramps and walkways.
- (4) The width of any ramp or walkway, including handrails, used to access any float or wharf permitted in Article 5.15(1)(b) shall not exceed 1.5 metres (5 feet).
- (5) The minimum setback for any structure shall be 3.1 metres (10 feet) from the seaward projection of the lateral boundaries of the abutting upland lot



Permitted Uses

- (1) The following uses and structures are permitted, subject to the regulations set out in this section and the general regulations, and all other uses and structures are prohibited:
 - (a) Anchorage and mooring of a private vessel by the owner or occupier of the upland lot abutting the water area in which the vessel is anchored or moored;
 - (b) For certainty, floats, docks, wharves, ramps, and walkways are not permitted in this zone.

Siting and Size

- (2) The minimum setback for any structure shall be 3.1 metres (10 feet) from the seaward projection of the lateral boundaries of the abutting upland lot.

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Marinas;
 - (b) Boat rentals, excluding rentals of personal watercraft;
 - (c) Marine fuelling stations;
 - (d) Facilities for the temporary mooring of water taxis, pleasure craft, fishing boats and sea planes;
 - (e) Buoys, floats, wharves, docks, slips, ramps, walkways, piers, floating breakwaters, boat launching ramps, dolphins and pilings and buildings necessary for the establishment or operation of uses permitted in this zone.
- (2) For certainty, a vessel anchored, moored or secured to a piling, dolphin, dock, wharf or pier shall not be used as a residence.

Siting and Size

- (3) Signs, boat launching ramps, buoys, floats, wharves, docks, ramps, walkways, slips, pilings and dolphins necessary for the establishment and operation of uses allowed in the W3 zone shall be sited entirely within the boundaries of the W3 zone.
- (4) The maximum floor area of any building is 14 metres² (150 ft²).
- (5) Despite Subsection 3.4, the maximum permitted height for any structure is 5 metres (16.5 ft.) measured from the surface of the water.

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
- (a) Government wharf;
 - (b) Customs building;
 - (c) Signs, boat launching ramps, buoys, floats, wharves, docks, slips, ramps, walkways, piers, floating breakwaters, dolphins and pilings and buildings necessary for the establishment or operation of uses permitted in this zone.

5.15 National Park Marine (W5)

Information Note: *The Federal Crown is not subject to local government regulations, including zoning, and uses consistent with the Canada National Parks Act and other approved Gulf Islands National Park Reserve management documents are generally permitted on lands, including submerged lands, in the National Park Reserve.*

Permitted Uses

- (1) The following uses and no others are permitted in the W5 zone:
- (a) Marine navigational aids;
 - (b) Natural resource management and protection;
 - (c) Docks, wharfage, and moorage accessory to the upland National Park lands.

PART 6 SIGN REGULATIONS

6.1 Permitted Signs

- (1) All *sign* types except those prohibited in Section 6.2 are permitted.

6.2 Prohibited Signs

- (1) Any *sign* that is internally illuminated; any *sign* with moving parts; any *sign* hung from, or in any way affixed to, any other *sign*; and any noise-making *sign* is prohibited.
- (2) *Third party signs* are prohibited.
- (3) *Signs* illuminated in any way which are sited or otherwise placed in a location seaward of the *natural boundary* of the sea are prohibited.

6.3 Exempt Signs

The following *signs* are exempt from the regulations in this Part:

- (1) Directional, traffic control, informational, interpretive and navigational *signs* sited and maintained by a Public Authority, agency or their authorized agents.
- (2) Real estate *signs* on properties that are for sale or lease may be displayed in any *zone*, subject to the *sign* not exceeding 1.0 square metre (10.8 sq. ft.) in area and being located on the property being sold or leased. Such *signs* are to be removed within 14 days of sale or lease.
- (3) *Signs* of duly nominated candidates for public office, , provided they are removed within 14 days of the date of voting.

6.4 Siting and Height

- (1) A *sign* permitted in this Part may be located only in a front yard or exterior side yard *setback* area.

6.5 Obsolete Signs

- (1) Any *sign* which has become obsolete because of the discontinuance of the business, service or activity which it advertises must be removed from the premises within thirty days after the *sign* becomes obsolete.

6.6 Sign Number and Area

- (1) Every *sign* must comply with the restrictions on the number of *signs* and the maximum total area of *signs* set out in Table 6.1 in respect of the *zone* in which the *sign* is proposed to be located.

TABLE 6.1: <i>Sign Regulations</i>		
Zone	Number of <i>Signs</i> Permitted on Each <i>Lot</i>	Maximum Total <i>Sign</i> Area Permitted on Each <i>Lot</i>
RR1 RR2 RR3 NR	1 per <i>lot</i> plus 1 per <i>home business</i>	1.0 m ² (10.7 square feet)
C	1 per business premises	<i>Note: Development permit area established in Part VII of the OCP.</i>
A F	2 per <i>lot</i> plus 1 per <i>home business</i>	1.0 m ² (10.7 square feet)
S1 S2	2 per <i>lot</i>	4.0 m ² (43.1) square feet)
W2	1 per water <i>lot</i> or licence area	1.0 m ² (10.7 square feet)
W3	1 per water <i>lot</i> or licence area	1.0 m ² (10.7 square feet)
All other zones	Only those <i>signs</i> exempted by Section 6.3 are permitted	

PART 7 PARKING REGULATIONS

7.1 Location

- (1) All required off-street parking spaces shall be located on the *lot* on which the *use*, *building* or *structure* being served is located and in the same *zone*. Parking spaces located on a highway may not be taken into account in determining compliance with the standards in this Part.
- (2) In the case of a parking space for persons with disabilities, it shall be located at the closest point as is practical to the main entrance to any *building* containing the *use* for which the parking space is required.

7.2 Design Standards

- (1) Each parking space shall be accessible to a highway via a manoeuvring aisle not less than 7.5 metres in width in the case of 90 degree parking; 5.5 metres in width in the case of 60 degree parking; and 3.5 metres in width in the case of 45 degree and parallel parking; and no parking space may abut a highway such that the *use* of the parking space necessitates reversing a motor vehicle from or onto the highway. If a parking space is accessible directly from a lane the combined length of the parking space and width of the lane shall be at least 12.5 metres.
- (2) Parking spaces shall be at least 2.7 metres in width and 6.2 metres in length, exclusive of manoeuvring aisles, and have unobstructed vertical clearance of at least 2 metres. Parallel parking spaces shall notwithstanding the foregoing have a length of 7.5 metres.

7.3 Calculation

- (1) In the calculation of parking required spaces, one additional space shall be provided in respect of any fractional *floor area*, number of seats or berths or other unit of measurement and the requirements for sites on which more than one *use* occurs are cumulative.
- (2) Where a particular *use* is not listed in Table 2, the number required for the most similar listed *use* applies.

7.4 Number of Off-Street Parking Spaces

- (1) Every owner or occupier of land shall provide and maintain off-street parking spaces in conformity with the standards set out in Table 7.1 in respect of the *use* or occupancy that is applicable to the owner's land.

Table 7.1 : Number of Off-Street Parking Spaces	
<i>Use of Building or Lot</i>	Minimum Number of Parking Spaces Required
Residential	2 per <i>dwelling</i> and one per <i>cottage</i>
Retail Stores Offices	1 per 23 m ² <i>floor area</i> plus 1 for persons with disabilities
<i>Restaurants, Cafes, Premises licensed under the Liquor Control and Licensing Act</i>	1 per 3 seats plus 1 accessible parking space for persons with disabilities
<i>Churches</i>	1 per 23 m ² <i>floor area</i>
Hotels	1 per <i>sleeping unit</i> and 1 per employee plus 1 for persons with disabilities
Staff <i>Dwelling</i> Unit in Commercial zone	1 per 2 employees
<i>Marina</i>	1 per 3 boats berthed on annual basis and 1 per employee
<i>Bed and Breakfast</i>	1 per room used for or intended to be used for patron overnight accommodation and one per non-resident employee
Other Home Businesses	1 per non-resident employee and 1 per business where the nature of the business is such that patrons call at the premises.
Fire Hall	5 spaces

PART 8 SUBDIVISION REGULATIONS

8.1 Lot Area Calculations

- (1) *Lots* created by subdivision shall have an area at least equal to the minimum *lot* area specified in Part 5 for the *zone* in which the parent parcel is located, and shall have an average area at least equal to any average *lot* area so specified.
- (2) If an owner of land being subdivided dedicates as parkland more than 5 percent of the land being subdivided, the area greater than 5 percent may, for the purpose of determining compliance with average *lot* area regulations set out in Part 5, be included in the total area of *lots* being created, and the *park* or *parks* are deemed not to be *lots*.
- (3) If a *lot* proposed to be subdivided is divided by a *zone* boundary and the *lot* cannot be subdivided without creating new split zoned *lots*, each split zoned *lot* must comply with the largest minimum and average *lot* size specified in Part 5 for any *zone* in which the *lot* is located.

8.2 Exemptions from Average and Minimum Lot Area Requirements

- (1) The average and minimum *lot* sizes specified in Part 5 do not apply if:
 - (a) the *lot* being created is to be used solely for unattended equipment necessary for the operation of facilities referred to in Section 3.1, a community sewer or water system, electrical or telecommunication *utilities*, telephone receiving antenna, radio or television broadcasting antenna, a telecommunication relay, an automatic telephone exchange, an air or marine navigational aid, or an electrical substation, and the owner grants to the *Local Trust Committee* a Section 219 covenant complying with Section 2.6 restricting the use of the *lot* to one or more of these uses;
 - (b) the *lot* being created is for *park use*, an *ecological reserve* or dedication to the Crown;
 - (c) the *lot* being created results from the consolidation of two or more *lots*, provided that the consolidated *lot* does not have sufficient area that it could be subdivided into more *lots* than would be permitted under this bylaw without the consolidation; or
 - (d) to the adjustment of boundaries between *lots*, provided that the area of any *lot* would not be increased to an extent that it could be subdivided into more *lots* than would be permitted under this bylaw without the boundary adjustment.

8.3 Covenants Prohibiting Further Subdivision and Development

- (1) If a proposed subdivision yields the maximum number of *lots* permitted by the applicable minimum and average *lot* areas specified in Part 5, and one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot* area, the applicant shall grant a Section 219 covenant complying with Section 2.6 in respect of every such *lot*, prohibiting further subdivision of the *lot* and prohibiting construction, erection, or occupancy on the *lot* of more than the applicable *zone*'s permitted number of *dwellings* and, if a *cottage* is a permitted use of the *lot*, more than that *zone*'s permitted number of *cottages*.
- (2) If a subdivision is proposed that yields fewer than the maximum number of *lots* permitted by the applicable minimum and average *lot* sizes specified by this bylaw, and:

- (a) one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot* area; and
 - (b) one or more of the *lots* being created has an area less than the applicable average *lot* area, the applicant shall grant a Section 219 covenant complying with Section 2.6 in respect of every *lot* described in Article 8.3(2)(a) prohibiting:
 - (c) the further subdivision of the *lot* so as to create a greater total number of *lots* by subdivision and re-subdivision of the original *lot* than would have been created had the first subdivision created the maximum number of *lots* permitted by the applicable minimum and average *lot* areas specified by this bylaw; and
 - (d) the construction, erection, or occupancy on the *lot* of *dwellings* and, if permitted by this bylaw, *cottages* so as to create greater density of such development on the original *lot* than would have been created had the original *lot* been subdivided into the greatest number of *lots* permitted by this bylaw.
- (3) If the approval of a bare land strata plan would create common property on which this bylaw would permit the construction of a *dwelling* or *cottage* if the common property were a *lot*, the applicant shall grant a Section 219 covenant complying with Section 2.6 in respect of the common property prohibiting the further subdivision of the common property, the construction of any *dwelling* or *cottage* on the common property, and the disposition of the common property separately from the strata *lots*.

8.4 Boundary Adjustment Subdivisions

- (1) A boundary adjustment subdivision that would result in the increase of the area of any *lot* to the point where the new *lots* created could collectively be subdivided into more *lots* than would be permitted under this bylaw without the boundary adjustment is prohibited.
- (2) A boundary adjustment subdivision resulting in a *lot* lying in two or more *zones* is prohibited, except where one of the *lots* being subdivided is located in two or more *zones*.

8.5 Section 946 subdivisions (Residence for a Relative)

- (1) No *lot* having an area less than 8 hectares (20 acres) may be subdivided under Section 946 of the *Local Government Act* to provide a *residence* for a relative of the owner unless the *lot* is entirely within the Agricultural Land Reserve.

8.6 Lot Frontage and Lot Configuration

- (1) The *frontage* of any *lot* in a proposed subdivision must not be less than 20.12 metres (66 feet) or the minimum *frontage* established in Section 944 of the *Local Government Act*.

Information Note: *The minimum frontage established in Section 944 of the Local Government Act is 10% of the perimeter of the lot. The Local Trust Committee has jurisdiction to exempt a lot or a subdivision from this requirement.*

- (2) No *lot* in a proposed subdivision may have a depth greater than three times its width, and for this purpose the width of a *panhandle lot* shall be measured at the point where the panhandle connects with the main portion of the *lot*.
- (3) If a proposed *panhandle lot* is not capable of being further subdivided under the provisions of this bylaw, the minimum width of the access strip at any point is 10.06 metres (33 feet).

- (4) If a proposed *panhandle lot* is capable of being further subdivided under the provisions of this bylaw, the minimum width of the access strip at any point is 20.12 metres (66 feet).

8.7 Split Zoned Lots

- (1) Subject to Subsection 8.1(3), a subdivision resulting in the creation of a new *lot* lying in two or more *zones* is prohibited.

8.8 Split or Hooked Lots

- (1) No additional *lot* which is divided into two or more portions by a highway or another *lot* may be created by subdivision.

8.9 Double Frontage Lots

- (1) No additional *lot* having *frontage* on more than one highway other than a corner *lot* may be created by subdivision.

8.10 Water Access Subdivisions

- (1) *Highway* access must be provided to every *lot* created by subdivision on South Pender Island.
- (2) If a subdivision with water access only is approved on an island other than South Pender Island within the South Pender Island Local Trust Area, the owner of land being subdivided must provide motor vehicle parking spaces in accordance with Part 7 of this Bylaw for each *dwelling* and *cottage* permitted by this Bylaw in respect of each *lot* being created. Such parking spaces must be located at the most reasonable location giving access by water to the subdivision.

8.11 Highway Standards

Information Note: For information on road standards see the Letter of Agreement between the Islands Trust and the Ministry of Transportation and Highways, dated October 20, 1992 and amended July 18, 1996.

8.12 Water Supply

- (1) Where a subdivision is not served by a community water system, each proposed lot must be proven by the applicant to have a source of potable water of sufficient quantity in accordance with Table 1 in Subsection 8.12(3).
- (2) A community water system must be provided for subdivisions where there is not a proven source of potable water of sufficient quantity in respect of each lot.
- (3) Where a well is proposed as a source of potable water for a proposed subdivision, the applicant for subdivision must provide written certification under seal of an Professional Engineer or Hydrogeologist with experience in groundwater hydrology that there is, in respect of each building, structure, or use of land permitted by this Bylaw, on or to each proposed lot, an available supply of potable water that meets or exceeds the Guidelines for Canadian Drinking Water Quality in the amounts set out in Table 1, and that the

extraction from the groundwater table of that amount of water in respect of each permitted building, structure or use will not adversely affect the quantity or quality of water obtainable from any existing well or surface water then used as a source of potable water. The extraction and treatment of saline ground water (as outlined in the Guidelines for Canadian Drinking Water Quality) into potable water is not permitted.

TABLE 8.1: Potable Water Supply Standards

Use	Volume (per day per lot)
Residential	2275 litres (per permitted dwelling)
Agricultural	3640 litres
Commercial	3640 litres
Commercial Guest Accommodation	6000 litres
Industrial	3640 litres
All other uses	2275 litres

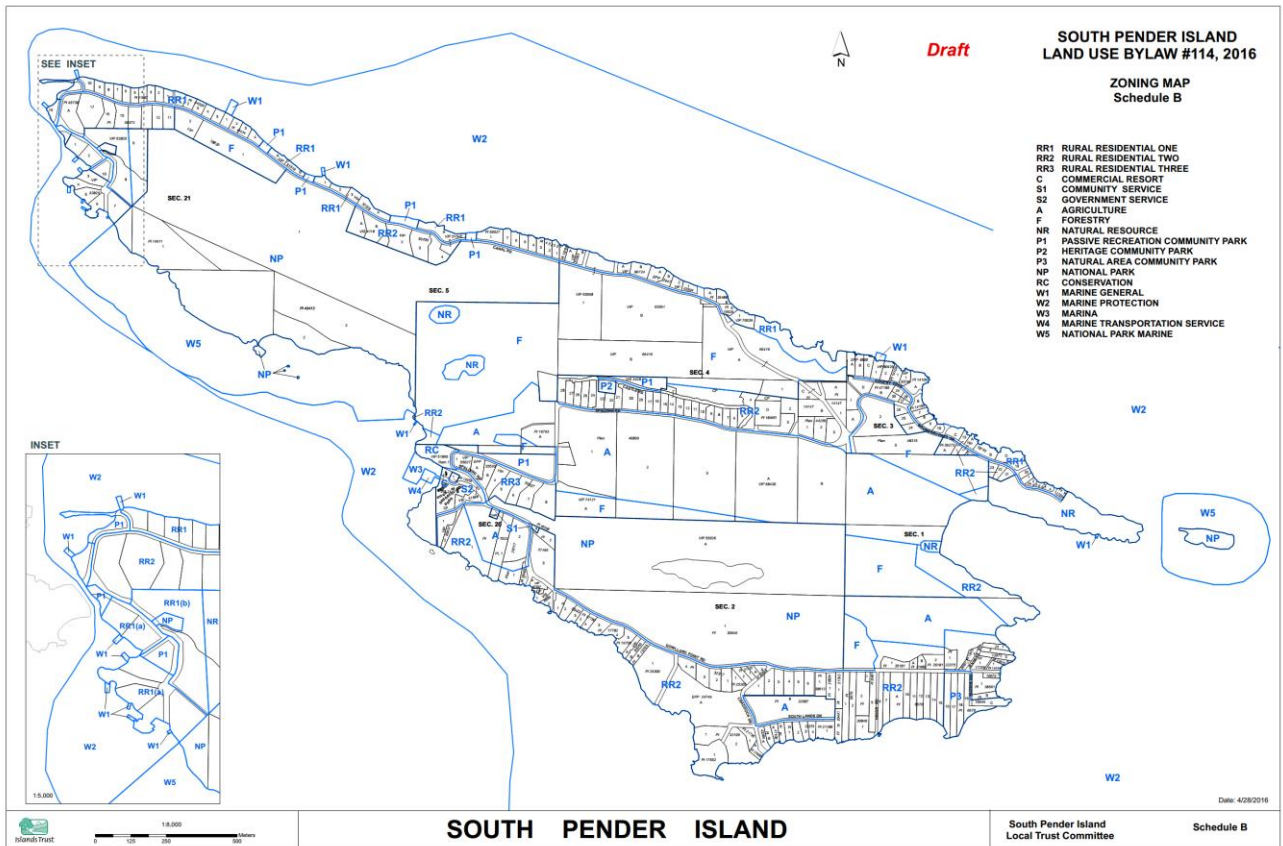
- (4) If the certification referred to in Subsection 8.12(3) cannot be made, the *Approving Officer* may nonetheless approve the subdivision in the following circumstances:
 - (a) if the applicant provides a community water system complying with the requirements of this Bylaw; or
 - (b) if the applicant grants a covenant restricting the development of the subdivision to the buildings, structures and uses in respect of which a certification has been made under Subsection 4.4.3.
- (5) Where applicant has provided a report by a Professional Engineer or Hydrogeologist with experience in groundwater hydrology, and the report indicates that the water from a well does not meet the standards of potability as set in 8.12(3) and the report states that with specific treatment systems the well can be certified as to potability, the *Approving Officer* may nonetheless approve the subdivision provided that:
 - (a) the applicant grants a s. 219 covenant to the LTC and to the CRD restricting use and occupancy of the land and any building or structure on the land until the owner installs a water treatment system which is effective in making the water from the well potable to no less a standard than that specified in this Bylaw.
- (6) For the purposes of the certification referred to in Subsection 8.12(3), the Professional Engineer or Hydrogeologist must supply supporting documentation, and if a pump test has been conducted, the Professional Engineer or Hydrogeologist must indicate that the test was of sufficient duration to establish in accordance with generally accepted hydrological engineering practice the long term reliability of the water supply.
- (7) If a Professional Engineer or Hydrogeologist provides a certification under Subsection 8.12(3) as to the quality of a proposed source of potable water, the certificate must include a plan of the proposed subdivision indicating the location where each water sample was taken, and a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
- (8) If a community water system is proposed, the water system must comply with applicable provincial enactments and must be designed with sufficient capacity to serve all the lots that may be created by further subdivision. No community water system may be supplied

with water other than that which is obtained on the island on which the system is located. The water intake of a community water system must not be closer than 300 metres to public accesses to lakes.

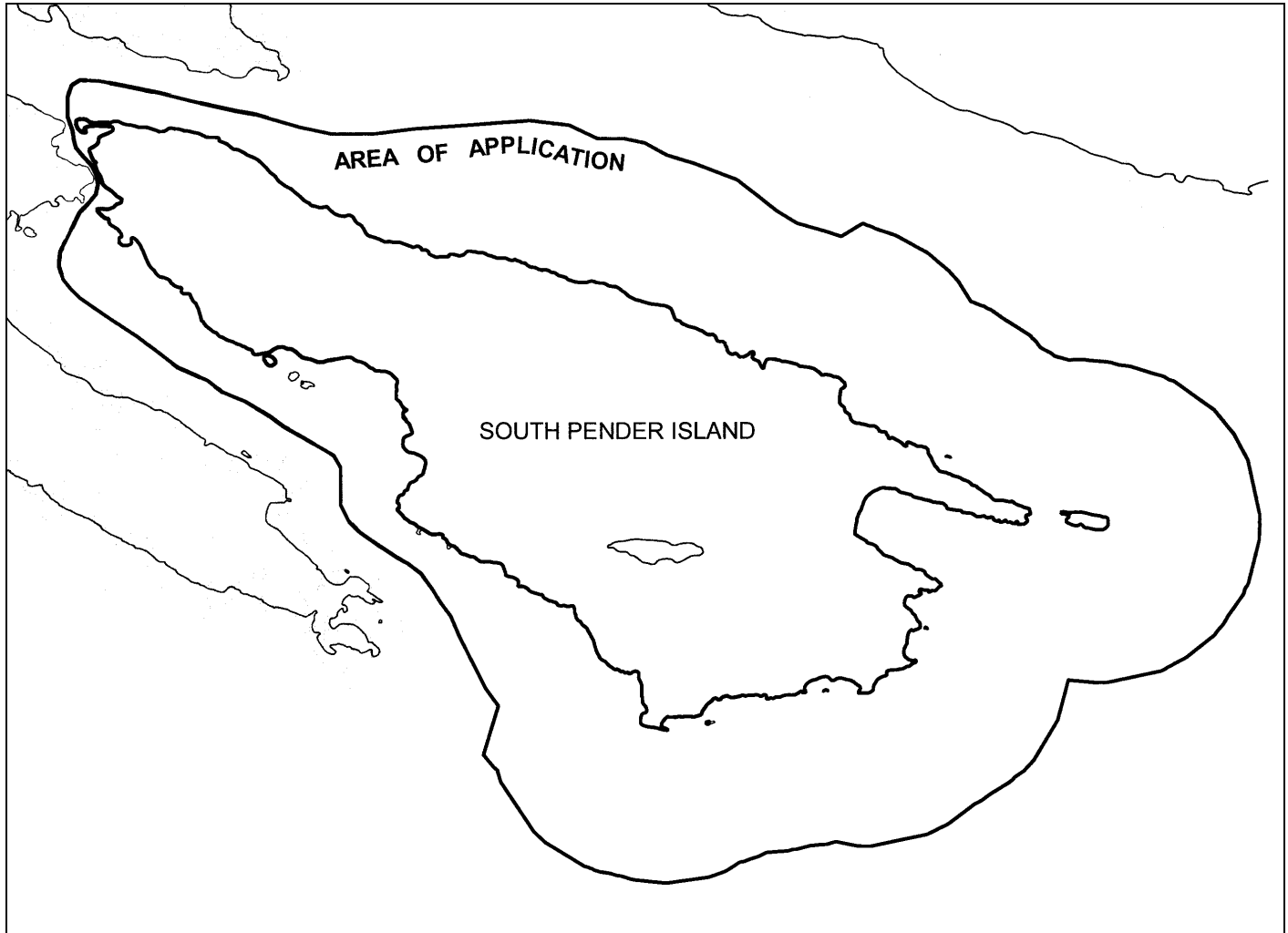
- (9) An applicant is not required to fulfil the requirements of subsections 8.12(1), 8.12(2) and 8.12(3) for boundary adjustment subdivisions provided that: there would be no increase in density or intensity of use beyond what was permitted before the boundary adjustment took place; and that all of the lots subject to the boundary adjustment have an established supply of water.

DRAFT

SCHEDULE B (ZONING MAP)



SCHEDULE C (BYLAW AREA MAP)





File No.: [File Number(s)/Name]

DATE OF REPORT: January 9, 2017

TO: North Pender Island Local Trust Committee
Copy: South Pender Island Local Trust Committee

FROM: Justine Starke, Island Planner, and
Fiona XETXÁTTEN MacRaild, Senior Intergovernmental Policy Advisor
Victoria Office

SUBJECT: Long term relationship-building program with local First Nations

RECOMMENDATION

1. That the North Pender Island Local Trust Committee (NPILTC) embark on a plan of constructive actions that demonstrate a commitment to improving respectful relationships between residents and visitors of North Pender Island and local First Nations.
2. That NPILTC ask South Pender Local Trust Committee (SPILTC) to join in the work of this plan as local First Nations have considered North and South Pender Islands to have always been one island until the canal was dredged in 1902-3.
3. That the NPILTC (and possibly the SPILTC) initiate these reconciliatory actions by hosting a public educational event focused on the archaeological findings of the canal excavation between the two islands during the summers of 1984-85-86, particularly the research goal of testing the theory that this was an early area of Coast Salish cultural intensity and climax (proposed by A.L. Kroeber in 1939).
4. That NPILTC (and possibly SPILTC) build on the knowledge shared at this event and develop other events in coordination with local First Nations that focus on land-use issues (Islands Trust core activities), such as Indigenous law principles of land use, land ownership, land transfers, land-use authority and land-use enforcement.

REPORT SUMMARY

The canal excavation of the 1980s indicated this was a site of strong Coast Salish cultural and ethnic continuity for over 5000 years. The evidence shows that the Pender Canal sites were winter villages until around 2200 BP¹. It is assumed that there was a significant tilting of the Juan de Fuca plates which affected rising sea levels after this time and the village sites shifted in use to a seasonal camp for local First Nations.

A public event focused on these findings helps Pender residents, visitors and local First Nations come to a common level of understanding. This, in turn, sets the groundwork for building a plan of reconciliatory actions

¹ "Before Present" means before 1950. The most commonly used convention in radiocarbon dating. "Present" referring to the year 1950 AD. 1950 is the date that the calibration curves were established. It also predates atmospheric testing of the atom bomb, which significantly upset C12/C14 ratios in the following years.

based firmly in the evidence that North and South Pender Islands have been an extremely important site for First Nations until the last century or so.

BACKGROUND

1. Consideration of neighbouring Indian Reserve lands

There is a nearby Indian reserve at Hay Point on South Pender Island, which was assigned to members of the Tsawout and Tseycum First Nations around 1877. In the early 1870s a joint federal-provincial Indian Reserve Commission was tasked with setting aside reserve lands with special instruction to the commissioners to "officially enjoined as little as possible to interfere with any existing tribal arrangements; and... they were to be careful to not disturb the Indians in the possession of any villages, fishing stations, fur trading posts, settlements, or clearings which they might occupy, and to which they might be specially attached."²

It can be assumed that, for Tsawout and Tseycum First Nations, the reserve lands allotted to them (and not other First Nations) was due to how significant and relevant their attachment was to these southern Gulf Islands.

2. Consideration of Douglas Treaty rights on and around Pender Islands

As Canadians, we are all Treaty people, whether Treaty settlers or Treaty First Nations. Most of the land of BC is without treaties, except the Douglas Treaties of Vancouver Island and Treaty 8 in the northeast of BC. James Douglas seemed to be respectful of the 1763 Royal Proclamation of the British Empire that stated that all land west of the Appalachian Mountains were to be considered under Aboriginal title and that the only way to secure land for settlement was through treaties.

Five modern First Nations – Tsawout, Tseycum, Tsartlip, Malahat and Paquachin First Nations are the direct descendants of those who signed the South Saanich and the North Saanich Treaties of February 7, 1852.

The lands surrendered by the North Saanich were described as:

"commencing at Cowichan Head and following the coast of the Canal de Haro north-west nearly to Saanich Point, or Qua-na-sung; from thence following the course of the Saanich Arm to the point where it terminates; and from thence by a straight line across country to said Cowichan Head, the point of commencement, so as to include all the country and lands, with the exceptions hereafter named, within those boundaries."

The lands surrendered by the South Saanich were described as:

*"between Mount Douglas and Cowichan Head on the Canal de Arro and extending thence to the line running through the centre of Vancouver Island, North and South."*³

²DIAND, Annual Report, 1876, p. xv-xvi: David Mills, Minister of Interior, to Governor General of Canada, 15 January 1877 Retrieved from the Department of Indian and Northern Affairs Canada website, British Columbia Indian Treaties in Historical Perspective: Treaty Activities Reserve Policy, December 29, 2016.

<http://www.aadnc-aandc.gc.ca/eng/1100100028952/1100100028954#chp3>

³"Conveyance of Land to Hudson's Bay Company by Indian Tribes," B.C. Papers, p. 10. Retrieved from the Department of Indian and Northern Affairs Canada website, British Columbia Indian Treaties in Historical Perspective: Treaty Activity: Negotiations, Agreements, December 29, 2016.

<http://www.aadnc-aandc.gc.ca/eng/1100100028952/1100100028954#chp3>

It is important to note as a background consideration of this report that neither Treaty mentions the Gulf Islands. This has been a controversial issue of treaty interpretation. The descendants of the South Saanich and North Saanich Treaties assumed – and continue to assume to this day - that the islands were never surrendered or “purchased” by a treaty. Today, members of Tsawout, Tseycum, Pauquachin, Tsartlip and Malahat First Nations have a firm belief that the islands, in their entirety, constitute the “villages and enclosed fields” guaranteed to them by both the South Saanich and North Saanich Treaties:

“The conditions of our understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us and the land shall be properly surveyed hereafter.” [N.B. the surveys promised in these Treaties were never done]

For non-Aboriginals to embark on a sincere journey to build authentic relationships with members of the local Douglas Treaty Nations, these feelings and beliefs about the Treaties must be understood to appreciate the significance of the grace with which these members engage with non-Aboriginal residents on the islands.

3. Consideration of other asserted Aboriginal Title and Rights

The Hul’quimi’num Treaty Group, representing Cowichan Tribes, Lake Cowichan First Nation, Chemainus First Nation, Halalt First Nation and Penelakut Tribe was founded in 1993 to jointly negotiate a comprehensive treaty with British Columbia and Canada in the BC Treaty Process. They have frustratingly been in Stage 4 (out of six stages), which is the negotiation of an Agreement –in-Principle since 1997. Substantive treaty negotiations take place in this stage. Land, resources, self-government and financial components usually form part of the negotiations. This includes proving their Aboriginal rights and title over traditional territory, including the Gulf Islands. For nearly 20 years these six First Nations have been trying to prove their claim to the Gulf Islands.

Tsawwassen First Nation ratified their Agreement-in-Principle in 2007 with Canada and BC. Their treaty settlement included hunting and fishing rights on and around Pender Island—an arrangement to which the SENĆOŦEN Alliance objected, saying those rights are theirs under the 1852 Douglas Treaty. Semiahmoo First Nation and three other First Nations (Tsartlip, Tsawout and Pauquachin) make up the Alliance, SENĆOŦEN which says their traditional territory stretches south to the northern end of Puget Sound, including both the San Juan Islands and the Gulf Islands, across southern Vancouver Island to include sites north of the Canada/U.S. border, on the lower Fraser River and on all adjacent land. Members of the SENĆOŦEN Alliance also say they're signatories to the Douglas Treaties, taken with the British Crown from 1850 to 1854, and are not involved with the current B.C. Treaty Commission negotiations.

Additionally, in 2014 Hwlitsum First Nation filed a claim against the provincial and federal governments for \$2 billion and a massive land claim, including but not limited to “lands in and around Tl’uq̓tinus village, Xway Xway, Hwlitsum, including all lands at Brunswick Point, Westham Island and all or some of the lands at Salt Spring Island, Gabriola Island, Valdes Island, Galiano Island, Saturna Island, North and South Pender Island, Mayne Island, the San Juan Islands, the Lamalcha portions of Penelakut Island, Lummi and other locations throughout their traditional territory, including Musqueam, Chemainus and Coquitlam.”

4. Consideration of recent First Nations Issues on the Pender Islands

The Poets Cove Resort was built on an ancient First Nations village site. In 2003, human remains of about 60 people, some up to 2,500 years old, were uncovered while crews were building a swimming pool for the luxury resort. They were re-buried by representatives of the Saanich Tribes about 30 metres from where

they were found. In 2005 the developer was charged with violating the 1996 Heritage Conservation Act, the first time that the government has attempted to enforce the Act. This remains a story regularly told by First Nations elders as a recent example of profound disrespect.

ANALYSIS

Given the complexity of First Nations asserted claims to the Pender Islands – some Reserve land associations, some Aboriginal Treaty rights, some Aboriginal rights and title over asserted traditional territory – it may be a more tactful way to initiate relationship building with all these First Nations by focusing on evidence found over 30 years ago. The evidence of the canal excavation focuses on the long duration of occupation, not necessarily what tribe exactly this village site belonged to. That determination is for First Nations to come to amongst themselves.

Reconciliation between Aboriginal and non-Aboriginal Canadians begins with shifting attitudes and shifting systems of power. The first step of this journey is to recognize that Canada has minimized and ignored the voice of First Nations to the degree that many Canadians have little understanding (if any) of the historical journey and connections that First Nations people have with their land and waters until just recently. As non-Aboriginals, our initial response should be to listen and learn. This report proposes a public event that would encourage that learning approach.

The protected waterways and islands off the mouth of the Fraser River constituted an ideal environment for this cultural development. This is something island residents, visitors and local First Nations alike can be proud of together. The fact that this canal excavation provided evidence that the Gulf Islands were an early centre for the development of Northwest Coast cultural complexes of food, art, beliefs, woodworking, feasts for the dead, masks, social ranking and crafts is a positive message to start a mutually respectful relationship on.

A public event focused on the canal excavation could include special knowledge holders from local First Nations who continue to play import cultural roles in their communities that have continued for millennia in island Special Places - like the Pender Islands - such as funerary practices, masks and the role of seafood and art. This would reinforce not only an historical connection to the lands and the waters of the Pender Islands, but demonstrate that this culture is alive and well in current times.

Despite tremendous death toll in their communities during the smallpox epidemic of the 1860s, the unfair reduction of reserve land allotments and the 88 years (1890 to 1978) of residential school experience in this area, this culture has survived. The resilience of these Coast Salish cultural practices – and the people who continue to practice them against tremendous attempts to assimilate them into colonial culture - could be celebrated through such a public event.

Policy/Regulatory:

2014-2018 Strategic Plan. Goal D: Effective, Efficient and Collaborative Governance

- Priority 6.1: Improve engagement with first Nations
- Priority 6.2: Improve protection of archaeological and First Nations cultural resources

Issues and Opportunities:

Possible topics of Coast Salish cultural continuance for this event could include:

- Subsistence on maritime resources, and the continuance of that reliance today
- Local Aboriginal art and sculpture based on spirit power and shamanic beliefs
- Advanced woodworking in Coast Salish culture
- Longhouse practices such as memorial potlatches, feasts for the dead, and the use of masks
- Manifestations of social ranking in times past by use of the labret (lip piercing/inserts), ear spools and head shaping in infancy; and how social ranking is perceived today
- Items used for trade such as quartz crystals, soapstone and dentalium
- Coast Salish crafts such as soapstone-carvings and spoon-making

Consultation:

January/February 2017:

1. Notification to local First Nations' Chief and Council about intentions to invite community members who can speak to how many of the cultural practices discovered in the canal excavation continue today. The cultural-themed public event would include a follow-up feedback from either Islands Trust staff or trustees to the Nations' Chief and Council.
2. Event Plan to be shared with all stakeholders. Posters developed.

February/March 2017

1. Event
2. Feedback to local First Nations by Islands Trust staff or trustees. Discussion regarding the desire for possible subsequent events.

Rationale for Recommendation:

As the NPLTC considers developing constructive actions that demonstrate a commitment to improving respectful relationships between residents and visitors of the Pender Islands and the local First Nations with asserted interests, they should do so with care given the complexities of competing First Nations interests and the recent unfortunate issue of burial sites being disturbed due to the development at Poets Cove Resort.

Focusing on a research project over 30 years old – with significant findings – will shift the attention to the extraordinary resilience of Coast Salish cultural practices, not necessarily which First Nations have stronger claims to the Pender Islands

This show of respect at a cultural and spiritual level will soften the ground and allow for a sincere political dialogue between elected First Nations officials and the NPLTC (and possibly SPLTC). This, in turn, can lead to a

broader discussion with other First Nations and interested agencies in the development of a plan of activities to foster a relationship of mutual respect.

ALTERNATIVES

- 1. A first step that is not a public event.** The NPLTC could invite known First Nations elders or knowledge-keepers for a low-key shared meal where they could offer advice on moving forward and the NPLTC could, in turn, share that information more publically afterwards.
- 2. A first step that focuses on preparing residents with historical background.** The NPLTC could have a preliminary public event for residents that helped prepare them with background information such as the Douglas Treaties or information on those Nations currently involved in the BC Treaty process.
- 3. Request further information.** A more comprehensive plan of approach may be desired that includes preliminary discussions with other agencies such as Parks Canada, the Capital Regional District or others before approaching local First Nation.

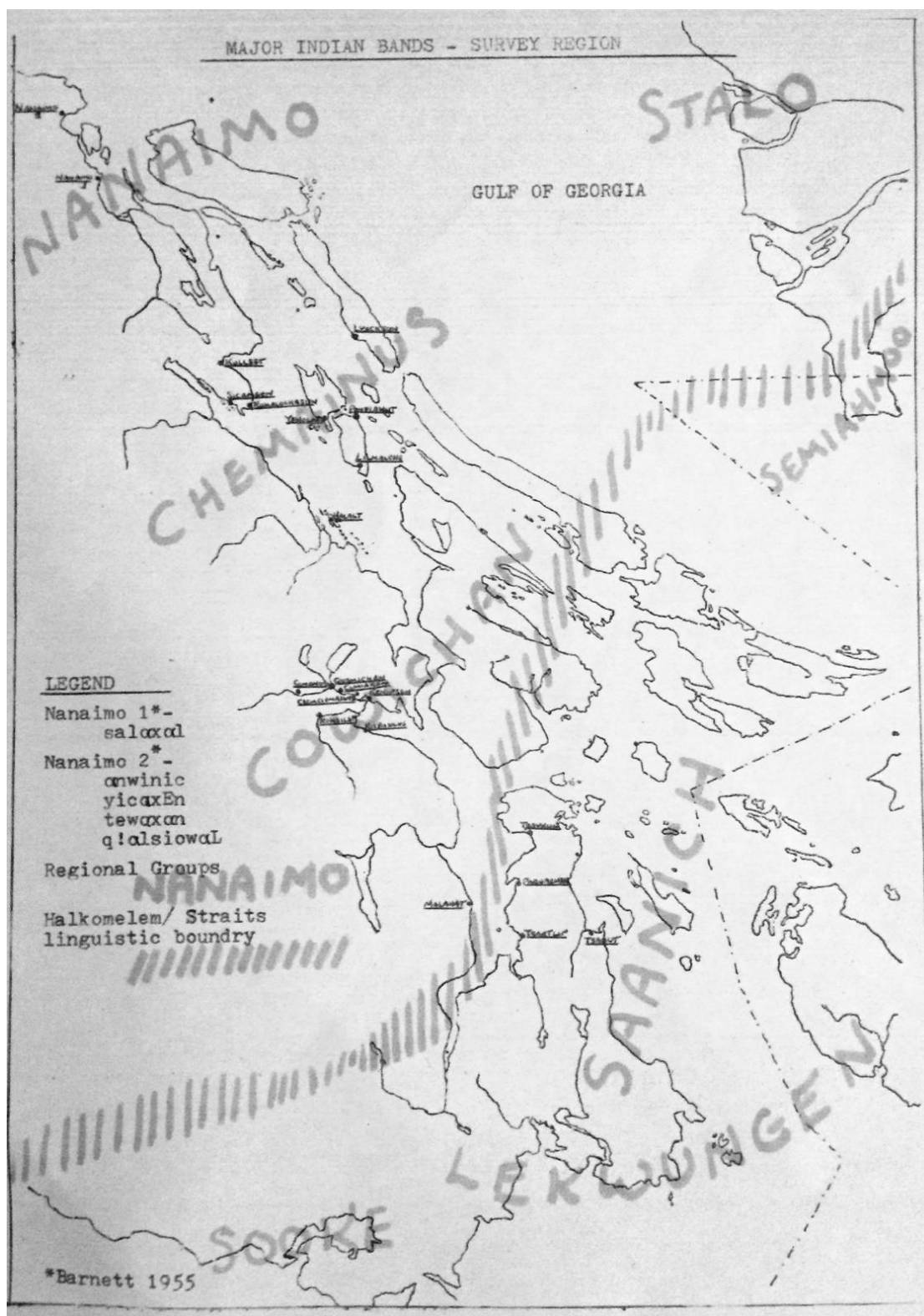
NEXT STEPS

An Event Plan to be submitted to the NPLTC (and possibly the SPLTC) for approval for a February/March event.

Submitted By:	Justine Stark, Island Planner Fiona XETXÁTTEN MacRaid, Senior Intergovernmental Policy Advisor	January 9, 2017
Concurrence:	Robert Kojima, Manager, Regional Planning Manager, Southern Team	January 9, 2017

Appendix A

1955 Map "Major Indian Bands". H.G. Barnett, *The Coast Salish of British Columbia*



Appendix B

Sites of Special Significance to Douglas Treaty Nations on North Pender, South Pender and Associated Islands

(Maps and Special Place translations from 1983 Dave Elliot, *The Saltwater People*)



Pender Islands

S,DÁ,YES	"wind drying", referring to drying salmon	North Pender Island
KELAKE	"crow"	Razor Point
TELOSEN	"taking a mate"	Hope Bay
ČAK,SEN	"seal call point"	Stanley Point
KE,KIN,ES	"chest out of the water"	James Point
SKAETEM	"place of otters"	Otter Bay
XEXIÁ,SEN	"narrow neck"	bluffs on bay south of Otter Bay
S,KEĆ,TINES	"place to get chest out of the water"	Pender Bluffs
XIXĆANEM	"little running trail"	area along Swanson Channel, NW of Wallace Point
SXIXTE	XIXEXI means "narrow", SWALET of Pelkey family	west entrance of Bedwell Harbour
E,H,O,	"did you hear?", burial ground at one time	beach at park on north side of Bedwell Harbour
ILEĆEN	"earth edge"	Port Browning
SMONEĆ	"pitch", referring to pitch for fire-starting	eastern point of South Pender
XELISEN	"lost middle", it used to be an isthmus joining North, South Pender Island	NW point Camp Bay
QENENIW	"watching the slack tide"	SE point of South Pender Island

[illegible]

SKĒMIN	name of a little black duck you see there	Arbutus Island
SSEQOTE	"crow"	Piers Island
XEXECOTEN	"little dry mouth"	Brackman Island
SXECOTEN	"you can see where your mouth is", ("dry mouth")	Portland Island
PITEN	describes the idea of slippage, like a knot slipping down a rope	little island south of Portland Island
LO,LE,CEN	"place to leave behind", ("abandoned earth")	Moresby Island
TXITEN	"hard rocks" from TEX - "hard" & TEN - "becoming"; at low tide completely surrounded by reef rocks	Knapp Island
LEKTINES	"wide chest"	Coal Island
SESIATEN	"little hair", refers to a story about XAELS	Little Shell Island
SIATEN	"hair", refers to story noted above	Shell Island
PELEPWAN	"more than one blown"	Domville & Forrest Islands
PEPWAN	"a little one blown"	Brethour Island
PWAN	"blown by a breeze"	little island south of Domville
XELEXATEM	"crossways", this island lies in a different direction than all the others	Gooch Island group
XEXATEM	"little crossways"	Comet Island
LEL,TOS	"splashed in the face"	James Island

BOKÉĆ	"sand bluff"	South end bluff
ŁTÁĆSEN	"splashed on the neck"	NE spit of James Island
ĶELJIEUĒĻ	"sheltered canoes", from the word for shelter	spit on centre east side of James Island
SKTÁMEN	"submerged by the waves"	Sidney Island Spit
WYOMEĆEN	"the land of caution", the beach faces the south wind so it is difficult to land here	SW point on Sidney Island
TELXOLU	"place of defeat"; halibut fishing area	west side, beach across from James Island
SKELTÁMEN	plural for SKTÁMEN, (see above)	north end of Sidney Island
KELTEMÁEKS	"bad light"	east mid side bay of Sidney Island
XEMELOSEN	"souvenir"	Sallas Rock
XOXDEĻ	an Indian name, Mother of XODEĻ (Spiden Island)	Mandarte Island
SISĆENEM	idea of sitting out for pleasure of the weather	Halibut Island
TEUXÁLEĆ	"giant" - refers to a story	James Spit sandbar
ĆTESU	"just arrived"	D'Arcy Island
ĆTISU	"little just arrived"	Little D'Arcy Island
EÁĆECEN	"goodbye earth", refers to the high tide concealing the reef	Zero Rock
ÁĆECEN	"little goodbye earth"	Little Zero Rock

Top Priorities

South Pender Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	LUB Review and Update	1.Staff technical review, including definitions and mapping. 2.Trustee development of broad questions 3.Develop format for community consultation 4.Community consultation	04-Oct-2011	Robert Kojima	31-Dec-2015

Projects

South Pender Island

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



Islands Trust

Subdivision

Print Date: January 9, 2017

Applications

File Number	Applicant Name	Date Received	Purpose
SP-SUB-2016.1	WHITEHEAD, CATHY	01-Nov-2016	Subdivision of the existing parcel into two equal parcels.

Planner: Phil Testemale

Planning Status

Status Date: 28-Nov-2016

Subdivision Referral Response sent to MoTI. Copied to SPLTC and applicants

Status Date: 09-Nov-2016

IT application and payment received. File forwarded to LTC and planner.

Status Date: 02-Nov-2016

Referral rec'd from MoTI and application form and sub referral letter sent to applicant.

Islands Trust
LTC EXP SUMMARY REPORT F2017
Invoices posted to Month ending November 2016

665 South Pender	Invoices posted to Month ending November 2016	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-665	LTC "Trustee Expenses"	750.00	295.42	454.58
LTC Local				
65200-665	LTC - Local Exp - LTC Meeting Expenses	2,000.00	1,286.98	713.02
65210-665	LTC - Local Exp - APC Meeting Expenses	500.00	15.00	485.00
65220-665	LTC - Local Exp - Communications	300.00	0.00	300.00
65230-665	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>3,300.00</u>	<u>1,301.98</u>	<u>1,998.02</u>
Projects				
73001-665-2011	South Pender OCP/LUB	4,000.00	305.18	3,694.82
73001-665-4070	South Pender Heritage Conservation	1,000.00	0.00	1,000.00
73001-665-4071	South Pender Waste Management	1,000.00	0.00	1,000.00
TOTAL Project Expenses		<u>6,000.00</u>	<u>305.18</u>	<u>5,694.82</u>

South Pender Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Revised: April 28, 2015

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