



South Pender Island Local Trust Committee

Regular Meeting Agenda

Date: November 4, 2022
Time: 11:00 am
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

	Pages
1. CALL TO ORDER	11:00 AM - 11:00 AM
2. APPROVAL OF AGENDA	11:00 AM - 11:05 AM
3. TRUSTEE REPORT	11:05 AM - 11:10 AM
4. CHAIR'S REPORT	11:10 AM - 11:15 AM
5. TOWN HALL AND QUESTIONS	11:15 AM - 11:30 AM
6. COMMUNITY INFORMATION MEETING	
None	
7. PUBLIC HEARING	
None	
8. MINUTES	11:30 AM - 11:40 AM
8.1. Local Trust Committee Special Meeting Minutes Dated June 17, 2022 (for Adoption)	4 - 8
8.2. Local Trust Committee Special Meeting Minutes Dated August 12, 2022 (for Adoption)	9 - 14
8.3. Section 26 Resolutions-without-meeting Dated Oct 2022	15 - 15
8.4. Advisory Planning Commission Minutes - None	
9. BUSINESS ARISING FROM THE MINUTES	
9.1. Follow-up Action List Dated Oct 2022	16 - 16
10. DELEGATIONS	

11. CORRESPONDENCE

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

12. APPLICATIONS AND REFERRALS

11:40 AM - 12:15 PM

- 12.1. North Pender Island Local Trust Committee Referral for Proposed Bylaw 223 (for response) (attached) 17 - 28
- 12.2. North Pender Island Local Trust Committee Referral for Proposed Bylaw 224 (for response) (attached) 29 - 127
- 12.3. North Pender Island Local Trust Committee Referral for Proposed Bylaw 229 (for response) (attached) 128 - 137
- 12.4. Mayne Island Local Trust Committee Referral for Proposed Bylaws 181 and 183 (for response) (attached) 138 - 148

13. LOCAL TRUST COMMITTEE PROJECTS

12:15 PM - 12:45 PM

- 13.1. South Pender Island Local Trust Committee Bylaw No. 122 and Land Use Bylaw Update - Overview
- 13.2. Minor Official Community Plan Amendments Project - Proposed Bylaw No. 123 (for adoption) (Tentative)

14. REPORTS

12:45 PM - 12:55 PM

- 14.1. Work Program Reports (attached)
 - 14.1.1. Future Projects Report Dated Oct 2022 149 - 149
 - 14.1.2. Active Projects Report Dated Oct 2022 150 - 150
- 14.2. Applications Report Dated Oct 2022 (attached) 151 - 152
- 14.3. Trustee and Local Expense Report Dated Aug 2022 (attached) 153 - 153
- 14.4. Adopted Policies and Standing Resolutions (attached) 154 - 157
- 14.5. Local Trust Committee Webpage
- 14.6. Islands Trust Conservancy Report Dated July 2022 158 - 159
 - 14.6.1. Islands Trust Conservancy Plan - Referral for Comment 160 - 183

15. NEW BUSINESS

16. UPCOMING MEETINGS

- 16.1. Next Regular Meeting - to be determined

- | | | |
|-----|------------------------|--------------------|
| 17. | TOWN HALL | 12:55 PM - 1:10 PM |
| 18. | CLOSED MEETING
None | |
| 19. | ADJOURNMENT | 1:10 PM - 1:10 PM |



Islands Trust

South Pender Island Local Trust Committee

Minutes of Special Meeting

Date: June 17, 2022

Location: Electronic Meeting

Members Present: Peter Luckham, Chair
Cameron Thorn, Trustee
Steve Wright, Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
Carly Bilney, Recorder

Participants: There were approximately 17 members of the public present.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:00 am. 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. BUSINESS ITEMS

3.1 Community Information Meeting – To discuss the South Pender Island Local Trust Committee’s Land Use Bylaw Amendments Project – Proposed Bylaw No. 122.

Chair Luckham provided opening remarks and introduced the panellists.

Planner Stockdill reviewed proposed Bylaw No. 122 and its objectives to review the maximum floor area, setback and agricultural regulations, to address shipping containers on South Pender, and to seek other minor technical amendments.

Planner Stockdill reviewed proposed Bylaw No. 123 and noted the Local Trust Committee (LTC) gave direction to staff to adopt a bylaw to include a First Nations Introductory Statement in the Official Community Plan, as well as building design and siting guidelines – the latter two of which would act as a reference document for the LTC to help guide decision-making when assessing Development Variance Permit (DVP) applications.

Members of the community were invited to comment on proposed Bylaw No. 122 and the following questions and comments were raised: (Note: “Q” represents questions/comments from members of the public; “A” are answers from the trustees or Islands Trust staff).

Q: Why was there a change to the Trust’s mandate to “preserve and protect” when this was initiated?

A: There were no changes to the mandate to preserve and protect respective to house sizes and setbacks; the only change to the mandate that occurred is the inclusion of First Nations as bodies with which consultation is obligatory.

Q: Who will be the decision-makers when the proposed bylaws come into effect given the various levels of leadership among First Nations?

A: The Islands Trust is working extensively with all levels of First Nations, including tribal councils, elders and locally elected and hereditary chiefs. The Trust is committed to the Reconciliation Action Plan, has reached out to all levels of First Nations engagement of which it is aware, and is working collaboratively with those that have responded. When a referral is done to a First Nation, Staff sends referrals to referral contacts provided by First Nations who then give the referral document to decision-makers.

Q: When substantial bylaw changes are proposed, is there a requirement to notify property owners that will be affected?

A: There is no requirement to notify specific property owners, but there would be advertisement.

Q: Given the climate emergency, what are the natural consequences of not adopting proposed Bylaw 122?

A: Anything we can do to mitigate and adapt to climate change needs to be done; if we do nothing, then nothing changes. Proposed Bylaws 122 and 123 are aligned with the goals of the Official Community Plan (OCP) as they uphold community values and work towards addressing climate change concerns.

Q: Is there an alternative to unilaterally restricting house sizes across the board since having to request a variance for a house size that allows multi-generational families to live together does not encourage families to live on the island.

A: The application process for DVPs is not entirely onerous and accommodations can be made for inter-generational living. The average house size on South

Pender Island is far less than the proposed figures, which would only directly impact a total of 11 properties.

Q: Since the Islands Trust already provides similar guidelines why do they need to also be attached to the OCP?

A: Design guidelines are not embedded within the land use bylaw, but would be in the OCP to be used as a reference for someone applying for a variance related to their property; the design guidelines would provide concrete reference for someone to look to when making a decision.

Q: If a property owner who wants to build a house that exceeds the square footage limited by the bylaw is awarded a variance and the house subsequently burns down, is the owner restricted to rebuilding a house that is limited to the bylaw or does the variance still apply?

A: The owners would be permitted to replace the house that burned down including any variance that was granted; a DVP applies to the land and the variance makes the larger house size legal.

Q: Why are these restrictions on house sizes being proposed when existing restrictions have worked well?

A: The proposed maximum house size was determined by a comprehensive review of data from BC Housing that shows 11 houses on South Pender Island are over 3,500 square feet. The proposal aims to ensure the current status is not undermined by newcomers that try to build houses that are much larger than the predominant form.

Q: The floor area of all buildings is the same across zones though agricultural land is different because more buildings are required (e.g. shelter for livestock and covered structures to house bulky products like hay).

A: The Agricultural Land Commission permits dwelling units to 500m² and the LTC decided to further restrict total floor area and maximum floor size to all buildings. Staff will follow up to address related technical questions.

3.2 Community Information Meeting – To discuss the Minor Official Community Plan Amendments Project – Proposed Bylaw No. 123.

Members of the community were invited to comment on proposed Bylaw No. 123 and the following questions and comments were raised: (Note: “Q” represents questions/comments from members of the public; “A” are answers from the trustees or Islands Trust staff).

Q: The provisions in proposed Bylaw No. 123 that relate to First Nations reconciliation set a very important tone; the demands on First Nations are considerable and they have to prioritize what they respond to and how they engage their elders.

A: The Islands Trust continues to work as best it can with all levels of First Nations governance and individuals.

Q: Proposing the changes in order to avoid gentrification is a prejudice against people who have the means to build something more.

A: Gentrification is not prejudicial or discriminatory, but something that occurs in smaller communities and, in this context, it is a recognition of what is taking place. People that have been long-term residents are forced out of their homes because of rising costs from people coming in with significantly more money.

Q: How does the floor area in the proposed bylaws relate to carports or garages that have partially enclosed walls?

A: To calculate the floor area is to calculate to the external walls of a building; if a carport area had four walls and was enclosed, it would be included in the floor area calculation.

Q: Would the exemption clause that relates to rebuilding a dwelling that is destroyed include attachments like decks? Could the dwelling be reconstructed in the same siting with respect to setbacks from the sea?

A: Decks would be permitted to be rebuilt. There is a clause that relates to siting, but it does not include replacement for the setback to the natural boundary of the sea; the LTC is aware of this and the matter will be included in the staff report for discussion at the June 24 meeting.

Q: Why is a building's footprint not being considered in the proposed bylaw? The impact the proposed bylaw might have on lot values ought to be considered.

A: From an environmental perspective, it is better to build two levels than build one within a defined square footage; however, depending on the topography of the property, a house that rises two levels may be more impactful to adjacent houses. It is difficult to have a 'one-size fits all' solution.

Planner Stockdill noted information about the proposed bylaws may be found online at <https://islandstrust.bc.ca/island-planning/south-pender/projects/> and that written submissions may be emailed to vicphsub@islandstrust.bc.ca or southinfo@islandstrust.bc.ca up until the conclusion of the Public Hearing.

4. ADJOURNMENT

By general consent the meeting was adjourned at 12:03 pm.

Peter Luckham, Chair

Certified Correct:

Carly Bilney, Recorder



South Pender Island Local Trust Committee

Minutes of Special Meeting

Date: August 12, 2022
Location: Electronic Meeting

Members Present: Peter Luckham, Chair
Steve Wright, Trustee
Cameron Thorn, Trustee

Staff Present: Kim Stockdill, Island Planner
Robin Ellchuk, Recorder

1. CALL TO ORDER

Chair Luckham called the meeting to order at 8:35am. 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. MINUTES

3.1 Local Trust Committee Minutes Dated July 23, 2022

By general consent the minutes were adopted as presented.

3.2 Local Trust Committee Public Hearing Record for Bylaw No. 122 Dated July 23, 2022 (for Information)

The minutes were received.

3.3 Local Trust Committee Public Hearing Record for Bylaw No. 123 Dated July 23, 2022 (for Information)

The minutes were received.

4. BUSINESS ITEMS

4.1 Land Use Bylaw Amendments Project – Staff Report (Proposed bylaw no. 122)

Planner Stockdill summarized the Land Use Bylaw (LUB) Amendments Review Project. This bylaw is post public hearing and the LTC cannot make any amendments regarding density and use.

Trustee Thorn gave remarks on the reasoning for the proposed bylaws and addressed concerns that arose.

Trustee Wright commented on the reasons for support for both Bylaw Nos. 122 and No 123 and addressed the communities concerns.

Trustee Thorn addressed concerns regarding required documentation from property owners; a schedule added to the LUB and a time period of possibly 12 months to submit a site.

Discussion regarding the submission of a certification of floor area.

SP-2022-038

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended by adding the following to the clause regarding maximum floor area and setback regulations:

“and for this purpose the Local Trust Committee may require an owner to submit a certification from an appropriately qualified person as to the floor area of the dwelling at the time of the adoption of this bylaw.”

CARRIED

SP-2022-039

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended by adding a clause to the Agriculture, Forestry, and Natural Resource zones to allow for a replacement dwelling that would not exceed the floor area at the time of bylaw adoption.

CARRIED

Discussion regarding the definition of floor area continued.

SP-2022-040

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended by adding the following to the definition of “floor area”: “exclusive of a storey that is not fully enclosed by a floor, ceiling, and four walls or glass.”

CARRIED

Discussion regarding definition of basement floor area.

SP-2022-041

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended by adding a definition for ‘basement floor area.

CARRIED

SP-2022-042

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended by adding a definition for ‘basement floor area’ that means any portion of a storey in a dwelling with a lower floor that is located 1.5 metres or more below natural grade.”

CARRIED

Discussion regarding maximum floor area.

SP-2022-043

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended by amending maximum floor area for dwellings in Sections 2.8, 2.16, 2.21, and 2.23 for as follows:

- i. Lots less than 0.4 ha (1 acre) to 232 m² (2500 ft²),
- ii. Lots with an area of 0.4 ha (1 acre) to less than 0.8 ha (2 acres) to 279 m² (3000 ft²),
- iii. Lots with an area of 0.8 ha (2 acres) to less than 1.6 ha (4 acres) to 325 m² (3500ft²),
- iv. Lots with an area of 1.6 ha (4 acres) to less than 4 ha (10 acres) to 348 m² (3750 ft²), and,
- v. Lots greater than 4 ha (10 acres) to 372 m² (4000 ft²).

CARRIED

Trustee Wright opposed

Discussion continued regarding the community input and good public policy and trying to find a common ground after listening to the community members concerns about maximum dwelling size in the proposed bylaw.

SP-2022-044

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended by adding a clause to the setback from the natural boundary of the sea to allow the reconstruction of a dwelling and/or accessory building within the same location as long as the dwelling and/or accessory building is not closer to the natural boundary of the sea.

CARRIED

SP-2022-045

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be adding the following new Section:

Despite Subsection 3.3.3, on a lot that contains a legal dwelling, cottage, or accessory building constructed prior to the adoption of this bylaw, a replacement dwelling, cottage, or accessory building may be constructed, or the existing dwelling, cottage, or accessory building re-constructed or altered, provided the distance from the natural boundary of the sea to the replacement, re-constructed or altered dwelling, cottage, or accessory building is not less than the distance from the natural boundary of the sea to the dwelling, cottage, or accessory building on the lot at the time of the adoption of this bylaw and for this purpose the Local Trust Committee may require an owner to submit a certification from an appropriately qualified person as to the siting of the dwelling, cottage, or accessory building at the time of the adoption of this bylaw.

CARRIED

SP-2022-046

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended by adding the following new Section:

“By adding the words “and at no point may a dwelling exceed 9.2 metres (30 feet) in height” at the end of Subsection 3.4.1 so it reads: “A dwelling or cottage shall not exceed 9.2 metres (30 feet) in height and at no point may a dwelling or cottage exceed 9.2 metres (30 feet) in height.”.

CARRIED

SP-2022-047

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be amended to increase the maximum floor area of a cottage in the Agriculture zone to 90 m².

CARRIED

Discussion regarding new bylaw regulations affecting current BP applications.

SP-2022-48

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” as amended be read a second time.

CARRIED

1 opposed

SP-2022-49

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be read a third time.

CARRIED

1 opposed

SP-2022-50

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

4.2 Minor Official Community Plan Amendments Project – Staff Report (Proposed bylaw no. 123)

Planner Stockdill summarized proposed Bylaw No. 123. Proposed Bylaw No. 123 includes a First Nations acknowledgment statement and the building design and siting guidelines.

SP-2022-051

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 123, cited as “South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2021” be read a second time.

CARRIED

SP-2022-052

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 123, cited as “South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2021” be read a third time.

CARRIED

SP-2022-053

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 123 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

SP-2022-054

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 123 be forwarded to the Minister of Municipal Affairs for approval.

CARRIED

SP-2022-055

It was Moved and Seconded,

that the South Pender Island Local Trust Committee place draft Bylaw No. 126 on the next South Pender Island Local Trust Committee meeting on September 9 agenda.

CARRIED

5. ADJOURNMENT

By general consent the meeting was adjourned at 11:15 am.

Peter Luckham, Chair

Certified Correct:

Robin Ellchuk, Recorder



Islands Trust

Print Date: October 13, 2022

Resolutions Without Meetings Log

South Pender Island

Resolution Number	Action	Date
2022-005 That South Pender Island Local Trust Committee Bylaw No. 122, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021, be adopted.	Carried	15-Sep-2022
2022-004 That the South Pender Island Local Trust Committee cancel the regular meeting on September 9, 2022	Carried	01-Sep-2022

Follow Up Action Report

South Pender Island

04-Mar-2022

Activity	Responsibility	Dates	Status
1 14.3 Shoreline Review Project - bring to LTC when staff resources allow	Robert Kojima	Target: 01-Sep-2022	In Progress

12-Aug-2022

Activity	Responsibility	Dates	Status
1 LUB Amendments Project - Bylaw No. 122	Jas Chonk	Target: 26-Aug-2022	Completed
1. Make amendments to proposed Bylaw No. 122	Kim Stockdill		
2. LTC gave 2nd and 3rd reading to Bylaw No. 122	Robin Ellchuk		
3. Bylaw No. 122 to be sent to EC for approval.			
2 Minor OCP Amendments Project - Bylaw No. 123	Jas Chonk	Target: 26-Aug-2022	Completed
1. LTC gave 2nd & 3rd reading to proposed Bylaw No. 123. (DONE)	Kim Stockdill		
2. Bylaw No. 123 to be sent to EC for approval. (DONE)	Robin Ellchuk		
3. Bylaw No. 123 to be sent to Minister for approval. (DONE)			

15-Sep-2022

Activity	Responsibility	Dates	Status
1 Bylaw No. 122 adopted by RWM on September 15, 2022. Staff to update bylaw with adoption date and consolidate Bylaw No. 122 into Bylaw No. 114.	Jas Chonk	Target: 14-Oct-2022	Completed



Islands Trust

BYLAW REFERRAL FORM

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

Island: North Pender Island Local Trust Area Bylaw No.: 223 Date: July 22, 2022

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

N/A

PURPOSE OF BYLAW:

The project was identified by the North Pender Local Trust Committee (LTC) in late 2019 and the project charter was endorsed in January 2020. The objective of the project is to implement Official Community Plan (OCP) policies through amendments to the North Pender Land Use Bylaw (LUB). Bylaw No. 223 will amend the North Pender OCP in order to enable new regulations in proposed LUB Amendment Bylaw No. 229.

Additional project background, including staff reports, discussion papers, community engagement, are available for the LUB Review project webpage: <https://islandstrust.bc.ca/island-planning/north-pender/projects/>

GENERAL LOCATION:

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/north-pender/projects/> under the heading "Land Use Bylaw Review"

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


(Signature)

Name: Kim Stockdill

Title: Island Planner

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

PLEASE TURN OVER 

This referral has been sent to the following agencies:

Federal Agencies

n/a

Regional Agencies

Capital Regional District – Building Inspection

Provincial Agencies

Ministry of Municipal Affairs & Housing
BC Assessment Authority
Ministry of Land, Water and Resource Stewardship – Crown Lease Branch

Adjacent Local Trust Committees and Municipalities

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

Non-Agency Referrals

Islands Trust – Bylaw Enforcement
Pender Islands Parks & Recreation Commission

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Snuneymuxw First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

223

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 223

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

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

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	26 TH	DAY OF	MAY	2022.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223**

SCHEDULE 1

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

1. By adding the following new policy to Section 2.1 Residential Land Uses:
 - “2.1I If the Local Trust Committee considers Development Variance Permit applications to vary the maximum floor area of residential dwellings, the following should be incorporated into the building proposal where feasible:
 - a) The design and construction of a dwelling should incorporate energy efficient features.
 - b) Installation of a freshwater collection and storage system with a minimum cistern storage capacity of 18,000 litres.
 - c) Buildings and other structures should utilize existing topography and vegetation to be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.
 - d) Limit site coverage of impermeable surfaces.
 - e) New buildings should be sited in a manner that results in minimal disturbance to existing vegetation and unnecessary removal of trees should be avoided.
 - f) Avoid locating development in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.
 - g) Maximize undisturbed areas and consider measures for protect sensitive ecosystems.
 - h) Use of drought resistant and native plants in landscaping should be encouraged. The planting or introduction of non-native plants should be avoided.”

2. By deleting Rural Residential Policy 2.1.1.1 and replacing it with:

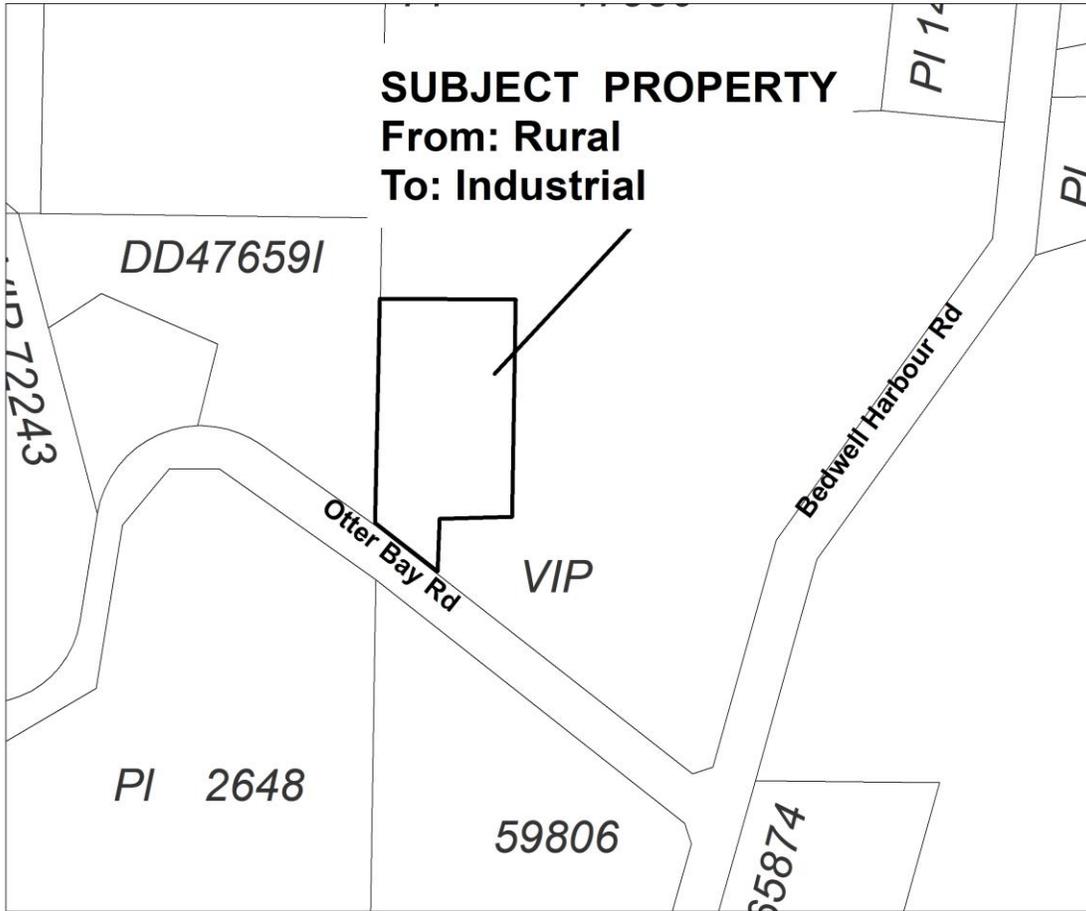
“2.1.1.1The principal use shall be residential. Agriculture is also a principal use on those Rural Residential lots not connected to a water system with the exception of those lots connected to the Razor Point Water System. Accessory uses shall not detract from the rural character of the island.”

3. By adding the following new polices to Section 2.3 Community Service Land Uses:
 - “2.3.31 The Local Trust Committee will encourage multi-family rental dwellings that are limited to residential rental tenure.
 - 2.3.32 Zoning should regulate the density, size and siting of multi-family rental dwelling units in order to maintain rural character.
 - 2.3.33 Developments shall be encouraged to incorporate water conservation measures and energy efficient building design elements.
 - 2.3.34 Applications for rezoning to a higher density to permit multi-family dwelling units may only be supported by the Local Trust Committee if there is adequate quality and quantity of freshwater.
 - 2.3.35 Multi-family rental dwellings should be located in close proximity and accessible to existing roads, transportation and services.”

4. By adding the following new policy to Section 4.2 Coastal Area Policies:
“4.2.11 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:
 - a) the proposal demonstrating minimal impacts on the marine environment, including eelgrass, bull kelp, forage fish, or other important habitat;
 - b) the proposal demonstrating minimal impacts on upland sensitive ecosystems or habitat;
 - c) the proposal demonstrating no impacts on archaeological or cultural sites or resources;
 - d) structures being appropriately sited and of a scale to minimize visual impacts;
 - e) structures incorporating current best practices for dock construction;
 - f) consideration being given to providing for shared or common moorage; and
 - g) consideration being given to the cumulative impacts of private moorage.”
5. Schedule “B” – LAND USE MAP is amended as shown on Plan Nos. 1, 2, 3, 4, 5, and 6 attached to and forming part of this bylaw.

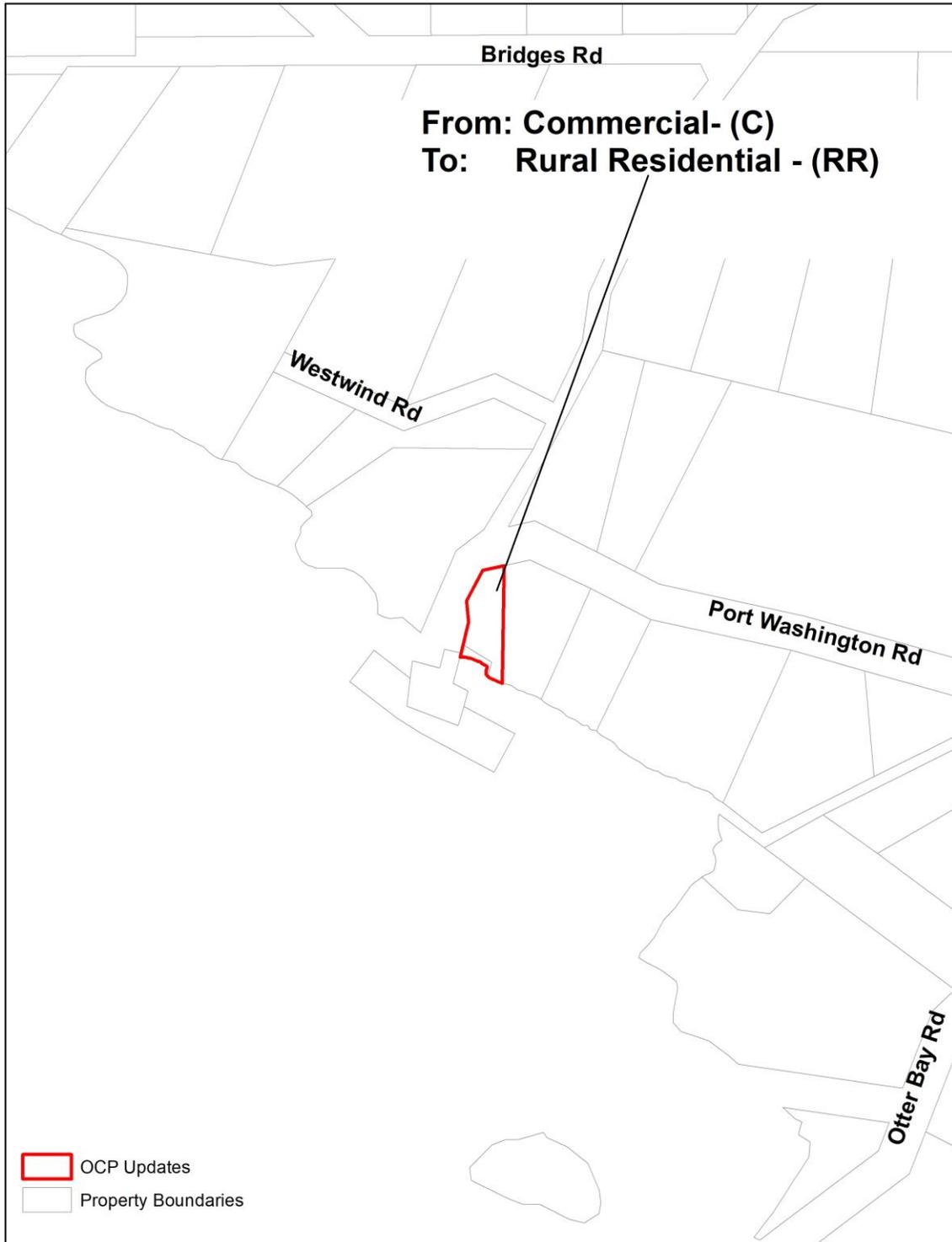
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 1



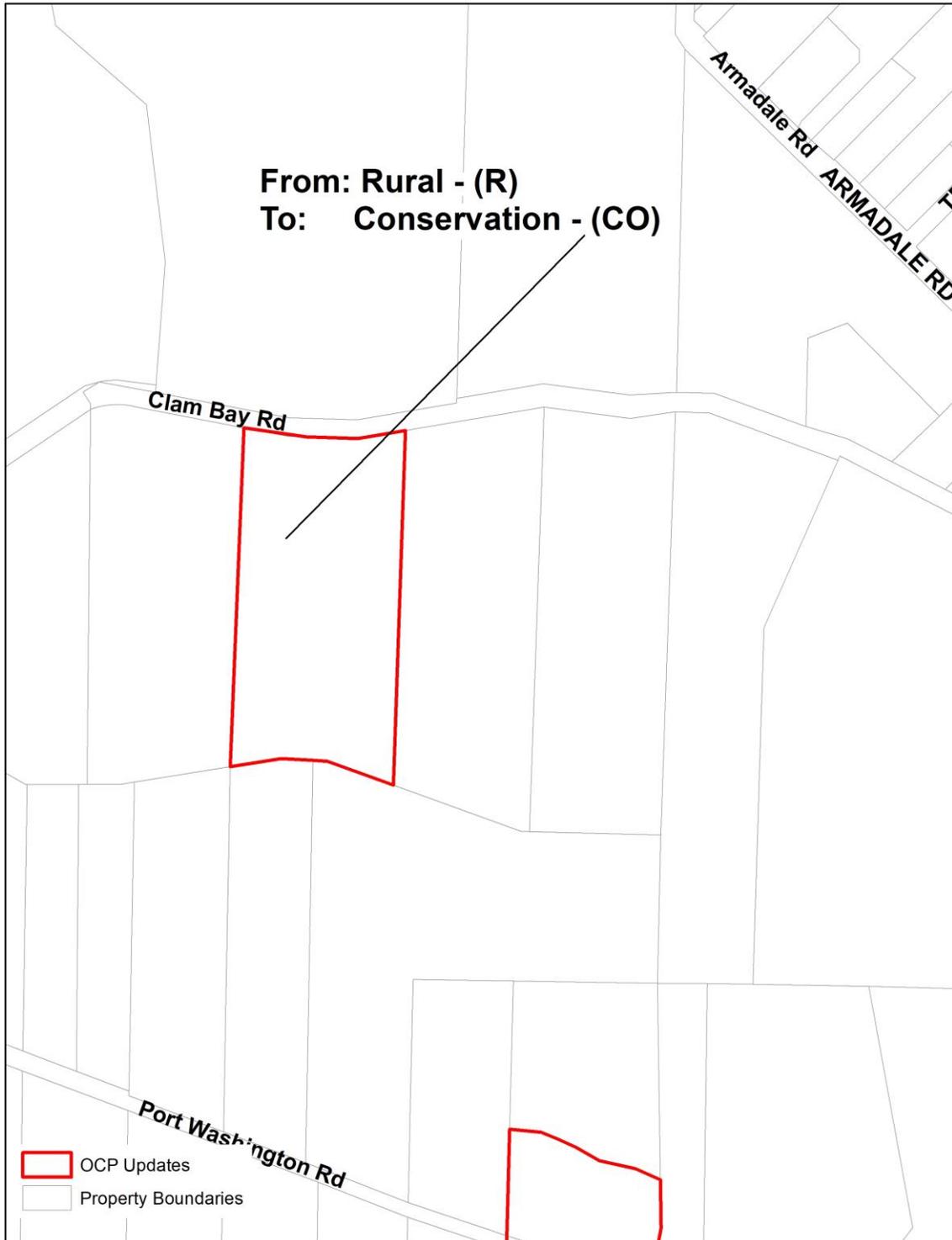
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 2



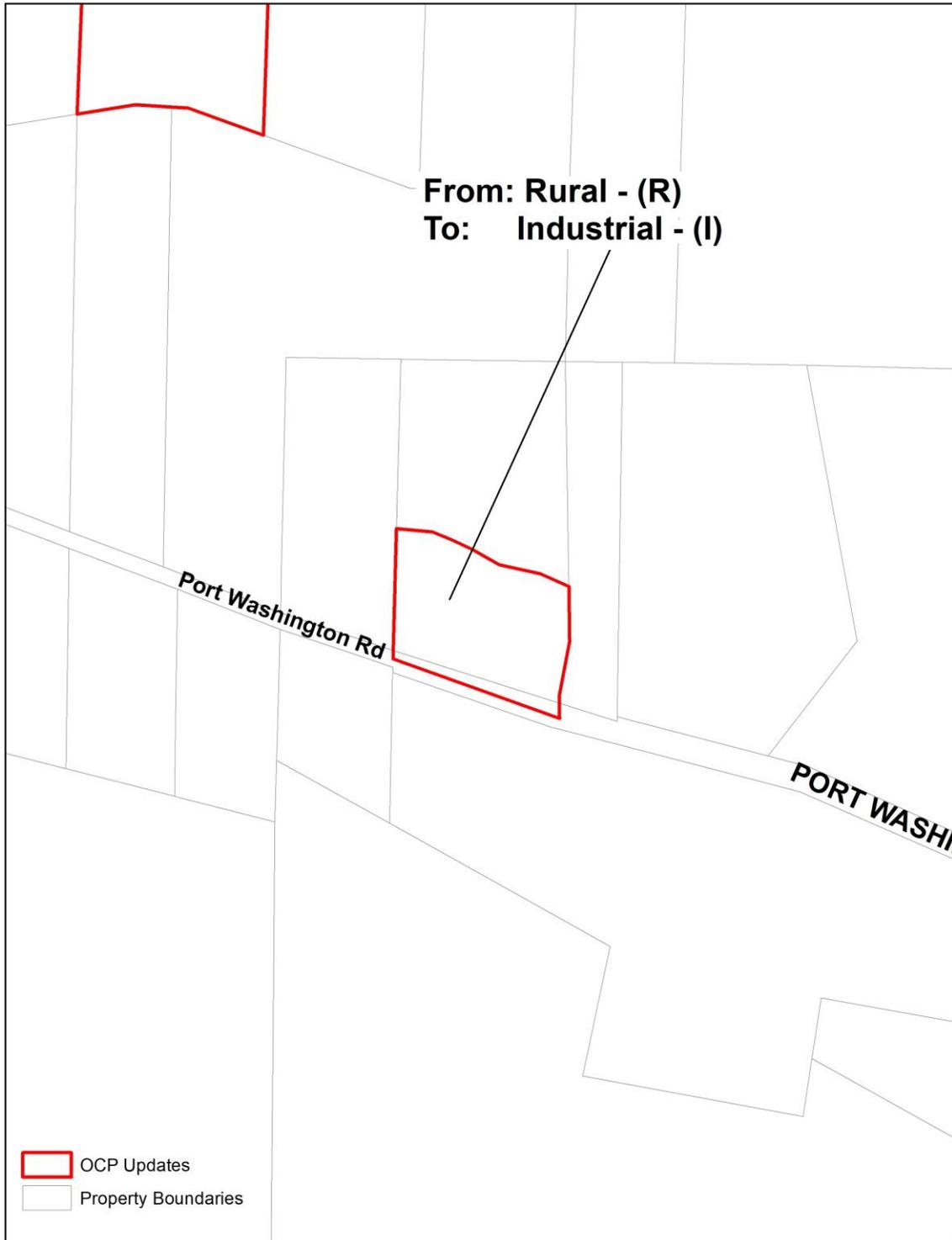
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 3



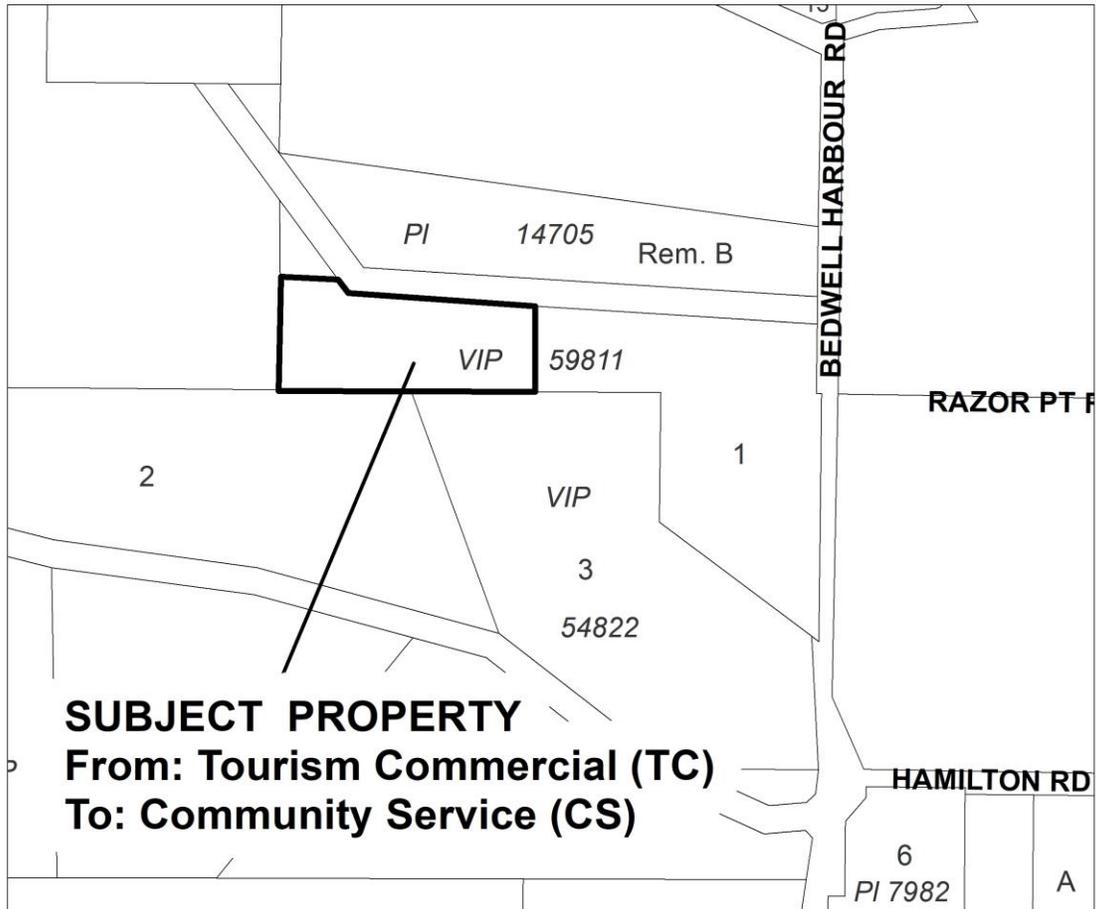
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 4



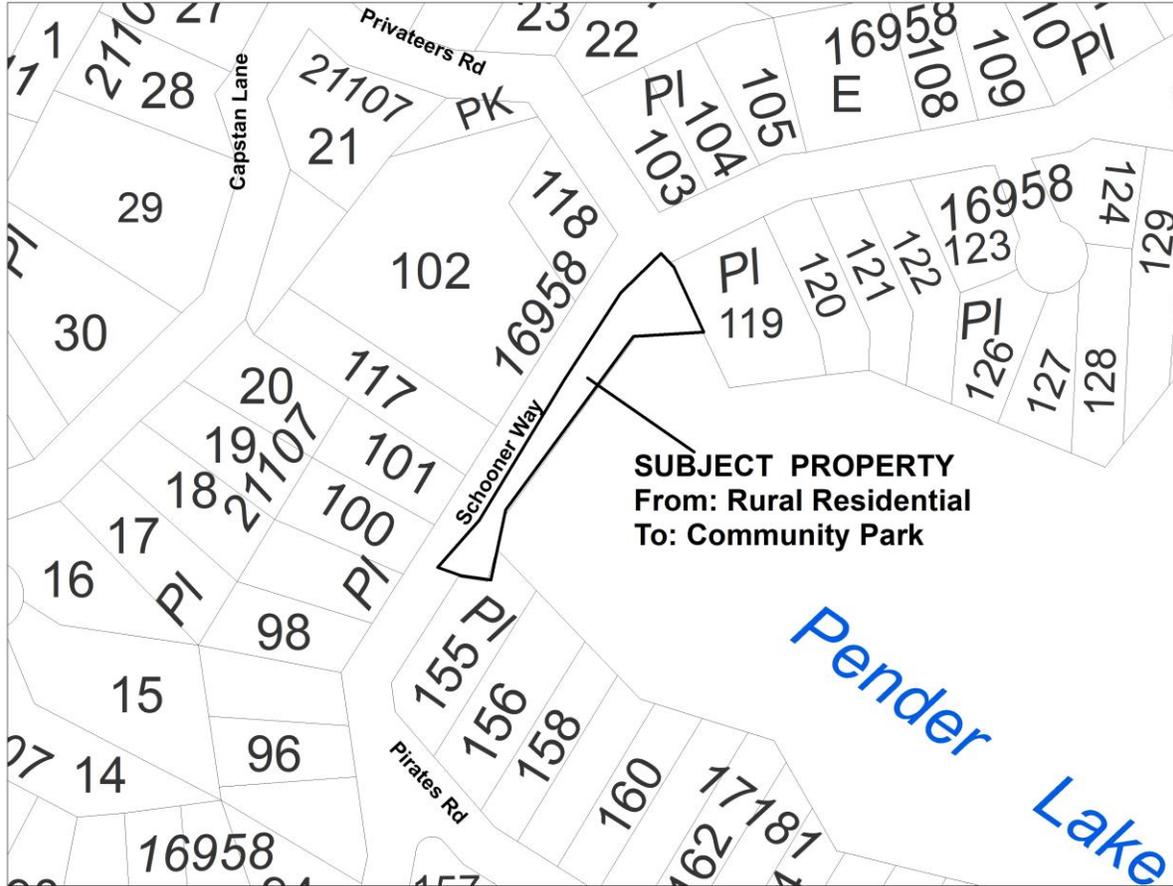
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 5



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 6





Islands Trust

BYLAW REFERRAL FORM

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

Island: North Pender Island Local Trust Area Bylaw No.: 224 Date: July 22, 2022

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

N/A

PURPOSE OF BYLAW:

The project was identified by the North Pender Local Trust Committee (LTC) in late 2019 and the project charter was endorsed in January 2020. The objective of the project is to implement Official Community Plan (OCP) policies through amendments to the North Pender Land Use Bylaw (LUB). The project encompasses the following topic areas: residential floor area review, tourist Commercial regulation review, marine shoreline regulations review, agricultural regulations amendments, industrial regulation review, and minor and technical amendments. As a result, proposed Bylaw No. 224 will replace the existing LUB Bylaw No. 103.

Additional project background, including staff reports, discussion papers, community engagement, are available for the LUB Review project webpage: <https://islandstrust.bc.ca/island-planning/north-pender/projects/>

GENERAL LOCATION:

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/north-pender/projects/> under the heading "Land Use Bylaw Review"

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

Kim Stockdill
(Signature)

Name: Kim Stockdill

Title: Island Planner

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

PLEASE TURN OVER

This referral has been sent to the following agencies:

Federal Agencies

n/a

Provincial Agencies

Ministry of Municipal Affairs & Housing
BC Assessment Authority
Agricultural Land Commission
Ministry of Agriculture
Ministry of Land, Water and Resource Stewardship – Crown Lease Branch
Ministry of Transportation & Infrastructure

Non-Agency Referrals

Islands Trust – Bylaw Enforcement
Magic Lake Property Owners Society
Razor Point Improvement District
Trincomali Water Improvement District
Pender Islands Parks & Recreation Commission

Regional Agencies

Capital Regional District – Building Inspection
Capital Regional District – Magic Lake Water & Sewer Committee
Pender Island Fire Rescue

Adjacent Local Trust Committees and Municipalities

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

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Snuneymuxw First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

(Signature)

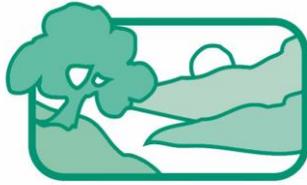
(Date)

224

(Bylaw Number)

(Name and Title)

(Agency)



Islands Trust

PROPOSED

**NORTH PENDER ISLAND
LAND USE BYLAW No. 224, 2022**

Consolidation as of: _____, 202__

Note: Items in italics are explanatory notes to the template and are not intended to form part of any LUB

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
LAND USE BYLAW No. 224, 2022**

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 North Pender Island Local Trust Area.

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

AND WHEREAS the North Pender Island Local Trust Committee wishes to adopt a Land Use bylaw and other development regulations and to show by map the boundaries of the zones;

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

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

1. This Bylaw may be cited for all purposes as the “North Pender Island Land Use Bylaw No. 224, 202_.”
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 North 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)
 - (4) Schedule D (Detailed Plans – R(b) Siting Plan)
 - (5) Schedule E (Detailed Plans – W3(a) Sewall Plan)
 - (6) Schedule F (Comprehensive Development Zones – Plan CD1(a))
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. 103 cited “North Pender Island Land Use Bylaw 103, 1996” and all of its amendments are repealed.

READ A FIRST TIME this 26th day of May , 2022.
PUBLIC HEARING HELD this day of , 202_.
READ A SECOND TIME this day of , 202_.
READ A THIRD TIME this day of , 202_.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this day of , 202_
ADOPTED this day of , 202_

SECRETARY

CHAIRPERSON

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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" in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot or, if the accessory use, building or structure is located on the common property in a bare land strata plan, on a strata lot in that strata plan.

"agri-tourism" means an activity referred to in Section 12 of the Agricultural Land Reserve Use Regulation.

"agri-tourist accommodation" means a use accessory to a working farm operation for the purpose of accommodating commercial guests within specific structures on specific portions of a parcel of land.

"agriculture" means the use of land, buildings or structures for a farm operation.

"animal enclosure" means a pen or fenced area used for non-grazing in which animals are confined.

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

"aquifer" means a geological formation, a group of geological formations, or a part of one or more geological formations, that is capable of storing, transmitting and yielding groundwater.

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

"buffer area" means an area of a campground in which no camping space, service building, parking area, recreational vehicle sewage disposal station, or recreation area other than a waterfront recreation area is located.

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

"cafe" means a restaurant in which the service of alcoholic beverages is not provided.

"camp facility" means lands, buildings, and structures used periodically for eating, sleeping, recreation and education activities serving the needs of organizations or large groups and not intended for commercial guest accommodation or use by the travelling public.

"campground" means premises developed for the provision of commercial accommodation to campers in recreational vehicles and tents, for a maximum period of 21 consecutive days at any one camping space and 3 months in any calendar year in any one campground.

"camping space" means an area of a campground developed or laid out for the accommodation of a recreational vehicle or a maximum of two tents.

"community water system" means a system of waterworks that serves more than one lot and is owned, operated and maintained by an improvement district, Regional District, water utility, society, or water supplier.

"contractor's yard" means the use of land, buildings, or structures for the storage of materials, equipment, and vehicles for a building, construction, landscaping business, or other trades.

"construction trailer" means a non-residential building which is manufactured and pre-assembled, which is designed to be moved from one place to another and which is designed not to be supported on a permanent foundation.

"cottage" means a dwelling with a limited floor area that is located on the same parcel as another dwelling.

"dock" means a structure or set of structures, accessory to an abutting upland lot, and may consist of a ramp, walkway, and float, constructed on or over the water that is connected to the shore, and that is used for the purpose of mooring private boats and for providing pedestrian access to and from the moored boats.

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

"Engineer" means a member of the Association of Professional Engineers and Geoscientists of British Columbia.

"employee housing" means the use of a dwelling, either in a separate building or within a portion of a building, for occupation solely by an employee of a principal use on the same lot or premises, or by an individual related by blood, adoption, common-law marriage, foster parenthood to such an employee, or cohabiting with such an employee in a spousal relationship.

"Farm operation" means a farm use as defined under the *Agricultural Land Commission Act*.

"Farm Status" means land classified as a farm pursuant to the *(BC) Assessment Act*.

"farm retail sales" means the retail sale of tangible farm products grown or raised on a farm or association to which the owner of the farm belongs.

"ferry terminal" means the use of land or water for marine ferry operations, including slips and marine structures, the embarkation/disembarkation of passengers and vehicles, terminal buildings, storage, vehicular queuing areas approaching the ferry slips, accessory vehicle storage, and accessory commercial services.

"float" means a floating non-roofed structure that is used as a landing or moorage place for marine transport or for recreational purposes and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea bed.

"floor area" means the total area of all storeys of a building measured to the interior surface of the exterior walls, exclusive of any floor area occupied by any cistern used for the collection of rainwater for domestic use or fire protection, and for this purpose, all areas of a building having a floor and a ceiling of at least 1.5 metres apart constitute a storey.

"floor area ratio" means the figure obtained by dividing the total floor area of all buildings and structures on a lot by the total lot 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.

"Groundwater" means water naturally occurring below the surface of the ground.

"Guidelines for Canadian Drinking Water Quality" means the current edition of the publication of that name published by Health Canada.

"hazardous waste" means any chemical compound, mixture, substance or article which is defined as a hazardous waste in the *Hazardous Waste Regulation* enacted under the *Environmental Management Act*.

"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 elevations at the midpoints of all the exterior walls. In the case of buildings and structures on the surface of water, average natural grade shall be the natural boundary for a building or structure fixed to the bed of the water and the watermark of any floating building or structure. In the case of a fence, height means the vertical distance between the top of the fence and the grade at any point along the fence.

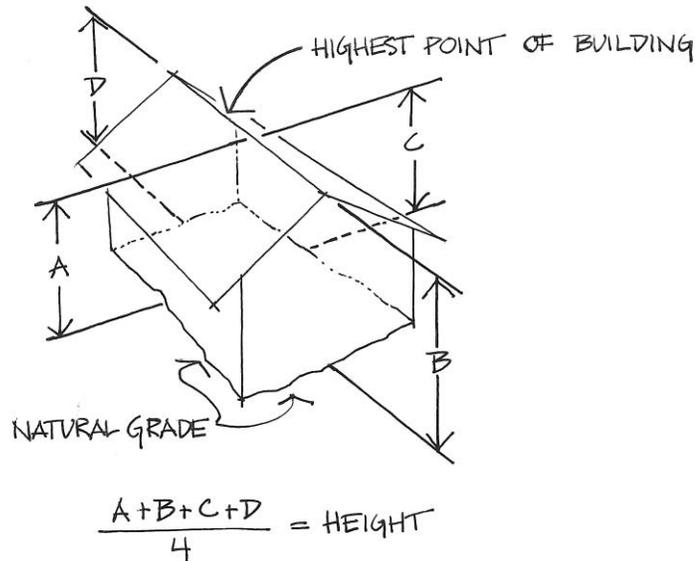


Figure 1-1 Illustration of calculation of height

"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 an accessory commercial use conducted on a residential lot and includes: short term vacation rentals, bed and breakfast and any profession, trade, business, artistic endeavour, where such activities are clearly accessory to a principal residential use.

"horticulture" means the use of land for the rearing of plants.

"Hydrogeologist" means an engineer or geoscientist with competency in the field of hydrogeology, regulated under the *Professional Governance Act*, Engineers and Geoscientists Regulation.

"impermeable material" means buildings, structures, asphalt, concrete, brick, stone, and wood, grouted pavers and other surfaces that prevent water from penetrating into the ground beneath. Impermeable material does not include gravel, wood chips, bark mulch, soil pavement, wood decking with spaced boards, and other materials which have permeable characteristics when in place and are not placed on a layer of material that is impenetrable by water such as plastic sheeting.

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

"landscape strip" means natural vegetation, trees, shrubs, fencing, or a combination of those elements, broken only by necessary access ways for pedestrians and vehicles and serving to protect the natural environment and prevent hazardous conditions.

"livestock" means grazing animals kept either in open fields or structures for training, boarding, home use, sales, or breeding and production, including but not limited to: cattle, horses, goats, sheep, hogs, llamas, and alpacas.

"Local Trust Committee (LTC)" means the North 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, and for this purpose the area of a lot that is covered by a building or structure is measured to the drip line of the roof and "structures" includes impermeable material.

"lot line" means the boundary of a lot as shown on a plan of survey registered with the BC Land Titles Office, or the boundary of a lot as otherwise described under the *Land Title Act*; and

"front lot line" means the lot line that is common to the lot and an abutting highway or access route in a bare land strata plan, and where there are two or more such lot lines the shortest (other than corner cuts) 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 or more sides, and where the rear portion of a lot is bounded by intersecting side lot lines the point of intersection is deemed the rear lot line;

"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.

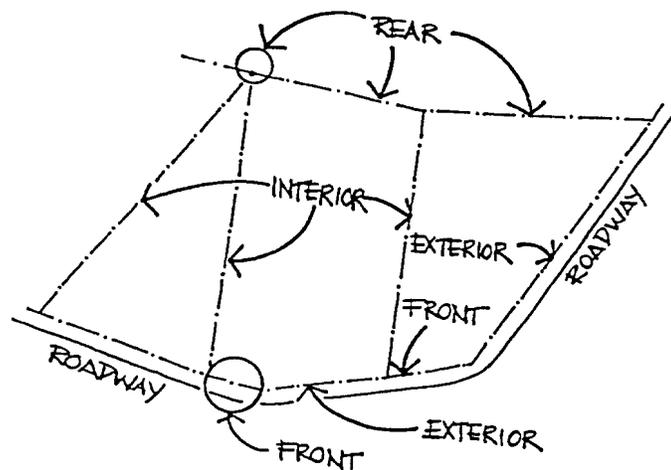


Figure 1-2 Illustration of lot lines

"manufacturing" means an industrial use involving the fabrication or assembly of articles or materials into new products.

"marina" means the use of a water area for the temporary storage of boats and includes the installation of docks, floats, wharves, ramps and walkways, breakwater, marine sewage pump-out stations and the provision of wharfage services to the boating public.

"marine geothermal loop" means a renewable geexchange system (geothermal heat exchange) utilizing the natural occurring temperature of the ocean for the purpose of heating and cooling that:

- a. is a closed-loop system using only freshwater as the circulating heat transfer fluid,
- b. meets or exceeds the Canadian CSA design standards CAN/CSA-448-02, as amended from time to time, and
- c. is designed and installed by a Registered System Designer accredited by the Canadian Geexchange Coalition, or the International Ground Source Heat Pump Association."

Information Note: *Installation of marine geothermal loops are also required to obtain the necessary permits or approvals from provincial and federal agencies.*

"mobile home" means a dwelling suitable for year-round occupancy, designed, constructed or manufactured to be moved from one place to another by being towed or carried and meets a minimum CSA-Z240 standard.

"moorage" means the tying or securing of a vessel to a fixed structure or mooring buoy.

"multiple-family dwelling" means a building used as a residence for two or more households.

"multiple-family rental dwelling" means residential use of attached dwelling units that are limited to residential rental tenure.

"multiple-family rental dwelling unit" means the use of a portion of a multi-family rental dwelling by a single household and is limited to residential rental tenure.

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

"personal service" means a commercial use of a building in which services are provided to the body or the clothing of a person, but does not include laundromats and dry cleaners.

"personal watercraft" means a vessel typically 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.

"potable" means water provided by a domestic water system that meets the standards prescribed by regulation including Health Canada Guidelines for Canadian Drinking Water Quality, and is safe to drink and fit for domestic purposes without further treatment.

"principal" in relation to a use, building or structure means the main or primary use, building or structure, as the case may be, conducted or constructed on a lot.

"pump/utility shed" means an accessory building containing only equipment for pumping and processing of water or sewage, or electrical equipment and communication service equipment.

"pumping test" means a flow test to determine the long-term sustainable yield of a well, conducted under supervision of a hydrogeologist, and that is consistent with the British Columbia Guide to Conducting

Pumping Tests, Guidance for Technical Assessments in Support of an Application for Groundwater Use in British Columbia, other guidance documents which may be issued, applicable legislation, and consists of pumping groundwater from a well typically for 12 to 72 hours depending on *aquifer* characteristics.

"recreational vehicle" means a tent trailer, travel trailer, motor home or other self-propelled vehicle containing sleeping, cooking and sanitary facilities, but does not include a mobile home or manufactured home.

"recycling and reuse facility" means the use of land, *buildings* or *structures* for receiving, storing, sorting, compacting and transferring recyclable materials that originate from residential, commercial, institutional, demolition or construction sources, and includes public drop off.

"residential rental tenure" means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit.

"restaurant" means the use of a building for the serving of meals and alcoholic beverages, and with a food-primary license.

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

"roadway" means the travelled portion of a highway.

"school" means a public or private educational institution that does not include residential accommodation or dormitories.

"secondary suite" means an accessory, self-contained dwelling, located within the principal dwelling on a lot and having a lessor floor area than the principal dwelling.

"setback" means the horizontal distance that a building or structure must be sited from a specified lot line, building or feature.

"short-term vacation accommodation" means the use of a dwelling or cottage, or a portion of a dwelling or cottage, as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier. For this purpose, a dwelling or *cottage* used as *short term vacation rental* shall be considered an accessory *home business*.

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

"structure" means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, but excludes fences, septic fields, concrete and asphalt paving, or similar surfacing of the land.

"tourist accommodation" means the provision of temporary accommodation for travellers in the form of successive occupancy by different persons where the same person shall not occupy any unit for a time period exceeding 30 days in any calendar year.

"tourist accommodation unit" means a detached cabin, a room, or a suite of rooms providing tourist accommodation.

"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.

"utility" means broadcast transmission, electrical, telecommunications, sewer or water services and facilities established or licensed by a government, or government agency, excluding private radio or television antennae, and includes navigational aids.

"waste transfer facility" means the use of a site, *buildings* and *structures* for receiving, storing, compacting, sorting, and transferring solid waste that originates from residential, commercial, institutional, demolition or construction sources, and includes public drop off.

"wetland" means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions supports, vegetation typically adapted for life in saturated soil conditions, including marshes, swamps and bogs.

"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:	1.1(1)
Article:	1.1(1)(a)

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 North 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.
- (4) Any existing lot that is less than the minimum lot area specified in the applicable zone for the creation of new lots by subdivision may be used for any use permitted in that zone unless otherwise specified in this Bylaw.
- (5) No lot or area 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, 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.

2.5 Penalty

- (1) Any person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty as provided in the *Offence Act* and the costs of prosecution. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

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.

2.9 Repeal and Replacement

- (1) Where this bylaw refers to other acts or regulations which have been repealed, amended, revised or consolidated, the reference in this bylaw must be construed as being a reference to the substituted enactment relating to the same subject matter. If there are no provisions in the substituted enactments relating to the same subject matter, the former act or regulations are construed as remaining in effect.
- (2) Where this bylaw refers to other government departments, ministries or agencies which have had a change in title or name, the reference in this bylaw must be construed as being a reference to the substituted title(s) or name(s) of the government departments, ministries or agencies relating to the same subject matter.

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

Except where specifically prohibited, the following uses, building and structures are permitted in any zone except the Ecological (ECO) Zone:

- (1) *uses, buildings and structures*, which are *accessory* to a *principal* permitted use, building or structure on the same lot, including accessory horticulture;
- (2) parks other than playgrounds and playing fields, hiking and bicycling paths, horse riding trails and ecological reserves;
- (3) *Construction trailers* solely for construction purposes on a *lot* being developed, and for a period not to exceed the duration of such construction or for one year, whichever is less;
- (4) water supply facilities, including reservoirs, treatment plants, pumping stations and intake structures;
- (5) electricity and telephone lines for the distribution of service to North Pender Island or South Pender Island, and water and sewer service lines;
- (6) solar collectors in any land zone for the purposes of supplying power to the *lot* on which the *structure* is located;
- (7) wind generators in any land zone for the purposes of supplying power to the *lot* on which the *structure* is located;
- (8) the use of land under the *Private Managed Forest Land Act* for forest management activities related to timber production or harvesting;
- (9) where *agriculture* is permitted in any zone, *farm retail sales* is permitted if the *lot* has *Farm Status* or is located within the Agricultural Land Reserve, and the total indoor and outdoor floor area for the *farm retail sales* shall not exceed 300 m²; and,
- (10) despite Subsection 3.1(9), road-side produce stands not exceeding 10 m² in floor area and used for the selling of farm products that are grown or reared on the land upon which the stand is located.

3.2 Prohibited in All Zones

The following *uses, buildings and structures* are prohibited in every zone:

- (1) yacht clubs and *marinas* the use of which is restricted to members of a private club;
- (2) 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 Sewage Disposal Regulation or the *Waste Management Act*;
- (3) the disposal or storage of hazardous or toxic waste, other than the temporary storage of such waste in the Recycling Facility (RF) Zone and the General Industrial (GI) Zone, and for the

purposes of this exception "temporary" means that not more than 6 months' accumulation of such waste may be stored;

- (4) fur farming, except as permitted in the Agricultural Land Reserve by a person licensed under the Fur Farm Act;
- (5) the sale and rental of personal watercraft;
- (6) derelict or abandoned docks, floats, ramps or walkways;
- (7) airport and airstrip facilities and related accessory buildings and structures; and
- (8) heliports and helipad, other than for emergency evacuation use.

Information Note: All aeronautics uses are federally regulated under the Aeronautics Act.

3.3 Siting and Setback Regulations

- (1) No *building* or *structure*, other than those in Subsection 3.3(2), may be sited, nor fill placed to support a *building* or *structure*, within:
 - (a) 15 metres upland of the *natural boundary* of the sea;
 - (b) 1.5 metres from the *natural boundary* of the sea as measured on the vertical plane; and,
 - (c) 7.6 metres upland of the *natural boundary* of a lake, wetland or stream,and for the purpose of this subsection, fences and paved areas of asphalt, concrete or similar material are "*structures*".
- (2) The following *buildings* or *structures* are exempt from Subsection 3.3(1):
 - (a) Walkways, stairs or a ramp accessory to a permitted private *dock* in the Water 1 or Water 6 Zones with a width less than 1.2 metres and a length less than 3 metres;
 - (b) Anchor pads or abutments up to 1.5 metres in width for the purpose of securing a permitted private *dock* or wharf to the upland *lot*; and,
 - (c) *Pump/utility shed* with a floor area of 10 m² or less.
- (3) *Pump/utility sheds* with a floor area of 10 m² or less, and utility poles are exempt from the setback provisions specified in this Bylaw.
- (4) No sewage disposal field or septage pit used for agricultural, commercial or industrial purposes may be sited within 60 metres of the *natural boundary* of the sea, nor within 30 metres of the *natural boundary* of a lake, wetland, stream or domestic water source.
- (5) No mushroom barn, or animal enclosure used or intended to be used to confine more than 4500 kilograms of livestock, poultry or farmed game, may be sited within 30 metres of any *lot* line.
- (6) No permanent animal enclosure use may be sited within 7.6 metres of any *lot* line and no agricultural waste storage area may be sited within 15 metres of any *lot* line.
- (7) No commercial storage of petroleum, pesticide or other chemical is permitted within 30 metres of any domestic water source or well nor within 15 metres of the *natural boundary* of any lake,

wetland, stream or the sea, and no such substance may be stored on North Pender Island unless the storage area is bermed or otherwise equipped to contain a spill of the entire quantity of the substance stored.

- (8) No automobile repair, commercial boat repair, or commercial boat building *use* may be sited within 50 metres of the *natural boundary* of any lake, wetland, stream, or Ecological (ECO) Zone.
- (9) 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 *structure* in question.
- (10) Despite Subsection 3.3(9), chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, ornamental features, steps, eaves, sunlight control projections, canopies, balconies, or porches that project beyond the face of a *building*, the minimum distances to a *lot line* or a natural feature specified in this Bylaw may be reduced by not more than 0.6 metres, but such reduction applies only to the projecting feature.

3.4 Height Regulations

- (1) A *dwelling* or *cottage* must not exceed 9.7 metres in *height*.
- (2) *Agriculture buildings* and *structures* located in a *zone* where *Agriculture* is a *principal use* must not exceed:
 - (a) 10 metres in *height* and two storeys if located 30 metres or less from any *lot line*; or
 - (b) 15 metres in *height* and two storeys if located greater than 30 metres from any *lot line*.
- (3) An *accessory building* or *structure* may not exceed 4.6 metres in *height* and one storey, except for:
 - (a) a *cottage* which may not exceed 9.7 metres in *height* and two storeys;
 - (b) a *pump/utility shed*, which may not exceed 3 metres in *height*; or
 - (c) a *building* used for forestry purposes on land classified as managed forest land under the *Private Managed Forest Land Act*, which may not exceed 10 metres in *height* and two storeys.
- (4) The *height* regulations for *buildings* and *structures* specified elsewhere in this Bylaw do not apply to radio and television antennas for reception of signals by individual households, spires on a church or other religious *building*, chimneys, flag poles, lightning poles, fire and hose towers, *utility* poles, roof-mounted solar collectors, farm silos and grain bins, and water storage tanks in the Community Service (CS) Zone.

3.5 Accessory Uses, Buildings and Structures

- (1) A *building* or *structure* *accessory* to a *dwelling* may not be used for human habitation except as permitted by Subsection 3.5.3.
- (2) Unless a *building* or *structure* on a *lot* is attached to a *principal building* on the *lot* by a completely enclosed *structure* having walls, roof and 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*.

- (3) An *accessory building or structure* may be constructed or placed and occupied as a temporary *dwelling* prior to the construction of a *principal building or structure* on the same *lot* provided that a building permit has been issued for the *principal building or structure* and the water supply and sewage disposal facilities for the *principal building or structure* have been installed.
- (4) One *outbuilding* and one *pump/utility shed* 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 10 m²;
 - (b) a maximum of one *outbuilding* per *lot*; and
 - (c) the *height* not exceeding 4.6 metres.
- (5) On a *lot* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, and Rural Comprehensive 2, a maximum of one (1) accessory shipping container is permitted if the *lot* is greater than 0.4 hectares in area.
- (6) Shipping containers must be screened from neighbouring lots, roads, or the sea by use of landscape screening in compliance with Subsection 3.9.1.

3.6 Fence Regulations

- (1) Fences shall be permitted in any *zone* and shall not exceed 3 metres in *height* within the required setback area.

3.7 Home Business Regulations

- (1) *Home businesses* must be conducted entirely within a *dwelling, cottage* or permitted *accessory building* except that this restriction does not apply to the use of land for a pottery kiln or for outdoor activities associated with a kindergarten, nursery school, daycare or *horticulture*.
- (2) With the exception of *short term vacation rentals*, the combined *floor areas* of all *home businesses* on a *lot* must not exceed 65 m², except for a *lot* located within the Agricultural Land Reserve, in which case the combined *floor area* must not exceed 100 m².
- (3) Except for the *retail sale* of goods produced, processed or repaired as part of a *home business*, and *retail sale* of articles directly related to a *personal service* provided as a *home business*, the following activities are not permitted:
 - (a) retail or wholesale selling of any product or material; and
 - (b) the serving of food or drink products on the *lot* as part of a *home business* except for *bed and breakfast home business* in which case a morning meal may be served to paying guests.
- (4) Not more than four persons per *lot* may be employed in any *home business* in addition to any residents of the *lot* in which such business is carried on, and at least one of the employees of a *home business* must live on the *lot*. In the case of a *short term vacation rental*, the operator or another person responsible for the *short term vacation rental* must live in a permitted *dwelling or cottage* on the *lot*.

- (5) Except for one unilluminated nameplate not exceeding 0.6 m² in area in respect of each *home business*, no *sign* or other advertising matter may be exhibited or displayed on the lot where a *home business* is conducted, and no exterior artificial lighting may be installed or operated on the *lot* for a purpose associated with a *home business*.
- (6) No storage of materials, commodities or finished products is permitted in connection with the operation of a *home business*, other than within a permitted *building* in which case the total *floor area* used for such storage must not exceed 65 m².
- (7) In addition to the off-street parking spaces required for the *dwelling* as required by this Bylaw, in no event fewer than two such additional spaces must be provided for patrons of a *home business*, but no such additional spaces are required if the nature of the *home business* is such that patrons do not call at the lot.
- (8) The following additional regulations apply to *bed and breakfast home businesses*:
 - (a) not more than six (6) guests may be accommodated at any one time;
 - (b) not more than three (3) bedrooms may be used to accommodate guests;
 - (c) in addition to the two (2) parking spaces required for the dwelling, one additional parking space for each bedroom used for bed and breakfast accommodation must be provided, despite Subsection 3.7.7;
 - (d) no rental of equipment or material is permitted except to registered guests; and,
 - (e) a bed and breakfast home business must be conducted solely within a principal dwelling or cottage.
- (9) The operator of every *home business* must comply with all licensing, health and other applicable regulations of the Province of British Columbia and the Capital Regional District, including building, public health, noise, air quality, and water quality regulations.
- (10) No vehicle or equipment used by, or in the conduct of, a *home business* shall be stored in a required front yard setback or in a required side yard setback without being screened from view.
- (11) No more than one *dwelling* or one *cottage* may be used for a *short term vacation rental* on a *lot*.
- (12) A *home business use* must not generate any noise in the course of its operations that may be heard at any *lot line*.

3.8 Home Industry Regulations

- (1) The following uses and no others are permitted as home industries:
 - (a) boat building and repair;
 - (b) automobile repair;
 - (c) sawmilling, planning and manufacturing of wood products;
 - (d) *contractor yards* providing service within the North Pender, South Pender, Saturna, Mayne, Galiano and Salt Spring Island Local Trust Areas;

- (e) processing of raw materials of any kind harvested or extracted from within the North Pender, South Pender, Saturna, Mayne, Galiano or Salt Spring Island Local Trust Areas;
 - (f) design, fabrication and assembly of automated packaging machinery and equipment; and,
 - (g) welding, machining and fabrication.
- (2) Not more than one home industry may be conducted on a *lot*, the combined *floor areas* of all *buildings* and *structures* used in the home industry must not exceed 185 m², and areas used for outdoor storage in connection with the home industry must not exceed 930 m².
- (3) A home industry use:
- (a) is not permitted on any *lot* less than 2 hectares in area;
 - (b) must be sited not less than 50 metres from any *lot line* and not less than 30 metres from any lake, wetland, stream or the sea;
 - (c) must be screened from view by a *landscape screen* from abutting *lots* and from public lands and public road rights of way;
 - (d) may only be operated between the hours of 8 am to 8 pm, Monday through Friday;
 - (e) must not generate any noise in the course of its operations that may be heard at any *lot line*;
 - (f) no more than 5 vehicles used in the home industry may be stored on the *lot*; and,
 - (g) no vehicle or equipment used by, or in the conduct of, a home industry shall be stored in a required front yard setback or in a required side yard setback without being screened from view.
- (4) Not more than four persons per *lot* may be employed in any home industry in addition to any residents of the premises in which such business is carried on, and at least one of the employees of a home industry must live on the premises.
- (5) Except for one unilluminated nameplate not exceeding 0.6 m² in area in respect of each home industry, no *sign* or other advertising matter may be exhibited or displayed on the *lot* where a home industry is conducted, and no exterior artificial lighting may be installed or operated on the *lot* for a purpose associated with a home industry.
- (6) In addition to the off-street parking spaces required for the *dwelling* as required by this Bylaw, in no event fewer than two such additional spaces must be provided for patrons of a home industry, but no such additional spaces are required if the nature of the home industry is such that patrons do not call at the premises.
- (7) The operator of every home industry must comply with all licensing, health and other applicable regulations of the Province of British Columbia and the Capital Regional District, including building, public health, noise, air quality, and water quality regulations.

3.9 Landscape Screening and Landscape Strips

- (1) If this Bylaw requires *landscape screening* of outdoor storage areas or other *uses* or *structures*, the screening may be broken only by necessary access, and must be provided in the form of:
- (a) existing native vegetation that provide a complete and permanent visual screen around the *uses* or *structures*; or

- (b) a row of drought tolerant native evergreen plants that will attain a sufficient height and density to provide a complete and permanent visual screen around the *uses* or *structures*, planted and maintained continuously.
- (2) If this Bylaw requires *landscape screening* separating *uses*, the screening must be provided along the required *lot lines*, broken only by driveways or walkways necessary for access, in the form of:
 - (a) existing native vegetation that provide a complete and permanent visual screen between the *uses* being separated, to a width of at least 1.5 metres on *lots* less than 0.4 hectares in area and to a width of at least 3 metres on *lots* equal to or greater than 0.4 hectares in area; or
 - (b) a row of drought tolerant native evergreen plants that will attain a sufficient height and density to screen the *use* or *structure*, planted and maintained continuously so as to provide a complete and permanent visual screen between the *lot* being screened and the adjacent *lots*.
 - (3) If this Bylaw requires a *landscape strip* to be provided, existing native vegetation, at least 3 metres in width, adjacent to at least two of the *lot lines*, other than the *rear lot line*, must be retained as a *landscape strip* so as to provide environmental protection, broken only by driveways or walkways necessary for access and any clearing necessary for the construction and maintenance of fencing.

3.10 Secondary Suite Regulations

- (1) There is a maximum of one *secondary suite* permitted per lot.
- (2) A *secondary suite* shall be entirely located within the *building* that contains the *principal dwelling*.
- (3) The maximum *floor area* for a *secondary suite* is 90m² (968 ft²) and it must not exceed 40 per cent of the *floor area* of the *principal dwelling*.
- (4) The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling*.
- (5) A *secondary suite* must not be subdivided from the *principal dwelling* under the *Land Title Act* or the *Strata Property Act*.
- (6) A *secondary suite* may not be used as a *short term vacation rental* or a *bed and breakfast home business*.
- (7) A building permit for a *lot* outside a *community water system* shall not be issued for a *secondary suite* unless a freshwater catchment and storage system having a capacity of at least 18,000 litres is installed on the lot.

3.11 Cistern Requirements

- (1) A building permit for a *lot* outside a *community water system* shall not be issued for a new *building* to be used as a *dwelling*, including a *cottage*, unless a cistern (or combination of cisterns) is located on the *lot* for the storage of freshwater having a total capacity of at least 18,000 litres.

- (2) The *floor area* occupied by any cistern located in a *building* and the housing provided for such cistern is excluded from the calculation of the *floor area* of the *building* and the *lot coverage* of the *lot* on which it is located.

3.12 Derelict Vehicle Regulations

- (1) Except as permitted in the General Industrial (GI) Zone, no *lot* may be used for:
 - (a) the storage of more than two unlicensed motor vehicles (other than farm and forest equipment and vehicles), unless the vehicles are stored within a permitted building that is completely enclosed;
 - (b) the wrecking or storage of derelict or abandoned vehicles, trailers or other discarded machinery or equipment; and
 - (c) the storage of detached or salvaged motor vehicle parts or scrap, unless the parts are stored within a permitted building that is completely enclosed.

3.13 Agri-tourism and Agri-tourist Accommodation Regulations

- (1) *Buildings* or *structures* used solely for *agri-tourism* are not permitted.
- (2) *Agri-tourism* must be in compliance with the Agricultural Land Reserve Use Regulation.
- (3) *Agri-tourism* and *agri-tourist accommodation* uses are only permitted on a *lot* with *Farm Status*.
- (4) *Agri-tourism* and *agri-tourist accommodation* uses are only permitted on a *lot* located in the Agricultural Land Reserve.
- (5) *Agri-tourist accommodation* must be *accessory* to an active *agri-tourism* activity.
- (6) *Agri-tourist accommodation* must be *accessory* to a working *farm operation*.
- (7) *Agri-tourist accommodation buildings* and *structures* must not exceed a *lot coverage* of 5 percent.
- (8) *Agri-tourist accommodation* must not be in use for more than 180 days in a calendar year.
- (9) *Agri-tourist accommodation* may include associated *uses* such as meeting rooms and dining facilities for paying registered guests wholly contained within an *agri-tourist accommodation unit*, but may not include a *restaurant* or any commercial or retail goods and services other than those permitted by the *zone* in which the *agri-tourist accommodation* use is located within.
- (10) The maximum number of guests that may be accommodated in any *agri-tourist accommodation* at any one time, either alone or in combination with a *bed and breakfast*, is not to exceed 10 guests and 10 bedrooms.

3.14 Lots Divided by a Zone Boundary

- (1) If a *lot* is divided by one or more *zone* boundaries, the number of *dwellings* and *cottages* 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) Despite Subsection 3.14.1, if one of the portions of the *lot* is in the Agricultural (AG) Zone, the *dwelling* or *cottage* permitted in respect of that portion of the *lot* may be sited on another portion of the *lot*.
- (3) If a *lot* is divided by one or more *zone* boundaries, and a portion of the *lot* is in the Agricultural (AG) Zone, the *lot coverage* for the *lot* may not exceed 35 percent.

3.15 Use of Common Property

- (1) Land comprising the common property in a strata plan is not a *lot* for the purposes of the use and density regulations in this Bylaw but may be used for *uses accessory* to *principal uses* located on strata *lots* in the same strata plan, other than *home businesses* and home industries.

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

- (1) The North 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 and the regulations for which are set out in Part 5.

<u>Zone Name</u>	<u>Zone Abbreviation</u>
Rural Residential 1	RR1
Rural Residential 2	RR2
Rural	R
Rural Comprehensive 1	RC1
Rural Comprehensive 2	RC2
Agricultural	AG
Commercial 1	C1
Commercial 2	C2
Commercial 3	C3
General Industrial	GI
Community Service	CS
Community Housing	CH
Rental Housing	RH
Recycling Facility	RF
Service	SD
National Park	NP
Community Park 1	CP1
Community Park 2	CP2
Ecological	ECO
Water 1	W1
Water 2	W2
Water 3	W3

Water 4	W4
Water 5	W5
Water 6	W6
Comprehensive Development 1	CD1

4.2 Zone Boundaries

- (1) Where zone boundaries on Schedule "B" coincide with lot lines, the zone boundaries are the lot lines.
- (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 zone boundaries shown on Schedule "B" coincide, the zone boundary shall be the surveyed lot line as shown on the most recent plan registered in the Land Title Office, and where there is no such plan the natural boundary of the sea is the zone boundary
- (4) Where a zone boundary shown on Schedule "B" does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, 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.

PART 5 ZONE REGULATIONS

5.1 Rural Residential 1 (RR1) Zone

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) *Secondary Suite*;
 - (d) *Accessory home business*;
 - (e) *Accessory rabbit, poultry raising, pig farming, dog breeding, boarding kennels, and keeping of livestock*; and,
 - (f) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.
- (4) Despite Subsection 5.1(2), in those instances where a *dwelling* of 56.0 m² or less in *floor area* existed on September 23, 1999 on a *lot* 0.6 hectares or larger, one additional *principal dwelling* is permitted.

Siting and Size

- (5) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (6) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.1(5) must be increased by 3 metres.
- (7) *Lot coverage* may not exceed 25 percent.

(8) The maximum *floor area* per *lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	279 m ² (3000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	325 m ² (3500 ft ²)

(9) The maximum *floor area* of a *cottage* must not exceed 80 m².

(10) Despite Subsection 5.1(8), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this Bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this Bylaw.

Conditions of Use

- (11) *Accessory* rabbit and poultry raising is only permitted on a *lot* that does not abut a lake or reservoir used as a source of *potable* water supply
- (12) *Accessory* pig farming, dog breeding, and boarding kennels is only permitted on a lot greater than 1.2 hectares in area.
- (13) *Accessory* keeping of livestock is only permitted on a *lot* greater than 0.4 hectares in area that does not abut a lake or reservoir used as a source of *potable* water supply, or a wetland.
- (14) A *lot* 2.4 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (15) No *lot* having an area less than 0.4 hectares, or in the case where a community water or community sewage system is provided, an area less than 0.25 hectares may be created by subdivision in the Rural Residential 1 Zone.
- (16) No subdivision plan shall be approved in the Rural Residential 1 Zone unless the *lots* created by the subdivision have an average area of at least 0.6 hectares.

Site-Specific Regulations

(17) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.1			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	RR1(a)	Trincomali Improvement District	Despite 5.1(1)(c), <i>secondary suites</i> are not permitted.

5.2 Rural Residential 2 (RR2) Zone

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) *[Placeholder]*;
 - (d) *Secondary Suite*;
 - (e) *Accessory home business*;
 - (f) *Accessory rabbit, poultry raising, pig farming, dog breeding, boarding kennels; and keeping of livestock*;
 - (g) *Accessory agri-tourism and agri-tourist accommodation*; and,
 - (h) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.
- (4) Despite Subsection 5.2(2), in those instances where a *dwelling* of 56.0 m² or less in *floor area* existed on September 23, 1999 on a *lot* 0.6 hectares or larger, one additional *principal dwelling* is permitted.

Siting and Size

- (5) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (6) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.2(5) must be increased by 3 metres.
- (7) *Lot coverage* may not exceed 25 percent.
- (8) The maximum *floor area* per *lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
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Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	279 m ² (3000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	325 m ² (3500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

- (9) The maximum *floor area* of a *cottage* must not exceed 80 m², except for a *cottage* located in the Agricultural Land Reserve is permitted to have a *maximum floor area* of 90 m².
- (10) Despite Subsection 5.2(8), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this Bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this Bylaw.

Conditions of Use

- (11) *Accessory* rabbit and poultry raising is only permitted on a *lot* that does not abut a lake or reservoir used as a source of *potable* water supply
- (12) *Accessory* pig farming, dog breeding, and boarding kennels is only permitted on a lot greater than 1.2 hectares in area.
- (13) *Accessory* keeping of livestock is only permitted on a *lot* greater than 0.4 hectares in area that does not abut a lake or reservoir used as a source of *potable* water supply, or a wetland.
- (14) A *lot* 2.4 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (15) No *lot* having an area less than 0.4 hectares, or in the case where a community water or community sewage system is provided, an area less than 0.25 hectares may be created by subdivision in the Rural Residential 2 Zone.
- (16) No subdivision plan shall be approved in the Rural Residential 2 Zone unless the *lots* created by the subdivision have an average area of at least 0.6 hectares.

Site-Specific Regulations

- (17) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.2			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	RR2(a)	That Part of Amended Lot 7 (DD 90604-I)	(1) Despite Subsections 5.2(1) and

	<p>of Section 17, Pender Island, Cowichan District, Plan 2111, lying to the South East of a boundary extending South 24 degrees West from a point on the North East boundary of said amended lot, distant 7.242 chains along the said north east boundary from the most easterly corner of said amended lot, except that part in Plan 20481. PID: 006-646-981</p>	<p>5.2(2), the only permitted uses are 2 (two) <i>dwellings</i>, and the <i>uses</i> permitted by Articles 5.2(1)(a), (c), (d), (e), (f), (g), and (h).</p> <p>(2) Despite Article 5.2(5)(a), no <i>building</i> or <i>structure</i> may be located within 5 metres of a <i>front lot line</i>.</p>
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5.3 Rural (R) Zone

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) *Agriculture*;
 - (d) *Secondary Suite*;
 - (e) *Accessory home business*;
 - (f) *Accessory home industry*;
 - (g) *Accessory pig farming, dog breeding, and boarding kennels*;
 - (h) *Accessory agri-tourism and agri-tourist accommodation*; and,
 - (i) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.
- (4) Despite Subsection 5.3(2), in those instances where a *dwelling* of 56.0 m² or less in *floor area* existed on September 23, 1999 on a lot 0.6 hectares or larger, one additional *principal dwelling* is permitted.

Siting and Size

- (5) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (6) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.3(5) must be increased by 3 metres.
- (7) *Lot coverage* may not exceed 25 percent.

- (8) The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	279 m ² (3000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	325 m ² (3500 ft ²)
16 ha or greater (40 acres or greater)		500 m ² (5382 ft ²)

- (9) The maximum *floor area* of a *cottage* must not exceed 80 m², except for a *cottage* located in the Agricultural Land Reserve is permitted to have a *maximum floor area* of 90 m².
- (10) Despite Subsection 5.3(8), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this Bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this Bylaw.

Conditions of Use

- (11) Accessory pig farming, dog breeding, and boarding kennels is only permitted on a lot greater than 1.2 hectares in area.
- (12) A *lot* 8.0 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (13) No *lot* having an area less than 0.6 hectares may be created by subdivision in the Rural Zone.
- (14) No subdivision plan shall be approved in the Rural Zone unless the *lots* created by the subdivision have an average area of at least 4.0 hectares.

Site-Specific Regulations

- (15) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.3			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	R(a)	A Portion of Lot 2, Sections 18 and 19, Pender Island, Cowichan	1) In addition to the uses permitted by Subsection 5.3(1), the following are permitted home industries:

		District, Plan 14577 except that part in Plan VIP65874.	<p>(a) the design, fabrication and assembly of automated packaging machinery and equipment; and</p> <p>(b) welding, machining and fabrication, provided that (b) is occasional, secondary to and operates in conjunction with (a).</p> <p>(2) The uses permitted in 1(a) and 1(b) above are limited to the existing 417m² floor area and 139m² storage area, employing at this location no more than 10 persons not residing on the property.</p>
2	R(b)	That Part of Parcel K, (DD50314-I), Section 22 and 23, Cowichan Land District, lying west of District Plan 5063, Pender Island, lying within the Rural (R) Zone	<p>(1) Despite Subsection 5.3(13), no lot having an area less than 8 hectares may be created by subdivision on the portion of the property zoned Rural (R(b)).</p> <p>(2) Despite Subsection 5.3(1), the only permitted uses in this location are <i>dwelling</i>s, one <i>secondary suite</i>, <i>cottages</i>, <i>agriculture</i> and <i>accessory agri-tourism</i> and <i>accessory agri-tourist accommodation</i>.</p> <p>(3) Despite Subsections 5.3(2) and 5.3(3), a maximum of two <i>dwelling</i>s and two <i>cottages</i> are permitted in the portion of the <i>lot</i> zoned Rural (R(b)).</p> <p>(4) Despite Subsection 5.3(8), the maximum permitted <i>floor area</i> for one <i>dwelling</i> is 700 m² on the portion of the lot zoned Rural (R(b)).</p> <p>(5) Despite Subsection 5.3(8), the maximum permitted <i>floor area</i> for one <i>dwelling</i> is 300 m² on the portion of the property zoned Rural (R(b)).</p> <p>(6) The two <i>dwelling</i>s and two <i>cottages</i> permitted in the portion of the lot zoned Rural (R(b)) must be sited in accordance with "R(b) Siting Plan" attached as Schedule D.</p> <p>(7) Two <i>cottages</i> on the lot may be attached and if two <i>cottages</i> are attached, they are deemed to be two separate <i>buildings</i> for the purposes of density and <i>floor area</i>.</p>
3	R(c)	That part of the South West ¼ of Section 11, Pender Island, Cowichan District, lying to the west of the westerly limit of Canal Road as said road was gazetted 22 nd June, 1955; except parts in plans 11907, 13416, 22618, 23566 and 27405. PID 009-674-292	<p>(1) Despite Subsection 5.8(1), in no case may the frontage of any lot be less than 15 metres.</p> <p>(2) Despite Subsection 5.3(1), the only permitted uses in this location are the uses permitted by Article 5.3(1)(a), (b), (d), (e), (f), (g), and (i).</p> <p>(3) Despite Subsection 5.3(13), no <i>lot</i> having an area of less than 2.8 hectares may be created by subdivision.</p>
4	R(d)	Lot 3, Section 11, Plan 7982 except Part in Plan 21227; and Lot 4, Section 11, Pender Island, Cowichan District, Plan 7982.	<p>(1) In addition to the uses permitted by Subsection 5.3(1), the following use is permitted:</p> <p>(a) the treatment and disposal of sewage generated on Lot A (DDG54184), Section 11, Plan 7982.</p>

5.4 Rural Comprehensive 1 (RC1) Zone

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) *Agriculture*;
 - (d) *Secondary Suite*;
 - (e) *Accessory home business*;
 - (f) *Accessory home industry*;
 - (g) *Accessory pig farming, dog breeding, and boarding kennel*;
 - (h) *Accessory agri-tourism and agri-tourist accommodation*; and,
 - (i) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.

Siting and Size

- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.4(4) must be increased by 3 metres.
- (6) Lot coverage may not exceed 25 percent.
- (7) The maximum *floor area* per *lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 1.2 ha	1000 m ² (10,764 ft ²)	279 m ² (3000 ft ²)

(1 to 3 acres)		
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	325 m ² (3500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

- (8) The maximum *floor area* of a *cottage* must not exceed 80 m², except for a *cottage* located in the Agricultural Land Reserve is permitted to have a *maximum floor area* of 90 m².
- (9) Despite Subsection 5.3(7), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this Bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this Bylaw.

Conditions of Use

- (10) Accessory pig farming, dog breeding, and boarding kennels is only permitted on a *lot* greater than 1.2 hectares in area.
- (11) A *lot* 8.0 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (12) No *lot* having an area less than 0.85 hectares may be created by subdivision in the Rural Comprehensive 1 Zone.
- (13) No more than 26 *lots* may be created by subdivision in the Rural Comprehensive 1 Zone.
- (14) Despite Subsection 8.5(4), no *lot* in the Rural Comprehensive 1 Zone shall have an average depth greater than five times its average width.

5.5 Rural Comprehensive 2 (RC2) Zone

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) *Agriculture*;
 - (c) *Accessory home business*;
 - (d) *Accessory home industry*;
 - (e) *Accessory agri-tourism and agri-tourist accommodation*; and,
 - (f) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than ten (10) *dwelling*s in the Rural Comprehensive 2 Zone.
- (3) In the event of the subdivision of Lot A, of Section 23, Pender Island, Cowichan District, Plan 28410 or of Parcel D (DD 21950F) of Section 23, Pender Island, Cowichan District, Except Part in Plan 28410, the maximum density shall be one (1) *dwelling* per *lot*.

Siting and Size

- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.5(4) must be increased by 3 metres.
- (6) Lot coverage may not exceed 25 percent.
- (7) The maximum *floor area* per *lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	279 m ² (3000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	325 m ² (3500 ft ²)

For dwelling located within the Agricultural Land Reserve	500 m ² (5382 ft ²)
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- (8) Despite Subsection 5.3(7), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this Bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this Bylaw.

Conditions of Use

- (9) A *lot* 8.0 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (10) No *lot* having an area less than 0.3 hectares may be created by subdivision in the Rural Comprehensive 2 Zone.
- (11) No subdivision plan may be approved in the Rural Comprehensive 2 zone unless the *lots* created by the subdivision have an average area of at least 3.26 hectares.
- (12) No subdivision may result in the creation of more than 10 lots in the Rural Comprehensive 2 zone.
- (13) No subdivision may result in the creation of additional *lots* within the Agricultural Land Reserve.

5.6 Agricultural (AG) Zone

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) *Agriculture*;
 - (d) *Secondary Suite*;
 - (e) *Accessory home business*;
 - (f) *Accessory home industry*;
 - (g) *Accessory agri-tourism and agri-tourist accommodation*; and,
 - (h) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.

Siting and Size

- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (5) No *building or structure* associated with an *agriculture use*, other than an animal enclosure, may be located within 7.5 metres of any *lot line*.
- (6) Despite Article 5.6(4)(a), temporary road-side produce stands not exceeding 10 m² in *floor area* and used for the selling of farm products that are grown or reared on the *lot* upon which the stand is located on may be sited within the *front lot line setback*.
- (7) *Lot coverage* for *buildings or structures* may not exceed 35 percent, plus an additional 40 percent for commercial greenhouses only.
- (8) The maximum *floor area* per *lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
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Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	279 m ² (3000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	325 m ² (3500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

- (9) The maximum *floor area* of a *cottage* must not exceed 80 m², except for a *cottage* located in the Agricultural Land Reserve is permitted to have a *maximum floor area* of 90 m².
- (10) Despite Subsection 5.3(8), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this Bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this Bylaw.

Conditions of Use

- (11) Every commercial greenhouse must be screened from view by a landscape screen complying with Section 3.9.

Subdivision Lot Area Requirements

- (12) No *lot* having an area less than 16 hectares may be created by subdivision in the Agricultural Zone.

Site-Specific Regulations

- (13) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.6			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	AG(a)	Parcel C, DD67638I, Section 19.	Despite Subsection 5.6(1), the only permitted uses in this location are <i>camp facility</i> and the uses permitted by 8.3.2 (1) (a), (c) and (d).
2	AG(b)	Lot A, Plan VIP52327, Section 17 and that Portion of Parcel F, DD78736I, Section 17	Despite Subsection 5.6(1), the only uses permitted in this location are those permitted by Article 5.6(1)(c) and a golf course, including an <i>accessory</i> golf club house containing an <i>accessory restaurant</i> and pro-shop and five (5) <i>accessory</i> golf course <i>buildings</i> , including one equipment shed, one maintenance building, two golf cart storage sheds and one <i>pump/utility shed</i> .
3	AG(c)	That Part of Parcel K, Section 22 and 23, Cowichan Land District, lying west of District Plan	(1) Despite Subsection 5.6(1) the only permitted <i>uses</i> in this location are the <i>uses</i> permitted by 8.3.2(1)(a), (c), (e), (g), (h) and one manager's suite consisting of sleeping, cooking and sanitary facilities.

		5063, Pender Island, lying within the Agricultural (AG) Zone.	<ul style="list-style-type: none"> (2) The manager's suite is not to exceed 55m² in <i>floor area</i>. (3) Despite Subsection 5.6(2), a maximum of one dwelling is permitted in the portion of the property zoned Agricultural (AG)(c). (4) Despite Subsection 5.6(12), no lot having an area less than 30 hectares may be created by subdivision on the portion of the property zoned Agricultural (AG)(c).
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5.7 Commercial 1 (C1) Zone

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) *Retail Sales*;
 - (b) Motor vehicle and machinery sales;
 - (c) Offices, including banks;
 - (d) *Personal services*;
 - (e) Home appliance and small equipment repairs;
 - (f) *Restaurants*;
 - (g) *Cafes*;
 - (h) Bakeries;
 - (i) Printing and publishing business;
 - (j) Automobile service stations;
 - (k) *Accessory dwelling*; and
 - (l) *Accessory uses, buildings and structures*.

Density

- (2) Only one (1) *accessory dwelling* permitted per *lot*.

Siting and Size

- (3) No *building* or *structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.7(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 25 percent.
- (7) On a *lot* less than 0.7 hectares in area, an *accessory dwelling* must be located in the same *building* as the *principal commercial use* and have a separate outside entrance.
- (8) On a *lot* equal to or greater than 0.7 hectares in area, an *accessory dwelling* may be located in a separate *building* from that accommodating the *principal commercial use*.

- (9) No *accessory dwelling* may have a *floor area* greater than 140 m².

Conditions of Use

- (10) An *accessory dwelling* is only for the *use* of a caretaker, owner, or operator of a permitted *principal use*.
- (11) Every external storage area must be screened from view by a landscape screen complying with Subsection 3.9(1).
- (12) Every *use* outlined in Subsection 5.7(1) must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (13) No *lot* having an area less than 0.8 hectares may be created by subdivision in the Commercial 1 Zone.

Site-Specific Regulations

- (14) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.7			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	C1(a)	Lot 1, Plan 3658 and Lot 1, Plan 73194, Section 23.	Despite Subsection 5.7(1), the only uses permitted in this location are those permitted by Articles 5.7(1)(a), (c), and (g), and the transfer, storage, and shipping of discarded goods and materials.
2	C1(b)	Portion of Part C, DD69864I, Section 18 lying to the south of the main highway from Hope Bay to Port Washington	Despite Subsection 5.7(1), the only uses permitted in this location are those permitted by Articles 5.7(1)(a), (g), and (h).
3	C1(c)	A portion of Lot B, Plan 23183, Section 23	Despite Subsection 5.7(1), the only uses permitted in this location are those permitted by Articles 5.7(1)(a) and (d), excluding laundromats and drycleaners.
4	C1(d)	A portion of Lot 6, Plan 1695, Section 7 lying east of a boundary parallel to and perpendicularly distant 260 feet from the easterly boundary of said lot	Despite Subsection 5.7(1), the only uses permitted in this location are those permitted by Articles 5.7(1)(a), (c), (f), (g), and (h).

5.8 Commercial 2 (C2) Zone

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) *Tourist Accommodation*;
 - (b) *Campground*;
 - (c) *Accessory dwelling*;
 - (d) *Accessory retail sales*;
 - (e) *Accessory* laundromat, *restaurant*, *café*, recreation facility, boat rental, and premises, other than a neighbourhood pub, licensed under the *Liquor Control and Licensing Act*;
 - (f) *Accessory* boat launching ramps and marina services when adjacent to Water 2 (W2) Zone; and,
 - (g) *Accessory uses, buildings and structures*.

Density

- (2) The maximum number of *tourist accommodation units* on a *lot* may not exceed the site-specific density limits as per Subsection 5.8(22).
- (3) No *tourist accommodation building* may contain more than 18 *tourist accommodation units*.
- (4) There may not be more than two (2) *accessory dwellings* on any *lot*.

Siting and Size

- (5) No *building* or *structure* may exceed 9.7 metres in *height*.
- (6) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (7) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.8(6) must be increased by 3 metres.
- (8) *Lot coverage* may not exceed 25 percent.
- (9) The maximum *floor area* for a *tourist accommodation unit* is 56 m².
- (10) Despite Subsection 5.8(9), the maximum *floor area* of a *tourist accommodation unit* is permitted to be 121 m² as long as the total *floor area* of all *tourist accommodation units* on the *lot* does not exceed the permitted number of *tourist accommodation units* as outlined in Subsection 5.8(22) multiplied by 56 m².
- (11) The *floor area* devoted exclusively to *accessory retail sales* must not exceed 140 m².

- (12) The total *floor area* devoted exclusively to the *accessory uses* permitted by Article 5.8(1)(e) must not exceed the total *floor area* devoted exclusively to the *principal uses* on the *lot*.
- (13) If two *accessory dwellings* are sited on a *lot*, the *floor area* of one *dwelling* must not exceed 140 m².

Conditions of Use

- (14) An *accessory dwelling* is only for the *use* of a caretaker, owner, operator, or employee of a permitted *principal use*.
- (15) At least one (1) *accessory dwelling* must be occupied by the caretaker, owner, operator, or employee while the *tourist accommodation use* is in operation.
- (16) If two (2) *accessory dwellings* are sited on a *lot*, one (1) *dwelling* must be *occupied by an* employee of the *tourist accommodation use*.
- (17) An employee may occupy one *tourist accommodation unit* with a maximum *floor area* no greater than 140 m².
- (18) The *accessory uses* as outlined in Subsection 5.8(1)(e) are only permitted on a *lot* with an area greater than 1.0 hectares.
- (19) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (20) Every *use* outlined in Subsection 5.8(1) must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (21) No *lot* having an area less than 0.6 hectares may be created by subdivision in the Commercial 2 Zone.

Site-Specific Regulations

- (22) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.8			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	C2(a)	Lot 1, Plan 23566, Section 11	The maximum number of <i>tourist accommodation units</i> permitted on the lot is 25.
2	C2(b)	Lot 1, Plan 4750, Section 17 excluding Plan 20404	The maximum number of tourist accommodation units permitted on the lot is 5.
3	C2(c)	Lot B, Plan VIP87395, Section 17	The maximum number of tourist accommodation units permitted on the lot is 8.
4	C2(d)	Lot A, Plan VIP87395, Section 17	The maximum number of tourist accommodation units permitted on the lot is 15.
5	C2(e)	Lot 2, Plan 8439, Section 17 excluding Plan 20404	The maximum number of tourist accommodation units permitted on the lot is 3.
6	C2(f)	Parcel C, DD82824I, Section 17 and a portion of Lot A	The maximum number of tourist accommodation units permitted on the lot is 33.

		VIP52864 Section 17	
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5.9 Commercial 3 (C3) Zone

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) *Tourist Accommodation*;
 - (b) *Campground*;
 - (c) *Marina*;
 - (d) *Accessory dwelling*;
 - (e) *Accessory* laundromat, *restaurant*, *café*, recreation facility, retail sales, boat rental, and premises, other than a neighbourhood pub, licensed under the *Liquor Control and Licensing Act*;
 - (f) *Accessory* boat launching ramps and marina services when adjacent to Water 2 (W2) Zone; and,
 - (g) *Accessory uses, buildings and structures*.

Density

- (2) The maximum number of *tourist accommodation units* permitted in the Commercial 3 Zone is 29.
- (3) No *tourist accommodation building* may contain more than 18 *tourist accommodation units*.
- (4) There may not be more than two (2) *accessory dwellings* on any *lot*.

Siting and Size

- (5) No *building* or *structure* may exceed 9.7 metres in *height*.
- (6) Despite Subsection 5.9(5), the maximum *height* for a *tourist accommodation building* is 10.7 metres.
- (7) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (8) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.9(7) must be increased by 3 metres.
- (9) *Lot coverage* may not exceed 15 percent.
- (10) The maximum *floor area* for a *tourist accommodation unit* is 56 m².
- (11) Despite Subsection 5.9(10), the maximum *floor area* of a *tourist accommodation unit* is 121 m², with the total *floor area* of all *tourist accommodation units* in the Commercial 3 Zone not exceeding 1876 m²
- (12) The *floor area* devoted exclusively to *accessory retail sales* must not exceed 140 m².

(13) The maximum *floor area* of an *accessory dwelling* is 140 m².

Conditions of Use

(14) An *accessory dwelling* is only for the *use* of a caretaker, owner, operator, or employee of a permitted *principal use*.

(15) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).

(16) Every *use* outlined in Subsection 5.9(1) must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

(17) No *lot* having an area less than 0.6 hectares may be created by subdivision in the Commercial 3 Zone.

5.10 General Industrial (GI) Zone

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) *Contractor Yard*;
 - (b) *Manufacturing*;
 - (c) Wholesale and *retail sales* of building, gardening, landscaping materials and supplies;
 - (d) Auto body repair;
 - (e) Indoor storage;
 - (f) Storage of motor vehicles, *recreational vehicles*, boats and trailers;
 - (g) Storage and handling of goods, materials, and equipment other than dangerous or hazardous materials, salvaged motor vehicle parts or scrap;
 - (h) *Accessory dwelling*;
 - (i) *Accessory uses, buildings and structures*.

Density

- (2) Only one (1) *accessory dwelling* permitted per *lot*.

Siting and Size

- (3) No *building* or *structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 9.2 metres from any front or rear *lot line*; and,
 - (b) 15 metres from any interior or exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.10(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 33 percent.
- (7) The maximum *floor area* of an *accessory dwelling* is 140 m².

Conditions of Use

- (8) An *accessory dwelling* is only for the *use* of a caretaker, owner, operator, or employee of a permitted *principal use* located on the same *lot*.
- (9) Every *use* outlined in Subsection 5.10(1) must be screened from view by a *landscape screen* complying with Subsection 3.9(1).

- (10) Every commercial *use* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (11) No *lot* having an area less than 1.2 hectares may be created by subdivision in the General Industrial Zone.

Site-Specific Regulations

- (12) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	GI(a)	Parcel C, DD68964I, Section 18, except that part thereof lying south of the main highway from Hope Bay to Port Washington	Despite Subsection 5.10(1), the only uses permitted in this location are those permitted by Articles 5.10(1)(c) and (g) and propane sales.
2	GI(b)	Portion of the NW ¼ of Section 11 except the south 26.364 chains and except Parcel A (DD143808I) and except those parts shown outlined in red on Plan 5632 and 262R and except those parts in Plans 5856, 7982 and 20898	Despite Subsection 5.10(1), the only <i>use</i> permitted in this location is boat storage.
3	GI(c)	Portions of Lot 8 & 9, Plan 6294, Section 18	In addition to the uses permitted in Subsection 5.10(1), the following uses are also permitted: (a) the storage and processing of materials, including dangerous or hazardous materials, supplies and equipment used for, or generated from, the construction, maintenance and repair of <i>highways</i> ; (b) the storage of materials, including dangerous or hazardous materials, supplies and equipment used for telecommunications networks and the supply of electricity; and, (c) the servicing and repairing of goods, materials and equipment; and the processing, crushing and storage of gravel.
4	GI(d)	Portion of Parcel G, DD47659I, excluding Plans 2648, 9912 and 37908 and VIP54314	In addition to the uses permitted in Subsection 5.10(1), the following uses area also permitted: (a) <i>Waste transfer facility</i> ; (b) <i>Composting facility</i> ; and, (c) <i>Recycling or reuse facility</i> .

5.11 Community Service (CS) Zone

Permitted Uses

The uses permitted in the Community Service Zone are established by site specific regulations in Subsection 5.11(8).

Density

The density permitted in the Community Service Zone are established by site specific regulations in Subsection 5.11(8).

Siting and Size

- (1) No *building* or *structure* may exceed 9.7 metres in *height*.
- (2) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 3 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (3) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.11(2) must be increased by 3 metres.
- (4) Lot coverage may not exceed 25 percent.

Conditions of Use

- (5) Every external storage area and works yard must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (6) Every community service *use* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, and Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (7) No *lot* having an area less than 2.0 hectares may be created by subdivision in the Community Service Zone.

Site-Specific Regulations

- (8) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	CS(a)	Lot 1, Section 11, Plan 27405	The only <i>use</i> permitted in this location is church.

2	CS(b)	Lot A, Section 18, Plan 14409	The only <i>uses</i> permitted in this location are library, preschool and charity retail stores.
3	CS(c)	Lot 8, Section 10, Plan 24778	The only <i>uses</i> permitted in this location are public emergency services and public works yard.
4	CS(d)	Lot 20, Section 10, Plan 24777	The only <i>use</i> permitted in this location is water tank.
5	CS(e)	Lot 20, Section 10, Plan 24777	The only <i>use</i> permitted in this location is church.
6	CS(f)	Lot A, Section 18 Plan 22835	The only <i>uses</i> permitted in this location are public utility.
7	CS(g)	Lot 1, Plan 29572, Section 11	The only <i>use</i> permitted in this location is <i>school</i> .
8	CS(h)	Lot A, Plan 40871, Section 11	The only <i>uses</i> permitted in this location are health clinic, public emergency services.
10	CS(i)	Lot A, Plan 65874, Section 18	The only <i>use</i> permitted in this location is community hall.
11	CS(j)	Lots 1, Plan 30765, Section 15	The only <i>uses</i> permitted in this location are public emergency and protection services, and one (1) <i>accessory dwelling</i> .
12	CS(k)	Lot 2, Plan 30765, Section 15	The only <i>uses</i> permitted in this location are public emergency services.
13	CS(l)	Lot 2, Plan 18611, Section 15	The only <i>use</i> permitted in this location is cemetery.
14	CS(m)	Parcel A (DD47774W) of Lot 6 Plan 7196 Section 17	(1) The only <i>uses</i> permitted in this location are private clubs including club hall rentals. (2) The gross <i>floor area</i> of the <i>uses</i> permitted in (1) may not exceed 483 m ² .
15	CS(n)	Lot 131, Sections 8 and 10, Pender Island, Cowichan District, Plan 17181	The only <i>use</i> permitted in this location is church.
16	CS(o)	A portion of Lot 3, Section 2, Pender Island, Cowichan District, Plan VIP54822	(1) The only <i>uses</i> permitted in this area is the <i>retail sale</i> of used goods where all proceeds from sales are donated to community organizations and projects on North Pender Island. (2) Despite Subsection 5.11(7), no lot having an area less than 0.6 hectares may be created by subdivision in the Community Service CS (o) zone.
17	CS(p)	Portion of THAT PART of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, Lying of the East of a Boundary Parallel to and Perpendicularly Distant 260 feet from the Easterly Boundary	The only <i>use</i> permitted in this area is: the housing of equipment for the supply and distribution of telecommunications and cable service as a regulated service utility, not to include retail or office uses.
18	CS(q)	Westerly portion of land legally described as a portion of Parcel G, DD47659I excluding Plans 2648, 9912 and 37908 and VIP54314	(1) The only <i>uses</i> permitted in this location are: (a) Waste transfer facility; (b) Composting facility; and, (c) Recycling and reuse facility. (2) Despite Subsection 5.11(2), no <i>building</i> or <i>structure</i> may be located: (a) within 9.2 metres of any front lot line or rear lot line; or (b) within 15 metres of any interior side lot or exterior side lot line. (3) Despite Subsection 5.11(7), no <i>lot</i> having an area

			less than 1.2 ha may be created by subdivision that is zoned CS(g).
19	CS(r)	Lot A, Section 17, Pender Island, Cowichan District, Plan VIP75211 and Lot 2, Section 17, Pender Island, Cowichan District, Plan 31869	The only permitted <i>use</i> in this location is <i>ferry terminal</i> .

5.12 Community Housing (CH) Zone

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) Two-family *dwelling*s managed by a non-profit society; and,
 - (b) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling* per 0.1 hectares of lot area, to a maximum of 20 *dwelling*s per *lot*.

Siting and Size

- (3) No *building* or *structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3.0 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.12(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 25 percent.

Conditions of Use

- (7) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (8) Every *multi-family dwelling* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (9) No *lot* having an area less than 2.0 hectares may be created by subdivision in the Community Housing Zone.

5.13 Rental Housing (RH) Zone

[Placeholder]

5.14 Recycling Facility (RF) Zone

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 or local non-profit society owned recovery, storage, processing and shipping of discarded materials; and,
 - (b) *Accessory uses, buildings and structures.*

Density

- (2) *Lot coverage* may not exceed 80 percent.

Siting and Size

- (3) No *building or structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.0 metres from any front *lot line*; and
 - (b) 3.0 metres from any rear *lot line*, interior or exterior side *lot line*; and,

Conditions of Use

- (5) Every external storage area and works yard must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (6) Every *use* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (7) No *lot* having an area less than 0.2 hectares may be created by subdivision in the Recycling Facility Zone.

5.15 Service (SD) Zone

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) Treatment and disposal of sewage.

Siting and Size

- (2) No *building* or *structure* may exceed 4.6 metres in *height*.
- (3) The minimum *setback* for any *building* or *structure* shall be:
- (a) 7.6 metres from any front or rear *lot line*; and,
- (b) 6.1 metres from any interior or exterior side *lot line*.

Conditions of Use

- (4) Every sewage treatment system located above ground must be screened from view by a *landscape screen* complying with Subsection 3.9(1).

Subdivision Lot Area Requirements

- (5) No *lot* having an area less than 0.4 hectares may be created by subdivision in the Service Zone.

Site-Specific Regulations

- (6) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.15			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	SD(a)	Part of Lot 3, Section 11, Plan 7982 except Part in Plan 21227	Despite Subsection 5.15(1), the only use permitted in this location is the treatment and disposal of sewage generated on Lot A (DDG54184), Section 11, Plan 7982.

5.16 National Park (NP) Zone

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, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) Informational, interpretive, cultural, and historical uses and facilities;
 - (b) Natural and cultural resource management and protection;
 - (c) Camping and picnicking areas; and
 - (d) Park operations and maintenance facilities;

Density

- (2) Lot coverage may not exceed 10 percent.

Siting and Size

- (3) No *building* or *structure* may exceed 9.0 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* is 7.6 metres from any *lot line*.

Subdivision Lot Area Requirements

- (5) No *lot* having an area less than 65 hectares may be created by subdivision in the National Park Zone.

Site-Specific Regulations

- (6) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.16			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	NP(a)	Lot 1, Plan 15769, Section 16	(1) Despite Subsection 5.16(1), one <i>dwelling</i> is permitted in this location. (2) The maximum <i>floor area</i> of the <i>dwelling</i> may not exceed 140 m ² .

5.17 Community Park 1 (CP1) Zone

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) Playgrounds and playing fields; and,
 - (b) Picnic facilities.

Density

- (2) Lot coverage may not exceed 5 percent.

Siting and Size

- (3) No *building* or *structure* may exceed 9.0 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* is 7.6 metres from any *lot line*.

Conditions of Use

- (5) Despite Section 3.1, *buildings* or *structures*, other than playground structures, playing field fences and goalposts, picnic tables and toilets, are not permitted.

Subdivision Lot Area Requirements

- (6) No *lot* may be subdivided in the Community Park 1 Zone.

Site-Specific Regulations

- (7) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.16			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	CP1(a)	The WEST 1/2 of Section 10, Pender Island, Cowichan District, Except Parts in Plans 16459, 16958, 21107, 21811, 2149, 22273, 22424, 22932, 23175, 23433, 23487, 24776, 30587, 30589 And 31146 (Thieves Bay Community Park)	<p>(1) In addition to the buildings and structures permitted in Subsection 5.17(1), the following are permitted:</p> <ul style="list-style-type: none"> (a) picnic shelter (2) The maximum size of a picnic shelter is 80.2 m² measured to the drip line of the roof in accordance with <i>lot coverage</i>. (3) No <i>building</i> or <i>structure</i>, with the exception of playing field fences and picnic tables, may be located: <ul style="list-style-type: none"> (a) within 7.6 metres of any front or rear <i>lot line</i> measured to the drip line of the roof; or (b) within 3 metres of any interior side <i>lot line</i>,

			<p>nor within 4.5 metres of any exterior side <i>lot line</i> measured to the drip line of the roof.</p> <p>(4) No <i>building</i> or <i>structure</i>, with the exception of playing field fences, may exceed 4.6 metres in <i>height</i>.</p>
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5.18 Community Park 2 (CP2) Zone

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) Playgrounds and playing fields; and,
 - (b) Picnic facilities.

Density

- (2) Lot coverage may not exceed 5 percent.

Conditions of Use

- (3) Despite Section 3.1, *buildings* or *structures*, other than playground structures, playing field fences and goalposts, picnic tables, toilets, and *accessory buildings* and *structures* to sports events, are not permitted.

Subdivision Lot Area Requirements

- (4) No *lot* may be subdivided in the Community Park 2 Zone.

5.19 Ecological (ECO) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section, and all other *uses* are prohibited:
 - (a) Ecological reserves and nature reserves.

Conditions of Use

- (2) Despite Section 3.1, no other *uses*, *buildings* or *structures*, except for those permitted in Subsection 5.19(1), are permitted in the Ecological Zone.

Subdivision Lot Area Requirements

- (3) No *lot* may be subdivided in the Ecological Zone.

5.20 Water 1 (W1) Zone

Permitted Uses

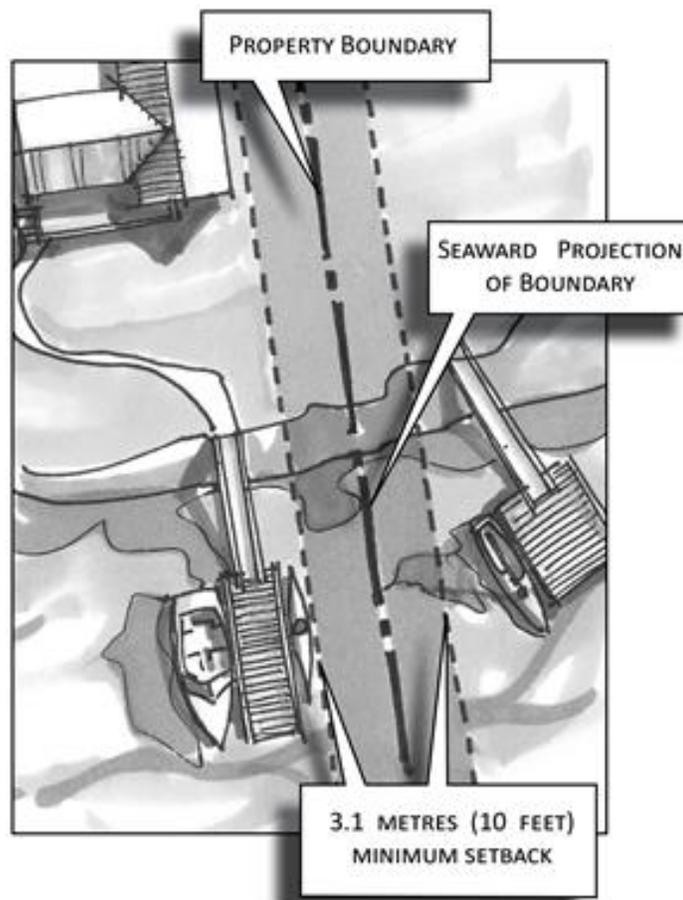
- (1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Private docks accessory to the residential use of an abutting upland *lot* or *lots* abutting the sea, and providing access to that *lot* or those *lots*;
 - (b) Pilings necessary for the establishment or maintenance of the *uses* permitted by Article 5.20(1)(a); and,
 - (c) Marine navigation, marine navigation aids and marker buoys.

Density

- (2) A maximum of one (1) private *dock* is permitted per abutting upland residential *lot*.

Siting and Size

- (3) No structure may be located within 3 metres of the seaward projection of any side lot line of the abutting upland lot.



- (4) The maximum water area that may be covered by *floats* and *wharves* is 37 m².

- (5) The width of any ramp or walkway, including handrails, used to access any *dock, float* or *wharf* permitted in Subsection 5.20(1) shall not exceed 1.5 metres.

Conditions of Use

- (6) No *building*, including a boat house, may be constructed or erected on any *float* or *wharf* in the Water 1 Zone.
- (7) No person may reside on any structure or on any boat or vessel moored or wharfed in the Water 1 Zone.
- (8) For certainty, no commercial or industrial activity or *use* is permitted in the Water 1 Zone.

Site-Specific Regulations

- (9) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	W1(a)	The land covered with water fronting Lot 23, Section 6, Pender Island, Cowichan District, Plan 1084, Except part in Plan 19554.	(1) Despite Subsection 5.20(4) the maximum water area that may be covered by a float is 83.6 m ² . (2) Despite Subsection 5.20(2), a maximum of one (1) private dock is permitted in the W1(a) Zone.

5.21 Water 2 (W2) Zone

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) Yacht clubs;
 - (c) Wharfage facilities for water taxis, ferries, fishing boats, sea planes and similar craft;
 - (d) Boat launch ramps;
 - (e) Marine navigation, marine navigation aids and marker buoys;
 - (f) Accessory breakwaters, piers, dolphins and pilings necessary for the establishment or maintenance of any *use* permitted in this *zone*;
 - (g) Accessory sale and rental of boats and sporting equipment, except personal watercraft;
 - (h) Accessory fuelling stations; and,
 - (i) Accessory *buildings* located on *docks*.

Density

- (2) A maximum of one (1) private *dock* is permitted per abutting upland residential *lot*.

Siting and Size

- (3) No building or structure may exceed 4.5 metres in *height*.
- (4) The maximum *floor area* of all accessory buildings on located *docks* is not to exceed 37m² within any one location in the Water 2 Zone.
- (5) No *dock* or other *structure* may be located outside of the boundaries of a water lease or licence of occupation.

Conditions of Use

- (6) No person may reside on any building, structure, boat or vessel moored or wharfed, in the Water 2 Zone.

Site-Specific Regulations

- (7) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.21			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	W2(a)	Part of District Lot 107, Cowichan District and Unsurveyed Crown Land covered by water being part of the bed of Port Browning, Cowichan District.	Despite Subsection 5.21(1), the only <i>use</i> permitted in this area are floating wave attenuators.

5.22 Water 3 (W3) Zone

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) Marine navigation, marine navigational aids and marker buoys and no other *uses* are permitted in the Water 3 Zone.

Site-Specific Regulations

- (2) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	W3(a)	The land covered with water fronting a portion of Lot 1, Sections 17 and 23, Pender Island, Cowichan District, Plan EPP12506 and Lot 1, Section 17 and 23, Pender Island, Cowichan District, Plan 10989	<p>(1) In addition to the uses permitted in Subsection 5.20(1) the following are permitted:</p> <p>(a) Erosion protection in the form of seawalls.</p> <p>(2) Despite Subsection 5.20(3), siting of a seawall is permitted only within the identified “Construction Area” lying seaward of the present <i>natural boundary</i> of the sea, and projecting no further than 2.28 metres from said boundary, as shown on “W3(a) Seawall Plan” of Schedule E.</p> <p>(3) The maximum <i>height</i> of a seawall is 5.5 metres, measured from the base on the downslope side, and at no point can a seawall project more than 0.3 metre above the finished grade on the upslope side.</p>
2	W3(b)	The land covered with water fronting Lot B, Section 11, Pender Island, Cowichan District, Plan 32264, Except part in Plan VIP68515.	<p>(1) In addition to the uses permitted in Subsection 5.20(1), the following is permitted:</p> <p>(a) Placement of a <i>marine geothermal loop</i> for the purpose of domestic heating and cooling accessory to the upland residential property.</p>

5.23 Water 4 (W4) Zone

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this Section, and all other uses are prohibited:
 - (a) Marine navigation, marine navigation aids and marker buoys;
 - (b) *Ferry terminal*;
 - (c) Public port facilities; and,
 - (d) Accessory breakwaters, docks, piers, dolphins, and pilings necessary for the establishment or maintenance of such port facilities.

5.24 Water 5 (W5) Zone

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 are permitted, subject to the regulations set out in this Section, and all other uses are prohibited:
 - (a) Marine navigation aids;
 - (b) Natural resource management and protection; and,
 - (c) *Dock, wharfage, and moorage accessory* to the Upland National Park lands.

5.25 Water 6 (W6) Zone

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 water supply facilities, including reservoirs, treatment plants, pumping stations, intake *structures*, water and sewer lines;
 - (b) Private *floats* and ramps accessory to the residential *use* of an abutting upland *lot*;
 - (c) Pilings necessary for the establishment or maintenance of *uses* permitted by Subsection 5.25(1); and,
 - (d) Navigation aids and marker buoys.

Density

- (2) A maximum of one (1) private *float* is permitted per abutting upland residential *lot*.

Siting and Size

- (3) No *building* or *structure* may exceed 4.5 metres in *height*.
- (4) No *structure* may be located within 3 metres of any side *lot line*.
- (5) Where the *structure* cannot be constructed entirely within the *lot* boundaries of the residential *lot*, no *structure* may be located within 3 metres of the projection of any side *lot line* of the abutting upland *lot* and must receive written authorization from the Capital Regional District.
- (6) The maximum water area that may be covered by a *float* is 15 m².
- (7) The maximum size of any float is 6 metres in any dimension.
- (8) The maximum length of any ramp is 6 metres and shall be constructed in compliance with Subsection 3.3(2).

Conditions of Use

- (9) No *building*, including a boat house, may be constructed or erected on a private *float* in the Water 6 Zone.
- (10) No derelict or abandoned *floats*, ramps or walkways are permitted in the Water 6 Zone.
- (11) No person may reside on any structure, boat or vessel in the Water 6 Zone.
- (12) For certainty, no commercial or industrial activity or *use* is permitted in the Water 6 Zone.

Site-Specific Regulations

- (13) 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 refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.25			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	W6(a)	Gardom Pond	Despite Subsection 5.25(6), the maximum water area that may be covered by a float is 3 m ²

5.26 Comprehensive Development 1 (CD1) Zone

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) *Retail Sales*;
 - (b) Offices, including banks;
 - (c) *Personal services*;
 - (d) Home appliance repairs;
 - (e) *Restaurants*;
 - (f) *Cafes*;
 - (g) Bakeries;
 - (h) Printing and publishing business;
 - (i) Sale and rental of boats and sporting equipment, *except personal watercraft*;
 - (j) Seawalls and pilings necessary for the establishment or maintenance of any *use* permitted in this Zone;
 - (k) *Accessory dwelling*; and
 - (l) *Accessory uses, buildings and structures*.

Density

- (2) *Lot coverage* may not exceed 25 percent.
- (3) Only one (1) *accessory dwelling* is permitted.

Floor Area

- (4) The maximum *floor area* of an *accessory dwelling* is 140 m².

Setbacks

- (5) The *setbacks* from all *lot lines* and the *natural boundary* of the sea for the *building* and for the surfaced courtyard and pathway shown on Plan CD1(a) of Schedule F shall be those shown on Plan CD1(a) of Schedule F, exclusive of roof overhangs, stairs, landings, ramps and septic disposal systems.
- (6) Roof overhangs may in no case project more than 0.8 metres into the *setbacks* shown on Plan CD1(a) of Schedule F. Stairs, landings and ramps may in no case be sited closer than 2.5 metres to a *lot line*.

- (7) Portions of the sewage treatment system consisting of a contained package treatment plant, grease interceptors, emergency overflow tank and the associated *utility* lines may be sited as close as 1.0 metre to a *lot line*.
- (8) Despite Subsection 3.3(4), portions of the sewage treatment system consisting of a contained package treatment plant, grease interceptors, emergency overflow tank and the associated *utility* lines may be sited as close as 1.0 metres upland from the *natural boundary* of the sea.
- (9) The *setbacks* for any *buildings* or *structures* not shown on Plan CD1(a) of Schedule F shall be those for the Commercial 1 Zone on any upland *lot* and those for the Water 2 Zone within a water lease or license of occupation.

Height

- (10) The maximum *height* above the *natural boundary* of the sea for the *building* shown on Plan CD1(a) of Schedule F shall be 12 metres;
- (11) The maximum *height* of any *buildings* or *structures* not shown on Plan CD1(a) of Schedule F shall be those for the Commercial 1 Zone on the upland lots and those for the Water 2 Zone within a water lease or license of occupation.
- (12) The number of storeys of any *building shall not exceed two (2) above finished grade*.

Signs

- (13) Despite Subsection 6.1(2), no *signs* may be erected, or affixed to the outside of any *structure*, except:
 - (a) One wall *sign*, provided that:
 - (i) the area covered by the *sign* does not exceed 8m² ;
 - (ii) the top edge of the *sign* does not project above the top of the *building*; and,
 - (iii) the *sign* is placed flush against the side of the *building*.
 - (b) One freestanding *sign*, not exceeding a total area of 1.1 m².
 - (c) One *sign*, not exceeding a total area of 1.1 m², on each business premise, advertising the type of business, occupation or trade conducted on the premises or the principal product or service sold.
 - (d) One *sign*, not exceeding a total area of 0.6 m², pertaining to the lease, sale, name of owner, name of lot or *use* of the *accessory dwelling* permitted in Article 5.26(1)(k).

Parking

- (14) Despite Subsection 7.5(2), the minimum number of parking spaces required in the Comprehensive Development 1 Zone for the accessory dwelling is one (1) parking space.
- (15) In addition to the parking spaces provided, a minimum of 5 bicycle parking spaces must be provided in the form of a fixed structure that supports the bicycle frame and permits the bicycle wheels to be locked to the frame.
- (16) Despite Sections 7.1 and 7.2, the required off-street parking spaces may be accessed directly from a *highway*.
- (17) Despite Subsection 7.1(4), a parking area may be located within the *setback* from the front *lot line*.
- (18) Despite Subsection 7.1(5), a parking area may be sited 0.0 metres from an interior or exterior side *lot line*.

- (19) Despite Subsection 3.3(1), *structures* and paved areas associated with a parking area may be sited as close as 7.0 metres upland from the *natural boundary* of the sea.

Conditions of Use

- (20) An *accessory dwelling* is only for the *use* of a caretaker, owner, or operator of a permitted *principal use* located on the same *lot*.
- (21) An *accessory dwelling* must be located in the same *building* as a *principal commercial use* and have a separate outside entrance.
- (22) Every external storage area on the upland *lots* must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (23) Every commercial *building* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (24) No *lot* having an area less than 0.4 hectares may be created by subdivision in the Comprehensive Development 1 Zone.

PART 6 SIGN REGULATIONS

6.1 Permitted Signs

- (1) In the Rural Residential 1 Zone, Rural Residential 2 Zone, Rural Comprehensive 1 Zone, Rural Comprehensive 2 Zone, or Rural (R) Zone, no *sign* may be erected on any *lot* or affixed to the outside of any *building* or *structure* except:
 - (a) one (1) *sign* in respect of any *home business* or home industry or combination of them;
 - (b) one (1) *sign* pertaining to the lease, sale, name of owner or property or use of a lot or building on which they are placed; and,
 - (c) no sign may exceed a total area of 0.6 m².
- (2) In any Commercial, Agricultural, Institutional or Industrial zones, no *signs* of any kind or nature may be erected on any premises or affixed to the outside of any *building* or *structure*, except for:
 - (a) one (1) *sign* not exceeding a total area of 1.1 m² within 7.5 metres of the front or side lot line;
 - (b) one (1) *sign* on each business premise, advertising the type of business, occupation or trade conducted on the premises or the principal produce or service sold; and,
 - (c) one (1) *sign* not exceeding the area specified in Subsection 6.1(1) in respect of any *accessory dwelling* permitted on the *lot*.

For the purpose of this subsection, two identical *signs*, back to back and facing opposite directions, are considered to be one *sign*.

6.2 Prohibited Signs

- (1) Any *sign* that is internally illuminated; any *sign* with moving parts; and any noise making *sign* is prohibited.

6.3 Exempt Signs

- (1) Nothing in this Bylaw prohibits the erection of a *sign* by an agency of government for purposes of public health or safety, or by a candidate in a municipal, provincial or federal election during the period prior to the election.

6.4 Lighting of Signs

- (1) Any light illuminating a *sign* must be controlled so as not to cast light onto neighbouring *lot* or into the eyes of oncoming motorists.

6.5 Obsolete Signs

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

PART 7 PARKING REGULATIONS

7.1 Location

- (1) Any parking space must be wholly provided on the same *lot* as the *building* or *use* in respect of which it is required.
- (2) Despite Subsection 7.1(1), if required parking spaces cannot physically be accommodated on the same *lot* as the *building* or *use* in respect of which they are required, they may be provided on a different *lot* within 100 metres, if that *lot* is in the same *zone* or another *zone* in which parking is a permitted *principal use*.
- (3) If, under Subsection 7.1(2), parking spaces are provided on a *lot* other than the one on which the *use* is located in respect of which they are required, the owner of the *lot* must grant a covenant restricting the *use* of the *lot* or a portion of the *lot* to motor vehicle parking spaces for the *lot* on which the *use* is located.
- (4) No parking area may be located within the required front yard *setback* area for the *zone* within which the *lot* is located, except where Subsection 7.1(5) applies.
- (5) If a parking area is located on a *lot*, it must be sited at least 3 metres from any side *lot line*.
- (6) If a parking area is located on the same *lot* as a *dwelling* but not within the *dwelling*, it must be sited at least 1.5 metres from the *dwelling*.
- (7) Every off-street parking area provided or required on any *lot* with an industrial *use*, the access to such area must have a hard surface if such area is between the *principal building* on the *lot* and the *highway* giving access to the *lot*. Any area at the rear or the side of the *principal building* provided or required for off-street parking need must be surfaced so as to minimize the carrying of dirt or foreign matter onto the *highway*.
- (8) For the purpose of Subsection 7.1(7) the term "hard surface" means a durable, dust free surface constructed of concrete block, compacted crushed gravel, or similar material, and permeable by water.
- (9) If a parking area is provided in respect of a *home business* or industry and the parking area abuts a *lot* on which a residential *use* is permitted, the parking area must be screened by a *landscape screen* complying with Section 3.9.

7.2 Design Standards

- (1) Each required off-street parking space must be a minimum of 2.6 metres in width, and a minimum of 5.5 metres in length, exclusive of access drives or aisles, ramps, columns, or similar obstructions, and have vertical clearance of at least 2 metres. For parallel parking, the length of the parking spaces must be increased to 7.3 metres except end spaces, which must be a minimum length of 5.5 metres.
- (2) Manoeuvring aisles must be a minimum of 7.3 metres wide for 90 degree parking, 5.5 metres wide for 60 degree parking, and 3.6 metres wide for 45 degree parking and parallel parking. Where parking is directly off a lane, the lane may be considered part of the aisle and in such cases the combined width of the aisle and parking spaces must be a minimum of 12.8 metres.

- (3) Each parking space provided under Subsection 7.3(1) must have a width of at least 3.7 metres; be clearly identified for use only by persons with disabilities; and be located so as to provide the most convenient access to an accessible building entrance or, if the parking area serves several premises, so as to provide equally convenient access to all such premises.
- (4) Adequate access to and exit from individual parking spaces must be provided at all times by means of unobstructed manoeuvring aisles.
- (5) Any lighting must be so arranged as to direct or reflect the light exclusively on the parking area at illumination levels of 11 Lux or less.

7.3 Calculation

- (1) If a *use* requires more than 30 parking spaces, one additional parking space for persons with disabilities and one space for a pick up/drop off area must be provided.

7.4 Number of Off-Street Parking Spaces

- (1) When any new *use* of land or *buildings* or *structures* takes place or when any existing *use* of land or *buildings* or *structures* is enlarged or increased in capacity, provision must be made for off-street vehicular parking spaces in accordance with the standards set out in this section.
- (2) The number of off-street parking spaces required in respect of particular *uses* is set out in Table 7.1, and where a particular *use* is not listed the number required for the most similar listed *use* applies.

Table 7.1 : Number of Off-Street Parking Spaces	
Use of Building or Lot	Minimum Number of Parking Spaces Required
Dwelling	2 per <i>dwelling</i>
Cottage	1 per <i>cottage</i>
Secondary Suite	1
Home Business (other than Bed & Breakfast) Home Industry	2
Bed & Breakfast	1 per room
Community Housing Rental Housing	1 per
Retail Stores Personal Services Banks Repair Shops in commercial zones Medical Office Single Tenant Office	1 per 35 m ² of <i>floor area</i>
Multi-Tenant Office	1 per 30 m ² of <i>floor area</i>
Restaurants Cafes Premises licensed under the <i>Liquor Control and Licensing Act</i>	1 per 3 seats
Tourist Accommodation	1 per <i>Tourist Accommodation Unit</i>
Campground	2 plus 1 per camping space
Private Clubs Churches Libraries Museums Fire Hall	1 per 35 m ² of <i>floor area</i>
Community Halls Lodge Halls Churches	1 per 4 seats
Indoor Recreation Facilities	1 per 35 m ² of <i>floor area</i>
Industrial Use Warehouses Wholesale and Storage Buildings Servicing and Repair - Industrial zones Recycling Facilities Printing and Publishing	1 per 35 m ² of <i>floor area</i>
Ferry Dock Facilities	100
Marinas Yacht Clubs	1 per 5 Berths
Fish Buying Stations Wharfage of Sea Planes Water Taxis and Fishing Boats Marine Fuel Sales	1 per Berth
Storage and Sale of Petroleum Fuels	1
Cemeteries	15
Golf Courses	2 per Tee

PART 8 SUBDIVISION REGULATIONS

8.1 Lot Area Calculations

- (1) Subdivisions must comply with the minimum and average *lot* area regulations set out in Part 5 of this Bylaw except that a park to be dedicated upon deposit of the subdivision plan need not comply with those regulations and the Approving Officer may approve a subdivision creating a single *lot* not complying with those regulations if the owner grants to the North Pender Island Local Trust Committee a covenant restricting the use of the *lot* to park use. For the purposes of this Bylaw, the average *lot* area is the sum of the gross areas of the proposed *lots* divided by the number of proposed *lots*, subject to Subsection 8.1(2).
- (2) If an owner of *lot* 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 of this Bylaw, be included in the total area of *lots* being created, and the park or parks are deemed not to be *lots*.
- (3) No lot having an area of less than 16 hectares may be subdivided under the *Local Government Act* to provide a residence for a relative of the owner unless the lot is entirely within the Agricultural Land Reserve.

8.2 Exemptions from Average and Minimum Lot Area Requirements

- (1) The average and minimum *lot* areas specified in Part 8 do not apply:
 - (a) if the *lot* being created is to be used solely for the unattended equipment necessary for the operation of facilities referred to in Subsection 3.1(5) and 3.1(6) of this Bylaw or for ambulance or fire protection facilities, a community sewer system, a community gas distribution system, a community radio or telephone receiving antenna, a radio or television broadcasting antenna, a telecommunication relay, an automatic telephone exchange, an air or marine navigational aid, or an electrical substation or generating station, and the owner grants a covenant complying with Subsection 2.6(1) of this Bylaw restricting the use of the *lot* to that use and prohibiting residential and manufacturing uses on that *lot*;
 - (b) if the *lot* being created is for park use, and ecological reserve, or dedication to the Crown;
 - (c) to the consolidation of two or more *lots* into a single parcel; or,
 - (d) to a boundary adjustment subdivision, provided that the subdivision would not increase the area of any *lot* to the point where the new *lots* created 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 subdivision is proposed that yields the maximum number of *lots* permitted by the applicable minimum and average *lot* areas specified by this Bylaw, 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 must grant a covenant complying with Subsection 2.6(1) of this Bylaw in respect of every such *lot*, prohibiting further subdivision of the *lot* and prohibiting construction, erection, or occupancy on the *lot* of more than one *dwelling* and, if a *cottage* is a permitted use of the *lot*, more than one such *cottage*.
- (2) If a subdivision is proposed that yields fewer than the maximum number of *lots* permitted by the applicable minimum and average *lot* areas 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 must grant a covenant complying with Subsection 2.6(1) of this Bylaw in respect of every *lot* referred to in Article 8.3(2)(a) prohibiting:

- (c) the 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 developed to the greatest density 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 must grant a covenant complying with Subsection 2.6(1) of this Bylaw 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) The Approving Officer must not approve a boundary adjustment, which would increase the area of any *lot* to the point where the new *lots* created could be subdivided into more *lots* than would be permitted under this Bylaw without the boundary adjustment unless the applicant grants a covenant complying with Subsection 2.6(1) of this Bylaw in respect of every such *lot*, prohibiting further subdivision of the *lot*.

8.5 Lot Frontage and Lot Shape

- (1) The frontage of any *lot* in a proposed subdivision must be at least 10 percent of its perimeter, provided that in no case may the frontage be less than 20 metres.

Information Note: *The minimum frontage established in Section 512 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) If a 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 must be 10 metres.
- (3) If a panhandle *lot* is capable of being further subdivided under the provisions of this Bylaw, the minimum width of the access strip at any point must be 20 metres.
- (4) No *lot* shall have an average depth greater than three times its average width, except where otherwise specified in the *Zone* regulations.

8.6 Split Zoned Lots

- (1) The creation of an additional *lot* lying within two or more *zones* is prohibited.
- (2) If a *lot* proposed to be subdivided is divided by a *zone* boundary, a separate calculation of the number of *lots* permitted must be made for each portion, and no *lot* may be created in respect of any fractional area resulting from such calculation.
- (3) A boundary adjustment subdivision resulting in a *lot* lying in two or more *zones* is prohibited except where the *lot* being subdivided is located in two or more *zones*.

8.7 Split or Hooked Lots

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

8.8 Double Frontage Lots

- (1) No *lot* having frontage on more than one *highway* may be created by subdivision, unless it is a corner *lot*.

8.9 Water Access Subdivisions

- (1) *Highway* access must be provided to every *lot* created by subdivision on North Pender Island.
- (2) If a subdivision with water access only is approved on an island other than North Pender Island within the North Pender Island Local Trust Area, the owner of *lot* 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.

8.10 Public Access to Water Bodies

- (1) The Approving Officer may require that *highways* giving access to the shore of any body of water, dedicated to the Crown at the time of subdivision, be consolidated into one or more larger areas and should require that such a *highway* be located in an area of high recreational value or so as to provide access to such an area.

8.11 Highway Standards

- (1) The purpose of the standards set out in Subsections 8.11(2) through 8.11(10) is to ensure that the construction of roadways in connection with the subdivision of land does not result in the alteration of the land to an extent that is inconsistent with the object of the Islands Trust under the Islands Trust Act, the Islands Trust Policy Statement, or the North Pender Island Official Community Plan.
- (2) Proposed roadway centreline and pedestrian path locations must be surveyed and flagged at maximum 15 metre intervals prior to subdivision application to facilitate inspection by the Approving Officer. No trees or other vegetation may be removed from the highway right-of-way prior to application and inspection by the Approving Officer.

- (3) No trees or other vegetation may be removed from the right-of-way without written permission of the Approving Officer, and in no case may trees or other vegetation be removed beyond the extent of earthworks directly required for the construction of the roadway.
- (4) No obstructions of any kind, including utility poles and hydrants, may be located within 1.5 metres measured horizontally of the edge of the shoulder of the roadway.
- (5) All culverts must be provided with local rock head walls to the height of adjacent shoulders. Head walls may be dry stone or set in mortar provided sufficient stability under water runoff is assured. Culverts must be adequately sized to carry 20 year estimated flows with a minimum diameter of 300 mm at driveways and 400 mm under intersecting roads.
- (6) Fragmentation of land in any Agriculture (AG) Zone by roads or other service corridors is prohibited.
- (7) No roadway may be located or constructed so as to connect North Pender Island to any other island except South Pender Island.
- (8) No roadway may be located so as to divert the flow of a surface watercourse or divert or contaminate in any way a groundwater aquifer, but this subsection does not prohibit the culverting of a surface watercourse for a roadway crossing or the construction of a stormwater retention facility provided that such culverting or construction is in accordance with the "Standards and Best Practices for Instream Works", the *Water Sustainability Act*, and the *Fisheries Act*.
- (9) The design of roadways must to the greatest extent possible follow the natural contours of the land so as to minimize the extent of cutting and filling required to construct the roadway.
- (10) Native vegetation must be reinstated in all portions of a highway not comprising the roadway, following the completion of construction of a roadway and any associated utilities.

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 Standards

- (1) Each lot in a proposed subdivision must be supplied with sufficient *potable* water to supply the uses permitted on the *lot* by this Bylaw according to the standards set out in Table 1.

TABLE 1 POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (per day per lot)
<i>One Dwelling and one Cottage</i>	2000 litres
<i>Each additional permitted dwelling</i>	2000 litres

Information Note: *If more than one dwelling is connected to the same source of water, the water system may be subject to the Drinking Water Protection Act, the Water Utility Act or other regulations pertaining to water supply systems.*

Information Note: *Water obtained from a stream, or non-domestic groundwater use requires a licence under the Water Sustainability Act.*

- (2) Where *potable* water is to be supplied by a *community water system*, the *community water system* must provide written confirmation that it is able to supply *potable* water for the uses specified in Table 1 to each *lot*.
- (3) Where *potable* water is to be supplied from a stream, the applicant for subdivision must provide proof of authorization (water licence) indicating the total volume of water granted to the licence holder confirming that it is able to supply *potable* water for the volume specified in Table 1 to each *lot*.
- (4) Where a lot proposed to be subdivided contains a non-domestic use that requires a licence under the *Water Sustainability Act*, the applicant must provide proof of authorization (water licence) indicating the total volume of water granted to the licence holder confirming that it is able to supply water for the non-domestic use, as well as *potable* water for the volume specified in Table 1 to each *lot*.
- (5) In the absence of a water licence, where *potable* water is to be supplied by a drilled well, a *pumping test* shall be carried out on each well in a proposed subdivision by:
 - (a) pumping *groundwater*, at a constant rate, for a minimum period of 12 hours;
 - (b) withdrawing the total daily required volume specified in Table 1 over a maximum period of 24 hours; and,
 - (c) monitoring *groundwater* levels continuously during the *pumping test* and during the recovery period.
- (6) Where *potable* water is to be supplied by a drilled well in accordance with Subsection 8.12(5), a sounding tube or wellhead port must be installed to enable the insertion of water level monitoring equipment.
- (7) Drilled wells used for the purposes of subdivision application must not be located within 50 metres of the *natural boundary* of the sea.
- (8) Where *potable* water is to be supplied by a drilled well in accordance with Subsection 8.12(5), the applicant for subdivision must provide written certification under seal of a *Hydrogeologist* that:
 - (a) each well has been constructed in accordance with the Groundwater Protection Regulation;
 - (b) each well has been constructed in accordance with Subsections 8.12(5) and 8.12(6);
 - (c) each well has sufficient available *groundwater* to provide the daily required volume of *potable* water for each *lot* in accordance with Table 1; and
 - (d) includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.
- (9) If the daily required volume of *potable* water cannot be supplied in accordance with Subsection 8.12(2) or if the certification referred to in Article 8.12(8)(c) cannot be made, the applicant must grant a covenant under the *Land Title Act* to the North Pender Island Local Trust Committee

that restricts the development of the subdivision to the uses for which there is a sufficient volume of water.

- (10) Where the potable water supply is provided through a drilled well or water licence, a *Hydrogeologist* must also provide:
 - (a) results of a water quality analysis, completed by an accredited laboratory;
 - (b) a plan of the proposed subdivision indicating the location where each water sample was taken;
 - (c) 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;
 - (d) confirmation, based on the accredited laboratory water quality analysis, that the proposed water supply source is *potable*, or can be made *potable*, with a treatment system; and,
 - (e) confirmation, based on the accredited laboratory water quality analysis of chloride concentrations, that the drilled well is not likely to be affected by the intrusion of saline *groundwater* or sea water in accordance with the Province of British Columbia guidance documents;
- (11) If the water to be supplied is not *potable*, but can be made *potable* with a treatment system, the applicant must grant a covenant under the *Land Title Act* to the North Pender Island Local Trust Committee that requires on-going treatment of the water to *potable* water standards.
- (12) For the purposes of subdivision, drilled wells impacted by seawater intrusion or whose operation is likely to cause seawater intrusion are not permitted sources of *potable* water.
- (13) For the purposes of subdivision, alternative *potable* water supplies including, but not limited to, shallow dug wells, rainwater catchment and desalination are not permitted sources of *potable* water.
- (14) Subsections 8.12(1) through 8.12(13) shall not apply where the proposed subdivision is a boundary adjustment that does not result in an increase in the number of *lots* or permitted *dwellings*, provided that all *lots* in the subdivision are currently serviced by existing wells, *community water* system connection or water licence.

8.13 Sewage Disposal Standards

- (1) Each *lot* that is proposed to be created by subdivision must be demonstrated by the applicant to contain an area or areas of sufficient size and appropriate characteristics to satisfy the requirements of the Sewerage System Regulation under the *Public Health Act* for conventional septic tank or package treatment plan sewage disposal systems in respect of the *buildings*, *structures* and uses that are permitted on the lot by this Bylaw, if no other acceptable septic system is available.
- (2) The information referred to in Subsection 8.13(1) must be provided to the Building Inspector where an application for a building permit is made and the information has not previously been provided in respect of the subdivision of the *lot* on which the *building* is proposed to be constructed, except that the information need only be provided in respect of the *building* or *structure* that is the subject of the permit application.
- (3) No sewage may be disposed of by means of discharge to a watercourse or the sea or, in the case of a residential zone, on a *lot* other than that on which it was generated, except where that *lot* is used only for the purpose of sewage disposal.

8.14 Drainage Standards

- (1) Every subdivision must be designed and constructed so as to maximize the proportion of precipitation, which is percolated into the ground and to minimize direct overland runoff.
- (2) Every surface drainage system must be designed to provide for the continuity of any existing surface drainage system serving the drainage basin in which the lot to be subdivided is located.
- (3) No watercourse or water body may be diverted, altered or used for surface drainage purposes so as to transfer water between watershed basins.
- (4) Every surface drainage system must be designed so that the system is capable of conveying the peak rate of runoff from a 10 year storm for the entire drainage basin within which the subdivision or development is located when such basin is fully developed.
- (5) Every surface drainage system must be designed and constructed so as to minimize scouring and erosion of ditch banks.
- (6) All drainage works, ditches, culverts and appurtenances must be located in statutory rights of way granted to the Crown, or in dedicated *highways*.
- (7) If storm water is discharged from a surface drainage system to the sea or a watercourse on or adjacent to the *lot* being subdivided or developed, the system must be constructed and designed to retain storm water for the period of time necessary to allow for the settling of silt and other suspended solids.
- (8) To the extent that is practicable, surface drainage systems must be designed so as to permit withdrawal of water for fire suppression from storm water retention facilities and drainage ditches, and the use of storm water to recharge fire protection cisterns.
- (9) Every applicant for subdivision must provide the written certification under seal of an Engineer with experience in storm water management that the drainage system for the subdivision has been designed in accordance with Subsections 8.14(1) to 8.14(8).
- (10) The certification required in Subsection 8.14(9) must be provided to the Building Inspector if an application for a building permit is made and the certification has not previously been provided in respect of the subdivision of the lot on which the building is proposed to be constructed, and the provisions of Subsections 8.14(1) through 8.14(8) apply with the necessary changes, except that the certification need only be provided in respect of the *lot* that is the subject of the permit application.
- (11) In addition to the matters referred to in Subsection 8.14(10), if the building permit application indicates that more than 185 m² of impervious surfaces excluding roof areas are proposed to be developed on the *lot*, the Engineer must certify that neither the annual volume of runoff from the lot, nor the pattern of runoff, will be altered as a result of the development.

PART 9 CAMPGROUND REGULATIONS

9.1 Campground Standards - Zoning

- (1) The minimum lot area for a campground is 1.2 hectares.
- (2) Camping spaces must not cover more than 22 percent of the *lot* and no campground may have more than 50 camping spaces.
- (3) Camping spaces must have an area of at least 110 m², or 84m² in the case of spaces for tents only, and must be clearly identified by a unique number or other identification.
- (4) No area of a campground other than a camping space complying with the requirements of this section may be occupied by a tent or *recreational vehicle*.
- (5) Accessory retail sales uses in a campground may not exceed 18.6 m² in *floor area*.
- (6) No camping space may be located less than 30 metres from a front lot line, 15 metres from any other lot line, or 3 metres from any driveway.

9.2 Campground Building Standards

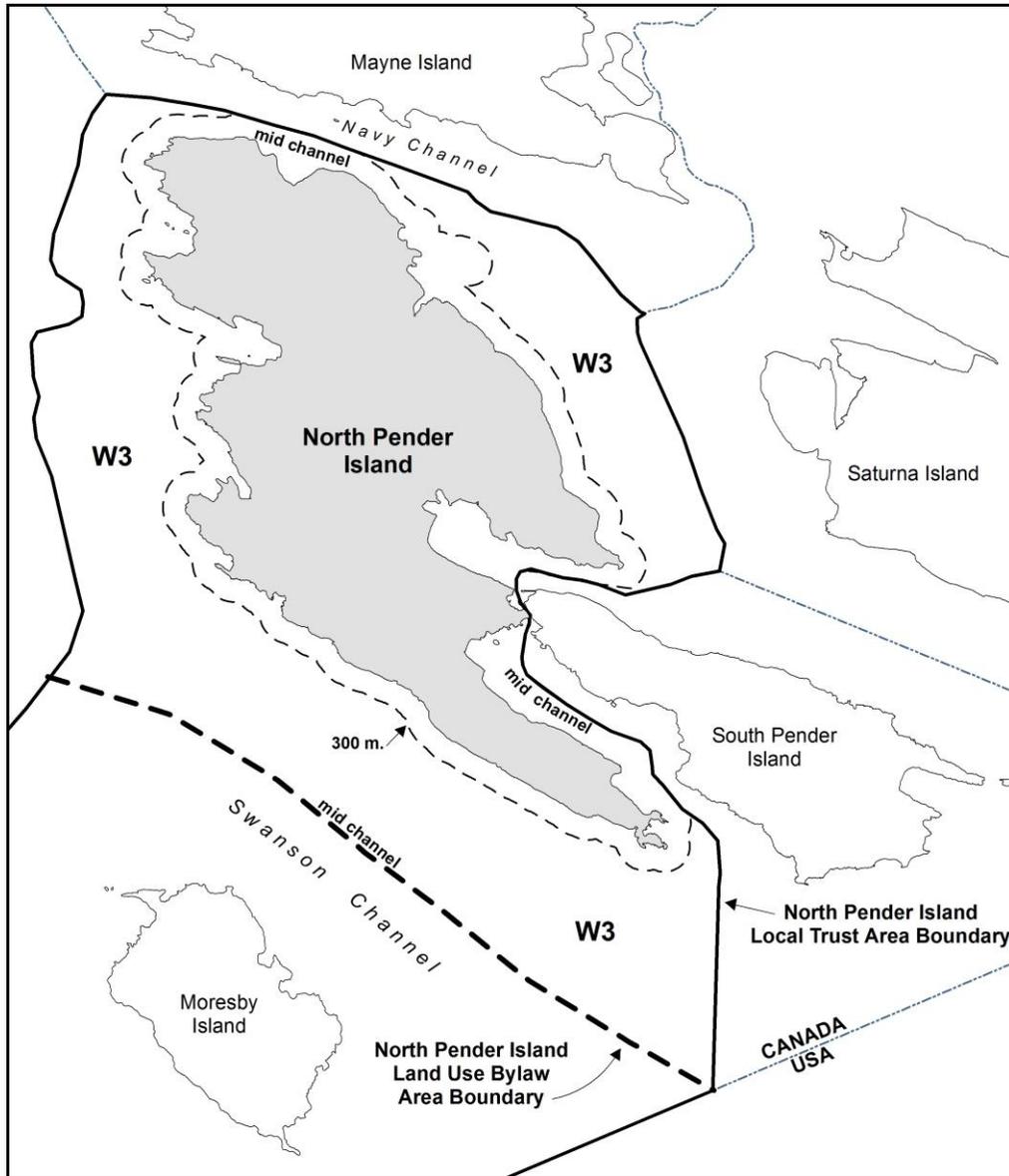
- (1) Every campground must have access to a *highway* by way of a single hard-surfaced or gravelled driveway access route at least 6.7 metres in width, on which motor vehicle parking is not allowed.
- (2) All camping spaces and service buildings must have direct driveway access to the driveway referred to in Subsection 9.2(1), except that tent spaces may have access by trails not exceeding 2 metres in width and such driveways must be hard-surfaced or gravelled to a width of at least 3 metres in the case of one-way roadways, 4.3 metres in the case of two-way driveways, and 12 metres in the case of a turning circle at the end of a cul-de-sac.
- (3) Every campground must have a buffer area at least 30 metres wide adjacent to the front lot line and 15 metres wide adjacent to every other lot line, and driveways in the buffer area must be of the shortest length practicable.
- (4) Every campground must have an outdoor recreation area for playground, sports and games uses, comprising at least 5 percent of the area of the campground, and such area must be exclusive of any buffer or parking area, camping space, or other campground facility.
- (5) One camping space may, despite any other provision of this Bylaw, be occupied for up to 6 months in any 12 month period by a campground owner or operator, and such space may include office and retail sales facilities.
- (6) Every camping space must be clearly identified as a space for a *recreational vehicle* or tents or as a space for tents only.
- (7) Camping spaces for *recreational vehicles* or tents may be occupied by only one *recreational vehicle* and up to two tents, and camping spaces for tents only may be occupied by up to two tents.
- (8) One motor vehicle parking space must be provided in respect of each camping space, located adjacent to the driveway giving access to the space, except in the case of camping spaces for tents only in which case the parking space may be in a common parking area from which access is provided to the camping spaces by trails.

- (9) Every camping space must be equipped with a garbage container that is durable, watertight, insect-proof and rodent-proof.
- (10) Every campground must be furnished with a constant supply of fresh water in compliance with the *Drinking Water Protection Act*
- (11) Every campground must be equipped with sewage disposal facilities in the form of a connection to a community sewer system or an on-site sewage disposal system, as defined in the Sewerage System Regulation under the *Public Health Act*, but no individual camping space may be connected to a community sewer system or sewage disposal system.
- (12) Every campground must be provided with a service building equipped with flush type toilet and urinal fixtures, washbasins and showers as follows:

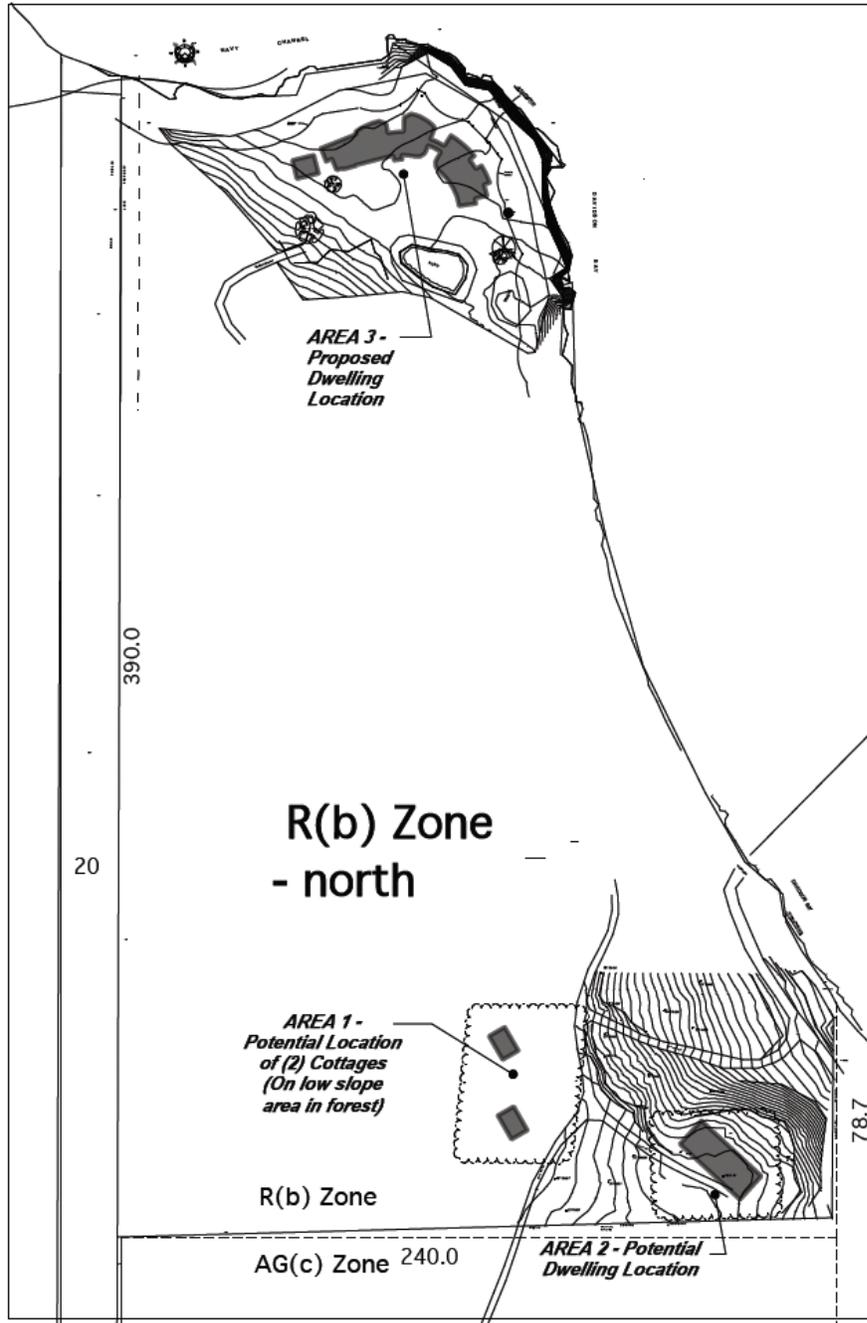
Number of Camping Spaces	Toilets		Urinals	Washbasins		Showers	
	Men	Women	Men	Men	Women	Men	Women
1 to 15	1	1	1	1	1	1	1
16 to 30	1	2	1	2	2	1	1
31 to 45	2	2	1	3	3	1	1
46 to 50	2	2	2	3	3	2	2

- (13) Every service building must be equipped with a conveniently located kitchen - type sink for the disposal of dishwashing water and similar water wastes.
- (14) Every service building must be of permanent construction and comply with the following requirements:
 - (a) all rooms must be adequately lighted and ventilated, and all ventilation openings adequately screened;
 - (b) cv all walls, floors and partitions must be constructed of materials that are easily cleaned and not subject to damage from frequent cleaning or disinfecting;
 - (c) all showers and toilets must be installed in separate compartments and facilities designated for males and females separated by tight partitions; and
 - (d) all such *buildings* must be located at least 4.5 metres from any camping space, but not more than 150 metres from any camping space except such camping spaces as may be designated and used exclusively by recreational vehicles equipped with a toilet and facilities for washing.
- (15) Campgrounds providing camping spaces for *recreational vehicles* must be furnished with a sewage disposal station adjacent to a driveway in compliance with the Sewerage System Regulation.

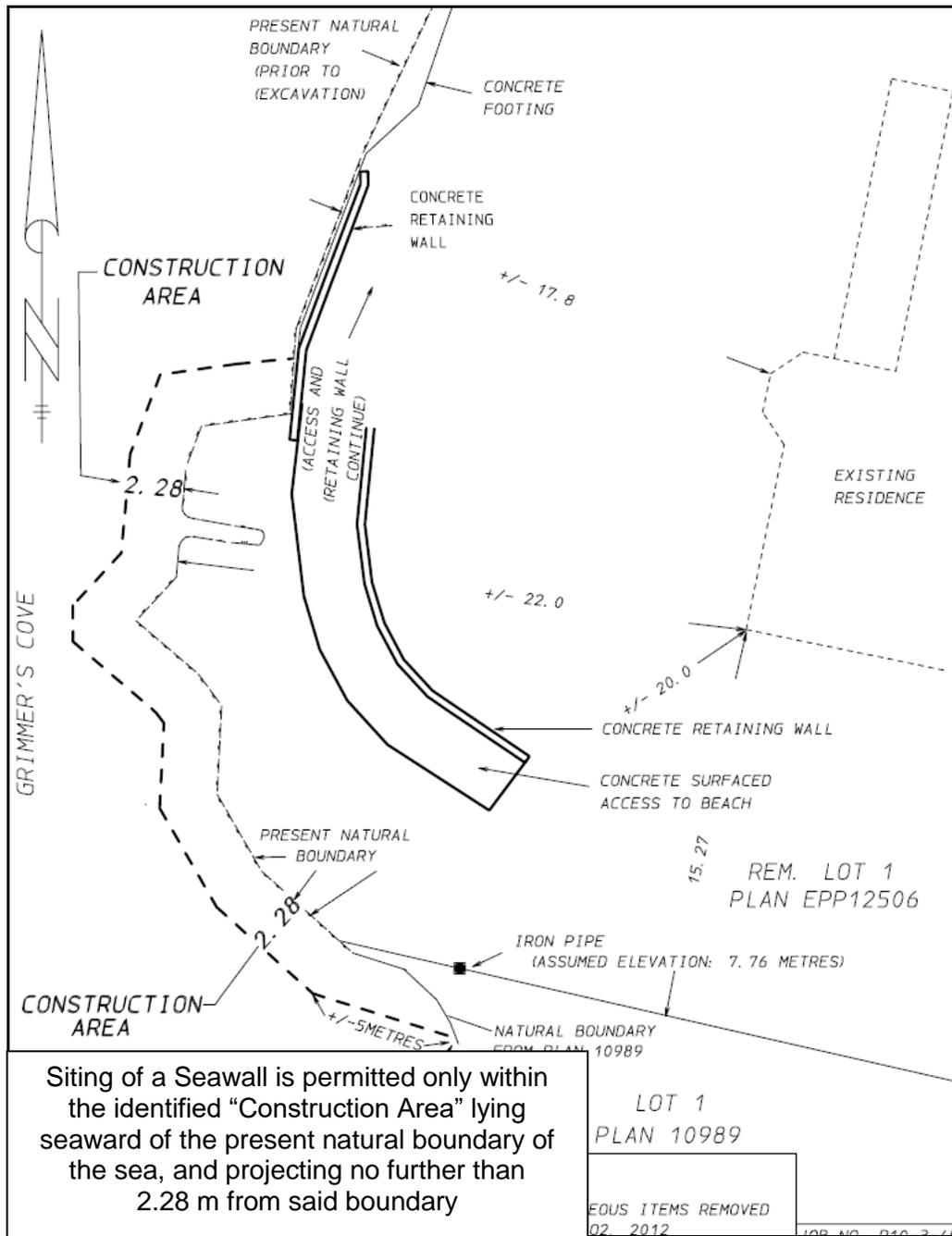
SCHEDULE C (BYLAW AREA MAP)



SCHEDULE D (Detailed Plans – R(b) Siting Plan)



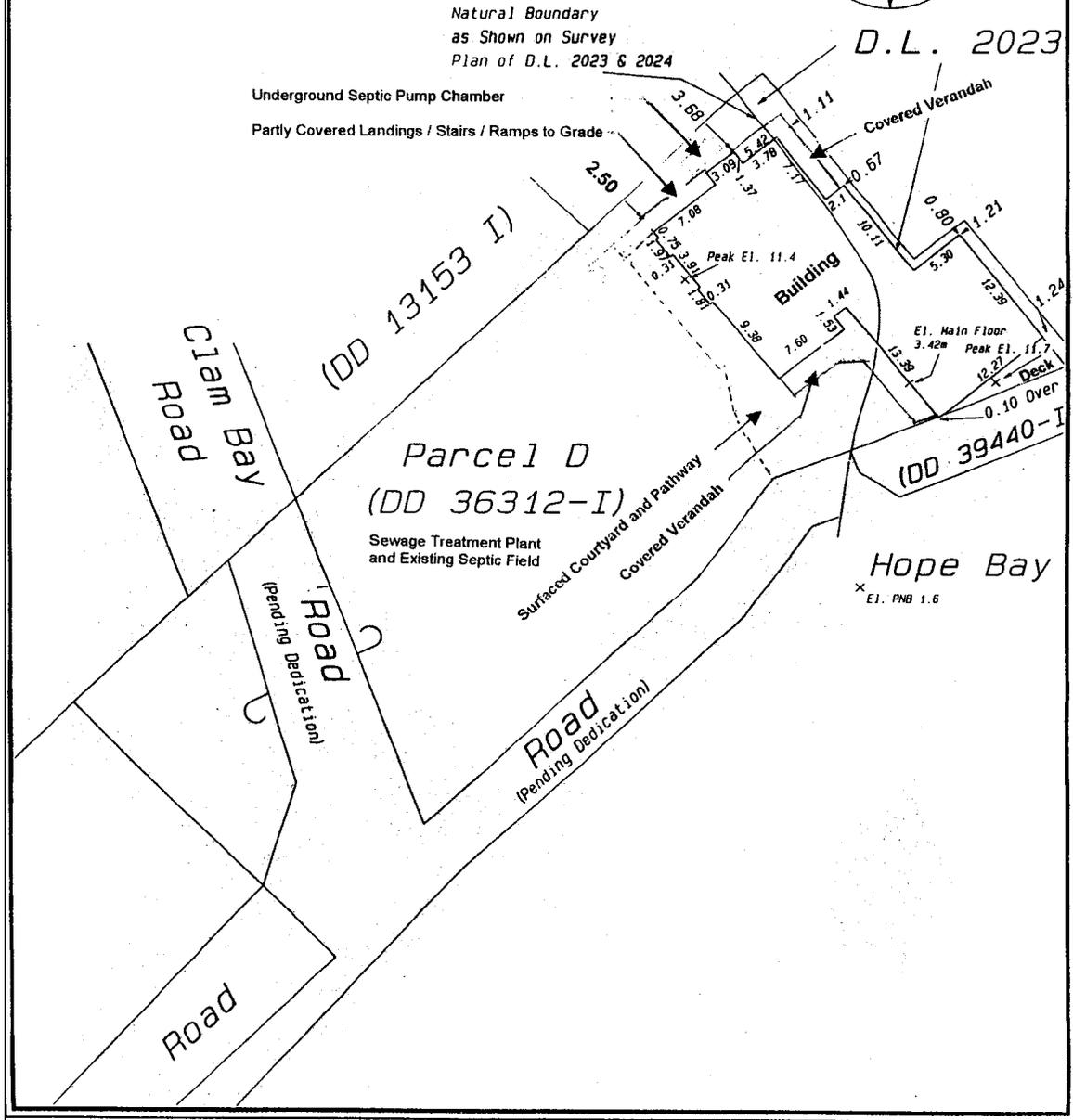
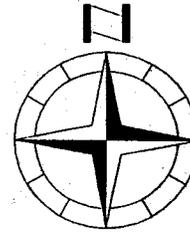
SCHEDULE E (Detailed Plans – W3(a) Seawall Plan)



SCHEDULE F (Comprehensive Development Zones – Plan CD1(a))

This drawing is adapted from a survey by
 Richard J. Wey and Associates Land Surveying Inc.,
 dated the 11th day of September 2003.

Distances shown are in metres.
 Scale = approximately 1:500.
 Elevations are to an assumed datum.
 Dimensions are to building framing.





BYLAW REFERRAL FORM

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

Islands Trust

Island: North Pender Island Local Trust Area **Bylaw No.:** 229 **Date:** July 22, 2022

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

N/A

PURPOSE OF BYLAW:

The project was identified by the North Pender Local Trust Committee (LTC) in late 2019 and the project charter was endorsed in January 2020. The objective of the project is to implement Official Community Plan (OCP) policies through amendments to the North Pender Land Use Bylaw (LUB). Bylaw No. 229 will amend the proposed Bylaw No. 224. Bylaw No. 229 includes LUB regulations that require new enabling policies in proposed Bylaw No. 223.

Additional project background, including staff reports, discussion papers, community engagement, are available for the LUB Review project webpage: <https://islandstrust.bc.ca/island-planning/north-pender/projects/>

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/north-pender/projects/> under the heading "Land Use Bylaw Review"

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

(Signature)

Name: Kim Stockdill

Title: Island Planner

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

PLEASE TURN OVER

This referral has been sent to the following agencies:

Federal Agencies

n/a

Regional Agencies

Capital Regional District – Building Inspection

Provincial Agencies

Ministry of Municipal Affairs & Housing
BC Assessment Authority
Ministry of Land, Water and Resource Stewardship – Crown Lease Branch
Ministry of Transportation & Infrastructure

Adjacent Local Trust Committees and Municipalities

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

Non-Agency Referrals

Islands Trust – Bylaw Enforcement
Pender Islands Parks & Recreation Commission

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Snuneymuxw First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

(Signature)

(Date)

229

(Bylaw Number)

(Name and Title)

(Agency)

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 229

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW NO. 224, 2022

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

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022”.

2. North Pender Island Local Trust Committee Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022,” is amended as follows:

2.1 Schedule “B” – Zoning Map, is amended by changing the zoning classification of:

- (1) a portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806 from Rural (R) to General Industrial (GI(e));
- (2) Lot 1, Section 23, Pender Island, Cowichan District, Plan 3658 from Commercial 1a (C1(a)) to Rural Residential 2 (RR2);
- (3) Lot 1, Section 23, Pender Island, Cowichan District, Plan VIP73194 from Commercial 1a (C1(a)) to Rural Residential 2 (RR2);
- (4) a portion of Lot 1, Sections 10 and 15, Pender Island, Cowichan District, Plan VIP59811 from Commercial 2f (C2(f)) to Rental Housing (RH); and
- (5) a portion of land northeast of Magic Lake from Rural Residential 1 (RR1) to Community Park 2 (CP2),

as shown on Plan Nos. 1, 2 3, and 4 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 224 as are required to effect these changes.

2.2 By adding the word “Agriculture” to Article 5.2(1)(c).

2.3 By adding the following a new site specific regulation to Table 5.10 in Subsection 5.10(12):

	Table 5.10		
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations

5	Gl(e)	Portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806	Despite Subsection 5.10(1), the only uses permitted in this location are: (a) <i>waste transfer facility</i> ; (b) commercial composting; (c) commercial recycling; and (d) Accessory storage of a maximum of five (5) motorized or non-motorized trucks; and five (5) construction containers.
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2.4 By adding the following to Section 5.13 ‘Rental Housing (RH) Zone’:

“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) *Multi-family rental dwelling*; and,
 - (b) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than 16 *multiple-family rental dwelling units* per lot.

Siting and Size

- (3) No *building or structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building or structure* shall be:
- (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3.0 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.13(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 25 percent.
- (7) The maximum *floor area* of a *multiple-family rental dwelling unit* must not exceed 93 m².

Conditions of Use

- (8) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (9) Every *multi-family rental dwelling* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

(10) No lot having an area less than 1.2 hectares may be created by subdivision in the Rental Housing Zone.”

2.5 By adding the following new article to Section 5.25 ‘Water 6 (W6) Zone’ and renumbering accordingly:

“5.25(1)(c) Community dock accessory to the upland community park use.”

2.6 By adding the following new subsection after Subsection 5.25(2) under the heading ‘Density’:

“(3) A maximum of one (1) community dock is permitted in the Water 6 Zone.”

3. SEVERABILITY

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

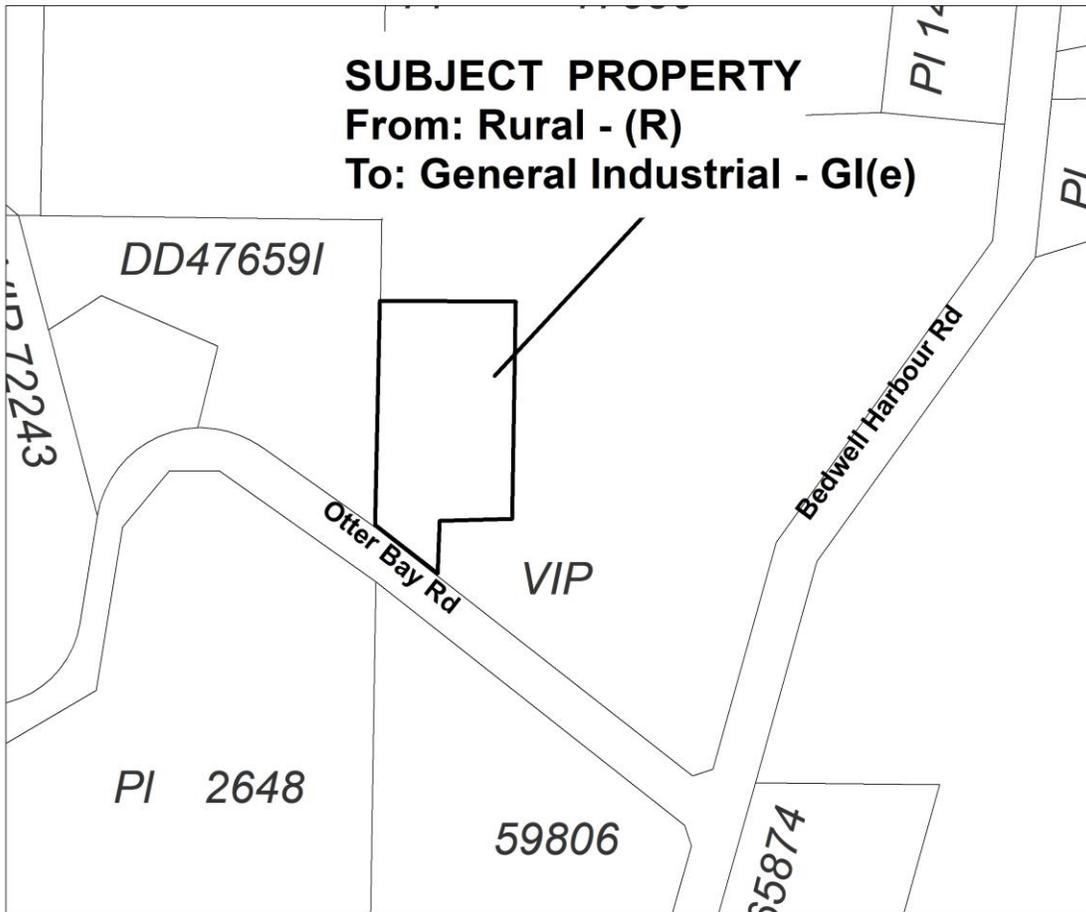
READ A FIRST TIME THIS	26 TH	DAY OF	MAY	2022.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

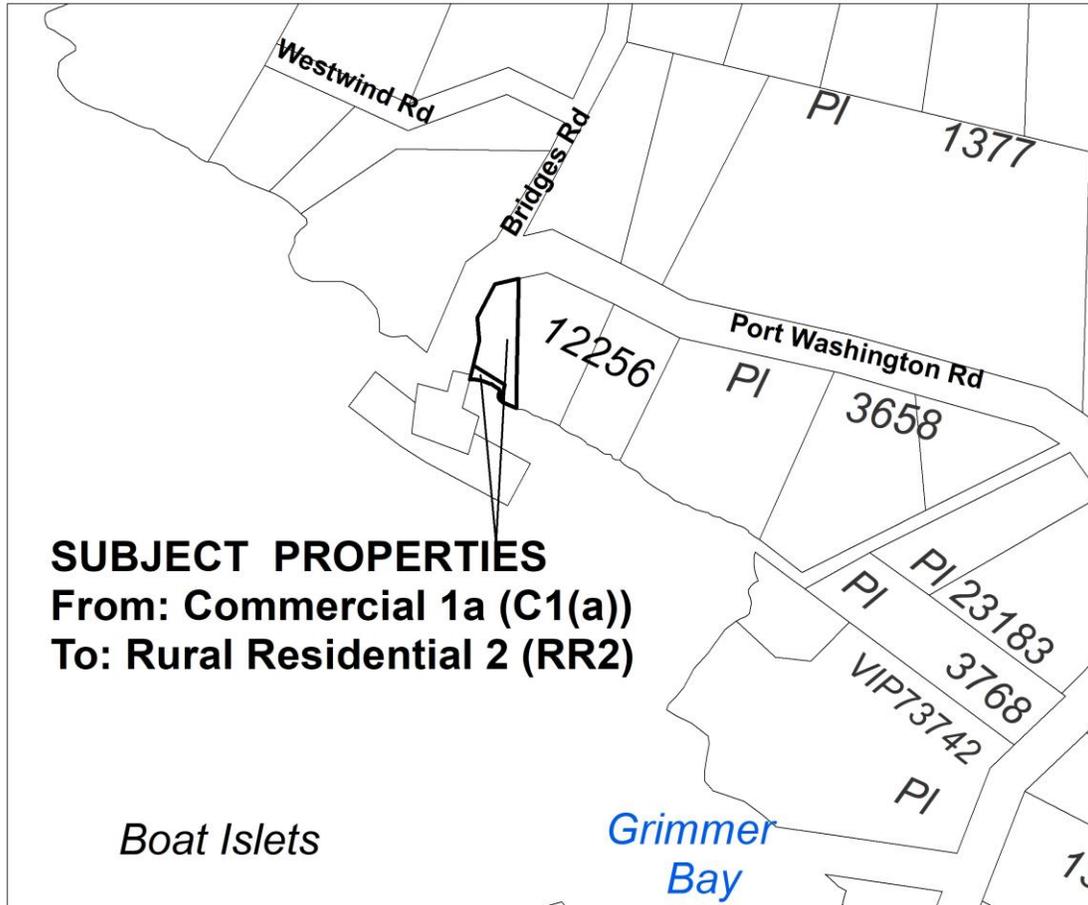
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 229

Plan No. 1



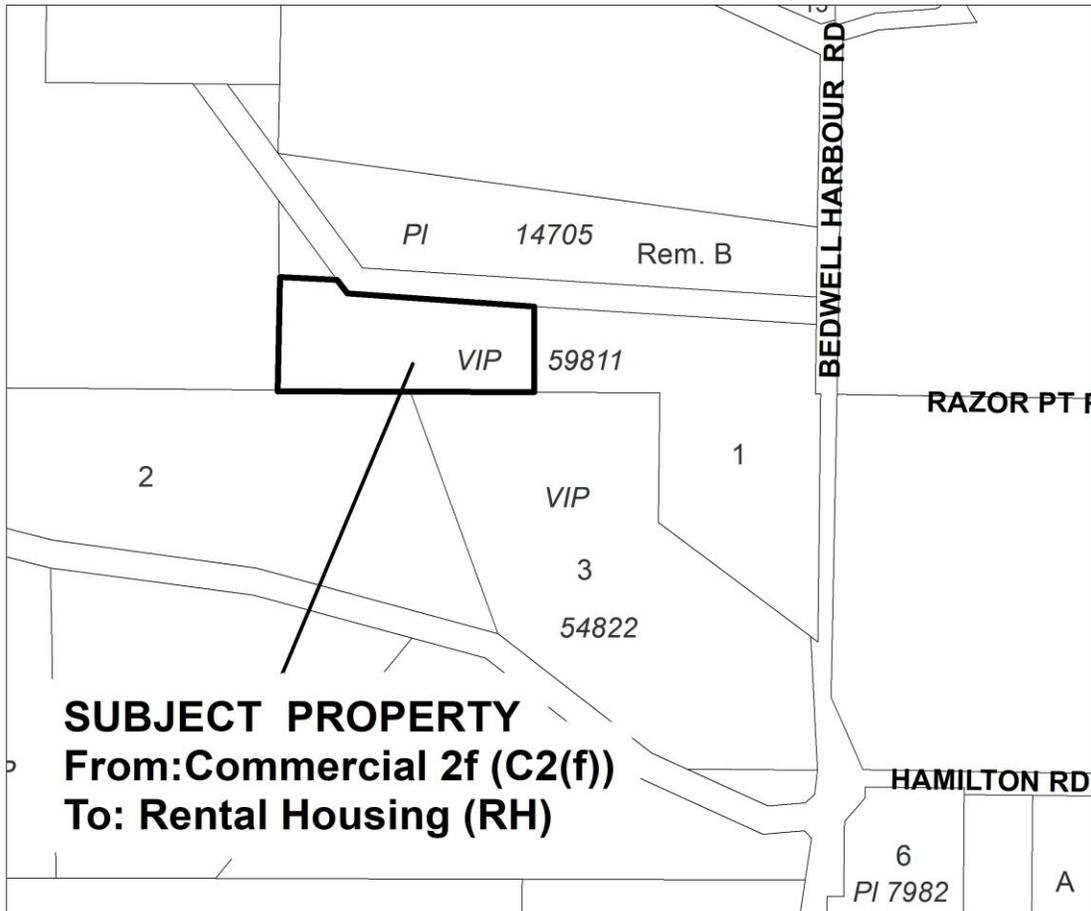
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 229

Plan No. 2



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 229

Plan No. 3





Islands Trust

BYLAW REFERRAL FORM

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Victoria, B.C. V8R 1H8
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information@islandstrust.bc.ca
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Island: Mayne Island Local Trust Area Bylaw No.: 181 and 183 Date: September 29, 2022

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Mayne Island Housing Society (MIHS)

PURPOSE OF BYLAW:

The purpose of these bylaws is to support the rezoning of the subject property to accommodate the development of ten units of affordable multi-family rental housing to be managed, built and operated by the Mayne Island Housing Society.

Bylaw 181 (Official Community Plan Amendment) – Designates the proposed multi-family rental housing portion of the parent property from Rural designation to Rural – Multi-family residential (R-MR) designation.

Bylaw 183 (Land Use Bylaw Amendment) – Enables the creation of three lots from a 10 acre parent of property. The property is proposed to be split zoned to enable the creation of two new zones. One new zone (Comprehensive Development Three (CD3)) will support the development of 10 units of affordable multifamily rental housing on 3 acres. The CD3 zone will be removed from the area permitted to have secondary suites. The second new zone R(f) will enable the subdivision of the remainder of the lot into two lots within the Rural Zone.

Professional reports and staff reports are available on the Mayne Island webpage:
<https://islandstrust.bc.ca/island-planning/mayne/current-applications/>

GENERAL LOCATION:

375 Village Bay Road, Mayne Island Local Trust Area

LEGAL DESCRIPTION:

002-552-256

SIZE OF PROPERTY AFFECTED:

10acres (4 hectares)

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural (R)

OTHER INFORMATION:

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

Narissa Chadwick
(Signature)

Name: Narissa Chadwick

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

PLEASE TURN OVER

This referral has been sent to the following agencies:

Regional Agencies

Capital Regional District – Regional Housing
Capital Regional District – Building Inspection
Capital Regional District – Regional Parks and Community Services
Capital Regional District – Southern Gulf Islands Harbours Commission (Integrated Water Services)
Capital Regional District – Environmental Resource Management
Island Health
Mayne Island Fire Rescue

Provincial Agencies

Ministry of Transportation & Infrastructure
Ministry of Municipal Affairs
Ministry for Attorney General and Minister responsible for Housing

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee

Non-Agency Referrals

BC Assessment Authority
BC Hydro and Power Authority
Telus
BC Housing

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Snuneymuxw First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Mayne Island Local Trust Area

(Island)

181 and 183

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 181

A BYLAW TO AMEND MAYNE ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 144, 2007

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

1. CITATION

This Bylaw may be cited for all purposes as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2021”.

2. SCHEDULES

Mayne Island Official Community Plan No. 144, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS	27 TH	DAY OF	JUNE	2022.
PUBLIC HEARING HELD THIS		DAY OF		20__
READ A SECOND TIME THIS		DAY OF		202__
READ A THIRD TIME THIS		DAY OF		202__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS		DAY OF		20__.
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS THIS		DAY OF		20__.
ADOPTED THIS		DAY OF		20__.

CHAIR

SECRETARY

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 181**

SCHEDULE 1

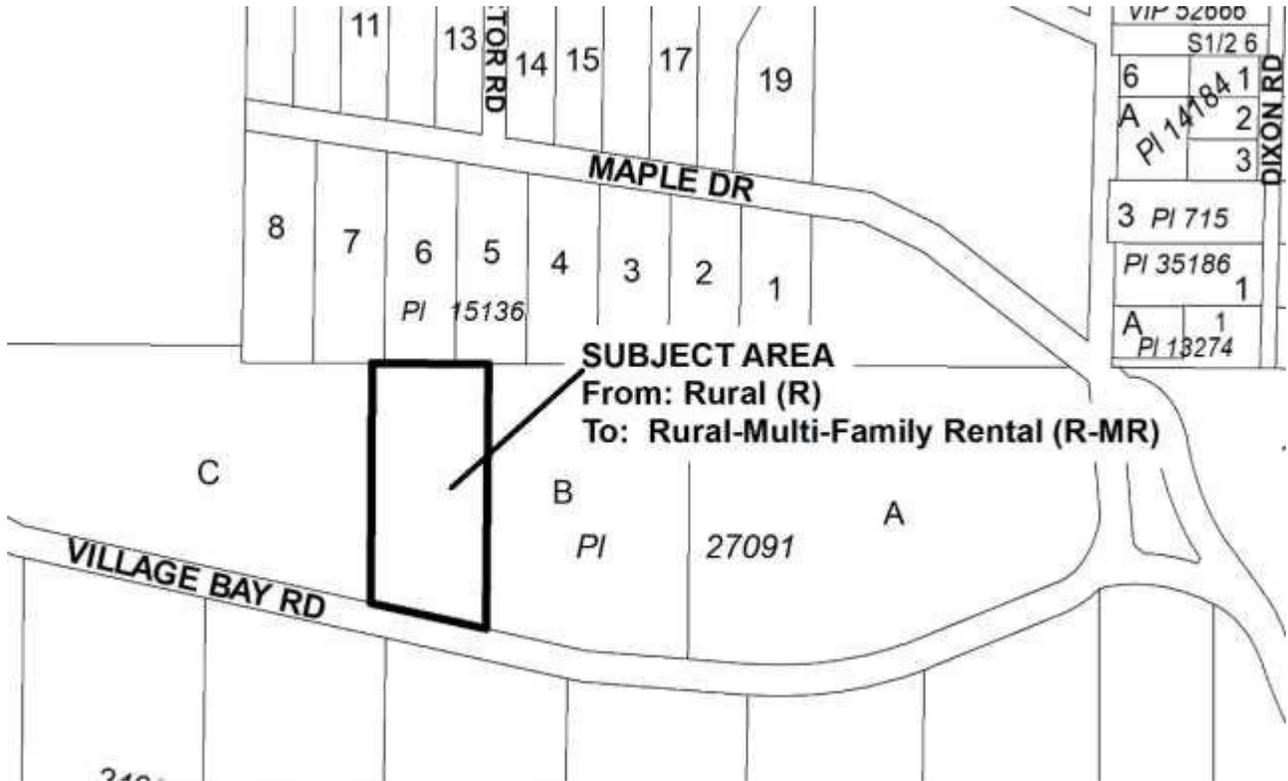
The Mayne Island Official Community Plan No. 144, 2007, is amended as follows:

1. By amending Schedule B by changing the land use designation on a portion of Lot B, Section 7, Mayne Island, Cowichan District Plan 27091 from Rural (R) to Rural – Multi-Family Residential (R-MR) as shown on Plan No. 1, which is attached to and forms part of this bylaw.

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 181

Plan No.1



PRC

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 183

A BYLAW TO AMEND MAYNE ISLAND LAND USE BYLAW NO. 146, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2021”.

2. Mayne Island Local Trust Committee Bylaw No. 146, cited as “Mayne Island Land Use Bylaw No. 146, 2008,” is amended as follows:

2.1 By adding to Definitions “Multi-family rental housing” means residential use of attached dwelling units that are limited to residential rental tenure.’

2.2 By adding to the definition of Dwelling unit “multi-family housing” after “secondary suite”

2.3 By adding to Definitions “Residential rental tenure” means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit.’

2.4 By inserting a new row in the table in subsection to 5.5 (14) in the Rural (R) zone as follows:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
R (f)	A portion of Lot B, Section 7, Mayne Island, Cowichan District Plan 27091	(1) Despite 5.5(13) above the average lot area must not be less than 1.3 hectares (3.3 acres).

2.5 By adding “5.28 Comprehensive Development Three (CD3) Zone” as a new zone following subsection 5.27:

“The purpose of the Comprehensive Development Three Zone is to provide for and regulate the development of multi-family rental housing.

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) Multi-family rental housing
- (b) Accessory uses, buildings and structures

Density

- (2) The maximum number of dwelling units in the CD3 zone is 10
- (3) The maximum lot coverage is 20%.

Size and Siting

- (4) The minimum setback for any building or structure is:
 - (a) 8 metres (26 feet) from any front, rear or exterior side lot line;
 - (b) 8 metres (26 feet) from any interior side lot line;
- (5) The maximum height for any dwelling unit is 9 metres (29.5 feet).
- (6) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

- (7) The minimum lot area is 1.3 hectares (3.3 acres).

Form of Tenure

- (8) All dwelling units in the Comprehensive Development Three (CD3) Zone shall be limited to residential rental tenure.”

2.6 By adding “Comprehensive Development Three CD3” to 4.1(1) (Division into Zones) following “Comprehensive Development Two CD2”

2.7 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of Lot B, Section 7, Mayne Island, Cowichan District Plan 27091, from Rural (R) to Comprehensive Development Three (CD3) as shown on Plan No.1, which is attached to and forms part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 146 as required to effect this change.

2.8 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of Lot B, Section 7, Mayne Island, Cowichan District Plan 27091, from Rural (R) to (R(f) as shown on Plan No.1, which is attached to and forms part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 146 as required to effect this change.

2.9 Schedule “D” – Zoning Map, is amended by removing a portion of Lot B, Section 7, Mayne Island, Cowichan District Plan 27091 from “areas where secondary suites are permitted” as shown on Plan No. 2, which is attached to and forms part of this bylaw, and the making of such alterations to Schedule “D” to Bylaw No.146 as required to effect this change.

3. SEVERABILITY

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

READ A FIRST TIME THIS 27TH DAY OF JUNE 2022.

READ A SECOND TIME THIS DAY OF 20__.

READ A THIRD TIME THIS DAY OF 20__.

PUBLIC HEARING HELD THIS DAY OF 20__.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20__

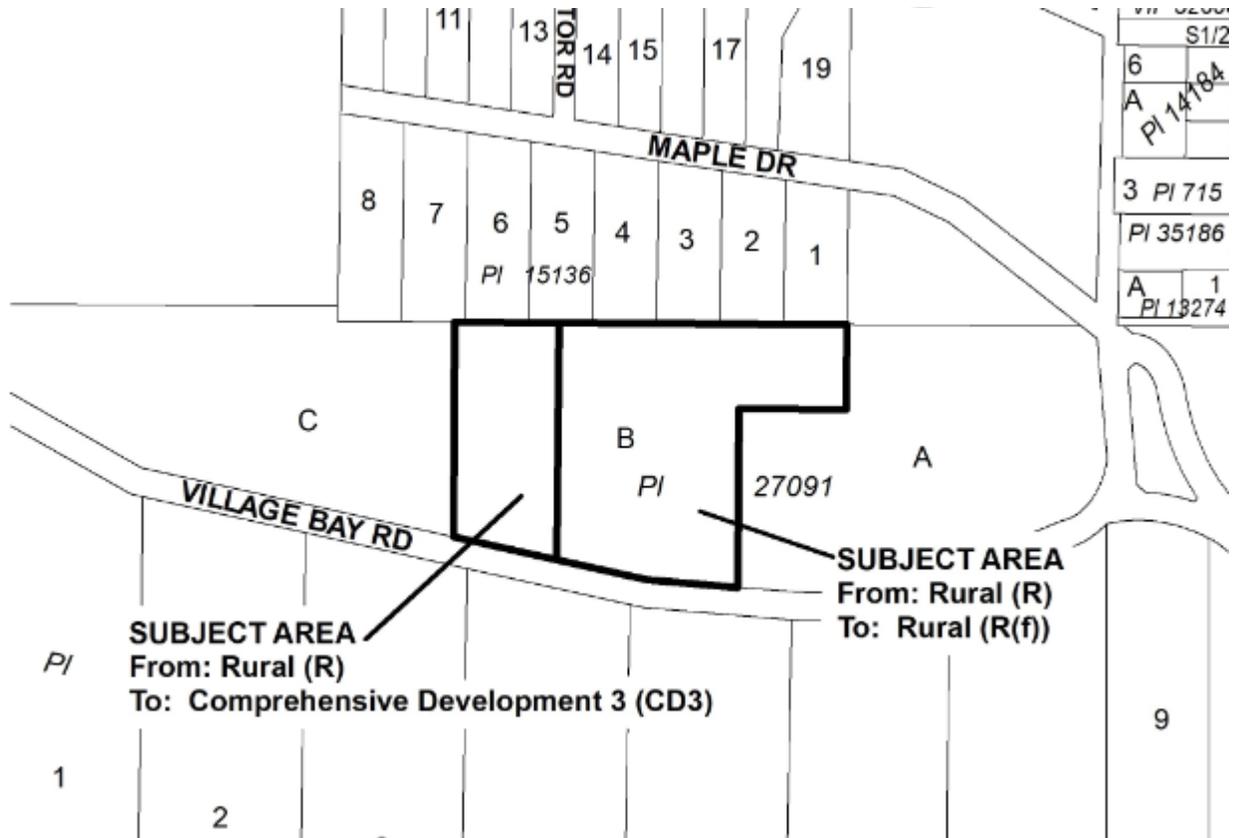
ADOPTED THIS _____ DAY OF _____ 20__

CHAIR

SECRETARY

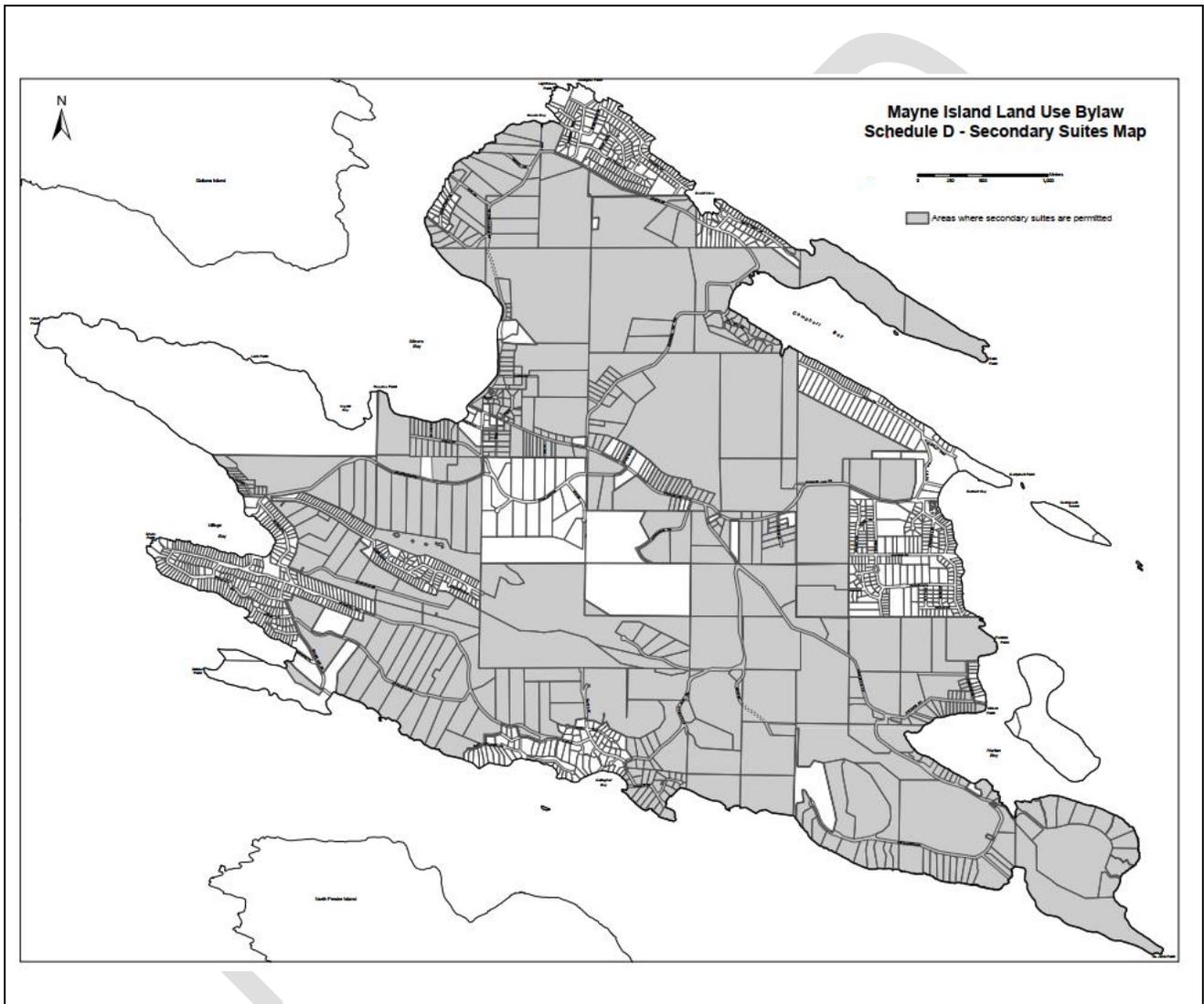
MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 183

Plan No. 1



MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 183

Plan No. 2





Work Program Application

South Pender Island		Reports	
FUAL (4)	Future Projects (7)	In Camera FUAL (0)	Active Projects (3)
Add Record		Archive	
Received Date	Description	Responsibility	
28-Apr-2015	<p>Description: Development Permit Areas</p> <p>Activity: Review of existing and potential development permit areas</p>		
28-Apr-2015	<p>Description: Sea level Rise and Shoreline Erosion</p> <p>Activity: Review of policies and regulations including setback from the sea, structures permitted in setback</p>		
01-Nov-2019	<p>Description: First Nations Language</p> <p>Activity: Consider OCP amendment to include a more fulsome historical accounting of First Nations</p>		
31-Jan-2020	<p>Description: Building and Siting Guidelines</p> <p>Activity: Review policy and regulations related to building and siting on residential properties, including floor area, setbacks, siting and other regulations.</p>		
09-Apr-2021	<p>Description: Groundwater Sustainability Project</p> <p>Activity: Phase 3</p>		
04-Feb-2022	<p>Description: Raptor's Nest Mapping</p> <p>Activity: To update the mapping of raptor's nest on South Pender Island.</p>		
07-Sep-2022	<p>Description: Brooks Point Zoning review</p> <p>Activity: Consider review of zoning of Brooks Point to strengthen conservation regulations and to restrict recreational uses</p>		



Work Program Application

South Pender Island		Reports	
FUAL (4)	Future Projects (7)	In Camera FUAL (0)	Active Projects (3)
Add Record		Archive	
Priority	Activity	Received Date	Target Date Responsibility
3rd Priority	Description: Shoreline Review Project Activity: Initial community consultation prior to LTC direction to proceed	09-Apr-2021	
2nd Priority	Description: Minor OCP Amendments Activity: Building Design & Siting Guidelines, FN OCP Language, and Rights of Nature statement	09-Apr-2021	30-Sep-2022
1st Priority	Description: Land Use Bylaw Amendments Project Activity: Potential amendments: 1. Maximum floor area 2. Setback Review 3. Agricultural Regulations 4. Shipping containers 5. Minor and technical amendments	09-Apr-2021	30-Sep-2022



Agricultural Land Reserve

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

SP-ALR-2021.1 Rachel Thomson for Airey Homes Inc.
 27-May-2021 8970 GOWLLAND POINT RD - ALR application for subdivision
Planner: Kim Stockdill

Planning Status

Status Date: 24-May-2022
 Submitted to the ALC via application portal.

Status Date: 27-Apr-2022
 On May 6, 2022 agenda.

Status Date: 02-Mar-2022
 Applicant in process of applying for NFU application with ALC.

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

SP-ALR-2022.1 Airey Homes Inc.
 01-Mar-2022 Agricultural Land Commission Application ID 63805 (Non Farm Use)
Planner: Kim Stockdill

Planning Status

Status Date: 24-May-2022
 Submitted to the ALC via application portal.

Status Date: 27-Apr-2022
 On May 6, 2022 agenda.

Status Date: 13-Apr-2022
 Robert K. assigned the file to Kim Stockdill.



Subdivision

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

SP-SUB-2021.1	Taylor Johnson or Rachel Thomas/Airey Homes Inc.	01-Jun-2021	8970 GOWLLAND POINT RD- proposed three lot bareland strata subdivision
---------------	--	-------------	--

Planner: Kim Stockdill

Planning Status

Status Date: 14-Oct-2021

PLRS received. ALC approval req'd as condition precedent.

Status Date: 28-Jun-2021

payment received letter sent to applicant, assigned to Phil, - DL

Status Date: 24-Jun-2021

fees received - DL

Islands Trust
 LTC EXP SUMMARY REPORT F2023
 Invoices posted to Month ending August 2022

665 South Pender	Invoices posted to Month ending August 2022	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-665	LTC "Trustee Expenses"	77.00	138.16	-61.16
LTC Local				
65200-665	LTC - Local Exp - LTC Meeting Expenses	1,561.00	321.88	1,239.12
65210-665	LTC - Local Exp - APC Meeting Expenses	333.00	0.00	333.00
65220-665	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-665	LTC - Local Exp - Special Projects	270.00	0.00	270.00
TOTAL LTC Local Expense		<u>2,414.00</u>	<u>321.88</u>	<u>2,092.12</u>
Projects				
73001-665-4117	South Pender OCP Minor Amendments	1,500.00	3,945.73	-2,445.73
73001-665-4118	South Pender LUB Minor Amendments	1,500.00	4,098.94	-2,598.94
TOTAL Project Expenses		<u>3,000.00</u>	<u>8,044.67</u>	<u>-5,044.67</u>



Standing Resolutions Log

South Pender Island

Resolution Number	Action	Date
<p>2021-016 (Standing)</p> <p>DESCRIPTION: 15.2 APC Appointments</p> <p>That the South Pender Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners</p>	Carried	05-Nov-2021
<p>2020-015 (Standing)</p> <p>DESCRIPTION: 4.6 Bylaw Violations re disposal or storage of waste or recyclable materials or storage of vehicles</p> <p>that South Pender Island Local Trust Committee directs bylaw enforcement officers to commence bylaw investigations and enforcement without written complaint if bylaw violations related to disposal or storage of waste or recyclable materials or storage of vehicles or vehicle parts are observed by the bylaw enforcement officer while doing inspections of other issues or if it is reliably reported to the officer that such activity may be taking place.</p>	Carried	04-Jun-2020



South Pender Island

Resolution Number	Action	Date
<p>2019-015 (Standing)</p> <p>DESCRIPTION: 15.3 Standing Resolution - Reconciliation Report</p> <p>that the South Pender Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <ul style="list-style-type: none"> a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area. 	Carried	06-Sep-2019
<p>2019-014 (Standing)</p> <p>DESCRIPTION: 15.2 Model Cell Tower Strategy - Staff Briefing</p> <p>that the South Pender Island Local Trust Committee endorse the Model Cell Tower Strategy.</p>	Carried	06-Sep-2019



South Pender Island

Resolution Number	Action	Date
<p>2019-001 (Standing)</p> <p>DESCRIPTION: 13.2 Cannabis Retail Application License Application Fees - Staff Report</p> <ul style="list-style-type: none"> - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - The proposed license should also be referred to First Nations for comment. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> o Name of the applicant and a description of the proposal in general terms o The location of the proposed establishment and the subject site o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application o How public comments may be submitted to the local trust committee. 	Carried	01-Feb-2019
<p>2015-015 (Standing)</p> <p>DESCRIPTION: Printed Agenda Packages</p> <p>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.</p>	Carried	28-Apr-2015
<p>2010-000 (Standing)</p> <p>DESCRIPTION:</p> <p>Send FUAL to trustees once drafted following the meeting.</p>	Carried	05-Oct-2010



Standing Resolutions Log

South Pender Island

Resolution Number	Action	Date
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2006-012 (Standing)

Carried

23-May-2006

DESCRIPTION: **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.



HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JULY 13, 2022 BOARD MEETING

NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- The Islands Trust Conservancy (ITC) continues to have a vacancy for one Ministerial appointment to the ITC Board. The [Crown Agencies and Board Resourcing Office](#) has posted the position with an **application deadline of October 7, 2022**, see link on the ITC website at <https://islandstrust.bc.ca/whats-happening/expressions-of-interest/>.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Manager presented a request for decision regarding the 2023/24 Budget submission. Board members discussed appropriate budget for First Nations engagement and indigenous knowledge holder services and rising costs of travel to islands due to inflation. ITC Board also noted a need to include species at risk grant commitments in the budget.
- The ITC Manager presented a request for decision to Board members on Proposed Bylaw 530 – Housing Action Program on Salt Spring. ITC considers referrals in the context of their impact to ITC managed lands. ITC Board indicated to the Salt Spring Island Local Trust Committee that ITC interests would be unaffected by Bylaw 530.
- Following the regular ITC Board meeting, an ITC/Executive Committee liaison meeting between Islands Trust Conservancy Board members and Islands Trust Executive Committee took place. Topics covered in this meeting included updates on the Governance Report, Policy Statement, and the ITC Species At Risk Program. ITC and the Executive Committee also discussed the draft ITC Plan (2023-2025), working with First Nations, biologist support for Regional Planning Committee and liaising with the Provincial Government.

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Manager presented a request for decision following a response that was received from the Agricultural Land Commission regarding the Livingstone NAPTEP covenant on Lasqueti Island. The ITC Board approved a revised covenant for registration that included language requiring approval of the ALC prior to making covenant amendments.

4. COVENANT AND PROPERTY MANAGEMENT



ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

- ITC Board discussed the Lisa Baile Nature Reserve Management Plan and approved the Management Plan, dated March 25, 2022, noting that further engagement with First Nations around appropriate name and naming rights is required.

5. COMMUNICATIONS AND OUTREACH

- ITC Board discussed a briefing about development of an ITC Communications Strategy. Discussion included use of social media to promote ITC, modernization of communications, and appropriate timing to engage current Board members with current staff prior to the election. The ITC Board directed staff to coordinate a board workshop regarding communications.
- ITC Board received correspondence from the Mayne Island Local Trust Committee and the Trust Council regarding Fallow Deer on Mayne Island.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- ITC Board considered a request for research to be carried out by Capilano University at the Long Bay Wetland Nature Reserve on Gambier Island. ITC Board expressed support for the project up to December 31, 2023 and allocated up to \$5,000 from the ITC budget to support the work.

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)



BRIEFING

To: All Local Trust Committees **For the Meeting of:** Various
From: ITC Staff **Date Prepared:** July 22, 2022
SUBJECT: Referral for Comment, Islands Trust Conservancy (ITC) Plan

PURPOSE: The Islands Trust Conservancy (ITC) has completed a draft Three-Year Plan, and is providing to local trust committees for information. Local trust committees may choose to provide comments for consideration of the ITC Board.

BACKGROUND:

The *Islands Trust Act* requires that the ITC prepare and submit to the Minister, at least once every five years, a Trust Fund Plan (ITC Plan), including policies on acquisition, management, and disposal of property, investment of money, goals for major acquisitions, and other matters as required. More recently, it has also summarized the goals of the draft Regional Conservation Plan¹. The current ITC Plan runs until the end of 2022 and the ITC Board is developing its next ITC Plan, which will begin in 2023.

ITC policy requires referral of the ITC Plan to every local trust committee and island municipality as well as to Trust Council for comment. Trust Council will receive the draft ITC Plan at its September meeting.

ATTACHMENT(S): Draft ITC Three-Year Plan

FOLLOW-UP: The Islands Trust Conservancy Plan has been referred to all local trust committees, Bowen Island Municipality, and Trust Council. It will also be referred to First Nations with interests in the Trust Area Comments. All comments will be considered by the ITC Board. The ITC Board intends to submit a final plan to the Minister of Municipal Affairs in December 2022 with a request for approval.

Following adoption of the ITC Plan, the ITC Board will consider a strategy for a multi-year engagement of First Nations to better inform an ITC Plan for 2026-2030.

Prepared By: Kate Emmings, Manager, Islands Trust Conservancy

¹ It is important to distinguish between the Trust Fund Plan, which requires Ministerial approval under the *Islands Trust Act*, and the Regional Conservation Plan, which provides science-based operational direction to the Islands Trust Conservancy Board and its staff. The documents are complementary, but serve different functions.



ISLANDS TRUST CONSERVANCY THREE-YEAR PLAN 2023-2025



ISLANDS TRUST CONSERVANCY

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I. INTRODUCTION

Islands Trust Conservancy¹ manages over 1,350 hectares of diverse island ecosystems in 112 protected areas, in collaboration with private landholders, land trusts and other conservation partners. The Islands Trust Conservancy recognizes that the ability to protect these island ecosystems is possible because of the thousands of years of stewardship by the First Nations with interests in the lands and waters in the Trust Area, which has created a lasting natural legacy throughout the islands.

Islands Trust Conservancy was created by the Province of British Columbia in 1990 as a regional land trust and conservation arm of the Islands Trust to protect in perpetuity some of the most ecologically and culturally significant places in the Islands Trust Area. To do so, the Islands Trust Conservancy works closely with partners to protect sites through land donation, conservation covenants, land purchase and public education.

Islands Trust Conservancy plays an important role in preserving and protecting the unique and fragile ecosystems found in the Strait of Georgia and Howe Sound. The area is among the most biologically diverse regions in the Province of British Columbia and is globally significant with respect to the at-risk Coastal Douglas-fir biogeoclimatic zone. The Islands Trust Area holds 25% of British Columbia's Coastal Douglas-fir zone, the largest percentage of any local government jurisdiction in the province. Within regional districts and biogeoclimatic zones found within the Islands Trust Area, there are a total of 197 red-listed (extirpated, endangered, or threatened) species (25% of the provincial total) and 158 blue-listed (special concern) species (14% of the provincial total) (BC Conservation Data Centre, 2022).²

There are also a high proportion of the province's red and blue-listed ecological communities. The Islands Trust Area supports some of Canada's last remaining Garry Oak ecosystems and the associated rare plants, mosses, butterflies and reptiles. Island coastlines support eelgrass meadows, forage fish habitat, glass sponge reefs and other extraordinary marine environments. These numerous rare and endangered species and ecosystems will not survive unless sufficient habitat is protected and carefully managed for its ecological integrity. The Islands Trust Conservancy's work encouraging and assisting private landholders to protect ecologically valuable land in this region is vital to the provincial government's efforts to protect these important and imperiled ecosystems.

Since the adoption of the previous Islands Trust Conservancy Plan in 2017, Islands Trust Conservancy has deepened its learning about the connection of Indigenous Peoples to the land and waters of the islands. Typically, Islands Trust Conservancy adopts Five-Year Plans to guide its work; however, Islands Trust Conservancy has not had sufficient time to engage with First Nations regarding its strategic directions to be able to submit a 2023-2027 Plan. Consequently, Islands Trust Conservancy Board has elected to create a short Three-Year Plan that is substantively an update of the 2017-2022 Plan. The Three-Year Plan will guide the work of Islands Trust Conservancy while it conducts early and meaningful First Nations engagement prior to adoption of a 2026-2030 Plan. By meaningfully engaging First Nations in the development of the 2026-2030 plan, Islands Trust Conservancy hopes to

¹ Previously known as the Islands Trust Fund Board. Name change effective May 31, 2018

² B.C. Conservation Data Centre. 2022. BC Species and Ecosystems Explorer. B.C. Minist. of Environ. Victoria, B.C. Available: <https://a100.gov.bc.ca/pub/eswp/> (accessed May 7, 2022).

create a Five-Year Plan that advances the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and the supports the outcomes in the provincial Declaration on the Rights of Indigenous Peoples Action Plan 2022-2027.

2. THE ISLANDS TRUST CONSERVANCY MANDATE, MISSION AND VISION

The Legislated Mandate of the Islands Trust Conservancy

In 1974, the Province of British Columbia recognized the islands between Vancouver Island and the mainland as a special place within the province where the unique beauty, rural character and rare ecosystems should be protected from overdevelopment. Through the *Islands Trust Act*, the province established the Islands Trust, with the following mandate (known as the Object of Islands Trust):

*To preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.*³

In 1990, through the enactment of a section of *Islands Trust Act*, the Islands Trust Conservancy (at that time, the Islands Trust Fund) was established as a conservation land trust to assist in carrying out the “preserve and protect” mandate. Part 6 of the *Islands Trust Act* establishes the corporate status, responsibilities, and governance structure of the Islands Trust Conservancy.

The Islands Trust Conservancy is one of 16 corporate entities⁴ charged to uphold the Object of the Islands Trust. It carries out the preserve and protect mandate through the conservation of land as nature reserves, nature sanctuaries, conservation covenants and other interests in land, and public education.

Under the *Islands Trust Act* (Section 44)

1. The Islands Trust Conservancy must prepare and submit to the Minister, at least once every five years, a plan for the trust fund respecting
 - a) policies on acquisition, management and disposal of property of the trust fund,
 - b) policies on investment of money of the trust fund,
 - c) goals for major acquisitions of property by the trust fund, and
 - d) other matters as required by the Minister
2. The Islands Trust Conservancy must not, without the prior approval of the Minister, acquire, hold or dispose of land except in accordance with a trust fund plan under subsection (1) that has been approved by the Minister.

³ In November 2021, the Province of BC passed the Municipal Affairs Statutes Amendment Act (No. 2), 2021 (Bill 26), which included specific reference to First Nations in the Islands Trust’s Object.

⁴ The Corporate entities charged to uphold the Object of the Islands Trust include the Trust Council, the Executive Committee, thirteen local trust committees and the Islands Trust Conservancy.

The Mission and Vision of the Islands Trust Conservancy

The **mission of the Islands Trust Conservancy** is to protect special places by encouraging, undertaking, and assisting in voluntary conservation initiatives within the Islands Trust Area.

The **vision of the Islands Trust Conservancy** is for a network of protected areas that preserve in perpetuity the natural systems of the islands in the Salish Sea.

Reconciliation Declaration

In July 2019, the Islands Trust Conservancy approved a Reconciliation Declaration:

The **Islands Trust Conservancy acknowledges** that the islands and waters that encompass the Salish Sea have been home to Indigenous Peoples since time immemorial. We recognize that we are all intertwined in the ecosystems that are the lands, waters, culture, and ecology that embody this place.

The **Islands Trust Conservancy will strive** to create opportunities for knowledge-sharing, understanding and collaboration as people come together to preserve and protect the special nature of the islands within the Salish Sea.

The **Islands Trust Conservancy is committed** to the protection and preservation of this place through processes that respect and honour reconciliation and mutually respectful relationships with Coast Salish Indigenous Peoples. We express our recognition for the past, present, and future stewardship and knowledge that has been shared by Indigenous Peoples and are humbled and grateful.

3. GOALS AND OBJECTIVES OF THE ISLANDS TRUST CONSERVANCY

Building on Achievements

Protected Lands

Since its inception in 1990, the Islands Trust Conservancy has protected 1,365 hectares (3,370 acres) of ecologically-significant natural area on the islands. As of November 2022, the Islands Trust Conservancy manages 34 Nature Reserves, and works with island landholders to steward 78 conservation covenants for a total of 112 protected areas. Twenty-seven of these protected places are certified as Ecological Gifts by Environment and Climate Change Canada.

In the next three years: The Islands Trust Conservancy will continue to refine the knowledge used for its decision making by developing a renewed 10-year Regional Conservation Plan to ensure that the organization's time and resources are directed towards high-priority land protection projects.

The Islands Trust Conservancy will continue to pursue new and innovative sources of funding to ensure that it can seize time-sensitive land securement opportunities and prevent further loss of the rare and fragile ecosystems of the Islands Trust Area. The Islands Trust Conservancy also intends to increase funding available for property management and restoration of its protected lands.

See Appendix A for a list of properties protected by the Islands Trust Conservancy.

Collaboration

The Islands Trust Conservancy works in partnership with land trusts, conservation groups, First Nations, parks agencies and others focused on conservation in the region. Islands Trust Conservancy staff participate in the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership, the Land Trust Alliance of British Columbia, and the Species and Ecosystems at Risk Local Government Working Group to further the organization's conservation mandate.

The Islands Trust Conservancy supports and enhances the capacity of the local island-based land trusts by providing grants from its Opportunity Fund, working collaboratively on projects, and facilitating education and networking opportunities. The Islands Trust Conservancy's Opportunity Fund is funded by private donations and has provided more than \$105,000 in grants to local land trusts, helping protect more than 525 additional hectares of land, since it was developed in 2005.

In the next three years: The Islands Trust Conservancy will seek to establish and deepen relationships with First Nations and will work towards building trust by finding opportunities to collaborate with First Nations to integrate Traditional Ecological Knowledge into management planning, reconnect youth with island ecosystems and other mutually beneficial initiatives. Islands Trust Conservancy will also meaningfully engage First Nations in the development of the 2026-2030 plan to create a Five-Year Plan that advances the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and the supports the outcomes in the provincial Declaration on the Rights of Indigenous Peoples Action Plan 2022-2027.

Financial Sustainability

The administration of the Islands Trust Conservancy is funded by the Islands Trust Council, through property taxes collected from the residents and landholders of the Islands Trust Area.

Land securement and any other projects outside of core operations must be funded through external sources, including grants and private donations.

Grants: Because of the density of rare species found in the Islands Trust Area, Islands Trust Conservancy has been successful in negotiating over \$600,000 in federal funding between April 2020 and March 2023 to support land protection and management for species at risk. Islands Trust Conservancy intends to work with the Government of Canada to continue conservation for species at risk.

Private Donations: To augment its ability to protect and manage land, the Islands Trust Conservancy approved a Fund Development Strategy in early 2020. To support the Strategy, a part-time Strategic Fund Development Specialist position was created in 2022. In 2022, the Islands Trust Conservancy was successful in raising over \$100,000 in donations, including being the recipient of two bequests.

Current Funds: Islands Trust Conservancy holds three geographically-restricted funds dedicated to land acquisition – the Lasqueti Island Acquisition Fund, the Gambier Island Acquisition Fund, and the Thetis Island Acquisition Fund – and has guidelines to assist with the future development of other geographically restricted funds. Additionally, Islands Trust Conservancy has a Covenant Management and Defense Fund, and Property Management Fund and two property-specific land management endowments.

In the next three years: The board will continue to promote legacy gifts as a way to fund the protection and stewardship of ecologically significant lands in the region.

Encouraging Private Land Stewardship

Islands Trust Conservancy's innovative tax incentive program for private landholders to place conservation covenants on their properties, the Natural Area Protection Tax Exemption Program (NAPTEP), provides a permanent 65% reduction on property taxes on the portion of an eligible property protected by a conservation covenant.

In the next three years: Islands Trust Conservancy will continue to promote its programs to island landholders, focusing its outreach efforts on the highest priority landscapes. Islands Trust Conservancy Board will welcome conversations with the provincial and federal governments about new or innovative tools that might motivate increased land stewardship in this region and will look to these governments to partner on such programs.

Planning for Regional Conservation

In January 2018, Islands Trust Conservancy Board approved a 10-Year Regional Conservation Plan. The Regional Conservation Plan is the tool used by Islands Trust Conservancy to focus its resources on areas with the highest biodiversity values and greatest need for conservation. Islands Trust Conservancy has designed the Regional Conservation Plan as an information resource for citizens and organizations working towards conservation of biodiversity within the Islands Trust Area.

Based on scientific information and other forms of knowledge, the Regional Conservation Plan identifies areas of interest for conservation within the Islands Trust Area and strategies for achieving better levels of land conservation. Some of the strategies involve land acquisition and conservation covenants with willing landholders. Other strategies involve working with First Nations, partner agencies, local trust committees and Bowen Island Municipality to increase our knowledge base, encouraging protection of ecologically significant land within the Islands Trust Area and managing existing conservation lands effectively.

Goals of the 2018-2027 Regional Conservation Plan

The 2018-2027 Regional Conservation Plan sets out four high level long-term goals that reflect the enduring ambitions of Islands Trust Conservancy to work with island landholders and conservation partners to protect the rich biodiversity of the Islands Trust Area:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities

In order to contribute to effective conservation of biodiversity and ecological integrity in the Islands Trust Area, Islands Trust Conservancy needs an understanding of the status of ecosystems and species in the region. Additionally, Islands Trust Conservancy manages over 1,350 hectares of land and can use data to improve and inform its land stewardship. Islands Trust Conservancy will continue to invest in research and data acquisition that supports the conservation of island ecosystems.

2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals

The Islands Trust Area is in the traditional territories of many First Nations. As part of its current practice, Islands Trust Conservancy invites comment from First Nations in management planning processes and refers public conservation proposals to First Nations where archaeological sites are identified. Islands Trust Conservancy seeks to establish and deepen relationships with First Nations and will work towards building trust and finding opportunities to collaborate with First Nations on projects and policy development where there are opportunities for shared benefits.

3. Continue to secure and manage Islands Trust Conservancy lands and conservation covenants to maximize ecological integrity

The core work of Islands Trust Conservancy is to maintain and contribute to protected area networks which preserve ecological function and high levels of biodiversity in the Islands Trust Area. Islands Trust Conservancy will continue to acquire new nature reserves and conservation covenants as well as use other tools for conserving nature while ensuring that it cares for the lands that it is trusted to manage. Securing adequate funding to pursue new acquisitions as well as manage all protected lands responsibly will be an area of considerable focus for Islands Trust Conservancy.

4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

Islands Trust Conservancy was established in 1990. It has been a consistent presence in conservation of species and ecosystems in the Islands Trust area for almost thirty years. As it moves into the fourth decade of its work, Islands Trust Conservancy will ensure that it can responsibly care for its management responsibilities and participate effectively in partnership opportunities into the future. It will also work to be resilient enough to gracefully navigate change, both on the landscape and as an organization.

The 2018-2027 Regional Conservation Plan is posted on Islands Trust website:

islandstrust.bc.ca/conservancy/conservation-planning/

4. ISLANDS TRUST CONSERVANCY POLICIES

Below is a summary of key Islands Trust Conservancy policies affecting the public interest. A full list of policies, hyperlinked to the Islands Trust website, can be found in Appendix B.

Section 1: Fundraising, Investment and Financial Accountability

General Accounting

The financial transactions of Islands Trust Conservancy are managed using standard accounting procedures and are subject to an annual independent audit. The Audited Financial Statements of Islands Trust Conservancy are available on the Islands Trust website.

To ensure financial accountability, Islands Trust Conservancy will:

- follow the procurement policy established by Islands Trust Council;
- require prior approval of the board for expenditures in excess of \$10,000 unless a prior resolution from the board approves a plan, project or policy authorizing such an expenditure;
- require all financial transactions related to approved projects to be authorized by the Islands Trust Conservancy Manager;
- direct the Islands Trust Conservancy Manager to act on behalf of the board to oversee the management of the bank accounts and investments of the board; and,
- review an updated financial report at each regular board meeting.

Islands Trust Conservancy will not incur any liabilities without the prior approval of the Minister responsible for the Islands Trust.

Fundraising and Investment of Funds

Islands Trust Council approves an annual budget for the administrative operations of Islands Trust Conservancy. This funding covers operating expenses including, but not limited to, board meetings and training, staff salaries and benefits, conservation planning, land and covenant negotiations, communications, fundraising, legal counsel and property management costs. However, the operating budget is not used for direct acquisition of properties (i.e. purchase costs). Accordingly, to purchase land or contribute to acquisitions by other agencies, Islands Trust Conservancy must raise additional funds. The *Islands Trust Act* provides Islands Trust Conservancy with the ability to raise funds in a variety of ways.

The board and staff will solicit funds for the purposes outlined in existing Fund Guidelines⁵ and Fund Agreements⁶. Islands Trust Conservancy will not solicit funds for purposes outside of those approved in Fund Guidelines or Fund Agreements unless it has first reviewed and approved the additional fundraising activity. Islands Trust Conservancy currently manages ten funds.

⁵ As of November 2022, Islands Trust Conservancy has Fund Guidelines for the following funds: Opportunity Fund, Geographically Restricted Funds, Property Management Fund and Covenant Management and Defense Fund.

⁶ Fund Agreements are negotiated agreements with donors regarding the specific use of a restricted donation

Islands Trust Conservancy will not engage in commission-based fundraising, and will not employ contractors utilizing this method for fundraising activities. Islands Trust Conservancy will reserve the right to decline to accept a donation at its discretion.

Islands Trust Conservancy routinely requests cash endowments with land conservation projects associated with development applications. Islands Trust Conservancy invests these endowments only in accordance with the requirements of the *Trustee Act* for the investment of trust property by a trustee. The board ensures that it invests only in forms of property or security in which a prudent investor might invest, and which enable retrieval of the full investment if required.

Islands Trust Conservancy is a corporation that is, for all purposes, an agent of the provincial government, and accordingly is a qualified donee and can issue receipts for income tax purposes for donations. Islands Trust Conservancy is exempt from paying property taxes on its lands.

Section 2: Acquisition, Management and Disposition of Property

General

Under the *Islands Trust Act*, Islands Trust Conservancy can accept donations and grants of land, conservation covenants, other interests in land, cash, securities and other real property in support of the protection of the Islands Trust Area. Islands Trust Conservancy is an approved recipient of gifts of land and interests in land through Environment and Climate Change Canada's Ecological Gifts Program.

When considering proposals, the board will give priority to those proposals that protect larger areas of land, and may defer or decline smaller proposals. The board will only consider accepting covenants and land acquisitions of less than two hectares (4.9 acres) if specific significant features are present.

The board will assess the need for the ongoing management and future legal defense of conservation properties and may, as part of an approval, request or require an endowment or donation to cover management and defense costs associated with the land or covenant.

Land Acquisition

Islands Trust Conservancy will normally only consider the acquisition of lands that meet the Board's definition of Nature Reserve: *an area that has been set aside because it has regionally significant natural ecosystems (landscape units with little or no human development) and may contain nationally and provincially identified ecosystems and species that are considered endangered, threatened or of special concern. The primary purpose of a Nature Reserve is the preservation and protection of the natural ecosystem. The size of a Nature Reserve should be sufficient to ensure that these ecosystems remain viable over the long term. Activities permitted on a nature reserve will have minimal impact on the land and in general will only include hiking and only in areas that are considered not sensitive to this activity. The location and extent of hiking trails will be determined through the management plan process.*

With every land acquisition proposal, Islands Trust Conservancy will evaluate any risks that may hamper the organization's ability to protect the land's natural values in perpetuity. Islands Trust Conservancy will only consider accepting land that needs extensive ecological restoration or substantial management if:

- a) Islands Trust Conservancy has adequate staff resources to manage the on-going requirements;
- b) a substantial cash donation that is adequate to cover on-going restoration and/or management costs is provided; or,
- c) Islands Trust Conservancy has adequate funds available to undertake immediate restoration and/or management requirements.

Islands Trust Conservancy will not accept or acquire any lands where there is an obligation to maintain buildings or structures. The Conservancy may accept and acquire lands that have buildings on-site that can be removed or maintained at the board's discretion.

As a further measure of protection, Islands Trust Conservancy may develop and register a conservation covenant on each of its nature reserves if an appropriate conservation agency can be found to hold the covenant and if the values on the land warrant the investment of staff time and legal fees.

Conservation Covenants

Islands Trust Conservancy will encourage landholders within ecologically significant areas or with significant characteristics or values to protect their land using binding conservation covenants and will work with interested landholders to achieve protection of significant areas.

Islands Trust Conservancy will continue to work with Trust Council to promote and administer the Natural Area Protection Tax Exemption Program (NAPTEP). The program provides a property tax incentive for landholders who register conservation covenants on their lands to protect the natural features and values of their properties.

Islands Trust Conservancy may refuse to acquire properties with existing conservation covenants or other charges on title that include rent charges³. Rent charges will not be included in covenants to be registered on Islands Trust Conservancy owned properties as the Conservancy cannot incur liabilities without ministerial approval.

Management of Property and Covenants

The acquisition of land or registration of conservation covenants does not by itself guarantee the long-term protection of significant features and values. Active management of protected areas is also necessary. Islands Trust Conservancy's primary objectives in managing its properties are to protect public safety and ecological values. Lands held by Islands Trust Conservancy are not parks but are nature reserves and nature sanctuaries, and this concept is considered in acquisition discussions, management planning, insurance and land use zoning.

³ "Rent charge" is similar to a fine and is a charge registered against the land to enable enforcement of a breach of a covenant agreement.

To effectively manage ecologically significant areas, Islands Trust Conservancy works cooperatively with First Nations, landholders, contractors, partner conservation groups and other government agencies. Qualified staff, partners and contractors develop management plans for all lands held by Islands Trust Conservancy. Management plans provide long-term direction regarding allowable public use, the reduction of risk to public safety, and the reduction of risk to ecological values and other significant features.

When Islands Trust Conservancy receives donations of land, it consults with the donor(s) regarding any specific wishes they might have for the property and considers these wishes in the management planning process.

Generally, management plans will address the following matters:

- purpose and objectives for the site;
- background information including the site history;
- First Nations input and engagement;
- environmental inventory;
- management issues such as the extent and nature of protection required, appropriate uses and level of use, research guidelines, risk management, signage, and special needs at the site;
- strategies and actions to achieve the purpose and objectives for the site and to address management issues and needs; and
- traditional use and protection of cultural/archaeological sites.

Islands Trust Conservancy will seek assistance from partners to implement management plans and, where appropriate, will request partners to enter into contracts with Islands Trust Conservancy regarding management operations and responsibilities.

Islands Trust Conservancy monitors all of its lands and covenanted areas regularly to assess the character and key features of the sites, evaluate the effectiveness of the management program, identify any new issues that need to be addressed, and identify and respond to any breaches to the terms of a covenant or trespasses on protected lands.

Islands Trust Conservancy will request, where necessary, that local trust committees or island municipalities rezone Nature Reserves and Nature Sanctuaries to the most appropriate designation and zone for nature protection when it is reviewing Official Community Plans and/or Land Use Bylaws and will work with local trust committees or island municipalities to determine the most appropriate designation and zone.

Disposition of Property

Islands Trust Conservancy intends to maintain its protected areas in perpetuity. However, there are circumstances where Islands Trust Conservancy will consider transferring property (or interests in a property, such as a conservation covenant) it has acquired to another agency.

If Islands Trust Conservancy receives an unrestricted donation of land with little or no ecological value, and if no other barriers to disposition exist, Islands Trust Conservancy may sell the land and place the proceeds in a fund of Islands Trust Conservancy to be decided by the board.

If Islands Trust Conservancy receives a proposal to transfer an ecologically significant property (or an interest in land) to another conservation agency, and determines that there is no legal barrier to transfer and that the proposal is worthy of consideration, Islands Trust Conservancy will direct staff to conduct and prepare a thorough assessment of the proposal for consideration by the board.

Islands Trust Conservancy will only dispose of a fee simple title or an interest in ecologically significant land if it can be determined that the recipient agency has the expertise and long-term financial resources to manage the property or interest as well as, or better than, the board. If the land, or interest in land, was acquired as an Ecological Gift, Islands Trust Conservancy will notify Environment and Climate Change Canada of the disposition.

The board will consider the following tools to ensure that any transferred land and associated values will be protected in perpetuity for the residents of the Trust Area and the people of British Columbia:

- a) Islands Trust Conservancy may transfer land on condition that it be used for conservation purposes, or transfer land as determinable fee simple providing that the land will revert to Islands Trust Conservancy if the land is no longer being used for the specified purposes.
- b) Islands Trust Conservancy may register a conservation covenant on title to land before a transfer, to ensure the protection of the land's ecological values, provided an appropriate agency can be found to hold the covenant, and the recipient agency has the legal authority to accept the encumbrance.

Section 3: Communication, Cooperation and Liaison

Communication

Islands Trust Conservancy board members and staff conduct activities in a manner that enhances Islands Trust Conservancy's reputation as an organization that works proactively, constructively and collaboratively to advance Islands Trust Conservancy Three-Year Plan.

Islands Trust Conservancy's land conservation negotiations are confidential and will be treated as such by all board members and staff of the Islands Trust Conservancy. Generally, information about on-going covenant and land donation projects will not be discussed or announced publicly until the project is complete, unless the project is associated with a development application, or the applicant has specified that the project may be discussed publically.

Collaboration

Islands Trust Conservancy works collaboratively with other agencies, First Nations and individuals to promote conservation in the Islands Trust Area. Staff and Board members participate regularly in partnerships with various levels of government, non-profit organizations, community groups and other agencies to further preservation of nature in the Islands Trust Area. Islands Trust Conservancy wishes to maintain good communications with First Nations and other agencies working in the region. The approach to First Nations engagement will be consistent with Islands Trust First Nations Engagement Principles Policy 6.1.1.

Advocacy

Islands Trust Conservancy will ensure that its advocacy positions are consistent with Islands Trust Conservancy Three-Year Plan and Islands Trust Advocacy Policy 6.10.3 and are supported by a resolution of the board. Advocacy letters from Islands Trust Conservancy to elected officials will be signed by a board member.

5. CONCLUSION

Guided by the Regional Conservation Plan, Islands Trust Conservancy will continue to pursue its mandate in accordance with its policies and in partnership with individuals, island communities and First Nations, as well as local, regional, provincial and national conservation and government agencies.

Islands Trust Conservancy will continue to strive for organizational excellence, and to eliminate barriers to its continued success. With excellent working relationships with the island-based and regional land trusts and strong connections to local and regional governments, the Islands Trust Conservancy is well positioned to take a lead role in the protection of the ecologically significant areas found in Canada's islands in the Salish Sea.

Islands Trust Conservancy looks forward to the next three years of conservation successes, inspired by the generosity and perseverance of our partners, collaborators and supporters, and the endless beauty of fragile island ecosystems.

APPENDIX A: List of Islands Trust Conservancy protected areas, by fiscal year

FISCAL YEAR	PROPERTY NAME	HECTARES PROTECTED	ISLAND	
1992-1993				
Nov. 1992	Scott Covenant Lands	1.00	Salt Spring	
Dec. 1992	Inner Island Nature Reserve	9.40	Denman	
Dec. 1992	Deep Ridge Nature Reserve	14.20	Salt Spring	
			Hectares Protected:	24.60
1993-1994				
Jun. 1993	Enchanted Forest Regional Park Covenant	4.20	South Pender	
Dec. 1993	Coats Millstone Nature Reserve	0.25	Gabriola	
Feb. 1994	Cunningham Covenant	12.17	Salt Spring	
Feb. 1994	Cyril Cunningham Nature Reserve	3.95	Salt Spring	
			Hectares Protected:	20.57
1995-1996				
Jun. 1995	Medicine Beach Nature Sanctuary	8.00	North Pender	
			Hectares Protected:	8.00
1996-1997				
Jun. 1996	Lower Mt. Erskine Nature Reserve	22.00	Salt Spring	
Mar. 1997	Tate Covenant	72.20	Salt Spring	
			Hectares Protected:	94.20
1997-1998				
Jan. 1998	Cable Bay Covenant	61.51	Galiano	
Jan. 1998	Kwel Nature Sanctuary	21.00	Lasqueti	
			Hectares Protected:	82.51
1998-1999				
Jun. 1998	South Winchelsea Island Covenant	10.28	South Winchelsea	
Mar. 1999	Reid Chapman Covenant	0.54	Gabriola	
Mar. 1999	Ledingham Covenant	1.10	North Pender	
			Hectares Protected:	11.92
1999-2000				
Jun. 1999	Retreat Island Covenant	1.60	Galiano	
Jul. 1999	McIntyre Covenant	1.20	Bowen	
Nov. 1999	Dennis Covenant	0.40	North Pender	
Dec. 1999	Singing Woods Nature Reserve	9.00	Bowen	
Dec. 1999	Terminal Creek Covenant North	0.30	Bowen	
Dec. 1999	Terminal Creek Covenant South	0.85	Bowen	
Jan. 2000	Brooks Point Regional Park Covenant	4.00	South Pender	
			Hectares Protected:	17.35

2000-2001

Dec. 2000	Floating Cattails Marsh Covenant	1.92	Saturna	
Dec. 2000	Strand-Dohan Covenant	0.52	Saturna	
Feb. 2001	Trincomali Nature Sanctuary	12.00	Galiano	
			Hectares Protected:	14.44

2001-2002

Jun. 2001	Lindsay Dickson Nature Reserve	52.40	Denman	
Jul. 2001	Green Frog Farm Covenant	24.30	Galiano	
Jul. 2001	Longini Covenant	8.00	Galiano	
Aug. 2001	Burnt Snag Covenant	6.60	Sidney	
Aug. 2001	Dragonfly Pond Covenant	4.40	Sidney	
Aug. 2001	Kingfisher Pond Covenant	1.40	Sidney	
Aug. 2001	Sandbanks Covenant	3.01	Sidney	
Aug. 2001	Sunrise Covenant	0.47	Sidney	
Aug. 2001	Windthrow Covenant	26.60	Sidney	
Aug. 2001	Woodpecker Pond Covenant	0.94	Sidney	
Oct. 2001	Lot 31 Covenant	67.43	Salt Spring	
Jan. 2002	Ruffed Grouse Covenant	11.5	Salt Spring	
Feb. 2002	Ruby Alton Nature Reserve	1.60	Salt Spring	
Feb. 2002	Horton Bayviary Nature Reserve	0.52	Mayne	
			Hectares Protected:	209.17

2002-2003

Aug. 2002	Keough Covenant	0.66	Salt Spring	
Sept. 2002	Where 'Ere You Walk Covenant	0.34	Salt Spring	
Dec. 2002	Winter Wren Wood Covenant	2.50	Denman	
Jan. 2003	Loretta's Wood Nature Reserve**	40.00	North Pender	-40.00
Mar. 2003	Manzanita Ridge Covenant	20.00	Salt Spring	
			Hectares Protected:	63.50

2003-2004

Dec. 2003	Cottonwood Creek Covenant	4.31	North Pender	
Dec. 2003	Treetop Covenant	10.22	Sidney	
Feb. 2004	Old Point Farm Covenant	8.89	Saturna	
			Hectares Protected:	23.42

2004-2005

May 2004	Laughlin Lake Covenant	11.00	Galiano	
May 2004	Sharp-tailed Snake Covenant	0.03	North Pender	
Jan. 2005	Brigade Bay Bluffs Nature Reserve	5.14	Gambier	
Jan. 2006	Long Bay Wetland Nature Reserve	38.00	Gambier	
			Hectares Protected:	54.17

**transfer of Loretta's Wood to Parks Canada, March 2005

2005-2006

Mar. 2005	Meadow Valley Covenant	1.40	Thetis
Nov. 2005	Bachmann Covenant	2.07	Gabriola
Oct. 2005	Shacum Covenant	4.00	Salt Spring
Oct. 2005	Walter Bay NAPTEP Covenant	2.38	Salt Spring
Oct. 2005	Owls Call NAPTEP Covenant	3.31	Salt Spring
Oct. 2005	Leader NAPTEP Covenant	1.80	Salt Spring
Oct. 2005	Arthur Lineham NAPTEP Covenant	23.69	Salt Spring
Dec. 2005	Mount Trematon Nature Reserve	57.87	Lasqueti
Jan. 2006	Morrison Marsh Nature Reserve	51.73	Denman
			Hectares Protected: 148.25

2006-2007

May 2006	Vogt Covenant	29.74	Salt Spring
May 2006	Elder Cedar (S'ul-hween X'pey) Nature Reserve	64.67	Gabriola
Jul. 2006	Little D'Arcy NAPTEP Covenant	8.15	North Pender LTA
Oct. 2006	Barrineau NAPTEP Covenant	1.76	Galiano
Nov. 2006	David Otter Nature Reserve	3.04	Bowen
			Hectares Protected: 107.36

2007-2008

Aug. 2007	Oscar's Landing Covenant	0.69	North Pender
Aug. 2007	Richardson NAPTEP Covenant	1.75	Salt Spring
Oct. 2007	My Whim NAPTEP Covenant	2.20	Salt Spring
Oct. 2007	Polden NAPTEP Covenant	3.39	Salt Spring
			Hectares Protected: 8.03

2008-2009

May. 2008	Mount Artaban Nature Reserve	107.00	Gambier
Oct. 2008	Wennanec NAPTEP Covenant	1.64	Salt Spring
Oct. 2008	Frog Haven NAPTEP Covenant	3.60	Salt Spring
Oct. 2008	Woodwinds NAPTEP Covenant	0.76	North Pender
Oct. 2008	Lot 16 NAPTEP Covenant	0.31	North Pender
Oct. 2008	Lot A NAPTEP Covenant	0.95	North Pender
			Hectares Protected: 114.26

2009-2010

Oct. 2009	Steil's Woods NAPTEP Covenant	1.49	North Pender
Nov. 2009	Westbourne NAPTEP Covenant	1.69	Galiano
Mar. 2010	McRae NAPTEP Covenant	7.37	Gabriola
			Hectares Protected: 10.55

2010-2011

Jul. 2012	Fairy Fen Nature Reserve	18.10	Bowen
Oct. 2010	Frog Song Forest Covenant	1.78	North Pender
			Hectares Protected: 19.88

2011-2012

Nov. 2011	John Osland Nature Reserve	66.37	Lasqueti
Aug. 2011	Lot 44 (Ogden Road)	0.76	North Pender
Dec. 2011	Great Beaver Swamp Covenant	10.20	Galiano
Sep. 2011	Lot 45 (Ogden Road) Covenant	0.86	North Pender
Oct. 2011	Lot 16 addition NAPTEP Covenant	0.18	North Pender
Oct. 2011	Garry Oaks NAPTEP Covenant	0.50	North Pender
			Hectares Protected: 78.87

2012-2013

Oct. 2012	Nighthawk Hill NAPTEP Covenant	0.91	North Pender
Oct. 2012	Myra Powers NAPTEP Covenant	4.69	Hornby
Oct. 2012	Valens Brook Nature Reserve	3.74	Denman
Dec. 2012	Laughlin Lake Nature Reserve addition	0.50	Galiano
			Hectares Protected: 9.84

2013-2014

Apr. 2013	Mount Tuam Covenant	13.40	Salt Spring
Apr. 2013	Vanilla Leaf Land Nature Reserve	40.50	Galiano
May 2013	Burren's Acres Nature Reserve	2.03	Gabriola
Sep. 2013	Stanley Point Covenant (Lot 21)	1.31	North Pender
			Hectares Protected: 57.24

2014-2015

Sep. 2014	Old Divide NAPTEP Covenant	0.81	Salt Spring
Oct. 2014	McFadden Creek Nature Sanctuary	5.09	Salt Spring
Feb. 2015	Goldenback Fern Covenant	0.29	Salt Spring
			Hectares Protected: 6.19

2015-2016

May 2015	Finlay Lake Covenant	6.73	Galiano
Oct. 2015	Wallace Point NAPTEP Covenant	1.63	North Pender
Nov. 2015	Clam Bay Farm Covenant	8.26	North Pender
			Hectares Protected: 16.62

2016-2017

Aug. 2016	Fischer Covenant	6.12	Hornby
Feb. 2017	Moore Hill Nature Reserve	21.04	Thetis
Mar. 2017	Isabella Point Covenant	2.15	Salt Spring
			Hectares Protected: 29.31

2017-2018

Sep. 2017	Settlement Lands Covenant	63.25	Denman
Jan. 2018	Fairyflipper Forest Nature Reserve	16.60	Thetis
			Hectares Protected: 79.85

2018-2019

Sep. 2018	Swift Family Link Island NAPTEP Covenant	19.30	Link	
Dec. 2018	Valens Brook Nature Reserve Addition	2.55	Denman	
				Hectares Protected: 21.85

2019-2020

Jul. 2019	Salish View Nature Reserve	11.47	Lasqueti	
				Hectares Protected: 11.47

2020-2021

Dec. 2020	Sandy Beach Nature Reserve	3.30	Keats	
Feb. 2021	Lisa Baile Nature Reserve	4.05	North Pender	
				Hectares Protected: 7.35

2021-2022

Jul. 2021	Earl Batista Covenant	0.86	Salt Spring	
Sep 2021	Saturnina Island Nature Sanctuary (Lease)	4.05	Saturnina	
Oct. 2021	Woodpecker Forest NAPTEP Covenant	3.73	North Pender	
Oct. 2021	Moss Mountain NAPTEP Covenant	45.43	Salt Spring	
				Hectares Protected: 54.07

2022-2023

April 2022	Link Island Nature Sanctuary	21.45	Link	
				Hectares Protected: 21.45

Total Hectares Protected: 1366.7

Notes: Properties called Nature Reserves or Nature Sanctuaries are owned or leased by Islands Trust Conservancy.

NAPTEP - Natural Area Protection Tax Exemption Program

APPENDIX B: Complete List of Islands Trust Conservancy Policies

BYLAW #2 [A Bylaw to Regulate the Meetings of the Islands Trust Conservancy Board and Committees of the Islands Trust Conservancy Board](#)

POLICIES Policies are online at islandstrust.bc.ca/about-us/accountability/policies/

SECTION 1 ORGANIZATIONAL

- 1.1 Islands Trust Conservancy Board Member Appointments, Reappointments and Elections
- 1.2 Board and Committee Elections
- 1.3 Islands Trust Conservancy Board Roles and Responsibilities
- 1.4 Board Standards of Conduct
- 1.5 Board Member Attendance and Participation and Member Removal
- 1.6 Annual Budget Submissions
- 1.7 Fundraising and Donations
- 1.9 Funds For Partnership Acquisition Projects Policy

SECTION 2 LAND TRANSACTIONS AND PROPERTY MANAGEMENT

- 2.1 Board Approval of Projects and Transactions
- 2.2 Assessing Conservation Proposals
- 2.3 Acquisition and Management of Land
- 2.4 Conservation Covenants
- 2.5 Natural Area Protection Tax Exemption Covenants
- 2.6 Heritage Forest Land Acquisition and Protection
- 2.7 Disposition of Land
- 2.8 Covenant Enforcement
- 2.9 Management Plan Costs

SECTION 3 COMMUNICATIONS, COOPERATION AND LIAISON

- 3.1 Islands Trust Conservancy and Local Planning Services Coordination
- 3.2 Communicating Information Regarding Covenant and Acquisition Projects
- 3.3 Relationships with External Groups
- 3.4 Islands Trust Conservancy Role in Partnership Acquisition Projects
- 3.5 Consulting Trust Council, Local Trust Committees, Island Municipalities, and Local Trustees on Islands Trust Conservancy Board Matters
- 3.6 Research
- 3.7 Freedom of Information and Protection of Privacy – Routinely Released Information
- 3.8 Freedom of Information and Protection of Privacy
- 3.9 Freedom of Information and Protection of Privacy – Designation of Fees