



North & South Pender Island Local Trust Committee Minutes of Special Meeting

Date: January 15, 2021
Location: Electronic Meeting (Zoom Webinar)

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

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

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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

3.1 Staff presentation – Legal Non-Conforming

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

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

Chair Patrick invited members of the community to speak:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Planner Stockdill acknowledged the request for data.

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

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

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

3.2 Town Hall – Maximum Floor Area Discussion

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

4. ADJOURNMENT

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

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder