

North Pender Island Advisory Planning Commission MINUTES

Date: September 13, 2024
Location: Fireside Room, St. Peter's Church

Members Present: Peter Pare, Chair
Mary Beth Rondeau, Vice-Chair (electronic)
Gregory Nicholls, Member
Julia Nicholls, Member
Lisa Baile, Member

Staff Present: Narissa Chadwick, Island Planner (electronic)
Carly Bilney, APC Secretary (electronic)

There were no members of the public present.

1. Call to Order

Chair Pare called the meeting to order at 9:03 a.m.

2. Approval of Agenda

By general consent, the agenda was approved as presented.

3. North Pender August 12, 2024 APC Minutes (for Adoption)

By general consent, the North Pender Advisory Planning Commission Minutes of August 12, 2024 were adopted.

4. Discussion of Referral NP-2024-36

4a. Q&A Session with Planner Chadwick

Chair Pare welcomed Planner Chadwick and explained that the members of the Advisory Planning Commission are seeking a briefing on the Housing Toolkit.

Planner Chadwick introduced herself as the planner for Mayne Island and a member of the Regional Planning Team who has been involved in housing projects for Gabriola, Mayne and Denman Islands. She made the following comments:

- Planner Smith is undertaking work for North Pender that is in sync with what is happening on Denman and Mayne Islands; the work will be mutually beneficial for other islands
- The Islands Trust will work with local governments to provide information and assistance with the implementation of Bill 35 and related bills across the province

- The Advisory Planning Commission can rule out Bill 44 that focuses on density and housing around transit

The following questions were asked at the meeting (as follow-up to questions sent previously to Planner Chadwick and recorded in a separate document):

Q1. If a Local Trust Committee opted for the prohibition of Short Term Vacation Rentals as per the provincial statute, could the prohibition be only proactive (ie. no new Temporary Use Permits)? Would existing Temporary Use Permits lapse after their three years are up? Has Gabriola done it proactively or retroactively or both?

A1. I think if you opted in, existing Temporary Use Permits would lose their permission immediately. There may be an option to opt in after Temporary Use Permits have expired. I will look into that.

Q2. What is the implication for Short Term Vacation Rentals as a consequence of the recent decision to allow the Trust access to the Provincial Rental Registry information?

A2. Access to the registry identifies how many are engaged in Short Term Vacation Rentals. The province has oversight through Bill 35 relating to Short Term Vacation Rentals that there is a requirement for registration, and they have hired a team to look into those that are not registered; the Province would not be doing that on behalf of Local Trust Committees unless they opt in. The details are new to everyone and the implications are not necessarily fully understood yet.

Q3. How long would it take for a build out analysis for potential dwellings and potential subdivision to be completed for North Pender Island?

A3. Build out requires preliminary maps to be made that identify what the bylaws outline; next, some regulatory information that exists within the system can identify what subdivision potential would be. After that, the planners would review the maps and identify the properties that have covenants that may influence the potential. A build out map is a detailed piece of work that must be done as part of a project as it depends on the planner's schedule. The Advisory Planning Commission does not necessarily need a build out map in order to make recommendations to the Local Trust Committee.

Q4. Can you summarize the different options for implementing more flexible regulations for additional dwelling units? What has been done, and worked, on other islands?

A4. Mayne Island

The Local Trust Committee has driven the work related to housing on Mayne Island. Analysis done on Mayne related to water and ecologically sensitive areas identified areas where more density might be suitable. Mayne Island's land use bylaw now includes "flexible housing zoning" where floor area in a single lot is distributed across smaller houses rather than one large house.

The experience created a model for suitable land analysis that allows decision makers and staff to determine areas that would work for this kind of zoning.

Mayne Island has also been looking into how to facilitate the donation of property to not-for-profit organizations. They are working with Habitat for Humanity on an affordable ownership model that focuses primarily on family housing and facilitates land ownership through low interest loans.

Planner Chadwick agreed to send to the Advisory Planning Commission bylaws, staff reports and information that outlines the work done on Mayne Island, particularly related to the flexible housing zoning.

Denman Island

Denman Island has a regulation that requires temporary use permits for additional dwelling units, and work is being done to remove that requirement. Denman has three tiers of options to address housing: 1) land use bylaw changes 2) changes to the Official Community Plan, and 3) looking at expanding density in some areas (based on a suitable land analysis). Denman also had an Advisory Planning Commission that did a lot of community consultation that was very detailed and time-consuming.

Planner Chadwick agreed to send to the North Pender Advisory Planning Commission the document from Denman Island's Advisory Planning Commission.

Gabriola Island

Gabriola is undergoing a full Official Community Plan review and housing is a priority. They had a housing Advisory Planning Commission that went through the Housing Toolkit systematically and focused on expanding permissions for additional dwelling units. They are interested in a tiny home village concept.

Planner Chadwick agreed to see if the Gabriola Advisory Planning Commission would share its spreadsheet and other background work with the North Pender Commission.

Q5. Tiny Homes and Recreational Vehicles are increasingly being used as primary dwellings or Additional Dwelling Units on Pender. Although this is not permitted by bylaws the North Pender Local Trust Committee has deferred enforcement on this issue. This leaves the residents of such dwellings in an awkward position, subject to potential enforcement at any time. What do you see as a way to regularize this practice? What limitations could be applied (e.g. must have approve sewage disposal?). Have other island successfully done this?

A5. For a long time, Mayne Island has had support for Recreational Vehicles in its land use bylaw, and they require hookup to septic and water. This allows these dwellings to be legally sited.

Q6. Of all elements of the Housing Toolkit, a Suitable Land Analysis seems most important; should it be done first?

A6. We used North Pender as the pilot for Suitable Land Analysis. When the Official Community Plan was done for North Pender, the planner did an analysis that looked at the various layers related to understanding the land. The Analysis has just been completed and will be shared first with Local Trust Committees.

Q7. Does Pender Island have water mapping done?

A7. Mapping has been done on water recharge for the Southern Gulf Islands, which is one half of water use assessment. Preliminary work has been done to look at water allocations, and a project on Galiano is developing methodology to understand the water balance. Suitable Land Analysis includes recharge data, but not output data.

Q8. Is a Development Permit Area the most effective way to look after the water supply?

A8. A Development Permit Area does not prevent development; it provides guidelines relating to how people can develop on their properties.

Planner Chadwick left the meeting at 10:00 a.m.

4b. Q&A with Planner Smith

A number of questions sent to Planner Smith prior to the meeting are also recorded in a separate document. The Commission decided not to review the answers at the meeting.

5. Review of the Housing Needs Assessment Survey questions and recommended changes

It was noted that members of the Advisory Planning Commission are collating their suggestions for the Housing Needs Assessment Survey for Planner Smith via Chair Pare. Comments were raised about whether giving input on the survey was a part of the referral from the Local Trust Committee.

6. Review of the Advisory Planning Committee Terms of Reference

Discussion was held about the draft Terms of Reference for the North Pender Advisory Planning Commission, and whether the current group constituted a stand-alone, special Commission to review housing on North Pender or whether it would form the Advisory Planning Commission for all referrals from the North Pender Local Trust Committee. Chair Pare agreed to follow up with Planner Smith.

Discussion was held about how the Commission would like to respond to the referral. Support was expressed for work done by the Gabriola Advisory Planning Commission, and Chair Pare agreed to create a similar draft template that Commission members could fill out.

Comments were made that Commission members should aim to finish the report by mid-October to be included in the agenda of the November 29 Local Trust Committee meeting.

7. Next Meeting

Next meeting is on Friday, October 11 at 9:00 a.m. in the Fireside Room at St. Peter's Church hall (location tbc)

8. Adjournment

By general consent the meeting was adjourned at 10:27 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder