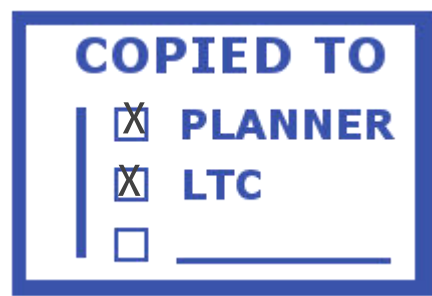


From: Kathi Allinson [REDACTED]  
Sent: Wednesday, September 23, 2020 3:06 PM  
To: Deb Morrison; Benjamin McConchie; Laura Patrick  
Subject: Proposed bylaw for limiting home square footage on North Pender

We were very perturbed and disappointed in the Islands Trust when it came to our attention that there was a proposal to limit the size of homes to 1800-2000 sq. feet. In these times of lack of housing for young people, for elders, and for larger families this would seem counterproductive. Never mind artisans, artists and others trying to work from home. Please let it go on record that we are totally opposed to this and feel that not everything should be micromanaged on the islands.

Sincerely,  
Kathi and Sid Allinson



**From:** Doreen B <[REDACTED]>

**Date:** September 19, 2020 at 8:31:03 PM PDT

**To:** [npltcwebmail@islandstrust.ca](mailto:npltcwebmail@islandstrust.ca)

**Subject:** Ball/Harris thoughts on LUB Review of Residential Floor Area

Dear Trustees Patrick, McConchie and Morrison.

We thank you for taking on this land-use bylaw review which will involve consideration of many difficult issues and many hours of work. As the discussion paper points out, there are so many layers to be peeled off and studied before the final decision can be made.

Legal Non-conforming

One thought off the top involves the term "legal non-conforming." It is really important that property owners understand that this does not make their homes illegal and will NOT make it impossible to get home insurance. The last time this subject came up, a fear campaign was mounted and false information was given out.

The points that Trustee Morrison made about impervious surfaces are important, especially on smaller lots. We cringe every time we see the paving trucks disembark at Otter Bay. Especially in the Buck Lake basin any efforts to keep surfaces pervious and to preserve the tree and plant cover will help prevent erosion by allowing rainwater to soak into the soil, thus slowing the runoff into the lake. The Riparian Area Regulations protect the first 30 metres above the lake edge but more limits on the paving of driveways would help. The horse may already be completely out of the barn on that one.

Smaller homes and affordable housing:

We suppose with this topic we are basically talking about the size of the homes still to be built in Magic Lake Estates. In order to have a healthy community, we need to have young people, many with families, who provide vibrancy and perform important roles such as fire fighting, construction, repair and maintenance, but how can these young people afford to buy or rent here if the only housing stock is larger homes, many of which are made even pricier with their waterfront locations? The mortgage on even a 2000 sq. ft. home is beyond the reach of most young people without considerable financial help from family. We don't know how land-use bylaws can encourage the building of humble-sized homes that will provide future reasonably-priced rentals or purchased homes. Perhaps, for homes 1200 sq. feet or smaller, the various levels of government can join forces and remove building permit fees and other financial or bureaucratic barriers which make it so complicated to build. It would be a lot easier to provide outright small-home grants as rewards for building small and green.

Preserving and Protecting

Further to the comment that Trustee McConchie made about the steps to take before any building or site preparation begins, a biologist friend has always believed that before any changes are made to a property, the owners should be required to have a "walk-about" with a qualified biologist who is familiar with all government regulations that apply to Pender. The biologist would explain the "preserve and protect" mandate, show the landowner what important trees, or habitat are on the property, and then provide guidance about where to site buildings in order to save important natural features. This is easier to do on larger properties, of course. In small lot subdivisions the options are often severely limited by setback requirements, sewer lines, slopes and huge rock formations.

Harmonizing Land-Use Regulations on North and South Pender

We agree with the suggestion that the land-use bylaws of North and South Pender be harmonized whenever possible. When South Pender first considered allowing STVRs, we foresaw the

complications, and even though we were North Pender residents, we attended and spoke up at a meeting on the subject, but the LTC of the day legalized STVRs and the confusion began  
Co-Housing Thoughts.

Further to Amanda's comments about co-housing, the first issue is always water, but there are certain spots on North Pender which have extremely prolific wells. Before discussions about co-housing or small home villages begin, water should be proven. Five to ten years ago a small group of women talked about buying a large home and turning it into a co-housing "feminary." Four women would each have a bedroom and some private space but would share the kitchen/dining area, garden, etc. We looked at one large home that would have fit the bill except for the existence of stairs, which brings us to the last point about floor area and lot coverage. Obviously, two storey houses take up less space than bungalows, but for many seniors, stairs provide serious challenges.

Summary Wish List for Floor Area Changes in our Land-Use Bylaw:

So, we think the idea that a maximum floor area be set is a good one.

Requests for variances can be considered on a case by case basis.

After a property walk-about with a qualified local biologist, the property owners would have a discussion with Islands Trust/CRD about what they propose to build before they begin submitting building permits.

At this point, financial help might be offered to those who will be full-time residents, who propose to build small and green-

Good luck! Your efforts and those of the planning staff are appreciated.

Doreen Ball and Chuck Harri

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**From:** stephenson <[REDACTED]>  
**Sent:** Monday, September 28, 2020 3:37 PM  
**To:** Laura Patrick <[lpatrick@islandstrust.bc.ca](mailto:lpatrick@islandstrust.bc.ca)>; Deb Morrison <[dmorrison@islandstrust.bc.ca](mailto:dmorrison@islandstrust.bc.ca)>; Benjamin McConchie <[bemccconchie@islandstrust.bc.ca](mailto:bemccconchie@islandstrust.bc.ca)>  
**Cc:** North Pender Planner <[northpenderplanner@islandstrust.bc.ca](mailto:northpenderplanner@islandstrust.bc.ca)>  
**Subject:** Residential Land Review

To the Trustees regarding Residential Land Review.  
You have asked for NP residents to provide feedback on this Review. I have read the Discussion Paper and I did attend the Community Information Meeting.

I believe there are too many issues being reopened by this Review, causing stress, anxiety & confusion in the Community, and I'm not convinced there's an urgent need to do this, either at this time during a Pandemic, or in the immediate future. My first choice would be option #3, leave the Bylaws as they are.

However, as you have asked us for our comments I believe the issues are:

Amend Site Coverage by lowering the current 25%; and/or

Establish Maximum Floor Area for Main Dwelling, either by:

- a) Putting a maximum sq footage on main dwelling; or
- b) Creating a Floor Area Ratio; or
- c) Establishing a maximum sq footage for all buildings on the Lot, which affects a lot more than just the Main Dwelling; and
- d) Adding an extra layer of regulation by including impervious surfaces.

If the Trustees decide to proceed with amending the Bylaws, then South Pender's method of calculating a maximum floor area on a sliding scale, depending on Lot Size, is clear and concise. If the method to calculate maximum is too complicated, and detailed Site Plans are required, it will increase the already high cost of building.

The amount of sq footage for a home depends on personal circumstances, and budget. No one wants "Monster Homes" on Pender but there is no clear definition of what that is. How many existing properties are currently encroaching on the existing 25% Lot Coverage? Sidney Island has a maximum of 5,000 sq feet for a main dwelling. The average lot size on Sidney Island appears to be 2.5 acres, so 5,000 sq feet seems a good maximum for that Lot size, and less than the similar maximum allowed on South Pender. It is after all, not the recommended size, but the maximum allowed.

Finally, if the Trustees regulate a small maximum, the greater the number of existing homes and properties will be put into the Legal Non Conforming category, creating further problems. There will be uncertainty for existing property owners if they have future plans for their property, and the amount of Variance applications will increase substantially, with additional bureaucracy, Staff time & resources, Costs, and IT meeting time.

I hope the Trustees carefully consider the ramifications of these changes.

Regards  
Ann Stephenson  
North Pender Island

**From:** Sid Wein

**Date:** October 5, 2020 at 7:57:46 PM PDT

**To:** "[lpatrik@islandstrust.bc.ca](mailto:lpatrik@islandstrust.bc.ca)", "[dmorrison@islandstrust.bc.ca](mailto:dmorrison@islandstrust.bc.ca)", "[bemcconchie@islandstrust.bc.ca](mailto:bemcconchie@islandstrust.bc.ca)"

**Cc:** "[northpenderplanner@islandstrust.bc.ca](mailto:northpenderplanner@islandstrust.bc.ca)"

**Subject:** Residential a Floor Area Review

The discussion paper states that before proceeding with Implementing regulatory changes, the LTC should consider what issues there there are with the current regulations.

It would be good to see, written, what the LTC sees as issues.

With the Covid situation, it seems to me that most people aren't aware of the drastic change that is being proposed by our trustees. We are certainly not advised by mail, and many people don't use Facebook or miss posts.

A one size fits all approach would just be wrong. A small lot, a large lot, and an acreage should not all be limited to the same square footage as is being proposed.

I believe that most people are unaware that a one thousand square foot home with a second floor counts in this discussion as two thousand square feet.

They are also apparently including accessory buildings in the building square footage count. People on the island generally require a garage, woodshed, and often a tool shed and work space for a work shop, and also home office space. Many people here want their homes to be large enough for their families to come and visit them.

Severely limiting the square footage of North Pender homes would also diminish property values. There should be unification between what's allowed on North and South Pender.

Something like this, that affects the properties of all North Pender islanders, and the values of those properties, should be to voted on. Will that happen?

I feel that this issue is being pushed forward too quickly to allow North Pender residents to become aware of it. Facebook and the Forum don't reach all those who should be concerned.

Please acknowledge receipt, that I may know that my concern reached you folks.

Yours truly  
Sid Wein  
North Pender Island resident

Sent from my iPad

**From:** Anne Burdett <[REDACTED]>  
**Sent:** Sunday, October 4, 2020 3:26 PM  
**To:** npltcwebmail <npltcwebmail@islandstrust.bc.ca>  
**Subject:** Feedback (previously sent to wrong email)

To the NPLTC,

We have read the discussion paper and watched the video of the Community Information Meeting on Residential Land Review.

The following is our feedback on the Land Use Bylaw review.

In our opinion, we do not believe now is the best time for a LUB review during a time of great uncertainty and stress for community members with the COVID 19 pandemic.

The pandemic has been easier on some than others, and we need to try to put ourselves in someone else's shoes.

Many community members may not have the necessary added energy to be involved in such an extensive review due to the pandemic.

There was no way of knowing last September when the LTC identified the LUB review what 2020 would hold.

We believe our community would not be in jeopardy if the project paused.

Suppose Trustees paused the project and focussed only on applications. In that case, it could help the community achieve a sense of calm in the local political arena, which hasn't been seen in many years, rather than increase it.

A small group of people can make statements at a community information meeting. In some circumstances, these comments are given a disproportional amount of consideration and create the impression that these ideas reflect the greater community.

Historically, postings in the Pender Island Online Forum are not how a Local Trust Committee collects community feedback. However, it does appear that many constituents prefer this less formal format to LTC meetings and, as such, Trustees should give the weight of consideration.

If the LTC chooses to proceed, here are our thoughts and questions from the CIM meeting on House Sizes as follows -

1. How many properties will be affected by the suggested 2000 sqft and thus made legal non conforming?
2. How many vacant lots are there still on Pender? How many in Magic Lake estates? How many on the rest of the Island?
3. Will absentee owners with homes over the maximum and vacant land owners be contacted? Recently the LTC did a mailout to inform landowners of DPA regulations initiated by tree cutting in Magic Lake. If the LTC proceeds with the review, early consultation with the community's broadest number possible is paramount.
4. It was unclear during the CIM if the discussion on house size was also about lot coverage and impervious surfaces; there will undoubtedly be confusion within the community if the project advances.
5. A variance(\$715) and surveys (approx.\$800-\$1000) assumed affordable to some wishing to build or alter a larger home than 2000 sqft; it also can add substantially to already high

building costs for families. Additionally, will this add to bylaw enforcement with people attempting additions without variances and surveys to save on costs?

6. The mix of full-time residents and part-time residents with different wants and needs adds to the issue's complexity.
7. A defined list of resources and how they may or may not be affected, based on sound science, woven into Climate Change, thus helping with the Island's long-term sustainability. Without these facts available, it will be difficult for decisions made.

Finally, People's housing needs change over time from young two-person families starting, established families with multiple children, older retired persons, as well as multi-generational families living together.

Each new purchaser of a property has a different dream for their property.

It is a delicate balance the LTC will be attempting to achieve if you chose to move forward.

Again, we do not believe the Island threatened if the LTC chooses to pause the LUB review until Covid19 eases, the science gathered, property owners properly informed how they could be affected by these changes.

Mike and Anne Burdett

From: Kathi Allinson [REDACTED]  
Sent: Wednesday, September 23, 2020 3:06 PM  
To: Deb Morrison; Benjamin McConchie; Laura Patrick  
Subject: Proposed bylaw for limiting home square footage on North Pender

We were very perturbed and disappointed in the Islands Trust when it came to our attention that there was a proposal to limit the size of homes to 1800-2000 sq. feet. In these times of lack of housing for young people, for elders, and for larger families this would seem counterproductive. Never mind artisans, artists and others trying to work from home. Please let it go on record that we are totally opposed to this and feel that not everything should be micromanaged on the islands.

Sincerely,  
Kathi and Sid Allinson

Hi Ben. After receiving your email and reflecting more on the issue of bylaw review and housing floor area for North Pender, here is my perspective.

1. I would have to disagree with limiting square footage of a home to around the 2000 sq ft mark, the number that appears to have been mentioned most. I feel a percentage is much fairer given the different property sizes. If the Trust is concerned that on a 10 acre property a house size could be unreasonable then the principal residence could be limited to something like 6000 sq ft. On the IT video there was a query asking why anyone would need more than 2000 sq ft. To me the answer is simple. There are many reasons and people should not have to justify why. Some of the answers are however, large families, large extended families, multigenerational families, home based businesses, people working from home, art studios, music studios, affordable housing etc. Keep in mind due to our rural life people have wood sheds, workshops, tool sheds and chicken coops in Magic Lake as well. Most properties have building setbacks which also dictate the size of the house anyway. So on a half acre property in Magic Lake it really isn't an issue. Most setbacks in Magic Lake are 25 ft front and back and 10 feet from the sides. In some places on a half acre on North Pender setbacks are 30 feet all the way around. So we are unlikely to see a 10000 sq ft house.

2. Only buildings should be included in the percentage usage. Not decks, patios, or impervious surfaces such as driveways. If paved driveways are a concern then first I would like to see the study that shows this and second if it was a problem then one would have to apply for a variance to pave. There are reasons some people do need to pave. Those that are handicapped and the elderly may need paved surfaces for wheelchair use.

3. As for limiting square footage due water issues and climate change going forward most properties that would have the larger square footage would have septic tanks and wells. New builds going forward could also be required to have rainwater catchment systems. Also if large homes on properties without hydrant access are a fire risk then when they build they could be required to provide some water availability in the way of back up water tanks. Gabriola has water trucked in to properties.



4. As for complaints regarding tree removal it seems to be Nimbyism. On some of the smaller lots it is necessary for many trees to be removed. When we built, a number of trees had to be removed as there was nowhere to build the house. Also some trees are not safe to neighboring properties. We have replaced trees we took down with many other trees. Dictating rules about trees does not seem reasonable to me. Our fire department has urged people to not have trees close to their homes due to wildfire risks so limiting property owners to make decisions about their trees would not be prudent.

5. It was mentioned that a reason for limiting square footage was to get back to the rural feel of the island. This I found to be a totally inadequate reason. I have kayaked and driven around both islands and seen many large homes. I can only recall two that seem very 'citized'. One in Magic Lake that was built a long time ago and one on South Pender. The rest of them looked lovely in their settings and fit right in with the landscape. Rural and smaller homes are not necessarily synonymous. All of the islands have larger homes and maintain a rural feel. My definition of a rural feel is not necessarily seeing decrepit homes that have trees on top of their roofs for years and trailer compounds or old house trailers as the kind of rural I want to see either. So we all have different perspectives of rural areas.

5. As for affordable housing, having a set square footage limit such as 2000 sq ft does not make housing necessarily affordable to a new buyer. On Pender a half acre lot is approximately \$140,000. Conservatively to build it is about \$200.00 a sq ft. So the cost would be approximately \$540,000 for this kind of house. Properties that can have more sq footage are more likely to provide for elders or suites for renters. If people are wanting to own they can also purchase a lot and build a smaller square foot home. Affordability of homes should not be included as a reason in downsizing the current floorspace in homes. I believe housing affordability and rentals belong in a separate discussion.

6. In no way should current property owners be punished by a potential revised bylaw that would put them in legal non conforming status. This would be the Islands Trust effectively making the decision to devalue all the properties that this affects. One cannot argue that if one has a 3000 sq ft home now and a wildfire burned it to more than 75% that potentially that homeowner could conservatively lose \$200000 if not more and this does not include land value. I have seen people be very wary of purchasing a legal non conforming home. There is no guarantee of a variance and a property owner could be waiting a very long time to build again. This alone should stymy the idea of the square footage limitation that doesn't use a reasonable percentage.

So for all I have written above I am sure one would think I have a 4000 sq ft home. No I have a 2000 sq ft home with a couple of sheds that have been there for 30 years. I just do not think it is fair to do this to people. I will be interested to observe the process and community consultation going forward.

Sincerely,  
Kathi Allinson

**From:** Kathi Allinson <[REDACTED]>  
**Sent:** Saturday, September 26, 2020 4:44 PM  
**To:** npltcwebmail <npltcwebmail@islandstrust.bc.ca>  
**Subject:**

**Subject: Proposed bylaw for limiting home square footage on North Pender**

It has come to our attention that there is a proposal to limit the size of homes to 1800-2000 sq. feet on North Pender Island. In these times of lack of housing, more need to house multigenerational families, consideration for larger families, and providing space for the increasing number of people working from home or having home based businesses, this would seem counter productive. Please let it go on record that we are totally opposed to this proposed bylaw and feel that the current square foot bylaw should remain status quo.

Sincerely,  
Kathi and Sid Allinson

**From:** BRIAN FORBES <[REDACTED]>  
**Sent:** Wednesday, September 30, 2020 2:29 PM  
**To:** npltcwebmail <[npltcwebmail@islandstrust.bc.ca](mailto:npltcwebmail@islandstrust.bc.ca)>  
**Cc:** Deb Morrison <[dmorrison@islandstrust.bc.ca](mailto:dmorrison@islandstrust.bc.ca)>; Benjamin McConchie <[bemconchie@islandstrust.bc.ca](mailto:bemconchie@islandstrust.bc.ca)>; Laura Patrick <[lpatrick@islandstrust.bc.ca](mailto:lpatrick@islandstrust.bc.ca)>  
**Subject:** Proposed bylaw for limiting home square footage on North Pender Island

A proposal has been made to limit the size of homes on North Pender Island to 1800-2000 square feet. We want it to be on the record that we are totally opposed to this proposed bylaw. We believe that the current square footage bylaw should remain in place for several reasons, including the present lack of housing on North Pender Island; the need to provide more space for larger families; the need to accommodate multiple generations such as aging senior parents, middle age owners and/or adult children; to accommodate the needs of the rapidly increasing number of people working from home or that have home-based businesses, a trend that is likely to continue for the foreseeable future; and simply to allow home owners the opportunity to enjoy the lifestyle benefits that can be gained by a larger home including housing temporary visitors to their homes or family gatherings for special occasions.

This proposal is not appropriate or realistic and should be withdrawn immediately.

From: Barb Zeller

Sent: September 19, 2020 3:20 PM

To: npltcwebmail@islandstrust.ca

Subject: 19Sep2020 CIM re Residential Floor Area Review for N. Pender Island

Hello Islands Trust –

My husband and I are retirees who live half time on N. Pender, and we live-streamed the meeting this morning about Residential Floor Area Review for North Pender Island.

Thanks to Chair Patrick, Planner Stockdill and Assistant Maple H. for facilitating today's meeting, and thanks to Trustees Ben McConchie and Deb Morrison for their input and hard work on behalf of island residents.

Following is our input following the meeting:

Overall, we like Option 1 of the 3 options presented, to establish a maximum floor area for dwellings.

We like Ben McConchie's idea of setting a size limit for liveable floor space, with the option to increase it by completing a checklist of requirements for a variance, as well as providing the reasons for the variance. Said checklist to go through Islands Trust and on to CRD for approval and permitting.

The current permitted floor area of 25% of lot size is excessive.

We feel that a basic 1800-2000 square feet is more than generous if we're talking about the footprint on the lot, and not the total square feet of living space on multiple floors within the dwelling. (i.e. per Deb Morrison's example, 800 sq ft footprint x 2 floors = 1600 sq ft total living space). If the lot is much larger (over 1 acre in size, for example), then the larger lot size could be one of the factors taken into consideration in the applicant's favour when they apply for the variance to increase the size of the building(s) they want to put on the property.

We like the idea of allowing discretionary use of the allowed floor space - to be used for either one larger dwelling or more than one smaller building (including guest cottage(s)), the total floor area of which is not to exceed the total floor space allowed for the lot size. If necessary, this, too, could be subject to the variance mentioned above.

We feel that for the sake of the environment, including impervious surfaces as part of the maximum lot area coverage would also be a good idea. This would be a good way to restrict the building of patios, asphalt driveways, etc. that have such a negative environmental impact on the land by interrupting the natural flow of water. Unless they have a good reason to apply for a variance, people would have to choose between a larger house, or a smaller house with an impervious surface patio and/or driveway. (Note here that for some steeper properties, asphalt driveways may be the only practical solution – so that factor might be a good reason for a variance.)

We also think it would be a very good idea to require some method of rainwater collection on new home construction or major home renovations (those requiring CRD permitting) to help alleviate the impact on our limited water resources.

We totally agree with the speaker who mentioned that there should be restrictions that require new land purchasers to have a land use plan in place before clear-cutting the properties. There is such a property several lots down the street from us that was clear-cut several years ago, and nothing has been done with it since. Just an empty lot full of tree cuttings. It has long been a burr under my saddle that people come from the city to this beautiful rural and pastoral island, then

promptly try to convert it back into the city! Good idea for Islands Trust to collaborate with the real estate agents, to discourage clear-cutting of properties, and to ensure that prospective purchasers are fully aware of the restrictions they may face when building or renovating a home on the island, in order to maintain the rural character of the island(s). Perhaps there should be a brochure that realtors could give to serious prospective buyers, outlining the most major conditions and restrictions, including things like the riparian development permit areas. It's a different lifestyle on the islands than it is in a city, and urban dwellers should be made aware of this, and asked to respect it.

As for the definition of "rural character" of the land - (the question that was turned back to the trustees for consideration) – I would suggest it is one with a varied mix of predominantly farm land and largely treed lots and spaces.

We agree that housing affordability is also an issue. If we continue to allow mansions to be built that few can afford not only do we deplete the market for those looking for affordable housing on the island (to rent or own), but we also drive up the overall market prices and property taxes at the same time. Pender, (and the other islands, for that matter) should not be allowed to become purely a playground for the rich, many of whom would not live on Pender to contribute to its economy year round. Restricting housing sizes is a good way to curtail that kind of activity.

We also agree that both South and North Pender trustees need to work together to come up with a cohesive plan that takes into account the needs of each and both of the Pender Islands.

Thank you again for the opportunity to voice our opinions in this matter.

Best regards,

Robert & Barbara Zeller

Email: [REDACTED]

From: John Bowers <[REDACTED]>  
Date: September 25, 2020 at 1:15:06 AM PDT  
To: Deb Morrison <dmorrison@islandstrust.bc.ca>, Benjamin McConchie  
<bemconchie@islandstrust.bc.ca>, Laura Patrick <lpatrick@islandstrust.bc.ca>  
Subject: residential floor area reiview - North Pender Island

To: Deb Morrision, Ben McConchie and Laura Patrick

I believe that the definition of floor area within the North Pender LUB is slightly flawed in that it effectively assumes that all exterior walls are created equal. I understand that measuring to the outer surface of exterior walls is simple and for the overwhelming majority of homes with exterior walls that are about 7 to 8 inches thick, this measurement of floor area is fair. However, this definition of floor area penalizes anyone who wishes to build to a standard greater than that of the current building code and/or wishes to create a more environmentally friendly wall assembly. For example, someone who wishes to build a passive solar home, which requires on average one-sixth of the heating energy of the average home in Canada, has to build thicker walls with more insulation. Another example is someone, like our building inspector or myself who builds a straw bale house with walls that are 22" thick in order to use ecologically friendly materials that also happen to exceed the building code requirements for wall insulation by 50% (R30 versus R20). In my particular home, about 15% of this definition of floor area is made up entirely of the exterior walls. I would suggest you consider amending the definition to subtract any area of a home with exterior walls that exceed the minimum wall thickness required under the BC Building Code. This area to be subtracted would be fairly simple to calculate when one has the architectural plans.

I often see the subject of water usage being raised and most of the time, I believe two issues are overlooked. The first is location. When talking about water, I suggest that North Pender needs to be delineated by those on the Magic Lake water system versus those who are not. Further delinations could be made within the areas reliant on wells based on additional information particular to those areas, such as Trincomali. For those connected to the Magic Lake water system, I contend that if we are truly concerned about scarcity, there is a simple solution. Currently, water is charged in a regressive fashion, that being the majority of users pay the same fee whether they use a little or a lot. Only when a household exceeds a fairly generous threshold, does an additional modest fee apply. If I recall correctly from my review of the water system's financial budget, about 90% to 95% of the revenue consists of these fixed fees with the remaining 5% to 10% being consumption (or overage) fees. Simply switching this pricing around to charge a lower fixed fee and a higher consumption based charge would actually incentivise water conservation. Proper pricing rates would ensure the overall revenue is adequate to meet the budgetary requirements.

Users respond to price and if we truly want to use this water system more efficiently, charging based on consumption is a recommended practice. Interestingly, the pricing could be set such that most people would pay about the same as they currently do. Those water users who are well below the average would save money and those who use considerably more than the average

would pay more, both of which seem to adhere to the principle of fairness. The use of consumption based charges is the norm for many utilities. Before we had water meters, the water utility didn't have the option to charge based on consumption. Now that we do have wireless water meters, I can't think of any good reason why not to charge based on consumption. Finally, I recognize that while water pricing is outside of your scope, the points I raise are relevant to the extent that water is an issue in the discussion of house size.

Finally, to the point of regulating residential floor area that initiated this message. I think that both simplicity and fairness ought to be central to any proposed changes. In terms of resource usage, if water is a significantly greater factor in certain areas than it is in others, a residential floor area that applies to everyone would be unfair. In certain areas, water does not seem to be a significant concern, such as within the Magic Lake water system. If it were, the solution to reducing usage is simply a matter of switching to a consumption pricing model. In other areas, water may be of such importance that requiring a water catchment system would be prudent for any new home construction.

In my ideal North Pender, I could support a case to reduce the maximum lot coverage a little. Perhaps 15% or 20% is more reasonable. I don't mind the current bylaws of South Pender on this subject and could support a change to those maximum residential floor areas. Any proposals that are significantly more restrictive than these two options I would find problematic.

Thanks for considering my feedback on this subject. I could also add that I am someone who tries hard to lead a sustainable lifestyle with a very low ecological footprint.

John Bowers

**From:** Benjamin McConchie <[bemcconchie@islandstrust.bc.ca](mailto:bemcconchie@islandstrust.bc.ca)>  
**Sent:** Monday, September 28, 2020 3:37 PM  
**To:** Jennifer Demers <[REDACTED]>; npltcwebmail <[npltcwebmail@islandstrust.bc.ca](mailto:npltcwebmail@islandstrust.bc.ca)>;  
Deb Morrison <[dmorrison@islandstrust.bc.ca](mailto:dmorrison@islandstrust.bc.ca)>; Laura Patrick <[lpatrick@islandstrust.bc.ca](mailto:lpatrick@islandstrust.bc.ca)>  
**Subject:** RE: Proposed bylaw change to square footage of homes on North Pender

Hi Jennifer,

Your welcome for taking the time to answer your questions 😊

It sounds like we agree on a lot.

Just to clarify this one:

*Of course it does not make sense. But since you felt compelled to use this example, I would like to know how many 100,000 sq ft homes currently exist on Pender? This must be quite a problem to be cited so cavalierly in the response.*

To answer: there are currently zero homes that are that large. However, the current bylaw allows for that size of house. I am not using it as an example, I am quoting what is allow under the current bylaw.

I was pointing out the principle reason for the review of this particular bylaw is that the bylaw doesn't make any sense and should provide clarity. And if you don't believe that someone would build a giant home here, I grew up in Langley and Surrey and can assure you that they will be built if this is not appropriately reviewed. We may disagree on this point, and I would err on the side of caution.

-Ben

**From:** Jennifer Demers [<mailto:jdemers.home@gmail.com>]  
**Sent:** Monday, September 28, 2020 1:38 PM  
**To:** npltcwebmail; Deb Morrison; Benjamin McConchie; Laura Patrick  
**Subject:** Re: Proposed bylaw change to square footage of homes on North Pender

Hello there



As per Ben's response to me highlighting my incorrect assertions, and my request for clarification on what my errors were, below is his text to me and my subsequent response to you all.

Ben—1) there is no proposal to limit houses to 1800-2000 sq ft.

Me—Noted, as per my text to you, I stand corrected. It was the trustees that suggested those limitations and they were not part of the proposal.

Ben—2) this bylaw review process began 2 years ago well before Covid. Should all government work stop? If so, why?

Me—Thanks for the info, I was not aware. To answer your question, no all government work should not stop. Who suggested that? Certainly not me. In fact, as I am sure you are aware, other levels of government have acknowledged the pandemic and shifted their priorities as a result of COVID.

Ben—3) the status quo means that someone could build a 100,000 sq ft. house on a 10 acre property - does that make sense to you? If so, why?

Me—

Ben—4) I absolutely agree that we need to address affordability - this is very important and will factor into our decision to change or not change the bylaw.

Me—am glad we can agree on something.

Wanted to ensure everyone was in the loop, as you were all part of my original email. Of note, my position has not changed as a result of Ben's response to me.

Regards,

Jennifer Demers

Sent from my iPhone

On Sep 26, 2020, at 10:07 PM, Jennifer Demers <[REDACTED]> wrote:

Hello there

I have been made aware of a proposal to limit the size of homes on North Pender Island to between 1800-2000 square feet.

I can't comprehend why this is being considered at this time when there is already a lack of housing on the island, an increase in multigenerational families in single households and, due to COVID-19, we require additional space to work from home and stay safe. Furthermore, this proposal will significantly harm those with small, home-based businesses—the livelihood of Pender Island's economy and the heart and soul of our community.

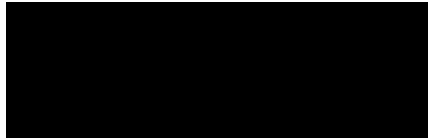
The timing for this absurd proposal could not be worse and is extremely insensitive to current societal challenges.

I would like to be on the record as totally opposed to this proposed bylaw change and support the status quo for residential square footage limitations.

Should you wish to discuss my position further, do not hesitate to contact me.

Thank you.

Jennifer Demers



From: Jim Burrows <[REDACTED]>  
Sent: Tuesday, September 29, 2020 11:43 AM  
To: Deb Morrison <[dmorrison@islandstrust.bc.ca](mailto:dmorrison@islandstrust.bc.ca)>; Ben McConchie <[benmconchie@gmail.com](mailto:benmconchie@gmail.com)>  
Cc: Narissa Chadwick <[nchadwick@islandstrust.bc.ca](mailto:nchadwick@islandstrust.bc.ca)>; Laura Patrick <[lpatrick@islandstrust.bc.ca](mailto:lpatrick@islandstrust.bc.ca)>  
Subject: Building footprint on Pender

Hi Deb, Hi Ben,  
I hope you are both well.  
I applaud the efforts to restrict home footprints, especially in the Magic lake area where huge new houses seem to pop up frequently.

Just two questions for staff:

- 1) Does a 'legal non-conforming' property designation lead to issues obtaining insurance coverage?
- 2) If a 'legal non-conforming home is destroyed, can the owners rebuild on the existing footprint?

I think that restrictions should be based on a sliding scale, linking home size to lot size.

However, if you do use a sliding scale, it is easy to see folks who, in their zeal to create a business by operating a large commercial vacation rental house, could take advantage of a sliding scale by simply buying and building on a larger lot. They then start the process of applying for variances, TUP's, rezoning, changing the Trustees, or any other techniques to find a way to bypass our OC Plan. Thereby further eroding our community by turning homes into businesses (it does seem to happen!)

So, it would perhaps be effective to have some kind of mechanism to avoid that trend occurring.

I hope that my input is of some help.

In any event, I would be very interested in Staff's answer to the above 2 questions.

Thanks for 'listening', and thanks for all that you are doing to protect our small community..... You are doing a great job!

All the best  
Jim Burrows

**From:** Dave Pope <[REDACTED]>  
**Date:** September 29, 2020 at 7:02:45 AM PDT  
**To:** Deb Morrison <[dmorrison@islandstrust.bc.ca](mailto:dmorrison@islandstrust.bc.ca)>, "[benmconchie@islanddtrust.bc.ca](mailto:benmconchie@islanddtrust.bc.ca)" <[benmconchie@islanddtrust.bc.ca](mailto:benmconchie@islanddtrust.bc.ca)>, Laura Patrick <[lpatrik@islandstrust.bc.ca](mailto:lpatrik@islandstrust.bc.ca)>  
**Cc:** Gerry Macies <[REDACTED]>  
**Subject:** North Pender Island Zoning bylaw change

Dear committee,

I am writing this to express my concern about the potential change to the Pender island zoning bylaw.

I believe that the proposal to limit the square footage to 1800 to 2000 square feet is much too small, and will hurt the fabric of the island. It will make many existing properties non-conforming and result in many uncertainties. It will hurt home based businesses and shut-ins who may need live in care. It will hurt large families and especially multi-generational families. I also believe that size should be relative to property area, and agree that clear cutting small lots and building huge homes has the potential to harm the environment and character of Pender Island. However, if a specific maximum home size restriction is imposed, I could support the South Pender restriction on sizes so that Pender Island has a consistent approach for the whole island.

Respectfully,

David Pope  
[REDACTED]

**From:** Don Kroeker <[REDACTED]>  
**Sent:** Monday, September 28, 2020 8:32 PM  
**To:** npltcwebmail <[npltcwebmail@islandstrust.bc.ca](mailto:npltcwebmail@islandstrust.bc.ca)>  
**Cc:** Deb Morrison <[dmorrison@islandstrust.bc.ca](mailto:dmorrison@islandstrust.bc.ca)>  
**Subject:** Proposed changes to FSR or Site Coverage for residential property

It has come to my attention that there are some draconian changes being discussed regarding creating significant limitations to the maximum floor space on residential land on N Pender Island.

It is unrealistic to consider that such a significant limitation on the building size would benefit the community or the individuals that reside or choose to visit this beautiful island.

It is very narrow minded thinking that would assume that all residential needs can be met for all people with this limitation.

Please set aside any further thought of making changes to the bylaws that affect the size of homes in the residential zones on N Pender Island.

Don Kroeker  
[REDACTED]  
[REDACTED]

**From:** Barb Zeller

**Sent:** September 19, 2020 3:20 PM

**To:** [npltcwebmail@islandstrust.ca](mailto:npltcwebmail@islandstrust.ca)

**Subject:** 19Sep2020 CIM re Residential Floor Area Review for N. Pender Island

Hello Islands Trust –

My husband and I are retirees who live half time on N. Pender, and we live-streamed the meeting this morning about Residential Floor Area Review for North Pender Island.

Thanks to Chair Patrick, Planner Stockdill and Assistant Maple H. for facilitating today's meeting, and thanks to Trustees Ben McConchie and Deb Morrison for their input and hard work on behalf of island residents.

Following is our input following the meeting:

Overall, we like Option 1 of the 3 options presented, to establish a maximum floor area for dwellings.

We like Ben McConchie's idea of setting a size limit for liveable floor space, with the option to increase it by completing a checklist of requirements for a variance, as well as providing the reasons for the variance. Said checklist to go through Islands Trust and on to CRD for approval and permitting.

The current permitted floor area of 25% of lot size is excessive.

We feel that a basic 1800-2000 square feet is more than generous if we're talking about the footprint on the lot, and not the total square feet of living space on multiple floors within the dwelling. (i.e. per Deb Morrison's example, 800 sq ft footprint x 2 floors = 1600 sq ft total living space). If the lot is much larger (over 1 acre in size, for example), then the larger lot size could be one of the factors taken into consideration in the applicant's favour when they apply for the variance to increase the size of the building(s) they want to put on the property.

We like the idea of allowing discretionary use of the allowed floor space - to be used for either one larger dwelling or more than one smaller building (including guest cottage(s)), the total floor area of which is not to exceed the total floor space allowed for the lot size. If necessary, this, too, could be subject to the variance mentioned above.

We feel that for the sake of the environment, including impervious surfaces as part of the maximum lot area coverage would also be a good idea. This would be a good way to restrict the building of patios, asphalt driveways, etc. that have such a negative environmental impact on the land by interrupting the natural flow of water. Unless they have a good reason to apply for a variance, people would have to choose between a larger house, or a smaller house with an impervious surface patio and/or driveway. (Note here that for some steeper properties, asphalt driveways may be the only practical solution – so that factor might be a good reason for a variance.)

We also think it would be a very good idea to require some method of rainwater collection on new home construction or major home renovations (those requiring CRD permitting) to help alleviate the impact on our limited water resources.

We totally agree with the speaker who mentioned that there should be restrictions that require new land purchasers to have a land use plan in place before clear-cutting the properties. There is such a property several lots down the street from us that was clear-cut several years ago, and nothing has been done with it since. Just an empty lot full of tree cuttings. It has long been a burr under my saddle that people come from the city to this beautiful rural and pastoral island, then promptly try to convert it back into the city! Good idea for Islands Trust to collaborate with the real estate agents, to discourage clear-cutting of properties, and to ensure that prospective purchasers are fully aware of the restrictions they may face when building or renovating a home on the island, in order to maintain the rural character of the island(s). Perhaps there should be a brochure that realtors could give to serious prospective buyers, outlining the most major conditions and restrictions, including things like the riparian development permit areas. It's a different lifestyle on the islands than it is in a city, and urban dwellers should be made aware of this, and asked to respect it.

As for the definition of "rural character" of the land - (the question that was turned back to the trustees for consideration) – I would suggest it is one with a varied mix of predominantly farm land and largely treed lots and spaces.

We agree that housing affordability is also an issue. If we continue to allow mansions to be built that few can afford not only do we deplete the market for those looking for affordable housing on the island (to rent or own), but we also drive up the overall market prices and property taxes at the same time. Pender, (and the other islands, for that matter) should not be allowed to become purely a playground for the rich, many of whom would not live on Pender to contribute to its economy year round. Restricting housing sizes is a good way to curtail that kind of activity. We also agree that both South and North Pender trustees need to work together to come up with a cohesive plan that takes into account the needs of each and both of the Pender Islands. Thank you again for the opportunity to voice our opinions in this matter.

Best regards,

Robert & Barbara Zeller

Email: [REDACTED]

**From:** Kathi Allinson <[REDACTED]>  
**Sent:** Friday, December 18, 2020 10:41 AM  
**To:** npltcwebmail <[npltcwebmail@islandstrust.bc.ca](mailto:npltcwebmail@islandstrust.bc.ca)>; Deb Morrison <[dmorrison@islandstrust.bc.ca](mailto:dmorrison@islandstrust.bc.ca)>; Benjamin McConchie <[bemconchie@islandstrust.bc.ca](mailto:bemconchie@islandstrust.bc.ca)>; Steve Wright <[stwright@islandstrust.bc.ca](mailto:stwright@islandstrust.bc.ca)>; Cameron Thorn <[cthorn@islandstrust.bc.ca](mailto:cthorn@islandstrust.bc.ca)>  
**Cc:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>; [rkojima@islandstrust.ca](mailto:rkojima@islandstrust.ca); Maple Hung <[mhung@islandstrust.bc.ca](mailto:mhung@islandstrust.bc.ca)>  
**Subject:** Pender Island Land Use

To: IslandsTrust

After careful consideration and reading the input of various people and organizations, I must say I am even more concerned when it comes to the discussion on land use and square footage. I have heard Trustees say that “well you moved into a Trust area” implying that I should expect my house to be devalued and square footage potential decreased in the event of a catastrophic event. I read the Trust Act and the OCP and nowhere does it say that a large number can expect to become legal non conforming to the point of devaluation. The OCP says there may be sq footage change, but I always thought the OCP was a community plan and not just a Trustee plan. When it comes to an area like Magic Lake, it is an anomaly and setbacks already in place dictate the size of a home. I believe it unfair and not in consideration of modern lifestyles to restrict size to 1800-2000 sq ft. I heard one Trustee ask “why does anyone need more than 1800 sq ft?” In this modern age where two people may be working from home requiring two offices, space for children, extended family etc., it is easy to see why from my perspective. Hornby Island seems to be a more equitable compromise with percentages such as 15% of lot size for principal dwelling on properties under 1 hectare and 10% of lot size for properties over 1 hectare. Square footage could be capped for larger properties going forward. Accessory buildings are another calculation on Hornby. I still would not be in favour of any principal home being declared legal non conforming without some legalese protecting them from serious devaluation. One must consider that for different reasons owners may have to move off island. It could be quite impossible if the market value of their home was reduced due to non conformity and properties were too far out of reach elsewhere. I am sure we all don't like the way the real estate market works, and it is stopping many of our children and other young people from purchasing homes, but limiting homes to 1800 sq ft does not make homes wonderfully affordable to the masses. I would even say that people who are renting and would like to purchase could not afford an 1800-2000 sq ft house if they can't afford a 2400 sq ft house. I noticed that the Mayne Island Trustees have put their discussion of sq footage on hold until they see how well the idea is accepted on Pender, since they agree it is such a controversial issue.

I believe the Trust needs to look at alternatives such as tiny homes, tiny home communities, tiny home rental pads, and trailer living. As it is now I believe any new subdivision must have 10 acre lots. This certainly would not be conducive to providing affordable housing. On Denman Island secondary suites are allowed as long as an owner or manager lives in one part of the home and proof of available water and sewage is given. Travel trailers may be used as a secondary residence as long as there is a principal residence on the property and the property is 1 hectare or more or there is privacy screening. Proof of sewage and water must be given. Perhaps even the size of a property for this use could be reduced.

As for the need for more conservation in various forms I would like to see initiatives such as the ability for composting toilets. In 2016 the BC Ministry of Health declared composting toilets and greywater systems as a sewerage option under the Sewerage System regulation. A benefit of a



composting toilet is that it saves water, as 25% of household indoor water use is from conventional toilets. This also provides alternative options for sites where a full septic system may be difficult to install. They can also produce material that, with proper treatment, can be turned into safe usable compost. The Ministry of Health provides the Manual of Composting Toilet and Greywater Practice as a source of standard practice for design, construction and maintenance of composting toilet and greywater sewerage systems. This manual is in addition to the Sewerage System Standard Practice Manual. In addition a greywater system is much more economical to install than a full septic system. A greywater system filters the water using a multi-stage filtration system to remove lint, hair and impurities. Instead of traveling through a septic system, the filtered grey water is diverted to flower beds and gardens, creating an efficient irrigation system. Hornby Island did a composting toilet study that is complete, and was presented to the CVRD Electoral Area Services Committee in September 2020. The recommendation in the report to further investigate the option of collecting residuals on Hornby Island for processing at the Comox Valley Sewerage Service's biosolids composting facility was accepted by the EASC, with a follow up report on program implementation expected in early 2021.

Furthermore from an environmental concern if impervious surfaces are deemed harmful then driveways and patios could be built with pervious materials such as pervious concrete and the like. Also rain catchment systems should be encouraged generally but perhaps need to be a requirement for new builds or homes of a certain size, and the list goes on.

As for rural character, it is very subjective. In no way do I see a large house not fitting in with rural character. I agree design can definitely influence this. I have seen really ugly smaller homes and really ugly large homes. Design is perhaps something that could be regulated going forward.

I also noticed in one organization's comments the issue of fencing and using vegetation screening instead of fencing. This really puzzled me from a tree conservation perspective and perhaps there needs to be a study done to gain more data. First, many of us have dogs. One cannot expect that a dog should constantly be on a tether. Not at all an option. Secondly, I decided to do a count on my property. I counted 47 new trees and plants since I built seven years ago. I have a fence. Twenty seven of these trees are indigenous saplings that have grown on their own and many are quite tall and all are very healthy. Then I looked at the properties of two other neighbors without fences. I barely found two saplings, because the deer eat the young shoots. My fence also allows me to produce more food of my own such as apple, pear, cherry, lemon, lime and olive trees along with vegetables in my garden. I thought we were encouraged to grow things close to home. I also have rain barrels for summer watering.

I noticed that there has been some controversy on the issue of tree removal. When we built our home, trees of course, had to come out. We even had to take down one tree that was huge. If it fell it would have crushed my neighbor's house. It cost \$3000 as a crane had to be used. That tree was so rotten inside that none of it could be used even for firewood. So when you are in horror of seeing a tree come down don't automatically think there isn't a good reason. Perhaps if that is the case then a Conservancy should strive to buy up as many lots as possible to leave them as they are. I believe it is important what you do to encourage trees and vegetation after you build. I also feel more could be done to educate people about conservation and trees before they build.

This is my perspective on a number of issues that I hope will be given careful consideration along with extensive community input.

Sincerely,  
Kathi Allinson