

From: David Boyd <[REDACTED]>
Sent: May 3, 2022 8:24 PM
To: Benjamin McConchie; Deb Morrison
Cc: George Hudson; Margot Venton; Nia Williams
Subject: Commercial guest accommodation units and MacKinnon Road

Dear Trustees McConchie and Morrison

Can you tell me what a CGAU means?
Is it a room, group of rooms or a cabin?

How big can they be?
How many people can stay in a unit?

The existing additional density of 55 CGAUs is super insane from a sustainability perspective, especially as it relates to groundwater, but also just the livability of MacKinnon Road, which from the ferry terminal onwards has fewer than 50 full-time residents. Sewage, traffic, noise, etc. ... as detailed in my letter to the North pender Island Local Trust Committee dated 1 November 2021.

Reducing the proposed number of additional CGAUs (31) is a step in the right direction but that total is still pretty crazy, again for the reasons mentioned above.

Thank you for your efforts to uphold the vision of the Islands Trust Act,
David

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Dr. David R. Boyd (he/him/his)
[UN Special Rapporteur on Human Rights and Environment](#)
Associate Professor of Law, Policy, and Sustainability
[Institute for Resources, Environment and Sustainability](#)
[School of Public Policy and Global Affairs](#)
University of British Columbia
Unceded x̣ẉṃə̣θ̣ḳẉə̣ỵəṃ (Musqueam) Traditional Territory

From: Nia Williams [REDACTED]
Sent: Friday, May 6, 2022 12:28 PM
To: Kim Stockdill <kstockdill@islandstrust.bc.ca>
Subject: Fwd: Commercial Zoning on MacKinnon Road

Dear Islands Trust,

Thank you for the recent letter from the North Pender Island LTC regarding the Land Use Bylaw Project.

I am emailing to share my concerns about the Tourist Commercial Zoning Review. While I am so thankful that Islands Trust is proposing to reduce the density of four zoned properties on MacKinnon road - further considerations still need to be explored. This proposed re-zoning will *still* have a dramatic impact on the health of our beloved water, delicate ecosystems and local wildlife.

How will the sensitive groundwater aquifer support so many *extra* people?

What will the future footprint be on the precious local beachfront ecosystems?

Last summer there were cars flying up and down the local heritage road. What is the impact of extra vehicles on this pedestrian walkway?

One of these Commercial residences does not have a local resident living on the property. Last summer the outdoor parties continued late into the night when this campground was rented out to large groups from off-island. Garbage was strewn all over the road by birds. We had to contact someone in another province to express our concern regarding noise and debris!

MacKinnon road is a small, quiet neighbourhood and collectively has fewer than 50 full-time residents. We have raised our three children on MacKinnon road over the last eighteen years and deeply appreciate the quiet shelter on MacKinnon road. We are conscious of supportive connection with neighbours, water conservation and natural wildlife habitats.

*How does Islands Trust define CGAUs? Could one unit potentially occupy 1 person or 6? Is one Accommodation unit defined as a campsite, cottage, guesthouse or a retreat centre or commercial enterprise? Could 31 completely booked units potentially mean an *extra 186+ people on MacKinnon road*?!!!*

Please have compassion for this lovely local ecosystem and help us preserve the future health and wellbeing of MacKinnon road. It is a refuge here.

The wildlife, the landscape, the groundwater and the neighbours who live here appreciate your clarity and continued consideration.

I encourage you to reach out if you would like to share a further conversation about these concerns.

With warmth,

Nia Williams
[REDACTED]

May 14, 2022

Sent via email to: southinfo@islandstrust.bc.ca

Dear North Pender Island Trust Committee

Re: Tourist Commercial Zoning Review

I write this letter in response to your request for comments on the Tourist Commercial Zoning Review.

We bought our property on [REDACTED] in 2000 and have lived here full time since 2006. The little inn on the road which was called Arcadia and is now called the Tides predated our arrival and from the beginning of our time here was a feature of life on MacKinnon. It was the first place I visited the weekend in July 2020 that I walked off the ferry from Vancouver to take possession of our new Island home. We hosted our family and friends at Arcadia for our wedding reception on a hot day in June 2004. Our daughter learned to swim in the pool at Arcadia and taught the proprietor's granddaughter to do the same many years later. For over a decade we greeted the opening of the resort in April as another sign of spring, and it's closing at Thanksgiving as a harbinger of the winter to come. That is all to say that we have long embraced the operation of the Inn as it is currently configured. A quiet summer resort with a few cabins which is part of the fabric of the road. It is not that existing commercial operations on MacKinnon had no impact – the wells on both sides of the Tides and the now closed Islanders restaurant were damaged by several attempts to increase water for commercial use in years past, seasonal maintenance results in spring days set to the tune of weed whackers, and large gatherings and the occasional wedding can be heard from our deck and sometimes our living room. But commercial operations at their current level strike a balance between beneficial commercial enterprise and the inconvenience of those who live near-by. That is life, with what I understand to be, at present, 5 commercial accommodation units.

I understand that the commercial zoning of the four properties on Mackinnon Road has been on the books for a long time – it was a historical privilege granted to early commercial operators on the island when zoning was first introduced. It seems to have accompanied subsequent subdivision of what was one property, so that what was originally one commercial operation is now potentially 4. The original grant of commercial zoning capacity does not seem to have been based on any assessment of the realistic capacity of the land to handle the build out – no consideration for example of availability of water, the impact to the ecosystem and the species that reside in it or even more practically the wear and tear on shared infrastructure. Certainly, there was no consideration of how the increasing cycle of drought and flood will impact our shared aquifer and whether there will be enough water in the coming years to support permanent residents let alone hundreds of additional guests.

The idea that the few acres of commercial property on MacKinnon could support 55 commercial accommodation units has always seemed absurd. This is why residents of Mackinnon Road have been calling for this historical anomaly in zoning to be addressed for years, if not decades. There isn't enough land to ensure proper sewage, or water to allow for all the showers and laundry. Where would all the people park? Where would all the people go? Allowing for the current build out would irredeemably transform this relatively quiet road into something quite unrecognizable and push an already water stressed part of the Island ecosystem past its tipping point.

We have already experienced the change in character of the road with the opening of an additional commercial operation at 1349 MacKinnon Road (Otter Shores) and the now year-round operation of the Tides at 1329. There are more people, and with more people comes more noise, more traffic, more garbage and more of the necessary maintenance and building that comes with the operation of guest accommodations. None of this additional disruption is due to these businesses being badly run or their guests being particularly unruly – it is simply the effect of increasing the size and scale of the commercial operations. And that is with only a small increase in the number of beds available through rental of one additional building at the Tides that the former owner-operators used to live in, and the addition of rental cabins and camping at Otter Shores.

I support the planners' proposal to down zone the capacity on these four properties. Reducing capacity from 55 accommodation units to 31 accommodation units is better than no reduction. However, I do not believe that the proposed reduction to 31 units will be adequate to avoid significant impacts. Allowing for the build out of 31 units will turn the currently occasional times when the existing commercial operations seem overly intrusive because of large gatherings into a daily reality. Downzoning needs to do more to strike a balance between the private interests of the commercial property owners and the needs of the environment as well as the impact on the community on MacKinnon Road.

Further for any plans for expansion, critical issues also need to be addressed to ensure that commercial operations do not further impact (either through draw down or contamination) the already stressed shared aquifer that residents of MacKinnon Road rely on for their drinking water. This would necessarily require consideration of a cap on guest occupancy during drought and fire season. The addition of the camping and trailers at Otter Shores has already raised significant concern about potential fires in the summer from the use of camp stoves and the risk of out of season campfires, as well as questions about the adequacies of water and sanitation infrastructure to meet the needs of group events held there. Another critical issue is the impact to the ecological integrity of the land on the properties through the gradual transformation of nature to cabins and parking spaces. Finally, commercial owners need to consider and have a plan to respond to the impact of build out on shared infrastructure such as the already deteriorating road, already compromised internet and overburdened hydro. While these issues go beyond the jurisdiction of the Trust they add to the list of concerns of residents about how the build out of commercial properties will impact their future lives on the road.

I support continued dialogue with the owners to ensure that any further expansion is done in an environmental and community responsive way, but it is my hope that any such further expansion beyond existing structures be very limited.

Respectfully,

Margot Venton



From: M&GBurandt <[REDACTED]>
Sent: Saturday, May 14, 2022 6:19 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Cc: Olsen.MLA, Adam <adam.olsen.MLA@leg.bc.ca>; nathan.cullen.MLA@leg.bc.ca
Subject: North Pender LTC Land Use Bylaw Review Project

North Pender LTC Land Use Bylaw Review Project - Tourist Commercial Zoning Review

In response to your letter of April 19, 2022 regarding the proposal to downzone the density of the four C2 zoned properties on MacKinnon Road, we comment as follows:

If the affected property owners are willing to downgrade the potential of their properties and reduce their market value that is their decision, but for those not willing to do so, downzoning is expropriation without compensation and confiscation of property rights. We do not concur with your proposed density reduction.

It will set a precedent for future degradation of selected property rights by Island Trustees - at their whim.

It is well known that MacKinnon Road has groundwater issues and over the past 80 - 100 years that these property zonings have been legal there has been limited development. Your focus on density reduction is based only on groundwater issues.

There are other means of water provision, but are not being considered. Some of these properties are waterfront and could use desalination, but your attempt to block this method of water procurement is without scientific evidence and rainwater catchment is not mentioned.

We disagree with the proceeding of the Island Trust's revision of the Trust Policy Statement at this time with the rushed attempt to ram this document to pass Readings before the October 15 election. The Island residents have stated in a 75% majority that they have not been adequately consulted and disagree with the content and wording of this document.

The Governance Review by Great Northern Management Consultants strongly suggests that the Islands Trust not proceed with any policy changes until the serious internal operational flaws within your organization have been resolved. This was reiterated by the consultant at the March Trust Council meeting.

Your attempt to short circuit the normal timelines with the Revised Trust Policy Statement and other Land Use Bylaw revisions is typical of the Islands Trust management and leadership shortcomings.

Please do the right thing.

Manfred & Gayle Burandt

[REDACTED]
Pender Island

From: Andrew MacLean <andrew@macleanarchitecture.com>
Date: May 15, 2022 at 2:26:02 PM PDT
To: Benjamin McConchie <bemconchie@islandstrust.bc.ca>
Cc: Deb Morrison <dmorrison@islandstrust.bc.ca>, Steve Wright <stwright@islandstrust.bc.ca>, Cameron Thorn <cthorn@islandstrust.bc.ca>, Laura Patrick <lpatrick@islandstrust.bc.ca>, Peter Luckham <pluckham@islandstrust.bc.ca>
Subject: Zoning on Pender Island

Hi Ben,

It was great seeing you yesterday, thank you for taking time away from watching kids baseball to chat with me about urban planning. I'd love the opportunity to come chat to you, Steve, and anyone else who may be interested. I encourage you to share this letter.

For those that don't know me, I'm a registered Architect. I've been working in Architecture for about twenty years now. I've completed lots of projects across Canada and some in the US. One of the areas I specialize in is helping my clients navigate planning departments and zoning bylaws. I took Masters level Urban Planning courses while completing my Master of Architecture degree, and studied gentrification and the mechanisms by which it is accelerated as part of my thesis.

I'm writing because I'm concerned that you may vote to impose a square foot limitation on single family house sizes. I feel that your reasons for doing this are noble, but would like to talk about how the sort of size limitations being discussed don't achieve the goals being discussed; and to suggest that there may be better means to achieve them.

imposing bylaws that lower the potential value of a property is a doorway to rapid gentrification

When studying Urban Planning we discuss how one of the aims of planning is to protect the value of property. One fun example of devaluing neighbouring properties comes from San Francisco in the 1870's where a railroad baron was unable to purchase all the properties on the block he lived on so erected a massive wall to block the sun from the holdout and squeeze him out. (<https://www.mentalfloss.com/article/94298/crocker-spite-fence-san-francisco>). Since then Planning Departments have evolved a great many tools to prevent one group from preying on others in this manner. One of the surest ways to enable gentrification (by gentrification I mean the supplanting of one population with another more affluent population) is to use tools (exploited glitches in urban planning, burned out cars, bad tenants, etc.) to push down the value of properties in order to purchase and redevelop those properties. Neil Smith (https://en.wikipedia.org/wiki/Neil_Smith_%28geographer%29) is a geographer and social theorist who writes about the gentrification of the inner city as an economic process propelled by urban land prices and city land speculation.

limiting the size disproportionately raises the price

A great many jurisdictions have moved to limit the size of dwellings. A common reason for doing this is the thinking that by making a dwelling smaller it becomes less expensive so more people will be able to afford to live there. In practice, and conversely, because a greater number

of buyers can now afford it the dwelling becomes proportionately much more expensive (demand is increased but supply is not). Local examples of limited house sizes producing a landscape of wholly unaffordable designer jewel box houses are found throughout Whistler and its environs. Canmore's perhaps a better example, I'll talk more about that one later. I suppose I shouldn't be too upset if Pender were to gentrify in this manner. Working on expensive homes for rich people is how a lot of Architects make their money (joking obviously).

rules that limit square footage are easily subverted

Radcliffe Ave in West Vancouver is a fine example of how those with greater resources can purchase more than the rest of us. Zoning on Radcliffe limits house sizes to about 2000 SF. The average house on Radcliffe is nearer 4000 SF and stands big and proud on its lot. Architects are really good at finding loopholes and exploiting oversights in zoning bylaws. Those that can afford the services of professionals prosper, the owner/builder is disproportionately punished, and the good intentions of the politicians and planners subverted and pushed aside. Because of the manner in which the bylaw is written the square foot limitations imposed on South Pender in many instances actually encourage the creation of more mass on the lot. There are better ways to create neighbourhoods with lots of green space and less imposing houses.

homeless workers, locals, and the weekender effect

Canmore is perhaps my favourite example of rapid out of control gentrification arising from an abundance of smaller more affordable housing. My family spent a lot of time in Canmore when I was growing up. I remember it when it was small: a cluster of single family homes, a town centre, a grocery store, only saying the last four digits of your phone number. Canmore's population exploded in the early 2000's. Development pressures meant that houses affordable to residents were also attractive to wealthier people looking to escape the city and establish second homes vacation properties and weekend retreats in a peaceful mountain town. My brother was a writer and photographer for the local paper. I remember that a lot of the reporting at the time showed a new landscape of houses in the hills and whole neighbourhoods under construction while the locals suffered a housing crisis. Workers constructed gorgeous homes while living in tent cities. Bartenders and baristas were living in cars. Families in travel trailers. The local population was literally pushed aside to make way for vacationers. Robert William Sandford, the EPCOR Chair for Water and Climate Security at the United Nations University Institute for Water, Environment and Health, wrote *The Weekender Effect Hyperdevelopment in Mountain Towns* (<https://rmbooks.com/book/the-weekender-effect/>) described as "a passionate plea for considered development in these bedroom communities and for the necessary preservation of local values, cultures and landscapes."

I hope this letter comes across as a passionate plea against enabling the weekender effect

From my office window I watch Sandford's weekender effect unfold in the Driftwood parking lot. Starting Thursday afternoon we see and feel a steep increase in our island's population. Thrifty shoppers head to Tru Value on Sunday afternoon to buy up the extra stock brought in for weekenders at discounted rates. The weekender effect describes a mode of gentrification unique to tourist towns and describes pressures we're starting to experience. We, the residents, become responsible for the provision and maintenance of services and infrastructure that we don't need in order to support periodic influx and increased holiday/tourist/weekend population.

Gentrification is inevitable but we can prepare for and shape how it affects our community.

When we limit the size of homes we make small homes more expensive. This increases cost of and decreases availability of housing for locals. It opens the door to an increased vacation home ownership. Increased vacation and weekend home ownership brings periodic influxes of population and increases the cost of living for those of us able to remain living on Pender. If instead of decreasing their value we make our properties more valuable we make it attractive to create affordable housing, we provide places for the people we rely on to keep our island going to live, and we make our communities more resilient against gentrification.

For some time now progressive planners have been looking at how to move past single family housing. Much of our population and the majority of new home buyers have abandoned the post-war dream of owning a detached house with a yard. For a long time now Architects, Urbanists, and Urban Planners have been studying alternate housing typologies. There are many good ways to bring these urban housing models into our rural environment while not detracting from our neighbourhood character.

California which has 12% of the US population, 28% of its homeless, and very severely limited water resources has recently voted to end single family zoning.

(<https://www.latimes.com/homeless-housing/story/2021-09-17/what-just-happened-with-single-family-zoning-in-california>).

Nathanael Lauster's *The Death and Life of the Single-Family House* discusses how regulatory transformations enabled Vancouver to renovate, build over, and build around the house. He discusses how we can start building our communities differently, and without sacrificing their livability. (<https://tupress.temple.edu/book/20000000008389>)

Allowing owners to increase the value of their investments protects our neighbourhoods and creates affordable housing.

Many communities across North America have made provisions to enable home owners to incorporate suites within their homes or construct laneway/carriage houses on their land. Some allow for the construction of multiple dwellings on lots previously designated as single family provided these new buildings look like the buildings around them. We're working now on a project in Vancouver which fits five units into the envelope of a single family home. The lovely couple that owns the property is doing this to secure their retirement. I remember friends of friends who inherited their parents house in Vancouver but because it was worth so much could not on their two university professor's incomes afford the annual property taxes. I'm not proposing that we should allow 5 units within single family homes on Pender but do believe that allowing people to realize more value from their own properties provides a way to both provide affordable housing and to enable locals who are being pushed off the island as our real estate prices and cost of living increases to remain here in their communities. By layering new development into our existing communities like this we these communities more resilient against raze and replace gentrification.

There are better ways to limit the size of homes

Many many planning authorities cap square footage in attempt to discourage the creation of mansions and tracts of suburban row houses and to encourage the creation of green space in our

communities. As Urban Planning has evolved as a discipline we have developed much better tools to encourage community friendly development and to stop neighbourhoods like Radcliffe Ave in West Vancouver where mansions are built in 2000 SF.

When we say we want smaller houses what we often mean is that we want houses that appear smaller. Some of the tools that other planning jurisdictions use instead of limiting square footage focuses on reducing the apparent mass of houses and increasing the green space around houses. We can create zoning bylaws that more accurately describe envelopes of buildable area, limit width and depth of houses, limit highest building faces, regulate height in relation to roof slope, increase setbacks, require landscape buffers, create FAR exclusions to discourage outbuildings, limit successive stories footprints in relation to those below, encourage access to daylight and discourage overlooking, etc.

It was once mentioned that if we had limited the square footage that could be built on a property someone wanting to create a bigger house could apply for a variance. It's important to understand that this is not correct. In BC variances can only be granted after demonstrating a hardship. Variances exist to overcome that zoning bylaws are applied evenly over an uneven landscape. It would be impossible for a board of variance to permit someone who had bought a property designated for a 1000 SF house to construct a 2000 SF house because they desire a larger house. However if instead of limiting the square footage we regulated the buildable envelope we open the door for those who encounter hardship to apply for variance. For example if we increase the setbacks to 50' from the front and 50' from the back someone who has a 105' deep lot would be able to demonstrate that this causes them hardship and to appear before the board of variance to show their plans to build into the setbacks while respecting the spirit of a setback and not negatively impacting neighbours.

Limiting square footage to create affordability has been tried for decades and has literally never worked.

Since the 1960s/70s planning authorities have limited square footage to create affordable housing. We have more than 50 years of empirical data on the results of these planning policies. Limiting square footage to create affordability has literally never worked.

Thank you,

Andrew MacLean Architect AIBC BFA MArch LEED AP

MacLEAN ARCHITECTURE inc
www.maclearchitecture.com



From: Diane Cuthbert [REDACTED]
Sent: Monday, May 16, 2022 12:52 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Cc: Olsen.MLA, Adam <adam.olsen.MLA@leg.bc.ca>; nathan.cullen.MLA@leg.bc.ca
Subject: North Notification - Pender LTC Land Use Bylaw Review Project - Tourist Commercial Zoning Review

In response to your notification of April 19, 2022 regarding the proposal to downzone the density of the four C2 zoned properties on MacKinnon Road, we do not agree with this proposed rezoning.

Your reason for pressuring the new and current property owners to downgrade the potential of their properties, is based solely on groundwater issues. There are other means of water provision that are not being considered. There seems to be an unnecessary rush to push this through before the Oct 15th election.

We live on Mackinnon Road and appreciate our quiet little street. I hope these properties do not get developed to their full current potential but I care more that the Islands Trust doesn't set this precedent for future degradation of selected property rights.

Yours truly,

Diane Cuthbert and Jamie Graham

From: George Hudson <[REDACTED]>
Sent: Tuesday, May 17, 2022 11:06 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: CGAUs Mackinnon rd

Dear North Island LTC,

I am writing to comment on the proposal reduction of CGAU's on Mackinnon Rd.
I have been the owner and full time resident [REDACTED] for 12 years.
With regard and consideration to concerns over ground water availability, noise and traffic on
Mackinnon Rd. I would like to support the proposal to reduce the zoning from 55 CGAU's to 31 CGAU's
or less.

Regards
George Hudson

From: Sheila McIntosh <[REDACTED]>
Date: May 17, 2022 at 2:59:32 PM PDT
To: SouthInfo <SouthInfo@islandstrust.bc.ca>, Deb Morrison <dmorrison@islandstrust.bc.ca>, Benjamin McConchie <bemcconchie@islandstrust.bc.ca>, Laura Patrick <lpatrick@islandstrust.bc.ca>
Cc: Sheila McIntosh <[REDACTED]>
Subject: C2 zoning on MacKinnon Road

May 17, 2022

Dear North Pender LTC:

As residents of MacKinnon Road, we are in receipt of your letter dated April 19, 2022 regarding the Tourist Commercial Zoning Review. The letter noted that there are some proposed reductions on the permitted density of C2 zoned properties on MacKinnon Road. I have written previously to express my concerns and would ask that you review my letter of September 2021.

The proposed numbers are better than the ridiculously high numbers which were an accident of history and in no way reflected the carrying capacity of the local infrastructure and resources. However, we feel that the numbers proposed -- 28 units on the two commercial operations (The Tides and Otter Shores) are still too high. MacKinnon Road is a narrow dead-end road with a quiet rural ambiance and low-density residential properties along it. If these businesses were to build out to this number of units (each of which could be 56 square meters with up to two bedrooms and at least 4 occupants), there could be over 100 tourists, with resulting high water usage, activity and their vehicles in this tiny and constrained area on a daily basis.

Our preference would be to further reduce the allowable number of units in line with what the LTC is trying to do to retain the rural nature of Pender Island and to ensure the sustainability of our natural resources.

I find it interesting and somewhat inconsistent that the NP LTC is planning to significantly reduce the size of dwellings that private residents can build on their properties (potentially reducing the overall value of these properties) but seems more hesitant to limit the commercial development which would arguably have a much more negative impact on the stated objectives of rural character and sustainability.


If you are going to proceed with the proposed density there needs to be covenants related to water management. I hear from long time residents that there have been significant water issues over the years, with a previous operator of a commercial establishment having to resort to fracking to enhance their water supplies, negatively impacting their neighbours. The Otter Bay Marina which is nearby had significant water issues last year and is once again putting in significant water use restrictions due to concerns re water availability. While I understand that the owners have some plans for increased water capture, I believe that there would need to be ongoing surveillance to ensure limited groundwater sources are protected for all residents of

MacKinnon Road. In addition, I believe there should be an agreement in place that if the much-increased demands of the commercial development impact nearby private residence water wells, that the commercial developments would be responsible to provide financial assistance to affected properties to remedy the problem.

One of the other issues that has been raised in discussions with neighbours is the fact that owners of the properties may not be in residence when guests are on site and so there is no on-site supervision of guests and their pets. If the neighbours have an issue with visitors who are not behaving in a respectful manner what are we to do?

I understand that these are complex issues and that there are no easy solutions. We appreciate the work that has been done to address the concerns of the residents of MacKinnon Road and look forward to continued constructive discussion. Thank you for your consideration of these issues.

Sheila McIntosh


Pender Island, BC

From: Joanna Rogers <[REDACTED]>
Sent: Tuesday, May 17, 2022 3:46 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: North Pender LTC Land Use Bylaw Review Project

To the North Pender Island Local Trust Committee and Kim Stockdill.

In response to your letter dated April 19, 2022, we support the proposed reduction in the density of the four properties on MacKinnon Road that permit tourist accommodation uses.

As residents of MacKinnon Road, we do have concerns about groundwater resources and our fragile ecosystem as well as increased traffic and noise.

A reduction in the density permitted on these properties might address these concerns.

We welcome and encourage discussion and consultation on this.

Thank you for the opportunity to have input on this zoning review.

Sincerely,

Joanna Rogers and Brian Epps
[REDACTED]

From: Lisa Huber [REDACTED]
Sent: Tuesday, May 17, 2022 5:17 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Fwd: North Pender LTC Land Use Bylaw Review Project-Tourist Commercial Zoning Review

Dear North Pender LTC:

I am in receipt of your letter dated April 19, 2022 regarding the Tourist Commercial Zoning Review. The letter noted that there are some proposed reductions on the permitted density of C2 zoned properties on MacKinnon Road.

The proposed numbers are hopefully just a first step in reducing the very high previous numbers which do not reflected the carrying capacity of the local infrastructure and resources. I feel that the 28 units proposed on the two commercial operations (The Tides and Otter Shores) are still too high.

MacKinnon Road is a narrow dead-end road with a quiet rural ambiance and low-density residential properties along it. If these businesses were to build out to this number of units there could be over 100 tourists resulting in high water usage, activity and vehicles in this tiny and constrained area on a daily basis.

I hope that the allowable number of units will be further reduced to retain the rural nature of Pender Island and to ensure the sustainability of our natural resources.

It seems inconsistent that the NP LTC is planning to significantly reduce 'the size of dwellings that private residents can build on their properties but seems more hesitant to limit the commercial development which would arguably have a much more negative impact on the stated objectives of rural character and sustainability.

If you are going to proceed with the proposed density there needs to be covenants related to water management. Although I have only lived here full time for the last three years I have been coming to NPI for many years and am aware of the water issues. There would need to be ongoing surveillance to ensure groundwater sources are protected for all residents of MacKinnon Road. In addition, I believe there should be an agreement in place that if the much-increased demands of the commercial development impact nearby private residence water wells, that the commercial developments would be responsible to provide financial assistance to affected properties to remedy the problem.

Thank you for your consideration of these issues concerning MacKinnon Road.

Reinhard Sulz
[REDACTED]

May 17, 2022

North Pender Island Local Trust Committee

Re: Mackinnon Road Tourist Commercial Zoning Review

Dear Trustees

Thank you for proposing to reduce the number of allowable Tourist Accommodation Units for four properties on Mackinnon Road (1325, 1329, 1333, and 1349) from 55 CGAUs to 31 CGAUs. This is a step in the right direction but, unfortunately, not sufficient.

The existing zoning dates back many decades and is completely inappropriate for small properties in a rural residential neighborhood. Twenty-six CGAUs on a 1.2 ha property? Twenty-nine CGAUs on three other properties that are each less than a hectare in size? These theoretical limits may have seemed reasonable in the distant past but the development of Pender Island and the current state of knowledge regarding environmental pressures render them entirely unreasonable today. The proposed lower density levels are still completely unsustainable, given serious concerns about water, noise, waste, and safety.

1. Water

There are already severe problems with water supply in the Mackinnon Road area. A number of residents have experienced shortages and saltwater intrusion. Efforts by one property owner to improve their water supply have adversely affected the water supply of their neighbors, indicating that we all are drawing on the same finite source. For example, efforts to improve the water supply at 1329 Mackinnon left a neighbor's well completely dry. Efforts to improve the water supply at 1325 Mackinnon (when it was being operated as a commercial business) reduced the flow of our well [REDACTED] by more than 90 percent, from 5 gallons per minute to 0.5 gpm. The commercial tourism property at 1329 Mackinnon is already experiencing summertime water shortages and having to bring in water from off-site, even at existing levels of operation. The impacts of climate change are expected to place further strains on our collective water supply.

2. Noise

This is a quiet, rural residential neighborhood, and also an area where sound travels easily. Last year there were large parties at 1349 MacKinnon (Otter Shores, whose website advertises for large groups, small weddings and family reunions) with noise carrying across multiple properties well into the night. There was nobody on site to supervise the visitors and no way to reach the owners of the property, as calls to the business phone number simply went to voicemail.

3. Waste

There has also been a significant increase in garbage at the public beach access at the end of Mackinnon Road (beer cans, take-out food containers and other types of trash). There has also

been an increase in the number of bags of dog excrement left along the Shorecliff viewpoint trail and along Mackinnon Road. More tourists equals more trash and more bags full of dog excrement. Local residents are forced to clean up the mess that tourists leave behind, as we discovered while participating in this year's Earth Day beach clean-up.

4. Safety

Our main concerns about safety involve the narrow road and the risk of fire. There have been at least two car accidents on Mackinnon Road in recent years between the ferry terminal and the end of the road, with a van going into the ditch and a car rolling over into the BC Ferries parking lot. The road is very narrow in places and the increase in traffic from existing commercial tourism is already causing dangerous situations, as visitors unfamiliar with the island drive at or above the speed limit of 50 km/h which is simply not safe.

The risk of wildfires increases with the number of people in this area and is connected to the scarcity of water, which would be highly problematic in the event of a fire. These risks are exacerbated by visitors who smoke and may have bonfires or campfires.

Conclusion

In summary, any further expansion of commercial tourism operations on MacKinnon Road will threaten our water supply, our endangered environment and the quality of life of the whole neighborhood. It would be unsustainable and unsafe. While I appreciate the step in the right direction reflected by a decrease from 55 CGAUs to 31 CGAUs, this still leaves the spectre of devastating unsustainable future growth.

Please reduce the permitted density of all four C2 zoned properties on Mackinnon Road to current levels and eliminate the possibility of further expansion.

Thank you for your efforts to preserve and protect the environment and the community of this special place that we are so fortunate to call home.

Respectfully,

David Boyd, [REDACTED]
Pender Island BC [REDACTED]

From: Arn Berry <[REDACTED]>
Sent: Wednesday, May 18, 2022 10:40 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: North Pender LTC Land Use Bylaw Review Project - Tourist Commercial Zoning Review

Thank you for the opportunity to comment on the proposed reduction of 55 CGAUs to 31 CGAUs for 4 MacKinnon Road C2 zoned properties. We support the initiative to reduce the number of CGAUs on MacKinnon Road. Even the proposed 31 CGAUs may be too many. In addition to the serious concerns regarding groundwater availability, a full build out of the permitted CGAUs, would detrimentally impact this largely rural residential community. Already there are traffic issues on the dead-end road. Those issues intensify during the summer months. Many walkers, including children and pets use the road to access the public beach at the end of the road. People drive at unsafe speeds for the conditions, exposing the pedestrian traffic to serious danger of injury. In its present state, the road would not be adequate for the increased use that would inevitably accompany a full build out of the permitted CGAUs. The rural residential nature of the community ought to be preserved.

Yours truly,
Arn & Sonia Berry

[REDACTED]
Pender Island B.C. [REDACTED]