

Sept 01 2022

To Trustee Deb Morrison: dmorrison@islandstrust.bc.ca
Trustee Ben McConchie; bemcconchie@islandstrust.bc.ca
Chair Laura Patrick; patrick@islandstrust.bc.ca

Re: Proposed North Pender bylaw 223, 224 and 229

Dear North Pender Trustees and Chair,

I am writing to express my support for several of the proposed bylaws and suggest amendments to others.

By 224 house size: support for reduced house size

With the goal of reducing our ecological and climate impact, I support the environmental and social objective of smaller buildings with smaller footprints. I am particularly concerned about the impact that excessively large houses have on habitats and ecosystems. The loss and conversion of natural habitats on the Gulf Islands has resulted in a significantly high number of species being listed as threatened or endangered. There are now more species listed as threatened or endangered in the Gulf Island coastal Douglas-fir habitats than any other ecological zone in BC. As we lose natural forest cover and understory, temperatures change, microsites change, conditions in the summer can become hotter and drier, and the loss of moisture and cooling mechanisms perpetuates climate impacts on ecosystems, species and people.

Larger homes aggravate this trend. They tend to have more parking areas, more impervious surfaces, more loss of natural habitats and landscapes. They require bigger septic systems that need a greater area of soil and habitat disturbance and greater tree removal. And importantly, larger homes are more inclined to modify the natural habitats characteristic of the island in favour of urban landscapes. In contrast, smaller homes can be easier to fit into the natural landscape, requiring less disturbance and less reconstruction.

There are also social arguments about the impact of building excessively large homes. Larger houses tend to raise property values and purchase costs, making affordable housing more difficult. Larger houses require more extensive trades than can be supplied by the local community. This puts added pressure on an already burdened ferry system when building trades are commuting from Victoria. The construction of oversized, unaffordable homes does nothing to address the housing crisis and more likely perpetuates it.

The rationale to adopt bylaws to reduce house size includes the Islands Trust endorsement of the Right to Healthy Environment (2015), the declaration of a climate emergency (2019), and the overarching mandate to 'Preserve and Protect' islands within the Trust Area. Despite the 2015 and 2019 declarations, few tangible actions have been taken by the Trust to address the ecological footprint that residents and visitors have on these islands.

Preserve and Protect comes before, not after, rezoning

Rezoning on McKinnon Rd

I am concerned about the proposed development of more tourism units on MacKinnon Road. This concern relates primarily to the proposed increase in density and the impact on water, however there are noise, waste and safety concerns that have been identified as well. As a former resident and property owner on McKinnon Rd, I can speak directly to the lack of water on these sites. Previous efforts to increase the water supply at 1329 McKinnon Rd for the EXISTING level of units prompted the former property owners to frack their well. This fracking resulted in our property losing our well and ergo our domestic source of water. There was nothing the Trust would or could do about this situation. We were not the only property affected by fracking.

This point reinforces the TPS directive policy (4.4.2) that Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:

- **neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,**

Given the rate that off-island (ie Vancouver Island) water trucks arrive on Pender Island in the summer season to service island homes *and* existing tourism operations, this would suggest this policy is already compromised. Ultimately, the zoning on McKinnon Rd for tourism should not be increased.

Rezoning at 1200/1201 Port Washington Road

Trustees made an effort to address the proposed zoning issue on Port Washington Rd., but it does not seem to have been satisfactorily resolved by the staff's actions. The residential zoning needs to be moved back to commercial within the OCP map schedule. It wasn't enough for staff to just return the LUB to commercial zoning for both lots. The OCP guides the LUB and they must be consistent.

Amendments to Bylaw 223

Section 2 .1 Development Variance Permit

Seeking a variance for building construction will soon be the norm unless there are policies that discourage this. I would suggest a scaled approach to adding fees for the requested variance based on the square footage, i.e. this should be a conservation fee with the money going in to conservation initiatives or conservation bylaw enforcement

- a per square foot fee associated with the first 250 sq ft variance requested
- a higher square footage fee for variance requests between 250 -700 sq feet
- a very high square footage fee for variance requests above 700 sq feet

Section 4.2 Coastal Area Policies: should be amended to add specific reference to the critical habitat of endangered Southern Resident killer whales, ie

- a) the proposal demonstrating minimal impacts on the marine environment, including eelgrass, bull kelp, forage fish, **the critical habitat of Southern Resident killer whales**, or other important habitat;

Amendments to Bylaw 224 3.6 Fence Regulations

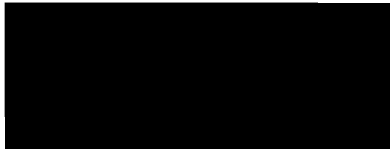
Do our residences on North Pender Island really need 10' fences? Are we building compounds? My 6' fence keeps deer out. Seven feet should be the absolute maximum height.

Bylaw 224: Siting and Setbacks

There are proposed 60 and 30 meter setbacks of septic fields and pits used for agricultural, commercial or industrial purposes from the natural boundary of the sea and wetlands lakes and streams respectively, but no mention of setbacks for residential septic fields. This section requires an amendment for a 30 metre setback to the marine shoreline to ensure that marine species and shorelines are not put at risk from septic contamination.

In the spirit of advancing sustainable ecological, climate and social policies on North Pender Island and helping to influence those beyond, please support these bylaws and there amendments.

Sincerely,

A large black rectangular redaction box covering the signature area.

Misty MacDuffee

A black rectangular redaction box covering contact information.

From: stephenson <[REDACTED]>

Sent: Friday, September 2, 2022 5:50 PM

To: Benjamin McConchie <bemconchie@islandstrust.bc.ca>; Deb Morrison <dmorrison@islandstrust.bc.ca>; Laura Patrick <lpatrick@islandstrust.bc.ca>; SouthInfo <SouthInfo@islandstrust.bc.ca>

Subject: Accessory Uses Structures and Buildings for Industrial Site specific zones

Dear Trustees:

I tried to bring your attention to a matter at the September 1st Special Meeting but due to zoom technical issues, I was unable to. Attached is my submission.

I look forward to hearing from you.

Ann Stephenson
North Pender Resident

September 2, 2022

Dear Trustees of North Pender

As you know there was an issue with the Zoom link for the September 1st meeting and like many others, I was not able to Attend. While trying to Attend I was watching via Livestream. After about an hour I was finally able to join and at that point I raised my hand but was not recognized.

Anne Burdett was unable to make the meeting so I was going to speak on her behalf with respect to Motions NP-2022-92, NP-2022-93, NP-2022-95, NP-2022-97 and NP-2022-103, (collectively referred to as "These Motions") to set the record straight and then subsequently to the comments made by Staff at this meeting that the Burdetts will have to apply for rezoning if they wish to have Accessory uses added to their site specific zoning.

With respect, These Motions that were passed at the August 13th CIM were incorrectly drafted and do not reflect the formal record. These Motions will become part of Draft Bylaw 224 so must accurately follow the Trustees' Directions.

At hour 2.19 of the recorded August 11th LTC meeting, the Trustees discussed the submission made by Anne Burdett where she requested that Subsections 5.10 (e) (f) & (i) of proposed Bylaw 224 be added to their site specific industrial zoning for boat storage as well as to all other Site specific General Industrial zones. The Trustees were very sympathetic to her concerns and Trustee Morrison specifically directed Staff that the Motions before them on August 11th be redrafted to include (e) (f) & (i). Further discussion took place at which time Planner Stockdill advised to be cautious about adding in (e) & (f) because they have a broader meaning than boat storage, & it was the opinion of the Planner that the only subsection that should be added was (i). For reference, subsection (i) states "**Accessory USES, buildings and structures**" (my emphasis.)

At the CIM 2 days later These Motions were put before the Trustees. They were part of a much larger parcel of various other Motions, and, after a lengthy CIM meeting, so I understand there wasn't a lot of opportunity to scrutinize the wording of each Motion. The discussion about These Motions can be found at hour 2.26 of the August 13th CIM recording. Only the words "accessory buildings and structures" had been inserted. When watching the August 13th recording, the Trustees clearly believe they are fulfilling the original request of the Applicant.

To summarize, the Trustees had originally directed the words "Accessory USES, buildings and structures" be inserted. Clearly the word "uses" was omitted in all These Motions. That missing word and therefore permitted use is extremely important and crucial to the original request, and the Trustees concurred and made the appropriate Directions for These Motions to be drafted.

I have been attending Trust meetings for years. It is very constructive and positive to see Residents and Trustees discuss on the public record valid concerns and genuine efforts to rectify those concerns, but then extremely frustrating to discover that what appears to be a clerical error take everything back to square one.

This needs to be addressed at your earliest opportunity.

I am requesting that at the next meeting of the North Pender LTC that These Motions be corrected to accurately reflect the formal record of your instructions as set out in the recording of the August 11th public meeting, by including “uses” in the phrase, “Accessory uses, buildings and structures. That is the wording of Subsection 5.10 (i).

Thank you in advance for addressing this matter.

Ann Stephenson

From: BRIAN FORBES <[REDACTED]>

Sent: Sunday, September 4, 2022 10:19 AM

To: SouthInfo <SouthInfo@islandstrust.bc.ca>; EC <ec@islandstrust.bc.ca>; Muni minister <Muni.minister@gov.bc.ca>

Cc: penderislandinfo@gmail.com

Subject: Fwd: Pender Island non support for Proposed Bylaws

Further to my e-mail to you last week (sent on 27-29 August, 2022) stating my reasons for not supporting the proposed bylaws concerning waterfront stairs and docks and outlining my own personal history regarding my stairs and dock that I have had for over 25 years (my thanks to southinfo for acknowledging my e-mail), attached is my response to an information request concerning my position on these issues prepared by penderislandinfo@gmail.com.

I hope you have taken the time to read my e-mail referred to above and have given it the attention I believe it deserves.

Sincerely,

Brian Forbes

From: Ken Sawatsky <[REDACTED]>
Sent: Friday, September 9, 2022 9:31 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Cc: EC <ec@islandstrust.bc.ca>; muni.minister@gov.bc.ca
Subject: Proposed bylaws

Hi Ben and Deb

I do not support banning stairs and docks on Pender. They are a necessity on the Island for safety and friendly habitat for marine life. Also do not be too restrictive about house sizes as every one has different needs and size restrictions does not affect affordable housing as all houses are custom built in Pender not for speculation. Do not increase the size of our bureaucracy as that just adds to the cost of housing making it less affordable.

Concerned citizen Ken Sawatsky

From: Jack McDaniel <[REDACTED]>

Sent: Sunday, September 11, 2022 12:16 PM

To: sounthinfo@islandstrust.bc.ca <sounthinfo@islandstrust.bc.ca>; ec@islandstrust.bc.ca <ec@islandstrust.bc.ca>; muni.minister@gov.bc.ca <muni.minister@gov.bc.ca>; penderislandinfo@gmail.com <penderislandinfo@gmail.com>; Jack McDaniel <waterfrontrealty@hotmail.com>

Subject: No bylaws affecting private property values!

No bylaws affecting private property values!

Jack McDaniel

North Pender Island LTC
Trustee Ben McConchie
Trustee Deb Morrison
Chair Laura Patrick
southinfo@islandstrust.bc.ca

Islands Trust Executive Cttee
Chair Peter Luckham
Vice-Chair Laura Patrick
Vice-Chair Sue Ellen Fast
Vice-Chair Dan Rogers
EC@islandstrust.bc.ca

Minister of Municipal Affairs
Honourable Nathan Cullen
Muni.minister@gov.bc.ca

RE: Non Support for Proposed Bylaws Removing Stairs and Fencing from Water Setbacks and Dock Downzoning from Water 1 to Water 3 for North Pender Island

I have been on North Pender Island since 2002 (year).

STAIRS AND FENCES IN THE WATERFRONT SETBACK

I do not support the proposed bylaw amendments which remove stairs and fences. In addition:

- Stairs to the water are important to the islands for emergency evacuation in the event of a wildfire or other catastrophic natural events.
- These minimal stairs are already controlled for size and configuration in bylaws and do not need more controls.
- Fences in the water setback are important given the high-bank cliffs of many waterfront lots and should not be restricted in the setback.
- Fencing in the setback can provide protection from deer who negatively impact biodiversity and sensitive ecosystems on our islands.
- Other; _____

DOWNZONING WATER DISTRICT W1 TO W3 TO BAN PRIVATE DOCKS

I do not support the proposed bylaws to downzone the Water 1 District, which now allows private docks, to Water 3 District, which allows only mooring buoys.

In addition:

- There is already a comprehensive Provincial permitting process for docks and the Trust should not repeat these or have additional bylaw controls.
- It is premature to proceed given significant opposition by citizens and boating associations to banning private docks in the Policy (TPS) review.
- I am concerned with the negative impact on property values.
- I am concerned with the additional 'red-tape' costs and time of rezoning back to the W1 zone (which is also proposed to become more restrictive).
- Other; _____

Name: JACK McDANIEL

Address: [REDACTED] Pender Island

From: MICHAEL SKETCH [REDACTED]

Sent: Sunday, September 18, 2022 3:21 PM

To: Laura Patrick; Deb Morrison; Benjamin McConchie

Cc: mgmsketch

Subject: M Sketch to LTC - LUB Review - Parcel Density for MacKinnon Road Tourist Accommodation Units

Parcel Density for MacKinnon Road Tourist Accommodation Units

North Pender Trustees Laura Patrick, Deb Morrison and Ben McConchie - Please see "Requests to the LTC Corporation" at the end of this submission.

The LTC Corporation is deliberating individual parcel density for tourist accommodation units on MacKinnon Road as part of the Land Use Bylaw review project.

Based on local knowledge of groundwater use, prior hydrofracturing and the sometime need to transfer well water from a neighbour; the public understands that if built, the zoned tourist accommodation parcel density on MacKinnon Road will almost certainly result in failed wells, may predispose saltwater intrusion and may otherwise negatively impact groundwater quality and quantity for nearby residentially zoned parcels.

Today's tourist accommodation parcel density on MacKinnon Road was assigned decades ago, undoubtedly to promise the developer an income return on invested capital for cottages. The current need to import water from Victoria in dry summer months to supply other tourist accommodation zones with the same parcel density, should be sufficient and necessary evidence not to repeat overdevelopment on MacKinnon Rd.

In recent LTC deliberations, the public sees that landowner influence at LTC meetings has persuaded the LTC on the degree to which zoned density should be limited.

Please be better persuaded by section 4 of the Islands Trust Act and in turn by Trust Area Policy. Taken together, the LTC has a positive obligation to i) first ensure sustainable use of groundwater and ii) secondly acknowledge individual parcel owner need; where there is reasonable certainty that acquiescing to the landowner preferred density will negatively impact groundwater quality and quantity.

Further, please acknowledge that a requirement for cisterns is collateral to credible proof of groundwater.

Although Trust Area policy should be relied on first, it hasn't been. The Islands Trust Act is unambiguous that preserve and protect Trust Area policies aren't a

wish list.

Notwithstanding, the current Trust Policy Statement was written three decades ago such that policies can be implemented, but need not be in a local trust area. The last part of my submission to Trust Council for 21Sep2022 explains for groundwater preservation policy.

Secondly, Trust Policy Statement policy 4.4.2 – The ‘policy component’ reads: “neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater”.

It is understood that “density” means built density at the time of deliberation of sustainable density, not a higher parcel density as may be allowed in land use bylaw zoning. If indicated, the LTC should downzone.

Although 4.4.2 is a promising directive policy, again there are two caveats and both speak to failed implementation:

1) The ‘policy component’ has a preamble, roughly that LTCs shall, in their policy and regulatory bylaws, address measures that ensure ... (‘policy component’ 4.4.2). Compliance is delegated to the local trust area for implementation.

2) Policy 1.3.1 of the Trust Policy Manual gives instruction regarding directive policies of the TPS; that they should be addressed in OCP and regulatory bylaws unless reason is given by the local trust area for not doing so.

In other words the local trust area may adhere to TPS policy 4.4.2 but doesn’t have to.

The caveats are devastating.

Councilors, please check your island OCP. If the first “Surface and Groundwater “ policy doesn’t read: “Neither the density nor intensity of land use shall be increased in areas which are known to have a problem with the quality or quantity of the supply of groundwater or surface freshwater”, then why not?

If not - and not on North Pender - then implementation of this foundation directive policy is ineffective.

Effective groundwater preservation and protection is needed in order that the Trust Area itself is preserved and protected.

Trustees, please put the brakes on MacKinnon Rd. tourist accommodation development until the LTC Corporation is secure in having proof of credible groundwater quality and quantity to sustain each proposed development.

MacKinnon Rd. tourist accommodation development density has evolved in

previous decades with previous landowners, limited by available groundwater.

Requests to the LTC Corporation

1) Using site specific rezoning, acknowledge the tourist accommodation density limits built by previous landowners which was imposed by available groundwater on each of the MacKinnon Rd. parcels. Once groundwater is proven, density can be increased by application, parcel by parcel.

2) Trust Policy Statement instruction is clear for directive policy 4.4.1. Please replace current North Pender OCP policy 4.1.1 with:

new OCP policy 4.1.1 - "Neither the density nor intensity of land use shall be increased in areas which are known to have a problem with the quality or quantity of the supply of groundwater or surface freshwater."

and renumber successive OCP policies accordingly.

Michael Sketch



From: Joyce Thayer <[REDACTED]>
Sent: Friday, September 23, 2022 11:29 AM
To: Deb Morrison <dmorrison@islandstrust.bc.ca>; Benjamin McConchie <bemconchie@islandstrust.bc.ca>; Laura Patrick <lpatrick@islandstrust.bc.ca>; Kim Stockdill <kstockdill@islandstrust.bc.ca>; SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Amendment to Bylaw 103

Please see attached submission for consideration at the upcoming Trust Meeting of September 29th.

Joyce Thayer

Karen and Tom Bell

Ann Stephensen

September 23, 2022

TO: Deb Morrison – North Pender Island Trustee
Benjamin McConachie – North Pender Island Trustee
Laura Patrick- Chair North Pender Island Trust
Via Email : Southinfo@islandtrust.ca

RE: Amendment of Bylaw 103 to include a definition of “Farm”

I write further to our submissions to the trustees at the meetings of August 11, 2022 and September 1, 2022 which focused on amendments to bylaw 224 to address the issue of what uses are permitted on Rural Residential RR properties in light of the decision to approve the construction of an over height accessory building at 4218 Clam Bay Rd.

We appreciate the consideration given to our concerns and the amendments to Bylaw 224 which have been implemented to address them.

At the last meeting of September 1, 2022 the trustees decided to delay the implementation of Bylaw 224 until after the upcoming election of trustees in October. Since this decision the building which initiated our concern has been inspected and, in our view incorrectly, found to be compliant with the current bylaw.

The position that we have put forward is that it is not the intent of the current bylaw to allow construction of over height accessory buildings for farm purposes on RR lands. To ensure that there is no further misunderstanding of the intent of the current Land Use Bylaw 103 going forward it is important to immediately amend Bylaw 103. We ask that Bylaw 103 be amended at the meeting of September 29, 2022 to include a definition of “Farm” and to amend s. 3.4.4 of the section relating to accessory buildings as follows:

Moved that:

1. the following definition of farm be added to s. 1.1 of Bylaw 103

“Farm” means a farm operation on a lot that is zoned for agriculture as a principal permitted use.

2. Section 3.4.4 of Bylaw 103 be amended to delete the word farm and substitute the word agricultural so that s.3.4.4 states as follows:

3.4.4 An accessory building or structure may not exceed 4.6 meters in height and one story except for a pumphouse, which may not exceed 3 meters in height, and a building used for agricultural or forestry purposes which may not exceed 10 meters in height.

Thank you for your consideration of our request.

Joyce Thayer
Karen and Tom Bell
Ann Stephenson

From: michael philpot <[REDACTED]>

Sent: Saturday, September 24, 2022 2:36 PM

To: Robert Kojima <rkojima@islandstrust.bc.ca>; Deb Morrison <dmorrison@islandstrust.bc.ca>; Benjamin McConchie <bemconchie@islandstrust.bc.ca>; Laura Patrick <lpatrick@islandstrust.bc.ca>; info@islandstrust.bc.ca; Kim Stockdill <kstockdill@islandstrust.bc.ca>

Cc: michael philpot <[REDACTED]>; leslee kerfoot <[REDACTED]>; Budd Kerfoot <[REDACTED]>

Subject: Land Use Bylaw 224 Review: The Tides Cottages, NPI

My wife and I have lived on North Pender Island for some 16 years and I have known Leslee Kerfoot some 60 years and her son Bud Kerfoot since a little boy, now current owners and operators of the Tides Cottages on McKinnon Road, NPI. I can not speak enough to Leslee's character and what I have seen from Bud as a young businessman.

It has only been a couple years ago that Leslee contacted us to enquire about the Gulf Islands, especially Pender but also Saltspring where I have a mother and sister living. I also have a sister living on NPI. There is no doubt, in my opinion, if you want the perfect balance of all the Gulf Islands the Penders win hands down. To our surprise within a couple months of the call Leslee and partner bought a lovely home on SPI. We were even more surprised some 6 months after that Leslee informed me that she and Bud had bought the old Pender Inn, now the Tides Cottages.

I was totally excited by their concept to totally update the old Pender Inn to what they have today transformed into The Tides Cottages. In my opinion the Tides Cottages is a perfect example of Pender's resort history rejuvenated today with its character and island feel and is unique compared to Poets Cove Resort and say the Woods, each having their own niche market. Beside legal and illegal BandB's or AirB&B on the Penders there are no options for guests of Penderites or visitors to Pender to be accommodated other than the government campsite. It is these types of businesses that help the Pender community be sustainable and should be encouraged to be developed into also a sustainable enterprise. For the majority of businesses on the Penders you make it or break your business in the period June to September,

I provide a personal example of how important the few resorts on Pender are to the community overall. My daughter just got married at our home on Pender this September. 50 guests from off island were excited to join Katrina and Alex, now husband, for this special occasion.

We obviously arranged to secure the Tides 8 months prior looking after 20 guests, however it was difficult to secure any further accommodations as a group so all of the above resorts were used for the purpose to host our guests. We arranged for a wedding day off/planner who in turn arranged for an executive chef, food, servers, bartender, music, taxis service, express courier, beverages and minister all based on Pender, in total approx. \$33,000. Using a 7X multiplier to the impact to the Pender economy this one wedding generated \$230,000 to the Pender community.

I have discussed the Kerfoots proposed plans to modestly expand the Tides to accommodate more overnight guests and given the current zoning for what is permitted and for what the Kerfoots have agreed to reduce such number down to and yet seem to be getting a hardline back from Islands Trust, I am perplexed why the process has bogged down.

I have personally had my own past issues with Islands Trust and it was a complex matter, however with much dialogue and a bunch of money for consultants and for turning a portion of my property over to Islands Trust Conservancy the eventual outcome was a Win-Win for all parties.

In summary my wife and I believe the moderate proposed expansion to the Tides, which is currently under review by Islands Trust, is a no brainer to all parties; the community of Pender, to Islands Trust and to the Kerfoots. The Kerfoots have invested a significant amount of life savings to the Tides and have demonstrated their full time commitment to the Penders. We should be so lucky to have young people invest into the sustainability of the Penders community.

Michael and Ann Philpot
North Pender Island

From: Jeffrey Green <[REDACTED]>

Sent: Monday, September 26, 2022 6:27 PM

To: MUNI MUNI:EX Minister <MUNI.Minister@gov.bc.ca>

Cc: SouthInfo <SouthInfo@islandstrust.bc.ca>; Deb Morrison <dmorrison@islandstrust.bc.ca>; Benjamin McConchie <bemconchie@islandstrust.bc.ca>; ec@islandstrust.ca

Subject: Nonsupport for Proposed Bylaws on Stairs and Fencing, as well as Ban on Private docks

The Honourable Nathan Cullen
Minister of Municipal Affairs

As per the attached document, I do not support the proposed bylaw amendments for North Pender by the Islands Trust. The changes would:

- Not allow stairs from a property to access the waterfront
- Not allow fences within the 15m setback
- Ban new docks in the current W1 Zone

Justification by the Island Trust for these changes are not supported by peer-reviewed, credible science. With the exception of docks built over eel grass beds, the supposed scientific rationale put forward by the Islands Trust and their staff is flawed.

This proposed change also represents an attempt by the Islands Trust to expand their geographic and regulatory scope. There is already a comprehensive Provincial permitting system in place for docks that includes consideration of environmental impacts (for which the Provincial staff are much better informed and qualified), indigenous concerns and rights, and navigational considerations. Adoption of these proposed changes by the Trust will no doubt lead to further hiring of staff by the Islands Trust (which will duplicate existing provincial responsibilities) and will further exacerbate the ever-increasing tax burden the Trust places on residents within the Islands Trust Area.

Jeffrey E. Green
[REDACTED]

North Pender Island LTC
Trustee Ben McConchie
Trustee Deb Morrison
Chair Laura Patrick
southinfo@islandstrust.bc.ca

Islands Trust Executive Cttee
Chair Peter Luckham
Vice-Chair Laura Patrick
Vice-Chair Sue Ellen Fast
Vice-Chair Dan Rogers
EC@islandstrust.bc.ca

Minister of Municipal Affairs
Honourable Nathan Cullen
Muni.minister@gov.bc.ca

RE: Non Support for Proposed Bylaws Removing Stairs and Fencing from Water Setbacks and Dock Downzoning from Water 1 to Water 3 for North Pender Island

I have been on North Pender Island since 1994. (year).

STAIRS AND FENCES IN THE WATERFRONT SETBACK

I do not support the proposed bylaw amendments which remove stairs and fences.

In addition:

- Stairs to the water are important to the islands for emergency evacuation in the event of a wildfire or other catastrophic natural events.
- These minimal stairs are already controlled for size and configuration in bylaws and do not need more controls.
- Fences in the water setback are important given the high-bank cliffs of many waterfront lots and should not be restricted in the setback.
- Fencing in the setback can provide protection from deer who negatively impact biodiversity and sensitive ecosystems on our islands.
- Other; Scientific data do not support the supposed negative impact of docks (except in eel grass beds)


DOWNZONING WATER DISTRICT W1 TO W3 TO BAN PRIVATE DOCKS

I do not support the proposed bylaws to downzone the Water 1 District, which now allows private docks, to Water 3 District, which allows only mooring buoys.

In addition:

- There is already a comprehensive Provincial permitting process for docks and the Trust should not repeat these or have additional bylaw controls.
- It is premature to proceed given significant opposition by citizens and boating associations to banning private docks in the Policy (TPS) review.
- I am concerned with the negative impact on property values.
- I am concerned with the additional 'red-tape' costs and time of rezoning back to the W1 zone (which is also proposed to become more restrictive).
- Other; _____

Name: JEFFREY GREEN

Address: 

From: [REDACTED] >

Sent: Monday, September 26, 2022 5:07 PM

To: Benjamin McConchie <bemconchie@islandstrust.bc.ca>; Deb Morrison <dmorrison@islandstrust.bc.ca>; Laura Patrick <lpatrick@islandstrust.bc.ca>

Cc: Kim Stockdill <kstockdill@islandstrust.bc.ca>

Subject: letter regarding removal of tourist accommodation

Please find attached, a letter apposing the removal of Tourism Accommodation from the C2 property behind Driftwood Centre

Dorothy Murdoch
Property Manager

September 25th 2022

To: North Pender Trustees, Chair, and Planners

I am writing as a representative of Hardal Management Inc., the owner of the C2 property behind Driftwood Centre.

I attended a special meeting on August 13th, and made clear our plans and thoughts on the C2 zoned property behind Driftwood Centre. Unfortunately, I was called away from the meeting, and an hour later a motion was put forward to eliminate the Tourist Accommodation permitted use on this property. The reason given, that we had not produced a plan, so we obviously had no intention of using it for Tourist Accommodation.

It was also mentioned that there was a shortage of water around Driftwood Centre and the C2 property. Where are your facts to back this statement? This is ridiculous, we have ample water with three wells.

There has been little discussion with us regarding the Tourist Accommodation. In fact, at the general discussion before the meeting I was asked by a trustee, whether we would be willing to reduce the number of units. I said no.

Further, in February of this year, the trustees proposed that this C2 property should be rezoned for Rental Housing. Then in August the designation suddenly changed to Community Service. Since Rental Housing would also mean a high number of units, what is the difference between that and Tourist Accommodation?

Back in February and again in July, I had talked about an idea for the Trustees consideration. Driftwood Centre's original building was designed to have a second storey, and small apartments could be added to the structure if the zoning allowed. The Trustees asked for a meeting to discuss this further. One meeting was organized and then cancelled, no further meetings have been requested. On April 20th 2022 I emailed both trustees regarding a thought of adding apartments to the upper floors of the future buildings 5, 6 and 7. Could we meet and discuss this possibility. I had no response.

We are completely apposed to the removal of Tourist Accommodation for our current C2 permitted use. Maybe in the future that is what we would plan to do.

Dorothy Murdoch

Hardal Property Manager

Islands Trust
Sep.26. 2022

We are writing this letter in support of The Tides Cottages at 1329 Mackinnon Road & 1333 Mackinnon Road. [REDACTED] 1325 Mackinnon and were in the accommodation business before retiring, having owned The Inn on Pender (now called Woods) from 1990-2015.

This resort has been part of the rich and colourful history of North Pender Island since the 1920's. It is legally zoned for tourist accommodations, and has been enjoyed by locals, visitors from all over the world, and many in our neighbourhood have enjoyed celebrations at this historical resort as well.

Leslee, Budd and Brook bought and have operated the resort since April of 2021. They bought without knowledge of the Island Trust land use review project, and have tried to collaborate with the Islands Trust to find a solution that respects both their financial needs and the community's needs. We believe they have done that by offering almost a 50% reduction in density, without any compensation.

They live on the property, the resort is run well and caters primarily to young families - often visiting families and friends of Islanders. There is minimal disturbance to the neighbourhood, with the resort being located between two commercial properties, tucked in behind dense landscaping. Visitors are respectful of the quiet neighbourhood.

We have not been disturbed by the resort to date, and are aware of and not concerned about their future development plans.

Budd and Brook have plans to ensure an adequate water supply through catchment and storage, and their development plan of 15 units on 1329, and 5 on 1333 Mackinnon Road, only represents 4% lot coverage - they are allowed 25%.

I recall that prior to the previous owner of 1329 converting "The Pender Lodge" main building to their residence, the property rented 14 units. They also operated a restaurant on our property which no longer exists.

This is very sustainable in our eyes with their water storage plan.

We feel they have generously offered to reduce density to a responsible and respectable level, and that the Islands Trust should accept their offer, and allow them to continue with their dreams, and plans. They are asking for no compensation to give up what they rightfully purchased in 2021.

Thank you,

Dave and Dianne Dryer
[REDACTED]