



NORTH PENDER ISLAND LTC SPECIAL MEETING

Land Use Bylaw Review Project

Proposed Bylaw Nos. 223, 224, & 229

February 10, 2023

RECOMMENDATION IN STAFF REPORT

- Draft motions are included throughout the staff report for the North LTC consideration and also in the ‘Alternatives’ section.
- The draft motions in the report are amendments to all 3 bylaws: proposed Bylaw No. 223, 224 and 229.
- If the LTC wishes to amend these bylaws, **second reading must be rescinded** first (see Alternative 1), **amendments can be made** (motions throughout the staff report), and then the **bylaws be read for a second time** as amended (see Alternative 3).

UPDATED RECOMMENDATION

GOAL: to present **a final draft of the bylaws that incorporates all the changes from today's meeting (the draft motions in the staff report and the updates to the subdivision regulations)** to community members at the Saturday, February 25th Special Meeting.

How do we get there? What can we do at today's meeting?

1. Rescind Second Reading for bylaws that need changes
2. Rescind First Reading for bylaws that need changes (this would make the bylaws "draft" bylaws.
3. Give direction to staff to make changes

Outcome:

Allows staff to make necessary changes over the next few weeks in order to present the updated bylaws at the February 25th meeting.

DRAFT VS PROPOSED BYLAWS

- Draft Bylaws

- Bylaws that have not been given First Reading
- LTC can direct staff to make changes to the draft bylaw by informal direction or by resolution.
- For example: "The North Pender Island LTC requests staff to update the subdivision regulations in draft Bylaw No. 224)".

- Proposed Bylaws

- Bylaws that have been given a reading (First, Second, or Third)
- LTC can direct staff to make amendments to the proposed bylaw by resolution only
- For example: *"That the North Pender Island Local Trust Committee proposed Bylaw No. 224, cited as "North Pender Island Land Use Bylaw No. 224, 2022" be amended by removing Section 8 'Subdivision Regulations' and replacing it with the following:....."*

- Benefit of a draft bylaw is the LTC can give direction to staff to amend a draft bylaw without having the exact amendments in hand.

UPDATED RECOMMENDATION

GOAL: to present **a final draft of the bylaws that incorporates all the changes from today's meeting** to community members at the Saturday, February 25th Special Meeting.

How do we get there? What can we do at today's meeting?

1. Rescind Second Reading for bylaws that need changes
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Outcome:

Allows staff to make necessary changes over the next few weeks in order to present the updated bylaws at the February 25th meeting.

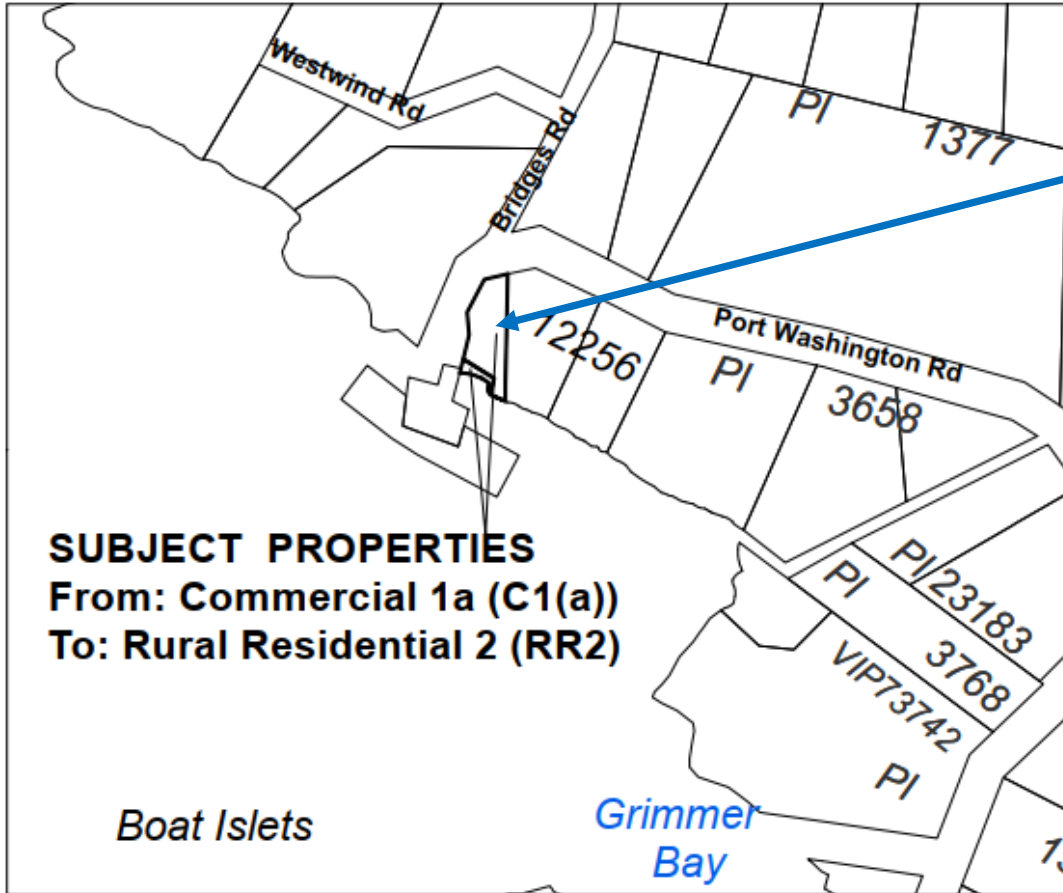
OUTHOUSES – (BYLAW NO. 224)

- Provincial legislation does not apply to federal lands, therefore the provincial sewage legislation does not apply to any federal parks.
- For provincial parks there is a Memorandum of Understanding (MOU) in place that allows privies in provincial parks.
- As outhouses are already restricted by Island Health, additions to the LUB are not required.
- If the LTC would like to prohibit outhouses/privies in all zones, they should be prohibited outright with the exception to the National Park, Community Park 1, and Community Park 2 zones.
- An amendment to proposed bylaw No. 224.

1200/1201 PORT WASHINGTON RD – (BYLAW NO. 223 & 229)



Islands Trust



Re-designation from Commercial to Rural Residential
(via Bylaw No. 223)

Rezone from Commercial 1a to a site-specific Rural Residential 2 that would only allow ONE dwelling within the ZONE.

(via Bylaw No. 229)



Trust

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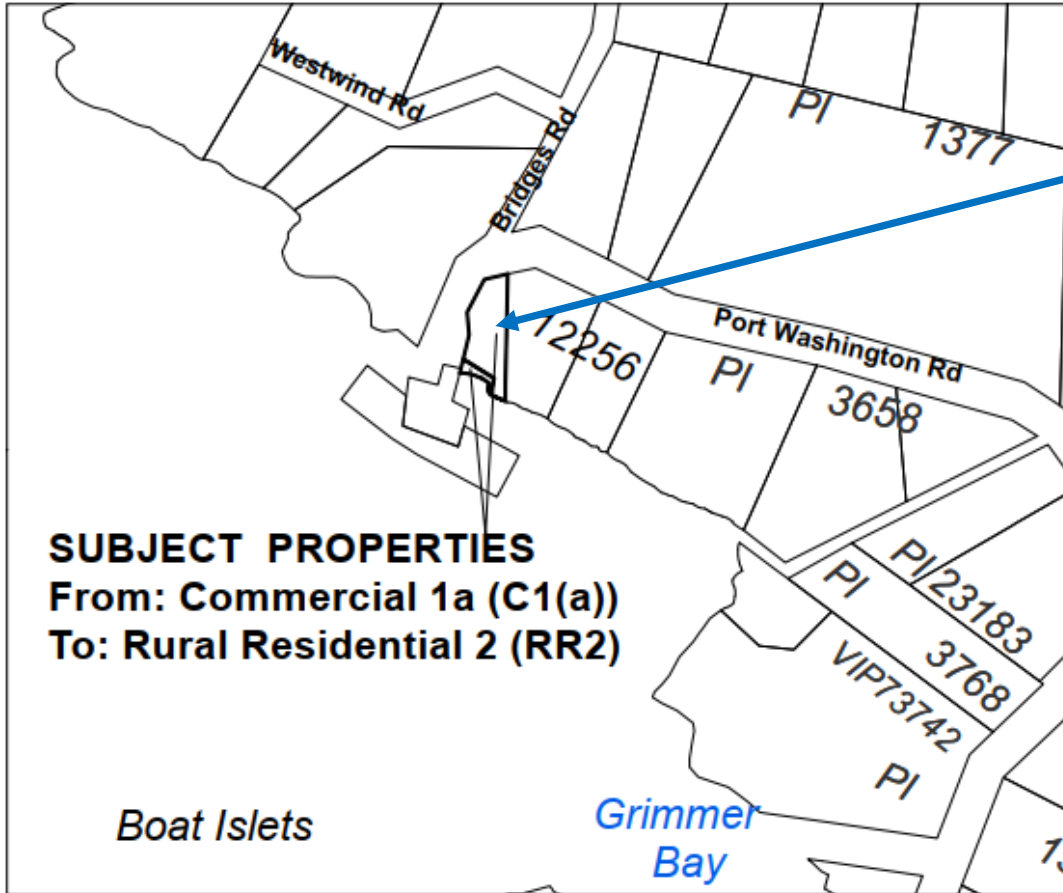
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1200/1201 PORT WASHINGTON RD – (BYLAW NO. 223 & 229)



Islands Trust



Re-designation from Commercial to Rural Residential
(via Bylaw No. 223)

Rezone from Commercial 1a to a site-specific Rural Residential 2 that would only allow ONE dwelling within the ZONE.

(via Bylaw No. 229)



3334 PORT WASHINGTON RD – BYLAW NO. 224

Islands Trust

- TUPs for the past 8 years have authorized the use of storage and wholesale of aggregates, soils and mulch.
- Staff recommend legalizing the TUP uses by rezoning a portion of the lot from the Rural zone to a site-specific General Industrial zone.
- LTC could consider also allows all uses in the General Industrial zone.
- Property is already designated 'Industrial' in the North Pender OCP.



February 10, 2023

SUBDIVISION REGULATIONS



- The subdivision regulations in proposed Bylaw No. 224 were updated based on recommendations from the Groundwater Sustainability Project.
- Through the process of Galiano Island LTC updating their LUB and subdivision regulations, a few additional changes were noted that should be made to Bylaw No. 224.
- These amendments will be presented at the February 25th Special Meeting.

MINOR AMENDMENTS

- Add definition of a “compost facility” to Bylaw No. 224
- Allow for a boat storage structure on the upland Magic Lake area in a site specific Community Park 2 zone.



UPDATED RECOMMENDATIONS – BYLAW 224



If LTC wishes to make changes to proposed Bylaw No. 224 (**prohibited outhouses, legalizing TUP uses on 3334 Port Washington Rd, and update subdivision regulations**), Second and First Reading must be rescinded:

Rescind 2nd Reading:

- That the Second Reading of Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022” be rescinded.

Rescind 1st Reading:

- That the First Reading of Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022” be rescinded.

UPDATED RECOMMENDATIONS – BYLAW 224



Bylaw No. 224 is now in draft form so direction can be given to staff to amend the draft bylaw. Draft motion would be:

“That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 224 to:

- ~~Prohibit privies in all zones except for the National Park, Community Park 1, and Community Park 2 zones.~~
- Update the subdivision regulations.
- Add a definition for “compost facility”.
- To create a site-specific Community Park 2 zone that would allow for a boat storage structure..
- ~~3334 Port Washington Road from the Rural Zone to a sites-specific General Industrial zone to allow on the uses permitted in NP-TUP-2020.1”.~~

UPDATED RECOMMENDATIONS – BYLAWS 223 (OCP) AND 229 (LUB)



If LTC wishes to make changes to proposed Bylaw No. 223 and 229 (**rezone 1200/1201 to a site specific Rural Residential use**), Second and First Reading must be rescinded for both bylaws:

Rescind 2nd Reading – OCP Bylaw No. 223:

- That the Second Reading of Bylaw No. 223, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021” be rescinded

Rescind 1st Reading – OCP Bylaw No. 223:

That the First Reading of Bylaw No. 223, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021” be rescinded

Rescind 2nd Reading – LUB Bylaw No. 229:

- That the Second Reading of Bylaw No. 229, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022” be rescinded.

Rescind 1st Reading – LUB Bylaw No. 229:

- That the First Reading of Bylaw No. 229, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022” be rescinded.

UPDATED RECOMMENDATIONS – BYLAWS 223 (OCP) AND 229 (LUB)



OCP Bylaw No. 223 and LUB Bylaw No. 229 are now in draft form so direction can be given to staff to amend the draft bylaws. Draft motion would be:

Motion 1 (to amend bylaw 223):

“That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 223 to re-designate 1200 & 1201 Port Washington Road from Commercial to Rural Residential.”

Motion 2 (to amend Bylaw No. 229)

“That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 229:

- to rezone 1200 & 1201 Port Washington Road to a site specific Rural Residential 2 zone that would only permit one dwelling within the zone.
- to rezone the upland Magic Lake area from Rural Residential 1 to a site specific Community Park 2.”