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Sent: Tuesday, January 14, 2025 9:48 PM

To: SouthInfo <SouthInfo@islandstrust.bc.ca>; dfalk@islandstrust.bc.ca; Kristina Evans <kevans@islandstrust.bc.ca>; Tobi Elliott <telliott@islandstrust.bc.ca>

Subject: response to South Pender APC recommendations

January 14, 2025

Dear Trustees

In reviewing the APC referral recommendations, I struggled to get past the introduction. My first concern lies with the handling of legal non-conforming properties, specifically the phrase: *"by removing its significance from the current Bylaw 114 almost entirely."* This proposed solution dismisses much of the community's hard work in developing Bylaw 122, which prioritized increased setbacks and smaller house sizes. Legal non-conforming status, as outlined in a legal opinion and reflected in the drafting of Bylaw 122, is a moot point and should not serve as the basis for revising the existing bylaw.

My second concern relates to the bold assertion that *"The recommendations meet the goals of the OCP and have little, if any, impact on the rural nature of South Pender."* Observing trends both within and beyond our community, which increasingly favor smaller setbacks and larger house sizes, I must counter with an equally strong statement: any changes to our existing bylaw will undermine the goals of the OCP and negatively impact the rural character of South Pender.

I deeply appreciate the time and effort the APC dedicates to serving our community. Its true value lies in representing a grassroots cross-section of diverse community perspectives. However, I believe this has not been achieved. Instead, the APC appears to be dominated by a special interest group pursuing a specific agenda. This becomes evident in the willful dismissal of a legal opinion that supports the current bylaw, along with a clear inclination to reverse Bylaw 122 on multiple fronts. This reflects the earlier effort by the current Trustees to rescind Bylaw 122 outright during the first meeting of their term. These actions raise serious questions about the fairness and transparency of the promised community consultation process.

I believe the majority of letters submitted regarding this project support maintaining Bylaw 122. This bylaw reflects our shared values by preserving our rural character in alignment with the OCP and the Trust Mandate. Its increased setbacks not only ensure privacy between homes but also make a meaningful effort to allow nature to thrive. By contrast, smaller setbacks result in little more than land clearing and privacy fences.

Our current LUB aligns more closely with the OCP and the Trust Mandate than the proposed changes, and it deserves a chance to prove its effectiveness. Instead of revisiting settled issues, we should focus our energy on more pressing challenges—such as wildfire prevention, water protection, and fostering a deeper understanding of our cultural and historical relationships, especially with First Nations, whose traditional territory we share.

Sincerely,

Ron Henshaw

