From: Wayne Edwards <[redacted]>
Sent: Tuesday, March 25, 2025 1:41 AM
To: Kristina Evans <kevans@islandstrust.bc.ca>; Dag Falck <dfalck@islandstrust.bc.ca>; Tobi Elliott <telliott@islandstrust.bc.ca>
Cc: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: South Pender Minor Use Bylaw Amendment Project (Bylaw 129)

March 25, 2025

To:

Kristina Evans, South Pender Trustee (kevans@islandstrust.bc.ca)
Dag Flack , South Pender Trustee (dfalck@islandstrust.bc.ca)
Tobi Elliott, Chair South Pender Trust (telliott@islandstrust.bc.ca)

copy to : southinfo@islandstrust.bc.ca

Re: South Pender Minor Use Bylaw Amendment Project (Bylaw 129)

1. I agree with defining the floor area as the area with ceiling and floor 1.8m apart.
2. Clause 3.3 (3): I think a 50ft setback of a building or other structures from the natural boundary of the sea is excessive and appears to be an arbitrary choice rather than one based on a technical evaluation of the potential harms this would mitigate or prevent. The 25ft setback from the sea on our property is based, as explained to me, on a broad hazard evaluation and is widely used on S. Pender with good success. Doubling the setback from 25 ft to 50 ft will rob the landowner of use of a significant area of their property while providing little benefit and should only be done if there is an engineer's recommendation that such an increase is needed because of a geotechnical hazard. A 50 ft distance from freshwater boundary to a building or other structure is more understandable as there could be flooding or fresh water contamination risks.
3. I agree that Bylaw 129 should revert to 3m interior setbacks. These have been shown to date to be adequate for protecting the rural setting and enjoyment of residential properties and there is no need to increase them and many disadvantages if they were to be increased.
4. Clause 3.3 (6): As currently written this clause appears to prevent an owner from installing a rainwater harvesting system for collection of a potable water supply from the roof of a dwelling, such as we installed. Such a rainwater collection system would inevitably be located within 30 m of components of a sewage system. I recommend you exclude roof rainwater collection water supply systems from the proposed 30 m distance constraint.
5.Clause 3.4 (2): The maximum height limit of a building accessory to a dwelling should be 30 ft (same as for a dwelling), so it can be made architecturally similar to the dwelling if desired for design aesthetics or improved storage opportunities. This would help reduce the proliferation of numerous accessory buildings of less than 100 sq ft in area that one sees on properties.
6. Clause 3.11 Derelict vehicles: I am all for property owners removing and recycling derelict and often unsightly vehicles and boats, but this clause, as written, also includes likely non-derelict vehicles. For example, if I own two vehicles, one to drive in the summer and the other to drive the rest of the year, both kept in good condition, this clause requires me to keep both cars licensed year-round or to have a garage to store one of the vehicles when not in use. This is

costly and wasteful and I'm expecting not the intent of the clause. A narrow definition of a "derelict" vehicle is needed that is not simply that it is not licenced. The FVRD defines a derelict vehicle as a motor vehicle which is inoperable, or partially or totally disassembled or wrecked, dilapidated, or substantially damaged. A definition such as this would be appropriate.
7. Clause 8.12 should be amended to allow the subdivision of a lot supplied with water from a rainwater collection system approved by an engineer.
8. The local trust committee should be trying to make it less costly and more efficient to build homes in these times of a crisis in both the supply and cost of homes. We are not isolated from these issues and should do what can be done to help the Southern Gulf Islands be self sustainable. We also do not want to become cottage country where people build smaller homes here to use part-time while their main residence is elsewhere. With this in mind, I would like to see the maximum floor areas for dwellings in Clause 5.1 (5) increased a further 10% for all lot areas, while keeping the total floor areas as proposed. For example, this would make the dwelling area for a 0.4-<0.8ha lot 3,300 sq ft. This yields modest yet realistic usable floor areas and minimizes the needs to add space in accessory buildings that are commonly not as well cared for or as attractively designed as the dwelling.
9. The Trust Committee should strive to avoid making dwellings nonconforming as a result of bylaw amendments. This can have serious unintended and unanticipated impacts in terms of the market value of a property, its insurability, or the cost of dwelling replacement. A simple example of this is requiring landowners to pay for a survey or other services to prove that their replaced dwelling complies with the setbacks when originally built.

Regards,
Wayne Edwards
[redacted]
Canada [redacted]