



DATE OF MEETING: May 7, 2021

TO: South Pender Island Local Trust Committee

FROM: Kim Stockdill, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: South Pender Minor OCP Amendments – Project Charter

RECOMMENDATION

1. That the South Pender Island Local Trust Committee approve the Project Charter for the LUB Amendments project.

REPORT SUMMARY

This report is intended to provide the South Pender Island Local Trust Committee (LTC) with a draft project charter for the Land Use Bylaw (LUB) Amendments project.

BACKGROUND

At the April 9, 2021 Special Meeting, the South Pender LTC passed the following resolutions:

SP-2021-040

It was Moved and Seconded

that the Groundwater Sustainability Project be moved off the Top Priorities list.

CARRIED

SP-2021-041

It was Moved and Seconded

that the Alternative Housing Project be removed from the Top Priorities list.

CARRIED

SP-2021-042

It was Moved and Seconded

that the South Pender Island Local Trust Committee refer building design and guidelines and The Rights of Nature document to the Advisory Planning Commission and report back to the Local Trust Committee prior to the May 7 2021 Local Trust Committee meeting.

CARRIED

SP-2021-043

It was Moved and Seconded

that shoreline stairs be referred to the APC for their consideration and solutions and to report back to the Local Trust Committee prior to the May 7 2021 meeting.

CARRIED

SP-2012-044

It was Moved and Seconded

that the Local Trust Committee add Land Use Bylaw amendments to the Top Priorities list.

CARRIED

SP-2021-045

It was Moved and Seconded

that the Local Trust Committee add 3 minor Official Community Plan amendments to the Local Trust Committee Top Priorities list as noted:

- Building and design guidelines;
- First Nations Official Community Plan language;
- Rights of Nature policy;

And further that, staff report back with a project charter.

CARRIED

SP-2021-046

It was moved and Seconded

that the Local Trust Committee move the Groundwater Sustainability project from the Top Priorities list to the Project list.

CARRIED

SP-2021-047

It was Moved and Seconded

that the Local Trust Committee add Shoreline Review to the Top Priorities list.

CARRIED

ANALYSIS

Official Community Plan:

There are no anticipated amendments to the South Pender Official Community Plan (OCP) in regards to this project.

Land Use Bylaw:

The South Pender LTC has indicated that the following topics should be included in the LUB amendment project:

Potential LUB Amendments

1. Maximum floor area regulations – to review the current residential maximum floor area regulations and the addition of a provision that would ensure existing dwelling units could rebuild to their current floor area prior to a newly established maximum floor area.
2. Agricultural lands regulation in accordance with ALC policy L-26. – consider regulating maximum floor area for dwelling units to align with ALC regulation (500 m² maximum floor area), home plate regulations, farm worker housing regulations, and other topics as identified by the LTC.
3. Shipping containers – consider regulating maximum number of permitted shipping containers on a parcel, screening requirements and other potential regulations.
4. Setback to the natural boundary of the sea – this could be addressed through the Shoreline Review project or through this project.
5. Any other minor, technical amendments - review the LUB to correct any numbering errors, incorrect legislation references, or other technical amendments.

Project Charter

The project charter is attached for the LTC's consideration. The project charter includes the scope of the project, timeline, and budget. If the LTC wishes to amend the draft project charter, an alternative recommendation is outlined below (alternative no. 2).

Consultation

Staff are recommending early consultation with community members beyond what is required by statutory requirements. The LTC should consider scheduling a Community Information Meeting in the fall, as indicated on the Project Charter, as the project proceeds.

Members of the LTC have expressed a desire to complete a mail out to all community members notifying them of the projects the South Pender LTC has completed to date, and about the three new top priority projects. If the LTC would like to initiate this mail out, a resolution is required. The LTC should be aware that there is a cost associated with this (cost to mail) as well as the administrative time to organize a mail out. There are also two different options for mail outs with pros and cons to each approach – a letter mailed directly to property owners (those who are on the property title although those renting the property would not receive the letter) or dropping leaflets into each mail slot (this would go only to those currently residing at the property). Staff do believe a mail out should be completed for this and perhaps in conjunction with other projects, but the LTC should discuss the timing of the mail out. A mail out to notify community members of the early CIM in the fall could be considered.

Statutory Requirements

In the first stage of the project (i.e. reviewing proposed documents, and undertaking community consultation) there are no statutory requirements to consider. If at a later stage the LTC resolves to undertake bylaw amendments, statutory notification requirements of the Local Government Act will need to be considered including appropriate agency and First Nation referrals, public hearing requirements and bylaw adoption procedures.

Rationale for Recommendation

If the LTC is satisfied with the scope of work proposed (the potential LUB amendments identified above), approval of the project charter by resolution is recommended to allow work to proceed. Alternatively the LTC could ask staff to report back with changes to the project scope and to the charter.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are potential delays to commencing and completing the project. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the South Pender Island Local Trust Committee request that the staff provide further information regarding...

2. Request revisions to the draft project charter

The LTC may request revisions to the draft project charter. If selecting this alternative, the LTC should describe the specific revisions needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the South Pender Island Local Trust Committee request that staff make the following revisions to the draft Project Charter for the LUB Amendments Project:...

3. Reconsideration of project

The LTC may choose to focus on different priorities instead of a technical review of the LUB. If selecting this alternative, recommended wording for the resolution is as follows:

That the South Pender Island Local Trust Committee not pursue the LUB Amendments Project and to remove the project from the Top Priority Project List.

4. Mail out

That the South Pender Island Local Trust Committee direct staff to notify community members by mail that...

5. Receive for information

The LTC may receive the report for information

NEXT STEPS

Next steps include:

- Finalize project charter, if required
- Present LUB amendment options to the SP LTC via a staff report prior to commencement of public, stakeholder, and First Nation consultation

Submitted By:	Kim Stockdill, Island Planner	April 29, 2021
Concurrence:	Robert Kojima, Regional Planning Manager	April 30, 2021

ATTACHMENTS

1. Project Charter

LUB Amendments - Charter v1

South Pender Island Local Trust Committee

Date: May 7, 2021

Purpose: To consider minor amendments to the South Pender Land Use Bylaw (LUB).

Background: The South Pender Local Trust Committee identified a number of topics to consider for amendments to the LUB. The project would review options for amending the maximum floor area regulations, agricultural land regulations (in accordance with ALC Policy L-26), shipping containers, and other minor and technical amendments.

Objectives

To review, amend or add new regulations to the LUB.

In Scope

- Consider the following amendments to the LUB:
 - Maximum floor area;
 - Agricultural regulations;
 - Shipping containers;
 - Minor and technical amendments.
- Providing recommendations to LTC
- Drafting of bylaw amendments
- Public and stakeholder engagement
- Bylaw referrals
- Bylaw amendment process

Out of Scope

- Substantive review of the LUB.
- OCP amendments (other than consequential)
- Other regulatory or policy amendments

Workplan Overview

Deliverable/Milestone	Date
Project charter endorsed	May 2021
Staff research and analysis of options for the LTC's consideration	July 2021
LTC review of background material and consideration of public consultation options	Sept 2021
Public consultation (CIM) and early referrals	Fall 2021
LTC review of consultation results and consideration of amendment options, direction to draft bylaw and legal review	Nov 2021
First reading	Jan/Feb 2022
Community Information Meeting/Public Hearing	March 2022
Further bylaw readings, EC referral	Summer 2022

Project Team

Kim Stockdill	Project Manager
Maple Hung	Admin Support
Jas Chonk	Admin Support
Jackie O'Neil	GIS/Mapping Support
RPM Approval: Robert Kojima Date: Apr 29, 2021	LTC Endorsement: Resolution #: Date: xxx

Budget

Budget Sources:		
Fiscal	Item	Cost
2021-22	Consultation & Mail-out	\$1500
2021-22	Legal Review	\$1000
2021-22	Public Hearing	\$1000
2021-22	Contingency	\$500
	Total	\$4000