

Correspondence received concerning current applications or projects is posted on the LTC webpage

13. APPLICATIONS AND REFERRALS - None

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Minor Land Use Bylaw Amendment Project - Staff Report

Island Planner Stockdill summarized the staff report and highlighted the following:

- The Advisory Planning Commission (APC) made the following recommendations to the Local Trust Committee:
 - To retain the 50-meter setback to the natural boundary of the sea
 - To revert the interior and side lot setbacks to 10-feet
 - To retain the current setback of 6.0 meters for a dwelling or cottage from any interior or exterior side lot line
 - To amend subsection 5.1(10) by deleting “to submit a certification from an appropriately qualified person” and replacing it with “substantive evidence to establish.”
- The APC will meet in October to discuss maximum floor area and other minor technical amendments
- The APC will provide their final comments at the December 2024 meeting

Discussion ensued and the following comments were noted:

- A Trustee asked whether there a risk to the project taking longer than the current Trustee terms. Island Planner Stockdill advised there is time to complete the project within the current Trustee terms
- A Trustee asked whether the APC discussed separate zoning for areas with more density. APC members advised the APC discussed separate zoning for specific areas
- A Trustee suggested having meetings to discuss individual sections of the project such as setbacks to the sea and interior/side lot setbacks

The meeting recessed at 12:03 p.m. for a break and reconvened at 12:20 p.m.

- Chair Elliott requested staff to provide a map and examples of impacts to floor area to help with decision-making. Island Planner Stockdill will provide the materials requested
- A Trustee expressed concern that the Islands Trust tools are not effective in protecting the environment
- There was a question regarding vegetative screening. Island Planner Stockdill spoke to factors and limitations related to vegetative screening

SP-2024-011

It was Moved and Seconded,

that South Pender Island Local Trust Committee request that staff to revise the Minor LUB Amendments Project Charter timeline as shown in the staff report dated September 13, 2024.

CARRIED

18. TOWN HALL

A member of the public recommended banning upper facing lights to reduce light pollution. They stated that the change to short term vacation rental (STVR) bylaw enforcement policy is turning a blind eye unless a written complaint is received. They added that it is important for the community engagement to be complete prior to making any decisions regarding the Land Use Bylaw Amendment Project.

Trustees spoke to their decision-making process related to the Land Use Bylaw Amendment Project.

A member of the public asked for clarification regarding vegetative screening related to side lot setbacks and stated it is important to consider FireSmart principles. The member of the public asked for clarification regarding the April 30, 2024 date related to STVR's.

Trustee Evans reported Provincial legislation removed legal, non-conforming use for STVR's. Trustee Evans advised the Local Trust Committee's (LTC) resolution to "direct Bylaw Enforcement staff to defer enforcement for those short-term vacation rentals validly operating as of April 30, 2024 and that enforcement on any short term vacation rentals be by written complaint only" is a temporary solution as the LTC recognizes that STVR's support the Islands Trust mandate for the Islands Trust Area to be accessible to visitors.

Chair Elliott reported that legal, non-conforming use is not like a permit and does not hold up in court and one option could include that current operating STVR's could be recognized as a home based occupation.

A member of the public commented that bylaw enforcement against STVR's was intended to increase long-term housing.

Chair Elliott reported the Gabriola Island LTC opted in to the Provincial legislation and the sections that apply to the Islands Trust Area are the removal of legal, non-conforming use and the principal residency requirement.

19. CLOSED MEETING - None

20. ADJOURNMENT

By general consent the meeting was adjourned at 1:42 p.m.

Tobi Elliott, Chair

Certified Correct:

Sarah Shugar, Recorder