

August 22, 2025

To our South Pender Local Trust Committee:

I am a long time South Pender resident. My wife and I purchased our property in 1978 and have been privileged to be full-time residents for over 25 years now. We were drawn here by the special natural environment and caring community. Over the years I became concerned as I observed the results of being on an island sandwiched between two large urban centres and the pressures on the rural environment that created.

I was very thankful for the unique local government that existed and fully supported its mandate.

“Established in 1974 to manage development pressures in the Gulf Islands, it acts as a unique form of public trust, coordinating land use planning and environmental protection for the area for the benefit of residents and the province.”

I also recognized the important role an island trustee plays in carrying out the mandate and felt strongly enough that I ran for the position of South Pender Trustee and was privileged to serve for two terms. During my second term, my fellow trustee, Wendy Scholefield accomplished a review of our bylaws to try and strengthen the language in support of the goals identified in our Official Community Plan.

Trustees Wright and Thorne subsequently moved to strengthen certain areas even further than we had gone. I initially disagreed with some of the changes but upon further reflection realized that we truly needed this step in the right direction and was willing to support the resulting Bylaw 114.

However, I now see a move in the wrong direction. Your efforts to remove the current safeguards contained in Bylaw 114 is a betrayal of the requirements of your mandate to preserve and protect.

Instead of focusing your work on all the other environmental protections our island is needing, you have spent most of your term with a “tunnel vision” of undermining the mandate of our Official Community Plan with regressive changes you made in the proposed Bylaw 129.

I sincerely urge you to reflect on the damage that you will cause to our community and in fact, the reputation of the Islands Trust as a guardian of our environment.

Bruce McConchie

██████████

South Pender Island

From: Dorset Norwich-Young <[REDACTED]>

Sent: Friday, August 22, 2025 3:37 PM

To: Dag Falck <dfalck@islandstrust.bc.ca>; Kristina Evans <kevans@islandstrust.bc.ca>; Tobi Elliott <telliott@islandstrust.bc.ca>

Cc: SouthInfo <SouthInfo@islandstrust.bc.ca>; Kim Stockdill <kstockdill@islandstrust.bc.ca>

Subject: Support of Land Use Bylaw 114

To our South Pender Island Trustees ,

I have yet to hear any reasons from our trustees for replacing Land Use Bylaw 114 with proposed Bylaw 129.

Why change the current house size allowances that fully comply with our OCP goals and the Trust preserve and protect mandate ?

I Strongly support our current land use bylaw 114 which provides for gradual ,generous growth that is sustainable which supports our community's rural character and other OCP goals .

I do **not** support proposed Bylaw 129.

I ask that my letter be posted in the correspondence section and the public hearing binder that will go to the executive committee.

Sincerely

Dorset Norwich-Young

[REDACTED]

South Pender Island

--

Dorset Norwich Sfca. Afc.

[REDACTED]

Pender Island BC

[REDACTED]

[REDACTED]

[REDACTED]

From: Jennifer Lecour [REDACTED]
Sent: Friday, August 22, 2025 7:50 PM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Subject: South Pender LTC - Proposed Bylaw No. 129 - Public Hearing Submission

To South Pender Trustees,

I strongly oppose proposed Bylaw 129, which reduces setbacks and permits larger residential structures. This proposal fundamentally contradicts the Islands Trust's core mandate to "preserve and protect the Trust Area and its unique amenities and environment."

Having followed this bylaw amendment process closely since its initiation two years ago, I have observed that proponents consistently prioritize individual property rights over our collective environmental stewardship responsibilities. The arguments presented in favor of Bylaw 129 disregard the Trust's primary mandate.

Over the last two years, my view that we should maintain South Pender's current land use bylaw has only strengthened. The existing bylaw serves as a safeguard for our island's unique character and environmental integrity.

I urge the trustees to reject Bylaw 129 and uphold your fundamental responsibility to preserve the island for current and future generations.

Regards

Jennifer Lecour

From: Michel Lecour [REDACTED]
Sent: Friday, August 22, 2025 8:13 PM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Subject: South Pender - Opposition to Bylaw 129

Dear Trustees,

I would like to express my opposition to proposed Bylaw 129. This bylaw would reduce setback requirements and allow for larger homes on South Pender Island.

I believe this proposal is completely inconsistent with the Islands Trust's primary mandate to "preserve and protect the Trust Area and its unique amenities and environment." We should be looking to minimize our footprint on the Gulf Islands, not expand it! In these times of significant environmental stress this proposal makes no sense. We need to move away from self interest and respect the environment we so dearly cherish.

One issue that is particularly concerning is that of allowing larger homes. These homes will accommodate more people (visitors) in the summertime. This will result in a greater demand for water which can reduce water levels. Reduced water levels in one well can affect water levels in nearby wells potentially affecting availability of this critical resource. It could possibly even lead to the collapse of a nearby well. We have seen several homes running out of well water in our area of South Pender. Again, given the way climate is changing this is not the time to be building larger homes.

I strongly believe South Pender's existing land use regulations work. They provide a structure that gives protection that is critical to the island's natural beauty, character and support systems.

I urge you not to support Bylaw 129 to help safeguard this island for both present and future generations.

Thank you.

Michel Lecour
[REDACTED]
Pender Island BC

From: Mark Wensley <[REDACTED]>

Sent: Friday, August 22, 2025 3:01 PM

To: Tobi Elliott <telliott@islandstrust.bc.ca>; Kristina Evans <kevans@islandstrust.bc.ca>; Dag Falck <dfalck@islandstrust.bc.ca>

Cc: Kim Stockdill <kstockdill@islandstrust.bc.ca>; SouthInfo <SouthInfo@islandstrust.bc.ca>

Subject: Support for Land Use Bylaw 114 (LUB)

To our South Pender Island Trustees ,

After witnessing two years of debate to scrap Land Use Bylaw 114 and replace it with proposed Bylaw 129 I have yet to hear the trustees reasons for doing so .
The trustees have not identified any specific problems with our present house size allowance that can't be addressed with a variance.

Why change the current house size allowances that fully comply with our OCP goals and the Trust preserve and protect mandate ?

So I **Strongly** support our current land bylaw 114 which provides for gradual , sustainable , generous growth that supports our community's rural character and other OCP goals .

I ask that my letter be posted in the correspondence section and the public hearing binder that will go to the executive committee.

Regards

Dr Mark Wensley

[REDACTED]

South Pender Island

Sent from Mark's iPhone

From: Wendy Scholefield [REDACTED]
Sent: Friday, August 22, 2025 10:55 AM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Cc: Kristina Evans <kevans@islandstrust.bc.ca>; Dag Falck <dfalck@islandstrust.bc.ca>; Tobi Elliott <telliott@islandstrust.bc.ca>
Subject: Land Use Bylaw

Trustee Evans, Trustee Falck and Chair Trustee Elliott

Even as I address this email I am reminded that Trustees are entrusted with preserving and protecting the Trust area, including South Pender. To me, as a resident, this means paying attention to what is happening in the world, including our world, with the dramatic changes to our climate.

I see no attention being given to issues of importance at this time:

- volume and availability of water for people and for animals and birds
- beach erosion: need for island-wide strategies
- loss of diversity of birds, animals, plants and trees: we are seeing whole populations disappearing or reducing significantly

These, and others, are critical to us and our island, and to the world

But, instead of assessing the problem and looking for some approaches that might begin to address them, you have spent all of your time and thought considering how to decrease property size and increase building size! Seems pretty crazy to me to be looking at more structures and more people when it's not clear that what we have is sustainable for those of us who are living here.

Please give your heads a shake, as we were told in school, and start putting your thought and energy into dealing with real problems facing South Pender!

Wendy Scholefield
Former Trustee, South Pender Island

Sent from my iPad

August 23, 2025

Dear Trustees,

I do not support the proposed bylaw changes to setbacks and house sizes. I have followed the various meetings with interest including the LTC and APC agendas and minutes. I reviewed the agenda packages and the draft bylaw 129 changes with dismay.

The staff report refers to reverting the side lot line setback to 10 feet. I do not support that proposed change and I do support the 20 foot side yard setback from any interior or exterior side lot line that protects property owner's privacy. I support retaining the 15m (50 foot) setback from the natural boundary of the sea to protect the environment.

The current Bylaws limits are in keeping with our OCP goals of protecting our Island's rural character and ensuring that development and growth are gradual and sustainable. Where there are exceptional circumstances, a property owner can apply for a variance, some of which have been approved in the recent past.

I have seen the staff report on the matter of pre-existing buildings that do not comply with the current bylaw sizes and setbacks. That opinion seemed to clearly point out that those buildings can be replaced in the same location and size that they are now if they are destroyed.

So in conclusion, the current bylaw seems to offer residents the peace and quiet and natural environment that most people have come to South Pender to enjoy. There must be more important matters that the Trustees can spend their valuable time on.

Respectfully,

Bert Hol

████████████████████

South Pender Island

From: Steve Wright [REDACTED]
Sent: Sunday, August 24, 2025 5:10 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: my misreading of Bylaw 129

After re-reading the proposed amendments contained in Bylaw 129, I have misread the intention of changes in Section 3.10. It would be more helpful if staff could indicate the changes alongside the existing bylaw rather than only state the amendments.

I wrote: Section 3.10: This proposed amendment to allow recreational vehicles as a dwelling is ill advised and shows a lack of forethought about the consequences of allowing them as dwellings. Recreational vehicles (also defined as tent trailers), are not constructed for full time residential use. There is no mention of the number of recreational vehicles to be allowed on a lot, or who is entitled to live in them. This will open the door for Commercial use as rental accommodation which may have repercussions for neighbouring properties. I am opposed to any allowance for recreational vehicles being used as full time occupancy. If trustees are adamant in permitting this, then disallow Commercial use of recreational vehicles and their being used as rental units.

I erred in thinking one of the changes was to allow Recreational Vehicles as a full-time dwelling but now believe that is not the case. Perhaps the heading of 3.10 could simply read: Recreational Vehicles.

Nevertheless, I have concerns that Subsection 3.10 (2) allows Recreational Vehicles to be used for temporary camping and limits its occupancy for a maximum of 90 days. This opens the opportunity for Recreational Vehicles to be used as an STVR, something not contemplated when our OCP was adopted. The repercussions of allowing a commercial use in residential areas are too great and I urge the LTC to postpone this consideration until the OCP is reviewed. At the very least, should you wish to continue, remove Commercial use of Recreational Vehicles.

Steve Wright,

Pender Island

August 25, 2025

South Pender Island Local Trust Committee members,

I will be unable to attend the Public Hearing for your proposed Land Use Bylaw 129 but ask that the following comments be in the public record.

I have voiced my opposition to these proposed amendments to enlarge floor area and setbacks previously, not only with the manner in which you have proceeded but also about the extent of your changes. Trustees, on a number of occasions, have openly criticized the previous trustees of “not listening” to constituents yet throughout this project you have continually ignored any and all opposition to Bylaw 129. In doing so you have broken your commitments to the community about seeking common ground, mending division through consensus, and ensuring that a “significant majority” would be required before proceeding with any amendments. I am disappointed that you have wasted this opportunity.

I have not heard your explanation of why you are advancing these amendments other than your explanation that “this is what we were elected to do”. I wholeheartedly disagree with that conclusion. Should there be a more relevant reason for your desire to overturn Bylaw 122, I would appreciate hearing it.

I’m confused about why the definition of “basement floor area” is to be deleted. Are basements no longer to be considered a part of a residence? If the head space of 1.5 M is proving to be problematic, then please explain.

Section 3.3 - the current wording was suggested by staff but frankly I consider it unnecessary. If a home was located in an area, the foundation’s footprint should be evidence enough. The use of the word “may” also makes this requirement questionable.

Section 3.4: the existing wording and the amended wording mean the same. The concern isn’t the 9.2 M height, it is the calculation of the height (through averaging), and determining the “natural grade” after excavation.

Section 3.10: This proposed amendment to allow recreational vehicles as a dwelling is ill advised and shows a lack of forethought about the consequences of allowing them as dwellings. Recreational vehicles (also defined as tent trailers), are not constructed for full time residential use. There is no mention of the number of recreational vehicles to be allowed on a lot, or who is entitled to live in them. This will open the door for Commercial use as rental accommodation which may have repercussions for neighbouring properties. I am opposed to any allowance for recreational vehicles being used as full time occupancy. If trustees are adamant in permitting this, then disallow Commercial use of recreational vehicles and their being used as rental units.

I do not support any increase in floor areas over and above the current bylaw. I do not support any reduction of setbacks within the current bylaw.

Steve Wright
South Pender Island

From: Donald/Sheryl Fisher [REDACTED]
Sent: Monday, August 25, 2025 12:44 PM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Subject: In support of the return of the side lot setback to 3 metres (10 feet) on South Pender

We write in support of the return of the side lot setback to 3 metres (10 feet).

At the Special Electronic Meeting of the South Pender Island Local Trust Committee, held on July 4th, dealing with the Minor Land Use Bylaw, the Trustees gave a number of good reasons in support of the return of the side lot setback to the original requirement.

We have some overlapping and additional reasons why that is appropriate:

- no matter the exculpatory wording, existing legally non-confirming homes built to the longstanding 3 metre (10 ft) setback will have a cloud on their title, that could unintentionally impact future development, renovation, and value;

- an extra 3 metres (10 ft) adds little extra privacy, which is better dealt with through house design, landscaping, and respectfully working with your neighbours. In our case, we expect to start construction next spring. At our neighbours request, we are not building our smaller home 2 story. As well, we have limited windows on the common side, and will move our heat pump compressor and standby generator to the other side. Our neighbours have had a Fire Smart assessment and their home is built with fire resistant materials, and we will as well;

- it can, in some cases, be more environmentally friendly to build closer to the side lot, leaving it up to the good judgement of the owners;

- as noted, the 3 metre (10 ft) setback is consistent with other Islands Trust islands;

- the Advisory Planning Commission was tasked with examining the side lot setback, and after careful consideration, recommended returning it to the original 3 metres (10 ft), which it had been for a long time. We believe that the Advisory Planning Commission recommendation should be respected.

Thank you
Sheryl and Donald Fisher
Conery Crescent

Sent from my iPad

From: Coray, Dale [REDACTED]
Sent: Tuesday, August 26, 2025 4:59 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: ByLaw Proposal #129

Hi,

As I will be unable to attend the meeting I am sending this to you to express my support for the proposed Bylaw No 129.

Thanks

Dale

[REDACTED]

[REDACTED]

From: John Roberts [REDACTED]
Sent: Tuesday, August 26, 2025 10:59 AM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Subject: South Pender LTC - Proposed Bylaw No. 129 - Public Hearing Submission

To our South Pender Trustees:

We are writing to provide our input on the proposed bylaw amendments, under the new Bylaw 129. Thank you for this opportunity.

Our names are John and Charlene Roberts, [REDACTED] We have owned this property since 1996.

Our input is both positive and negative, based on the specific merits of each of the major changes being proposed, so please do not aggregate this input as generically pro or con! Please read the specifics of which amendments we support and which we oppose.

First, we speak in **support** of the proposed amendments related to maximum lot-coverage, and maximum height (for both homes and cottages). As we argued at the time those changes were made a few years ago, we believe that the restrictions introduced at that time would be an unnecessary regulation of homeowners' dreams. The maximums in place prior to the 2022 changes were more appropriately aimed at preventing major excesses in lot coverage, and we are comfortable with returning to those limits. Because of the generally large lot sizes on S. Pender, and the limited number of building lots, the more-reasonable maximums in the earlier bylaw would be sufficient to protect against excesses.

The same is true of the maximum height restriction on homes and cottages--the 9.2 meter rule seems arbitrary, and we support eliminating that maximum. Frankly, we aren't concerned about what others build if we can't see it and it doesn't impact us.

But we **strongly oppose** reducing the set-back for homes or cottages. While we support allowing people to "build their dream"--whatever that is--that regulatory latitude cannot and should not extend to *impact on the neighbours*. And shrinking the set-back to 10 feet would definitely open up the likelihood that what people build is visible to the neighbours, creating a constant visual impact and imposition on those neighbours. Building a home or cottage closer than twenty feet to the property line--especially if it's big and tall!--would definitely be imposing on a current or future neighbour. Twenty feet is a perfectly reasonable set-back for South Pender, to ensure that whatever someone builds on their own property does not encroach on the neighbours' appreciation of their own property.

Our comments above reflect our input a few years ago, when some of these measures were introduced by the then-Trustees. We opposed the smaller maximum home-sizes and the height restrictions, but we supported the proposal for set-backs of 20 feet.

Our views remain the same: restrictions on *what* people build are unnecessarily negative and bureaucratic; restricting *how close* people can build to their neighbours' property is a reasonable limitation because it reduces the impact of the project on the neighbours.

We encourage you to amend the proposed changes to eliminate the reduced set-back requirement. But the other parts are fine with us!

John and Charlene Roberts

[REDACTED]

From: Trallee Dun [REDACTED]
Sent: Tuesday, August 26, 2025 10:43 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Letter for Trust

Dear Island Trust Trustees and Executive Committee,

I am writing in the hope that the proposed bylaw 129 will not be approved. I am a long term permanent resident on South Pender since 1998. I continue to oppose the changes you propose to our current Land Use Bylaw for all the reasons detailed in my previous letters. It is unfortunate that you still want your changes despite widespread community opposition. By increasing house size on South Pender Island, the whole point of the Island Trust to preserve and protect is not supported. More resources will be needed for larger houses especially water of which there is a limited supply here. If the Island Trust mandate is not protected, these islands will no longer be a rural landscape with natural amenities. This small island is mostly still rural and needs the help of Islands Trust to stay that way.

Please keep our current bylaw 122 with its amendments. It was passed after extensive public consultation.

Trallee Dun, South Pender Island

August 29, 2025

To: South Pender Island Local Trust Committee;
Islands Trust Executive Committee

Re: Proposed Bylaw 129 to amend South Pender Island land use bylaw (Bylaw 114)

Dear South Pender Trustees and Executive Committee Members:

On September 5, 2025, the South Pender Local Trust Committee will hold a public hearing to discuss proposed Bylaw 129, which received first reading at the last LTC meeting on May 2, 2025.

The purpose of Bylaw 129, as described by the LTC, is fourfold:

- to increase the maximum floor area for new dwellings;
- to permit the height of a dwelling or cottage to exceed 9.2 metres at any one point;
- to reduce the setback for dwellings and cottages from the exterior and interior side lot lines from 6 metres (20 feet) to 3 metres (10 feet); and
- to provide greater clarity regarding regulations for shipping containers, recreational vehicles, maximum floor area, and agriculture.

In essence, the purpose of Bylaw 129 is to reverse the Bylaw 122 amendments to South Pender's land use bylaw (Bylaw 114) put in place during the previous LTC term by then trustees Steve Wright and Cameron Thorn. The stated intent of those amendments was to more closely align the provisions of the land use bylaw with the goals of our island's Official Community Plan. The current trustees have yet to state how proposed Bylaw 129 better serves those goals rather than diminishing the likelihood of their realization.

The undersigned former trustees of the South Pender Local Trust Committee consider the Bill 129 provisions regarding floor area, height and setbacks to be ill advised, backward-looking, and contrary to the interests of our community. Our primary reasons are five in number:

1. **Increasing allowable floor area and height while reducing setbacks will tend to encourage overdevelopment of our island—exactly what the Islands Trust Act is designed to avoid.** A half century ago, overdevelopment of Pender Island (the Magic Lake subdivision) was the single most important factor convincing the BC government of the need to preserve and protect the southern Gulf Islands, a magnificent and ecologically fragile archipelago unlike any other in the world. Since then, the threat of overdevelopment has increased rather than decreased, and more so on South Pender than on any other island in the trust area. In the last three decades, the population of South Pender has increased by 125%—double the average of the trust area as a whole.

2. **There is no practical need for the proposed amendments.** The present bylaw allows for spacious family homes, including provision for a larger footprint where circumstances make it necessary. Even on South Pender's smaller lots under an acre, the 2,500 square foot limit (700 square feet larger than the current average house size on South Pender) provides adequate space for a four-bedroom, two-bathroom home with a generous living area. A 3,000 square foot house on a larger lot enables the addition of two additional 14 x 16 foot rooms. A property owner who needs a home that is larger or requires a different configuration for topographical or other reasons has the right to apply to the LTC for a variance. All such applications made to the current LTC have been approved.
3. **The most commonly cited argument in favour of the proposed amendments is based on a demonstrable falsehood.** Proponents of relaxing current restrictions on dwelling sizes, heights and setbacks maintain that a number of current homes on the island, built before the passage of Bill 122 by the previous LTC, are legally non-conforming and that this imposes an unfair stigma on those owners, interferes with their ability to undertake repairs or reconstruction, and may impede their ability to sell their homes. Not only does the current land use bylaw specifically authorize full house replacement (section 5.1(6)), but Islands Trust planners have issued multiple statements confirming that no existing dwellings on South Pender are legally non-conforming with respect to house size and siting. The other primary argument for reversing existing land use bylaw amendments is that the current restrictions infringe on property rights. While government should not unnecessarily interfere with the right of landowners to do as they wish with their property, all governments have a responsibility as well to protect the larger community interest through land use regulation such as the *Islands Trust Act*. South Pender's Official Community Plan, developed through community consensus, carefully balances private property rights against the mandatory object of the *Islands Trust Act*: to preserve and protect the trust area and its unique amenities and environment. Each bylaw passed by the Local Trust Committee is in turn required by law to comply with the goals of the OCP.
4. **The proposed amendments appear to diminish rather than enhance our land use bylaw's consistency with our Official Community Plan.** South Pender's OCP states that its seven goals are meant to act as focal points in protecting and maintaining the rural island character and natural features valued by residents, property owners, and visitors. The first of these goals (2.2.1) is "to maintain the island's rural character so community members and visitors may continue to enjoy a sense of tranquillity, privacy, freedom from disturbance, and relative self-sufficiency within a visually attractive environment". Other OCP goals speak to the need to protect the natural features and biological diversity of the island (2.2.2.), to ensure development is compatible with the rural island character and that its growth is gradual and sustainable (2.2.4), and to support the provincial target for reducing greenhouse gas emissions (2.2.7). Each island's bylaws are required by law to be consistent with its OCP. It logically follows that any changes to the land use bylaw should clearly advance those objectives. The

proposed changes, in our view, do the opposite by promoting the conditions for more intrusive and intensive development while at the same time adversely impacting the privacy and tranquillity valued by island residents. As well, Bylaw 129, if approved, is likely to result in further pressure on the island's scarce water supplies, increase energy demands at a time when mitigating greenhouse gas emissions is a priority, and negatively impact threatened island biodiversity.

5. **Community support for the proposed amendments is lacking.** In 2023, the newly elected South Pender trustees made their intentions clear by voting to rescind the previous LTC's amendments to the land use bylaw without public consultation, before being advised that doing so without public consultation was contrary to law. Town halls at subsequent LTC meetings have been sharply divided. Correspondence to the trustees from South Pender residents, posted on the Islands Trust website, has been both voluminous and polarized, with supporters of proposed Bylaw 129 more often than not providing little or no reason for their support other than citing concern about the "legally non-conforming" issue and the sanctity of private property rights, while community members who support retention of the current land use bylaw offer more detailed and varied reasons.

Given the evident lack of consensus in the community and the absence of evidence being offered as to why the proposed amendments better serve the objectives of our OCP, we suggest that the Local Trust Committee err on the side of caution and table the proposed amendments, at least until such time as South Pender's OCP comes up for review.

If the South Pender LTC decides to proceed with second and third reading of Bylaw 129 at this time, then we ask the Executive Committee to refuse Bylaw 129 in accordance with section 22(1)(b) of the *Islands Trust Act* for the reasons outlined in this letter and in order to maintain the integrity of the preserve-and-protect mandate for South Pender Island.

Respectfully submitted,

Former South Pender Island trustees:

David Greer, Elaine Jacobson, Bruce McConchie, Catherine Milsum, Liz Montague, John Rumble, Wendy Scholefield, Cameron Thorn, Steve Wright

August 30, 2025

Re: Proposed Bylaw 129 to amend South Pender Island land use bylaw (Bylaw 114)

Attention: South Pender Trustees

- I strongly disagree with the suggested proposed Bylaw 129 to change the setback regulations and house dimensions.
- I support the current 20-foot side yard setback from any interior or exterior side lot line to protect the privacy of property owners.
- To protect the environment, I support keeping the 15m (50-foot) setback from the natural boundary of the sea.

On South Pender, this proposed bylaw will only impact a small number of future builds, as most of the lots already have existing houses.

The Islands Trust planners have issued multiple statements confirming that no existing dwellings on South Pender are legally nonconforming with respect to house size and siting. Regarding non-compliant pre-existing buildings, the staff's report indicated that their replacement, if destroyed, was permissible in the same location and dimensions. Therefore, there is no need for current residents to be worried about rebuilding in the case of their house being destroyed.

One of the goals of the OCP is *"to maintain the island's rural character so community members and visitors may continue to enjoy a sense of tranquillity, privacy, freedom from disturbance, and relative self-sufficiency within a visually attractive Environment."* I have yet to read a logical reason from you stating how the proposed Bylaw 129 serves the goals of our island's Official Community Plan.

I am puzzled how most of us who have settled in South Pender must have agreed with the OCP, or else, why would we have chosen to live here? It seems to me the conversation has changed and no longer focused on current residents and the OCP but on future inhabitants of South Pender who will build here.

I am asking you to reconsider your position as our island trustee and **act in the best interests of the residents who reside here, aligning with the OCP's guidelines. With so few people living on South Pender Island, it is essential to work on uniting the residents instead of creating divisions.**

Marnie Hol

[REDACTED]

South Pender Island, BC

From: Bill Jensen [REDACTED]
Sent: Sunday, August 31, 2025 1:03 PM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Subject: By law 129 .

Sent from my iPadR W Jensen [REDACTED] , in support of This bylaw compromise

From: Brad Rinald [REDACTED]
Sent: Sunday, August 31, 2025 10:49 AM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Cc: Brad Rinald [REDACTED]
Subject: In Support of South Pender Bylaw 129 in its entirety

Hello. I am writing to provide my support for South Pender Bylaw 129 in its entirety.

Thank you,
Brad Rinald

[REDACTED]
Pender Island BC
[REDACTED]

From: mark penev [REDACTED]
Sent: Sunday, August 31, 2025 5:53 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Cc: Kevans@islandtrust.bc.ca
Subject: Support for Proposed Bylaw 129

Hello

We live on South Pender Island and wish to convey our support for the proposed Bylaw #129. We feel that it is a realistic and sensible compromise that helps maintain South Pender's rural setting while also allowing property owners the flexibility to address housing needs.

Regards

Mark Penev

Bev Fournier
[REDACTED]

South Pender
[REDACTED]

From: kristof [REDACTED]
Sent: Sunday, August 31, 2025 11:09 AM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Support for changes to South Pender bylaws

Trustees of South Pender Island,

We support changes to bylaws allowing for increasing the house size limit by 500sqft (new construction and remodel).

We support side setback from a property line to living space to be 20ft as long as utility buildings do not have setback larger than 10ft.

We have concern though that increasing side setback may make difficult for people with narrow lots or difficult topography.

Nina and Kristof Subryan

[REDACTED]

South Pender, BC [REDACTED]

[REDACTED]

August 31, 2025

To South Pender Island Trust

I am a long-time resident of North Pender Island.

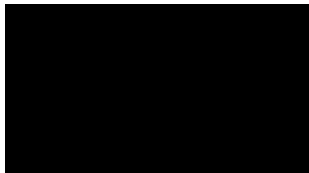
I am writing to agree with the majority of South Pender Island residents that the current bylaw 114 should remain in effect and not be replaced by the proposed bylaw 129.

Why should a North Pender resident have an opinion?

The Island Trust was established to preserve and protect the natural environment and rural character of the islands for the benefit of all British Columbians.

The proposed bylaw directly undermines the Trust mandate by altering the rural character of South Pender, endangering the island's scarce water supplies, increasing energy demands and negatively impacting the island's biodiversity.

There is no need for bigger, taller homes closer to property lines and the existing bylaw protects those whose dwellings are non-conforming at present.




Peter Paré



Pender Island. BC




South Pender Island, BC

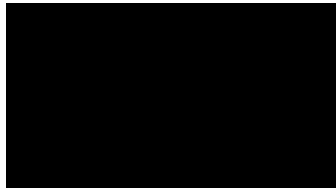
September 1, 2025

Dear Trustees,

I am opposed to your bylaw 129 that would increase the allowable house size and reduce side lot setbacks on South Pender Island. If enacted, I believe this bylaw would encourage development which is out of scale with existing housing and would compromise the rural character of our South Pender community.

I support the 2022 amendments to the Land Use Bylaw that set house size and setback standards to be consistent with our current Official Community Plan and that also follow the Islands Trust *preserve and protect* mandate. Given that the existing Land Use Bylaw has the strong support of a majority of the South Pender community, I prefer that you focus your efforts on more pressing issues that we all are facing such as: climate change mitigation, environmental protection, and more respectful and meaningful engagement with our First Nations' neighbours.

Yours truly,



Pamela Spalding, PhD
Ethnobotanist

From: Rebecca Eagen [REDACTED]
Sent: Monday, September 1, 2025 11:21 AM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Island Trust meeting September 5th - Bylaw 129

Dear South Pender Island Trustees,

I oppose bylaw 129 to amend our Land Use Bylaw (LUB) to accelerate growth and development on South Pender.

I support our current Land Use Bylaw 114 (LUB) which is consistent with our Official Community Plan (OCP) goal to ensure that growth and development is gradual and sustainable.

The Local Government Act (s. 478) requires trustees to make their decisions consistent with our OCP goals. Our OCP requires trustees to enact bylaws that ensure that land use development and growth “is gradual and sustainable” and “maintains our Island’s rural character”. It also requires trustees to enact bylaws that protect the natural features and biological diversity of our island and to reduce greenhouse gas emissions.

Variances are a well-established and accepted planning tool that allows flexibility in the application of regulations for size and siting of houses. Trustees have not identified any specific problems with our current house size allowances that cannot be addressed by a variance. Our trustees have opposed the use of variances to adjust house size and siting decisions contending that they create a hardship. No substantive evidence has been provided to support this hardship contention.

Over the last 2 years trustees have not offered any specific explanation about how the proposed increase of house size better serves the Trusts’ preserve and protect mandate or more importantly how it complies with our OCP goals. Both of these guidelines seem to have been disregarded where, in fact, they should be at the forefront of any discussion and inform the ultimate decision.

The main driving force behind the push to increase the house size allowance is the contention that our current LUB creates many legal non-conforming dwellings. Planner Stockdill has provided 3 staff reports stating emphatically that there are no legally non-conforming dwellings with respect to house size or siting under our current LUB. She has also repeated this FACT in several meetings.

Trustees’ proposal to increase the existing house size allowance by 500ft² across the board will significantly accelerate growth and development over time. This accelerated growth and development would undermine the rural character of our community. It will

also negatively impact sensitive ecosystems, especially along the shoreline zone, and will not meet the goal of reducing greenhouse gas emissions.

Best regards
Rebecca Eagen
South Pender resident

From: Heather Duncan [REDACTED]
Sent: Tuesday, September 2, 2025 6:53 AM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Subject: Support For Bylaw 129

Hello Trustees

I wish to express my support for Bylaw 129 and urge you to proceed with its adoption.

Heather Duncan
[REDACTED]

To Jas Chonk — jchonk@islandstrust.bc.ca

ÍY, SŁÁĆEL Trustees,

In early 2024 and again in January 2025 I had the honour to share with you and your community members the W̱SÁNEĆ world view of our Traditional Territory in TETÁĆES, the Southern Gulf Islands. It is good that you welcome W̱SÁNEĆ Traditional Knowledge in your deliberations.

I have had an opportunity to consider some of your information in the public hearing notice and binder. It is extensive and complicated and more time is required to fully understand the impact of Bylaw 129, especially along the coastline which holds our history and our cultural heritage.

I have concerns regarding the proposed by-law. Based on my review so far, this Bylaw would derogate and infringe on the Douglas Treaty rights and practices of Tsawout members who are out on the lands and waters of our territory. We require more time to consider these impacts of increased development particularly along the coastline.

I had planned to attend your public hearing to convey my views in person. However, because of a recent death in our family, my family and I will out of the Province in early September. I will be in further contact when I return to BC.

HÍ,SW̱KE MEQ SÁN,

Eric Pelkey (W̱ÍĆKINEM)

Community Engagement Coordinator
W̱SÁNEĆ Leadership Council

cc: Bel Manson, Tsawout Referrals Coordinator

From: Aaron van Veen [REDACTED]
Sent: Tuesday, September 2, 2025 9:19 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Bylaw 129

To Whom It May Concern,

We are longtime visitors to South Pender and we were born and raised in BC. We are residents of BC and support Bylaw 129. We support bylaw 129 with its house size and side set backs.

Yours truly,
Aaron and Ashley van Veen

From: Bill Jensen [REDACTED]
Sent: Tuesday, September 2, 2025 3:28 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: [REDACTED].we are in favour of the comprise no bylaw #129 . The way the old bylaw was written a large numbers of properties were nonconforming .It wasn't right. Bill and Nels Jensen

Sent from my iPad

From: Debbie Friesen [REDACTED]
Sent: Tuesday, September 2, 2025 8:52 PM
To: Dag Falck <dfalck@islandstrust.bc.ca>; Kristina Evans <kevans@islandstrust.bc.ca>; Tobi Elliott <telliott@islandstrust.bc.ca>; SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: RE: Supporting Bylaw 129

from: Debbie Friesen
Sent: September 2, /25
To: Kristina Evans, Dag Falck, Toby Elliott and southinfo@islandstrust.bc.ca
Trustees,

Hello Trustees, Kristina, Dag, and Chair Toby,
Still supporting my May 1/25 letter of support for Bill 129.
Hope this goes through and is not appealed again!

Cheers, Debbie Friesen

From: Jane Evans [REDACTED]
Sent: Tuesday, September 2, 2025 7:52 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Islands Bylaw 129

I support Bylaw 129 because it is a compromise on house size and setbacks.
I am a BC resident and a long time frequent visitor to Pender Island.
Jane
Sent from my iPhone

From: J Reynolds [REDACTED]
Sent: Tuesday, September 2, 2025 9:33 PM
Cc: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Support for By-law 129

Dear Islands Trust,

I am writing to express my full support for By-law 129.

As a lifelong resident of British Columbia and a member of a fourth-generation Pender Island family, I have spent every summer on South Pender Island for the past 63 years. While I do not personally own property there, my family continues to live on the island and maintain ownership, which keeps me closely connected to the community.

Sincerely,
Janet Reynolds &
Terry Jessup

Sent from my iPhone

From: JaniceVanVeen [REDACTED]
Sent: Tuesday, September 2, 2025 8:54 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Re: Bylaw 129

To Whom It May Concern,

My husband and I are longtime visitors to South Pender and were born and raised in BC. We are residents of BC and support Bylaw 129. We support bylaw 129 with it's house size and side set backs.

Yours truly,
Janice and Frank van Veen

From: Robin Lynn Timms [REDACTED]
Sent: Tuesday, September 2, 2025 12:42 PM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Cc: Dag Falck <dfalck@islandstrust.bc.ca>; Kristina Evans <kevans@islandstrust.bc.ca>
Subject: Proposed Bylaw No. 129 South Pender Island Local Trust Committee

Of the proposed amendments, I **strongly oppose** reducing the set-back for homes or cottages. This proposed amendment is likely to have a negative impact on neighbouring properties. I suggest that the set back should not be closer than 20 feet. Further, if any of the other amendments should negatively impact a neighbouring property, then there should be an override to restrict same.

I have another issue that I would like to see addressed by way of an amended by-law and or policy. It is in regard to the parking of vehicles, boats, trailers or “any other physical item” on sides of roads, whether such road is public or private, where the parking of such items is unsightly, and detracts from the enjoyment of our natural environment. By way of example, I spent 3 years getting a neighbour to remove old, unsightly boats from the right-of-way on our jointly used private road. They were simply “stored” there, so the property owner did not have to store them on their main property [out of sight- out of mind]. They didn’t have to look at them but I had to look at them day in and day out.

After finally getting them removed, they parked an unsightly trailer there [supposedly on a temporary basis]. That was two years ago. I consider it derelict in that it has never been used, or moved. The owner is using the road right-of-way to simply park/store the vehicle out of their line of sight.

I would like to have a by-law to restrict the parking/storing of said trailers, vehicles or any other physical items on road right-of-ways and to allow for the removal of such items at the owner’s expense after a two week period. [I am not sure whether a by-law officer would have to hire someone to remove same?] This avoids the use of the right-of-way as a temporary location for a trailer B&B or home away from home, as a storage location or for any other reason. It ensures that neighbours can enjoy the natural environment without ugly detractions, junk or other physical objects piling up.

Please include this letter into the record at the upcoming committee meeting to review by-laws and other matters.

Sincerely;

Robin Timms]

[REDACTED]

South Pender resident.

September 2, 2025

Trustees,

Re: proposed bylaw 129 and STVRs

I have reviewed the agenda for the upcoming September 5 LTC meeting. It appears that you have decided proposed bylaw 129 is a wrap and that you plan to move on to STVRs.

Having written before about various aspects of proposed bylaw 129 I hesitated to write yet again as my concerns appear to have fallen on deaf ears. My concerns and those of others have done nothing to dissuade you from your determination to overturn bylaw 122. From the get go you showed your cards when you passed a motion to just rescind 122 until you were informed you couldn't do that; to the appointment of an APC with an overwhelming majority of South Penderites who supported your desire to overturn 122, to advise you; to the various measures you have introduced during your consultation process. The thing is proposed bylaw 129 does not heed the mandate of the Islands Trust to preserve and protect our fragile islands, - not a bit - whereas bylaw 122 does. I understand that you believe you were elected to undo 122. Surely, you have occasion to understand that you are trustees with a duty to fulfill the Islands Trust mandate.

And now about STVRs, I have read the staff report included with the agenda package for September 5. And, previously I have written to you asking that "no commercial use" be added to the existing language regarding 90 days per year use of recreational vehicles for temporary accommodation. My main concern about this provision, now that it has been highlighted, is the draw on our island's limited water supply through what could essentially be backdoor STVRs with no approvals required.

One of the options proposed for consideration of this issue includes referral to the APC for advice. Please oh please don't put everyone through that charade again. The TUP process has my vote. It certainly worked most recently for trustee Evans as she attempts to sell her property on Gowlland Point Road. I wrote in favour of her application in which she cited financial hardship. It seems to me that others in straitened personal circumstances can avail themselves of the same process used by trustee Evans.

Sincerely,
Susan Taylor

[Redacted Signature]

From: alison muench [REDACTED]
Sent: Wednesday, September 3, 2025 6:26 AM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Bylaw 129

I am a frequent visitor from the east kootenays. I come to visit family on South Pender and I support bylaw 129.

Thank you

Jeff and Ali Muench

Sent from my iPad

From: Austyn VanVeen [REDACTED]

Sent: Wednesday, September 3, 2025 6:18 AM

To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>

Subject:

To Whom It May Concern,

I am a longtime visitor to South Pender and I was born and raised in BC. I am a resident of BC and support Bylaw 129. I support bylaw 129 with its house size and side setbacks.

Yours truly,

Austyn van Veen

From: David Drezdoff [REDACTED]
Sent: Wednesday, September 3, 2025 7:45 AM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: In support of bylaw 129

To South Pender LTC,

We are in support of bylaw 129.

Regards,

David Drezdoff & Lily Fung

--

David Drezdoff

[REDACTED]
[REDACTED]

From: David Greer <[REDACTED]>
Sent: Friday, August 29, 2025 6:47 PM
To: Executive Admin <execadmin@islandstrust.bc.ca>
Cc: SouthInfo <SouthInfo@islandstrust.bc.ca>; Bruce McConchie <[REDACTED]>;
[REDACTED]; [REDACTED]; [REDACTED]; Steve Wright <[REDACTED]>;
[REDACTED]; Kim Stockdill <kstockdill@islandstrust.bc.ca>; Jas Chonk <jchonk@islandstrust.bc.ca>;
[REDACTED]; Cameron Thorn <[REDACTED]>; EC
<ec@islandstrust.bc.ca>; South Pender Island Local Trust Committee
<SouthPenderLTC@islandstrust.bc.ca>
Subject: Re: Proposed Bylaw 129 to amend South Pender Land Use Bylaw 114 -- additional signatures

Dear Alexandra,

Thank you for clarifying that the jurisdiction of the Executive Committee is limited to considering whether a proposed bylaw is consistent with the Trust policy statement.

Section 21(1) of the Islands Trust Act, which defines the responsibilities of the Executive Committee, does not appear to include such a limitation.

Section 21(1)(a) requires the Executive Committee to consider bylaws submitted to it for approval under section 27(1) "for the purpose of carrying out the object of the trust".

Section 3 of the Act defines the object of the trust as being "to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally..."

Section 15 requires Trust Council to adopt a policy statement, being "a general statement of the policies of the trust council to carry out the object of the trust". Section 15(4) provides that a bylaw submitted to the Executive Committee under section 27(1) "must not be approved ... if it is contrary to or at variance with the policy statement". Section 15(4), incidentally, describes this responsibility without appearing to limit the Executive Committee's jurisdiction to consideration of whether a bylaw is consistent with Trust Council's policy statement.

The Official Community Plan is the legal mechanism by which each island in the trust articulates its vision for the future of the island and explains how the Local Trust Committee on that island must further the object of the Islands Trust Act and put into effect Trust Council's policy statement through the OCP's specific goals, objectives and policies. As noted in section 1.1 of South Pender's OCP, "Every bylaw passed and action taken by the Local Trust Committee ... has to be consistent with the OCP. Most notably, this includes South Pender's Land Use Bylaw, which prescribes the specific rules and regulations that give effect to the policies and objectives contained in the OCP".

The thrust of the letter by nine former trustees to the current Local Trust Committee and the Executive Committee is that the main provisions of proposed Bylaw 129 are not

consistent with the goals of the South Pender OCP and hence are contrary to or at variance with the Trust policy statement and the object of the Islands Trust Act.

That being the case, it follows that our letter does engage the policy statement and that, even within the limited scope you describe, it falls within the jurisdiction of the Executive Committee to consider whether proposed Bylaw 129, if approved by the LTC, is void or impaired for lack of consistency with the South Pender LTC.

For that reason, we respectfully request that you forward the former trustees' letter to the Executive Committee for its consideration and not to its members "for their information only".

Sincerely,
David Greer

On Aug 29, 2025, at 3:49 PM, Executive Admin <execadmin@islandstrust.bc.ca> wrote:

Dear Mr. Greer:

Thank you for your correspondence.

The jurisdiction of the Executive Committee is to consider whether or not a local trust committee bylaw is consistent with the policy statement. The reasons you provide in the letter for the Executive Committee to not approve the bylaw are not reasons Executive Committee can use to not approve the bylaw.

As this letter does not appear to engage the policy statement, I don't see anything for the Executive Committee to address. Your letter should be directed to the South Pender Island Local Trust Committee, which I see has been done.

At this time, I have forwarded your correspondence to Executive Committee members for their information only.

Please let me know if you have any questions.

Sincerely,

Alexandra Trifonidis
Executive Coordinator
Islands Trust | T 250.405.5171

From: David Greer <[REDACTED]>

Sent: Friday, August 29, 2025 3:25 PM

To: SouthInfo <SouthInfo@islandstrust.bc.ca>; Executive Admin <execadmin@islandstrust.bc.ca>

Cc: Bruce McConchie

<[REDACTED]>; [REDACTED]; [REDACTED]; [REDACTED];

Steve Wright <[REDACTED]>; [REDACTED]; Kim Stockdill <kstockdill@islandtrust.bc.ca>; Jas Chonk <jchonk@islandtrust.bc.ca>; [REDACTED]; Cameron Thorn <[REDACTED]>

Subject: Re: Proposed Bylaw 129 to amend South Pender Land Use Bylaw 114 -- additional signatures

Second correction: Kindly use the attached letter instead.

The only change being the addition of yet another former trustee as signatory.

Further apologies for the additional inconvenience, due to increasing unforeseen momentum.

David Greer

On Aug 29, 2025, at 2:32 PM, David Greer <[REDACTED]> wrote:

Correction: Please replace the letter sent earlier today with the attached letter re proposed Bylaw 129.

The only change is the addition of another trustee signature.

Apologies for the inconvenience.

David Greer

On Aug 29, 2025, at 12:22 PM, David Greer <[REDACTED]> wrote:

To South Pender trustees and Island Trust Executive Committee,

Please see our attached letter regarding the proposed Bylaw 129 to amend South Pender's land use bylaw 114.

Sincerely,

Former trustees David Greer, Bruce McConchie, Catherine Milsum, Liz Montague, John Rumble, and Steve Wright

<Proposed South Pender Bylaw 129 to amend land use bylaw.docx>

From: jamie evans [REDACTED]
Sent: Wednesday, September 3, 2025 9:23 AM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Bylaw 129

My husband and I are residents of B.C. and I am a lifetime visitor of South Pender Island.
We support bylaw 129 proposed by Kristina Evans.

Signed,

Jamie Evans and Marcos Correia Lima

From: Jordan Hill [REDACTED]
Sent: Wednesday, September 3, 2025 6:35 AM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Bylaw 129

To whom it may concern,

Hello as a long time visitor from the mainland to south pender, i have been to the islands since i was a child with my family and now with my current family. I wish to let you know that we wholeheartedly are in support of bylaw 129.

Thank you

Jordan and jennifer hill
Williams lake, bc

From: Tish Little [REDACTED]
Sent: Wednesday, September 3, 2025 6:39 AM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: BYLAW 129

To whom it may concern

This email is in regards to the above Bylaw 129.

These islands are my home and my sanctuary. Over the years I have watched the, so called changes for the good, come into play. Some of these rules and changes have been beneficial, while others have been downright crazy, and unrealistic.

As a third generation of South Pender Island, I hereby support the above mentioned Bylaw 129.

Sincerely

Patricia M Little
Carroll McKinley Hoover
[REDACTED]
Williams Lake, BC
[REDACTED]
Sent from my iPhone

September 2, 2025

To the Trustees :

I am writing to express my deeply held view that our current bylaw, Bylaw 114, must remain as it now stands and should not be amended in any way.. I am strongly opposed to Bylaw 129.

Our current bylaw fully protects all homeowners, is allowing for construction of comfortable dwellings and ensuring that growth will be gradual and sustainable. In protecting the natural environment and rural character of South Pender, Bylaw 114 supports our Official Community Plan and the Trust preserve-and- protect mandate.

Bylaw 129 is not as well aligned with the goals of the OCP as Bylaw 114.

Bylaw 129 seeks to increase the maximum floor area for new buildings, allow buildings to be higher than the current limit of 9.2 metres (30 feet) and to reduce the side lot setback from 6 metres (20 feet) to 3 metres (10 feet).

Should the proposed bylaw become a reality it will encourage the construction of larger houses which occupy a greater portion of the lot. These buildings will be closer together and have more of an impact on the natural features of the land during construction and will consume more of South Pender's limited water supply when completed.

Each of the proposed measures is entirely the wrong way to go and represents a serious step backward in the responsible stewardship of South Pender. Larger houses and reduced exterior and side interior lot setbacks do not support our OCP goals and our South Pender Community Vision. Nor do they support and protect the rural character of South Pender Island.

We are a rural community and have chosen to be here because we enjoy and value rural living. We have an obligation to protect the rural nature and rural diversity of South Pender island and to ensure that future generations will also have the opportunity to experience rural life on South Pender Island.

We must act on this this obligation and responsibility by upholding Bylaw 114 in its current state and rejecting proposed Bylaw 129.

Thank you for your time and attention.

Daphne Louis

[REDACTED]
[REDACTED]
[REDACTED]

September 3, 2025

Dear South Pender Trustees Kristina Evans and Dag Falck and Islands Trust Executive Committee:

Re: Proposed Bylaw 129 to amend the South Pender Island Land Use Bylaw 114

I'm writing to express my opposition to amending current bylaws with proposed Bylaw 129. I see the proposed changes as an erosion of the mandate of the Islands Trust which we all know is to protect this environment for now and for the future.

As a long time islander, (since 1956) I witnessed first-hand the rapid development of Magic Lake Estates and lived through the impacts the subdivision-style plan had on a largely agricultural island. The increased demand for water with more and larger housing has a negative impact on the health of our forests in the face of climate change. South Pender trees are stressed with many dead or dying which fuel the potential risk of wildfire.

I urge the Local Trustees to reject Bylaw 129 and to uphold your fundamental responsibility to preserve and protect the Trust Area and its unique amenities and environment.

Yours sincerely,

Kate Scoones

Property owner

South Pender Island

Dear Trustees,

The Trust Policy statement sets out the Trust policy on reconciliation and consultation with First Nations.

First Nations consider the Trust Area to be within their traditional territory. As such, they may have rights to and interests in the Trust Area. Proposed regulations that may affect aboriginal rights ***will be preceded by meaningful consultation and negotiation*** of conflicts with known claims.

Our community has had the benefit of Hereditary Chief Eric Pelkey (WICKINEM) welcoming our trustees to S,DÁYES, an important island in WSÁNEĆ Traditional Territory. Chief Pelkey summarized WSÁNEĆ rights and title in TETÁCES, the Southern Gulf Islands in his initial presentation in early 2024.

At the January 2025 LTC meeting Chief Pelkey presented the WSÁNEĆ territorial map showing the ancient WSÁNEĆ village sites and the traditional hunting and fishing grounds throughout these islands. He is the great grandson of Hereditary Chief Louis Pelkey who was the chief of QENEN,IW, the ancient village site now occupied by Poets Cove Resort.

Chief Pelkey also maintains a direct interest in SXIXTE, the original WSÁNEĆ reef net site at the mouth of Bedwell Harbour, where he continues to coordinate ceremonial reef net fisheries with WSÁNEĆ youth. Chief Pelkey is also the community engagement coordinator of the WSÁNEĆ Leadership Council. He is an important WSÁNEĆ representative whose views merit careful consideration.

Given the stated commitment of the Trust Policy Statement to engage in meaningful consultation with First Nations representatives, it is disappointing and indeed unfortunate that our trustees abandoned Bylaw 123 to amend our OCP with respectful recognition of the WSÁNEĆ People after receiving a referral of that Bylaw from the Minister of Municipal Affairs encouraging trustees to engage in more meaningful consultation. The Minister stated:

Before considering the bylaw, I would like to understand the potential for First Nations' concerns with the content and for more meaningful involvement with First Nations in the writing of the statement and the commitments it contains.

Following the community feedback in response to this lost opportunity to engage in meaningful consultation, trustees established a standing agenda item on Reconciliation and Indigenous relationship building for LTC meetings. I have participated in this small, but important initiative.

In March this year my partner and I encouraged trustees to engage with First Nations representatives in consultation on their proposed Bylaw 129, to ensure that prior and informed consultation could take place before the bylaw was put in its final form. The trustees did not pursue this option. Following this, we proposed to share the relevant

public hearing submission on Reconciliation Sept. 3 - Monica Petrie

bylaw documentation with W̱SÁNEĆ First Nations representatives, but this was resisted by the LTC until July 4th after the referrals with Bylaw 129 in its final form were sent by the Trust to 14 First Nations for comment in late May.

Our former MLA Adam Olsen has reminded Canadians that Indigenous rights are an obligation for First Nations and not subject to public opinion. Reciprocal care for the land and waters is a duty under Indigenous Law and Islanders have benefited from this duty of care as a unique amenity of the Trust Area Islands. We should be planning to support and enhance our island's environment and fragile ecosystem for coming generations.

Truth and Reconciliation is very much a current issue for us on S,DA'YES Pender Island, living on unceded W̱SÁNEĆ Traditional Homeland. Douglas Treaty rights including the right to fish, hunt and gather as formerly is only possible if we have maintained a healthy ecosystem, unpolluted coastal shore zone, and take steps to reduce the impacts of increased development that compromise sensitive ecosystems and increase greenhouse gas emissions that fuel climate change.

I understand Chief Pelkey was planning to attend the public hearing to share his views and concerns about the environmental impacts of Bylaw 129 on W̱SÁNEĆ Traditional Homeland. Unfortunately, he has had to travel to Alberta to deal with a sudden loss in his immediate family. Chief Pelkey did send the trustees a letter which states in part:

I have had an opportunity to consider some of your information in the public hearing notice and binder. It is extensive and complicated, and more time is required to fully understand the impact of Bylaw 129, especially along the coastline which holds our history and our cultural heritage.

I have concerns regarding the proposed by-law. Based on my review so far, this Bylaw would derogate and infringe on the Douglas Treaty rights and practices of Tsawout members who are out on the lands and waters of our territory. We require more time to consider these impacts of increased development particularly along the coastline.

I urge trustees to heed Chief Pelkey's request to more fully consult with the LTC on the potential impacts of Bylaw 129 on W̱SÁNEĆ Traditional Territory. It is open to trustees to pause the public hearing process while the trustees and staff ensure that important W̱SÁNEĆ representatives have an opportunity to fully convey their views before trustees make a final decision on Bylaw 129.

Thank you for considering my submission on this important issue.

Monica Petrie

September 3, 2025

To the South Pender Island Local trust Committee

Re: Proposed Bylaw 129 to amend South Pender land use Bylaw 114

Dear South Pender and Executive Committee Members

I have just received from the Islands Trust their proposed draft policy statement organized around 5 goals to advance reconciliation, protect Indigenous cultural heritage, preserve and protect healthy ecosystems, foster sustainable communities and the stewardship of our lands and waters.

The proposed bylaw change 129 to replace the existing bylaw 114 is a step in the wrong direction in regard to all 5 of these goals, increasing the allowable floor size of residential home construction both in floor area and height, and reducing the setback from side lot lines further reducing the privacy between neighbours. It is a step in the direction to increase density, reduce the rural character of the Island, and further erode Indigenous cultural heritage.

There is no demonstrated need to expand the size of dwellings and setbacks currently in place, and doing so simply undermines the stated policy direction the Islands Trust is trying to update. There has not been any real hardship brought to community regarding the current policy especially since it has been stated that all current buildings are legally conforming and can be replaced to existing house size and siting and the variance process allows for the rare situation where a landowner may need to ask for changes to the current bylaw.

I would ask that the trustees table the proposed amendments for the time being, give a reasonable period of time for the existing bylaw to prove itself, and if in the future parts of it need updating to do so at that time. Now is not the time to do so.

Respectfully

Robert Dill, South Pender landowner for the past 50+ years.



September 3, 2025

Attention Jas Chonk — jchonk@islandstrust.bc.ca

ÍY, SÇÁCEL Trustees,

WSÁNEĆ People have a sacred connection with these Islands — TETÁCES — our Relatives of the Deep. S,DÁYES South Pender is part of our Territorial Homeland — ÁLENENEÇ — for which we continue to hold Territorial Rights and Title.

It is a good thing to work with the people who live on our islands, and we appreciate the opportunity to share our views and guidance on your review of your Land Use Bylaw. We see the value of sharing our knowledge, but not for people to culturally appropriate for commercial purposes. The Islands, our relatives, have provided a way of life for our People for thousands of years. WSÁNEĆ law creates a reciprocal relationship of care between WSÁNEĆ and TETÁCES. This responsibility is absolute; we are obligated to care for these Islands, not only through our own actions but by protecting the islands against harmful action by others.

Conservation has always been our way of life, our belief to only take what is needed. There are cultural protocols that WSÁNEĆ people have followed forever. We strongly encourage respect for these ways, our natural laws, when interacting in the ecosystems of our homeland. There are certain species that are natural markers and seasonal indicators of our seasonal rounds in our Homeland. We need to protect those and what they mean to us. Certain families have the knowledge, the language, the spiritual gift, to keep our traditional ways moving forward. These ceremonial ways are our laws and important to be passed down to future generations within our traditional homeland. The sacred ways and words must remain sacred — Our CELÁNEN.

The coastal zone is especially important to our People. As Saltwater People, our Ancestors lived and thrived along the shores of our Homeland. Their presence still touches this land. Our cultural heritage is embedded in our sacred coastal places.

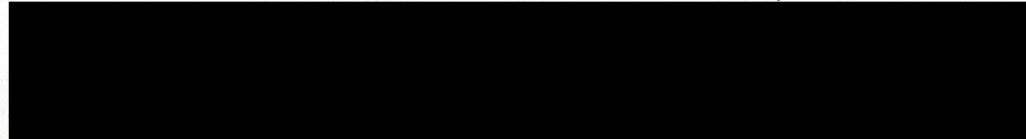
We have reviewed the proposed Bylaw 129 along with the July 4th staff report on consultation with First Nations representatives. We appreciate the opportunity to provide our views and guidance on the important issues being considered by Trustees.

Our primary concern is protecting the sensitive ecosystems in the coastal zone which contains our heritage, our CELÁNEN. We support the current Land Use Bylaw requirement to site all dwellings at least 50 feet from the sea boundary. However, the coastal zone extends inland from the sea boundary well beyond 50 feet. We seek your support in protecting the wider coastal area as a priority.

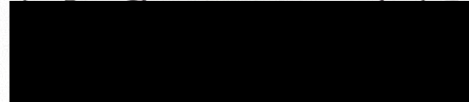
We find the issue of house size allowances and the tables attempting to explain them confusing. It appears that the current house size allowances are more than generous ranging from 2,500 ft² for smaller lots up to 4,000 ft² for larger lots. It is not clear why trustees have proposed an across-the-board increase in the already generous house size allowances. Larger houses increase the negative impacts on our Traditional Territory. Based on our reading of your Bylaw, where there is a demonstrated need for a larger house than provided for in the current Land Use Bylaw, it would be more appropriate to address those needs on an individual basis through the variance process as is done in other jurisdictions. Providing appropriate WSÁNEĆ representatives with an opportunity to review and comment on variance applications would help protect our First Nation interests. Since the Trustees have not offered an option to reduce the current house size allowances, particularly along the coastal zone, we favour retaining the existing house size allowances in the current Land Use Bylaw.

JÁN U HÍ,SWKE MEQ SÁN

SELILYE – Belinda Claxton - Tsawout Member and STÁ,SEN TFE SENĆOTEN Elder



J,SINTEN – John Elliott - STÁ,SEN TFE SENĆOTEN Elder



From: Wendy Munroe [REDACTED]
Sent: Wednesday, September 3, 2025 12:14 PM
To: Kristina Evans <kevans@islandstrust.bc.ca>; Dag Falck <dfalck@islandstrust.bc.ca>;
telliott@islandstrust.bc.ca; vicphsub <vicphsub@islandstrust.bc.ca>
Subject: Land Use Bylaw 129 to amend Bylaw 114

South Pender Island LTC
Kristina Evans
Dag Falck
T. Elliot

Dear Trustees

I write as a longtime member of the South Pender community. Over the last 42 years, I have watched as our community has grown and developed. For the most part, the island's growth has been deliberate and appropriate, thanks in large measure to our OCP and land use bylaws.

Your legal requirement as trustees is to "preserve and protect" the island as stated in the OCP. Proposed Bylaw 129 does not preserve and protect. In fact, it does just the opposite. It is not consistent with our OCP and could result in adverse effects.

I do not support any increase in the current floor areas and any reduction in setbacks as set out in our current bylaw which was arrived at over many months of hard work and community consultation.

I urge you not to pass these bylaw changes. Please don't let Bylaw 129 be your legacy.

Sincerely
Wendy Munroe
Former Trustee, South Pender Island

Sent from my iPad

From: Christian Engelstoft [REDACTED]
Sent: Wednesday, September 3, 2025 8:54 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Draft bylaw 129

Dear Trustees Christina Evans and Dan Falk

We remain concerned that Bylaw 129 is in opposition to The Islands Trust Policy Statement , which on page 5 states that “the Islands Trust has responsibility for conservation through land use planning and regulation and for leadership in stewardship.” Page 6 of the Policy Statement reads, “Trust Council believes that to achieve the Islands Trust object, the rate and scale of growth and development in the Trust Area must be carefully managed and may require limitation.” It seems counterintuitive that either of these policies are upheld by increasing house size by 500 sq ft and reducing side setback to 10 ft. As we have previously ascertained, we are not in favour of these changes. We continue to wait for your justification of how the proposed bylaw will further your mandate to preserve and protect our precious island for its local First Nations, residents, and British Columbians in general - a question we began asking immediately after you attempted to rescind Bylaw 122 during your first formal meeting as South Pender Trustees. It seems that you have been entrenched in your views and not truly listened to the many constituents who question the value of dropping Bylaw 122 and replacing it with the proposed Bylaw 129. We are in favour of keeping the current LUB.

We’ve noticed a peculiar suggestion in proposed Bylaw 129. It seems odd to suggest a 20m set back for portable mills (2.25), considering that they are portable and used temporarily on any one property. Restriction on when mills can be used and a definition of what constitutes a portable mill might be more appropriate. As owners of a stationary mill, we support legislating a designated setback and time frame for using them in order to protect neighbours from noise associated with milling.

Sincerely
Faye Mogensen and Christian Engelstoft
[REDACTED]

From: Daniel Southan-Dwyer [REDACTED]
Sent: Wednesday, September 3, 2025 11:06 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: SUPPORT OF BYLAW 129

Dear Island Trusts,

I am writing to express my strong support for Bylaw 129. I believe the proposed amendments represent a fair and practical step toward balancing community character with the needs of residents.

Bylaw 129 makes important adjustments by updating floor area provisions, reverting interior and exterior side lot line setbacks to more reasonable distances, and providing dual regulatory tables that ensure homes built before 2022 remain conforming. These changes reduce unnecessary non-conformities, bring South Pender more in line with other Gulf Islands, and provide residents with greater clarity and flexibility when it comes to maintaining or improving their properties.

I believe these amendments respect both the rural character of our island and the rights of property owners, while ensuring that regulations remain sensible and enforceable. I encourage you to move forward with the adoption of Bylaw 129.

Thank you for your work on this important matter.

Daniel Southan-Dwyer [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: jasminerachels [REDACTED]
Sent: Wednesday, September 3, 2025 11:11 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Support Bylaw No. 129

ATTN: South Pender Island Local Trust Committee

I am writing to confirm my support for Bylaw No. 129 and the proposed amendments it introduces to the Land Use Bylaw.

Thank you for your consideration.

Sincerely,

Jasmine

From: Nicole Young [REDACTED]
Sent: Wednesday, September 3, 2025 7:27 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: bill 129

My family and I are frequent visitors to south Pender Island. We are sending this email as acknowledgment of our support for bill 129.

Warmly,
Nicole and Zack Young

From: Rachel Sangha [REDACTED]
Sent: Wednesday, September 3, 2025 11:07 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Support for Bylaw No. 129

Dear South Pender Island Local Trust Committee,

I am writing to voice my support for Bylaw No. 129, which updates regulations on setbacks, dwelling height, shipping containers, recreational vehicles, and floor area limits.

Sincerely,

Rachel Sangha

From: [REDACTED]

Sent: Wednesday, September 3, 2025 6:48 PM

To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>

Subject: Bylaw 129

To whom it may concern

My girlfriend and I support bylaw 129. We are BC residents and visit south pender often.

Ryan Steacy and Bronwyn Rutherford

From: Christina McQuarrie [REDACTED]
Sent: Thursday, September 4, 2025 12:52 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>; vicphsub <vicphsub@islandstrust.bc.ca>
Subject: Public Hearing Commission

Trustees,

I had the very good fortune to come to South Pender in 1970/71. What a beautiful place this was. I fantasized about living here and over the next 30+years I continued to visit. I decided that when I retired I needed to get out of the city. I was lucky to be able to purchase the piece of land that I now live on, and built a modest but extremely livable home of 1,311 sq.ft. I had no desire to live in an urban or suburban area, I wanted to live in a rural community close to nature. However there has been a change in recent years and now there seems to be a desire to turn South Pender into a more suburban like community; large houses, reduced setbacks, the removing of far too many trees. One of the most important challenges to living on a small island such as this is that our water supply is very limited. It is also becoming so obvious that we are now in an era of climate change; extreme temperature fluctuations, flooding, forest fires that destroy land, communities, and wildlife; and the list goes on. Surely the need to "Preserve and Protect" is more crucial than ever. We absolutely must keep our current By-laws in place.

Christina McQuarrie
[REDACTED]
South Pender Island

From: [REDACTED]
Sent: Thursday, September 4, 2025 2:24 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Subject: Bylaw 129

Hello,

My name is Emily St. Cyr and I live at:

[REDACTED]
Pender Island
British Columbia
[REDACTED]

And I support bylaw 129

Best,
Emily

From: john.kuharchuk@me.com [REDACTED]
Sent: Thursday, September 4, 2025 2:33 PM
To: Tobi Elliott <telliott@islandstrust.bc.ca>; Kristina Evans <kevans@islandstrust.bc.ca>; Dag Falck <dfalck@islandstrust.bc.ca>
Cc: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Proposed Bylaw 129

Dear Trustees Elliot, Evans, and Falck -

Considerable attention, effort, and time have been invested by the LTC and community members in addressing lingering concerns about the changes to the Land Use Bylaw 114 brought about by the adoption of Bylaw 122, the distillation of which is the proposed Bylaw 129. In addition to tidying up some minor inconsistencies in Bylaw 114, the proposed bylaw takes the path of appeasement and compromise to try and bridge the divide between those in the community with a “don’t fix what isn’t broken” pre-122 mindset and those for whom the changes were necessary to respond to evolving considerations around climate change, protection of sensitive ecosystems, erosion of rural character, development pressure, and similar concerns. However, in taking this path the proposed bylaw represents a substantial missed opportunity to change the narrative and proactively advance parameters that would better alignment the Land Use Bylaw with the goals set out in the OCP and the mandate of the Islands Trust - to the benefit of all South Penderites.

To illustrate, here are a few examples of what I am referring to:

- One of the trustees expressed dismay at the appearance of a recently clearcut property on North Pender, commenting that something should be done to prevent reoccurrences of that in the future. It is well established that clearcutting is profoundly bad for the environment for many reasons including soil erosion, groundwater retention, soil nutrient loss, weakening of the surrounding forested areas, harm to aquatic and other sensitive ecosystems, wildlife habitat impacts, release of stored carbon dioxide, and loss of opportunity for carbon sequestration. These concerns are heightened by the fact that our predominantly Coastal Douglas fir biogeoclimatic zone is amongst the least common and most threatened of all ecosystems in Canada. A provision prohibiting clearcutting could be added to the LUB; taken further, it could prevent unnecessarily aggressive removal of trees to clear building sites in advance of a building permit application or require a tree removal permit at the time of building. Tree sizes, ages, species, health/viability, extent of forest cover, etc., could all be factors taken into consideration, as well as ensuring measures of latitude for property owners to manage their existing forested areas.
- Mandating house sizes is a very contentious topic as what might be considered adequate for one may be wholly inadequate for another. The push for smaller house sizes is largely meant to counter the greater environmental impact of bigger house sizes. Bigger houses require more raw materials to construct which produce more greenhouse gases to manufacture and transport, they typically have

higher energy demands over their lifespan which produce higher carbon dioxide emissions, they have larger carbon footprints, generate more waste during construction, take longer to build which generates more greenhouse gases, typically use more concrete which is carbon intensive, may have a larger footprint creating more impermeable area and needing more site clearing, and so on. That said, there are mitigative measures that can be taken to reduce the environmental impact of larger houses. Minimum house sizes could be set out in the LUB for outright approval, with the potential for larger house sizes attainable on a discretionary basis by incorporating features such as rainwater retention for potable use, two-storey building forms instead of single level to reduce site coverage, adoption of green-forward building technology and practices such as Passive House, and similar.

- The adequacy of sideyard setback dimensions for dwellings was much debated and the proposed bylaw would revert it to ten feet from twenty despite this being more typical to urban/suburban built environments than rural. Beyond appeasing those concerned about creating non-conformity for existing dwellings, the rationale for this reversion appears to have centred on the greater limitation this may impose on siting on narrower lots and the seeming inconsistency between sideyard setbacks for dwellings and large accessory buildings. However, this rationale fails to take into account the established science that shows that “ecological connectivity is essential to support healthy and resilient ecosystems, including in and around protected areas (in our case the sensitive coastal ecosystem). Interconnected ecological networks are composed of protected areas and unprotected natural habitats linked by ecological corridors. These networks are key to supporting biodiversity conservation and helping species adapt to the impacts of climate change.” (Source, Parks Canada). Coastal and sideyard setbacks form interconnected ecological corridors and further research should be undertaken to evaluate the adequacy of the sideyard setbacks proposed. At the very least, instead of taking a “one size fits all” approach the LUB could set out a narrower setback for lots under a certain width and wider for the remainder, as well as apply the same setback for larger accessory buildings.

While I appreciate the intent to put all this to rest, in framing this special project and the ensuing debate in terms of pre- and post-Bylaw 122 the proposed outcome is largely regressive and does little if anything to better align the LUB with the OCP and Trust mandate. Countless hours have been spent debating whether the LUB should be reverted to the house sizes and setbacks established in 2016 instead of exploring the ways in which the LUB could be evolved to address both the concerns of the community and respond to the Trust Council’s declaration of a climate emergency and commitment to “urgent and equitable climate action across the Trust Area”.

For these reasons, I do not support adoption of the proposed Bylaw 129.

Respectfully,

John Kuharchuk



From: ken clark [REDACTED]
Sent: Thursday, September 4, 2025 10:53 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: BL129

If you're counting, I continue to oppose the passage of BL 129 .
I find it contrary to both the Trust Mandate and our OCP.
Yours truly
Ken Clarke
[REDACTED]

From: Liz Montague [REDACTED]
Sent: Thursday, September 4, 2025 2:36 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Letter in submission for September 5th Public Hearing

September 4, 2025
From: Liz Montague
To: Trustees and Chair, SPI LTC

Greetings, South Pender Island LTC

I write to express my support for the existing land use bylaw 114, and my opposition to the proposed changes in bylaw 129.

These are my reasons:

I see no compelling reasons to change existing bylaw 114. The house size and setback guidelines of bylaw 114 more closely align with the values and vision expressed in our OCP, which is the established consensus position that ought to guide land use decisions.

Climate change imperatives, protection of natural habitat and biodiversity, island water resources are further considerations that ought to guide these decisions. There is no scientific basis for the proposed changes that allow expansion of house size and reduction of setbacks.

What consideration has been taken of the Islands Trust policy statement regarding reconciliation and consultation with First Nations?

"Proposed regulations that may affect aboriginal rights ***will be preceded by meaningful consultation and negotiation*** of conflicts with known claims."

Please note Hereditary Chief Eric Pelkey's letter on proposed bylaw 129, his stated concerns regarding treaty rights and his expressed need for more time to review and consider the impacts of the proposed changes.

Considering all of these factors, in addition to the broad-based weighty objections from so many community members and residents, in my view, the respectful and responsible position regarding proposed bylaw 129 would be to table it until the next review of the OCP.

Liz Montague, 17-year resident and former South Pender Trustee

From: Nicole Marie Bienvenu [REDACTED]
Sent: Thursday, September 4, 2025 3:09 PM
To: South Pender Island Local Trust Committee <SouthPenderLTC@islandstrust.bc.ca>
Cc: René van den Elzen [REDACTED]; Nicole Marie Bienvenu [REDACTED]
Subject: Support for Bylaw 129
Importance: High

To The Bylaw Officer,

We Nicole Bienvenu and René van den Elzen support bylaw 129. We are regular visitor to the island of South Pender and find the proposed bylaw to be the right balance.

Following the changes in house size from the last term, we feel that this is a very reasonable compromise for house sizes and we support these changes

Sincerely,

Nicole Bienvenu and René van den Elzen

[REDACTED],

Chilliwack, B.C.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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From: Nadia Engelstoft [REDACTED]
Sent: Thursday, September 4, 2025 1:51 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Cc: Kaya Engelstoft [REDACTED]
Subject: Bylaw 122

Dear South Pender Trustees,

As members of the younger generation on South Pender Island, we would like to have it on record that we feel that the ongoing debate about house size and setback is not productive. We prefer that the trustees leave Bylaw 122 in place and give it a few years so that it can be decided whether or not it is an encumbrance to householders here.

Instead, we wish that our trustees would focus on more fundamental and pressing issues. These might include some of the following: examining how many full time inhabitants South Pender's water supply can truly support; reconciliation and Indigenous relations; exploring ways we can adapt for climate change; enacting more conservation efforts; ensuring forest and other ecosystem health; improving fire safety and caring for our elderly population.

We hope to continue living on South Pender for many more decades, and are very interested in it remaining a quiet island rich in nature, that can be passed down to future generations

Sincerely,

Kaya Engelstoft
Kolby Klym
Nadia Engelstoft
Evan Cheadle

[REDACTED]

From: Peter Brooke [REDACTED]
Sent: Thursday, September 4, 2025 12:41 PM
To: vicphsub <vicphsub@islandstrust.bc.ca>
Subject: South Pender Island - Bylaw 129 Public Hearing

Dear Local Trust Committee Members,

I wish to add my letter of support for the proposed Bylaw 129.

I appreciate the efforts of our LTC in engaging with our community to find compromises that address the issues that arose from the passage of bylaw 122 without sufficient evidence of a community consensus having been demonstrated.

Yours truly,

Peter Brooke
[REDACTED]

Trustees,

I support retaining our current LUB 114 as amended by Bylaw 122 in September 2022 for the following reasons.

1. **Bylaw 122 was a reasonable compromise in a divided community.** Amending Bylaw 122 enacted on September 15, 2022, was properly passed after more than 12 community meetings to consider its merits. At the time some community members favoured the larger house size allowances in the 2016 LUB (3,800 ft² - 6,030 ft²). Some other community members felt that the Bylaw 122 house size allowances (2,500 ft² - 4,000 ft²) were too large. Trustees made a compromise including a last minute increase in house size allowance in the larger lot size category.
2. **Bylaw 122 was properly approved through the established Trust processes.** It was approved by the Trust Executive Committee in September 2022 after the Committee heard from a delegation who favoured larger house size allowances. Amending Bylaw 122 fully complied with the Trust Policy Statement and supported the Trust Preserve and Protect Mandate.
3. **The amended LUB has not been given a fair chance to work.** No specific problems have been identified to date. To my knowledge no individual property owner has identified a significant hardship because of the provisions in Bylaw 122. No compelling reason why the bylaw “needs” to be amended before it is given a chance to work has been offered by trustees.
4. **The current LUB is flexible through the established variance process.** There were two variance applications for increased house size made shortly after the enactment of Bylaw 122. Both variance applications were granted.
5. **The opposition to Bylaw 122 has relied on “a demonstrable falsehood”** as pointed out by ten former South Pender trustees in their August 29 submission. The false narrative surrounding so-called legal non-conforming is based on misunderstanding by some and misrepresentation by others. The APC majority relied on the legal non-conforming myth to support their recommendations for increased house size allowances and reduced side lot setbacks. Trustees essentially adopted the APC’s recommendations without appropriately correcting the “misapprehension” of so-called legal non-conforming status. Trust staff repeatedly stated that there were no existing dwellings as of September 15, 2022, that were legally non-conforming with our current LUB with respect to house size or siting. None. Yet trustees have allowed the myth of legal non-conforming to be one of the driving forces in bringing forward Bylaw 129.
6. **In my view, the trustees’ June 3rd, 2023, motion to repeal Bylaw 122 and restore the extremely large house size allowances from 2016 raises a potential apprehension of bias.** The trustees’ motion SP-2023-028 stated:
It was Moved and Seconded,

that the South Pender Local Trust Committee repeal Bylaw 122.

CARRIED

This was not a legally permissible motion, but it did clearly signal trustees' position on Bylaw 122 before they heard from the whole community with an open mind. Motion SP-2023-028 stemmed from a last-minute letter writing campaign before the June 3, 2023 "Special LTC meeting" calling for Bylaw 122 to be repealed or rescinded. There was no notice in the meeting agenda that this was an issue to be decided. Administrative decision makers must maintain an open mind until all the evidence on an issue before them is considered.

7. Following the non-legal motion SP-2023-028, trustees responded to the criticism of this preemptive move, by assuring the community that they were simply wiping the slate clean to start the consultation process over again. I attended every LTC meeting, every APC meeting and the four ad hoc workshops. While it was good to hear the views of others, trustees did not provide any substantive data or analysis on the long-term impact of larger house size allowances on the natural environment, island rural character, pace of development, impact of GHG emissions and other matters required by the OCP. A community member with planning expertise provided a detailed 10-page analysis of house size and siting impacts on both Drummond Bay and Southlands Drive. Trustees did not take this information up in any meetings and didn't provide any substantive data or analysis of their own. I find it difficult not to conclude that the 2-year consultation process was largely a performative exercise to show that trustees had an open mind for all options. One option they did not appear to be open to, was the option to retain the provisions in Bylaw 122 enacted in September 2022 and give them a chance to work.
8. One thing the consultation process did provide was for community members to put their views on the public record. And that they did. The public hearing binder contains the 163 letters posted since November 2023. The 50 or so letters around the June 2023 motion to repeal is not included in the public hearing binder.
9. When amending Bylaw 122 was passed, South Pender was one of the fastest growing communities in the Trust Area. According to the 2021 census report:
 - In the last 30 years the population of South Pender grew by 125%. This is double the 62% population growth rate in the Trust Area as a whole.
 - Between 2016-2021 SP population grew by 27% compared to 16% for the Trust Area.
 - Our population median age is the highest in the Trust Area which means that as homeowners "age out", the potential for further accelerated redevelopment is higher than other local trust areas.
10. The average house size on South Pender is approximately 1815 ft² which is an indicator of the rural character of our community. Former trustees Wright and Thorn had inherited a LUB with house size allowances ranging from 3,800ft² to 6,030 ft². They had an obligation under the Preserve and Protect Mandate of the Trust to adjust house size allowances and to comply with our OCP goal to ensure that land

use and development are compatible with the rural island character and that growth is gradual and sustainable (OCP 2.2.4)

11. Bylaw 122 house size allowances between 2,500 and 4,000 ft² provide for generous growth and development potential. There are currently 25 houses on South Pender's 216 developed lots that are over 3,000 ft². **Our current LUB allows for an additional 116 houses over 3,000 ft²** which provides for a very significant future average house size growth potential of 360%.
12. The proposed Bylaw 129 would allow for 232 houses over 3,000 ft², a dramatic 800% increase in the future average house size growth potential. It is not reasonable in my view to conclude that this accelerated growth potential complies with our OCP goal to "ensure that growth is gradual and sustainable." In my opinion proposed Bylaw 129 does exactly the opposite!
13. Trust Policy 5.2.4 requires that "Local trust committees and island municipalities shall, in their Official Community Plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character."
14. To implement that Policy requirement as it affects South Pender, our OCP specifies that trustees and our LUB must ensure that land use and development are compatible with our rural island character and growth is gradual and sustainable. That OCP provision was duly enacted and approved by the Trust Executive Committee. Perhaps more importantly, that OCP provision was also approved by the Minister of Municipal Affairs which takes it to a higher level of authority than a LUB.
15. Our OCP requirement that land use and development must be compatible with our rural island character and growth must be gradual and sustainable in OCP 2.2.4 is a mandatory requirement enacted under the Trust Policy Statement #5.2.4 and our LUB must be consistent with that OCP legal requirement. Bylaw 129, if enacted, will accelerate growth and development and in my view will undermine the rural character of our community over time. If trustees are intent on accelerating growth and development, their best option is to attempt to revise the OCP to achieve that goal.
16. Trust Policy recognizes that "First Nations consider the Trust area to be within their traditional territory.... **Proposed regulations that may affect aboriginal rights will be preceded by meaningful consultation....**" Currently the "consultation" process is largely a "notification" exercise without any effective engagement that could be considered prior and informed consultation. At the July 4th electronic Special LTC meeting the chair acknowledged that the current "consultation" process was problematic and is currently under review by the Trust.

17. As a result of community-to-community engagement recognized by the LTC chair and the Trust Executive Committee, the LTC has received two substantive submissions from representatives from the W̱SÁNEĆ First Nations. The submission from Tsawout Hereditary Chief Eric Pelkey who is community engagement coordinator with the W̱SÁNEĆ Leadership Council, expressed concerns about Bylaw 129 possibly infringing on Douglas Treaty rights. The second submission from the representatives of the SELW̱ÁN (W̱SÁNEĆ Elders Council) supports retention of the current LUB.
18. I urge trustees to give considerable weight to these important submissions provided by representatives from the W̱SÁNEĆ First Nations
19. In November 2023 the LTC chair commented on the choice of reviewing the recently enacted Bylaw 122 which was a divisive issue in the community. The chair wondered if an alternative project such as First Nations Reconciliation might bring the community together. This was a relevant issue since one of the other decisions the trustees made at the June 3, 2023, meeting was to “discontinue” consideration of the OCP Bylaw 123 that would give greater recognition for the First Nations whose Traditional Territory the Trust exercised its planning and development responsibilities.
20. OCP Bylaw 123 had been approved by the Trust Executive Committee, but the Minister referred it back to the LTC to consider undertaking further meaningful consultation with First Nations Representatives. The Trustees decided to give no further consideration to Bylaw 123.
21. One wonders what the last 2 years would have been like at our meetings if trustees had heeded the guidance of the chair.
22. Based on the foregoing reasons I urge trustees to not proceed with 3rd reading of proposed Bylaw 129.

Thank you for considering my views.

Paul Petrie
South Pender

Patrick Smith
[REDACTED]
South Pender Island, BC, [REDACTED]
[REDACTED]
[REDACTED]

Sept. 4, 2025

To the South Pender Island Local Trust Committee:
& the Islands Trust Executive Committee:

I am in agreement with the 9 former South Pender trustees who submitted their letter of Aug. 29/25, stating that there is no practical need for the proposed amendments of draft bylaw 129; that there is a lack of consensus in the community and an absence of evidence as to why the proposed amendments better serve the objectives of our OCP.

I do not support the changes proposed by draft bylaw 129. I do not think that the proposed land use bylaw amendments improve support of the Islands Trust Act and the OCP of South Pender. The OCP took a long time to establish with lots of effective community input and as such reflects the rural community style and values of South Pender Island. The OCP is fine the way it is.

Best regards,
Patrick Smith

From: tracy calvert <[REDACTED]>
Sent: Thursday, September 4, 2025 10:49 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: proposed bylaw 129

Hello: I have made a typo in my recent letter to you;
I want it to be known that I DO NOT support the proposed bylaw 129.
Tracy Calvert