



STAFF REPORT

February 10, 2010

File No.: SP-OCP-2009.2

To: South Pender Island Local Trust Committee
For Meeting of February 23, 2010

From: Robert Kojima
Island Planner
Local Planning Services

CC: Andrea Pickard, Island Planner
David Marlor, RPM

Re: Climate Change Mitigation

BACKGROUND

Amendment of the OCP to include greenhouse gas (GHG) emission reduction targets, policies and actions is a legislative requirement and a top priority on the LTC's work program. In late 2009 the LTC received two staff reports, outlining a process and providing a menu of potential OCP amendment options. A community meeting was held on February 6th, with over 20 community members attending. The notes from that meeting are anticipated to be included in the LTC meeting agenda package and a summary of the public comments are attached. The issue has also been referred to the Advisory Planning Commission for comment and two APC meetings have been held. The notes of the meetings are expected to be available for inclusion in the agenda package. The purpose of this report is to provide a summary of potential revisions and to seek LTC direction to proceed with preparing a draft amending bylaw.

SUMMARY OF COMMUNITY COMMENTS

The attached table summarizes the comments made at the community meeting of February 6th. These comments fall into three general categories: comments on a proposed OCP amendment already identified by staff, comments that provided additional or new suggestions, and comments that offered general or non-specific statements. I have summarized the new suggestions or potential new policies below and have provided some comments (the numbers refer to the numbering in the attached table and staff comments are noted in italics):

1. *Grey water/ water catchment provisions in the OCP: Existing OCP policies advocate for use of cisterns and water catchment (OCP policy VI.C.2(d)). This could be amended to state that the LTC may require rainwater catchment and/or cisterns in new construction. Grey water systems are regulated by the plumbing code, not something the LTC can realistically expect to influence.*

4. Solid waste disposal (wood): burning regulations, zoning community chipping. *The CRD Electoral Area Director outlined issues with pick-up, the preference is for drop-out locations at specified times. The LTC could consider an amendment stating that it would consider amending zoning to permit this and/or consider TUP applications.*
7. Ferry fare based on car size. *The LTC could amend OCP policy VI(4)(b) to include reference to BC Ferries being requested to provide facilities and services for low impact transportation options.*
11. Water Conservation: *the LTC could consider amending existing OCP policies to include reference to considering implementation of DPA for water conservation in future.*
12. Composting toilets: *the LTC could amend policy to ADVOCATE to support composting toilets; however this is contrary to existing OCP Policy Vi.D.2 and is not really something the LTC would realistically be able to influence.*
14. Affordable housing (5) could be interpreted that anywhere on S. Pender requires driving; perhaps change the wording on this one. *Staff would consider wording in the draft bylaw.*
15. Commercial Retail Uses (8): store at Poet's Cove sells very little in terms of daily staples, and outlet for produce of the potential community farm. *Zoning permits the retail at Poet's Cove, policy could be drafted to consider permitting small-scale retail uses in conjunction with other uses, such as farms or community services.*
16. Government dock at Bedwell Harbour: *LTC could include an Advocacy policy supporting year-round access to Bedwell dock, particularly for "boat-pooling".*
18. Mechanisms for ideas sharing: Electronic notice board, ways to arrange car or boat pooling, using Poet's Cove van and boat to get a ride to services/ Sidney (for a small fee). *LTC could include a policy advocating for shared transportation, particularly with Poet's Cove.*

The LTC should consider the community comments made at the meeting, and any additional input that has been received by the trustees. Also, the APC is expected to be providing formal comment to the LTC (these are anticipated to be available for the LTC meeting of February 23rd). The LTC should direct staff if any additional policies should be considered based on community and APC comment and if any potential policies from the table developed by staff should not be considered.

STAFF COMMENTS

The LTC will need to consider amendment of its OCP to support reductions in GHG emissions. The amendment must include a target and policies and actions to achieve the targets.

Target: staff are recommending that the LTC consider supporting an aspirational target that is consistent with the provincial target of a 33% reduction in emissions by 2020; however the proposed wording should emphasize that LTC initiatives will only be a part of achieving reductions, and that other agencies, individuals and technological change are fundamental to achieving solutions. Such a target has the advantage of consistency with the province's

stated goals, while also including a recognition that land use changes occur incrementally over time and that the LTC's authority and ability to act is limited. The proposed wording is:

This plan supports a target of reducing greenhouse gas emissions by 33% by 2020 from 2007 levels. Emission reductions within the local trust area should result from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations.

Currently the Salt Spring Island Local Trust Committee and several Northern LTCs are considering a target of 15% by 2015 and 85% by 2050; an alternate target, such as 15% by 2015, could be considered by the LTC. However, Salt Spring has included policies and actions in its OCP since 2008, including density transfer provisions, the Earth Festival Society has developed detailed community energy inventories, and there is a recently initiated public transit service. The ability of smaller communities, such as South Pender, to achieve reductions in such a limited time frame would be questionable. The setting of an aspirational target may be best considered as analogous to setting a target for land protected for conservation purposes in an OCP: it represents the desired outcome, and ecological protection could result from a variety of mechanisms: LTC actions (through development permit areas for example), by conservation covenant through NAPTEP applications, by acquisition for provincial or federal parks, and through voluntary stewardship.

Policies and Actions: The use of the term 'actions' in the legislation may cause some confusion. However, this should not be interpreted to imply that the LTC is obliged to implement the policies, like any OCP provision, the policies would be implemented at the discretion of the LTC, and no bylaw the LTC adopts can be in conflict with an OCP policy. The term actions may have been included in the legislation for municipalities which have jurisdiction over public works and other functions. The policies included in the OCP can be specific and detailed, or can identify issues for future review and deliberation.

Next Steps: If there are potential policies that the LTC feels should not be included in the draft bylaw and additional policies that should be added, staff should be directed accordingly.

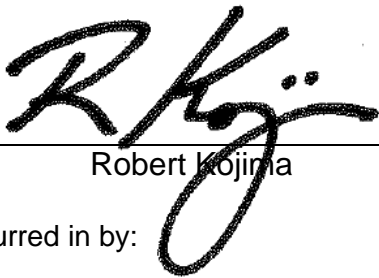
Because of the limited timeframe to complete the amendment of the OCP, the LTC should provide direction now to staff to prepare a draft OCP amendment bylaw for LTC review and consideration. Once a draft bylaw is prepared, the LTC can review it further, make additional revisions, and then consider First Reading and direct staff to schedule a public hearing. Staff will also initiate referral of the draft bylaw to potentially affected agencies and First Nations.

It is important for the LTC to keep in mind that the amendment that will be considered by May 31st is intended to only establish a target and to put a framework of key policies in place. Augmentation of the policies and implementation will be an on-going factor in future OCP and LUB reviews and updates, and in all LTC decision-making. Implementation of many of the policies outlined above would require that the LTC identify these as work program priorities and that resources be made available to undertake the work. The actual implementation would take the form of amendments to the LUB, or in some cases further specific amendments to the OCP, or advocacy with other agencies. These initiatives would be at the discretion and direction of the LTC.

RECOMMENDATIONS:

1. THAT the South Pender Island Local Trust Committee direct staff to prepare a draft bylaw that would amend the OCP to include targets, policies and actions to reduce greenhouse gas emissions for review.

Prepared and Submitted by:



Robert Kojima

February 10, 2010

Date

Concurred in by:

David Marlor, MCIP
Regional Planning Manager

Date

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
COMMENTS NOTED DURING GROUP DISCUSSIONS AT MEETING FEBRUARY 6, 2010**

#	Comment	x-Ref. to potential amendment
1.	Grey water/ water catchment provisions in the OCP- these types of systems should be promoted. This falls under the building code, however, there is an LTC policy for cisterns- An ADVOCACY issue for LTC. (existing OCP policy VI.C.2(d))	<i>Potential new policy</i>
2.	New building code provisions require an envelope engineer; this has been devastating for the natural building sector (e.g. cob construction). The new green building code may change this.	29(f), (g)
3.	Large governments are not the only ones who are in charge of regulation, local resident groups also have some power (e.g. community gardens at Magic Lake), that can be prohibitive (e.g. very strict rules for who can participate in Magic Lake community gardens). For real climate change action to occur a change in resident attitude is required, not just lip service.	29(g)(j)
4.	Solid waste disposal (wood): Is it better to burn or to allow waste wood to rot? Burning releases carbon more quickly as opposed to the natural rotting process which makes this carbon available to plants. <ul style="list-style-type: none"> - ADVOCATE for burning regulations (this is CRD jurisdiction) - Community chipping is an option; looking at feasibility at Trust level - ZONING for community chipping/ composting; perhaps a mobile unit for this. - CRD chipping pilot project found that public education is key (e.g. do not bring invasives to chipper), and the project was very expensive. CRD now considering shipping 1-2 times/ year as well as including an area to collect invasives. The challenge is finding an appropriate location- LTC can help with this. - Possible grants from the Clean Air Act to maintain a chipper. 	22 <i>Potential revision to policy</i>
5.	SUPPORT OPTION #7. Trustee Greer has been working on it. <ul style="list-style-type: none"> - Community policy to support this, as it allows people to work from home and cut down on travel. - Trustee Greer has written letter to Shaw and Gary Lund 	7
6.	ADVOCACY: Ships/ barges spewing emissions and fuel	29(g)
7.	ADVOCACY: Ferry fare based on car size (OCP policy VI(4)(b))	<i>Potential new policy</i>
8.	ADVOCACY: Narrow roads in all new subdivisions (OCP policy VI(3)(b)(i))	18
9.	ADVOCATE for road allowance to permit bike paths. Currently there is a protocol between N. Pender and MOTI stating that the NPLTC is allowed to designate potential bike routes (Moving Around Pender). If a plan is in place for bike paths, than MOTI will try to facilitate their implementation as money comes and repairs are made. <ul style="list-style-type: none"> - Meeting with main roads to begin to do a community consultation about roads and ditches. - SUPPORT OPTION #21 - Galiano has a path on road allowance (agreement between Parks and Islands Trust) - Support the idea of trails as a way of getting to and from services, rather than just for recreation. 	20, 21, 29(g)
10.	Tree cutting: It is possible to use new Bill 27 powers to regulate tree removal during subdivision (OPTIONS #23, #24). <ul style="list-style-type: none"> - An idea to regulate tree cutting to a certain percentage of how many trees are on your property (difficult as building siting/ type would affect this) - Regulation of lot coverage could regulate tree removal, as opposed to square footage (SUPPORT OPTION #4) - ADVOCATE to give LTCs power to regulate tree cutting- the issue is that in rural areas, tree cutting is considered as forestry by the Province. - LTCs can control erosion via trees by implementing DPAs near riparian areas (e.g. RAR). 	23, 24, 4

#	Comment	x-Ref. to potential amendment
11.	<p>Water Conservation: What about swimming pools, hot tubs and other excessive uses of water? How can this be regulated?</p> <ul style="list-style-type: none"> - Pool water is not changed everyday - Sprinklers could also be considered as excessive uses of limited water resources (existing OCP policy VI.C.2(d)) 	<i>Potential new policy</i>
12.	<p>Composting toilets are currently not allowed (one resident expressed frustration at having to install a septic system on her only sunny piece of land, thus eliminating her ability to grow food and precluding her from spending money on other efficient infrastructure).</p> <ul style="list-style-type: none"> - Composting toilets are not dangerous and are well-used - ADVOCATE to support composting toilets (new green building standards might also address this). <p>(Existing OCP Policy Vi.D.2)</p>	<i>Potential new policy</i>
13.	<p>SUPPORT all 28 Options (one resident suggested this and it was generally supported in the room)</p>	
14.	<p>OPTION #5 could be interpreted that anywhere on S. Pender requires driving and this eliminates the option for affordable housing; perhaps change the wording on this one.</p>	5 <i>Potential revision</i>
15.	<p>OPTION #8: There used to be a store at Bedwell Harbour. Commercial zoning has been suggested in the past, is it time to consider it again?</p> <ul style="list-style-type: none"> - Could be an outlet for produce of the potential community farm in the Spalding Valley. There are models of community-run stores, selling local produce that are entirely volunteer-run. <p>There is a store at Poet's Cove (sells very little in terms of daily staples), try to get them in tandem with community needs; the zoning permits it</p>	8 <i>Potential revision</i>
16.	<p>Loss of government dock at Bedwell Harbour; people used to use the dock to "boat pool" to Sydney.</p> <p>CRD still uses the dock under an agreement with customs Some work has been done to allow the public to use it again; currently the public can now use it during the winter. ADVOCATE for year-round access to Bedwell dock.</p>	<i>Potential new policy</i>
17.	<p>Setting a target for reductions:</p> <p>Can't measure without a baseline. Climate change is important, we just need to move forward and act Aspirational target for S. Pender (Provincial Target) Inventories have measured hydro consumption, but propane/ gas not included (proprietary). Electric heating can be supplemented with a woodstove, how efficient is this? Woodstoves emit less carbon than gas, and those which are EPA certified are highly efficient. In urban areas, the issue is pollution (particulate matter).</p>	28(a)
18.	<p>Mechanisms for ideas sharing: Electronic notice board (like Denman and Hornby)</p> <ul style="list-style-type: none"> Ways to arrange car or boat pooling Sharing ideas for GHG reduction: Using Poet's Cove van and boat to get a ride to services/ Sidney (for a small fee) ADVOCATE for sharing transportation with Poet's Cove Commercial areas should have staff housing included in zoning- this is required in Trust regulations, can make a condition based on density, but can't do it after the fact. 	<i>Potential new policy</i>
19.	<p>Update on Resilient Pender Meeting:</p> <ul style="list-style-type: none"> Transition Towns: response to climate change and peak oil to increase local resilience and decrease use of carbon. Working groups to address what <u>community</u> can do for itself. 	
20.	<p>Is there a way to use taxes paid by Poet's Cove to benefit the island more than the 11% as per the Provincial tax law? Could advocate to change provincial tax legislation, but very unlikely to change.</p>	

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
TABLE OF POTENTIAL OCP AMENDMENTS
REVISED NOVEMBER 16, 2009**

Ref	<u>Potential OCP Amendments</u>	<u>Comments</u>
	Part II Goals, Objectives, and General Policies:	
1.	Include a new Goal to support actions and initiatives to reduce emissions and adapt to climate change impacts	New OCP Goal: a general statement of intent
2.	Include a new General Policy under (1) to include an additional criterion for climate change impacts generally and GHG emissions specifically in LTC decision-making	New Policy: would guide LTC decision-making
	Part III Land Use and Development:	
3.	Consider amending Residential Policy a(i)(a) to allow attached dwellings where current zoning permits more than one dwelling on a parcel	Revision: existing policy wording permits only single family dwelling. This would support more energy efficient building design.
4.	Include a policy stating that LTC could consider amending zoning to limit floor area or lot coverage of single family dwellings.	New policy: would be considered when LUB next updated or as an LTC initiative. Intent would be to limit energy consumption, other planning rationales as well.
5.	Consider amending Residential Policy (c) (Affordable, Rental, Special Needs Housing) to include a new policy stating that any new housing under this category should be located in an area that minimizes driving and includes energy efficient building design elements.	New policy: would be new criteria affecting any application for rental, affordable or special needs housing.
6.	Include wording in (d)(i) (Home Occupations) recognizing that home occupations support efforts to limit GHG emissions by reducing need for travel.	Revision of existing policy wording to include reference to climate change, GHG emissions, etc.

Ref	Potential OCP Amendments	Comments
7.	Include wording in (d)(Residential-Based Economic Activities) to support efforts to expand and improve electronic/digital infrastructure. This policy may also be inserted under VI(B) (Communications and Utility Services)	New policy: advocacy statement, intended to expand ability to work and communicate from home, potentially reducing need for trips.
8.	Commercial Retail and Service Policies (B.1): consider designation and zoning for local commercial retail and service uses in a central location by application or by future initiative of the LTC; and that any future commercial uses should be located and developed to limit need for vehicle trips, should include a mix of uses, including residential and employee units, and incorporate energy efficient building design features.	Revised policies: shifts emphasis in this section to support local retail and other commercial services, where and when appropriate, to limit GHG emissions
9.	Industrial Land Use and Development (C): Include a policy that any rezoning for new industrial uses should consider GHG emissions.	Revised policy: would establish criteria for consideration during any rezoning.
10.	Agricultural Land Use and Development (E): Include an objective supporting local food security	Inclusion of a new objective
11.	Policy to ensure zoning permits appropriate local food production, processing and distribution on lands not in the ALR.	A new policy
12.	Forest Land Use (F): Include policy/statement recognizing the role of forest land in storing carbon.	Revision of existing policy wording to include reference to climate change, GHG emissions, etc.
13.	Parks and Outdoor Recreation: include a statement recognizing role of protected areas in storing carbon.	New wording that would include reference to climate change, GHG emissions, etc
14.	Include policy to encourage creation of a trail network (also in Part VI (A)).	Revision of existing policy wording to include reference to climate change, GHG emissions, etc.

Ref	Potential OCP Amendments	Comments
	Part V – Natural Environment:	
15.	Natural Environment (A): Include a new objective stating importance of natural areas in storing carbon, revise policy wording below, (1) and (3).	New wording that would include reference to climate change, GHG emissions, etc.
16.	Include a new policy to work with TFB (and others) to set targets for island ecosystems protection and restoration, and develop policies and provisions to help achieve targets.	New policy: would be considered when OCP next updated or as an LTC initiative
	Part VI –Services and Utilites	
	A. Transportation Services:	
17.	Include statements in Intro highlighting the role of transportation in GHG emissions	New wording that would include reference to climate change, GHG emissions, etc.
18.	Revise wording in objective 1(a) to limit expansion of road network and infrastructure to that necessary to support existing development	Revised wording that would include reference to climate change, GHG emissions, etc.
19.	Include a new objective to encourage alternate forms of transportation	New wording that would include reference to climate change, GHG emissions, etc
20.	Include new advocacy policy under ‘Land Transportation’ supporting alternative transportation initiatives, including car stop program, NZEV approvals, car shares, bicycle path network, walking trails, public transit options, etc.	New advocacy policy wording
21.	Revise advocacy policy under ‘Pathways, Walkways and Trails’ to support development of a bicycle path network plan. Include reference to supporting GHG emission reduction in these advocacy policies as rationale	Revision of existing policy wording.
	E. Solid Waste Disposal:	

Ref	Potential OCP Amendments	Comments
22.	Revise existing policy wording to support expansion of recycling and composting and chipping	Revision of existing policy wording to include reference to climate change, GHG emissions, etc
	Part VII: Development Permit Areas : (these policies would be in relevant sections, including the new climate change section, but any future DPA would be added to this section)	
23.	Policy to consider creation and implementation of development permit areas for energy efficient building design features, subdivision lot layout, and renewable energy systems in significant non-residential development	New initiative: would be considered when OCP next updated or as an LTC-initiated project
24.	Consider developing DPA to limit or regulate tree removal and require restoration after large-scale clearing to capture and store carbon.	New initiative: would be considered when OCP next updated or as an LTC-initiated project
25.	Review existing DPA to ensure guidelines support energy efficient building design, alternative transportation provisions in parking layout, and appropriate landscaping and site restoration provisions	New initiative: would be considered when OCP next updated or as an LTC-initiated project
	Temporary Use Permits:	
26.	Include policy guideline that LTC should consider GHG emissions in reviewing any application	Revision of existing policy wording to include reference to climate change, GHG emissions, etc.
	Climate Change: Include a new section on Climate Change (potentially inserted as a new part VIII), containing the following objectives and policies:	This would be a new section in the OCP
27.	Include a Background section describing impacts of climate change and importance of addressing emissions and impacts	New wording that would include reference to climate change, GHG emissions, etc.

Ref	Potential OCP Amendments	Comments
28.	Potential Objectives:	
a.	Establish a GHG emission reduction target, and work towards refinements in data collection for baseline inventories	Legislative requirement for a target
b.	Establish climate change as a significant factor to be considered in land use decision-making	New wording, would include a new factor in considering any future land use changes
c.	To support efforts and policies to help the community adapt to climate change impacts	New wording, specific adaptation policies and regulatory changes would be a future LTC initiative or project
d.	To work with others to support actions to limit emissions and maximize carbon storage and capture	New advocacy objective wording
29.	Policies:	
a.	Include key policies from other sections that would directly support achievement of target	Consolidate, key policies supporting legislative requirement into a new section of OCP.
b.	Consider climate change adaption and emission mitigation in any application for additional density or an increase in intensity of use	New policy, would identify climate change as a factor in considering any future land use changes
c.	Support development of a climate change mitigation and adaptation checklist	New policy: administrative initiative
d.	Consider amending zone regulations and LUB general regulations to permit small-scale renewable energy production (solar panels, wind turbines, etc.)	New policy: would be considered when LUB next updated or as an LTC initiative
e.	Support development of a Community Energy Strategy and regional community energy plans.	New advocacy statement
f.	Encourage energy efficient building design, fixtures, appliances, construction standards and smart metering in all new construction	New advocacy statement
g.	Support regional district, federal and provincial initiatives to reduce greenhouse gas emissions	New advocacy statement
h.	Encourage public buildings to incorporate energy efficient design standards in all projects	New advocacy statement
i.	Support efforts to consider feasibility of shared energy production in neighbourhoods.	New advocacy statement
j.	Support education on climate change mitigation and adaptation	New advocacy statement