

North Pender Local Trust Committee February Report

There was no North Pender Local Trust Committee (NPLTC) business meeting for the month of December. However, there is some activity to report on with regard to a couple of different ongoing matters. Due to the timing of our business meetings (last Thursday of each month) and the deadline for the Pender Post, this report focuses mainly on upcoming decisions which we will be able to report on in the next issue.

APC Meeting

The North Pender Advisory Planning Commission (APC) met on Monday, January 14th to review an application for a Development Variance Permit (DVP) for a waterfront property in the Stanley Point neighbourhood. The application is a complex matter seeking to legalize eight structures sited variously within the side lot setback and in the natural boundary setback from the sea. Given the complexity of the requests being made in the DVP, the NPLTC is seeking advice from the APC and referred the matter to them at its November meeting. The LTC will receive the APC minutes and any recommendations contained therein at its meeting on January 31st.

Info on Mineral Claims

Following up on an earlier request by the LTC, Islands Trust Staff have now posted links to information and resource materials, (including provincial contact information), for people who would like to know more about the the staking of mineral claims on their property and elsewhere on the Penders. The link to the Info Sheet is on the North Pender LTC web page at <http://www.islandstrust.bc.ca/ltc/np> or go directly to: <http://islandstrust.bc.ca/ltc/np/miningclaims> .

Request to Executive re. Mining

On January 10th the NPLTC passed a Resolution Without Meeting (RWM) to be considered by the Islands Trust Executive Committee at its meeting on January 23rd. The motion reads as follows: “ *THAT the North Pender Local Trust Committee requests the Executive Committee to authorize a letter from the Chair to the Minister of Energy and Mines asking for the creation of regulations under the Mineral Tenure Act that reserves the land in the Trust Area from the staking of mineral claims and restricts the exercise of free miner's rights under existing claims and that a copy be sent to MLA Murray Coell.* ” . The LTC is following up on advice received from MLA Coell on how best to request that the province recognize and act on a long-established policy from the Islands Trust Policy Statement. Policy, 4.6.1 is a Commitment of Trust Council and says, “Trust Council holds that there should be no extraction of peat, metals, minerals, coal or petroleum resources in the Trust Area.” The LTC will be reviewing the decision of the Executive and deciding on next steps at the January business meeting.

Associated Islands LUB and OCP Bylaws

A formal Public Hearing for community review and input on proposed changes to the North Pender Associated Islands Land Use Bylaw and Official Community Plan will take place on Saturday, January 26th at the Mary Winspear Centre in Sidney. The proposed changes are contained in Proposed Bylaws 187 and 189 which are the result of working closely with the Sidney Island Strata Council as well as individual members of the Sidney Island community.

In general terms, the purpose of Proposed Bylaw No. 187 is to amend the Land Use Bylaw as it pertains to Sidney Island only. The substantive amendments include: permitting a storage building on a lot without a residence (with restrictions), allowing a second care-taker residence on common property, restricting the maximum floor area of a dwelling, restricting the storage of recreation vehicles, and changing the zoning for the covenant areas on the common property to ‘Conservation’. The bylaw

would also update the permitted density in the Sidney Island Comprehensive Development zone after subdivision has been completed. Throughout the Land Use Bylaw there are also many numeric cross references to be corrected.

In general terms, the purpose of Proposed Bylaw No. 189 is to amend the Official Community Plan by introducing two new Development Permit Areas that would be applicable to Sidney Island only. One development permit area relates to geotechnical hazard areas and is based on an existing covenant. The second development permit area is applicable to areas 15 metres from the natural boundary of the sea and regulates development along the shoreline. Several covenant areas would also be designated as 'Resource Conservation' in the OCP. General amendments also include a new policy about regulating floor area would be introduced, updating the temporary use permit section to reflect recent changes to the *Local Government Act*, and designating and referring to the Development Approval Information Bylaw which outlines the information required for applications to be considered. Once the Public Hearing has taken place, the LTC will be considering any further changes to the proposed bylaws before giving third reading and forwarding them to the Executive Committee, and in the case of the OCP amendments, also to the Minister, for approval.

BC Ferries Advocacy

The Executive Committee and Chair Malcolmson have been hard at work following Trust Council's direction to advocate on issues important to our communities. Trust Council's submission to the province in response to their recent consultation on BC Ferries, can be found online at: <http://www.islandstrust.bc.ca/poi/bcferriesinfo.cfm> or follow the link marked "BC Ferries Advocacy" from the main page at <http://www.islandstrust.bc.ca>.

Marine Stewardship

Trust Council's work continues apace on marine stewardship issues including marine shipping safety, oil spill preparedness (or lack of same) and lobbying the province for a solution to abandoned and derelict vessels. Locally, the North Pender LTC has been participating in consultations with Parks Canada and the province on the proposed National Marine Conservation Area (NMCA). One of the key current issues under review are NMCA "exclusion zones". Exclusion zones are areas that are currently proposed to be excluded from the NMCA and they include many marinas and some harbours entirely. Due to the governing legislation, sewage outfall areas are already deemed to be excluded and because of their status as Crown properties, BC Ferries terminals and water lots are excluded as well. The question is whether there is a sound rationale for excluding heavy use areas such as harbours and marinas. Some may feel that aside from being where marine users congregate, marinas and harbours are where many of the impacts materialize and emanate from and that the NMCA should include heavy use areas where stewardship may be most needed. For example, we have seen that derelict vessels are promptly dealt with inside those areas where Parks Canada has jurisdiction and left for the local community to deal with elsewhere. We would particularly like to hear from the North Pender community on this topic and look forward to keeping you informed as the NMCA feasibility stage draws to a conclusion and negotiations between the provincial and federal governments get underway.

Shorelines Under Threat

Mark Saturday, March 2 on your calendar for another opportunity to learn about coastal forces, sea level rise and why we need alternatives to hardening the shoreline. The Pender Island Conservancy Association (PICA) is planning a repeat of Coastal Engineer John Readshaw's presentation on wave action and potential sea level rise and their effect on our shorelines. Mr Readshaw's fascinating presentation was one of the highlights of PICA's all day marine stewardship workshop that was held last year at the community hall. Due to popular demand, PICA has arranged a workshop for North Pender in the afternoon and South Pender in the morning. The The North Pender workshop will take

place at 1:45 pm at the Hope Bay Store Community Room followed by a hosted site visit to nearby Bricky Bay. For more information please call Sara at 250-629-6885.

Next Meeting

The next regular business meeting will be on Thursday, February 28 at 9:45 am Pender Islands Community Hall. As always, we encourage and welcome your input and involvement in local decision making on these and any other land use issues, it's the foundation of our progress.

Respectfully submitted, Gary Steeves and Ken Hancock