

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO.113

A BYLAW TO AMEND SOUTH PENDER ISLAND OFFICIAL COMMUNITY PLAN, 107, 2011

WHEREAS the South Pender Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the South Pender Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the South Pender Island Local Trust Committee the same power and authority of a Regional District under Part 14 except sections 558 to 570 and 507 to 508 of the *Local Government Act*;

AND WHEREAS the South Pender Island Local Trust Committee wishes to amend Bylaw No. 91, Official Community Plan, 2002;

AND WHEREAS the South Pender Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the South Pender Island Local Trust Committee enacts in open meeting assembled as follows:

- A. Bylaw No. 107, cited as "South Pender Island Official Community Plan, 107, 2011" is altered as shown in Schedules 1 to 2 of this amending bylaw.
- B. This Bylaw may be cited for all purposes as "South Pender Island Official Community Plan, 107, 2011, Amendment No. 1, 2016."
- C. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this 16th day of January, 2017.

READ A SECOND TIME this 11th day of April, 2017.

PUBLIC HEARING HELD this 6th day of May, 2017.

READ A THIRD TIME this 30th day of May, 2017.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
This 19th day of July, 2017

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT
this day of 2017.

ADOPTED this day of, 2017.

SECRETARY

CHAIR

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 113

SCHEDULE 1

“South Pender Island Official Community Plan, Bylaw No. 107, 2011” Schedule A is amended as follows:

1. The definition of “cottage” in Section 1.6 (Definitions) is amended by deleting “56m² (603ft²)” and replacing it with “70m²”.
2. Subsection 2.4.3 (General Policies) is amended by inserting “maximum floor area,” following the phrase “number of buildings,” and preceding “lot site coverage,”.
3. Clause 4.2(b)(iv) is amended by deleting it in its entirety and replaced with the following:

“iv) existing private moorage for docks permitted on a site-specific basis in those areas designated as Marine (M) on Schedule “B”. New applications for private moorage for docks may be considered by site-specific rezoning subject to:

 - the proposal demonstrating minimal impacts on the marine environment, including eelgrass, bull kelp, forage fish, or other important habitat;
 - the proposal demonstrating minimal impacts on upland sensitive ecosystems or habitat;
 - the proposal demonstrating no impacts on archaeological or cultural sites or resources;
 - structures being appropriately sited and of a scale to minimize visual impacts;
 - structures incorporating current best practices for dock construction;
 - consideration being given to providing for shared or common moorage; and
 - consideration being given to the cumulative impacts of private moorage.”
4. Article 4.2(c) is deleted and replaced with the word “*rescinded*”.

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 113
SCHEDULE 2**

“South Pender Island Official Community Plan, Bylaw No. 107, 2011” amended by deleting Schedule B in its entirety and replaced with a new Schedule B as follows:

