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**MAGIC LAKE ESTATES WATER AND SEWER COMMITTEE**  
Notice of Meeting on **Tuesday, March 13, 2018 at 9:30 a.m.**  
Main Conference Room, 479 Island Highway, Victoria, BC

Kathy Heslop (Chair)  
Director Dave Howe

David Reed  
Wally Foster

Michael Fossil  
Alex Wilson

Joe Gill

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**AGENDA**

1. Approval of Agenda
2. Adoption of Minutes of February 13, 2018
3. Water Capital Projects Financial Update (information report)
4. Water Update (verbal report with handout)
5. Wastewater Update (verbal report with handout)
6. Operations Update (verbal report with handout)
7. Correspondence
8. New Business
9. Adjournment

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*To ensure quorum, advise Lorrie Siemens 250.360.3087 or [lsiemens@crd.bc.ca](mailto:lsiemens@crd.bc.ca) if you cannot attend.*



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**Minutes of a Meeting of the Magic Lake Estates Water and Sewer Committee  
Held Tuesday, February 13, 2018 in the Main Conference Room, 479 Island Highway,  
Victoria, BC**

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- PRESENT:**     **Committee Members:** A. Wilson (Vice-chair), W. Foster, M. Fossil, CRD Electoral Area Director D. Howe, J. Gill, D. Reed  
                  **Staff:** T. Robbins, General Manager, Integrated Water Services, I. Jesney, Senior Manager, Infrastructure Engineering, M. McCrank, Senior Manager, Infrastructure Operations, S. Mason, Manager, Water Engineering & Planning, M. Cowley, Manager, Wastewater Engineering & Planning, L. Siemens (recorder)
- GUESTS:**     Jonathan Dickie, Constituency Coordinator, Office of Elizabeth May, O.C., M.P., Aldous Sperl, Chief of Staff, Legislative Assembly, Saanich North and the Islands
- ABSENT:**     K. Heslop (Chair)

Vice-chair A. Wilson called the meeting to order at 9:30 a.m.

**1.     Approval of Agenda**

The following changes were made to the agenda:

- Move Item #8 to Item #4

**MOVED** by Director Howe, **SECONDED** by D. Reed,  
That the agenda be approved as amended.

**CARRIED**

**2.     Adoption of Minutes of January 9, 2018**

**MOVED** by J Gill, **SECONDED** by D. Reed,  
That the minutes of January 9, 2018 be adopted as previously distributed.

**CARRIED**

**3.     Motion to Close the Meeting**

**MOVED** by J. Gill, **SECONDED** by M. Fossil,  
That the Magic Lake Estates Water and Sewer Committee close the meeting in accordance with the Community Charter, Part 4, Division 3, 90.1 (e) *the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.*

**CARRIED**

The Magic Lake Estates Water and Sewer Committee closed the meeting at 9:35 a.m. and resumed in open session at 10:11 a.m.

**4.     Grant Discussion**

A discussion took place regarding the process for applications for infrastructure grants. Staff provided answers to the committee's questions and Jonathan Dickie provided an

explanation on how the ministry responds to community's needs for funding. I. Jesney will review the current application and correspond with the ministry.

**5. CCTV Wastewater Condition Overview – Discussion**

M. Cowley provided an overview of the Structural Condition Assessment. A report will be brought to the committee at a future meeting.

**6. Water Update**

I. Jesney presented a verbal report and provided a handout that will be included as part of the agenda package.

**7. Wastewater Update**

I. Jesney presented a verbal report and provided a handout that will be included as part of the agenda package.

**8. Operations Report**

M. McCrank presented a verbal report and provided a handout that will be included as part of the agenda package.

A discussion took place on the possibility of Island's Trust allowing secondary suites on North Pender Island. I. Jesney will follow up with a letter to Island's Trust regarding system capacity. The letter will be copied to the Chair.

**9. Correspondence**

There was no correspondence.

**10. New Business**

There was no new business

**11. Adjournment**

**MOVED** by J. Gill, **SECONDED** by D. Reed,  
That the meeting be adjourned at 11:40 a.m.

**CARRIED**



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**REPORT TO MAGIC LAKE ESTATES WATER AND SEWER COMMITTEE  
MEETING OF TUESDAY, MARCH 13, 2018**

**SUBJECT     WATER CAPITAL PROJECTS FINANCIAL UPDATE**

**ISSUE**

To provide the Magic Lake Estates Water and Sewer Committee with a financial and general project update regarding the water treatment plant project and previous dam improvements.

**BACKGROUND**

In 2009, the Magic Lake Estates Water and Sewer Committee approved a capital improvement plan related to the Buck Lake dam and the water treatment plants, storage tank and pump stations.

The completed improvements included construction of a dam spillway, geotechnical assessment of the Buck Lake dam and installation of additional freeboard. The work was designed and administered by Klohn Crippen Berger consulting and constructed by G&E Contracting. In addition a new water treatment plant was constructed along with a new storage tank (Frigate Tank), two raw water pump stations (Buck Lake and Magic Lake) and other related pipe work. The two attachments (from the 2015 public project information meeting) describe the scope of the project and treatment process in more detail. This work was designed and administered by AECOM Canada and constructed by Rohl Enterprises and its subcontractors.

It should be noted that the general contractor is yet to complete warranty work related to replacing some of the stainless steel process pipe works that was found to be leaking following plant commissioning and performance testing. This work is scheduled to be completed in 2018 at no cost to the water service or customers.

The following table summarizes the revenue sources for the projects, expenditures and anticipated project balance.

<b>Revenue / Funding</b>	<b>Amount</b>	<b>Notes / Comments</b>
Referendum / Borrowing Bylaw #3633 of 2009	\$2,560,000	<b>Description of Work to be Funded with a 15-year Loan:</b> "The work shall include upgrading of the existing water distribution and storage facilities and construction of a new water treatment plant and ancillary works by the planning, study, design, and construction of a system of water supply, conveyance, treatment, storage, distribution of water and other related work, facilities and equipment purchases"

<b>Revenue / Funding</b>	<b>Amount</b>	<b>Notes / Comments</b>
Transfer from the MLE water capital reserve fund	\$360,166	<b>Transfer amounts by year:</b> 2010 \$93,500; 2013 \$166,666; 2014 \$100,000
Transfer from the operating budget	\$742,000	<b>Transfer amounts by year:</b> 2010 \$178k; 2011 \$352k, 2012 \$142k; 2013 \$70k
Federal and Provincial grant	\$5,178,552	Gross of \$5,250,000, Building Canada Fund
Interest	\$52,935	As of December 2017
Community Works Fund (gas tax)	\$60,000	Approved in 2014
<b>A) Total Revenue / Funding</b>	<b>\$8,953,653</b>	
<b>Expense</b>	<b>Amount</b>	<b>Notes / Comments</b>
<u>Buck Lake Dam and Improvements</u>		
Engineering	\$304,047.82	Klohn Crippen Berger Engineering
Construction	\$367,168.43	G&E Contracting
<u>Magic Lake Estates Water Treatment Plant Project</u>		
General contract	\$6,367,930.64	Rohl Enterprises Ltd.
Engineering	\$1,155,535.09	AECOM Canada (WTP, tank, pump stations and additional water main effort)
Other	\$662,437.39	Utility charges, legal fees, tools, lab equipment, grant adj. and CRD staff effort (incurred and estimated to completion)
<b>B) Total Expenditures</b>	<b>\$8,857,119.37</b>	
Anticipated Balance (A minus B)	\$96,533.63	Proposed to return any balance to capital reserve fund upon completion

**CONCLUSION**

The project is nearing completion with the replacement of the stainless steel pipes in the water treatment plant as the only remaining construction issue. The new water treatment plant has been in operation since January 2015 and is consistently producing very good water quality results. The anticipated project budget balance at the completion of the project is approximately \$97,000 (surplus). It is proposed to transfer any remaining funds from the project account to the capital reserve fund upon completion.

**RECOMMENDATION**

That the Magic Lake Estates Water and Sewer Committee receive this report for information.

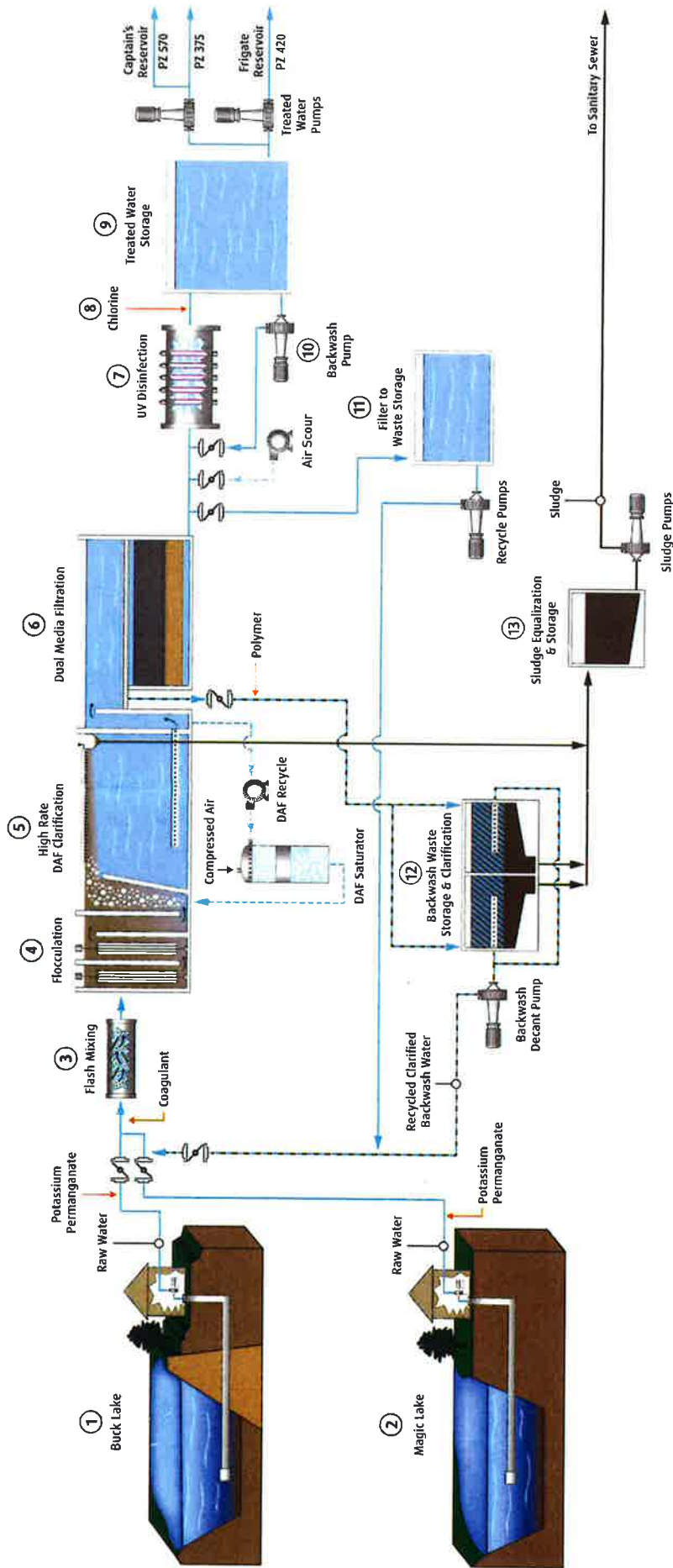
Submitted by:	Scott Mason, B.Sc., P.Eng., Manager, Water Engineering and Planning
Concurrence	Ian Jesney, P.Eng. Senior Manager, Infrastructure Engineering
Concurrence	Ted Robbins, BSc., C.Tech, General Manager, Integrated Water Services
Concurrence	Nelson Chan, MBA, CPA, CMA, Chief Financial Officer
Concurrence	Robert Lapham, MCIP, RPP, Chief Administrative Officer

SM:ls

Attachments:

- 1. Water Treatment Project Summary, Open House, May 23, 2015
- 2. Magic Lake Estates Water Treatment Plant Schematic (11"x17")

# Magic Lake Estates Water Treatment Plant



The PROCESS FLOW DIAGRAM for the water treatment plant consists of the following items:

- 1 Buck Lake serves as the primary water source for the system. Collecting surface run-off from Shingle Creek, Buck Lake is an earthen dammed water body subject to elevated levels of turbidity, manganese and natural organic matter. Potassium permanganate is dosed seasonally to precipitate the dissolved manganese prior to reaching the water treatment plant.
- 2 Magic Lake is a small earthen dammed surface water source with similar water quality characteristics to Buck Lake. Magic Lake is also prone to elevated levels of algae during the summer months. Potassium permanganate is dosed seasonally to precipitate the dissolved manganese prior to reaching the water treatment plant.
- 3 Coagulation, using poly-aluminium chloride, to destabilize coagulates (silt, iron, and organic matter) and to reduce the raw water using a static mixer.
- 4 Mechanical flocculation, to gently stir the newly coagulated water, and encourage the small floc particles formed during coagulation to adhere together and grow larger flocs.
- 5 Dissolved air flotation (DAF), using micro-bubbles to float the flocs to the surface of the tank, forming a sludge layer which can be scraped from the surface of the water. The clarified water is collected from the bottom of the basin.
- 6 Dual media filtration with anthracite and sand to polish the clarified water to ensure parasite removal and the treated water turbidity targets are achieved.
- 7 UV Disinfection. Ultraviolet light is used to achieve primary disinfection. Medium pressure lamps emit ultraviolet light in the germicidal wavelength (254 nm) resulting in the irradiation of potentially harmful microorganisms in the water.
- 8 Primary disinfection, using sodium hypochlorite (chlorine).
- 9 Treated water storage in two separate cast-in-place concrete tanks for a total treated water storage volume of 120m<sup>3</sup>. The treated water storage tanks are configured in two trains to optimize the chlorine contact time and to facilitate maintenance operations.
- 10 Backwash water is drawn from the clearwell and pumped through the filter media to remove particulate collected during the filtration process. A lower rate is used for the combined air scour and backwash cycle followed by a higher rate wash cycle with water only. The backwash flow is distributed evenly through the slotted 0.2 mm back-propylene nozzles at the base of the filter. Dirty backwash water is collected through surface launder and is directed to the waste equalization and clarification tanks.
- 11 During start-up of the filter basin water is diverted to the filter-to-waste storage tank until the filter ripens and the water is suitable for UV disinfection. To reduce the waste flows directed to the sewer, the filter-to-waste is stored and re-cycled with the incoming raw water.
- 12 Backwash waste water is collected and stored for gravity sediment clarification. Polymer is added to improve the solids separation during settling. The decant supernatant is re-cycled to the head of the plant with the incoming raw water. Sludge containing backwash waste solids is pumped to the sludge holding tank and eventually to the sanitary sewer.
- 13 A storage tank to equalize and blend the sludge generated by the DAF and the backwash waste clarification processes.



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## MAGIC LAKE ESTATES WATER AND SEWER LOCAL SERVICE WATER TREATMENT PLANT PROJECT SUMMARY

Water Treatment Plant Open House – May 23, 2015

For decades the Magic Lake Water and Sewer Local Service Committee has been completing capital investments in the water and sewer services for the Magic Lake Estates community. In recent years, the Committee has completed improvements to the drinking water system in order to replace aged infrastructure and comply with changes in drinking water legislation and standards.

The most recent major capital project included the construction of a new water treatment plant, two raw water pump stations, a new storage tank and water main installations.

In 2010, AECOM Canada Ltd. was hired to undertake the engineering work and in 2012, Rohl Enterprises Ltd. was awarded a contract to build the work. By January 2015 the new works were commissioned.

The grantable project budget was \$ 7.875 million which included the construction, engineering design, contract administration and construction inspection. The estimated costs at construction completion are expected to be \$7.5 million dollars. This project was funded through a two thirds contribution from the Province of British Columbia and the Government of Canada under the Building Canada fund – Communities component.



New Water Treatment Plant Building at 47284 Schooner Way

Inside New Treatment Plant





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The New Water Treatment Plant located at 47284 Schooner Way replaced two original plants (Buck Lake WTP and Magic Lake WTP). The plant is able to treat raw water from both Buck Lake and Magic Lake at the same time for a total design capacity of approximately 1,690 m<sup>3</sup>/day.

The water treatment process includes the following:

- pre-treatment(oxidation) using potassium permanganate – oxidizes manganese , iron and reduces taste and odour compounds
- Coagulation using poly aluminum chloride and mechanical flocculation – precipitates organics and small particulate matter to form floc particles that are encouraged to adhere together and form larger floc to be removed in later treatment process.
- Dissolved Air Flotation(DAF) – uses micro-bubbles to float the flocculated particles to the surface of the tank, forming a sludge layer which is then separated from the water and diverted to the sanitary sewer system.
- Dual-media filtration complete with the provision of backwash and air scouring – removes the remaining suspended solids/turbidity, and removes viruses, bacteria, Giardia cysts and Cryptosporidium
- Two means of disinfection including ultra violet light and chlorine to meet the primary and secondary disinfection targets.
- Supervisory Control and Data Acquisition(SCADA)- to monitor and control/assist in the performance of the plant.

To reduce the overall waste volumes generated from the water treatment process, both the filter-to-waste and clarified backwash waste flows are recycled to the head of the plant. By recycling the clean waste streams the water treatment plant is able to limit the net waste produced to less than 2% of the overall plant flows – thereby increasing the overall plant efficiency and limiting downstream impact to the community waste water collection and treatment facilities.



The original Frigate water storage tank(642 cubic metres) was replaced with a new epoxy-coated steel tank that has a capacity of 750 cubic metres or 165,000 imperial gallons.

Photo: New Frigate Storage Tank





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The original Buck Lake treatment plant was retrofitted into a raw water pump station that conveys raw water to the new treatment plant.

Photo: Inside of Buck Lake Raw Water Pump Station



The original Magic Lake Water raw station was replaced by a new raw water pump station to convey raw water to the new treatment plant.

Photo: Inside of Magic Lake Raw Water Pump Station

Upgrades to the raw water supply systems offer redundant mechanical infrastructure and the opportunity to use one or a combination of the two source waters to meet the potable water demands of the community.





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Photo: Water main installation

As part of the project multiple new water mains have been installed including:

- 1787 metres of raw water main from Buck and Magic Lake to the New Treatment Plant
- 971 metres of treated water main from the new treatment plant to the existing distribution system.
- 370 metres of new water main to replace older existing water mains within the distribution system.





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March 13, 2018

File: 0360-20

Magic Lake Estates Water and Sewer Committee

## **Magic Lake Estates Water Service**

### Magic Lake North Dam

- 5 year access agreements are now executed for both properties at 3804 and 3806 Pirates Road. They provide the CRD access to the private properties for operation, maintenance of the repair of the dam.

Content Prepared by: Stephen Henderson



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File: 0360-20

Magic Lake Estates Water and Sewer Committee

March 13, 2018

## **MAGIC LAKE ESTATES WASTEWATER**

### **Wastewater Infrastructure Projects – Phase 1 Update**

#### **Sewer Pipe Replacement – Buck Lake & Privateers Road**

- Detailed design is being finalized.
- Met with most homeowners on Feb. 19 to explain the work, disturbance and restoration of properties. Have sent letters to all property owners along the alignment. Generally, everyone understands the need and are happy with communications.
- Issue tender in the spring and start construction in the summer 2018.

#### **Inflow & Infiltration Program**

- A final report summarizing all CCTV inspection results will be prepared later this year complete with cost estimates to repair significant defects.

### **Wastewater Projects - 2017 Capital Plan**

#### **Phase 2 Wastewater Infrastructure Upgrades – Public Consultation**

- No change since last meeting. Still planning to complete conceptual design upgrades, cost estimates, and financial impacts to present at an open house later this year.

### **Wastewater Projects – 2018 Capital Plan**

No projects in 2018 due to insufficient capital reserve funds. Projects are being planned for 2019 only if a referendum is successful to enable the borrowing of funds.

Report Prepared by: Malcolm Cowley



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March 13, 2018

File: 0360-20  
Magic Lake Estates Water and Sewer Committee

Magic Lake Estates Water and Sewer Committee

**OPERATIONS REPORT**

**Water Operations Highlights:**

- Water Treatment Facility sludge pump seal water solenoid valve installation and programming completed.
- Hydrant inspection and pressure regulating valve inspections/maintenance performed as a result of hydrant use and fire flow demands by the Pender Island Fire Department for a house fire at 47299 Schooner Way.
- Replacement of flocculant (Polyaluminum Chloride) injection system piping.

**Wastewater Operations Highlights:**

- Manhole cover/casting raising corrective maintenance performed.
- Operating Permit Regulatory Non-compliance reporting for February 2018:

Facility	# of Reports Issued for February	Total # of Reports Issued 2018	Total # of Reports Issued 2017	Cause
Schooner WWTP	2	5	16	Two events due to UV failure (effluent disinfection system) as a result of power outages (typically) and one event due to exceeding maximum daily flows (I&I).
Schooner Pump Station	0	0	3	Occurred in January during an extended power system outage. Raw sewage discharged into the marine environment.
Cannon WWTP	6	22	33	Exceeding maximum daily flows due to storm water entering through I&I.

**Capital Improvement work:**

- Nothing to report this period.

Prepared by: Dan Robson and Matt McCrank, Integrated Water Services





# Islands Trust

## BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street  
Victoria, B.C. BC V8R 1H8  
Ph: (250) 405-5151  
Fax: (250) 405-5155  
information@islandstrust.bc.ca  
www.islandstrust.bc.ca

Island: North Pender Island Local Trust Area Bylaws No.: 216 & 217 Date: February 8, 2018

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

**APPLICANTS NAME / ADDRESS:**

N/A

**PURPOSE OF BYLAW:**

The purpose of the bylaws are to allow and regulate secondary suites as accessory residential uses in the Rural, Rural Residential, and Agriculture zones on North Pender Island. Please see the attached bylaws and staff report.

Background information and staff reports are available on the North Pender island webpage:  
[www.islandstrust.bc.ca/npender/suites](http://www.islandstrust.bc.ca/npender/suites)

**GENERAL LOCATION:**

North Pender Island Local Trust Area

**LEGAL DESCRIPTION:**

N/A

**SIZE OF PROPERTY AFFECTED:**

N/A

**ALR STATUS:**

N/A

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

N/A

**OTHER INFORMATION:**

Additional information is attached. For more background visit [www.islandstrust.bc.ca/npender/suites](http://www.islandstrust.bc.ca/npender/suites)

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Name: Justine Starke

(Signature)

Title: Island Planner  
Contact Info: Tel: 250-405-5189  
Email: jstarke@islandstrust.bc.ca

**PLEASE TURN OVER →**

This referral has been sent to the following agencies:

**Federal Agencies**

N/A

**Provincial Agencies**

Agricultural Land Commission  
BC Assessment Authority  
Ministry of Forest, Lands & Natural Resource Operations  
- Water Protection

**Non-Agency Referrals**

North Pender Island Advisory Planning Commission  
Islands Trust – Bylaw Enforcement  
Gulf Islands School District No. 64  
Outer Gulf Islands RCMP  
Razor Point Improvement District  
Trincomali Water Improvement District  
Island Health

**Regional Agencies**

Capital Regional District – Electoral Area Director  
Capital Regional District – Building Inspection  
Capital Regional District – Infrastructure Engineering (Integrated Water Services)  
Magic Lake Water and Sewer Commission  
North Pender Island Fire Rescue

**Adjacent Local Trust Committees and Municipalities**

Galiano Island Local Trust Committee  
North Pender Island Local Trust Committee  
Mayne Island Local Trust Committee  
Saturna Island Local Trust Committee  
South Pender Island Local Trust Committee  
Salt Spring Island Local Trust Committee  
Thetis Island Local Trust Committee

**First Nations**

Cowichan Tribes  
Halalt First Nation  
Lake Cowichan First Nation  
Lyackson First Nation  
Malahat First Nation - TE'Mexs Treaty Association Pauquachin First Nation  
Penelakut Tribe  
Semiahmoo First Nation  
Stz'uminus First Nation  
Tsartlip First Nation  
Tsawout First Nation  
Tsawwassen First Nation  
Tseycum First Nation



# BYLAW REFERRAL FORM RESPONSE SUMMARY

- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Outlined Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reason Outlined Below

\_\_\_\_\_  
North Pender Island Local Trust Area

(Island)

\_\_\_\_\_  
216 & 217

(Bylaw Number)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name and Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Agency)



DATE OF MEETING: January 30, 2018  
TO: North Pender Island Local Trust Committee  
FROM: Justine Starke, Island Planner, Local Planning Services  
SUBJECT: **Bylaws 216 and 217 : Secondary Suites**

## RECOMMENDATION

1. THAT the North Pender Island Local Trust Committee Bylaw No. 216, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2018,” be read a first time.
2. THAT the North Pender Island Local Trust Committee Bylaw No. 217, cited as “North Pender Island Land Use Bylaw, 103, 1996, Amendment No. 1, 2018,” be read a first time.
3. THAT the North Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 216, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2018,” and Bylaw 217 cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2018,” are not contrary to or at variance with the Islands Trust Policy Statement.
4. THAT the North Pender Island Local Trust Committee refer Bylaws 216 and 217 to the Advisory Planning Commission for feedback.

## REPORT SUMMARY

The purpose of this report is to present bylaws 216 and 217 to the North Pender Island Local Trust Committee for consideration of first reading. Bylaws 216 and 217 would permit and regulate secondary suites as accessory dwellings permitted within primary dwellings on North Pender Island.

## BACKGROUND

The North Pender Island Local Trust Committee (LTC) made housing a top priority in 2015 and on November 24, 2016 added Secondary Suites as a focus under its Top Priority work program. The Local Trust Committee has endorsed a project charter to manage the work program for this policy priority.

On November 23, 2017, the LTC passed the following resolution:

It was MOVED and SECONDED, That the North Pender Island Local Trust Committee directs staff to draft regulatory amendments that would permit secondary suites on North Pender Island.

On October 21, 2017, the North Pender Island Local Trust Committee hosted a community information workshop to discuss secondary suites. The majority of input was very supportive of secondary suites and the concerns people had were more related to secondary suites not being allowed or the process moving too slowly.

The results of this community meeting are documented in the staff report received by the NPILTC on November 23, 2017.

## **ANALYSIS**

### **Policy/Regulatory**

#### ***Islands Trust Policy Statement:***

Support for housing in the Islands Trust Policy Statement can be found in *Part V: Sustainable Communities*.

The goal of this part is “to sustain island character and healthy communities.”

The Policy Statement defines sustainable communities as “human communities that have achieved a balance between environmental, economic and social systems and which respect the carrying capacity of the supporting environment.” Other relevant policies include:

*5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.*

*5.2.4 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.*

*5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.*

*5.7.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.*

Staff have reviewed the Islands Trust Policy Statement and found that Bylaws 216 and 217 are not contrary to or at variance with the Policy Statement. The Islands Trust Policy Statement checklist is attached to this report.

#### ***Official Community Plan:***

##### **Pender Island Official Community Plan**

###### *Rural Residential Policies*

*2.1.1.1 The principal use shall be residential. Accessory uses shall not detract from the rural character of the island.*

- Secondary suites are considered to fit within the rural settlement pattern of the island.

###### *Rural Policies*

*2.1.2.1 The principal uses on lands in the Rural land use designation shall be residential and agricultural.*

- Secondary suites are accessory residential uses.

###### *Affordable Housing Policies*

*2.3.21 Any additional density greater than that permitted by current zoning shall be in the form of units reserved exclusively for occupancy as affordable housing.*

- The purpose of the secondary suites bylaws are to enable rental housing within the residential densities that already exist on the island. Rental housing in secondary suites is often also affordable housing although prices can vary depending on the size and condition of the suite. New policies supporting secondary suites are also proposed.

*2.3.23 Zoning should regulate the density, size and siting of units in order to maintain rural residential character.*

- The proposed land use bylaw amendment 217 regulates the number of suites, limits the floor area, and requires the suite be located within the footprint of the main dwelling.

*2.3.25 Developments shall be encouraged to incorporate water conservation measures and energy efficient building design elements.*

- Staff are working with the Capital Regional District to consider what water efficiency incentives can be incorporated into the secondary suites implementation program.

### **Proposed Bylaws 216 and 217**

Proposed Bylaws 216 and 217 will permit and regulate secondary suites on North Pender Island.

Bylaw 216 is an amendment to the Official Community plan to enable and make specific reference to secondary suites. It proposes a new general residential policy: "Accessory housing options such as secondary suites may be permitted as a way to increase the stock of rental housing without negatively impacting the rural sense of place or the carrying capacity of the island," and includes various other policies to implement this.

Bylaw 216 also proposes to amend the Temporary Use Permit guidelines to discourage secondary suites from being used as short term vacation rentals.

Bylaw 217 is a Land Use Bylaw amendment that has been drafted for consistency with the approaches taken on Mayne Island, Galiano Island, and Salt Spring Island. The proposed regulations will ensure that:

- Secondary suites are permitted as accessory uses in the Rural, Rural Residential, and Agriculture zones.
- Secondary suites are defined as, "an accessory, self-contained dwelling unit, located within the principal dwelling on a lot and having a lesser floor area than the principal dwelling."
- Only one suite is permitted per lot.
- There is a maximum floor area 90 m<sup>2</sup> (968 ft<sup>2</sup>) and the suite may not occupy more than 40% of the floor area of the main dwelling
- The entrance to a secondary suite is separate from the entrance to the principal dwelling.
- The secondary suite may not be subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*.
- Secondary suites are not used for short term vacation rental or bed and breakfast home business.
- One additional parking space is required on the lot.

### **Rationale for Recommendation**

The LTC is conducting this work under its broader priority of housing. Secondary suites are a trusted way of increasing the stock of rental housing in island communities without changing the rural settlement pattern or

impacting the sense of place that exists. The LTC has received positive feedback from the community on the idea of allowing secondary suites on North Pender Island. The suggested regulatory amendments are consistent with those in the recently adopted on others islands in the Islands Trust Area. Should the LTC give First Reading to Bylaws 216 and 217, referrals will be sent to agencies, the Advisory Planning Commission, and more specific public engagement can be conducted.

Legalizing secondary suites is the easiest way to increase the rental housing stock without negatively impacting the rural sense of place or the carrying capacity of the island. Suites offer mortgage helpers and make home ownership more attainable while also offering opportunities for people to age in place, offering security for those with a disability, or family support to adult children or elderly relatives. Based on the experience of legalizing secondary suites on other islands in the Islands Trust Area, the expectation is that there will be limited numbers of suites built as a result of these bylaws. While some new construction can be expected to incorporate suites and there may be some new suites put into existing houses, the rate of uptake tends to be slow. However, existing unlawful suites would no longer face the possibility of enforcement for non-compliance with zoning.

**Alternatives**

1. **Direct staff to amend the draft bylaws prior to returning for consideration of First Reading.**
2. **Direct staff to proceed no further with this project.**

**NEXT STEPS**

The next steps include:

- 1) Referral to Advisory Planning Commission
- 2) Referral to Agencies
- 3) First Nations Referrals
- 4) Community Information Meeting #2
- 5) Consideration of any amendments and consideration of Second Reading
- 6) Public Hearing
- 7) Consideration of Third Reading
- 8) Review by Islands Trust Executive Committee
- 9) Consideration of adoption

Submitted By:	Justine Starke, Island Planner	January 18, 2018
Concurrence:	Robert Kojima	January 18, 2018

**Attachments:**

- Appendix 1: Bylaw 216
- Appendix 2: Bylaw 217
- Appendix 3: Islands Trust Policy Statement Checklist

# PROPOSED

## NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 216

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### A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

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The North Pender Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2018".

2. SCHEDULES

North Pender Island Official Community Plan No. 171, 2007, is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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	30 <sup>th</sup>	DAY OF	JANUARY	2018
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER COMMUNITY, SPORT AND CULTURAL DEVELOPMENT THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 216**

**SCHEDULE 1**

The North Pender Island Official Community Plan No. 171, 2007, is amended by:

1. Inserting a new policy Residential 2.1.H:

“2.1.H Accessory housing options such as secondary suites may be permitted as a way to increase the stock of rental housing without negatively impacting the rural sense of place or the carrying capacity of the island.”

2. Inserting a new Rural Residential land use policy 2.1.1.10:

“2.1.1.10: Secondary suites may be permitted within principal dwellings with the intent of providing long term rental housing options for residents. A maximum of one secondary suite, limited in floor area, shall be permitted per lot.”

3. Inserting a new Rural land use policy 2.1.2.9:

“2.1.2.9: Secondary suites may be permitted within principal dwellings with the intent of providing long term rental housing options for residents. A maximum of one secondary suite, limited in floor area, shall be permitted per lot.”

4. Inserting a new Agricultural land use policy 2.2.26 and renumbering subsequent policies accordingly:

“2.2.26: Secondary suites may be permitted within principal dwellings with the intent of providing long term rental housing options for residents. A maximum of one secondary suite, limited in floor area, shall be permitted per lot.”

5. Removing the title of Part 6: Temporary Commercial and Industrial Use Permits and replacing it with “Temporary Use Permits.”

6. Removing the subtitle of Part 6: Temporary Commercial and Industrial Use Permit Policies” and replacing it with “Temporary Use Permit Policies.”

7. Adding a new policy 6.4.14:

“6.4.14 A temporary use permit may not be issued for a short term vacation rental within a secondary suite.”

# PROPOSED

## NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 217

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### A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW, 103, 1996

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The North Pender Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the North Pender Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw, 103, 1996, Amendment No. 1, 2018”.

2. North Pender Island Local Trust Committee Bylaw No. 103, cited as “North Pender Island Land Use Bylaw 103, 1996,” is amended as follows:

2.1 Section 1.1 – Definitions, is amended by adding the following:

“Secondary suite” means an accessory, self-contained dwelling unit, located within the principal dwelling on a lot and having a lesser floor area than the principal dwelling unit.

2.2 Part 3 – General Regulations is amended by adding a new Section 3.18 as follows:

“3.18 Secondary Suites

3.18.1 There is a maximum of one secondary suite permitted per lot.

3.18.2 A secondary suite shall be entirely located within the building that contains the principal dwelling.

3.18.3 The maximum floor area for a secondary suite is 90m<sup>2</sup> (968 ft<sup>2</sup>) and it must not exceed 40 per cent of the floor area of the principal dwelling.

3.18.4 The entrance to a secondary suite from the exterior of the building must be separate from the entrance to the principal dwelling unit.

3.18.5 A secondary suite must not be subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*.”

3.18.6 A secondary suite may not be used as a short term vacation rental or a bed and breakfast home business.

2.3 Subsection 6.1.2 – Off Street Parking, is amended by adding a new row (b) to Table 2, as follows, and re-alphabetizing accordingly:

TABLE 2: Off-Street Parking Requirements Continued		
	Use	Minimum Number of Parking Spaces Required
(b)	Secondary Suite	1 Space



- 2.4 Section 8.1 (Rural Residential (RR) Zone) is amended by inserting a new clause 8.1.2(1)(f) as follows:

“(f) secondary suite”

- 2.5 Article 8.1.3(1) is amended by adding “, one secondary suite” so that it reads, “There may not be more than one dwelling, one secondary suite and one cottage on any lot.”

- 2.6 Subsection 8.1.8 - Site Specific Regulations, is amended by adding “(f)” to item (1) of Column 3 of the Site Specific Zone Reference RR(a).

- 2.7 Section 8.2 (Rural (R) Zone) is amended by inserting a new clause 8.2.2(1)(e) as follows:

“(e) secondary suite”

- 2.8 Article 8.2.3(1) is amended by adding “, one secondary suite” so that it reads, “There may not be more than one dwelling, one secondary suite and one cottage on any lot.”

- 2.9 Subsection 8.2.8 - Site Specific Regulations, is amended by adding “one secondary suite” to item (2) in Column 3 of the Site Specific Zone Reference R(b) .

- 2.10 Subsection 8.2.8 - Site Specific Regulations, is amended by adding “(f)” to item (2) of Column 3 of the Site Specific Zone Reference R(c).

- 2.11 Section 8.3 (Agricultural (AG) Zone) is amended by inserting a new clause 8.3.2(1)(f) as follows:

“(f) secondary suite”

- 2.12 Subsection 8.3.8 - Site Specific Regulations, is amended by adding “and (f)” to Column 3 of the Site Specific Zone Reference AG(a).

3. SEVERABILITY

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	30 <sup>th</sup>	DAY OF	JANUARY	2018
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary



Real Estate Services  
625 Fisgard Street, PO Box 1000 F: 250.360.3245  
Victoria, BC, V8W 2S6  
T: 250.360.3000  
www.crd.bc.ca

March 5<sup>th</sup>, 2018

e-mail: [jstarke@islandstrust.bc.ca](mailto:jstarke@islandstrust.bc.ca)

Islands Trust  
Suite 200, 1627 Fort Street  
Victoria, BC V8R 1H8

**Attention: Justine Starke – Island Planner**

**RE: File no. 6500-20-North Pender- Housing (Secondary Suites) – Bylaws 216 & 217**

Thank you for the opportunity to respond to your Bylaw Referral form received February 15<sup>th</sup>, 2018.

Please see the attached response from Integrated Water Services.

Erin Ulanowski,  
Senior Administrative Secretary, Real Estate Services

Attachment: 2

cc: Joseph Marr; Ian Jesney; Malcolm Cowley; Derek Arthur



# BYLAW REFERRAL FORM RESPONSE SUMMARY

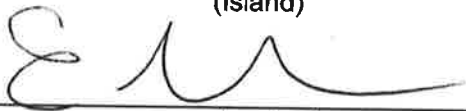
- Approval Recommended for Reasons Outlined Below
- Approval Recommended Subject to Conditions Outlined Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reason Outlined Below

On behalf of the Magic Lakes Water and Wastewater Committee, the CRD Integrated Water Services requests that the area within the Magic Lake Sewer Service be excluded from consideration from Secondary Suites. As mentioned to Islands Trust previously, the sewage system is at capacity and not able to take additional flows until it is upgraded.

Attached pdf document shows the Magic Lake Sewer Service Area.

North Pender Island Local Trust Area

(Island)



(Signature)

March 5th, 2018

(Date)

216 & 217

(Bylaw Number)

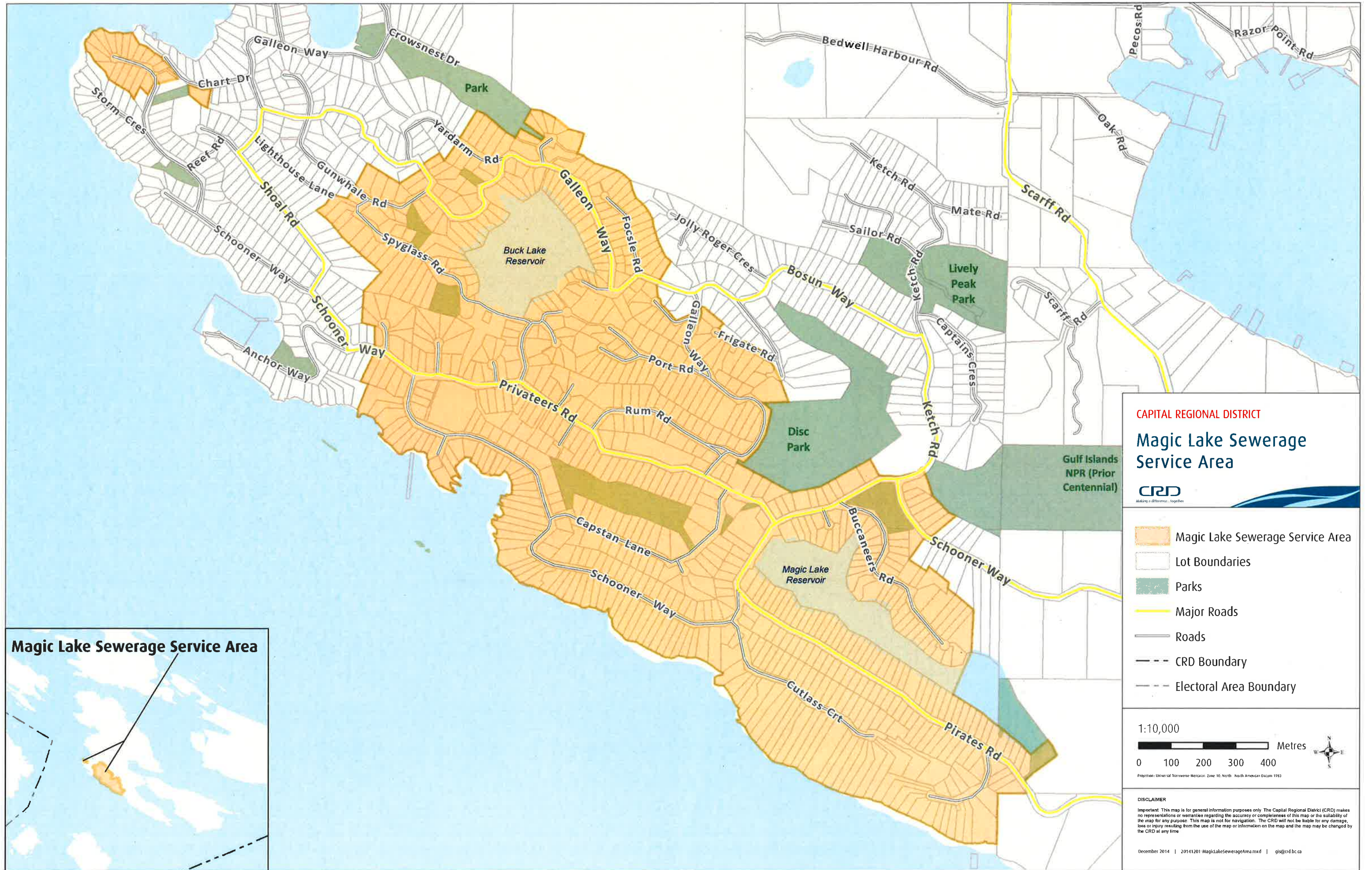
Erin Ulanowski - Senior Administrative Secretary

(Name and Title)

Capital Regional District

(Agency)





**Magic Lake Sewerage Service Area**

