



# STAFF REPORT

---

**Date:** June 10, 2015

**File No.:** 6500-20-Waste  
Management

**To:** North Pender Island Local Trust Committee  
For the meeting of June 18, 2015

**From:** Justine Starke, Island Planner, Local Planning Services

**CC:** Robert Kojima, Regional Planning Manager

**Re: UPDATE - Special Advisory Planning Commission  
(LTC Top Priority – Land Use Planning for Waste Management )**

## Background

---

A special Advisory Planning Commission (APC) has been proposed to research best practices, conduct community analysis, and reach consensus on the ideal locations and preferred scope of waste management that should be pursued on North Pender Island. At the April 30 LTC meeting, the LTC amended and endorsed a Terms of Reference for a Special Advisory Planning Commission.

The Special Advisory Planning Commission, with assistance from Islands Trust staff, is to address the following:

- a. Background research, context, orientation
- b. Inventory existing industrial land and land eligible for waste management activities.
- c. Develop criteria for siting waste transfer facilities
- d. Evaluate land/sites according to research and criteria. Identify any new sites.
- e. Map proposed locations for current/future waste management facilities.
- f. Facilitate and Participate in community consultation events aimed at reaching community consensus on the location and scope of waste management on NPI
- g. Potentially, if requested, provide recommendations to CRD on solid waste management plan.

## Update

---

Appointing a community based advisory group to undertake this task keeps the project within the realm of the community; the community will own the results. The advisory group will play a key role by participating in community meetings and reflecting community input in its advice to the LTC. However, for technical reasons, staff suggest the LTC not appoint this Task Force as a Special Advisory Planning Commission, but as just a Task Force advisory group. The reasons are:

- Although the Local Government Act (LGA) requires only 2/3 of Advisory Planning Commission members to be residents of the North Pender Island Local Trust Area, the North Pender Island APC Bylaw is more restrictive in requiring all members be electors of the North Pender Island Local Trust Committee. The SPI LTC has requested to be kept informed of this project and South Pender residents would like to have the opportunity to sit on the task force.

- The conflict of interest standards for Advisory Planning Commissions uphold that those who have a private personal or pecuniary interest in a situation should not be involved in decisions about that topic (including decisions about what recommendations to provide to a decision-maker). The NPI LTC has indicated that for the purpose of the land use planning process for waste management it is important to include those who may have a conflict of interest (e.g. Industrial land owners, waste management operators) to inform the process. Convening the advisory group as a "Task Force" and not a "Special Advisory Planning Commission" makes this approach more transparent and less open to criticism.
- At the time of report writing there was only one application submitted to join the Special APC. It may be that not enough community members will put their names forward to join the advisory group; if this is the case, the NPI LTC may want to form a steering committee with the Southern Gulf Islands Capital Regional District Area Director, a South Pender Trustee, waste management operators, land owners, and community members. This would be more easily achieved if the group is not an APC which cannot under the LGA include these elected officials. A different form of the Terms of Reference that upholds its intent would be developed to address these changes, should this alternative become necessary.

**Next Steps**

The implications of this change of approach are that the LTC would no longer be appointed members to a Special Advisory Planning Commission. The attached terms of reference have been amended to reflect this. Next steps would still be undertaken according to the attached project charter:

1. Endorse the Amended Terms of Reference for the Task Force
2. Appoint members to the Task Force
3. Convene the Task Force’s inaugural meeting and conduct orientation

**RECOMMENDATIONS:**

1. THAT the North Pender Island Local Trust Committee endorses the amended Terms of Reference for a Solid Waste Management Task Force attached to the staff report dated June 10, 2015 and directs staff to arrange an inaugural meeting once members have been selected.

Prepared and Submitted by:

Justine Starke, Island Planner  
Local Planning Services

June 10, 2015

\_\_\_\_\_  
Name, Title

\_\_\_\_\_  
Date

Concurred in by:



Junr 10, 2015

\_\_\_\_\_  
Robert Kojima  
Regional Planning Manager

\_\_\_\_\_  
Date

Attachments:

Appendix 1: Amended Task Force Terms of Reference



# AMENDED

June 10, 2015

## TERMS OF REFERENCE: TASK FORCE

### LAND USE PLANNING FOR WASTE MANAGEMENT ON NORTH PENDER ISLAND

#### BACKGROUND

North Pender Island has a need for appropriate and permanent location(s) for transfer facilities for solid waste. Solid waste transfer facilities have historically been provided on land without adequate zoning, sometimes operating under Temporary Use Permits, other times in contravention of the Land Use Bylaw (with the exception of the Recycling Centre which is located in the Recycling Facility (RF) zone and is a permitted use within the Land Use Bylaw). Neither the Light Industrial (I1) nor the Industrial (I2) zones in LUB 103 permit waste transfer. New CRD restrictions on food waste at Hartland Landfill require consideration of community composting facilities. The CRD is undergoing a regional process to update its Integrated Solid Waste and Resource Management Plan and offering opportunities for a coordinated approach. The Task Force is appointed to represent the local community and ensure the process to develop land use regulations for waste transfer facilities is steered by the community itself.

1. The Task Force will be advisory to the North Pender Island Local Trust Committee.
2. The role of the Task Force is to make recommendations on appropriate locations and regulations for waste transfer facilities on North Pender Island.
3. The Task Force meetings themselves are not intended to be community consultation events, and in the interest of time and agenda management, the Chair may limit community input during the TASK FORCE meetings. The TASK FORCE will be hosting additional events specifically designed for public input.
4. The Task Force shall, as part of its review, with assistance from Islands Trust staff, address the following:
  - a) Background research, context, best practices, lessons learned.
  - b) Inventory existing industrial land and land used for waste management activities.
  - c) Consult with target stakeholders (waste management operators, industrial land owners)
  - d) Facilitate and participate in community consultation events aimed at reaching community consensus on the location and scope of waste management on NPI
  - e) Develop criteria for the siting of waste transfer facilities
  - f) Evaluate land/sites according to research and criteria. Identify any new sites.
  - g) Make recommendations for the scope and intent of new land use bylaw regulations for waste transfer facilities
  - h) Make recommendations for where to locate for current/future waste transfer facilities.
  - i) Potentially, if requested, provide recommendations to CRD on solid waste management plan.
5. The Task Force shall appoint a Chairperson at its first meeting.
6. The Chairperson should ensure the Task Force considers the issues from an enlarged perspective aimed at solutions for the community as a whole.

7. The Chairperson should ensure deliberations are conducted with objectivity and that members are aware of any conflict of interests that may be present.
8. The Chairperson should ensure, to the best of their knowledge and ability, that any options or recommendations are consistent with:
  - a) The Goals (“principles”) of the Official Community Plan;
  - b) The Object of the Islands Trust;
  - c) The policies of the Islands Trust Policy Statement;
  - d) The statutory authority of the Local Trust Committee;
  - e) Generally accepted good planning principles.
9. The Chairperson is, with assistance from the secretary, responsible for:
  - a) Organizing meetings;
  - b) Communicating with trustees and Islands Trust staff at each stage;
  - c) Leading and facilitating discussion at the meeting(s);
  - d) Ensuring that all points of view are heard;
  - e) Ensuring that good order and civility are maintained at meetings;
  - f) Ensuring that discussion is relevant and addresses the questions laid out in this terms of reference;
  - g) Ensuring the meetings are conducted efficiently and that progress is made in accordance with the timelines established by the work plan attached as schedule 1.
10. Notice of the meeting times, places and topics will be prepared and circulated by Islands Trust staff or delegate.
11. Costs should be limited to rental of the meeting hall, minute taking, materials such as paper and markers, and light refreshments.
12. Local Trustees may attend and participate in a non-voting capacity in any meeting, at the discretion of the trustees. The Chair of the North Pender Island Advisory Planning Commission or their delegate shall be a member of the Task Force.
13. The Capital Regional District director or delegate may be invited to participate in an ex-officio, non-voting capacity in order to provide coordination with the CRD Solid Waste Management Plan review.
14. One member of the South Pender Island Local Trust Committee may be invited to participate in an ex-officio, non-voting capacity in order to provide coordination with South Pender Island. One third of seats shall be opened for membership by residents of South Pender Island.
15. Islands Trust staff may be available to serve as a resource at any meeting, at the discretion of staff. As well Islands Trust staff will provide information required for the Task Force to carry out its review.

## SCHEDULE 1: TASK FORCE WORK PLAN

<b>PROJECT CHARTER WORK PLAN OVERVIEW</b>		
<b>Meeting</b>	<b>Deliverable/Milestone</b>	<b>Target Date</b>
TASK FORCE Meeting #1	Inaugural meeting of Task Force – Background presentations and orientation by CRD and Islands Trust staff. Develop understanding of task, terms of reference for the work, and best practices in the literature for achieving goals. Aligns with deliverable 4(a) in the ToR.	July, 2015
TASK FORCE Meeting #2	Review inventory of existing industrial land and land used for waste management activities (basic information provided by staff). Appoint a subcommittee to meet with the agreed upon targeted stakeholders, as needed. Discuss and agree on objectives and preferred outcomes of the stakeholder meetings. Summaries of the stakeholder meetings will be compiled and reviewed by the Task Force in a subsequent meeting.	August/Sept, 2015
Community Engagement Session #1:	Understanding Waste Management – Roles and Responsibilities (with technical assistance from CRD staff, possible conducted as a joint consultation event). Third party facilitation (either a consultant or staff led, or with a volunteer facilitator from North Pender Island).	October, 2015
TASK FORCE Meeting # 3:	Review summaries of stakeholder meetings and community engagement session #1. Brainstorm recommendations for what the scope of waste management should be on North Pender Island (what uses should be permitted by zoning?). Develop draft criteria for the siting of waste transfer facilities and begin to consider what the intent behind any new zoning regulations should be. Prepare to present these preliminary findings for feedback at Community Engagement Session #2.	November, 2015
Community Engagement Session #2:	Presentation by Task Force on preliminary (draft) recommendations for siting waste transfer facilities, as well as proposed uses (scope) to be permitted by zoning on NPI. Small group discussion of findings; participatory process to scope and define waste management on North Pender Island. Includes Community Survey either before, after or during session. Potentially to include a discussion of CRD role/approach to regulating operations.	January, 2015
TASK FORCE Meeting #4:	Review results of community process/input to date. Refine/revise preliminary recommendations for scope and criteria. Discuss and prepare for Community Engagement Session #3.	February, 2016
Community Engagement Session #3:	Presentation of revised recommendations, apply criteria for siting waste transfer facilities, inventory of Industrial land and existing waste transfer sites. Group process to evaluate according to criteria. Community mapping exercise to identify eligible land for waste transfer facilities. Could benefit from professional facilitator, community mapper.	March, 2016
TASK FORCE Meeting #5:	Review summary of findings from community engagement session, revise/refine recommendations, delegate/assign report writing.	May, 2016
TASK FORCE Meeting # 6:	Review draft report, direct changes, finalize recommendations.	June, 2016
NPI LTC	Chair of Task Force to present Draft Report to Local Trust Committee at regular business meeting. Invite feedback.	June, 2016
TASK FORCE Meeting # 7:	Final revisions to report, if required.	July, 2016
NPI LTC	Chair of Task Force to present Final Report to Local Trust Committee at regular business meeting.	July, 2016