

ADOPTED



North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: September 5, 2019
Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Members Present: Laura Patrick, Chair
Deb Morrison, Local Trustee
Benjamin McConchie, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Warren Dingman, Bylaw Compliance Enforcement Manager
Shannon Brayford, Recorder

Public: There were 16 members of the public.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:00 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She noted that the meeting was being live streamed.

2. APPROVAL OF AGENDA

It was recommended that item 12.3 NP-TUP-2019.2 (Hepburn) be removed from the agenda following a request from the applicant that it be deferred.

By general consent the agenda was approved as amended.

3. TRUSTEE REPORT

Trustee Morrison provided a report including the following points:

- Thanked Magic Lake Water and Sewer for their progress on sewer improvement plans;
- Thanked the community for their input on climate change issues;
- Update on Gardom Pond, the community's expressions of regret at its draining, and opportunities for Trust Council to prevent similar situations in the future;
- Meeting with the local Fire Chief regarding water protection and pond preservation;
- Thanked Bylaw Enforcement for their consistent work, particularly regarding Short Term Vacation Rentals (STVRs) and derelict vehicles; and
- Update on Islands Trust's adoption of virtual meeting formats and the benefits.

Trustee McConchie provided a report including the following points:

- Regret at the outcome of the Gardom Pond issue;
- Recommendation that people use restraint when property owners perform tree removal;
- There is a minimum house size, but not a maximum one on North Pender Island; and
- Overview of a meeting between key community members and BC Ferries.

4. CHAIR'S REPORT

Chair Patrick reported the following:

- Islands Trust will launch a policy statement engagement program. She advised the community that they can register on the website to receive updates and information;
- On-island engagements will happen in November; and
- An overview of the strategic engagement undertaken at Trust Council regarding climate change adaptation.

5. TOWN HALL AND QUESTIONS

Wilma Riley spoke against STVRs and their negative impact on infrastructure. She requested and received information on bylaw enforcement. She also addressed the amount of slash being removed from trees and left by roadsides. She recommended that the Capital Regional District (CRD) remove the debris as it does in other areas.

Daurel Minion clarified the current progress and future process for the Magic Lake Water and Sewer referendum. She addressed the issues with awarding Temporary Use Permits (TUPs) for STVRs in areas requiring sewer remediation. She

requested and received information on the smallest house size permitted on North Pender Island.

An overview was provided on the manner by which Salt Spring Island and Galiano Island are addressing STVRs. She requested and received information on the current situation on Pender Island.

Michael Sketch requested and received information regarding public participation at Islands Trust committee meetings that are held virtually.

6. COMMUNITY INFORMATION MEETING

6.1 NP-OTH-2019.2 (Shaw)

Chair Patrick provided an overview of the process for the public meeting.

Kiersten Enemark introduced herself and Cam Wyatt as representatives of Shaw. She provided an overview of the application, its rationale, and a list of the benefits to the community.

Kirsten Needlemark provided an overview of the considerations being taken to ensure that the project is in compliance with all relevant regulations. Chair Patrick invited the

community to view the display boards at 10:40 a.m. and recalled the meeting to order at 11:00 a.m.

Chair Patrick invited questions and comments from the public. The following comments were heard:

- Daurel Minion requested and received information on the benefit of increased bandwidth and how the provider will keep up with growth;
- Michael Sketch requested and received information on whether there may be future considerations in which higher energy density antennae would be installed to serve a specific area;
- A member of the public requested and received information on the location and the scope of the permission being granted;
- Dale Henning spoke in favour and requested that the Trustees consider the importance of internet improvements on the island; and
- A member of the public spoke in favour of fibre optic technology and noted the health concerns of population members who are sensitive to other forms.

Staff provided an overview of the process for this application moving forward and it was noted that a letter was submitted by the Southern Gulf Islands Economic Sustainability Commission related to a similar matter.

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated July 25, 2019

By general consent the Local Trust Committee Meeting Minutes of July 25, 2019 were adopted as presented.

8.2 Section 26 Resolutions-without-meeting Report

None

8.3 Advisory Planning Commission Minutes

None

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated August 2019

Regional Planning Manager (RPM) Kojima provided an update on the Grimmer TUP application and the status of the reports in response to the directions of the LTC at the last meeting.

Trustee Morrison requested that a lease agreement or other similar documents between the applicant and the property owner be submitted when the application is returned.

10. DELEGATIONS

None

11. CORRESPONDENCE

None

12. APPLICATIONS AND REFERRALS

12.1 NP-DP-2018.11 (McCutcheon) - Staff Report

RPM Kojima reviewed the application and the related staff report.

The Trustees provided information to the public on the application and an overview of their visit to the site.

NP-2019-089

It was Moved and Seconded,

that the North Pender Island Local Trust Committee amend Development Permit NP-DP-2018.11 (McCutcheon) to delete "In the future thinning area" from item 2.A.

CARRIED

NP-2019-090

It was Moved and Seconded,

that the North Pender Island Local Trust Committee amend Development Permit NP-DP-2018.11 (McCutcheon), item 2.A to delete "the retroactive" and insert "require the planting of twenty-four seedlings of mixed species to replace and nurture to free-to-grow status the unpermitted removal of trees."

CARRIED

NP-2019-091

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2018.11 (McCutcheon) as amended.

CARRIED

12.2 NP-TUP-2019.1 (Vermeeren) - Staff Report

RPM Kojima provided an overview of the application and noted that the decision on this application had been previously deferred to request input from the Magic Lake Estates Water and Sewer Committee (MLWSC). He provided an overview of the response from the MLWSC.

Members of the LTC provided comments on the specific application and on STVR regulation in general.

Daurel Minion was invited by the Chair to speak. She addressed the application and requested that the applicant be required to install a fence and prohibit outdoor smoking.

NP-2019-092

It was Moved and Seconded,

that the North Pender Island Local Trust Committee amend application NP-TUP-2019.1 (Vermeeren) with the following:

- Under item 4 to remove the word “three” and replace it with the word “one”.
- Addition of item 3m to add “that an application for renewal include hydro and water meter readings for the term of the Temporary Use Permit.”
- Addition of item 3n to add “that the property owner be required to plant vegetative screening adjacent to the house and along the west lot line”
- Addition of item 3o to add “that water conservation signs be posted at every water source.”

CARRIED

NP-2019-093

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit NP-TUP-2019.1 (Vermeeren) as amended.

CARRIED

12.4 NP-TUP-2019.3 (Ganasi) - Staff Report

RPM Kojima provided an overview of the staff report.

NP-2019-094

It was Moved and Seconded, that the North Pender Island Local Trust Committee amend application NP-TUP-2019.3 (Ganasi) with the following:

- Under item 4, remove the word “three” and replace it with the word “one”.
- Addition of item 3m to add “that an application for renewal include hydro and water meter readings for the term of the Temporary Use Permit.”
- Addition of item 3n to add “that water conservation signs be posted at every water source.”

CARRIED

NP-2019-095

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit NP-TUP-2019.3 (Ganasi) as amended.

CARRIED

12.5 NP-RZ-2019.2 (Sketch) - Staff Report

RPM Kojima reviewed the application, the staff report, and the associated recommendation.

The Chair invited the applicant, Michael Sketch, to make comments.

Michael Sketch addressed the LTC and provided an overview of his rationale for the application. He also explained how the staff recommendations, if accepted by the LTC, would impact him.

The LTC provided comments on the application and on shipping containers in general. Staff clarified the regulations for construction of accessory buildings

NP-2019-096

It was Moved and Seconded,

that the North Pender Island Local Trust Committee deny application NP-RZ-2019.2 (Sketch).

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Waste Transfer - Staff Report

RPM Kojima provided an overview of the staff report and the associated recommendations.

The Trustees made remarks on the project, the staff report, the challenges hindering progress on the project, and the benefits of moving forward using the temporary use permit model.

NP-2019-097

It was Moved and Seconded,

that the North Pender Island Local Trust Committee proceed no further with the Land Use Planning for Waste Transfer Project.

CARRIED

NP-2019-098

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request that staff contact the owners of the former Gulf Excavating site, currently zoned industrial, requesting they contact the Local Trust Committee by October 31, 2019 stating their intentions for the use of the property and that the Local Trust Committee may consider initiating amendments to the current zoning.

CARRIED

14. REPORTS

14.1 Work Program Report

14.1.1 Top Priorities Report Dated August 2019

Discussions were held regarding the following points:

- Staff workload;
- Recommendations for potential projects (rain water catchment, tourism plan, house size minimums and maximums, industrial land review); and
- Item 5 on the Project List Report.

NP-2019-099

It was Moved and Seconded,

that the North Pender Island Local Trust Committee direct staff to delete item 1, “Land use planning for Waste Transfer” and item 3 “Land owner education” from the Top Priorities list and add the projects “Official Community Plan Implementation”, and “Short Term Vacation Rentals review”.

CARRIED

14.1.2 Projects List Report Dated August 2019

Received for information.

14.2 Applications Report Dated August 2019

The LTC received updates on the status of the Pender Islands Parks and Recreation Commission application and the Henshaw application.

14.3 Trustee and Local Expense Report Dated July 2019

Received for information.

14.4 Adopted Policies and Standing Resolutions

Received for information.

14.5 Local Trust Committee Webpage

No comments were made.

14.6 Islands Trust Conservancy Report

None

15. NEW BUSINESS

15.1 James Island - Staff Memo

RPM Kojima provided an overview of the memo.

NP-2019-100

It was Moved and Seconded,

that the North Pender Island Local Trust Committee direct staff to arrange a site visit to James Island in consultation with the Senior Policy Advisor for First Nations Participation.

CARRIED

It was noted that Adam Olsen and David Howe should be invited to attend.

15.2 Trust Council Climate Change Reports - Staff Memo

Received for information.

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for November 7, 2019, at the Community Hall, Pender Island

17. TOWN HALL

Michael Sketch spoke to James Island and provided a history of parks on James Island.

18. CLOSED MEETING (Distributed Under Separate Cover)

18.1 Motion to Close the Meeting

NP-2019-101

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (d & f) for the purpose of considering:

- Adoption of In Camera Meeting Minutes Dated July 25, 2019
- Bylaw Enforcement Litigation Issue

AND that the recorder and staff attend the meeting.

CARRIED

18.2 Recall to Order

Chair Patrick recalled the meeting to order at 2:11 p.m.

18.3 Rise and Report

Chair Patrick noted that there would not be a Rise and Report.

19. ADJOURNMENT

By general consent the meeting was adjourned at 2:11 p.m.

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder