

ADOPTED

**MINUTES OF THE NORTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON MONDAY, OCTOBER 31, 2013, AT 9:45 AM
PENDER COMMUNITY HALL (LOUNGE),
4418 BEDWELL HARBOUR ROAD,
NORTH PENDER ISLAND, B.C.**

PRESENT:	Peter Luckham	Chair
	Gary Steeves	Local Trustee
	Ken Hancock	Local Trustee
	Andrea Pickard	Islands Trust Planner
	Kim Farris	Islands Trust Planner
	Miles Drew	Bylaw Enforcement Manager
	Zorah Staar	Recording Secretary

REGRETS: None

There were eight (8) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:45 am. Planner Kim Farris was welcomed to her first North Pender Island Local Trust Committee meeting.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The proposed agenda was amended as follows:

- to add an email submission to item 9.1 (NP-DVP-2013.3); and
- to move discussion of items 9.3 and then 9.2 to the start of section 9.

By consensus, the amended agenda was then adopted.

Note: Item 14. (In Camera Meeting) was subsequently advanced to occur under item 11.3.

2.2 Questions from Public on Agenda Items

None

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARINGS

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes

5.1.1 Local Trust Committee September 23, 2013 Meeting Minutes

The September 23, 2013 minutes were amended as follows:

- page 2, item 5.1, last paragraph, 3rd line – to replace “refusal of a mining reserve” with “refusal to grant an exemption from the Mineral Tenures Act”;
- page 6, item 11.6, 2nd last line – to replace “Scholar” with “Professor”;
- page 6, item 11.7, 2nd line – to replace “a Tofino motion” with “a resolution from Tofino; and 3rd line – to replace “a motion” with “a resolution”.

The amended September 23, 2013 minutes, by consensus, were then adopted.

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

None

5.4 Advisory Planning Commission/Task Force Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard reviewed the Follow-up Action Report.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Memo dated October 18, 2013 from South Pender Island Local Trust Committee re: Canal Erosion and Boat Speed

In response to this Memo, Trustees Steeves and Hancock noted the role of other agencies to respond to increased Pender Canal erosion and boat speeds.

Resolution NP-LTC-79-13

It was Moved and Seconded that the North Pender Island Local Trust Committee thank the South Pender Island Local Trust Committee for taking initiative on the canal erosion and boat speed issue, and would be pleased to send a representative to a future meeting, which should include Transport Canada, the Department of Fisheries & Oceans, and the Capital Regional District.

CARRIED

9. APPLICATIONS, PERMITS, AND REFERRALS

9.1 NP-DVP-2013.3 (Bronson)

Planner Farris reviewed the Staff Report dated October 17, 2013, and commented as follows: that NP-DVP-2013.3 (Bronson) was an application to legalize the siting of a dwelling at 3823 Cutlass Court, by reducing the interior side lot line setback from 3.0 metres to 2.8 metres; that the house was built in the 1970's by previous owners; and that there had been no objection to the circulated notice.

Resolution NP-LTC-80-13

It was Moved and Seconded that the North Pender Island Local Trust Committee approve Development Variance Permit NP-DVP-2013.3 (Bronson).

CARRIED

9.2 NP-RZ-2012.2 (Clam Bay)

Planner Farris reviewed the Staff Report dated October 22, 2013, and commented as follows: that NP-RZ-2012.2 involved a Clam Bay Farm rezoning application, made by applicant Bo Helliwell on behalf of the owners; that the application included shifting density to the Rural portion of the property (e.g. for new dwellings), removing agri-tourism as a use of the Agricultural portion and allow for farmworker housing; that the application had been amended to comply with the OCP policy and request two dwellings and two cottages instead of three ; and that archaeological, environmental, groundwater, and farm plan had been provided.

The Trustees discussed the details of the Staff Report, and asked questions of Bo Helliwell (Applicant) and Dan Hodgins (Clam Bay Manager), who were present at the meeting. Bo Helliwell described efforts to work with the Islands Trust Fund on conservation issues. Hodgins said that the Clam Bay owners intended to have an operating farm, which required farmworker housing.

Trustee Hancock made comments on various issues including the following: seeking road dedication if possible; water quality responsibility under the Official Community Plan (OCP); an OCP requirement that farmworker accommodation be temporary; the Local Trust Committee not being the best party to hold conservation covenants; and a triangular section of the land becoming a conservation zone.

Trustee Steeves made comments on issues including the following: the application seeming to involve too much density; layout conflicts with archeological features; and the applicants not appearing to accept all aspects of the professional reports.

Resolution NP-LTC-81-13

It was Moved and Seconded that the North Pender Island Local Trust Committee request Staff to provide a subsequent report clarifying or updating the following:

1. the status and extent of any proposed Trust Fund Board covenant;
2. the use and changes to all farm buildings;
3. referral of the Farm Plan and Staff Report to the Regional Agrologist for preliminary comments;
4. potential OCP amendments re: temporary structures for farm workers and water quality at the time of rezoning;
5. alternative options for access to the residential versus agricultural portions of the property;
6. a Local Trust Committee covenant related to construction activities/impacts; and
7. asking the Ministry of Transportation & Infrastructure about possible road dedication.

CARRIED

9.3 NP-LCB-2013.1 (Pender Island Golf & Country Club)

Planner Pickard reviewed the Staff Report dated October 18, 2013, and commented as follows: that the Pender Island Golf & Country Club had applied to amend their liquor primary license, including covering the golf course in its entirety, and allowing patrons to move between locations; that this remedied the problem of people buying a beverage on the course and not being able to take it into the clubhouse; and that the Liquor Control & Licensing Branch was asking the Local Trust Committee to provide input after community consultation.

Peter Testemale was present on behalf of the applicant. The Trustees discussed how to consult with the community about the requested changes.

Resolution NP-LTC-82-13

It was Moved and Seconded as follows:

1. THAT the North Pender Island Local Trust Committee direct Staff to schedule a community information meeting for NP-LCB-2013.1 to be held in conjunction with the November 28, 2013 regular LTC business meeting; and
2. THAT notification of the community information meeting be advertised in the Island Tides newspaper, posted on the North Pender bulletin boards, and posted as Latest News on the North Pender Islands Trust webpage.

CARRIED

9.4 2013 – 10 04 Islands Trust Strategic Plan Referral to LTC

The Islands Trust Strategic Plan Briefing dated October 3, 2013 requested Local Trust Committee input and recommendations.

Resolution NP-LTC-83-13

It was Moved and Seconded that the North Pender Island Local Trust Committee anticipates completion of Strategic Plan activities pursuant to 1.6.3, 2.3.2, and 3.3.2 to be on target for this term.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Conservation Subdivision Review

Trustee Hancock suggested that the November 23, 2013 Conservation Subdivision Review workshop be videotaped, to capture the considerable expertise of the presenters. Planner Pickard was asked to call David Ohnona of Pender. In addition, Trustee Hancock said that he was working with Planner Pickard on graphic design and advertising for the event.

Resolution NP-LTC-84-13

It was Moved and Seconded that the North Pender Island Local Trust Committee direct Staff to retain a videographer for the Conservation Subdivision design workshop on November 23, 2013 and authorize an expenditure up to \$1,000.

CARRIED

11. REPORTS

11.1 Work Program Report

11.1.1 Work Program Report dated October 2013

Planner Pickard suggested adding an item to the Top Priorities.

Resolution NP-LTC-85-13

It was Moved and Seconded that the North Pender Island Local Trust Committee amend the Work Program by adding a new Top Priority 3: "Identified Technical Corrections in the Land Use Bylaw."

CARRIED

11.2 Applications Report

11.2.1 Applications Report dated October 2013

Planner Pickard reviewed the available Applications Report.

Note: The Town Hall session then occurred; see minutes under Item 13.

11.3 Bylaw Enforcement Report

11.3.1 Motion to Close Meeting

Resolution NP-LTC-86-13

It was Moved and Seconded, pursuant to Section 90(d), (f) and (g) of the Community Charter, that the North Pender Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting the May 30, 2013 and September 23, 2013 North Pender Island Local Trust Committee In Camera Minutes, and to consider legal advice on a potential litigation issue, and further that Staff and the Recording Secretary remain present.

CARRIED

Note: See separate In Camera Meeting Minutes of the same date.

Resolution NP-LTC-97-13

It was Moved and Seconded that the North Pender Island Local Trust Committee re-open the meeting to the public.

CARRIED

11.3.2 Recall to Order

Rise and Report from the Closed Meeting

It was reported that during the In Camera portion of the meeting, the Local Trust Committee adopted In Camera minutes from May 30 and September 23, 2013.

11.4 Expense/Budget Reports

11.4.1 Local Trust Committee Expense Report September, 2013

For information

11.5 Adopted Policies and Standing Resolutions

This report remained unchanged

11.6 North Pender LTC Web Page

The North Pender Island Local Trust Committee home page can be found at: www.islandstrust.bc.ca/islands/local-trust-areas/north-pender, no changes were requested.

11.7 Chair's Report

None

11. 8 Trustee Reports

Trustee Steeves and Hancock commented that they had met with Member of the Legislature, Gary Holman, regarding ferry issues and roads/highways issues.

12. OTHER BUSINESS

12.1 Proposed 2014 North Pender LTC Meeting Schedule and Memorandum

Resolution NP-LTC-98-13

It was Moved and Seconded that the North Pender Island Local Trust Committee adopt the 2014 meeting schedule as presented.

CARRIED

12.2 CRD Sea Bus Initiative

Resolution NP-LTC-99-13

It was Moved and Seconded that the North Pender Island Local Trust Committee request that the CRD Harbours Commission refer any proposed bylaw amendments to the North Pender Island Local Trust Committee as provided in the CRD/Islands Trust Protocol Agreement.

CARRIED

12.3 Upcoming Meetings

The next regular meeting of the Local Trust Committee was scheduled for Thursday, November 28, 2013 (9:45 am, Community Hall Lounge).

On Saturday, November 23, 2013, the North Pender Island Local Trust Committee will be holding a Local Trust Committee Special Meeting to have a Community Information Meeting regarding the Conservation Subdivision Review Project (details to follow).

13. TOWN HALL MEETING

Note: The Town Hall session occurred just after item 11.2.1

Sara Steil commented as follows: that she questioned the plan of the new owners of Clam Bay Farm to use WWOOF (World Wide Opportunities on Organic Farms) unpaid workers instead of employing local individuals; that she wondered about the accuracy of the Clam Bay Hydrogeologist's report without the number of bedrooms being known; and that she also had concerns about the footprint of the proposed rezoning, and the use of the land.

Trustee Hancock agreed that the sizes and number of bedrooms for the proposed new Clam Bay dwellings were not yet known.

14. MOTION TO CLOSE MEETING

See Item 11.3.1

15. RECALL TO ORDER

See Item 11.3.2

16. ADJOURNMENT

The meeting, by consensus at approximately 2:50 pm, was adjourned.

RECORDER

CHAIR