



ADOPTED

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: June 30, 2016
Location: Anglican Parish Hall
4703 Canal Road, North Pender Island, BC

Members Present: George Grams, Chair
Dianne Barber, Local Trustee
Derek Masselink, Local Trustee

Staff Present: Justine Starke, Island Planner
Shannon Brayford, Recorder

Others Present: Approximately thirty-eight (38) members of the public were present.

1. CALL TO ORDER

Chair Grams called the meeting to order at 4:00 p.m. and announced that the meeting was being recorded. He read a statement providing an overview of the rationale for recording the meeting, the uses of the recording, and the regulations regarding defamatory comments.

Chair Grams welcomed the public and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Donn Korbin spoke in support of the Browning Harbour development project. He noted that the minutes were in error as they said that the Special Meeting of May 30, 2016 was advertised on the Islands Trust News Feed.

Donn Korbin asked for information regarding the special group which was announced at the open house concerning Waste Management.

Planner Starke clarified that there was not a special group. She provided an overview of the upcoming meeting, noting that attendees were asked to RSVP and that, while space is limited, only 18 of the 25 seats have been filled. She further remarked that there will be additional town halls for general attendance in the future.

Gary Steeves spoke in opposition to NP-TUP-2016.4. He provided an overview of the site and the potential negative impacts that a Short Term Vacation Rental (STVR) would have on the neighbours.

Peter Taylor spoke in opposition to NP-RZ-2016.2 noting the noise and fume pollution that be experienced by his property.

Michael Sketch noted that he had provided a written submission to the LTC regarding the deposition of fill on the ALR land on the Burdett property and summarized the content of the document. He asked that Trustee Masselink apologize for comments made at the May 26, 2016 meeting and also consider recusing himself from discussions and decisions on this issue.

Chair Grams noted that all Trustees and appointed Commissioners have access to staff support in determining whether they are in a position of conflict of interest.

Ben McConchie asked that Trustees consider the limited resource of water when making their decisions.

Candice Zell spoke in favour of STVRs noting the benefits of them and the drawbacks of empty vacation homes.

Gary Steeves remarked that the Official Community Plan (OCP) states that the LTC should undergo a water-mapping project for Pender.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated May 26, 2016 (for Adoption)

By general consent, the Local Trust committee meeting minutes of May 26, 2016 were adopted as presented.

6.2 Local Trust Committee Special Meeting Minutes Dated May 30, 2016

By general consent, the Local Trust committee meeting minutes of May 30, 2016 were adopted as presented.

6.3 Section 26 Resolutions-without-meeting Report

none

6.4 Advisory Planning Commission Minutes

none

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated June 2016

Received for information

8. DELEGATIONS

8.1 M. Kenwell re The Increase in the Summer Population & its Impact on the Local Infrastructure 2016.

Marika Kenwell provided a report based on interviews she had held with infrastructure stakeholders. Her report included the following infrastructure related concerns:

- Increased volume of emergency responder calls.
- Health Care Clinic being used for walk-ins, displacing resident patients.
- Increased amount of after-hours care provided by the local physicians.
- Increased stress on the water and sewer system in Magic Lake Estates.

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

9.1 Email Dated June 13, 2016 from Sam Sydneysmith regarding Sign on Portland Island

A discussion of the correspondence was held and there was general consensus that staff should reply with an explanation that the island is a National Park and not within this LTC's jurisdiction, and that the superintendent of Parks Canada should be copied on the communication.

10. APPLICATIONS AND REFERRALS

10.1 Salt Spring Island Local Trust Committee Bylaw No. 488 Referral

By general consent, the LTC stated that their interests are unaffected by proposed bylaw Nos. 113 and 114 South Pender Island Local Trust Committee.

10.2 NP-TUP-2016.4 (Hewlett)

Planner Starke provided an overview of the application and the staff report.

A discussion was held regarding the following points:

- Date restrictions
- TUP length
- Neighbour concerns
- Sign restrictions
- Renewal and reapplication fees

NP-2016-042

It was MOVED and SECONDED,

that Temporary Use Permit NP-TUP-2016.2 (Hewlett) be amended as follows:

- The duration of the permit shall be for a one year and three month period.
- Landscape screening is required between the subject property and the property to the west (27131 Schooner Way) and the property to the east (2703 Yawl Lane).
- The maximum number of guests is limited to four.
- No signs shall be put up advertising the STVR.

CARRIED

NP-2016-043

It was MOVED and SECONDED,

that Temporary Use Permit NP-TUP-2016.2 (Hewlett) be approved as amended.

CARRIED

10.3 NP-DVP-2016.2 (Mainroad)

Planner Starke provided an overview of the application and the related staff report.

NP-2016-044

It was MOVED and SECONDED,

that Development Variance Permit NP-DVP-2016.2 (Mainroad Properties) be approved.

CARRIED

10.4 NP-DP-2016.2 (Gallander & Smith)

Planner Starke provided an overview of the application and the related staff report.

The applicant spoke and provided an overview of the intended plantings.

NP-2016-045

It was MOVED and SECONDED,

that Development Permit NP-DP-2016.2 (Gallander & Smith) be approved.

CARRIED

10.5 NP-RZ-2016.3 (Eakins)

Planner Starke provided an overview of the application and the related staff report. She noted that the application included a request to rezone a portion of the rural lot to Commercial 3 (C3), but that this request will be addressed in a future staff report.

The applicant was invited to speak and provided an overview of the request.

Planner Starke provided clarification on the recommended bylaw amendment.

NP-2016-046

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee proceed with application NP-RZ-2016.3 (Eakins) and direct staff to prepare draft bylaws to remove the service zone SD(a) and incorporate the use into a rural zone variation on Lot 3, Section 11, Pender Island Cowichan District, Plan 7982, Except Part in Plan 21227 and 1772RW.

CARRIED

10.6 NP-RZ-2016.2 (Port Browning)

Planner Starke provided an overview of the application and the staff report. She outlined the additional information that was requested of the applicant by staff.

A member of the public, Peter Taylor expressed concern that the applicant had not contacted neighbours.

Trustee Masselink acknowledged the presence of concerns and remarked that the application process was still in the early stages.

NP-2016-047

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee proceed with the application NP-RZ-2016.2 (Port Browning Marina) and to prepare a draft bylaw.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Short Term action Rentals (STVR)

Planner Starke provided an overview of the staff report and the history of the project.

Planner Starke addressed proposed bylaws 203 and 204, outlining the nature of the proposed bylaws and the timeline for the process.

Trustee Barber asked for a discussion of legalization with regulations. A discussion was held and the following points were raised:

- Some members want outright allowance and others still oppose STVRs.
- Benefits of the TUPs
- Benefits of legalization with regulation.
- Drawbacks of TUPs, including application cost.

Trustee Barber commented that it allows one STVR per property, but would like the TUP to consider one STVR per 10 acres. A discussion was held. Staff was directed to complete an analysis and there was general consensus that the issue will be considered at the second reading.

NP-2016-048

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee give First Reading to Bylaw No. 203, cited as “North Pender Island Official Community Plan Bylaw No. 171, Amendment No. 2, 2016.”

CARRIED

NP-2016-049

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee give First Reading to Bylaw No. 204, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2016.”

CARRIED

NP-2016-050

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 203 and Bylaw No. 204 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

NP-2016-051

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee refer Bylaws 203 and 204 to the North Pender Island Advisory Planning Commission for feedback.

CARRIED

NP-2016-052

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to schedule a Community Information Meeting and Public Hearing for Bylaws 203 and 204.

CARRIED

NP-2016-053

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to consider changes to the Land Use Bylaw or other regulations to ease limitations of only one Short Term Vacation Rental on parcels over ten acres.

CARRIED

12. REPORTS

12.1 Work Program Report (attached)

12.1.1 Top Priorities Report Dated June 2016

For information

12.1.2 Projects List Report Dated June 2016

For information

12.2 Applications Report Dated April 2016 (attached)

For information

12.3 Trustee and Local Expense Report Dated May 2016 (attached)

For Information

12.4 Adopted Policies and Standing Resolutions (attached)

For information

12.5 Local Trust Committee Webpage

No remarks were made

12.6 Chair's Report

Chair Grams provided a report which included the following points:

- Overview of the decisions made at Trust Council.
- Update on Salt Spring Island's ongoing groundwater project, noting that a Water Consumption and Efficiency Committee will be formed and he was encouraging the inclusion of attendees from all islands.
- Announcement that Diana Allen will be presenting on August 19, 2016 on ground water in the Gulf Islands.
- Announced that the Senior Intergovernmental Policy Advisor has been appointed and provided an overview of the appointee's experience and education.

12.7 Trustee Reports

Trustee Barber provided a report on attending the Island's Trust Community Housing Forum and also Trust Council, which was hosted on North Pender Island.

Trustee Masselink provided an overview of the Trust Council Marine Traffic session with the Director from Transport Canada and representatives from the Port Authorities of Nanaimo and Vancouver.

12.8 Electoral Area Director's Report

none

12.9 Trust Fund Board Report

none

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for July 28, 2016, 9:45 am, at the Community Hall, 4418 Bedwell Harbour Road, Pender Island

15. TOWN HALL

Michael Sketch asked the LTC to consider revising the Official Community Plan to distinguish STVRs and note that Temporary Use Permits (TUPs) for STVRs are not a precursor for rezoning.

Marika Kenwell asked for the location in the Local Government Act that deals specifically with Temporary Use Permits and stated that the TUP runs with the land in the event of a sale.

Planner Starke responded that she would have to research where the relevant regulation is found and remarked that she would send an email in response to the question.

16. CLOSED MEETING

none

17. ADJOURNMENT

NP-2016-054

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee meeting be adjourned at 6:30 p.m.

CARRIED

George Grams, Chair

Certified Correct:

Shannon Brayford, Recorder