



ADOPTED

North Pender Island Local Trust Committee Minutes of a Regular Meeting

Date: April 27, 2017
Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

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

Staff Present Justine Starke, Planner
Shannon Brayford, Recorder

Others Present Seventeen (17) members of the public present

1. CALL TO ORDER

At 4:00 pm Chair George Grams called the meeting to order. He acknowledged that the meeting was being held in the territory of the Coast Salish people. He also introduced the Local Trust Committee (LTC) and members of the staff present.

Chair Grams noted that the meeting was being audio recorded and read a written statement about the recordings.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Sharon Card recommended that the LTC adopt a policy such that the meetings be recorded in a more fulsome manner and asked that the minutes of April 6, 2017 record that her home is in close proximity to the site discussed.

Sharon Card further spoke to the staff memo on the Waste and Resource Management project, addressing the issues of a full service facility, the criterion of remoteness, and specific concerns with specific properties being considered.

Michael Sketch read from a written submission regarding trustee conflict of interest. He requested that Trustee Masselink recuse himself from a portion of the meeting's discussion and provided arguments in support of his request.

Michael Sketch also discussed the management plan for the Waste and Resource Project, encouraging a greater focus on the concept of re-use.

Michael Sketch further addressed the proposal that Browning Harbour Agricultural Land Reserve (ALR) be rezoned to permit a Waste Transfer Facility. He provided an overview of the site's history, past decisions of the Agricultural Land Commission (ALC), his reasons for suspecting that the conditions for ALC approval will not be met, and the consequences of this for any bylaw decisions.

Trustee Masselink addressed the conflict of interest matter, providing a history of the issue and rationale for his current position.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated April 6 & 8, 2017 (For Adoption)

By general consent, the Local Trust Committee Meeting Minutes of April 6 & 8, 2017 were adopted as presented.

6.2 Section 26 Resolution-Without-Meeting Report Dated March 2017

None

6.3 Advisory Planning Commission Minutes

None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated April 2017

Received for information.

8. DELEGATIONS

None

9. CORRESPONDENCE

9.1 National Marine Conservation Area Reserve Seminar Ad – S. Steil

Received for information.

10. APPLICATIONS AND REFERRALS

10.1 NP-RZ-2016.2 & NP-RZ 2016.3 (Port Browning Marina) Bylaws 206, 207 & 208 – Staff Report

Planner Starke provided an overview of the Staff Report, including the details of the related bylaws.

NP-2017-030

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 208, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 4, 2016,” be amended as follows:

- i. Article 8.6.3 (1) is amended by inserting a comma and the words “manager, operator or caretaker”, after “owners” and before “of”; and,
- ii. Subsection 8.6.3 is amended by inserting the following as Article 8.6.3 (3);

(3) The accessory dwelling for employees is to be located either within one (1) accessory dwelling using or occupying a maximum floor area no greater than 140 m² within buildings used for commercial accommodation.

CARRIED

NP-2017-031

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 208, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 4, 2016,” be amended to make corrections as specified in Attachment 1.

CARRIED

NP-2017-032

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 206, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 3, 2016,” be read a second time.

CARRIED

NP-2017-033

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 207, cited as “North Pender Island Official Community Plan Bylaw 171, 2007, Amendment No. 3, 2016,” be read a second time.

CARRIED

NP-2017-034

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 208, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 4, 2016,” be read a second time as amended.

CARRIED

NP-2017-035

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee directs staff to schedule a Public Hearing for Bylaws 206, 207, and 208.

CARRIED

NP-2017-036

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee endorses the Islands Trust Policy Statement Directive Policies Checklist for proposed Draft Bylaw Nos. 206, 207, and 208.

CARRIED

NP-2017-037

It was MOVED and SECONDED,

that, prior to the Final Adoption of Draw Bylaws 206, 207, and 208, the North Pender Island Local Trust Committee receive two (2) Section 219 Covenants as follows:

- i. A permanent covenant to protect identified archaeological resources, implementing the recommendations of the Archeological Impact Assessment (Madrone Environmental Services Ltd, March 10, 2017) and limiting maximum density; and
- ii. A temporary covenant to secure future community amenities for the upland portions of the development.

CARRIED

Chair Grams requested information regarding the response from First Nations communities consulted and the manner by which those responses were included in these amendments.

Planner Starke provided an overview of the recommendations, noting that several referenced matters outside of the Islands Trust jurisdiction.

NP-2017-038

It was MOVED and SECONDED,

that staff be requested to communicate First Nations’ wishes with regard to the marine aspects of the development to the developer and receive his response for transmission to First Nations.

CARRIED

10.2 NP-RZ-2016.3 (Eakins) – Bylaws 209 & 210 - Staff Report

Planner Starke provided an overview of the bylaws and the proposed amendments.

NP-2017-039

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 210, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 5, 2016,” be amended to make corrections as specified in Attachment 2.

CARRIED

NP-2017-040

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 209, cited as “North Pender Island Official Community Plan Bylaw 171, 2007, Amendment No. 4, 2016,” be read a second time.

CARRIED

NP-2017-041

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 210, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 5, 2016,” be read a second time, as amended.

CARRIED

NP-2017-042

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee directs staff to schedule a Public Hearing for Bylaws 209 and 210.

CARRIED

10.3 NP-RZ-2017.1 (PIPRC) Bylaw 213 – Staff Report

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

Chair Grams invited a representative of the application to speak.

Tim Hall, a commissioner of the Pender Islands Parks and Recreation Commission (PIPRC), provided an overview of the application and the Commission’s rationale for making the request.

NP-2017-043

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 213, cited as “North Pender Island Land use Bylaw 103, 1996, Amendment No. 2, 2017, be read a first time.

CARRIED

NP-2017-044

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee endorses the Islands Trust Policy Statement Directive Policies Checklist for proposed Draft Bylaw No. 213.

CARRIED

NP-2017-045

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to schedule a Community Information Meeting and a Public Hearing for proposed Draft Bylaw No. 213.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Waste Management – Staff Report

Planner Starke provided an overview of the Staff Report, including the following points:

- Process for the site visits and results.
- Sites identified as ideal sites for a full-service station and an overview of those sites.
- Potential smaller satellite locations and an overview of each.
- Proposed regulations under both the Land Use Bylaws and the Official Community Plan.

The LTC asked questions to clarify the process for moving forward and discussed the recommendations.

NP-2017-046

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft amendments to the Land Use Bylaw and Official Community Plan (where applicable) which would rezone Site 9 (4415 Bedwell Harbour) for waste transfer zoning to allow a “Full Service ‘A’” facility.

A discussion of the site was held, including concerns of the site. The motion was re-read.

NP-2017-046

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft amendments to the Land Use Bylaw and Official Community Plan (where applicable) which would rezone Site 9 (4415 Bedwell Harbour) for waste transfer zoning to allow a “Full Service ‘A’” facility.

CARRIED

NP-2017-047

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft amendments to the Land Use Bylaw and Official Community Plan (where applicable) which would rezone Site 11 (Mainroad Yard on Port Washington Rd.) for waste transfer zoning to allow a "Full Service 'A'" facility.

CARRIED

NP-2017-048

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft amendments to the Land Use Bylaw and Official Community Plan (where applicable) which would rezone Site 1 (5827 Schooner Way) (Medicine Beach) for limited waste transfer uses: "Public Drop Only 'E'".

CARRIED

NP-2017-049

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft amendments to the Land Use Bylaw and Official Community Plan (where applicable) which would rezone Site 8 (3418 Otter Bay Road) for limited waste transfer uses: "Waste Only Lite 'D'".

CARRIED

NP-2017-050

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft amendments to the Land Use Bylaw and Official Community Plan (where applicable) which would rezone Site 5 (4606 Razor Pt Rd) for limited waste transfer uses: Waste Only Lite "D".

A discussion was held regarding the motion, including concerns with the site.

The motion was re-read.

NP-2017-050

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft amendments to the Land Use Bylaw and Official Community Plan (where applicable) which would rezone Site 5 (4606 Razor Pt Rd) for limited waste transfer uses: Waste Only Lite "D".

CARRIED

Trustee Barber opposed.

NP-2017-051

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee endorse the proposed Official Community Plan policies presented in the staff report for the meeting of April 27 2017 and direct staff to draft a bylaw for consideration.

CARRIED

NP-2017-052

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft a bylaw that proposes Development Permit Area guidelines for a new Waste Transfer Station Development Permit Area.

CARRIED

Planner Starke provided an overview of the Project Charter Version 5.

NP-2017-053

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee endorse the updated Project Charter Version 5.

CARRIED

12. REPORTS

12.1 Work Program Report (attached)

12.1.1 Top Priorities Report Dated April 2017

Received for information.

12.1.2 Projects List Report Dated April 2017

Received for information.

12.2 Applications Report Dated April 2017 (attached)

Trustee Masselink asked if there was an update on the Pender Island Community Services Society application.

Planner Starke reported that no update is available.

12.3 Trustee and Local Expense Report

None

12.4 Adopted Policies and Standing Resolutions (attached)

Received for information.

12.5 Local Trust Committee Webpage

Planner Starke noted that Sara Steil requested that her item of correspondence be posted onto the LTC webpage and distributed on the Islands Trust subscription list.

By general consent, the LTC agreed that the National Marine Conservation Area Reserve Seminar Ad be posted to the webpage and distributed on the Islands Trust subscription list.

12.6 Chair's Report

No report.

12.7 Trustee Report

Both Trustees noted the success of the Special Meeting held on April 8, 2017.

12.8 Trust Fund Board Report February 2017

No report.

13. NEW BUSINESS

None.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for May 25, 2017, at 10:00 am at the Pender Community Hall, Pender Island

A discussion was held regarding the timing of the next meeting, noting that a later meeting time would allow more members of the public to attend.

NP-2017-054

It was MOVED and SECONDED,

that the next meeting of the Pender Island Local Trust Committee be scheduled for May 25, 2017 at 3:30 pm at an appropriate location.

CARRIED

15. TOWN HALL

Michael Sketch requested that road work spoils be given specific consideration. He provided an overview of the issue and its relation to the Waste Management Project.

Lou Henshaw spoke against the decision to allow a waste facility on Browning Harbour.

Dale Henning spoke in favour of the Waste Resource Project moving forward.

Bill Gannon noted that his property is adjacent to one of the sites proposed in the Waste Resource Staff Report. He expressed concern that the Official Community Plan is not being respected and that his property will be negatively impacted by the decision.

Lou Henshaw provided a history of the Waste and Resource Management project and some sites involved in the project. She also provided an overview of some environmental concerns with some of the sites involved.

16. CLOSED MEETING

None

17. ADJOURNMENT

By general consent, the meeting was adjourned at 5:48 pm.

George Grams, Chair

Certified Correct:

Shannon Brayford, Recorder