



# ADOPTED

## North Pender Island Local Trust Committee Minutes of a Regular Meeting

**Date:** June 28, 2017  
**Location:** Royal Canadian Legion  
1344 MacKinnon Road, North Pender Island, BC

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

**Staff Present:** Justine Starke, Island Planner  
Fiona XETXATTEN MacRaid, Senior Intergovernmental Policy Advisor  
Miles Drew, Bylaw Enforcement Manager  
Shannon Brayford, Recorder

**Others Present:** Twenty-four (24) members of the public present

### 1. CALL TO ORDER

At 10:00 am Chair 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.

Chair Grams remarked that he was aware that several community members in attendance at the meeting were there to address the proposed cell phone tower. He invited Planner Starke to address the issue.

Planner Starke provided an overview of the scope of the LTC in a matter such as this and also noted that the referral for this project will be discussed at the next regular meeting.

### 2. APPROVAL OF AGENDA

**By general consent**, the agenda was approved as presented.

### 3. TOWN HALL AND QUESTIONS

**Robert Landa** asked for information about the noticing requirement for the cell phone tower.

Planner Starke and additional community members spoke to their understanding of the requirements.

**Michael Sketch** asked if the local government could reply to the referral with comment and recommended that the LTC respond with information from a formal analysis.

A representative of Freedom Mobile announced there will be an upcoming open house at the Legion.

**Benjamin McConchie** expressed concern that the Port Browning development appears to be moving forward in spite of a lack of understanding of the impact it will have on the island's water resources. He also spoke as the Commissioner for the Economic Sustainability Commission stating that he fails to see an economic benefit to the island.

**Michael Sketch** remarked that minutes are very sparse and Town Hall comments are very simple. He recommended that the recordings be archived in the event that full details of the meetings are required for a future matter.

Chair Grams acknowledged the comments and agreed to raise the issue of establishing a policy for archival with Trust Council.

**Ann Burdett** requested information about the criteria for determining which audio recordings violate the policy and are therefore not suitable for public posting.

**Diane Cuthbert** noted that the residents renting the property on which the cell tower is proposed have not received written notice.

#### **4. COMMUNITY INFORMATION MEETING**

None

#### **5. PUBLIC HEARING**

None

#### **6. MINUTES**

##### **6.1 Local Trust Committee Minutes Dated May 25, 2017 (For Adoption)**

Chair Grams requested that the word "Traditional" be removed from the paragraph under Item 1.

**By general consent**, the Local Trust Committee Meeting Minutes of May 25, 2017 were adopted as amended.

##### **6.2 Local Trust Committee Public Hearing Record Dated May 25, 2017**

None

##### **6.3 Section 26 Resolution-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 2017**

Received for information

**8. DELEGATIONS**

**8.1 M. Burandt re Proposed Cell Towers**

Mr. Burandt provided an overview of the cell tower proposal, his personal interest in the matter, and his understanding of the concerns of other residents. After providing a rationale for deeming the project contrary to the interest of North Pender Island and its residents, he requested that the LTC exercise the option of creating a protocol policy for microwave towers.

**9. CORRESPONDENCE**

**9.1 L. Henshaw – Email Dated March 9, 2017**

Received for information.

**9.2 M. Burandt – Letter Dated June 6, 2017**

Received for information.

**10. APPLICATIONS AND REFERRALS**

**10.1 Salt Spring Island Local Trust Committee Bylaws 487 & 496 Referral**

Chair Grams provided an overview of the referral.

**NP-2017-068**

**It was MOVED and SECONDED,**

That the North Pender Island Local Trust Committee shall respond to Salt Spring Islands Local Trust Committee proposed Bylaws No. 487 and No. 497 with “interests unaffected”.

**CARRIED**

## 11. LOCAL TRUST COMMITTEE PROJECTS

### 11.1 Housing: Secondary Suites – Staff Report

Planner Starke provided an overview of the Staff Report noting the position of secondary suites within the larger housing project. She noted that the report outlines information from Capital Regional District (CRD) staff including current water use and the maximum load for the Magic Lake sewer and water systems. She further outlined the special consideration that may be provided for the Trincomali area.

A discussion of sewer issues in the Magic Lake Estates was held and there was general consensus that a map shall be provided with information on which parcels are served by sewer and which rely on septic systems.

A discussion was held regarding the matter including potential opportunities for CRD incentives to promote water conservation, types of permits to be considered, the impact of secondary suites currently being rented in-spite of legislation, and related stake holder groups.

#### **NP-2017-069**

##### **It was MOVED and SECONDED,**

That the North Pender Island Local Trust Committee directs staff to schedule a community information meeting as a special business meeting to consult the community on secondary suites.

**CARRIED**

#### **NP-2017-070**

##### **It was MOVED and SECONDED,**

That the North Pender Island Local Trust Committee directs staff to schedule work with Capital Regional District on incentives for water conservation to supplement the secondary suites land use planning project.

**CARRIED**

## 12. REPORTS

### 12.1 Work Program Report (attached)

#### 12.1.1 Top Priorities Report Dated June 2017

Trustee Barber requested information on when the Waste Transfer Project will be addressed.

Planner Starke reported that she anticipates a meeting to be held in August.

Trustee Masselink requested information on the Southern Gulf Islands Housing Needs Assessment

Planner Starke reported that a consultant has been hired and provided an overview of the work completed to date.

#### 12.1.2 Projects List Report Dated June 2017

Received for information.

#### **12.2 Applications Report Dated June 2017 (attached)**

Received for information.

#### **12.3 Trustee and Local Expense Report**

Received for information.

#### **12.4 Adopted Policies and Standing Resolutions (attached)**

Received for information.

#### **12.5 Local Trust Committee Webpage**

Trustee Masselink requested that staff consider improving accessibility to audio recordings and also including annotation for those recordings that have not been posted.

#### **12.6 Chair's Report**

Chair Grams reported that

- Trust Council has delegated to the Executive Council the review of the *Islands Trust Act* and the Islands Trust Policy Statement.
- He attended a meeting with Member of the Legislative Assembly (MLA) Adam Olsen regarding the possible incorporation of Salt Spring Island and review of the *Islands Trust Act*.

#### **12.7 Trustee Report**

Trustee Barber reported attending Trust Council and noted that Stewardship Awards were decided, but that Pender Island was not included.

She also reported that the Well Workshop will be held in July and other islands have reported good attendance.

Trustee Masselink reported working with Senior Intergovernmental Policy Advisor (SIPA) MacRaidl on James Island Education access. He also reported on his work as the Trust Council Representative to the National Parks Advisory Board. He noted that inclusion of First Nations participation is a primary focus for the Board at this time.

**12.8 Trust Fund Board Report**

None

**13. NEW BUSINESS**

**13.1 Trust Area's Services Well and Groundwater Workshops – Staff Memo & Poster**

Planner Starke provided an overview of the workshop and encouraged the community to attend.

**13.2 Bylaw Enforcement re: Short Term Vacation Rental (STVR) Enforcement – Staff Report**

Bylaw Enforcement Manager (BEM) Drew provided an overview of the STVR policy and the impact on bylaw enforcement. He noted that the LTC has an existing standing resolution with direction to bylaw enforcement for managing short term vacation rentals. He also outlined recommendations for a revised approach in the context of Bylaws 203 and 204 which now regulate short term vacation rentals.

**NP-2017-071**

**It was MOVED and SECONDED,**

That the North Pender Island Local Trust Committee rescinds Standing Resolution NP-LTC-82-06 made on May 25, 2006 entitled Enforcement Policy – STVR.

**CARRIED**

**13.3 James Island Right of Way re: Educational Access – Staff Memo**

Senior Intergovernmental Policy Advisor (SIPA) MacRaidl provided an overview of the memo including a history of the issue and the relevance of Douglas Treaty Rights. She noted that the Nature Conservancy of Canada and Islands Trust are working together to create a process for online applications.

A discussion was held regarding the LTC's role in the process moving forward.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for July 27, 2017, at 10:00 am at the Pender Community Hall, Pender Island**

For information.

## 15. TOWN HALL

**Michael Sketch** addressed the James Island covenant asking for information regarding the covenants and the cash in lieu of parkland dedication promised at the time of subdivision.

SIPA MacRaild provided clarification and also noted that First Nation's relationships are part of a changing landscape.

**Tracy Jones** noted that there is a number restriction on camping at Port Browning imposed by the Royal Canadian Mounted Police.

BEM Drew remarked that there are land use regulations for camping and recommended that she contact the office for specific details.

**Tracy Jones** expressed concern for protecting historical sites and information regarding Heritage Status Protection.

Planner Starke provided an overview of the Provincial mandate and the advocacy role that the LTC can have. She noted that this would require direction from the LTC to create a new project.

**Tracy Jones** requested that name plates be posted in front of the LTC and staff at meetings.

**David Williams** addressed Salt Spring Island's possible incorporation and the impact it may have on their participation in the Islands Trust.

**Ann Burdett** requested information on the policy for redacting letters before they are published. She noted that there have been multiple incidents in which repetitive untrue statements have been made in letters regarding her applications.

Planner Starke provided an overview of the policy and the staff member responsibilities involved.

**Michael Sketch** addressed the non-farm use application and the inclusion of soil on Agricultural Land Reserve land.

**16. CLOSED MEETING (Distributed Under Separate Cover)**

None

**17. ADJOURNMENT**

**By general consent**, the meeting was adjourned at 11:45 am.

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George Grams, Chair

Certified Correct:

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Shannon Brayford, Recorder