

# **ADOPTED**

**MINUTES OF THE NORTH PENDER ISLAND  
LOCAL TRUST COMMITTEE BUSINESS MEETING  
HELD ON THURSDAY, SEPTEMBER 20, 2012, AT 9:45 AM  
AT THE PENDER ISLAND COMMUNITY HALL, (UPSTAIRS)  
4418 BEDWELL HARBOUR ROAD,  
NORTH PENDER ISLAND, BC**

|                 |                      |                                  |
|-----------------|----------------------|----------------------------------|
| <b>PRESENT:</b> | <b>Peter Luckham</b> | <b>Chair</b>                     |
|                 | <b>Ken Hancock</b>   | <b>Local Trustee</b>             |
|                 | <b>Gary Steeves</b>  | <b>Local Trustee</b>             |
|                 | <b>Robert Kojima</b> | <b>Regional Planning Manager</b> |
|                 | <b>Kathy Gilbert</b> | <b>Recording Secretary</b>       |

There were nine (9) members of the public present at the meeting.

## **1. CALL TO ORDER**

Chair Luckham called the meeting to order at 9:45 am.

He acknowledged with appreciation that the meeting was being held in the traditional territory of the Coast Salish.

## **2. APPROVAL OF AGENDA**

### **2.1 Additions / Deletions**

Regional Planning Manager (RPM) Kojima identified two late submissions:

- a late letter of support from the Boulangers regarding Item 9.1 NP-DVP-2012.4 (Hall / McPherson;) and
- a letter from Hooson Road residents concerning the road and related issues – added to the agenda as new Item 8.5.

By consent, the agenda, as amended, was approved.

### **2.2 Questions from public on Agenda items**

None

## **3. COMMUNITY INFORMATION MEETING**

None

## **4. PUBLIC HEARING**

None

## **5. PREVIOUS MEETINGS**

### **5.1 Adopted Local Trust Committee Minutes**

#### 5.1.1 Local Trust Committee Business Meeting Minutes of June 28, 2012

Chair Luckham noted that the above-referenced minutes are provided for information.

Trustee Steeves requested addition of Near Zero Emissions Vehicles (NZEV) to the Follow-up Action Report.

### **5.2 Public Hearing Records and Community Information Meeting Notes to be Received**

None

### **5.3 Section 26 Resolutions-without-meeting**

Chair Luckham advised that these items are provided for information.

### **5.4 Advisory Planning Commission / Task Force to be received**

None

## **6. BUSINESS ARISING FROM THE MINUTES**

### **6.1 Follow-up Action Report**

RPM Kojima presented the items as identified in the Follow-up Action Report (FUAR) and advised Trustees of the status of all items shown in the report. Items were as noted, except as described below.

Discussion concerning Item 1 – Violations of Setbacks to Sea, included that this is part of the Shoreline Review project; that education is an important message to convey to the public; and that there is a probable conflict between the possible need for a building permit (if there is an occupancy, such as a landing,) and exemption from a building permit requirement under the Land Use Bylaw.

Trustees requested that Item (Violations of Setbacks to Sea) and Item 5 (Report on Violations of Setbacks to Sea) be removed from the FUAR.

Trustees discussed Items 4, 6 and 7, the Twa development, and expressed concern about logging in an unstable area.

## **Resolution-NP-LTC-42-12**

It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff to contact the Ministry of Transportation and Infrastructure Approving Officer to advise him of tree removal in the proposed geotechnical covenant area regarding Subdivision Application NP-SUB-2008.5.

**CARRIED**

RPM Kojima reported on Item 8 (NP-SUB-2008.3) – Hooson Road, that covenants are at the Land Title Office and the subdivision is nearing completion.

RPM Kojima noted that Board of Variance training (Item 30 on the FUAR) will be held shortly.

## **7. DELEGATIONS**

### **7.1 Peter Pare and Margot Venton re: MAPS**

Mr Pare and Ms Venton presented the results of the Moving Around Pender (MAP) community survey (posted on the Islands Trust website.) Priority areas for improvements to the non-motorized transportation system include: the Magic Lake to Ferry terminal route (Magic Ferry,) Clam Bay – Port Washington (Happy Clam) loop, and Shingle Bay – Irene Bay connection.

Trustees discussed the following:

- funding possibilities, including the gas tax
- the need to involve Area Director David Howe
- the need to involve the Islands Trust Economic Development Commission, noting that they are working on designating trails on the Islands as part of the Trans Canada Trail system;
- a recommendation that MAP contact Ed Andrusiak on Galiano Island, who was instrumental in the Trans Canada Trail project;
- that there may be opportunities to integrate other forms of transportation into the MAP project, such as the school water taxi.

Trustees thanked the presenters for their well-organized presentation and thanked MAP for the work done on this project.

Further discussion was deferred to Item 11.1 – Work Program.

## **8. CORRESPONDENCE**

### **8.1 August 9, 2012 email from S. Steil re: Assistance Request for Mailout**

Ms Steil's email requested assistance with a mailout planned to advise residents of the upcoming Pender Islands Conservancy Association (PICA) / Parks Canada event titled Upland and Near-Shore Apocalypse, to be held on October 13, 2012.

Trustees discussed various ways to reach Pender Island residents and property owners, including an article in the Pender Wave.

**Resolution-NP-LTC-91-12**

It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff to conduct a mail drop of the Pender Wave to all North Pender Island property owners and a direct mailout to waterfront property owners, at a cost not to exceed \$1000.

**CARRIED**

**8.2 Aug 21, 2012 email from Dave Manning re: Eagle Watch Report**

Trustees thanked Dave Manning, who was present, for his work on this project, leading to amendments to the Official Community Plan (OCP,) in order to enhance protection of raptor nests on Pender Island.

Staff were requested to email the report to the other Local Trust Committees for their information.

**8.3 July 21, 2012 Letter from Pender Islands Trust Protection Society re: Dwelling Size**

This item is on the work program.

**8.4 July 23, 2012 Letter from Pender Islands Trust Protection Society re: Hazardous Slopes**

This item concerned logging on a hazardous slope area proposed for development (Twa application for subdivision.)

**Resolution-NP-LTC-92-12**

It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff to write a reply to W. Deverell of the Pender Islands Trust Protection Society concerning steps taken by the Local Trust Committee to follow up on his concerns expressed in his letter dated July 23, 2012.

**CARRIED**

**8.5 Letter from Hooson Road Residents regarding Hooson Road Realignment**

Trustees acknowledged the frustration that residents have on the work on aligning the road, relating to the proposed development, and the lack of jurisdiction that the Local Trust Committee has in this regard.

### **Resolution-NP-LTC-93-12**

It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff to draft a response to the correspondence dated September 19, 21012 regarding the Hooson Road realignment, outlining the work done to date, including the request to the Ministry of Transportation and Infrastructure for a timeline on the development; and copying the Ministry of Transportation and Infrastructure staff on this response.

**CARRIED**

## **9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**

### **9.1 NP-DVP-2012.4 (Hall / MacPherson)**

The applicants were present.

RPM Kojima presented the proposal. He noted that there is an archaeological site at the development location.

Points included were: a request for a wider dock than permitted; placement of utility lines associated with the geothermal system; and removal of an addition to a dock, back to what was authorized in approximately 1964.

RPM Kojima reviewed agency and public comments.

A member of the Tsawout First Nation was present and expressed support for the proposal, noting that if constructed as planned, the development would preserve what is left of the archaeological site.

### **Resolution-NP-LTC-94-12**

It was Moved and Seconded that North Pender Island Local Trust Committee Development Variance Permit NP-DVP-2012.4 (Hall MacPherson) be Approved.

**CARRIED**

*\*Note – The meeting recessed from 11:30 am to 11:45 am.*

## **10. LOCAL TRUST COMMITTEE PROJECTS**

### **10.1 Shoreline Review**

RPM Kojima presented the staff report on this project, noting:

- the recommendation for a joint North and South Pender LTC meeting on October 4, 2012;
- the upcoming PICA / Parks Canada event on October 13, 2012;
- a proposed community information meeting;

- that this is a Trust Council project.

Trustee Hancock discussed the mapping associated with the project, intended uses as a decision-making tool and gaps in the mapping.

### **Resolution-NP-LTC-95-12**

It was Moved and Seconded that North Pender Island Local Trust Committee direct staff to schedule a meeting for October 4, 2012 to be hosted by the North Pender Island Local Trust Committee with the South Pender Island Local Trust Committee invited to participate.

**CARRIED**

Staff were requested to ensure that the Shoreline Project is on the next LTC meeting agenda. A request for a presentation on Greenshores was also made.

## **10.2 James Island**

RPM Kojima identified the steps gone through with respect to archaeological and First Nations issues regarding the rezoning bylaw.

Trustees acknowledged the steps taken to strengthen relationships with First Nations; that consultation is evolving and that there is need for further public education in this regard.

## **11. REPORTS**

### **11.1 Work Program Reports**

#### **11.1.1 North Pender Island Local Trust Committee Work Program - Report dated September 2012**

Trustees made the following adjustments to the Work Program:

- Add a new Number 4 to Projects – An Area Farm Plan, noting that the Agricultural land Commission will not accept applications unless an Area Farm Plan is in place;
- Move Number 3 from Top Priorities (LUB amendments related to subdivision and roads) to Projects.;
- Add a new Number 3 to Top Priorities – MAP request to amend the Official Community Plan to identify bike and pedestrian paths on the Magic Ferry route a priority.

### **Resolution-NP-LTC-95-12**

It was Moved and Seconded that the North Pender Island Local Trust Committee remove Number 3, Land Use Bylaw Amendments Related to Subdivision and Roads from Top Priorities to the Projects list.

**CARRIED**

### **Resolution-NP-LTC-96-12**

It was Moved and Seconded that the Magic Ferry route Official Community Plan amendment be placed on the Top Priorities list.

**CARRIED**

### **Resolution-NP-LTC-97-12**

It was Moved and Seconded that Project List Number 4, Agricultural Projects, be amended to include an Area Farm Plan.

**CARRIED**

RPM Kojima then provided a verbal update on Top Priorities Number 1 Item - Associated Islands Bylaw, and stated that it is expected to be brought to the next LTC meeting.

Following further discussion on the MAP project, Trustees passed the following resolution:

### **Resolution-NP-LTC-98-12**

It was Moved and Seconded that the North Pender Island Local Trust Committee request that staff prepare an Official Community Plan and map amendment to incorporate the route from the ferry terminal to the community hall to the Driftwood Centre and Magic Lake Estates (commonly called the Magic Ferry Route,) including the spur to the Auchterlonie Centre (library area,) and advise the Ministry of Transportation and Infrastructure of this designation.

**CARRIED**

## **11.2 Applications Report**

11.2.1 North Pender Island Applications Report dated September, 2012

RPM Kojima presented an update of the applications as noted.

## **11.3 Bylaw Enforcement**

None

## **11.4 Expense/Budgets Reports**

11.4.1 Trustee and Local Expenses  
This item was presented for information.

11.4.2 Local Trust Committee Budget 2012 / 2013  
This item was presented for information.

11.4.3 Budget Submissions – 2013-14

RPM Kojima reviewed changes from previous budgeting processes. In particular, he noted new criteria for budget item approval, and noted that most LTCs will have a \$3,000 fund to be accessed for special projects as they may arise during the budget year, without referral to the Islands Trust Financial Planning Committee.

### **Resolution-NP-LTC-99-12**

It was Moved and Seconded that the North Pender Island Local Trust Committee approve and forward the draft 2013-2014 LTC Project Budget submission to Financial Committee as presented

**CARRIED**

## **11.5 Adopted Policies and Standing Resolutions**

This item was presented for information.

## **11.6. North Pender Island LTC Web Page**

Trustees requested addition of:

- the James Island staff report;
- upcoming edition of the Pender Wave;
- deletion of the most recent Pender Post article, since this is covered by the Pender Wave;
- Dave Manning's Raptor report.

## **11.7 Chair's Report**

Chair Luckham reported that Trust Council had met on Bowen Island and approved the Strategic Plan.

He advised that the applications fees policy had been turned back to Committee for further consideration.

He advised that the Executive Committee will be at the Union of BC Municipalities convention shortly. Two items of importance will be oil spill issues and derelict marine vessels.



## **11.8 Trustee Report**

Trustee Steeves reported that he had been contacted by a health-oriented group/society interested in establishing a bus service for people without automobile transportation (eg seniors who no longer have a driver's license,) needing to get to various places on Pender Island, and that meetings to move this project forward are upcoming.

He also reported that he had attended the first meeting of the Economic Development Commission, and drew the attention of those present to some of the initiatives, including trail development, establishment of education / convention facilities and expanding broadband internet access – all economic development drivers. He suggested people could access the Capital Regional District website to find out more about these initiatives.

He further reported on his recent attendance at a meeting of the Association of Vancouver Island and Coastal Communities Association (AVICC) meeting, where issues raised included oil spill response, tanker traffic, and derelict marine vessels. He also noted that a working group has been established to examine aquaculture issues.

Trustee Hancock recognized the recent passing of long-time pioneer resident and farmer George Ross-Smith, recalling that one of Trustee Hancock's first jobs was working on Pender Island with the late Mr. Ross-Smith.

Trustee Hancock also reported on a National Marine Conservation Area meeting hosted by Parks Canada and Provincial Government staff, where issues of local and inter-jurisdictional interest were discussed.

## **12. OTHER BUSINESS**

### **12.1 Upcoming Meetings**

12.1.1 Business at 9:45 am – Thursday, October 25, 2012 at the Pender Island Community Hall.

Chair Hancock also noted the upcoming joint meeting with South Pender Island LTC on October 4, 2012.

### **12.2 Local Trust Committee consider a resolution to host a meeting on October 4, 2012, and invite the South Pender Island Local Trust Committee to participate**

This item was approved through Resolution NP-LTC-95-12.

**13. TOWN HALL MEETING**

Sara Steil thanked Trustees for supporting the October 13, 2012 PICA/Parks Canada initiative and confirmed that the October 4, 2012, meeting with the project consultants is a public meeting.

**14. MOTION TO CLOSE MEETING**

**Resolution-NP-LTC100-12**

It was Moved and Seconded THAT pursuant to Section 90(1)(g) of the Community Charter, the North Pender Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting Minutes of April 26, 2012 and June 28, 2012, meeting; and to consider bylaw enforcement litigation, and; further that Islands Trust staff and Recording Secretary Kathy Gilbert remain present.

**CARRIED**

*Note: The meeting adjourned to In Camera at 1:35 pm and reconvened at 2:15 pm.*

**15. RECALL TO ORDER**

**15.1 Rise and Report from Closed Meeting**

**Resolution-NP-LTC101-12**

It was Moved and Seconded that North Pender Island Local Trust Committee Meeting minutes of the April 26, 2012, and June 28, 2012, be Adopted.

**CARRIED**

**16. ADJOURNMENT**

**Resolution-NP-LTC-101-12**

It was Moved and Seconded that the North Pender Island Local Trust Committee Meeting be adjourned at 2:17 pm.

**CARRIED**

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**RECORDER**

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**CHAIR**