

# Adopted



## North Pender Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** May 21, 2020  
**Location:** Electronic Meeting (via Zoom Conference)

**Members Present:** Laura Patrick, Chair  
Deb Morrison, Local Trustee  
Benjamin McConchie, Local Trustee

**Staff Present:** Robert Kojima, Regional Planning Manager  
Phil Testemale, Planner 2  
William Shulba, Freshwater Specialist  
Maple Hung, Planning Team Assistant, Zoom Host  
Shannon Brayford, Recorder

#### 1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:03 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

#### 2. APPROVAL OF AGENDA

The following items were added to the agenda:

- Bylaw enforcement of commercial businesses under New Business;
- Agricultural Advisory Planning Commission under New Business;
- Joyce Thayer, representative of Pender Island Recycling under Delegations; and
- Moving Around Pender (MAP) Letter under Correspondence.

#### 3. TRUSTEE REPORT

Trustee McConchie provided an overview of his activities related to COVID-19 measures, the development of bicycle routes on the island, and the removal of derelict boats and other vehicles.

Trustee Morrison provided an overview of the opportunities that have been created for inter-agency collaboration as a result of COVID-19 measures. She also provided an overview of bylaw issues currently being reviewed and the Trust Programs Committee's ongoing work on Trust Policy.

**4. CHAIR'S REPORT**

Chair Patrick provided a report on the upcoming Trust Council and Local Planning Committee meetings. She further provided an overview of the modes by which the public are able to participate in those meetings.

**5. TOWN HALL AND QUESTIONS**

Chair Patrick provided an overview of the Town Hall process.

Dale Henning noted the unique challenges for North Pender Island due to the COVID-19 situation. He requested information on the Local Trust Committee's (LTC's) activities to further the "stay-at-home" message.

The LTC provided an overview of their role in inter-agency meetings and their activities to date.

Amanda Griesbach provided an overview of the current methods used to allocate space on the ferry route to Swartz Bay and expressed her concern that Pender Island is disproportionately impacted by overloads.

Trustee McConchie provided an overview of the work that is being done at the provincial level to address this issue.

Amanda Griesbach spoke against the recommendations for a Trailer Park in the correspondence received from Robert Fenton and recommended that the LTC look at the Salt Spring Island report on trailer parks. She also provided several recommendations for alternative housing.

Amanda Griesbach spoke in favour of the Pender Fire Rescue chipping program and encouraged the public to participate.

Peter Pare spoke as a representative of Moving Around Pender (MAP). He thanked the LTC for their interest in transportation on Pender Island and noted the inter-island collaboration that is ongoing.

Dale Henning provided a report of the local BC Ferry Committee's work to encourage proportionate loading and the challenges that BC Ferries face when considering implementing a policy like that. He encouraged the community to share their concerns with BC Ferries, the Ministry of Transportation, and Adam Olsen (Member of Legislative Assembly).

A discussion was held regarding a letter from the LTC to BC Ferries addressing dis-proportional loading concerns.

**6. COMMUNITY INFORMATION MEETING**

None

**7. PUBLIC HEARING**

None

**8. MINUTES**

**8.1 Local Trust Committee Minutes Dated April 23, 2020**

By general consent the Local Trust committee meeting minutes of April 23, 2020 were adopted as presented.

**8.2 Section 26 Resolutions-without-meeting Report**

None

**8.3 Advisory Planning Commission Minutes**

None

**9. BUSINESS ARISING FROM THE MINUTES**

**9.1 Follow-up Action List Dated May 2020**

Regional Planning Manager (RPM) Kojima noted that the letter seeking educational collaboration requested at the last meeting will be addressed to the Magic Lake Water and Sewer Committee seeking joint education on riparian areas.

**10. DELEGATIONS**

**10.1 John Aftias re NP-TUP-2019.7 (Burdett)**

John Aftias provided an overview of his concerns with the industrial activities that have been ongoing at the MacDonald Farm property. He expressed concern with the negative impact that those activities have on the local environment and nearby community activities such as the community centre, library, and playground.

**10.2 Joyce Thayer (Pender Island Recycling) re NP-TUP-2019.7 (Burdett)**

Joyce Thayer, Secretary-Treasurer of Pender Island Recycling Society, addressed the application and the inclusion of residential recycling in the Temporary Use Permit (TUP). She provided an overview of the Society's measures to meet the community's recycling needs and requested that "residential recycling" be removed from the TUP.

**11. CORRESPONDENCE**

A general discussion was held regarding the process by which correspondence is received and selected for inclusion in the agenda package.

**11.1 Moving Around Pender May 15, 2020**

Received for information.

**12. APPLICATIONS AND REFERRALS**

**12.1 NP-DP-2020.1 (Calverley)**

Planner Testemale provided an overview of the application and an update on the progress since the last meeting.

A discussion was held regarding the nature of the application and challenges that the LTC has faced in facilitating a suitable solution.

**NP-2020-021**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee amend draft Development Permit NP-DP-2020.1 (Calverley) by adding the condition that the owner grants shared legal access by easement agreement with Lot 1, Plan 35333.

**CARRIED**

**NP-2020-022**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee approve issuance of Development Permit application NP-DP-2020.1 (Calverley) as amended.

**CARRIED**

Trustee Morrison noted for the record that she felt compelled to vote in favour of this application to preserve the Wetland Area 3 alternative access.

**NP-2020-023**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee request the applicant voluntarily applies all conditions of Development Permit NP-DP-2020.1 (Calverley) to 'Wetland Area 3' as indicated on Schedule 'A' of the permit.

**CARRIED**

**12.2 NP-TUP-2019.7 (Burdett)**

Planner Testemale provided an overview of the application and the correspondence received from members of the public regarding the application.

Trustee McConchie noted for the record that correspondence from Michael Sketch misquoted Trustee McConchie's position on the matter.

The LTC held a discussion which included the nature of the correspondence received, residential recycling, and the future planning for recycling and water management for the island.

The applicant was provided an opportunity to respond to questions from the LTC and address the application.

Chair Patrick requested that the minutes note that the purpose of the two-year time period is to allow the land use review to be completed.

**NP-2020-024**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee amend Temporary Use Permit NP-TUP-2019.7 (Burdett) as follows:

- a. By removing Subsection 2 a) iii. Residential Recycling; and,
- b. Amending Schedule 'A' to change the configuration of the Temporary Use Area to reflect the site plan survey by Wey Mayenburg Land Surveying Inc. and dated May 5, 2020.

**CARRIED**

**NP-2020-025**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit application NP-TUP-2019.7 (Burdett) as amended.

**CARRIED**

**Trustee McConchie Opposed**

A brief break was held from 12:25 p.m - 12:28 p.m.

**13. LOCAL TRUST COMMITTEE PROJECTS**

**13.1 Groundwater Sustainability Project**

Chair Patrick invited William Shulba to address the LTC.

William Shulba provided a presentation from the Groundwater Sustainability Project including an update on the current stage of the project, an overview of the information to date, and expectations of the process moving forward.

Following the presentation, the LTC requested and received information on the following points:

- Application of the project's data for future decisions by governing bodies;
- Data sources and the process through which the data was selected and verified; and
- Novel findings from this project that should be highlighted for public and LTC awareness.

**13.2 LUB Review Project - Staff Memo**

**13.2.1 Industrial Lands - Staff Report**

RPM Kojima provided an overview of the staff report. He noted the current phase of the project and highlighted the steps moving forward.

The LTC requested and received information regarding the process for engagement with property owners, First Nations, and other stakeholders.

13.2.2 Residential Dwelling Floor Area - Staff Report

RPM Kojima provided a summary of the purpose of the report and the process moving forward.

**14. REPORTS**

**14.1 Work Program Report**

14.1.1 Top Priorities Report Dated May 2020

It was noted that a member of the community requested that the LTC reconsider regulation of Short-Term Vacation Rentals (STVRs) due to the COVID-19 situation.

A discussion of options was held. There was general agreement this matter be revisited at the next meeting.

14.1.2 Projects List Report Dated May 2020

Received for information.

**14.2 Applications Report Dated May 2020**

Received for information.

**14.3 Trustee and Local Expense Report**

None

**14.4 Adopted Policies and Standing Resolutions**

Received for information

**14.5 Local Trust Committee Webpage**

None

**14.6 Islands Trust Conservancy Report - None**

14.6.1 NAPTEP Information - Staff Memo

Kathryn Martell provided an overview of the staff memo and the associated recommendation. The benefits of the program for property owners was highlighted.

The memo was received for information.

**15. NEW BUSINESS**

**15.1 Annual Report - Request for Decision**

**NP-2020-026**

**It was Moved and Seconded,**

that North Pender Island Local Trust Committee approve the attached text as presented for inclusion in the 2019-2020 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs & Housing.

**CARRIED**

**15.2 Commercial Bylaw Enforcement**

Trustee McConchie recommended that the LTC consider varying their approach to commercial bylaw enforcement to support creative commercial enterprises during the COVID-19 situation.

**NP-2020-027**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee direct bylaw enforcement to not enforce on restaurants or liquor primary establishments setting up temporary structures within their respective lots, contrary to parking regulations and existing development permits while COVID-19 restrictions limiting seating capacity and occupancy are in place and subject establishments receiving required provincial approvals such as from the Liquor and Cannabis Regulation Board and establishments following relevant provincial protocols.

**CARRIED**

A discussion of the motion was held and the staff provided information on the impact of the resolution.

Further discussion was held regarding the bylaw matter faced by a local food truck operator. The LTC requested and received information from staff regarding options for supporting this operator.

The LTC requested staff to work on resolution wording that would allow existing businesses to operate from home.

**15.3 Agricultural Advisory Planning Commission**

Trustee McConchie recommended the creation of an Agricultural Advisory Planning Commission to support the Land Use Bylaw review.

A discussion was held.

**NP-2020-028**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee direct staff to advertise for an Agricultural Advisory Planning Commission.

**CARRIED**

**16. UPCOMING MEETINGS**

**16.1 Next Regular Meeting Scheduled for July 2, 2020 - Electronic Meeting**

**17. TOWN HALL**

Amanda Griesbach spoke in support of the presentation made by William Shulba, provided recommendations for creative accommodation of commercial ventures during COVID-19, and offered feedback on the electronic format being a successful and accessible model.

**18. CLOSED MEETING**

None

**19. ADJOURNMENT**

**By general consent** the meeting was adjourned at 2:17 p.m.

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Laura Patrick, Chair

Certified Correct:

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Shannon Brayford, Recorder