

ADOPTED



North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: February 24, 2022
Location: Electronic Meeting

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

Staff Present: Kim Stockdill, Island Planner
Narissa Chadwick, Island Planner
William Shulba, Senior Freshwater Specialist
Lauren Edwards, Recorder

There were approximately 11 members of the public attending the Zoom

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:10 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. She commented on the news coming out of Ukraine.

2. RISE AND REPORT - In-camera January 27, 2022 Meeting

By general consent the LTC agreed to rise and report at the next regular meeting that the LTC appointed Ann Stephenson, Anne Burdett, Barbara Johnstone, George Leroux, and Martha McMahan to the North Pender Island Agricultural Advisory Planning Commission, commencing immediately for a term ending July 30, 2022.

3. APPROVAL OF AGENDA

Added to Item 12:

- Email correspondence from David Howe, CRD Director for Southern Gulf Islands; and
- Public correspondence from Donn Korbin.

By general consent the agenda was approved as amended.

4. TRUSTEE REPORT

Trustee McConchie read from his *Pender Post* article that:

- Local newspapers help inform islanders of local governance in a non-divisive way in an era of social media posts and virtual data;
- He will attend the Trust Council meeting scheduled for March 8th to 10th and will speak on a number of concerns on behalf of the North Pender community as well as several issues including budget reduction, governance, and reallocation of program funds in the Strategic Plan;
- He believes the Policy Statement will likely not be passed during this term and before the municipal election in October;
- On Saturday, March 12th, 2022, the LTC will hold a Community Information Meeting regarding the Land Use Bylaw Review;
- He hopes for an in-person meeting on March 24th, 2022;
- Trustees continue to make efforts to be available to the community and to improve democratic governance; and
- He offered a note of concern, solidarity and support to Ukrainian Canadians at this time.

Trustee Morrison reported that:

- The Trust Programs Committee, which she chairs, has focussed on navigating the Trust Policy Statement and the commitment and responsibilities to First Nations reconciliation;
- She would like to pass a simple policy statement and encouraged the public to attend the Trust Council meeting and provide feedback on how they are being represented in that space;
- Efforts will be more coordinated in British Columbia to help communities better understand climate change and how we can act to shift our behaviour and learn from each other; and
- She appreciates receiving communication through text.

5. CHAIR'S REPORT

Chair Patrick reported that the Trust Council will be a hybrid meeting in Nanaimo on March 8th to 10, 2022 and that there will be a Town Hall on March 8th from 7:00 to 9:00 pm. She asked that the public subscribe to the Islands Trust website for notifications and reminders.

6. TOWN HALL AND QUESTIONS

Ronda Porter questioned whether there is a minimum size for dwellings or two small dwellings less than maximum size and whether there is any provision for tiny houses if they can be accommodated on a septic system using one of the treatment plants.

Sandra Tretick asked trustees to reconsider the rezoning of all of the North Pender shoreline from W1 to W3 and provided reasons being that: (1) the Ministry of FLNRO has a current vetting process including consultation, (2) not all shoreline around North Pender is equal. She suggested use of Development Permit for sensitive areas. (3) She also felt that there is a lack of support from property owners and (4) that there is uncertainty about the impact on the 11 instream applications. She added that rezoning will not address the issue of illegal and derelict docks.

Chair Patrick responded that these questions would be answered during the Land Use Bylaw discussion.

7. COMMUNITY INFORMATION MEETING - None

8. PUBLIC HEARING – None

9. MINUTES

9.1 Local Trust Committee Minutes Dated January 27, 2022 (for Adoption)

By general consent the Local Trust Committee meeting minutes of January 27, 2022 were adopted as presented.

9.2 Local Trust Committee Special Meeting Minutes Dated February 5, 2022 (for Adoption)

By general consent the Local Trust Committee meeting minutes February 5, 2022 were adopted as presented.

9.3 Section 26 Resolutions-without-meeting Report Dated Feb 2022

9.4 Advisory Planning Commission Minutes – None

10. BUSINESS ARISING FROM THE MINUTES

10.1 Follow-up Action List Dated Feb 2022

Planner Stockdill reported that the short term rental bylaw may be on the March 24 meeting agenda.

11. DELEGATIONS - None

12. CORRESPONDENCE

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

- It was reported that a letter was received which stated that it is deceptive to hold LTC meetings by Zoom. In response, it was commented that this examples the way not to communicate to the LTC and that Zoom meetings are convenient for residents and ensures attendance during bad weather;
- It was reported that the LTC received correspondence from David Howe, CRD Director for Southern Gulf Islands, concerning his feelings on a decision made by the LTC.
- Trustee McConchie requested an update to the October correspondence sent to the CRD regarding Magic Lake; and
- Discussion arose regarding collaboration with the CRD, updating and expanding the protocol agreement; and information about the SGI Forum.

13. APPLICATIONS AND REFERRALS

13.1 NP-TUP-2021.10 (White) - Staff Report

- Planner Stockdill provided an overview of the report and provided information which included that the draft TUP maximum is 60 days from May 1st to September 30th, that there is one letter of support and that the recommendation is for three years;

- The applicant (Jaime), a fulltime resident, stated that the reason for the 60-day request is to allow utilization during the summer school break and that fire safety measures in place are: no smoking signs, no yard debris, no fire pit and no candles; and
- The applicant was commended for her public communication materials and Planner Stockdill agreed they could be used as resource material.

NP-2022-022

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit application NP-TUP-2021.10 (White).

CARRIED

13.2 NP-DP-2021.9 (Ooms) - Staff Report

- Planner Stockdill provided an overview of the land alteration permit for the installation of a new septic system in an existing septic field within the DPA. The applicant submitted a geotechnical report;
- Applicant Peter Ooms stated that the site as an open field requiring minimal ground disturbance and that he is also looking to put a solar array on the site with consultation from a geotechnical engineer. He reported that a septic engineer said that the current field is ideal for a gravity system;
- Planner Stockdill stated that if the solar array is constructed within the DPA, potentially, a new DP may be required; and
- Aspects of the geotechnical report were discussed and trustees discussed the need to consider the effects of climate change as it relates to future development.

NP-2022-023

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2021.9 (Ooms).

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 LUB Review Project – Staff Report

Planner Stockdill provided an overview of discussion topics which were: maximum floor area/lot coverage, C2 zoning, in-stream dock applications with the Province and timeline for the project.

Discussion occurred on the following topics: Retaining lot coverage of LUB; increasing maximum floor area of cottages; and adding impermeable material to LUB.

Discussed lot coverage and floor area, including:

- Planner Stockdill confirmed that secondary suites and attached garages are included in the maximum floor area calculation;

- Secondary suites and cottages as a response to the residential housing shortage;
- A Development Variance Permit application process option to allow a greater than the default of allowable square footage;
- Housing density, disbursement and lower square footage as a response to housing affordability and availability;
- Consideration for environmental impacts;
- Chair Patrick suggested the 2021 BC Housing document on accessory dwelling units as an available resource;
- Planner Chadwick reported that Mayne Island's Flexible Housing Project is looking at maximum floor area being divided between buildings and that information and a recent report is available on the website;
- Trustees discussed increasing cottage size as well as the allowable number of separate accommodations based on lot size and the restriction of stratas;
- Planner Stockdill confirmed that secondary suites cannot legally be subdivided for separate ownership and that North Pender LUB does not permit a cottage on properties less than 1.2 ha;
- Planner Stockdill provided options and also mentioned the possibility of creating a non-conforming situation should a secondary suite be removed; and
- Discussion will be put on hold until March 12th or March 24th.

Discussed water concerns, including:

- William Shulba, Islands Trust Senior Freshwater Specialist, provided input on an evidence-based process where there is likely to be water stress and vulnerability;
- Planner Chadwick reported that the Mayne Island Housing Project is looking at the implications of density on groundwater;
- Planner Chadwick reported that the Flexible Housing Project excluded water service areas and that a report to identify criteria will be available;
- Planner Stockdill will try to have a brief report ready for March 12th Community Information Meeting;
- Trustees determined that community members can provide their feedback at the March 12th Community Information meeting;
- Trustees confirmed that the size of cottages could be increased; and
- Planner Stockdill will edit the impermeable surfaces definitions and return for decision.

Discussed commercial tourist accommodation (C2 Zoning):

Planner Stockdill provided an overview of the status of the two McKinnon Road properties and stated she had written to property owners for their build out plans and that she could prepare a draft section 219 covenant in two weeks and invite the property owners to the March 12th Community Information Meeting.

Planner Stockdill provided an overview of the Driftwood Centre property which included that the LTC had decided to postpone the decision on rental housing zoning until they met with the property manager and report back. LTC were asked to decide on how to proceed.

McKinnon Road properties were discussed, including:

- Plans were not provided;
- Licensing applications are necessary for current commercial groundwater use and expanded usage requires authorization within the *Water Sustainability Act*;
- The property owners can attend the March 12th Community Information Meeting to discuss zoning;
- It should be understood and agreed that a water management plan is in place before a zoning decision and within the timeline of the LUB project; and
- Examples of a water management plan will be shared with the LTC and the applicant.

The Driftwood property was discussed, including:

- The property owner does not wish to change C2 zoning and is only looking to build a campground at this time;
- Property Manager (Dorothy) commented that rental housing on Driftwood property may be for future discussions;
- Dorothy stated that any developments on the property would benefit the community and community input would be sought;
- Planner Stockdill stated that LTC direction is required if property is not to be rezoned and that 27 commercial units are permitted within the present zoning;
- Planner Stockdill stated she will report back with options based on campground regulations; and
- Planner Stockdill provided an overview of the concerns and reasons for the review of commercial accommodation with C2 zoning and its cumulative impacts on Pender Island.

Planner Stockdill provided an overview of the issues regarding instream dock applications with the Province.

NP-2022-24

It was Moved and Seconded,

that the North Pender Local Trust Committee request staff to retain the Water 1 zoning for the 11 instream private moorage applications with the Province.

CARRIED

14.2 Groundwater Sustainability Implementation Project – Staff Report

Planner Chadwick provided an overview of the staff report and discussion occurred, including:

- William Shulba reported on the mapping for Critical Aquifer Recharge Areas that could inform a DPA;
- Planner Chadwick reported that the intention is to move this forward to identify potential boundaries of a Critical Aquifer Recharge DPA. She stated that coastal Douglas-fir integration mapping would require another methodology therefore combining the two projects would be more time consuming; and
- Chair Patrick commented on the value of partnering with the two major water districts and the importance of managing fire risk.

NP-2022-25

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff to prepare a draft bylaw to amend the “North Pender Island Official Community Plan Bylaw No. 171, 2007” to include Critical Aquifer Recharge Development Permit Area guidelines, map updates and minor updates to relevant sections as identified in the February 24, 2022 staff report.

CARRIED

NP-2022-26

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff to prepare a draft bylaw to amend the Land Use Bylaw to include updates to definitions, addition of cistern requirements for all new builds and updates to subdivision regulations related to potable water.

CARRIED

NP-2022-27

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff to identify options for changes to zoning regulations informed by GW Solutions (2021) groundwater availability assessment data.

CARRIED

Planner Chadwick stated that staff will report backwith groundwater amendments that can be incorporated into the Land Use Bylaw Project.

NP-2022-28

It was Moved and Seconded,

that the North Pender Island Local Trust Committee endorse the revised Project Charter for the Groundwater Sustainability Implementation Project.

CARRIED

15. REPORTS

15.1 Work Program Report (attached)

15.1.1 Top Priorities Report Dated Feb 2022

Planner Stockdill reported that the LUB is on the agenda for the March 24 Regular LTC meeting

15.1.2 Projects List Report Dated Feb 2022

15.2 Applications Report Dated Feb 2022

15.3 Trustee and Local Expense Report Dated Dec 2021

15.4 Adopted Policies and Standing Resolutions

15.5 Local Trust Committee Webpage

15.6 Islands Trust Conservancy Report - None

16. NEW BUSINESS

16.1 Governance Study by the Magic Lake Property Owners' Society

Discussed the request for response to the Province's and CRD's request for an opinion.

NP-2022-29

It was Moved and Seconded,

that the North Pender Island Local Trust Committee write to the Minister of Municipal Affairs of the Province of British Columbia to request them to explain the process of the Governance Study by the Magic Lake Property Owners Society.

CARRIED

17. UPCOMING MEETINGS

17.1 Meetings Scheduled

The next regular meeting is scheduled for March 24, 2022, at the Anglican Church Hall Pender Island.

An electronic Community Information Meeting is scheduled for March 12, 2022.

18. TOWN HALL

Bob Coulson, on behalf of Magic Lake Property Owners Assoc., stated that their concerns relate to property tax increases and the lack of speed limit signs in school zones. He stated that they would like a consultant to communicate with the community.

Anne questioned what type of lot under the minor amendment of the LUB relates to the allowance of a 100 sq. ft. building and whether professional reports are required for the rezoning in the industrial portion of the LUB Review. Planner Stockdill provided her the information including that maps are available on the project website.

Kathi D stated she would appreciate having Zoom meetings continue as it allows attendance wherever she is and for as long as she wishes. Chair Patrick responded that the intent is to live-stream and make a recording available.

Michael Sketch thanked the LTC and staff for the groundwater mapping project. He stated that, if there is a lag to rewriting the Trust Policy Statement, trustees should lead to move the project forward. He also stated that it needs a firm resolve on March 8th, 9th or 10th.

Chair Patrick invited the public to the March 12th virtual meeting.

19. CLOSED MEETING (Distributed Under Separate Cover)

19.1 Motion to Close Meeting

NP-2022-30

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (a)(d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated January 27, 2022*
- *Appointment of APC Members*

AND that the recorder and staff attend the meeting.

CARRIED

19.2 Recall to Order

19.3 Rise and Report

20. ADJOURNMENT

By general consent the meeting was adjourned at 1:48.

Laura Patrick, Chair

Certified Correct:

Lauren Edwards, Recorder