

ADOPTED



North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: May 26, 2022
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

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

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
Narissa Chadwick, Island Planner
Pat Todd, Recorder

Public: There were nine (9) members of the public present.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:02 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the North Pender Island Local Trust Committee (LTC) meeting agenda was approved.

3. TRUSTEE REPORT

Trustee Morrison, as an educator, acknowledged and expressed her sympathies to families in Texas regarding recent school shooting. Time leading up to Islands Trust election is expected to be challenging adding to current stresses of living with difficult housing situations, pandemic, etc. Importance of community coming together, listening to each other, being civil and kind were emphasized. Trustees and Islands Trust staff should not have to deal with harsh, vile communication.

Trustee McConchie spoke to the importance of engagement: if constituents are angry it is still important to hear. There has been a lot of correspondence regarding the tree cutting bylaw and fire concerns. He spoke with Fire Department, who wish to not be politicized. There was a Transportation meeting and a referendum will be held on October 15 to create a Transportation

Commission – looking at interisland ferries and a community bus. A tribute was held for Jim Dunlop, founding member of the Pender Highlanders Pipe Band.

4. CHAIR'S REPORT

Chair Patrick informed the Committee that an article will be coming forth regarding Islands Issues. Trust Council will be June 21-23 (virtual meeting) and encouraged everyone to subscribe to the website for the agenda and notifications. There was a meeting with Minister Fleming, Minister of Transportation and Infrastructure (MOTI). Encouraged to include all the islands in work plans and the importance of working with Islands Trust (IT). It was felt that Minister Fleming was very aware of island issues. Further direction is required prior to any amendments to the Act.

Trustee McConchie added that there are concerns regarding the bridge linking North and South Pender and heavy equipment. It is important that the Minister address this as soon as possible.

5. TOWN HALL AND QUESTIONS

Dayton Funk: asked about secondary suites, property development – feels criteria are changing all the time. Proposed location of dwelling and accessory buildings to minimize impact on a Development Permit Area (DPA) however wishes the Land Use Bylaw would permit a carriage house (cottage over a garage). Identified measurement inconsistencies: some in square feet/some in square meters.

Staff confirmed that the Land Use Bylaw (LUB) does not allow carriage houses at this time. Could vary floor area of cottage by applying for a Development Variance Permit (DVP) to increase floor area of a cottage.

Don Corbin: raised concern as to possible conflict of interest. LUB amendments restrict housing sizes, reduce supply, financial impact for affordable housing. Requested Chair to ensure that a conflict of interest does not exist. Mentioned two acclaimed trustees and non-resident trustees.

Chair Patrick expressed confidence in legitimacy and competency of LTC.

Trustee McConchie asked for proof of conflict and spoke to accusations.

Chris Roper: Expressed appreciation to Trust members for time and efforts and noted importance of being respectful. Requested information regarding bylaw for personal helicopters.

Staff stated Bylaw No. 224 will restrict use of helicopters in all zones except for evacuation/emergency use. There will be a Public Hearing (PH) and Community Information (CIM) Meeting for drafted bylaw amendments to allow more engagement.

Mick Collins: To speak to Magic Lake issues after Community Information Meeting.

George LaRue: Spoke to LTC in March regarding concerns with groundwater DPAs and the Official Community Plan (OCP) proposed amendment. Asked for project map status and stated proposal is based on science and has not been ground proofed. Usage rates quoted do not represent Island usage. Questioned cost, implementation and maintenance. There is a perceived need to control through regulation – importance of education.

Michael Sketch: Addressed rezoning applications. New land use designations felt to be out of scope and requested both rezonings be removed. Reviewed history of Port Washington Road and amending LUB to allow residential use of shed. Driftwood Centre rezoning application for residential housing was previously defeated, concerned as to fresh water supply. Cautioned against “packing” housing together.

Jane Baker: currently looking to move back to island however there is a scarcity of rentals. Existing property could be modified e.g., carriage house over garage, to permit return to island. Housing needs for staff raised; tiny homes option; water recovery; use of solar; and need to lower costs.

Trustee Morrison stated this is an on-going conversation, involving zoning, safety in housing, maintaining rural character. Building Code does not permit tiny homes.

Chair added need of Province to move to change Building Code.

Trustee McConchie reviewed LTC actions to address housing situations – no immediate solution.

6. COMMUNITY INFORMATION MEETING

6.1 Fees Bylaw No. 226

Regional Planning Manager (RPM) Kojima summarized bylaw which has been under review since 2019. Trust Council endorsed increased fee structure.

Discussion:

- Reason why fees increased now;
- This is the first fee increase in 15 years, to more closely reflect actual costs;
- Applicant pays versus the tax payer;
- Transparency is important and explanation as to where dollars go;
- Application cost components identified: site visits, notices, staff reports, Planner’s time, administration time, etc.;
- Governance controls costs recovery; and
- Number of costs incurred with applications for which fees cannot be charged.

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated April 28, 2022

Question was raised as to inclusion of names of speakers.

RPM Kojima clarified policy.

It was agreed that Trustees wanted names included in minutes.

Amendments: page 4 – after last bullet to add: Public Attendee 1, Don Corbin, left meeting;

page 4 – Chair’s Report – last bullet to read: The Salt Spring Island LTC will be meeting...

By general consent the minutes were adopted as amended.

8.2 Section 26 Resolutions-without-meeting Report - None

8.3 Agricultural Advisory Planning Commission Minutes Dated May 16, 2022

Received for information.

Break from 11:33 – 11:47

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated May 2022

RPM Kojima stated staff will be meeting with Fire Department staff and will report back to LTC.

Trustee Morrison spoke to importance of access to water, ponds, etc.

10. DELEGATIONS

11. CORRESPONDENCE

11.1 Robert Fenton re Recreational Vehicles

Discussion:

- Different regulations of CRD and IT;
- Tiny homes on wheels currently not certified;
- Proposal to Minister Eby; and
- Wait for CRD action regarding requested changes to Building Code.

11.2 CRD Pender Parks and Recreation Commission re Magic Lake Zoning

Staff reviewed inclusion of private docks on Magic Lake and zoning of Magic Lake Park in LUB review.

12. APPLICATIONS AND REFERRALS

12.1 Salt Spring Island Local Trust Committee Referral for Proposed Bylaw 530

Discussion:

- Density expansion;
- Definition of use;
- Severe shortage of rentals for workers;
- Equity/diversity for a healthy community;

- Add accessory dwelling units to Projects List; and
- Linked to Federal and Provincial responsibilities.

NP-2022-061

It was Moved and Seconded,

that North Pender Island Local Trust Committee interests are not affected by Salt Spring Island Local Trust Committee Proposed Bylaw 530.

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 North Pender Island Local Trust Committee Fees Bylaw No. 226

Discussion:

- Request for Regional Planning Committee Package that details fees breakdown;
- Proposed Bylaw has inflation built in;
- Costs a deterrent for people of limited means and question of illegal activity rather than pay application fee;
- Concerns valid and have been considered: sponsorships for community and non-profit groups;
- Do fees need adjusting;
- Continue to monitor costs/adjust yearly;
- Costs are an average;
- Continue tracking of applications processing;
- CRD charges for Building Permits but IT checks zoning and cannot charge a fee;
- Suggest hearing applicant where reasonable /waive late application 20% fee;
- No incentive for efficiency;

Trustee McConchie stated uncomfortable moving Bylaw forward in light of community unrest with IT and regulations.

Trustee Morrison suggested Trust Council consider annual or biannual recalculation for actual costs/review.

RPM Kojima stated it is unlikely that LTC would be able to waive fees on an individual basis.

NP-2022-062

It was Moved and Seconded,

that the North Pender Local Trust Committee request Trust Council add to its agenda a discussion of the Model Fees Bylaw for the June meeting.

CARRIED

13.2 LUB Review Project

Planner Stockdill reviewed the staff report and the timeline for the project.

Discussion:

- Secondary Suites option 2 was favoured through general consent: “exclude the floor area of a secondary suite from the total floor area of all buildings”;
- Rural Zones 500 sq. m favoured by general consent;
- Revisit the two rezoning sites at a CIM for community feedback; and
- Opposition to increasing industrial zoned land; not in favour of addition to Bylaw – include at first reading to get community feedback/comment.

NP-2022-063

It was Moved and Seconded,

that North Pender Local Trust Committee ask staff to remove Plan #1 from Bylaw 223.

DEFEATED (CHAIR
PATRICK AND TRUSTEE
MORRISON OPPOSED)

Staff will arrange CIM’s for July 7, 6:30 pm. (zoom), July 28, 10:00 am. (zoom) and August 13 (in person). Notices will be placed in Pender Post and sent to Trustees to add to their posts.

NP-2022-064

It was Moved and Seconded,

that the North Pender Local Trust Committee Regular Committee meeting be moved from July 28, 2022 to August 11, 2022.

CARRIED

NP-2022-065

It was Moved and Seconded,

that the North Pender Local Trust Committee meeting scheduled for June 30, 2022 be canceled.

CARRIED

NP-2022-066

It was Moved and Seconded,

that the North Pender Local Trust Committee amend draft Bylaw Nos. 223 and 229 by rezoning the northwest end of Magic Lake to permit a community park.

CARRIED

NP-2022-067

It was Moved and Seconded,

that the North Pender Local Trust Committee amend draft Bylaw Nos. 223 and 229 by adding a 'community dock' as a permitted use in the Water 6 Zone.

CARRIED

NP-2022-068

It was Moved and Seconded,

that the North Pender Island Local Trust Committee Draft Bylaw No. 223, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021", be read a first time.

CARRIED

NP-2022-069

It was Moved and Seconded,

that the North Pender Island Local Trust Committee proposed Bylaw No. 224, cited as "North Pender Island Land Use Bylaw No. 224, 2022", as amended, be read a first time.

CARRIED

NP-2022-070

It was Moved and Seconded,

that the North Pender Island Local Trust Committee draft Bylaw No. 229, cited as "North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022", as amended, be read a first time.

CARRIED

NP-2022-071

It was Moved and Seconded,

that the North Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 223, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021", is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

NP-2022-072

It was Moved and Seconded,

that the North Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

NP-2022-073

It was Moved and Seconded,

that the North Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 229, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

13.3 Groundwater Project

Planner Chadwick reviewed the staff report. Map is forthcoming. Looking at lots and area coverage. OCP amendment would address language, include map designating DPA and include some general changes. Possible exemptions are detailed. DPAs don't stop development – just direct what and how development can be done.

Discussion:

- Early engagement/consultation with First Nations;
- Concern with community disconnect and misunderstanding;
- Need to educate populace/communication critical;
- Endorse guidelines and exemptions;
- Schedule a focussed meeting – better understanding of science;
- Identify areas critical for recharge;
- Commercial/industrial areas should be included;
- Simplify ground water management;
- Special Meeting to focus on project; and
- Develop information package – questions and answers.

NP-2022-074

It was Moved ad Seconded,

that North Pender Local Trust Committee request staff to schedule a Special Meeting regarding the Groundwater Sustainability Project.

CARRIED

14. REPORTS

14.1 Work Program Report

14.1.1 Top Priorities Report Dated May 2022

Received for information.

14.1.2 Projects List Report Dated May 2022

NP-2022-075

It was Moved and Seconded

that North Pender Local Trust Committee request staff to add Accessory Dwelling Units to Projects List.

CARRIED

14.2 Applications Report Dated May 2022

Received for information.

14.3 Trustee and Local Expense Report Dated March 2022

Trustee Morrison noted underspending by \$9,000.00.

Staff stated this due to no Public Hearing and that unspent dollars go to Reserves at year end.

14.4 Adopted Policies and Standing Resolutions

Received for information.

14.5 Local Trust Committee Webpage

Will be updated at conclusion of meeting.

14.6 Islands Trust Conservancy Report Dated March 2022

Received for information.

15. NEW BUSINESS

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for August 11, 2022 at the Anglican Church Hall, Pender Island.

17. TOWN HALL

Ann Burdett: noted co-operation between business owners and IT.

Michael Sketch: Important to preserve and protect prime agricultural land. Mapping has begun. Suggested a hydrologist to review all applications. Current location is a prime site for Waste Management which is a necessity under Local Government Act.

18. CLOSED MEETING

None

19. ADJOURNMENT

By general consent the meeting was adjourned at 2:40 pm.

Laura Patrick, Chair

Certified Correct:

Pat Todd, Recorder