

ADOPTED



North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: August 11, 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: Kim Stockdill, Island Planner (via zoom)
Phil Testemale, Planner 2
Robin Ellchuk, Recorder

There were approximately 15 members of the public in attendance.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:34 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 agenda was approved as presented.

3. TRUSTEE REPORT

Trustee McConchie's Report:

Trustee McConchie thanked everyone for attending the meeting. He thanked Chair Patrick and Trustee Morrison for their hard work and in depth discussions this term.

He spoke with CBC news regarding the stepping down of BC Ferries CEO and how important the consistent running of the ferries are to the gulf islands.

There were two Community Information Meetings (CIMs) held in July regarding the North Pender Land Use Bylaw (LUB) Review Project.

He met with Elective representatives informally in the Comox Regional district to discuss broader governance issues. He commented that the new Trustees that will be elected need to continue to work with the governance committee. Trustee McConchie believes application fees need to be reduced.

Trustee Morrison's Report:

Trustee Morrison thanked the Trustees and Staff for their work on the LUB Review Project.

Trustee Morrison is Chair of the Trust Programs Committee and commented that work has slowed down the last year, as there is a public engagement process regarding the Policy Statement. There have been meetings over this past summer to make recommendations to the Trust Council on next steps.

Encouraged community members to run in the election this fall.

4. CHAIR'S REPORT

Chair Patrick's Report:

Trust Council will be meeting in September. The delegations deadline is three weeks before the meeting. This is the last Trust Council meeting of this term.

Chair Patrick was elected to be on the Governance Committee with seven other Trustees. The first meeting went well. The second meeting will be held on September 1, 2022.

5. TOWN HALL AND QUESTIONS

Anne Burdett spoke to their current situation with bylaw enforcement regarding their industrial zoned property that is said to be only zoned for boat storage. The concern is the issue of accessory uses, buildings, and structures being allowed on the property.

Karen Bell spoke to concerns about a newly constructed building at 4218 Clam Bay Road. The community members believe that this building is not in compliance with the permitted use for Rural Residential land under the current bylaw.

Planner Stockdill replied that a Building Permit was received for the construction of the farm building. Horticulture as an accessory use is permitted and under Subsection 3.4.4 an accessory building for farm purposes is permitted but must not exceed 10 metres in height.

Trustee Morrison encouraged the community members to submit a bylaw complaint regarding the construction of this building.

Karen Bell questioned if Islands Trust Staff sought legal advice in this situation.

Planner Stockdill answered that legal advice was not requested.

Joyce Thayer spoke to the concern that rezoning the Rural Residential 2 (RR2) area of the island for Agriculture and Agriculture tourism and accommodation would allow the bylaw to be misused by some. A language review of the bylaw would be appropriate so that what the bylaw is trying to achieve is actually being accomplished.

Veritie Rolfe addressed concerns regarding the property at 4218 Clam Bay Road as not having the space for an orchard and also that there might be plans for the construction of a residential dwelling.

Michael Sketch addressed concerns regarding the Port Washington shed. He recommended to take the Port Washington shed out of the LUB review project and wait until there can be more First Nation consultation on this issue.

George Leroux spoke to the fact that a 0.8 hectre parcel on the East side of island would need a 10x10 building to produce what one could produce on this size of land.

Question was raised there if there was site visit to 4218 Clam Bay Road.

Planner Testemale responded that a field visit was not completed.

break – 11:49am -11:55am

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated May 26, 2022 (for Adoption)

By general consent the Local Trust committee meeting minutes of May 26, 2022 were adopted.

8.2 Local Trust Committee Special Meeting Minutes Dated July 7, 2022 (for Adoption)

By general consent the Local Trust Committee Meeting Minutes of July 7, 2022 were adopted.

8.3 Local Trust Committee Special Meeting Minutes Dated July 28, 2022 (for Adoption) - Late Item

By general consent the Local Trust Committee Meeting Minutes of July 28, 2022 were adopted.

8.4 Section 26 Resolutions-without-meeting Report - None

8.5 Agricultural Advisory Planning Commission Minutes Dated July 11, 2022 (for Receipt)

Minutes received.

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated August 2022 – Received.

10. DELEGATIONS – none

11. CORRESPONDENCE - none

12. APPLICATIONS AND REFERRALS

12.1 NP-DP-2022.2 (Funk) - Staff Report

Planner Testemale gave a summary of this application. The application is for tree removal and establishing a building area in Development Permit Area (DPA) No. 1 - Woodland Ecosystems. Approval of the Development Permit (DP) was recommended as all conditions and guidelines have been met.

Discussion regarding the approval of this DP and Planner Testemale spoke to the objective of DPAs is not to limit or deter development, but is rather a management tool to protect sensitive ecosystems.

Trustee Morrison expressed that she appreciated the property owner having an environmental assessment and made application completed before cutting of the trees and beginning construction and encouraged the applicant to seek out ways to have the rain water systems to increase filtration on the ground.

NP-2022-076

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2022.2 (Funk).

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 North Pender Land Use Bylaw Review Project – Staff Report:

Planner Stockdill presented a summary of the LUB Review project with recommendations for a public hearing for the three bylaws being considered in the LUB review project and amendments for the LTC to consider.

NP-2022-077

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” be amended to add one pump/utility shed with a maximum floor area of 10 m² to Section 3.1.

CARRIED

Discussion regarding agriculture and horticulture accessory buildings to be discussed at August 13, 2022 special meeting.

NP-2022-078

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” be amended to permit dwellings with a maximum floor area of 500 m² on Rural zoned lots with an area of 16 ha or greater.

CARRIED

The North Pender Island Local Trust Committee requested staff to draft a motion for the August 13, 2022 Special Meeting to remove the general industrial uses and retain site specific industrial zoning.

NP-2022-79

It was Moved and Seconded,

that the North Pender Island Local Trust Committee proposed Bylaw No. 229, cited as “North Pender Island Land Use Bylaw No. 229, 2022” have property 1200 & 1201 Port Washington Road retain its site specific commercial C1A zoning.

CARRIED

NP-2022-80

It was moved and seconded,

that the North Pender Island Local Trust Committee request that the proposed bylaw 229 be amended cited “North Pender Land Use Bylaw No 229” plan to rezone 1349 McKinnon Rd reduced from 8 units to 3 units and 1329 McKinnon Rd reduce from 15 units to 7 units.

CARRIED

NP-2022-81

It was Moved and Seconded,

that the North Pender Island Local Trust Committee direct staff to schedule a Public Hearing for proposed Bylaw Nos. 223, 224, and 229.

CARRIED

14. REPORTS

14.1 Work Program Report

14.1.1 Top Priorities Report Dated August 2022

14.1.2 Projects List Report Dated August 2022

Add review of development permit areas to the agenda for the next LTC meeting under Projects list. Flag for next meeting to review projects list to prepare for the next term.

14.2 Applications Report Dated August 2022

For information.

14.3 Trustee and Local Expense Report Dated May 2022

For information.

14.4 Adopted Policies and Standing Resolutions

For information.

14.5 Local Trust Committee Webpage

For information.

14.6 Islands Trust Conservancy Report Dated May 2022

For information.

15. NEW BUSINESS

15.1 Delegation of Development Permits

Planner Testemale summarized delegation of DP bylaws. Discussion g included whether development variance applications would be still be considered by the LTC, and Trustee Morrison requested that staff report on the ability to include a provision to have DP applications generated by enforcement directed to the LTC.

NP-2022-078 82

It was Moved and Seconded,

that the North Pender Island Local Trust Committee request staff to prepare a bylaw that would delegate the issuance of development permits to staff for the following development permit areas:

a) North Pender Island OCP Bylaw No. 171, 2007, Development Permit Areas One through Six; and

(Sensitive Ecosystems), Seven (Raptor Nests) and 10 (Riparian and Aquatic)

b) North Pender Associated Islands OCP Bylaw No. 147, 2002, Shoreline, Sidney Island Geotechnical and Sidney Island Shoreline Development Permit Areas.

CARRIED

15.2 UBCM Attendance - Trustee Morrison

Trustee Morrison would like to attend the UBCM conference being held in Whistler BC on September 12, 2022.

NP-2022-83

It was Moved and Seconded,

that the North Pender Island Local Trust Committee to nominate Trustee Morrison to attend the Union of British Columbia Municipalities conference and the North Pender Island Trust committee authorizes the North Pender Island Local Trust Committee funds for Trustee Morrison to attend Union of British Columbia Municipalities Conference.

CARRIED

Trustee McConchie Moved, and Chair Patrick Seconded
Trustee Morrison abstained from this vote

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for September 29, 2022 at the St. Peter's Anglican Church Hall, Pender Island

17. TOWN HALL

Leslie Kerfoot addressed concerns about further reducing units on the MacKinnon Road properties. Trustee McConchie requested a plan for the property.

Michael Sketch commented The North Pender Advisory Planning Commission was consulted regarding Commercial 2 zone on Pender Island. Fresh water resources would self limit and each island should be self sufficient in fresh water.

18. CLOSED MEETING

None

19. ADJOURNMENT

NP-2022-84

It was Moved and Seconded,

that the North Pender Island Local Trust Committee adjourn today's meeting.

CARRIED

The meeting was adjourned at 2:50 pm.

Laura Patrick, Chair

Certified Correct:

Robin Ellchuk, Recorder