

# ADOPTED



## North Pender Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** September 29, 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 (Electronically)  
Phil Testemale, Planner 2 (Electronically)  
Pat Todd, Recorder

There were approximately seven (7) members of the public in attendance.

#### 1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:00 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations and spoke to Friday being the National Day for Truth and Reconciliation.

#### 2. APPROVAL OF AGENDA

Item 16 to be discussed after Item 4.

By general consent the agenda was adopted as amended.

#### 3. TRUSTEE REPORT

Trustee McConchie expressed appreciation and thanks to Local Trust Committee (LTC), staff, everyone who participated and stated that this term has been rewarding, challenging and historical. He detailed a number of questions voters should ask candidates.

Trustee Morrison spoke in appreciation of the thoughtful discussions and that participants listen to each other. Noted the importance of being informed when voting. She encouraged attendance at the first Trust Council meeting as there will be discussion regarding the Trust Council Policy Statement.

#### 4. CHAIR'S REPORT

Chair Patrick reported that Trust Council directed staff to review Trust Policy Statement: to clarify some terms, definitions, etc. The first Trust Council meeting will be November 17-19 and

will be an in-person meeting in Victoria. She spoke to enjoying the opportunity to get to know North Pender and to work with the Trustees.

**5. TOWN HALL AND QUESTIONS**

**Dorothy Murdoch** spoke to proposed changes for C2 zoning for rental housing and offered a number of suggestions. At the August Special Meeting maps had changed with no notification. Water from Driftwood Center identified as an issue with no consultation. She spoke against removing Tourist Accommodation and would request LTC reconsider and reinstate.

**Joyce Thayer** referred to a number of submissions she had made regarding Bylaw No. 103 and is asking LTC to add: definition of a farm and in 3.4.4 substitute word farm with agriculture. This would clarify farming not allowed on residential lands.

**Michael Sketch** raised 2 points:

1. LUB Project – policies missing in Official Community Plan (OCP). Need to check Trust Policy Statement is reflected in OCP. Asked if LTC will amend OCP which limits development in areas with water issues.
2. Project 7: Driftwood Area Plan – no resolution to support project.

Staff responded that new Trustees can modify/alter Projects List.

**6. COMMUNITY INFORMATION MEETING**

None

**7. PUBLIC HEARING**

None

**8. MINUTES**

**8.1 Local Trust Committee Minutes Dated August 11, 2022**

**By general consent** the Local Trust Committee minutes of August 11, 2022 were adopted.

**8.2 Local Trust Committee Special Meeting Minutes Dated August 13, 2022**

**By general consent** the Local Trust Special Meeting minutes of August 13, 2022 were adopted.

**8.3 Local Trust Committee Special Meeting Minutes Dated September 1, 2022**

**By general consent** the Local Trust Special Meeting minutes of September 1, 2022 were adopted.

**8.4 Section 26 Resolutions-without-meeting Report - None**

**8.5 Advisory Planning Commission Minutes – None**

**9. BUSINESS ARISING FROM THE MINUTES**

**9.1 Follow-up Action List Dated Sept 2022**

There was discussion to clarify actions for next LTC.

Regional Planning Manager (RPM) Kojima stated this could be reviewed at October meeting.

Suggested successful candidates be invited to attend next meeting.

**10. DELEGATIONS**

**11. CORRESPONDENCE**

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

**12. APPLICATIONS AND REFERRALS**

**12.1 NP-DP-2022.3 (Little Shell Island)**

Planner Testemale reviewed the application. The land is a significant First Nations historical site which is being compromised by erosion. He noted the reports and efforts taken to date by the owner and that all guidelines and conditions in the application have been met. The work has been initiated as there is urgency to protect the area before winter storm season as requested by the Tsawout First Nation. He added that LTC approval of application is retroactive – as staff was unable to add application until this meeting.

The applicant and consultant verified that work is progressing, revegetation will be with native plants and work to date satisfies the Development Permit.

Discussion:

- Concerns raised regarding retroactive approval;
- LTC should be notified immediately when First Nations are a party to an application in light of reconciliation efforts;
- Need to streamline process to protect Archaeological sites;
- Geotechnical and Environment Reports completed;
- If Delegation Bylaw had been in place, application could have been completed earlier;
- Critical to protect archaeological sites;
- Recognition of owner reaching out to First Nations;
- Construction design based on human and natural factors – boulder style sea wall; and
- Permit addresses need to maintain/repair with climate change impacts.

**NP-2022-115**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2022.3 (Churchill-Brown).

**CARRIED**

The applicant expressed appreciation for support and assistance of Planner.

**12.2 NP-RZ-2022.1 (Sidney Island)**

RPM Kojima reviewed the application which is for an amendment to North Pender Associated Island Land Use Bylaw (LUB) regulations. Recommendation is to amend North Pender Associated Islands LUB to allow recreational vehicles for accommodation for a limited time period, to allow kitchens in hunters cabins/sleeping cabins and to increase maximum floor area for storage buildings.

Applicant (delegated by Stata) spoke to changes on island. Need for owners to spend time on property to determine best building site and to be able to stay on site while building. There are no visitor accommodations on the island. Recommendation is for alternate accommodation period to be 4 years.

RPM Kojima stated that as proposed there is no need to change OCP. The last review in 2013 included significant amendments for Sidney Island.

Discussion:

- Years ago owners tended to build large dwellings for families/visitors;
- Cottages have not been permitted – converted to dwellings;
- Most lots approximately 2 acres;
- Demographics of island have changed;
- Interest in smaller houses with bunkies;
- Consider aggregate square footage; and
- Stata Council can regulate usage.

**NP-2022-116**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee request staff to prepare a draft bylaw to amend North Pender Associated Islands Bylaw No. 148, 2003, as it pertains to Sidney Island, to allow residential use of recreational vehicles for a limited period, to permit kitchens in existing hunters' cabins, and to amend the maximum floor area of permitted storage buildings.

**CARRIED**

**13. LOCAL TRUST COMMITTEE PROJECTS**

Trustee Morison raised the question of LUB Review Project on next agenda.

RGM Kojima stated report from Planner Stockdill can be revised and added to agenda for October 27.

Discussion:

- C2 Zoning Driftwood – go forward for next LTC;
- Planner to include in Oct. 27 Staff Report – comments regarding residential lighting; and
- Report circulated potentially 2 weeks prior to meeting; on website and posted 1 week ahead of meeting to allow time for review.

## 14. REPORTS

### 14.1 Work Program Report

#### 14.1.1 Top Priorities Report Dated Sept 2022

Discussion regarding Groundwater Project

- Staff to ensure website is up to date;
- Page with maps difficult to find;
- Simplify access;
- Suggest reference as Fresh Water; and
- Links to Freshwater Sustainability Page.

#### 14.1.2 Projects List Report Dated Sept 2022

Item 7 – Driftwood Area Plan

Discussion:

- Concept project;
- Focus should be on neighbourhood – policies for area;
- Could stand alone or be incorporated with OCP;
- Conversation was for a transportation corridor not just Driftwood Centre; and
- Suggest change to Port Browning/Driftwood Centre Corridor.

#### **NP-2022-117**

#### **It was Moved and Seconded,**

that the North Pender Local Trust Committee request staff to rename Project 7 to “Browning to Driftwood Corridor Plan” and text to reflect changes.

**CARRIED**

### 14.2 Applications Report Dated Sept 2022

NP-DP-2018.5 - It was noted that to date there has been no information received from Nu to Yu.

Staff patience with application is appreciated.

**14.3 Trustee and Local Expense Report Dated July 2022**

Discussion regarding funding options for Raptor Mapping.

Need to have a method of using community members to update IT resources and be able to compensate – encourage local procurement. This could be accomplished through a change to Procurement Policy.

Staff will draft a motion for LTC to request Trust Council consider an amendment to Procurement Policy.

**14.4 Adopted Policies and Standing Resolutions**

Received for information

**14.5 Local Trust Committee Webpage**

Will be updated upon conclusion of meeting.

**14.6 Islands Trust Conservancy Report Dated July 13, 2022**

14.6.1 Islands Trust Conservancy Plan - Referral for Comment

Received for information

**15. NEW BUSINESS**

**15.1 North Pender Island Local Trust Committee Delegation Bylaw No. 231**

RPM Kojima reviewed the proposed bylaw which would delegate issuance of development permits to staff. It is based on the template endorsed by Trust Council.

Discussion:

- Applications that are government to government and First Nations should be immediately forwarded to Trustees;
- Getting closer to streamlining – still some questions;
- Defer to January 2023 meeting;
- There are a number of checks and balances;
- Protocol agreements with First Nations recommended approach and should be raised at Trust council; and
- Resolution for October meeting to forward to Trust Council regarding need for Protocol Agreements.

**16. UPCOMING MEETINGS**

**16.1 Special Meeting Scheduled for October 1, 2022 at the Anglican Hall, Pender Island**

**NP-2022-118**

**It was Moved and Seconded,**

that the Special Meeting scheduled for October 1, 2022 be rescheduled in the new term.

**CARRIED**

Discussion as to challenges to organize special meeting and proposed LUB will be going to next term.

Staff asked to communicate to those on email list and directly linked to Bylaw as to meeting status.

**16.2 Regular Meeting Scheduled for October 27, 2022 at the Anglican Hall, Pender Island**

**NP-2022-119**

**It was Moved and Seconded,**

that the Regular Business Meeting scheduled for October 27, 2022 be an electronic meeting.

**CARRIED**

Discussion as to agenda items and hesitancy to hold meeting in light of election.

**17. TOWN HALL**

**Michal Sketch** requested Transportation Corridor be clarified.

Regular Business Meeting closed at 12:15 for In Camera Meeting.

**18. CLOSED MEETING**

**18.1 Motion to Close Meeting**

**NP-2022-120**

**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) (d)(f) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated March 24, 2022
- Bylaw Enforcement

AND that the recorder and staff attend the meeting.

**18.2 Recall to Order**

The regular business meeting was recalled to order at 12:32 pm.

**18.3 Rise and Report**

Chair to rise and report at next regular business meeting.

**19. ADJOURNMENT**

**By general consent** the meeting was adjourned at 12:33 pm.

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Laura Patrick, Chair

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Certified Correct:

Pat Todd, Recorder