



ADOPTED

North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: April 4, 2025
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

Members Present: David Maude, Chair
Aaron Campbell, Local Trustee
Deb Morrison, Local Trustee (electronic)

Staff Present: Brad Smith, Island Planner
Bruce Belcher, Planner 2 (electronic)
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were 10 members of the public present.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:00 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Maude acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

17.2 Intertidal Development Permit PLD20250141

By general consent, the agenda was adopted as amended.

4. TRUSTEE REPORT

Trustee Campbell reported electronic attendance at one Local Trust Committee meeting and March Trust Council while in Mexico.

Trustee Morrison arrived to the meeting at 10:05 a.m.

Trustee Morrison reported the following:

- Attended Trust Council and highlighted the election of Salt Spring Trustee Laura Patrick as Chair of Trust Council
- Will be co-presenting a discussion on climate at the upcoming Association of Vancouver Island and Coastal Community conference
- Addressed concerns about helicopters at a Southern Gulf Islands Forum meeting

5. CHAIR'S REPORT

Chair Maude reported attendance at the March Trust Council quarterly meeting and highlighted adoption of the 2025/26 budget, finalization of the Strategic Plan, and noted discussions on the draft Trust Policy Statement have been moved to Trust Area Services with intention of First Reading in June to enable the public consultation process.

6. ELECTORAL AREA DIRECTOR'S REPORT - None

7. TOWN HALL AND QUESTIONS

A member of the public asked if there was still intention to send a mailout to the community regarding the Trust Policy Statement and requested an update on the Dark Skies Initiative.

Island Planner Smith indicated the mailout will be developed by Trust Area Services and Trustee Morrison stated the Dark Skies Initiative was discussed at Trust Council and it has received general support.

A member of the public stated the following:

- Their term on the Advisory Planning Commission has ended and they acknowledged the work of the group, minute taker Carly Bilney, and Island Planner Smith
- The Local Trust Committee should not encourage massive homes but allow more supply through planned benefits to residents and not speculators, investors, or wealthy individuals
- The provincial speculation tax needs to be applicable to North Pender Island
- The Trust has a unique and overriding responsibility to protect the natural environment and character of the Trust Area and is not meant to be a conventional form of local government
- Development needs to be approved with assessments of environmental impacts, precautionary principles, and the cumulative impact of said assessments need to be applied in decision making
- They ask the Local Trust Committee to change focus back to the mandate of preserve and protect.

8. COMMUNITY INFORMATION MEETING - None

9. PUBLIC HEARING - None

10. MINUTES

10.1 Local Trust Committee Minutes Dated January 31, 2025 (for Adoption)

By general consent the North Pender Island Local Trust committee meeting minutes of January 31, 2025 were adopted.

10.2 Section 26 Resolutions-without-meeting Report - None

10.3 Advisory Planning Commission Minutes Dated March 4, 2025 (for Receipt)

Received for information.

11. BUSINESS ARISING FROM THE MINUTES

11.1 Follow-up Action List Dated Mar 2025

Received for information.

12. DELEGATIONS - None

13. CORRESPONDENCE

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

14. APPLICATIONS AND REFERRALS

14.1 PL-DVP-2024-0330 (Keay) - Staff Report

Island Planner Smith summarized the staff report and highlighted the following:

- The application seeks a Development Variance Permit on the siting of an existing dock structure and associated walkway
- The dock has been in place since the 1980's and no new construction is required
- A Federal Licence of Occupation is in place for the structure as a portion of it is located in the National Park Reserve Marine Area
- The variances do no impact neighbours or the natural environment
- No concerns were received during the notification period

The Local Trust Committee has no questions regarding the application.

NP-2025-010

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee approve issuance of Development Variance Permit application NP-PL-DVP-2024-0330 (Keay).

CARRIED

14.2 PL-DVP-2024-0350 (Smith) - Staff Report

Planner Belcher summarized the staff report and highlighted the following:

- The application seeks a Development Variance Permit to vary the maximum height and number of storeys for the conversion of an agricultural building to an accessory building
- The applicant wishes to save and repurpose the existing barn and use the building as a shop, office, and storage space
- The sum total of the floor area of all buildings on the property, and the total lot coverage, are significantly less than the maximum allowed
- The variance would not allow residential use as a dwelling

Discussion ensued and the following comments were recorded:

- Rural large lot zoning permits 3000 square metres of total floor coverage for all structures as this can include agricultural buildings

- The house under construction is approximately 150 square metres which is under the permitted maximum size
- The current use of the building is equipment storage and the intended use is storage and office space
- A neighbour's correspondence to the Local Trust Committee requested further time for residents to consider if they are affected
- Statutory notification requirements were completed
- Home occupation is permitted, but not commercial operations
- The Local Trust Committee generally supports the application; however, the community is requesting further consultation

The applicant was in attendance and stated no commercial use is intended, they have spoken to neighbours, the property had been used for business purposes for many years under previous ownership and included a non-permitted suite, new activity is primarily to store equipment with office use above, and the original building was a two-story barn.

Planner Belcher clarified the following:

- The building could be restored as a barn; however, a variance is required to change the use to non-agricultural and this results in the structure becoming an accessory building which allows for one story only
- Correspondence from neighbours was received prior to the agenda being published and the staff report provides clarifications regarding the application
- The neighbour was notified that the staff report was published, the notice period was still open, and the Planner did not hear further from the correspondent
- The neighbour expressed concerns about height and use and potential noise and light intrusion; however, noise and light are allowable within the existing agricultural building
- The height of the building already exists
- The accessory use is more restricted than agricultural use

The neighbour was in attendance and indicated they would have a better understanding of the application if more time was provided. The Local Trust Committee determined that deferring consideration of the application would provide members of the public more time to consider the affects of the application.

NP-2025-011

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee direct staff to schedule an electronic special meeting for consideration of PLDVP20240350.

CARRIED

A member of the public stated they arrived prior to the scheduled time of the Town Hall; however, Town Hall had ended earlier than the published start time. Chair Maude allowed them to speak and their comments are recorded in the Town Hall section of the minutes.

The meeting was recessed for a break at 11:16 a.m. and reconvened at 11:25 p.m.

14.3 PL-DP-2025-0033 (Lansdowne) - Staff Report

Island Planner Smith summarized the staff report and highlighted the following:

- The application seeks a Development Permit for the construction of a new dwelling and retroactive land restoration and mitigation resulting from land clearing for a utilities corridor and access stairway construction
- The land clearing and building of the stairway were done without a permit
- A report provided by a qualified environmental professional provides an assessment of the impacts of the development
- A retroactive Development Permit will impose conditions for site restoration and protection of the sensitive ecosystem downslope of the development

Discussion ensued and the following comments were noted:

- There is no legal ability to deny an application based on circumstances that have already happened and the Local Trust Committee has to look at each application based on its own merit
- Damage has already occurred within the Development Permit Area and approving the permit will ensure restoration

The applicant and their representative were in attendance and provided the following comments:

- The stairway is temporary and was sited on the rocks to minimize damage
- The house was designed to protect the tree and the third-party doing excavation work removed it without authorization
- The owner is willing to do the restoration work and intends to plant more trees than recommended
- They allowed the contractor to proceed and presumed the workers knew the regulations

NP-2025-012

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee approve issuance of Development Permit NPPLDP20250033 (Lansdowne).

CARRIED

15. LOCAL TRUST COMMITTEE PROJECTS

15.1 Housing Access and Affordability Project - Staff Report

Island Planner Smith summarized the staff report and indicated a draft Housing Action Plan has been provided with identified goals, actions, and timelines.

Discussion ensued about the inclusion of recreational vehicles (RVs) as dwelling units in light of safety concerns about living in an RV on a long-term basis and the following comments were recorded:

- Consideration of RVs ranked high in survey responses
- There is a standing resolution to not enforce on RVs being used as a dwelling unit due to the current housing crisis; but this does not mean that living in RVs is suitable long-term

- The Advisory Planning Commission had taken this matter under consideration and noted that concerns might be alleviated by addressing the issues of water, septic, and fire safety protections
- There is possibility to allow RVs by a Temporary Use Permit provided an inspection is undertaken and approved
- In addition to water and septic requirements the issue of mould and condensation should be addressed

Discussion continued and the following comments were noted:

- Exploration of a communication strategy can be undertaken during the project phase and might include providing examples of the experiences of community members that have built secondary suites
- Suitable Land Analysis and Build-Out Analysis work is being done and can inform the project going forward

NP-2025-013

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee endorses the proposed Goals, Objectives and Actions of the attached draft Housing Action Plan dated March 11, 2025, and directs staff to proceed with further community consultation prior to final endorsement of the Plan.

CARRIED

15.2 Raptor Nest Development Permit Area (DPA) Review Project Update - Staff Memo

Island Planner Smith provided an update on the project and reported the following:

- Data collection and mapping update work continues and will be presented at the upcoming Community Information Meeting on April 12
- Letters to property owners will be sent out once updated mapping is received

16. REPORTS

16.1 Work Program Report

16.1.1 Active Projects Report Dated Mar 2025

Received for information.

16.1.2 Future Projects Report Dated Mar 2025

Received for information.

16.2 Applications Report Dated Mar 2025

The Planner provided a verbal update.

16.3 Trustee and Local Expense Report Dated Jan 2025

Received for information.

16.4 Adopted Policies and Standing Resolutions

Received for information.

16.5 Local Trust Committee Webpage

No updates required at this time.

16.6 Islands Trust Conservancy Report Dated Feb 2025

Received for information.

17. NEW BUSINESS

17.1 6601 Razor Point Road Covenant Update

No update provided at this time. Item to be kept on agenda for the next meeting.

17.2 Intertidal Development Permit PLD20250141

Island Planner Smith advised that an application for an Intertidal development permit for Green Shores/Bioengineering stabilization work had been received and the applicant is seeking approval as soon as possible to facilitate work to be done in the spring planting window prior to Department of Fisheries and Oceans fisheries closures beginning June 1.

NP-2025-014

It was MOVED and SECONDED,

that North Pender Local Trust Committee direct staff to schedule a special meeting to be held electronically to consider Development Permit application PLDP20250141.

CARRIED

18. UPCOMING MEETINGS

18.1 Special Community Information Meeting Scheduled for April 12, 2025 at the Pender Island Community Hall

18.2 Next Regular Meeting Scheduled for May 30, 2025 at the St Peter's Anglican Church Hall, Pender Island

19. TOWN HALL

No members of the public spoke.

20. CLOSED MEETING (Distributed Under Separate Cover)

20.1 Motion to Close Meeting

NP-2025-015

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):

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

AND that the recorder and staff attend the meeting.

CARRIED

The regular meeting was closed to the public at 12:25 p.m.

20.2 Recall to Order

The meeting was recalled to order at 12:29 p.m.

20.3 Rise and Report

Chair Maude rose and reported adoption of the January 31, 2025 *in-camera* meeting minutes and the appointments of Andrew MacLean, Bert Hol, and Jon Spalding to the North Pender Board of Variance, commencing immediately for a term ending April 4, 2028.

21. ADJOURNMENT

By general consent the meeting was adjourned at 12:30 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder