ADOPTED

North Pender Island Local Trust Committee

Minutes of Special Meeting

Date:	**March 11, 2023**
Location:	**Anglican Parish Hall** **4703 Canal Road, RR 1, North Pender Island BC**
Members Present:	**David Maude, Chair** **Deb Morrison, Trustee** **Aaron Campbell, Trustee**
Staff Present:	**Kim Stockdill, Island Planner** **Brad Smith, Island Planner** **Narissa Chadwick, Island Planner** **William Shulba, Senior Freshwater Specialist** **Sarah Shugar, Recorder**
Others Present:	**Approximately 18 members of the public**

These minutes follow the order of the agenda although the sequence may have varied. The electronic meeting was live-streamed and recorded.

1. CALL TO ORDER

Chair Maude called the meeting to order at 1:02 p.m. He 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. BUSINESS ITEMS

3.1 Groundwater Sustainability Implementation Project

Freshwater Specialist Shulba and Planner Chadwick presented an overview of the Groundwater Sustainability Implementation Project.

The following questions and answers were recorded:

Q: What tools were used?

A: A contractor used registered wells and drillers log data to assign geological terms and identify the fracture depth of wells. Water use is the unknown factor. We can use proxies such as looking at registered wells and assigning 600 litres per day and we can extrapolate the data.

Q: Do we have monitoring wells on Pender Island?

A: The Province has a Groundwater Observation Network and there are two wells that are actively monitored on Pender Island. W. Shulba oversees a community wells monitoring program on Salt Spring Island. The Province keeps a long-term record and includes long-term climate patterns.

Q: Would it be possible for property owners to be able to participate in a well monitoring program or could the LTC require well monitoring on Pender Island?

A: The most economical way to monitor a well is to install a data monitor to a new well, although the majority of newer wells can be retrofitted for well monitoring. The issue is what to do with the data. It is an emerging science and there are more tools available.

Q: How do tidal impacts fit into groundwater well monitoring?

A: The movement of water through a fracture is maximum 100 meters per year. An aquifer is a hydraulic system and the tides impact the pressure, although the exchange of water is slow.

Q: There is a land parcel that has almost all of the trees removed and now water is springing out of the rock. Should we be trying to capture that water?

A: Trees act as pumps and bring water into them and soils are degraded during clear cutting. Densely packed second-growth forests are not the best for groundwater recharge. Thirsty forests make healthy soils. Springs in clear-cut areas contribute to increasing sediment in streams and rivers.

The meeting recessed for a break at 2:14 p.m. and reconvened at 2:20 p.m.

Q: Do the recommendations take into consideration whether there are hydro geologists to do the work?

A: Yes.

Q: What about subdivision?

A: There could be conditions in a rezoning process to address water recharge. Scheduled critical recharge area maps could be used as an additional tool in planning decisions.

Comment: Watersheds in other jurisdictions are fenced.

A: Many jurisdictions protect their watersheds.

Q: Are there areas in the Province that manage different uses for groundwater?

A: There are areas such as the Koksilah Watershed that are reconfiguring water use, including groundwater licenses for uses that impact salmon. Mayne Island has been quite successful with managed water systems.

Q: It is important for people who want to use cisterns that they don't run into difficulties in the permitting process.

A: The Islands Trust and CRD need to take a coordinated approach regarding water storage.

A Trustee expressed support for educational materials regarding grey water regulations and pilot projects.

Q: Where are the monitored wells on Pender Island?

A: One of the provincially monitored wells is located on Paisley road and there is another located on Pirates Road.

The meeting recessed at 3:00 p.m. for a break and reconvened at 3:10 p.m.

3.2 Land Use Bylaw Review Project - Staff Report

Planner Stockdill presented a staff report dated March 8, 2023 regarding LUB Review Project – Proposed Bylaw Nos. 223, 224, & 229.

There was discussion regarding the stairs within the setback to the sea. Concern was expressed that the stairs within the setback to the sea topic needs more consideration and the LTC would like to hear more from the public on this item. Planner Stockdill advised this could be amended following the Public Hearing and the topic could be flagged in the Public Hearing notice.

There was discussion regarding the foreshore retaining Water 1 Zoning in order to continue to permit private docks. Concern was expressed that the needs more consideration and the LTC would like to hear more from the public on this item. Planner Smith advised there is a Provincial moratorium on new docks.

There was discussion regarding how many properties would be impacted by the Maximum Floor Area topic. Planner Stockdill advised a total of 271 properties could potentially be impacted. Support was expressed that further education is needed on this topic.

A member of the public spoke to the definitions of farming and agri-tourism within the Agricultural Land Reserve (ALR) land. There was discussion regarding agriculture regulations, zoning and farm status.

NP-2023-022
It was MOVED and SECONDED,
that the North Pender Island Local Trust Committee direct staff to amend draft Bylaws No. 223 and 229 to rezone Lot 18, Section 10, Pender Island, Cowichan District, Plan 22424 to a site specific Community Park 2 zone that would also permit the existing tennis courts.

CARRIED

NP-2023-023
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 224 to remove the following accessory uses from the Rural Residential 1 zone: pig farming, dog breeding, boarding kennels and keeping of livestock.

CARRIED

NP-2023-024
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 224 to allow all uses in the Commercial 2 zone for that portion of 4605 Bedwell Harbour Road zoned Commercial 2 g (C2g).

CARRIED

NP-2023-025
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 224 to allow the following densities for the Commercial 2 zoned properties: 1329 MacKinnon Road is permitted 20 Tourist Accommodation Units and 1333 MacKinnon Road is permitted 7 Tourist Accommodation Units.

CARRIED

NP-2023-026
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 224 to amend Commercial 2 (g) zone to permit one Tourist Accommodation Unit with a maximum floor area of 280m² (3000 ft²) and which is not calculated in the total floor area for tourist accommodation units.

CARRIED

NP-2023-027
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 224 to rezone those portions of 3418 South Otter Bay Road as outlined in Column 4 in Table 1 of the staff report dated March 11, 2023.

CARRIED

NP-2023-028
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 224 to rezone the area around North Pender to be rezoned from Water 3 zone to Water 1 zone.

CARRIED

NP-2023-029
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to remove the maximum floor area and total floor area regulations for the Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2, and/or Agriculture zones, from draft Bylaw No. 224 to draft Bylaw No. 229.

CARRIED

NP-2023-030
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 229 to increase the maximum floor area for the Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2, and/or Agriculture zones to:

- 3000 ft² for those lots less than 0.4 ha (1 acre);
- 3500 ft² for those 0.4 ha (1 acre) to less than 1.2 ha (3 acres); and or,
- 4000 ft² for those 1.2 ha (3 areas) or greater.

CARRIED

NP-2023-031
It was MOVED and SECONDED,
That the North Pender Local Trust Committee direct staff to amend draft Bylaw No. 229 to allow commercial boat maintenance on that portion of 4606 Razor Point Road that is zoned General Industrial (b).

CARRIED

NP-2023-032
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 224 to remove agri-tourism and agri-tourist accommodation from the Rural zone.

CARRIED

NP-2023-033
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee proposed 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-2023-034
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 read a first time.

CARRIED

NP-2023-035
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. 224, 2022, Amendment No. 1, 2022" be read a first time.

CARRIED

NP-2023-036
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee proposed Bylaw No. 223, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021" be read a second time.

CARRIED

NP-2023-037
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 read a second time.

CARRIED

NP-2023-038
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, Amendment No. 1, 2022" be read a second time.

CARRIED

NP-2023-039
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee direct staff to schedule a Community Information Meeting prior to the Public Hearing for the Land Use Bylaw Review Project.

CARRIED

NP-2023-040
It was MOVED and SECONDED,
That the North Pender Island Local Trust Committee move to suspend bylaw enforcement on the Industrial zoned portion of 4606 Razor Point Road until the completion of Bylaw 224 and 229.

CARRIED

By general consent, the North Pender Island Local Trust Committee requested staff to schedule the Public Hearing for the Land Use Bylaw Review Project on May 13, 2023, location to be determined.

4. ADJOURNMENT

By general consent, the meeting was adjourned at 4:53 p.m.

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David Maude, Chair

Certified Correct:

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Sarah Shugar, Recorder