



South Pender Island Local Trust Committee Regular Meeting Agenda

Date: January 31, 2020
Time: 10:30 am
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

			Pages
1.	CALL TO ORDER	10:30 AM - 10:40 AM	
2.	APPROVAL OF AGENDA		
3.	TRUSTEE REPORT		
4.	CHAIR'S REPORT		
5.	TOWN HALL AND QUESTIONS	10:40 AM - 10:50 AM	
6.	COMMUNITY INFORMATION MEETING		
6.1	Short Term Vacation Rental Review - to follow regular meeting		
7.	PUBLIC HEARING		
	None		
8.	MINUTES	10:50 AM - 10:55 AM	
8.1	Local Trust Committee Minutes		
8.1.1	<u>November 1, 2019 and December 7, 2019 Minutes (for Information)</u>		4 - 12
8.1.2	<u>December 16, 2019 Special Meeting Minutes (for adoption)</u>		13 - 17
8.1.3	<u>December 16, 2019 Public Hearing Record (for receipt)</u>		18 - 20
8.2	Section 26 Resolutions-without-meeting Dated January 2020		21 - 21
8.3	Advisory Planning Commission Minutes Dated November 23, 2019 (for Receipt)		22 - 27
9.	BUSINESS ARISING FROM THE MINUTES	10:55 AM - 11:00 AM	
9.1	Follow-up Action List Dated January 2020		28 - 29
10.	DELEGATIONS		

11. **CORRESPONDENCE**
Correspondence received concerning current applications or projects is posted on the LTC webpage
12. **APPLICATIONS AND REFERRALS**
13. **LOCAL TRUST COMMITTEE PROJECTS** 11:00 AM - 11:10 AM
 - 13.1 Short Term Vacation Rental - Bylaw 117 - Staff Report (Adoption) 30 - 33
14. **REPORTS** 11:10 AM - 11:15 AM
 - 14.1 Work Program Reports (attached)
 - 14.1.1 Top Priorities Report Dated January 2020 34 - 34
 - 14.1.2 Projects List Report Dated January 2020 35 - 35
 - 14.2 Applications Report - None
 - 14.3 Trustee and Local Expense Report Dated November 2019 (attached) 36 - 36
 - 14.4 Adopted Policies and Standing Resolutions (attached) 37 - 38
 - 14.5 Local Trust Committee Webpage
 - 14.6 Islands Trust Conservancy Report Dated November 2019 39 - 40
15. **NEW BUSINESS** 11:15 AM - 11:20 AM
 - 15.1 Electronic participation at LTC Meetings
16. **UPCOMING MEETINGS**
 - 16.1 Special Meeting Scheduled for February 15 at the South Pender Fire Hall, Pender Island
 - 16.2 Next Regular Meeting Scheduled for May 1, 2020 at the South Pender Fire Hall, Pender Island
17. **TOWN HALL** 11:20 AM - 11:30 AM
18. **CLOSED MEETING**
None
19. **ADJOURNMENT** 11:30 AM - 11:30 AM

20. TOWN HALL/OPEN HOUSE

11:40 AM - 1:30 PM

20.1 South Pender Short Term Vacation Rental Review

ADOPTED



South Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: November 1, 2019
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

Members Present: Laura Patrick, Chair
Cameron Thorn, Local Trustee
Steve Wright, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Narissa Chadwick, Island Planner
Shannon Brayford, Recorder

Public: There were approximately nine members of the public.

1. CALL TO ORDER

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

No reports were made.

4. CHAIR'S REPORT

Chair Patrick reported that Trust Council will be held December 3-5, 2019 and noted the process for submitting a delegation.

5. TOWN HALL AND QUESTIONS

Jane Perch read a written statement on behalf of Ginger Talbot which spoke in favour of continuing to allow Short Term Vacation Rentals (STVRs) on the island and spoke against implementing expanded building guidelines.

Vic Daniels spoke in favour of STVRs and requested information on the Trustees' plans for Draft Bylaw 117.

Donna Spalding spoke against the proposed Bylaw 117, noting that it only targets some property owners and that the perceived threats attributed to STVRs are not founded in fact.

Peter Brooke noted that he submitted an electronic report analyzing STVRs in the South Pender Island market and provided recommendations for the LTC to consider in their deliberations.

Jane Perch spoke against proposed Bylaw 117, noting that it would contradict the Official Community Plan (OCP). She provided an overview of the policies within the OCP that apply to permitting STVRs.

Paul Petrie addressed David Marlor's report on climate change and requested information on how South Pender Island will address the matter locally.

Rick Friesen requested and received information on the time limitation and scope of proposed Bylaw 117.

Vic Daniels provided an overview of the business market on Pender Island and cautioned that the proposed bylaw could create uncertainty in the market.

Donna Spalding requested and received information regarding the application of proposed Bylaw 117 for properties with both a house and cottage.

Peter Brooke noted that the Land Use Bylaw and Official Community Plan have conflicting interpretations of STVRs.

Vic Daniels recommended that the LTC use language for STVRs that is consistent with other levels of government.

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated September 6 and October 18, 2019

By general consent the Local Trust Committee meeting minutes of September 6, 2019 were adopted.

It was recommended that the resolution in the October 18, 2019 minutes be amended from "SP-2019-018" to "SP-2019-019".

By general consent the Local Trust Committee meeting minutes of October 18, 2019 were adopted as amended.

8.2 Section 26 Resolutions-without-meeting Dated October 2019

Received for information.

8.3 Advisory Planning Commission Draft Minutes Dated September 21, 2019

Received for information.

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated October 2019

Regional Planning Manager (RPM) Kojima provided an overview of the Follow-Up Action list and it was received for information.

10. DELEGATIONS

None

11. CORRESPONDENCE

None

12. APPLICATIONS AND REFERRALS

None

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Short Term Vacation Rentals (STVR) Review - Staff Report & Draft Bylaw 117

Planner Chadwick provided an overview of the staff report. She included the following points:

- The history of the matter;
- The proposed bylaw's intent;
- The proposed bylaw's relationship to the OCP; and
- The implications on current operations should the proposed bylaw be adopted.
-

The Trustees spoke to the draft bylaw addressing the following points:

- The rationale for the project and its timing;
- The proposed bylaw's relationship to the OCP;
- The mandate under which the LTC operates; and
- The impact of STVRs on property and land values.

Trustees requested and received information from staff on the proposed bylaw's relationship to the OCP.

SP-2019-020

It was Moved and Seconded,

that the South Pender Island Local Trust Committee Bylaw No. 117, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019", be read a first time.

CARRIED

SP-2019-021

It was Moved and Seconded,

that the South Pender Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 117, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019”.

CARRIED

SP-2019-022

It was Moved and Seconded,

that the South Pender Island Local Trust Committee direct staff to develop a project charter and staff report related to the short-term vacation rental review project.

CARRIED

A discussion of the scope and timeline for the project was held and RPM Kojima provided an overview of projects that have been completed in other Trust areas.

SP-2019-023

It was Moved and Seconded,

that the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting prior to the Public Hearing.

CARRIED

13.2 Building and Siting Guidelines - Staff Report

Planner Chadwick provided an overview of the staff report, highlighting opportunities to work with the regulations to exercise control over some of the areas identified in the draft guideline document.

The Trustees each expressed their rationale for initiating this project.

SP-2019-024

It was Moved and Seconded,

that the South Pender Island Local Trust Committee direct that the Staff Report and Draft Building and Siting Guidelines be forwarded to the Advisory Planning Commission for consideration.

CARRIED

14. REPORTS

14.1 Work Program Reports

14.1.1 Top Priorities Report Dated October 2019

RPM Kojima provided an update on the projects listed.

14.1.2 Projects List Report Dated October 2019

A discussion was held regarding the inclusion of First Nation’s language in the OCP and its maps.

SP-2019-025

It was Moved and Seconded,

that the South Pender Island Local Trust Committee add a project to the Project's List to provide a more fulsome historical accounting of South Pender Island in the Official Community Plan.

CARRIED

14.2 Applications Report

None

14.3 Trustee and Local Expense Report Dated August 2019

Received for information.

14.4 Adopted Policies and Standing Resolutions

Received for information.

14.5 Local Trust Committee Webpage

No comments.

14.6 Islands Trust Conservancy Report

None

15. NEW BUSINESS

15.1 Climate Change Information - Briefing and Report

Received for information.

15.2 Covenant Discharge Request re: 8806 Ainslie – Staff Report

RPM Kojima provided an overview of the staff report, including the rationale for the request and the process should the recommendation be accepted.

SP-2019-026

It was Moved and Seconded,

that the South Pender Island Local Trust Committee accept the discharge of Section 219 covenant EL096392 registered on Lot 9, Section 21, Pender Island, Cowichan District, Plan VIP53829, except part in Plan VIP54818 and designate the Chair of the Local Trust Committee to sign the discharge of the covenant (8806 Ainslie Point Road)

CARRIED

15.3 LTC(s) Live Streaming Meetings

RPM Kojima provided an overview of the matter.

A discussion of potential options for implementing the practice, challenges, and current applications was held.

SP-2019-027

It was Moved and Seconded,

that the South Pender Local Trust Committee communicate to Trust Council its interest in filming and streaming its public meetings.

CARRIED

15.4 BEN Bylaw No. 116 - Staff Report & Bylaw No. 116

RPM Kojima provided an overview of the staff report.

SP-2019-028

It was Moved and Seconded,

that South Pender Island Local Trust Committee Bylaw No. 116, cited as "South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 116, 2019", be adopted.

CARRIED

16. UPCOMING MEETINGS

16.1 Next Regular Meeting - Proposed for February 7, 2020 at 10:30 am, at the South Pender Island Fire Hall

16.2 Proposed 2020 Annual Local Trust Committee Meeting Schedule

A discussion of the number of annual meetings was held.

SP-2019-029

It was Moved and Seconded,

that South Pender Island Local Trust Committee approve the proposed 2020 Annual Local Trust Committee Meeting Schedule.

CARRIED

17. TOWN HALL

Rick Friesen requested and received information on Draft Bylaw 117 and whether current use is protected should the bylaw be passed.

Peter Brooke spoke to the limitations of the protection that being legal conforming after a bylaw change provides.

Donna Spalding requested that sufficient notice be given to the community for special meetings, the BEN Bylaw creates risk that the bylaw officer files complaints on their own, and requested that the LTC advocate on their behalf to deter public trespassing on their property at the border of the William Walker trail.

18. CLOSED MEETING

18.1 Motion to Close the Meeting

SP-2019-030

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 & d) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated September 6, 2019
- Appointment of Board of Variance Members

AND that the recorder and staff attend the meeting.

CARRIED

18.2 Recall to Order

At 12:48 p.m. Chair Patrick recalled the public meeting to order.

18.3 Rise and Report

Chair Patrick reported that the South Pender Island LTC passed a resolution appointing Michael Symons, Priscilla Zimmerman, and Andrew MacLean to the South Pender Island Board of Variance for a three (3) year term commencing immediately.

CARRIED

19. ADJOURNMENT

By general consent the meeting was adjourned at 12:48 p.m.

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder

ADOPTED



South Pender Island Local Trust Committee

Minutes of Special Meeting

Date: December 7, 2019
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

Members Present: Laura Patrick, Chair
Cameron Thorn, Local Trustee
Steve Wright, Local Trustee

Staff Present: Narissa Chadwick, Island Planner
Shannon Brayford, Recorder

Public: There were approximately 24 members of the public.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:30 a.m.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

3.1 Community Information Meeting Re: Short Term Vacation Rentals

Members of the public circulated to observe informational signs and diagrams. They spoke in small groups and were able to direct questions and concerns directly with the Local Trust Committee (LTC) and staff.

One member of the community requested that his concern for understanding the process by which grandfathered Short Term Vacation Rentals (STVRs) will be identified be recorded in the minutes.

4. ADJOURNMENT

All members of the community had departed 11:50 a.m. A discussion of closing the meeting was held.

By general consent the meeting was adjourned at 12:01 p.m.

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder



South Pender Island Local Trust Committee Minutes of Special Meeting

Date: December 16, 2019
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island BC

Members Present: Laura Patrick, Chair
Cameron Thorn, Local Trustee
Steve Wright, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Narissa Chadwick, Island Planner
Sheree Rialp, Recorder

Public: There were approximately 17 members of the public present.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:31 a.m. She acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. PUBLIC HEARING RE: BYLAW NO. 117

3.1 Recess for Public Hearing

Chair Patrick recessed the meeting at 10:33 a.m. to hold the Public Hearing on proposed Bylaw No. 117.

3.2 Recall to Order

Chair Patrick recalled the meeting to order at 11:14 a.m.

4. LOCAL TRUST COMMITTEE PROJECTS

4.1 Short-Term Vacation Rental (STVR) / Bylaw No. 117 – Staff Memo

Planner Chadwick gave a brief summary of the Staff Report.

Trustees Thorn and Wright expressed their appreciation to those in the community who contributed their thoughts and ideas, gave written submissions and attended the Public Hearing. Trustee Wright gave a short history of the development of policies surrounding Short Term Vacation Rentals (STVRs) from adoption of the Official Community Plan (OCP) in 2002 and the Land Use Bylaw (LUB) in 2003, noting that South Pender had the most permissive rules on STVRs. The following major issues regarding Bylaw No. 117 that were raised at the Public Hearing by island residents were clarified:

- Bylaw No. 117 is a temporary restrictive measure based on a precautionary approach. It recognizes the importance of STVRs to the community, and will give residents the opportunity to provide input in formulating regulations to make sure the operation of STVRs is consistent with community values. Public engagement, input and participation does not end with approval of the bylaw, but rather is just the beginning of it;
- The role of trustees is to prevent future problems surrounding STVRs from occurring, as presently there are no measures or system in place to collect the data or process complaints. Other small communities have been having problems with growing STVRs; Bylaw 117 is intended to keep the same from happening in South Pender Island;
- Trustees followed all legal requirements in posting notices and timelines and in presenting the bylaw to the public;
- The objective of a STVR moratorium is to temporarily halt the creation and operation of STVRs in order to engage the community in conversation to discuss its parameters, such as how many should be on the island, spacing requirements, etc. This will pave the way for new and existing STVRs to be more efficiently managed. Trustees will present a course of action and timeline for the community to review and approve. The moratorium is not designed to displace long-term rentals, nor is it created to eventually become a permanent prohibition. Trustees have also looked into other alternatives for a moratorium, but could find none.
- Bylaw No. 117 is consistent with the intent and directive policies of the OCP. It balances regulations surrounding STVRs with community interests, and will provide opportunity to bring more clarity to the community's expressed vision and policies within the OCP.
- The amendment bylaw is essential in addressing issues surrounding STVR properties affected by grandfathering. Maintaining status quo without a moratorium would allow residents to create more STVRs, resulting in more residences with special rights and unfair advantages associated with their grandfather status.
- There have been comparisons made between commercial and residential rentals. Commercial properties are charged higher rates in property taxes and insurance premiums. They must comply with health, fire, and public safety regulations. All commercial income is taxable, while income from residential rentals are not. Commercial properties are exempt from the moratorium because they have been operating for years, and timeshare owners cannot privately rent their cottages.

RPM Kojima stated that Islands Trust lawyers will review the legal opinion submitted by Wes McMillan.

Chair Patrick stated that she believes in the importance of having regulations in place, citing Salt Spring Island as an example of ongoing enforcement. However, she noted that she has not seen one piece of correspondence in support of Bylaw 117, so she will be voting against the proposed amendment.

SP-2019-031

It was Moved and Seconded,

that South Pender Island Local Trust Committee proposed Bylaw No. 117, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2019", be read a second time.

CARRIED

SP-2019-032

It was Moved and Seconded,

that South Pender Island Local Trust Committee proposed Bylaw No. 117, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2019", be read a third time.

CARRIED

Trustee Thorn noted that the motion below only guarantees that Bylaw 117 will be moved forward but not necessarily adopted, due to legal questions and other considerations that need to be addressed. He advised residents to raise any questions they have on the process.

SP-2019-033

It was Moved and Seconded,

that South Pender Island Local Trust Committee proposed Bylaw No. 117, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2019", be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

SP-2019-034

It was Moved and Seconded,

that the South Pender Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 117, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2019", is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

RPM Kojima reminded the public that at this point the Local Trust Committee cannot receive new submissions, so any technical questions or questions concerning process that residents have should be directed to Islands Trust staff.

4.2 Project Charter – STVR Review - Staff Report

Planner Chadwick gave a summary of the Staff Report.

Chair Patrick declared a Town Hall Meeting on the Project Charter-STVR review at 12:02 p.m. to accommodate input from the public.

- Disappointment was expressed as a lot of the disparaging comments, dissension, and perceived issues in the community on this proposed moratorium could have been alleviated. .
- A question was raised on whether a similar process was taking place on Galiano Island. Planner Chadwick stated that there is a process in place, which can be read on the Islands Trust website.
- A comment was made that, compared to other islands, South Pender does not have the same problems with their STVRs. While there is agreement on the idea of a process, there is some concern regarding its execution.
- A question was raised regarding the review's timeline. Trustee Wright clarified that the review will continue until February 2021. Planner Chadwick confirmed that the public engagement process and information-gathering will likely extend to May 2020, followed by a process to develop the policies, review by the Executive Committee, and a review by the Ministry.
- There was a comment that the short timeline will make it difficult to consult the whole island community and achieve a full discussion. Advice was given regarding the need to rebuild trust in the community because, although the project charter is a good start, some damage has already been done.

Chair Patrick declared the Town Hall Meeting closed at 12:14 p.m. and the special meeting resumed.

SP-2019-035

It was Moved and Seconded,

that the South Pender Island Local Trust Committee adopt the proposed Project Charter for the South Pender Island STVR Review.

CARRIED

SP-2019-036

It was Moved and Seconded,

that the South Pender Island Local Trust Committee request staff to prepare for and schedule public engagement opportunities.

CARRIED

SP-2019-037

It was Moved and Seconded,

that the South Pender Local Trust Committee request staff to develop an online survey to be launched in early 2020 to gather feedback on STVR policy.

CARRIED

5. ADJOURNMENT

By general consent the meeting was adjourned at 12:15 p.m.

Laura Patrick, Chair

Certified Correct:

Sheree Rialp, Recorder



South Pender Island Local Trust Committee Record of a Public Hearing Proposed Bylaw No. 117

Date: December 16, 2019
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island BC

Members Present: Laura Patrick, Chair
Cameron Thorn, Local Trustee
Steve Wright, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Narissa Chadwick, Island Planner
Sheree Rialp, Recorder

Public Present: There were approximately 17 members of the public.

Chair Patrick opened the Public Hearing at 10:33 a.m. She read an official statement outlining content, purpose and process of the Public Hearing.

3.1 PUBLIC HEARING RE: BYLAW NO. 117 – Short-Term Vacation Rentals (STVRs)

Planner Chadwick provided a summary of the Public Hearing notice and the responses and submissions received.

Chair Patrick invited comments from the public, beginning with those in the Speakers List.

Rick Friesen presented a written submission by Vic Daniels and a legal opinion submitted by Wes McMillan, lawyer for William Daryl Henderson. He stated that he is now rescinding his recommendations for improving Bylaw 117. In reference to Solicitor McMillan's opinion, he explains his belief in how the proposed bylaw goes against South Pender's Official Community Plan (OCP), and cited The Honourable Madam Justice Mary Newbury's ruling that the OCP takes precedence over Bylaw 117. He recommends dropping the proposal and that, if passed, it will be challenged in court.

Donna Spalding spoke against the proposed bylaw amendment, stating she has received input from residents who are of the opinion the proposed bylaw has been rushed without supporting background indicating any problem with the STVRs. She inquired in the community and was told there have been no complaints received about the operation of STVRs. She also notes there is no Project Charter posted on the Islands Trust website as she requested. She is opposed to passing Bylaw 117, adding more information is needed and that it could have been managed better by considering the feelings of the residents.

Bruce McConchie spoke against the proposed bylaw amendment. In referring to the creation of Land Use Bylaw (LUB) No. 114 while he was an island trustee, he believes the passing of Bylaw 117 would be premature for the following reasons:

- There is no specified date to indicate when the bylaw would be replaced or rescinded;
- It is not in line with the OCP's intent to encourage the island's visitors and provide for STVRs, citing examples from OCP Bylaw No. 107 sections 3.1.1 and 3.1.2;
- There is no apparent crisis regarding STVRs that requires immediate action; and
- There is not enough data accumulated, such as parameters around grandfathering and bylaw monitoring and enforcement, to justify this amendment.

He expressed concern that this bylaw can potentially alienate the community, and recommended to table Bylaw 117 until it is fully discussed and analysed in detail with members of the community.

Gordie Duncan spoke against the proposed bylaw amendment, expressing concern that there is no sunset clause provided and the possibility of permanent grandfathering of present STVRs. He referred to the report on Bylaw 117 stating all zoning is included, but noted commercial zones such as Poet's Cove continue to advertise STVRs, which he believes is unfair. He also believes there is a lack of a reliable count on how many STVRs are currently on the island, and does not believe there has been any significant growth in 17 years. He also believes the bylaw was rushed and lacks public input.

Chair Patrick opened the floor for others from the public to comment.

John Spalding spoke against the proposed bylaw amendment. He stated it goes against the intent and spirit of the OCP, and noted there have been no issues or complaints against STVRs in the community. Citing his family and ancestors' heritage as settlers on the island and in operating STVRs, he believes the process is not amenable to the community's way of coming to a consensus. He expressed the need for further research and exploring other options.

Karen Fulawka spoke against the proposed bylaw amendment. She related the history of extended families that have been coming to her STVR for over 30 years, contribute to community events and consider South Pender Island their second home. She believes the real issue is for property owners to manage their rentals properly.

Charlotte Edwards expressed agreement with the other speakers and is opposed to the proposed bylaw amendment.

Audrey Green spoke against the proposed bylaw, and agreed with Bruce McConchie regarding past property issues that divided the community. She believes the bylaw is heavy-handed, and that the focus should be on regulation and proper management of STVR properties.

Gloria Green spoke against the proposed bylaw amendment, relaying her family's experience with visitors from all over the world that stay at their STVR. She also expressed concern over the issue of grandfathering properties.

Heather Harview spoke against the proposed bylaw amendment. She stated that as an AirBnB user, she has not witnessed any abuse by STVR renters on the island. She believes the proposed bylaw should be explored further as it has caused division in the community, and also expressed concern regarding the grandfathering issue.

Rick Friesen added that although he is opposed to the bylaw, he is open to discussion with the trustees regarding the regulation of STVR properties. He believes that the bylaw should provide fair and equal opportunities for commercial, residential, agriculture and forest properties.

Donna Spalding remarked on comments from the Advisory Planning Commission that the Islands Trust and Local Trust Committee should have information regarding the island's rentals and resources available on the website. She also mentioned her family's staying in vacation rentals around the world as a means to reunite with other family members who live abroad, and the same is applied to STVRs at South Pender Island, which is also a means by which visitors become familiar with and occasionally settle on the island.

Andy Patch spoke against the proposed bylaw amendment. He noted that the island has a small population, and recommended a process be created that would reach every resident to ensure a more fully informed decision. He expressed concern over the moratorium bylaw, stating there is ample time to do the proper research in a manner acceptable to the community.

Chair Patrick made three calls for further oral or written submissions from the public.

No further submissions were made.

Chair Patrick closed the Public Hearing at 11:12 a.m.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

RECORDER

DATE

Resolutions Without Meetings Log

South Pender Island

Resolution Number	Action	Date
2020-003 That the South Pender Island Local Trust Committee business meeting minutes of November 1, 2019, be adopted as presented; AND That the South Pender Island Local Trust Committee special meeting minutes of December 7, 2019 be adopted as presented.	In Favour	21-Jan-2020
2020-002 That the South Pender Island Local Trust Committee reschedule their business meeting from February 7, 2020 to January 31, 2020 AND That the South Pender Island Local Trust Committee hold a Special Local Trust Committee Meeting on February 15, 2020.	In Favour	21-Jan-2020
2020-001 That South Pender Island Local Trust Committee appoint the Bylaw Compliance & Enforcement Assistant, the Bylaw Compliance and Enforcement Manager and the Regional Planning Manager as Screening Officers pursuant to South Pender Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 116, 2019; AND That South Pender Island Local Trust Committee adopt the Bylaw Enforcement Notice Bylaw No. 116 Screening Officers' Powers and Duties Policy attached to the staff report dated November 1, 2019; AND That South Pender Island Local Trust Committee stipulate that the Bylaw Violation Notice attached to the staff report dated November 1, 2019, is the form of violation notice to be used pursuant to the Bylaw Enforcement Notice Bylaw No. 116, 2019.	In Favour	08-Jan-2020

South Pender Island Advisory Planning Commission Minutes of a Meeting

Date: Saturday, November 23, 2019 (9:00 a.m.)

Location: Pender Islands Fire Hall #3
8961 Gowlland Point Road, South Pender Island, BC

Members Present: Rick Friesen, Chair
Donna Spalding, Vice Chair
Rodney Kirkwood
Gordie Duncan

Regrets: Howard Airey

Others Present: Cameron Thorn, South Pender Island Local Trust Committee
North Pender Advisory Planning Commission representative

1. Call to Order

At 9:05 am Chair Rick Friesen acknowledged those present and called the meeting to order.

2. Approval of Agenda

Rick Friesen proposed amendments to the agenda to add consideration of Motions:

SP-APC-2016-007

It was Moved and Seconded,

that the agenda be amended to add: Consideration of the South Pender APC webpage(s).

CARRIED

SP-APC-2016-008

It was Moved and Seconded,

that Item 4 on the agenda include a motion that the South Pender APC forward the recommendations approved from Agenda Item 5 (original 4) to the South Pender Local Trust Committee.

CARRIED

3. MINUTES OF NOVEMBER 16, 2019 FOR ADOPTION

SP-APC-2016-007

It was Moved and Seconded,

that as no Minutes of the November 16, 2019 meeting were available adoption be deferred to the next meeting of the South Pender Island APC.

CARRIED

4. CONSIDERATION OF THE SOUTH PENDER ISLAND ADVISORY PLANNING COMMISSION WEBPAGE(S)

SP-APC-2016-008

It was Moved and Seconded,

that the South Pender APC approve the webpage(s) as displayed, and direct that it be placed on domain www.penderview.ca. The webpage will be maintained by Rick Friesen, with its form and content subject to change, deletion or expansion by a consensus of South Pender APC members, obtained via email or at South Pender APC meetings.

CARRIED

5. CONSIDERATION OF SHORT TERM VACATION RENTALS PER LOCAL TRUST COMMITTEE REFERRAL

SP-APC-2016-009

It was Moved and Seconded,

that the General Comments and Recommendations of the South Pender Island Advisory Planning Commissions regarding Short Term Vacation Rentals (attached) be forwarded to the South Pender LTC and that it be posted to the South Pender Island Advisory Planning Commission web site.

CARRIED

6. CONSIDERATION OF REFERRAL RE: OPTIONS SOUTH PENDER BUILDING AND SITING GUIDELINES

SP-APC-2016-010

It was Moved and Seconded,

that following discussion of the referral entitled Options South Pender Building and Siting Guidelines, the South Pender Island APC resume consideration of this referral at the next South Pender Island APC meeting, date to be determined.

CARRIED

7. ADJOURNMENT

The meeting adjourned at 12:30 p.m.

**South Pender Advisory Planning Commission -- STVR Project:
Recommendations to the South Pender Island Local Trust Committee:
“Terms of Reference for APC Consideration of STVRs”**

The South Pender Advisory Planning Commission (APC) offers comments and recommendations on the points, provided in the “Terms of Reference for APC Consideration of STVRs” referral received from the South Pender Local Trust Committee. (LTC)

Preamble: TERMS OF REFERENCE FOR APC CONSIDERATION OF STVRs

Trustees would like the members of the APC to consult among themselves and the property owners/residents of South Pender, whether it is necessary and/or desirable to regulate short term vacation rentals (STVRs).

STVRs are defined in our Land Use Bylaw as “the commercial use of a dwelling or a cottage to provide accommodation for periods of less than 30 consecutive days to persons who normally maintain a residence elsewhere.”

While the Land Use Bylaw defines “home business” as “a commercial use that is accessory to a permitted residential use on the same lot and include, where permitted, the use of a cottage for short term vacation rental”, some STVRs are not necessarily a “home business”.

An unknown number of properties on South Pender operate STVRs in a principal dwelling where the owner of the property is not present unlike other home businesses which require the business owner, or at least an employee, to be present on the property during the operations of the business.

APC Response:

General The South Pender APC felt that the questions and points provided in the referral would have been easier to consider, and offer comments to, if the APC had been provided context related to current issues experienced or anticipated on South Pender Island with regard to Short Term Vacation Rentals. These recommendations were made after considering opinions and comments expressed by property owners on South Pender attending South Pender APC meetings and in written communications directed to the South Pender APC.

The South Pender Island APC used these figures in analyzing the referral questions. This data is accepted as sufficiently accurate for the purpose of this project.

From the 2016 Census, building lot examination and current estimations:

- | | |
|-----------------------------------|-------------------------------|
| • Population = 235 | Estimated Current STVR's = 17 |
| • Private Dwellings = 210 | Estimated Current B&B's = 3 |
| • Occupied Homes = 122 | Estimated Current STVR c/w |
| • Developed Lots – OCP 2011 = 270 | Cottages = 3 |

APC Recommendation:

That the LTC retain the services of the Islands Trust and the CRD to help define the scope of the problem including:

1. Establishing the actual number of STVR's on South Pender expressed as a percentage of homes on South Pender Island relative to the number of dwellings.
2. Arriving at a reasonable ratio that could be used as a target in establishing an appropriate number of STVRs.

APC Recommendation:

That the LTC determine both the negative and positive impacts of STVRs, especially with regard to water use and in relation to any water conservation zones (if any).

TERMS OF REFERENCE FOR APC CONSIDERATION OF STVRs

These are the South Pender Advisory Planning Commission (APC) comments and/or recommendations on the 12 points in the referral from the South Pender Local Trust Committee (LTC):

"In your discussions, trustees would appreciate comments on the following be included:"

Referral Item 1. the ways and means of regulating the number of STVRs, including, whether the requirement to rezone the property (such as Residential Commercial) would be helpful;

APC: General Comment:

The South Pender APC believes the LTC has the ability to regulate the number of Short Term Vacation Rentals through methods already contained within the current Land Use By-law.

APC Recommendation:

That rezoning not be used as a way or means to regulate the number of Short Term Vacation Rentals on South Pender.

APC Recommendation:

That any regulation of Short Term Vacation Rentals should include a public review of the Official Community Plan objectives for Short Term Vacation Rentals on South Pender Island to ensure that the objectives of the South Pender Island Official Community Plan are respected.

APC Recommendation:

That the LTC should pursue holistic research and corroborated information to investigate with the community and property owner's implementation of possible methods to regulate, as necessary, the number of Short Term Vacation Rentals on South Pender.

Referral Item 2. how to balance the unfair advantage STVRs have on businesses within Commercial zoned properties;

APC: General Comment:

No guidance or context was provided in relation to what, within the purview of the Islands Trust, the "unfair advantage" might be, or what current issues were experienced. For this reason, the South Pender APC has no recommendation.

If it is assumed that "unfair advantage" refers to taxation, then it should be noted the STVR's pay 8% Sales tax and a 2% Municipal and Regional District Tax (MRDT).

Referral Item 3. the impact of STVRs have on, and possible solutions to, the shortage of long term rentals;

APC: General Comments:

The South Pender Island APC believes that Short Term Vacation Rentals on South Pender have little impact on the availability of long term rentals on South Pender for the following reasons:

- Dwellings are often used by owners and their families, so the owners have no desire to engage in long term rental.
- The high median price of housing on South Pender makes affordable rental rates for lower income earners beyond reach.

APC: General Comments, Referral Item 3 (continued):

- B.C. Rental Regulations, which often appear to favour the renter, gives cause for owners to not want to engage in long term rentals
- Many feel that a significant problem with respect to long term rental is the lack of affordable housing available for purchase or rental, which could be provided by senior levels of government, through various initiatives. The South Pender APC believes that other than zoning, rental housing and controls are beyond the LTC mandate.

Referral Item 4. the necessity and effectiveness of controlling the number of tourists by limiting accommodation;

APC: General Comment:

While the South Pender APC recognizes the impact STVR's and tourists can have, and have had, in other jurisdictions, we believe "controlling the number of tourists by limiting STVRs" would not only be onerous to manage, but that limiting or controlling the number of tourists is beyond the mandate of the LTC.

For these reasons the South Pender APC has no recommendation for this item.

Referral Item 5. whether the "home business" designation is appropriate for STVRs;

APC: General Comment:

The current Land Use By-law and OCP contains a designation for cottages as "home business" where its use is in conjunction with a principle residence.

A "home business" classification could not apply to STVR's as defined by the OCP. In addition, given that a home business requires the presence of the owner or an employee, then classifying STVR's as a "permitted use" under a "home business" cannot be implemented.

Referral Item 6. to what extent should property owners be responsible for managing guests;

APC: General Comment:

The South Pender APC believes, as a result of their research and samples provided, that property owners are being responsible in managing their guests and providing information on the limitations of the natural environment, its resources, and the rural character of the islands.

APC Recommendation:

That the Islands Trust and the LTC take efforts to inform Short Term Vacation Owners of the resources available on the Islands Trust web site and specifically the posters entitled "Please Help Us Protect This Special Environment" (Conserve Water, Starfoot, One for All, All for One), available from:

<http://www.islandstrust.bc.ca/trust-council/reports-and-publications/visitor-information-posters/>

APC Recommendation:

That the LTC review and encourage establishment of programs similar to those on other Gulf Islands. Examples include efforts by Short Term Vacation Rental Operators associations, and North Pender Island and Galiano Island initiatives to report density of use in relation to water.

Referral Item 7. the number of rooms, or buildings, be expanded/reduced for rental accommodation;1

APC Recommendation:

That based on a study or further research that confirms the actual number of Short Term Vacation Rentals on South Pender Island, and their potential occupancy, that a permitted increase of Short Term Vacation Rentals be limited so as to no more than double the current number of STVRs, and that the permitted increase be no less than one-half of the Short Term Vacation Rentals currently operating. *This is the same recommendation given for referral item 11.*

Referral Item 8. to what extent should persons renting accommodation educate tourists/visitors, in the limitations of the natural environment, its resources, and the rural character of the islands;

APC Recommendation:

Similar to Referral Item 6. Please see the comment and recommendations for that item.

Referral Item 9. whether “targeting” a specific market of tourists, when advertising accommodations, is more beneficial than a broad promotion to the general public;

APC: General Comment:

The South Pender APC believes that exercising control of promotion or advertising is out of the scope of the LTC and for this reason has no recommendation.

Referral Item 10. should services and activities be expanded/limited for STVR operators;

APC: General Comment:

The South Pender APC is unaware of any services available to Short Term Vacation Rental owners that could be limited or expanded that are not already available to them as property owners. For this reason the South Pender APC felt they could offer no recommendation in response to this question.

Referral Item 11. should there be a limit to the number of tourist accommodations on South Pender;

APC Recommendation:

That based on a study or further research that confirms the actual number of Short Term Vacation Rentals on South Pender Island, and their potential occupancy, that a permitted increase of Short Term Vacation Rentals be limited so as to no more than double the current number of STVRs, and that the permitted increase be no less than one-half of the Short Term Vacation Rentals currently operating. *This is the same recommendation given for referral item 7.*

Referral Item 12. if additional tourist accommodations are desired, should they be expanded in Commercial zones or within residential areas?

APC Recommendation:

That any expansion of tourist accommodation in either the commercial zone or residential zones be referred to a well-informed public discussion, backed up by research to assess need and best zone(s).

Submitted this ____ Day of December, 2019, The South Pender Island Advisory Planning Commission

Howard Airey Gordie Duncan Rick Friesen Rod Kirkwood Donna Spalding



Follow Up Action Report

South Pender Island

01-Nov-2019

Activity	Responsibility	Dates	Status
1 8.1 Minutes of September 6th adopted as presented (done), minutes of October 18th adopted as amended	Maple Hung	Target: 08-Nov-2019	Completed
2 10.1 STVR Project - Bylaw 117 given First Reading and direction to schedule a public hearing, and to work with trustees with scheduling a CIM. Staff to report back with a project charter on STVR review project	Maple Hung Narrisa Chadwick Sharon Lloyd-deRosario	Target: 08-Nov-2019	Completed
3 10.2 Building and Siting guidelines - referred to APC (MH sent Building & Siting Guidelines - staff report to APC Members)	Maple Hung Narrisa Chadwick	Target: 08-Nov-2019	Completed
4 15.2 Covenant discharge request (8806 Ainslie Pt. Rd) - accepted by resolution and chair authorized to sign	Phil Testemale	Target: 08-Nov-2019	Completed
5 15.3 LTC live streaming -SPILTC is interested in live streaming, report to TC	Robert Kojima	Target: 08-Nov-2019	Completed
6 15.4 BEN Bylaw 116 - adopted	Robert Barlow Sharon Lloyd-deRosario Warren Dingman	Target: 08-Nov-2019	Completed
7 16.2 Annual Meeting schedule adopted as presented (MH - done schedule update, confirmed locations, put on webpage, sent out invitations on Outlook)	Maple Hung Sharon Lloyd-deRosario	Target: 08-Nov-2019	Completed

Follow Up Action Report

South Pender Island

01-Nov-2019

Activity	Responsibility	Dates	Status
8 18.3 - Rise and Report: Priscilla Zimmerman, Michael Symons and Andrew McLean appointed to the South Pender Board of Variance (MH done)	Maple Hung Sharon Lloyd-deRosario	Target: 08-Nov-2019	Completed

16-Dec-2019

Activity	Responsibility	Dates	Status
1 4.1 Bylaw 117: 2nd and 3rd, reading (done) refer to executive committee (Jan. 15th), policy statement directives checklist endorsed.	Jas Chonk Narrisa Chadwick Sharon Lloyd-deRosario		Completed
2 4.2 Project charter endorsed, staff directed to develop online survey and prepare for and schedule public engagement.	Narrisa Chadwick		Completed

DATE OF MEETING: January 31, 2020
TO: South Pender Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Victoria Office
SUBJECT: Bylaw 117 Final Approval

RECOMMENDATION

1. That South Pender Island Local Trust Committee Bylaw No. 117, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2019”, be adopted.

REPORT SUMMARY

The purpose of this report is to present Bylaw 117 for consideration of Final Adoption.

The above recommendation is supported as the bylaw has received Executive Committee approval.

BACKGROUND

Background to this application, including staff reports is available on the Islands Trust website:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/south-pender/projects-initiatives/stvr-review-project/>

The Bylaw will remove short term vacation rentals as a permitted principal use in Residential, Agricultural, Forestry and Natural Resource zones.

Specific File Activity

The following is a summary of key resolutions related to this bylaw:

- The LTC passed the following resolutions at its December 16th, 2019 special meeting:

SP-2019-031

It was Moved and Seconded,

that the South Pender Island Local Trust Committee Bylaw No. 117, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019”, be read a second time.

CARRIED

SP-2019-032**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee Bylaw No. 117, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019”, be read a third time.

CARRIED**SP-2019-033****It was Moved and Seconded,**

that the South Pender Island Local Trust Committee Bylaw No. 117, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019”, be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

- The Executive Committee passed the following resolutions at its January 15th, 2019 regular meeting:

EC-2020-002**It was Moved and Seconded,**

THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 117, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019”, in accordance with Section 27 of the *Islands Trust Act*.

CARRIED**Rationale for Recommendations:**

The bylaw has received Executive Committee approval.

ALTERNATIVES**1. Proceed no further**

The LTC may decide to proceed no further with Bylaw 117

Resolution:

That the South Pender Island Local Trust Committee proceed no further with proposed Bylaw No. 117, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019”.

Submitted By:	Narissa Chadwick, Island Planner	January 16, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	January 16, 2020

ATTACHMENTS

- Bylaw No. 117 (Executive Committee Approval)

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 117

A BYLAW TO AMEND SOUTH PENDER ISLAND LAND USE BYLAW No. 114, 2016

The South Pender Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the South Pender Island Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019"

2. South Pender Island Local Trust Committee Bylaw No. 114, cited as "South Pender Island Land Use Bylaw No. 114, 2016" is amended as follows:

1. Section 5.1 (Rural Residential Zones) is amended under "Permitted Uses" by deleting "(1)(d) Short-term vacation rental of a dwelling;" and replaced with "*rescinded*"
 2. Section 5.1 (Rural Residential Zones) is amended under "Conditions of Use" by deleting "(8) Only one dwelling or cottage may be used for short-term vacation rental on a lot at the same time." and replaced with "*rescinded*"
 3. Section 5.5 (Agriculture (A)) is amended under "Permitted Uses" by deleting "(1)(d) Short-term vacation rental of a dwelling;" and replaced with "*rescinded*"
 4. Section 5.5 (Agriculture (A)) is amended under "Conditions of Use" by deleting "(10) Only one dwelling or cottage may be used for short-term vacation rental on a lot at the same time." and replaced with "*rescinded*"
 5. Section 5.6 (Forestry (F)) is amended under "Permitted Uses" by deleting "(1)(a) Short-term vacation rental of a dwelling;" and replaced with "*rescinded*"
 6. Section 5.6 (Forestry (F)) is amended under "Conditions of Use" by deleting "(8) Only one dwelling or cottage may be used for short-term vacation rental on a lot at the same time." and replaced with "*rescinded*"
 7. Section 5.7 Natural Resource (NR) under "Permitted Uses" by deleting "(1)(c) Short term vacation rental of a dwelling;" and replaced with "*rescinded*"
 8. Section 5.7 Natural Resource (NR) under "Conditions of Use" by deleting "(7) Only one dwelling or cottage may be used for short-term vacation rental on a lot at the same time" and replaced with "*rescinded*"
3. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this 1st day of November 2019.

PUBLIC HEARING HELD this 16th day of December , 2019.

READ A SECOND TIME this 16th day of December , 2019.

READ A THIRD TIME this 16th day of December , 2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
15th day of January , 2020.

ADOPTED this day of , 202_.

SECRETARY

CHAIR

Top Priorities Report

South Pender Island

1. *Groundwater Sustainability project*

Responsible

Dates

Phase 1: to undertake analysis of groundwater resources

William Shulba

Rec'd: 05-Apr-2019
Target: 31-Mar-2020

2. *STVR Review*

Responsible

Dates

Consider initiating review upon receipt of APC comments

Narrisa Chadwick

Rec'd: 06-Sep-2019

3. *Building and Siting Guidelines*

Responsible

Dates

To consider regulations, policies and educational guidelines for residential buildings

Narrisa Chadwick

Rec'd: 06-Sep-2019



Projects Report

South Pender Island

1. <i>Development Permit Areas</i>	Responsible	Date Received
review existing DPAs for sensitive ecosystems to determine current status		28-Apr-2015

2. <i>Sea level Rise and Shoreline Erosion</i>	Responsible	Date Received
		28-Apr-2015

3. <i>Agricultural Land Review</i>	Responsible	Date Received
		06-Sep-2016

4. <i>RVs as Residences</i>	Responsible	Date Received
review regulations for use of RVs and related vehicles as dwellings		06-Sep-2019

5. <i>Steel Storage Containers</i>	Responsible	Date Received
Review LUB regulations to consider prohibiting or regulating steel storage and shipping containers		06-Sep-2019

6. <i>Derelict vehicle and machinery</i>	Responsible	Date Received
Review derelict vehicle and discarded equipment regulations		06-Sep-2019

7. <i>First Nations Language</i>	Responsible	Date Received
Consider OCP amendment to include a more fulsome historical accounting of First Nations		01-Nov-2019

Islands Trust
LTC EXP SUMMARY REPORT F2020
Invoices posted to Month ending November 2019

665 South Pender	Invoices posted to Month ending November 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-665	LTC "Trustee Expenses"	157.00	43.00	114.00
LTC Local				
65200-665	LTC - Local Exp - LTC Meeting Expenses	1,928.00	667.00	1,261.00
65210-665	LTC - Local Exp - APC Meeting Expenses	411.00	598.50	-187.50
65220-665	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-665	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>2,883.00</u>	<u>1,265.50</u>	<u>1,617.50</u>
Projects				
73001-665-4107	South Pender Short Term Vacation Rental (STVR) Review	2,000.00	0.00	2,000.00
TOTAL Project Expenses		<u>2,000.00</u>	<u>0.00</u>	<u>2,000.00</u>



Standing Resolutions Log

South Pender Island

Resolution Number	Action	Date
2019-015	In Favour	06-Sep-2019
that the South Pender Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.		
2019-014	In Favour	06-Sep-2019
that the South Pender Island Local Trust Committee endorse the Model Cell Tower Strategy.		



Standing Resolutions Log

South Pender Island

Resolution Number	Action	Date
2019-001 - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - The proposed license should also be referred to First Nations for comment. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms - o The location of the proposed establishment and the subject site - o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - o How public comments may be submitted to the local trust committee.	In Favour	01-Feb-2019
2015-015 That whereas full agendas are available for public perusal on the website, and whereas the SPILTC endeavours to lower its ecological footprint be it moved that full paper printed agenda packages no longer be provided for future SPILTC meetings.	In Favour	28-Apr-2015
2010-000 Send FUAL to trustees once drafted following the meeting.	In Favour	05-Oct-2010
2006-012 That staff prepare draft of meeting minutes for Local Trust Committee reading, correction and amendment as soon as possible following meetings. The South Pender Island Local Trust Committee will adopt these minutes by Resolution without Meeting within fourteen business days, if possible, of each meeting.	In Favour	23-May-2006



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality November 2019

Islands Trust Conservancy New Board Member

Trustee Dr. Susan Hannon joined the Board November 2019. Susan Hannon is a retired Ecology Professor from University of Alberta, currently living on Salt Spring Island. Dr. Hannon's research expertise is in forest ecology, impacts of habitat fragmentation, forest birds and conservation. Active in her community, Dr. Hannon is a Commission Member for The Advisory Planning Commission for Islands Trust. She has also served on the boards of The Salt Spring Island Conservancy, The Nature Trust of BC, Bird Studies Canada, and the Garry Oak Ecosystem Recovery Team Society. Dr. Hannon has worked in land stewardship with private landowners, runs the nest box program on Salt Spring, worked in Garry oak ecosystem restoration and removal of invasive plants. She holds a Doctor of Philosophy in Ecology from the University of British Columbia.

Islands Trust Conservancy Staff Changes

Islands Trust Conservancy is pleased to welcome Kathryn Martell as the acting Ecosystem Protection Specialist, replacing Wayne Bourque.

Carla Funk is acting ITC Communications and Fundraising Specialist while Crystal Oberg is on education leave until August, 2020.

Goal 1 – Science-based Conservation Planning

Goal 2 – Strong relationships with First Nations

The Islands Trust Conservancy Board received a letter from Lyackson First Nation in regards to the Salish View Nature Reserve for information.

Goal 3 – Protection of core conservation areas

Property Management

Mt. Artaban Nature Reserve Management Plan

Islands Trust Conservancy Board approved the 2019 update of the Mount Artaban Nature Reserve Management Plan. The plan will be made available online once it is approved by the covenant holders.

Land Acquisition and Covenants

Covenant Modification Agreement – Woodwinds NAPTEP Covenant

The Islands Trust Conservancy Board agreed to modify the Woodwinds NAPTEP covenant on North Pender Island to address an existing septic field.

Goal 4 – A strong voice for nature conservation

1. Islands Trust Conservancy Board directed staff to consider including a Note Disclosure highlighting the importance of natural assets to the mandate of Islands Trust and the services they provide for island communities, starting with the current fiscal year's annual financial reporting.
2. Islands Trust Conservancy Co-Chair, Sue-Ellen Fast and three staff attended the biennial Land Trust Alliance of BC Seminar Series. The ITC Manager co-presented with the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) regarding the CDFCP conservation planning tool.
3. Staff provided an update to the ITC Board regarding the status of the website renewal project and the integration of the ITC website into the Islands Trust site.

Activities by Local Trust Area/Island Municipality

Gambier

The Islands Trust Conservancy Board approved the Mount Artaban Nature Reserve Management Plan.

The Islands Trust Conservancy Board reviewed the Public Acquisitions Report for information. Discussion ensued on the Sandy Beach acquisition history and current project details.

North Pender

Islands Trust Conservancy Board directed staff to write a letter to the North Pender Island Local Trust Committee describing concerns regarding potential long-term impacts of contaminated runoff, and alternative designs such as containment of any point source runoff or spills related to a Temporary Use Permit extension application adjacent to the Medicine Beach Nature Sanctuary.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca