

ADOPTED

**MINUTES OF THE SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON TUESDAY, JUNE 19, 2012, AT 10:00 AM
AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD
SOUTH PENDER ISLAND, B.C.**

PRESENT: **Ken Hancock** **Chair**
 Elizabeth Montague **Local Trustee**
 Mike Jones **Local Trustee**
 Andrea Pickard **Island Planner**
 Zorah Staar **Recording Secretary**

REGRETS: **none**

There were ten (10) members of the public in attendance.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 10:00 am, acknowledging that it was taking place on the traditional territories of the Coast Salish First Nations people.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The proposed agenda was amended as follows:

- add the latest Advisory Planning Commission Minutes to item 5.4.2;
- add additional community submissions to item 9.1 (SP-SUB-2011.2);
- add a new item 12.3 for discussion of Islands Trust Minutes Guidelines.

The agenda as amended was adopted by consensus.

2.2 Questions from Public on Agenda Items

Paul Petrie asked about the Staff Report for item 9.1 (SP-SUB-2011.2, Cadez), and then (with the permission of the Chair) he commented he did not believe the proposed parkland dedication of the Good Shepherd Church to be **inconsistent** with the local Parks Master Plan; the proposal should provide “comparable value to the community” for the public ocean access which they were being asked to give up; and the Local Trust Committee should not “accept in principle” this proposal until many uncertainties were resolved.

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARINGS

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for adoption

5.1.1 Minutes of April 10, 2012 Local Trust Committee Business Meeting

It was noted that the April 10, 2012 Local Trust Committee Minutes had already been approved by Resolution-without-meeting.

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

Planner Pickard said there had been Resolutions-without-meeting to approve Local Trust Committee Minutes, and to allow posting of the May 4, 2012 draft Advisory Planning Commission Minutes on the Islands Trust website.

5.4 Advisory Planning Commission/Task Force Minutes

5.4.1 Advisory Planning Commission Minutes of May 4, 2012

5.4.2 Advisory Planning Commission Minutes of June 1, 2012

The Local Trust Committee received the Advisory Planning Commission Minutes of May 4 and June 1, 2012 (for further discussion under 9.1).

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard reviewed the available Follow-up Action Report, regarding completed or ongoing work items.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Z. Staar letter dated May 21, 2012, re: Pender Community Transition (PCT) Funding Request

Trustee Montague said that the work of Pender Community Transition (PCT) was in line with Islands Trust goals of decreasing greenhouse gas emissions and increasing local food security.

Chair Hancock said that the Local Trust Committee could not provide funding per se, but could purchase reports on activities consistent with the Work Program.

Resolution SP-LTC-30-12

It was Moved and Seconded that the South Pender Island Local Trust Committee add an item to the Projects List of the Work Program, entitled “Community Transition & Resilience” and described as: “support ongoing development of community transition and resilience to worldwide challenges such as climate change, peak oil, and food security”.

CARRIED

Resolution SP-LTC-31-12

It was Moved and Seconded that the South Pender Island Local Trust Committee allocate \$200 towards the purchase of a series of reports from Pender Community Transition (PCT) regarding their activities in the coming year.

CARRIED

8.2 W. Scholefield email dated May 24, 2012, re: SP-SUB-2011.2 (Cadez)

The above email was received, and would be included under item 9.1.

9. APPLICATIONS, PERMITS, AND REFERRALS

9.1 SP-SUB-2011.2 (Cadez)

Planner Pickard noted the June 5, 2012 Staff Report and related community submissions and Advisory Planning Commission minutes. She commented that SP-SUB-2011.2 (Cadez) was an application for a 4-lot subdivision, involving a proposed parkland dedication of the Good Shepherd Church; the Pender Parks Master Plan allowed for heritage parks, but envisioned a public ocean access for the subdivision property; the Trustees could reject the Church proposal, or accept it in principle on the understanding that various details had to be worked out before Local Trust Committee final approval.

Trustee Montague said that the community had come out very strongly in favour of preserving the Good Shepherd Church.

However, there were a number of conditions to be satisfied first, including: confirming that the Church could be purchased from the Anglican Diocese, or perhaps gifted back to the community; removing the title restriction re: only Anglican Church use; providing water and a bathroom; creating a community organization to manage the project; and confirming the provision of funds from the applicants (e.g. for renovation and maintenance) in an amount of comparable value to a public ocean access.

Chair Hancock said that for the Church to be renovated as a public building, it would have to be brought up to Building Code standards (likely including water and septic), which might be cost prohibitive.

In addition, there had been other special CRD parks initiated with the keen support of a local non-profit organization (e.g. for skateboarding), but then it was key for this support to continue. Local parks in this region had to be owned by the CRD, with management delegated to a volunteer Parks & Recreation Commission.

Trustee Jones commented that to give up the park dedication of a public ocean access trail would require something significantly more beneficial to the community; the Advisory Planning Commission's suggested conditions (from their June 1, 2012 meeting) were very helpful, but sewer and water facilities should be confirmed rather than just investigated; if the subdivision applicants were willing to acquire the Good Shepherd Church, renovate it to Code, and provide a 10-year maintenance fund, then Jones believed this was worth more to the community than another public ocean access trail.

Trustee Montague noted that the Church included a Memorial Garden, which would understandably limit activities there. . However, there had been many good suggestions about appropriate community uses. Also, the Pender Islands Parks & Recreation Commission had limited capacity to manage the site, so a new community organization **to help manage** seemed necessary, perhaps assisted by the CRD. **Following the recommendation of the APC, Trustee Montague indicated that she would support a motion to accept the proposal in principle with the understanding that the list of conditions set out in the APC's recommendation must be met before the application moves forward.**

Further regarding the applicants needing to provide "comparable value" to a public ocean access, the Trustees discussed how South Pender no longer accepted cash-in-lieu of park dedication (in part because of the limitations of the legislative formula applied). They noted that the current proposal was not considered cash-in-lieu, but rather a unique form of park dedication.

Howard Airey was present on behalf of the applicants, and he described what they had already spent to acquire and improve the property. He also said that to be able to create two new oceanfront lots through subdivision was not worth as much as people might think, due to the property including a high bluff.

Resolution SP-LTC-32-12

It was Moved and Seconded that the South Pender Island Local Trust Committee considers the parkland proposal involving the adjacent Church property for application SP-SUB-2011.2 (Cadez) to be acceptable in principle, subject to a number of conditions being satisfied, including but not limited to the following:

1. Ensuring that condition D1109011 registered on title (which limits the Church property to Church of England use) is removed;
2. Ensuring that there is an agreement between the applicants and the Anglican Church for purchase of the Church property;
3. Confirming that the Pender Islands Parks & Recreation Commission is consulted and that their recommendation is considered;

4. Confirming specific details of the Church renovation, including the provision of sewer and water facilities, the cost of which will be borne by the applicants;
5. Establishing the value of a maintenance fund to maintain the Church for a period of 10 years which will be borne by the applicants;
6. Dedicating the Church property to the Capital Regional District as park land for the community;
7. Transferring management of the property and the maintenance fund to a body agreed to by the South Pender Island LTC and the Capital Regional District.

CARRIED
(All in favour)

Resolution SP-LTC-33-12

It was Moved and Seconded that South Pender Island Local Trust Committee, regarding application SP-SUB-2011.2 (Cadez), direct Staff to initiate a process to work with the stakeholders, to develop a more detailed proposal to be considered by the Committee.

CARRIED

9.2 Referral of Proposed North Pender Bylaw No. 191

Planner Pickard reviewed the May 1, 2012 Bylaw Referral Form, which sought comment on a proposed North Pender Island Bylaw No. 191. This bylaw would rezone to a particular property to allow an ocean-based geoexchange system for heating and cooling, with no apparent negative environmental impact.

Resolution SP-LTC-34-12

It was Moved and Seconded that the South Pender Island Local Trust Committee inform the North Pender Island Local Trust Committee that their interests are unaffected by Proposed Bylaw No. 191.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Community Survey

Planner Pickard noted the Staff Memorandum dated June 6, 2012, and the updated Community Survey results, commenting that this was an online survey using Survey Monkey software, initiated on May 18, 2012, with an invitation in the newsletter to South Pender residents; that so far there had been 17 responses, which provided some input (described) but it was not statistically representative; the survey had 27 questions on themes relating to South Pender Islands Trust issues (e.g. proposed Land Use Bylaw amendments, Shoreline Development, etc.).

Trustee Montague noted that not everyone on South Pender was internet-savvy, and perhaps we should try a mail-out survey with options for response.

Trustee Jones felt that the Community Survey had been a worthwhile experiment, and that as people became more familiar with the process, they might be more likely to respond.

To obtain a more significant sampling, the Trustees agreed by consensus to set a deadline for the existing Community Survey of August 28, and to make further efforts to encourage people to respond (i.e. using the Islands Trust email subscriber list, Pender Post, etc.).

10.2 Land Use Bylaw Review 2012

Planner Pickard referred to the June 7, 2012 Staff Report, which attached a draft bylaw to amend the South Pender Island Land Use Bylaw (LUB). She said that Draft Bylaw No. 111, contained the LUB amendments from the list which was previously discussed by the Trustees, plus a proposed definition for an ocean-based geoexchange system. Initial results of the Community Survey's questions about LUB amendments might lead the Trustees to make further revisions to Bylaw No. 111.

The Trustees discussed some additional revisions, considering what flowed out of the Official Community Plan Review, the survey, other community feedback, and also potential impacts of future development.

Resolution SP-LTC-35-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct Staff to revise Draft Bylaw No. 111, to include, limiting the maximum floor area of principal dwellings to 375 square metres and allowing attached dwellings where 2 or more are already permitted on a lot.

CARRIED

It was noted that 375 square metres equals 4,036 square feet, and "attached dwellings" means a form of duplex. The Trustees agreed that Draft Bylaw No. 111, would be considered further at their next meeting on September 18, 2012.

10.3 Shoreline Review

Planner Pickard referred to the June 7, 2012 Staff Report commenting that the recent Community Survey included some feedback about shoreline issues; that both the South and North Pender Island Local Trust Committees had initiated Shoreline Review projects; Trust Council was supporting new integrated watershed and shoreline mapping; and that there were various ways in which South Pender might now choose to proceed.

Resolution SP-LTC-36-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct Staff to report back with a draft scope, timeline, budget, and workplan for advancing the Shoreline Review, based on three phases: information gathering; education and consultation; and implementation.

CARRIED

Planner Pickard said that she would follow-up by emailing a detailed Staff Report to Trustees as soon as possible.

The Trustees agreed by consensus that shoreline issues should be a focus of the upcoming joint meeting with the North Pender Island Local Trust Committee (along with Ministry of Transportation & Infrastructure issues, and a few other matters).

Chair Hancock noted that shoreline mapping was shifting from a geologic approach to a more ecosystem-based orientation. Also, the Pender Islands Conservancy Association together with Parks Canada were having a shoreline ecosystem educational event, at the Pender Community Hall on October 13.

11. REPORTS

11.1 Work Program Reports

11.1.1 Adopted Policies and Standing Resolutions; and Objectives

See available report.

11.1.2 South Pender Island Local Trust Committee Work Program

See item 8.1 re: amending the Work Program.

11.2 Applications Report

11.2.1 South Pender Island Applications Report

Planner Pickard reviewed the available Applications Report.

11.3 Expense/Budget Reports

11.4.1 Trustee and Local Expenses

See available report.

11.4 Bylaw Enforcement

There was no Bylaw Enforcement report.

11.6 South Pender LTC Web Page

The Trustees agreed to publicize the Community Survey deadline of August 28, as well as posting the survey results after that deadline, and removing some older items from the webpage.

11.7 Chair's Report

Chair Hancock commented the recent Islands Trust Council meeting at the Pender Community Hall had been very successful; that this included a lovely event hosted by the South Pender Trustees. Meaningful motions were passed regarding advocacy on oil spill and tanker issues; and this would be followed up at the September meeting of the Union of BC Municipalities.

11.8 Trustee Reports

Trustee Montague found the recent Trust Council Meeting to be very productive, including taking a strong position against the pipelines that would increase tanker traffic on our coast. She also acknowledged the decision to grant a Community Stewardship Award to Penderite Margot Venton, for her legal work supporting Orca protection.

Trustee Jones acknowledged the high percentage of Trustees who supported greater marine protection, and also the impact when he recently took 4 Island Trustees to an oil spill emergency exercise. A movie about the Enbridge pipeline's path ("On the Line") was being shown on Pender tomorrow (June 20).

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Next Local Trust Committee Business Meeting

The next Local Trust Committee Business Meeting was scheduled for Tuesday, September 18, 2012, at 10:00 am at the South Pender Fire Hall.

12.2 Road Assessment for NZEV

Planner Pickard referred to the Staff Memorandum dated June 6, 2012, regarding new possibilities to have local roadways approved for the use of Neighbourhood Zero Emission Vehicles (NZEV), i.e. small electric vehicles.

Resolution SP-LTC-37-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct Staff to include all South Pender roadways in the application to the Ministry of Transportation & Infrastructure for a road assessment to allow Neighbourhood Zero Emission Vehicles.

CARRIED

12.3 Islands Trust Minutes Guidelines

Chair Hancock referred to the former “Local Trust Committee Minutes Guidelines”, and the new “Islands Trust Minutes Guidelines” just approved by Trust Council (and now to be implemented, including the new E-Scribe system). In the interim, Hancock commented that unless the Local Trust Committee had asked the Advisory Planning Commission to conduct a broad public consultation, their minutes should summarize their own discussions, and not attach submissions by themselves or others; these additional submissions (even by APC Members) should be sent directly to the Local Trust Committee; other than at a formal Public Hearing, community members who commented at an Islands Trust meeting were not required to give their names. However, if they did give their name, this may or may not be recorded in the minutes’ summary of the discussion. Chair Hancock said that he would try to attend the next Advisory Planning Commission Meeting, if this was helpful.

13. TOWN HALL MEETING

Buffy Paterson thanked the Trustees for their time and patience working on community issues.

John Rumble said he had heard that Advisory Planning Commission (APC) meetings could be held without notice to the public.

Planner Pickard responded that the APC operated somewhat independently of Islands Trust Staff, with the local APC Secretary posting a notice of upcoming meetings (on the South Pender Fire Hall Bulletin Board and elsewhere).

It was suggested that after an APC referral had been made, interested people contact one of the APC Members, and also subscribe to the Islands Trust email list.

Chair Hancock said that the new E-Scribe system (to be implemented) would hopefully make it easier for Advisory Planning Commission and other Islands Trust meeting notices, agendas, and minutes to be made available to the public.

14. MOTION TO CLOSE MEETING

Resolution SP-LTC-38-12

It was Moved and Seconded, pursuant to Section 90(1)(f) of the Community Charter, that the South Pender Island Local Trust Committee resolves to close the meeting to the public, for the purposes of adopting In Camera Local Trust Committee Minutes of April 10, 2012, and also for consideration of Board of Variance appointments, and further that Planner Andrea Pickard and Recording Secretary Zorah Staar remain present.

CARRIED

Note: See separate In Camera LTC Minutes of the same date.

Resolution SP-LTC-40-12

It was Moved and Seconded that the South Pender Island Local Trust Committee re-open the meeting to the public.

CARRIED

15. RECALL TO ORDER

The meeting was re-opened to the public at 2:05 pm. Chair Hancock reported that the following persons had been appointed to the South Pender Island Board of Variance: Priscilla Ewbank, Sara Steil, and Jim Petrie.

16. ADJOURNMENT

Resolution SP-LTC-41-12

It was Moved and Seconded that the meeting be adjourned at approximately 2:06 pm.

CARRIED

RECORDER

CHAIR