

# Adopted



Islands Trust

## South Pender Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** November 6, 2020  
**Location:** Electronic Meeting (via Zoom Webinar)

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

**Staff Present:** Robert Kojima, Regional Planning Manager  
Kim Stockdill, Planner  
Narissa Chadwick, Planner  
  
Lauren Edwards, Recorder  
Maple Hung, Recorder

**Public:** There were approximately (2) attendees in the Zoom Webinar.

#### 1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:30 a.m. She acknowledged that the meeting was being held across the traditional territory of the Coast Salish First Nations.

#### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

8.3 Advisory Planning Commission Minutes: A change to the membership of the Advisory Planning Committee.

**By general consent** the agenda was approved as amended.

#### 3. TRUSTEE REPORT

Trustee Thorn commented that a Local Trust Committee (LTC) meeting was held on September 4<sup>th</sup> and a special meeting was held on September 26<sup>th</sup>. He reported that the public participated virtually and provided comments on a broad range of things. Conversations will continue through more meetings and the public were encouraged to view documents on the Trustee Corner web page.

Trustee Wright commented that his focus is what we leave for the next generation.

**4. CHAIR'S REPORT**

Chair Patrick reported that the next council meeting is on December 3<sup>rd</sup> and the budget is to be approved in March. Deadline is November 10<sup>th</sup> to receive a delegation.

**5. TOWN HALL AND QUESTIONS**

One public attendee commented on the University of Victoria report regarding the preservation and protection of the coastal douglas fir zone which was sent to the Trustees. He further commented that he believes the Development Permit Area (DPA) suggestion has merit.

Trustees responded with the following information:

- Chair Patrick reported a good meeting with the minister prior to the election and also that at the Trust Council's last meeting, there was discussion about changes to legislation to regulate tree cutting; and
- Trustee Wright advised that the minister will assess LTCs and would question whether or not the DPA has been adequately used.

In response to a public attendee's question regarding the posting of STVR correspondence to the LTC website, Chair Patrick clarified that new correspondence has been received and discussed and will be posted.

In response to a question from a public attendee regarding community information meetings, clarification was provided that those meetings do not follow an agenda, however, issues for discussion may be emailed in advance to the LTC.

In response to a public attendee's concern regarding opportunities for community involvement on LTC matters, such as the drafting of the Land Use and STRV bylaws, it was clarified that the community information meetings will be announced and support for the LTC efforts to increase community involvement and create a listing of STVRs would be welcomed. The value of community mail-outs was also discussed.

**6. COMMUNITY INFORMATION MEETING**

None

**7. PUBLIC HEARING**

None

## 8. MINUTES

### 8.1 Adopted Local Trust Committee Minutes (for Adoption)

#### 8.1.1 September 4, 2020 Regular Meeting Minutes

The following amendments to the minutes of September 4, 2020 were presented for consideration: Change the last sentence in Item 3.

**From:** Chair Patrick suggested that communication with prospective new owners would be a way to provide information on those topics enumerated above and other items that might help to information their purchase.

**To:** Chair Patrick suggested that communication with prospective new owners would be a way to provide information on those topics enumerated above and other items that might help to inform their purchase.

**By general consent** the Local Trust Committee meeting minutes of September 4, 2020 were adopted as amended.

#### 8.1.2 September 26, 2020 Special Meeting Minutes

**By general consent** the Local Trust Committee Special Meeting minutes of September 26, 2020 were adopted.

### 8.2 Section 26 Resolutions-without-meeting Dated October 2020

Received for information.

### 8.3 Advisory Planning Commission Minutes – None

#### **SP-2020-021**

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

that the South Pender Island Local Trust Committee accept the resignation of Gordie Duncan from the South Pender Island Advisory Planning Committee with regrets.

**CARRIED**

#### **SP-2020-022**

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

that the South Pender Island Local Trust Committee appoint Gary Davidson to the South Pender Island Advisory Planning Committee.

**CARRIED**

## 9. BUSINESS ARISING FROM THE MINUTES

### 9.1 Follow-up Action List Dated October 2020

Item #5 Upcoming Meetings were discussed confirming there was a resolution without meeting and that the Community Information Meeting on November 14<sup>th</sup> remains scheduled with an agenda to be posted.

**10. DELEGATIONS**

None

**11. CORRESPONDENCE**

None

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

**12. APPLICATIONS AND REFERRALS**

None

**13. LOCAL TRUST COMMITTEE PROJECTS**

**13.1 Short Term Vacation Rental Review - Staff Report**

Received for information.

Discussed the short term vacation rental (STVR) draft bylaws and the option to consider the removal of bed and breakfast (B&B) operations from home based business classification.

Bylaw 119 is a draft bylaw that would amend the Temporary Use Permit (TUP) section of the OCP.

There was discussion on the following points:

- Deciding cumulative impact of STVRs;
- Developing guidelines for buffer zones with consideration for specific neighbourhoods;
- Defining allowable maximum usage and providing a balanced year-round economy;
- Current health restrictions that apply;
- Creating a list of all South Pender Island STVRs;
- Obtaining input from current STVR operators and the public;
- Process for bylaw amendments and communicating with operators and the public during the process;
- Reducing confusion regarding tourism accommodation;
- Challenges to bylaw enforcement;
- Ability to address neighbour complaints during operations when owners are absent;
- Creating a registration process that will develop a baseline, collect data and support enforcement;
- Accommodating the request from the Fire Chief for fire inspections made possible through TUPs;
- Current operations would be grandfathered in, but new operations would require a TUP;
- Timelines required for discussions regarding bylaw development, amendments and public hearing;

- Upholding the preserve and protect mandate through the TUP tool;
- Consideration of the standards that apply to water and septic capacity as well as the collection of rainwater for irrigation purposes only;
- Decision making on maximum allowable parking;
- Aligning conditions similar to North Pender where practical for South Pender; and
- Assessing the intention of property use through the application process.

Revisions to the draft STVR bylaw will be made and circulated to trustees with option for first reading by resolution without meeting and schedule of second reading at the January meeting. Referrals can go out over December.

The following issues were discussed in relation to B&B (Bed & Breakfast) operations:

- B&Bs differ to STVRs as the operator does live on the property;
- There are likely fewer number of guests at B&Bs;
- There may be less concern for nuisance activities such as parties; and
- B&Bs and STVRs both provide tourist accommodation, but B&B's fall under home based business.

Public input should be sought on B&Bs as this item was not included in the bylaw amendment.

**SP-2020-023**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee Bylaw No. 119, cited as the "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2020", be amended as discussed.

**CARRIED**

**13.2 Alternative Housing – Staff Report**

Recreational vehicles (RVs) use as a dwelling and for seasonal workers housing was reviewed for an amendment to section 3.10 under Land Use Bylaw (LUB) - Use of Recreational Vehicles. The following issues were discussed:

- The requirement of a time limited building permit where an RV is used as a dwelling;
- The negative impact on bylaw enforcement and other issues that arise with setting time limits to RV use for both seasonal and recreational users;
- Consideration of the use of a TUP for seasonal worker accommodations or allowing outright use in agricultural use zones; and
- Given increased RV use with no intent to build, regulation through a TUP with conditions such as connection to water and septic.
- Do not include provision to allow seasonal use of RVs for periods not exceeding 60 days.

**SP-2020-024**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff to prepare draft bylaws addressing limits on the use of recreational vehicles as discussed at the November 6, 2020 South Pender LTC meeting

**CARRIED**

**14. REPORTS**

**14.1 Work Program Reports (attached)**

**14.1.1 Top Priorities Report Dated October 2020**

Received for information. Planner Kojima reported that the groundwater program is wrapping up.

**14.1.2 Projects List Report Dated October 2020**

Discussion was held on the scheduling of upcoming meetings and town halls.

**SP-2020-025**

**It was Moved and Seconded,**

That South Pender Island Local Trust Committee requests staff to schedule a special town hall meeting for November 28, 2020 for North and South Pender Island Trustees.

**CARRIED**

**Chair Patrick Opposed**

Chair Patrick is unavailable for the November 28, 2020 meeting.

**The following points were discussed:**

- Regulating steel storage containers in future project;
- Derelict vehicles; and
- Referencing areas of the island to their First Nation names.

**14.2 Applications Report Dated October 2020 (attached)**

Received for information.

**14.3 Trustee and Local Expense Report Dated August & Sept 2020 (attached)**

Received for information.

**14.4 Adopted Policies and Standing Resolutions (attached)**

Received for information.

**14.5 Local Trust Committee Webpage**

No discussion.

**14.6 Islands Trust Conservancy Report Dated October 2020**

No discussion.

**15. NEW BUSINESS**

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No discussion

**16. UPCOMING MEETINGS**

**16.1 Next Regular Meeting - 2021 Schedule for Adoption**

**SP-2020-026**

**It was Moved and Seconded,**

that South Pender Island Local Trust Committee adopt the Local Trust Committee meeting schedule as outlined in the draft notice of the 2021 Business Meeting Schedule.

**CARRIED**

**16.2 Next Special CIM Meeting - November 14th, 2020**

It was confirmed that staff will create an agenda.

**17. TOWN HALL**

Concern was expressed by a public attendee regarding the process used for bylaw development, stating that the community could have provided useful comments and input and added that more open discussion should occur prior to the first reading.

In response to the concern expressed, it was confirmed that these issues will be taken to the community, and that no decisions have been made. It was affirmed that the Committee seeks as much community input as possible.

Chair Patrick thanked the community attendee and confirmed the need to be transparent.

**18. CLOSED MEETING**

None

**19. ADJOURNMENT**

**By general consent** the meeting was adjourned at 1:24 p.m.

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Laura Patrick, Chair

Certified Correct:

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Lauren Edwards, Recorder