

ADOPTED

**MINUTES OF THE SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON TUESDAY, NOVEMBER 13, 2012, AT 10:00 AM
AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD,
SOUTH PENDER ISLAND, BC**

PRESENT:	Ken Hancock	Chair
	Elizabeth Montague	Local Trustee
	Mike Jones	Local Trustee
	Andrea Pickard	Planner
	Kathy Gilbert	Recording Secretary

There was one (1) member of the public present at the meeting.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 10:04 am.
He acknowledged and expressed appreciation for convening the meeting in the traditional territory of the Coast Salish Nation.

2. APPROVAL OF AGENDA

2.1 Additions / Deletions

Chair Hancock requested addition of two (2) late agenda items:

- 5.4, Advisory Planning Commission (APC) Minutes of November 2, 2012 and
- Replacement of Item 12.1 Upcoming Meetings – Proposed 2013 Meeting Schedule.

By consent, the agenda, as amended, was approved.

2.2 Questions from public on Agenda items

Member of the public, Buffy Paterson, APC Chair, requested that the draft November 2, 2012 APC Minutes be posted on the Islands Trust website.

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Adopted Local Trust Committee Minutes

5.1.1 Local Trust Committee Business Meeting Minutes of September 18, 2012

Chair Hancock noted that the above-referenced minutes are provided for information.

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

Chair Hancock advised that these items are provided for information.

5.4 Advisory Planning Commission Minutes

Trustees were in receipt of the draft November 2, 2012 APC Minutes.

Trustee Montague suggested moving forward with a Community Information Meeting (CIM) or possibly two (2) CIMs – one focusing on marine / shoreline issues and one on land-based issues.

A discussion followed on the proposed Land Use Bylaw (LUB) amendment regarding the nomenclature, size and height of outbuildings / storage buildings.

Planner Pickard clarified that the term “storage building” is the same as the term “outbuilding.” She stated that the new draft regulation was intended to allow for construction of a small building prior to construction of a principal building, usually a residence on a parcel of land, (not currently permitted) not intended for use as a home based business nor commercial business, but rather as a storage facility for tools and related materials for the development of the property such as in preparation for to construct a principal building on the site.

Trustee Montague questioned the restrictive nature of the draft regulation with respect to use, height and size.

Trustee Montague then referenced the APC’s comments on the draft marine geoexchange provisions in the amending LUB. She commented that additional provisions regarding ecological safeguards and aesthetic protection should be included.

A discussion on whether or not to allow for marine geoexchange systems in the LUB followed with Planner Pickard identifying the option of treating each proposal for a marine geothermal as a site specific rezoning application. She also noted that such systems are increasingly being installed.

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard presented the items as identified in the Follow-up Action Report and advised Trustees that the status of all items was as shown in the report. She noted that there will not be a follow-up meeting with the Shoreline Mapping project consultants at this time (Item #6.)

Trustee Montague noted that the Islands Trust website was missing a couple of recent Pender Post articles.

Planner Pickard will follow this up with the assistance of Trustee Jones.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Z. Staar Letter dated October 15, 2012 re: Pender Community Transition Interim Funding Report & Request for Disbursement

Trustee Montague expressed appreciation for the report.

Resolution-SP-LTC-56-12

It was Moved and Seconded that the South Pender Island Local Trust Committee authorize disbursement of \$100 for the Pender Community Transition report received on October 15, 2012.

CARRIED

8.2 S. Steil letter dated October 20, 2012 re: Notification of the October 13, 2012 "Uplands and Near-shore Apocalypse"

Trustees commented on the well-attended meeting and commended Ms. Steil on her work in organizing this event.

Trustee Montague undertook to write to Ms. Steil thanking her for her work in this regard.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 SP-SUB-2011.2 (Cadez) verbal update

Planner Pickard provided a progress report on the various applications comprising the development proposal. She stated that the application to the Agricultural Land Commission is expected to be considered in November, 2012.

She also reported that the Capital Regional District is now prepared to accept the Church of the Good Shepherd building as part of the park dedication, subject to some conditions and on-going discussions.

Member of the public Buffy Paterson reported that work is proceeding on incorporating a South Pender historical society that will assist in moving this project forward, as well as helping with other future historical initiatives on South Pender.

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Shoreline Review

Planner Pickard referred to her staff report outlining mapping and information resources currently available and three (3) options to move the project forward:

- develop a web-based shoreline information resource;
- develop regulatory LUB amendments surrounding shoreline development
- create informational brochures to address shoreline issues

Planner Pickard noted that the North Pender Island Local Trust Committee (LTC) decided to contract with Ramona deGraff for brochure development.

Planner Pickard also stated that the mapping initiative was Islands Trust-wide, but the follow-up and implementation is Island-specific.

Discussion followed on the merits of further CIMs vs development of a product for the public at this time.

Chair Hancock noted that South Pender could show leadership to the other Islands by developing a customized product.

Discussion regarding funding for a web-based application followed.

Planner Pickard stated that the mapping application identified in her report will cost \$5000 - \$7000 to develop and make available. Funds are available in the 2012 budget to implement this. A further \$2000-\$3000 would be required to design a fully interactive web-based product.

Planner Pickard and Chair Hancock indicated that other funding opportunities from sources aside from the Islands Trust are available and could be investigated for a further phase.

Resolution-SP-LTC-57-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to proceed with development of a web-based, shoreline information resource, starting with a new MAPIT shoreline application for South Pender Island.

CARRIED

**Note – The meeting recessed from 11:25 am to 11:37 am.*

10.2 Land Use Bylaw Amendments

Planner Pickard reviewed her October 30, 2012 staff report identifying the various changes proposed to the LUB. She noted three (3) originating sources for the changes:

- direction taken during the Official Community Plan (OCP) review;
- changes requested by South Pender Island Trustees;
- housekeeping amendments.

Trustees discussed each main clause identified in Planner Pickard's October 30, 2012 staff report. Planner Pickard also referred to other practices on other Gulf Islands as they related to the LUB.

Following are highlights of the Trustees' discussions on the draft clause changes:

Clause 4: Marine geothermal loops:

Trustees discussed waiting to hear from the community at a CIM vs deleting the proposed change and leaving each request for a geothermal loop to a site-specific rezoning. Trustees decided to leave the draft amendment for presentation at a CIM, but also asked if an expert on geothermal loops could be present at that meeting.

Clauses 5 – 11: Introduction of storage building to be constructed prior to a principal building on a parcel; and consequential regulations around storage buildings

Trustees discussed the nomenclature change from "outbuildings" to "storage buildings." Discussion of use of the buildings, which might creep into commercial use followed, together with whether or not the height and size contemplated in the draft bylaw is too restrictive.

Trustees also discussed the scope of the LUB review (directed by and endorsed by the Trustees,) and whether a second set of changes to the LUB might be appropriate at a future date.

Resolution-SP-LTC-58-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to amend draft Bylaw No. 111 cited as, "South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2012", to increase the size of storage buildings to be consistent with that of accessory buildings in the present Land Use Bylaw.

CARRIED

Planner Pickard undertook drafting of a revised provision to be sent to Trustees relating to increasing the maximum size of storage buildings.

Clause 6: Allow for attached second dwellings, where second dwellings are permitted

Planner Pickard clarified that this draft provision would allow for duplexes or suites, rather than stand-alone second dwellings, thus reducing the overall building footprint, and costs.

Trustees agreed to leave the draft provision as is, to be presented at the CIM.

Clauses related to maximizing the floor area allowed for a single family dwelling

Trustees discussed the merits of a maximum floor area, the possibility of applying for a variance (with input from neighbours,) the likelihood of very large homes being constructed, and whether there is a need to regulate maximum floor area.

Trustees decided to leave the draft provision as is, to be presented at the CIM.

Clause 7: Reducing and clarifying the setback requirements for pump house and solar collectors

Trustee Montague relayed the APC's request for a separate LUB provision relating to solar technology.

Resolution-SP-LTC-59-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to schedule a weekend community information meeting for draft Bylaw No. 111 cited as South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2012.

CARRIED

Trustees and staff discussed various options for informing constituents about the proposed LUB changes and ensuring their input is sought through submissions, conversations and the CIM.

Methods chosen included an addressed mail out, advertising in the Pender Post, and information available on the Islands Trust website.

Planner Pickard will write a "backgrounder" report, to be vetted by Trustees, which will be included in the mail out.

11. REPORTS

11.1 Work Program Reports

11.1.1 Adopted Policies and Standing Resolutions, and Objectives

No discussion

11.1.2 South Pender island Local Trust Committee Work Program – November, 2012

Under Top Priorities, Item 2, Shoreline Protection:
Remove the individual steps to reflect Trustee directive passed under Resolution SP-LTC-57-12

Under Projects, Item 8, Area Farm Plan:
Trustee Montague undertook to discuss the proposed Area Farm Plan with other Trustees (eg on Denman and Salt Spring Islands) who have done Area Farm Plans.

Trustees also discussed various options as to who / which agency might take the lead in developing a plan; the relationship between farming and economic development; and the need for the farming community to be involved from the outset.

11.1.3 Islands Trust Council Strategic Plan 2011-2014

This item was available for information.

11.2 Applications Report

11.2.1 South Pender Island Applications Report dated November, 2012

Planner Pickard noted that this item was as shown in the agenda package.

11.3 Expense/Budgets Reports

11.3.1 Trustee and Local Expenses

This item was presented for information.

11.4 Bylaw Enforcement Report

None

11.5 South Pender Island LTC Web Page

The LTC discussed the request by APC Chair Paterson to post draft APC minutes online, including written submissions attached to the minutes, and the following issues were raised: minutes guidelines do not provide for attachments to minutes, written attachments contain personal information and comments made about third parties, deliberations and a submission are included from an APC member who has a perceived special interest with the outcome of the Land Use Bylaw amendments. In keeping with current policies and accepted practice the LTC directed staff to post the recorded minutes only.

Resolution-SP-LTC-60-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to post draft Minutes of the November 2, 2012 Advisory Planning Commission on the Islands Trust website.

CARRIED

11.6 Chair's Report

Chair Hancock reported that he attended an extremely informative and valuable seminar in Port Townsend on the topic of oil spill response. He will prepare a report for Trustees on the proceedings. Another session is to be held in February, 2013.

11.7 Trustee Report

Trustee Montague expressed her appreciation for the October 13, 2012 Upland and Near-shore Apocalypse" meeting.

She also reported on her work toward developing an Area Farm Plan. She indicated that she is planning on attending the upcoming local Farmland Acquisition group annual general meeting.

Trustee Jones recently attended the Islands Trust Local Planning Committee, where a decision was made to abandon the model fees bylaw.

12. OTHER BUSINESS

12.1 Upcoming Meetings – Proposed 2013 Meeting Schedule (revised)

Resolution-SP-LTC-61-12

It was Moved and Seconded that the South Pender Island Local Trust Committee adopt the revised meeting schedule for 2013.

CARRIED

12.2 Advisory Planning Commission Memberships Expire

Trustees were in receipt of and discussed Planning Clerk, Kathy Jones' memo dated October 22, 2012, which identified various LTC options surrounding the Advisory Planning Commission (APC) appointments, all expiring on December 31, 2012.

It was noted that the present APC member appointments had been made such that they were intended to not expire in the same year as the Trustee terms, in order to provide continuity between Trustee terms and APC appointments.

Resolution-SP-LTC-62-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to advertise for Advisory Planning Commission members, send a letter to existing members inviting them to re-apply for membership on the Commission, and thanking them for serving on the Advisory Planning Commission.

CARRIED

13. TOWN HALL MEETING

None

14. ADJOURNMENT

Resolution-SP-LTC-63-12

It was Moved and Seconded that the South Pender Island Local Trust Committee Meeting be adjourned at approximately 2:00 pm.

CARRIED

RECORDER

CHAIR