

## South Pender Island Local Trust Committee Minutes of Regular Meeting

**Date:** September 1, 2023  
**Location:** South Pender Fire Hall  
8961 Gowlland Point Road, South Pender Island, BC

**Members Present:** Tobi Elliott, Chair  
Dag Falck, Local Trustee  
Kristina Evans, Local Trustee

**Staff Present:** Robert Kojima, Regional Planning Manager  
Kim Stockdill, Island Planner (Zoom)  
Carly Bilney, Recorder

There were approximately 22 members of the public present.

### 1. CALL TO ORDER

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

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- In-camera meeting
- Item 16.3 Standing Section on Reconciliation and Relationship Building

**By general consent**, the agenda was adopted as amended.

### 3. TRUSTEE REPORT

Trustee Falck emphasized the importance of maintaining an inclusive, open process where community members are civil and listen to each other.

### 4. CHAIR'S REPORT

Chair Elliott made the following comments in her report:

- A recent meeting with the new Senior Indigenous Relations Advisor, Robyn Kefi, included discussion on how to structure the Trustee's Reconciliation Learning Group
- The Chair recently attended an event on Lasqueti Island celebrating a newly achieved Covenant property

**5. ELECTORAL AREA DIRECTOR'S REPORT – none**

**6. TOWN HALL AND QUESTIONS**

Town hall was held and the following comments were made:

- Concern was expressed about the process leading up to the resolution to repeal Bylaw 122
- At the June 3 meeting, Bylaw 122 was part of the Work Program discussion and became a preponderant part of the discussion in a way that was not anticipated by the agenda
- Rather than making quick decisions, we need to go through lengthy processes that provide fact-based information on the issues and allow for community input
- Opposition to Bylaw 122 was expressed for how it infringes on people
- Changes from Bylaw 122 improved the protection of the threatened sensitive cliff ecosystem
- The Local Trust Committee (LTC) should leave the changes from Bylaw 122 in place and move forward, work towards reconciliation and find projects that bring the community together
- We need to review Bylaw 114 with the community and work something out that appeases everyone, rather than implementing a top-down approach
- Reviewing Bylaw 114 could divide the community
- Bylaws should assess how many people will be impacted by making a change
- Making decisions based on who is present at the meetings is not ideal
- Meetings have been divisive and voices have not been clearly heard
- Meeting minutes should record staff members present at each meeting and the time at which they leave
- Variances should be approved to avoid getting bogged down in debate
- Pender Island has high housing needs and Trustees can get ahead of the agenda and work for positive change on the island
- Allowing variances is up to the discretion of the LTC
- The Board of Variance is an appointed body that considers minor variances based on hardship
- Leaving problematic bylaws in place and dealing with them through variances is a poor solution; problems should not be dealt with by countless variances
- It would be helpful if staff provided an overview of variance applications to clarify what is being asked
- Actions taken by LTC members must reflect the commitment to maintain respectful communication, consultation, and accountability
- WSÁNEĆ Leadership Council organized a reef net fishery this summer and held a salmon welcoming ceremony
- Letters submitted are to be directed at decision-makers (not used as a forum for community members to engage in debate)
- Blasting was recommended as a Work Project, as recent major incidents impacted neighbours and regulations may be needed
- Emergency response management was recommended as a Work Project
- There is desire to move forward on projects like safety (e.g. wildfires, floods, bridge maintenance) and reconciliation

- Younger people who work full time are at a disadvantage in getting their voices heard
- If a home that is non-conforming disappears (due to fire, etc.), there are considerations to replacing that home that add cost (e.g. construction, sewage system, etc.)

**7. COMMUNITY INFORMATION MEETING – None**

**8. PUBLIC HEARING – None**

**9. MINUTES**

**9.1 South Pender Island Local Trust Committee Special Meeting Minutes of June 3, 2023**

Discussion was held and the following comments were made:

- Staff left the June 3 meeting and advice from staff was subsequently misinterpreted by LTC who thought Bylaw 122 needed to be repealed in order to open a project
- LTC stated its intent to look at the issues people have with Bylaw 122
- Discussion on the intent of the LTC in making motion SP-2023-028 that repealed Bylaw 122 is missing from the June 3 minutes
- The Trust system's processes are cumbersome and difficult to navigate

The following amendments to the minutes were presented for consideration:

- On page 5 of the June 3, 2023 meeting minutes (page 7 of the current agenda package), following "The Trustees thanked everyone for providing their input and discussion ensued," add: "The resolution that is following is to demonstrate the intent of the LTC to move forward with reviewing the changes made under Bylaw 122."

**By general consent** the Local Trust Committee meeting minutes of June 3, 2023 were adopted as amended.

**9.2 South Pender Island Local Trust Committee Special Meeting Minutes of August 1, 2023**

**By general consent** the Local Trust Committee meeting minutes of August 1, 2023 were adopted.

**9.3 South Pender Island Local Trust Committee Special Meeting Minutes of August 17, 2023**

**By general consent** the Local Trust Committee meeting minutes of August 17, 2023 were adopted.

**9.4 Section 26 Resolutions-without-meeting Dated Aug 2023**

**9.5 Advisory Planning Commission Minutes – None**

**10. BUSINESS ARISING FROM THE MINUTES**

It was Moved and Seconded, that South Pender Island LTC request that the Executive Committee authorize the public release of the legal opinion on non conformity of dwelling size and siting that the South Pender LTC obtained last term.

Discussion was held about the relevance of the legal opinion since it predates the bylaw, and whether it would be more beneficial to seek a new opinion.

Further discussion on the matter was tabled to Item 16 New Business.

**10.1 Follow-up Action List Dated Aug 2023**

Received for information.

**11. DELEGATIONS – None**

**12. CORRESPONDENCE**

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

**13. APPLICATIONS AND REFERRALS**

**13.1 Saturna Island Local Trust Committee SA-ALR-2023.1 Application Referral – For Response**

**SP-2023-037**

**It was Moved and Seconded,**

that South Pender Island Local Trust Committee interests are unaffected by the Saturna Island Local Trust Committee SA-ALR-2023.1 Application.

**CARRIED**

A break was held between 12:02 pm – 12:14 pm.

**14. LOCAL TRUST COMMITTEE PROJECTS**

**14.1 Local Trust Committee Work Program 2023 – Staff Report**

RPM Kojima reviewed the Staff Report related to the LTC Work Program. Discussion was held on the process of defining and making progress on projects and different approaches were assessed.

**SP-2023-038**

**It was Moved and Seconded,**

that South Pender Island Local Trust Committee amend its Work Program to identify “Minor LUB Review Project” as the minor Active Project.

**CARRIED**

It was Moved and Seconded, that South Pender Island Local Trust Committee request staff to draft a Project Charter and report back with options for a minor Land Use Bylaw

Review Project. Discussion on the motion was held and the following comments were made:

- Sometimes it seems like staff is directing LTC
- When the LTC requests a staff report, it is asking staff to guide process in accordance with legal procedures and to report back with options
- Staff can review Bylaw 122 and note which amendments are minor in nature and which may be more contentious, and it is at the discretion of the LTC to decide if it agrees

**SP-2023-039**

**It was Moved and Seconded,**

that South Pender Island Local Trust Committee request staff to draft a Project Charter and report back with options for a minor Land Use Bylaw Review Project.

**CARRIED**

**15. REPORTS**

**15.1 Work Program Reports**

**15.1.1 Active Projects Report Dated Aug 2023**

Received for information.

**15.1.2 Future Projects Report Dated Aug 2023**

Received for information. It was noted that shoreline review has been brought forward at the regional level as a potential project.

**15.2 Applications Report Dated Aug 2023**

Received for information.

**15.3 Trustee and Local Expense Report Dated June 2023**

Received for information.

**15.4 Adopted Policies and Standing Resolutions**

The following comments were made about the Standing Resolution related to Reconciliation:

- Annual letters of introduction have gone out to local First Nations
- The Islands Trust Senior Indigenous Relations Advisor position has been filled
- Reconciliation is to be embedded in all the work the LTC does, and does not have to be a designated Project
- There needs to be better public communication about Reconciliation efforts and related community initiatives

**15.5 Local Trust Committee Webpage**

**15.6 Islands Trust Conservancy Report – None**

**16. NEW BUSINESS**

The LTC returned to discussion on business arising from the minutes. Because the legal opinion does not seem to address the questions that are anticipated as important to South Pender stakeholders, support was expressed for drafting a new legal opinion rather than releasing the one previously obtained.

**SP-2023-040**

**It was Moved and Seconded,**

that South Pender Local Trust Committee request that the Executive Committee authorize the public release of the legal opinion on non conformity of dwelling size and siting that the South Pender Local Trust Committee obtained last term.

**DEFEATED**

**16.1 South Pender Island LTC Freedom of Information and Protection of Privacy Bylaw No. 128 - Consideration of Adoption**

**SP-2023-041**

**It was Moved and Seconded,**

that South Pender Island Local Trust Committee Bylaw No. 128, cited as “South Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 128, 2023”, be adopted.

**CARRIED**

**16.2 Census Infographics - Briefing (for information)**

Received for information.

**16.3 Standing Section on Reconciliation and Relationship Building**

Discussion was held about having a dedicated place to discuss Reconciliation initiatives within the community.

**SP-2023-042**

**It was Moved and Seconded,**

that South Pender Island Local Trust Committee request that Reconciliation and First Nations relationship building be added to future agendas as a standing item and the Chair bring forward, to the Executive Committee, support for this as a Trust-wide practice in agendas.

**CARRIED**

**17. UPCOMING MEETINGS**

**17.1 Next Regular Meeting Scheduled for November 10, 2023 at the Fire Hall, Pender Island**

## 18. TOWN HALL

A second Town Hall was held and the following comments were made:

- The LTC amending the minutes of the June 3 meeting does not accurately reflect what transpired (the intent of the motion is not believed to have been a part of the discussion)
- The many meetings held to discuss Bylaw 122 were poorly attended because of COVID-19, and there was not a lot of opportunity for sharing; resulting changes are not well understood
- There are many environmental consequences of increased house size including use of materials, roads, and groundwater
- An effective process involves education, shared information, and developing rationale that goes beyond self-interest
- Community animosity is unnecessary and our aim needs to be finding common ground
- A good place to start in establishing common ground would be to have staff provide a summary fact sheet about each of the issues related to legally nonconforming sites and variances
- Reconciliation requires a First Nations representative giving input at the meetings
- There is a distinction between WSÁNEĆ Leadership Council and Elders within a community who guide community-to-community relationships
- The LTC is urged to move on and not to get caught up in reviewing everything everywhere all at once
- Community members can take leadership on prioritizing issues
- Government responds to pressure
- There is a need for the LTC to put more effort into time-sensitive critical issues like wells going dry

A break was held between 1:59 pm – 2:12 pm.

## 19. CLOSED MEETING

**SP-2023-043**

**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 for the purpose of considering:

a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; AND that the recorder and staff attend the meeting.”

**CARRIED**

**20. ADJOURNMENT**

**By general consent** the meeting was adjourned at 2:30 pm.

---

Tobi Elliott, Chair

Certified Correct:

---

Carly Bilney, Recorder