

ADOPTED

South Pender Island Local Trust Committee Minutes of Regular Meeting

Date: February 2, 2024

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: Kim Stockdill, Island Planner
Carly Bilney, Recorder (electronic)

Others Present: Chief Eric WIĆKINEM Pelkey, Tsawout First Nation, WSÁNEĆ Leadership Council
Paul Brent, Capital Regional District Electoral Area Director

There were approximately fifteen (15) members of the public present.

1. CALL TO ORDER

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

2. OPENING AND WELCOME - CHIEF ERIC WIĆKINEM PELKEY

Chief Eric WIĆKINEM Pelkey provided a welcome and shared stories that described one of the basic beliefs of the Tsawout First Nation – that all things are put here to be shared for the benefit of all.

3. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Add Fireworks Report at 17.2 New Business

By general consent, the agenda was adopted as amended.

There was a discussion regarding moving Item 13.1 (Monica and Paul Petrie re First Nation Consultation - Bylaw No. 123) to discussion under 16.6 (Reconciliation and First Nation Relationship Building). The agenda was not changed as a result.

4. TRUSTEE REPORT

Trustee Evans commented on recent meetings she attended and will report on them in her monthly updates.

Trustee Falck commented on the importance of good process in order to achieve a good outcome; he noted that a large component of good process is effective communication.

5. CHAIR'S REPORT

Chair Elliott made the following comments:

- The Reconciliation Learning Group kicked off on January 24, 2024 – a new initiative supported by Culturally Committed to foster education and learning for Trustees
- Budget refinement continues as the Trust continues to work towards drafting a budget
- Local governments are struggling with how to deal with anticipated tax increases

6. ELECTORAL AREA DIRECTOR'S REPORT

Capital Regional District Electoral Area Director Paul Brent reported on a number of meetings he recently attended and made the following comments:

- There is emphasis on trying to develop more affordable and accessible housing on the islands; this is a slow process that has had some small success like permitting trailers and recreational vehicles if they are hooked up to septic systems
- \$2.75 million has been made available to support a twenty-unit project on Galiano
- The Province announced grants through the Secondary Suite Incentive Program to encourage homeowners to provide housing at sub-market values
- The Ptarmigan Arts Centre received a grant from the Capital Regional District
- Island Coastal Economic Trust provided funding for improved transportation on Pender Island
- Shauna Huculak engages with First Nations in their work as the Capital Regional District Archaeologist
- The Rural Housing Strategy will be sent to the Local Trust Committee when it becomes available

7. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- The recent approval of secondary suites by the Capital Regional District does not override local bylaws
- It would be beneficial to have Shauna Huculak present to a South Pender Island Local Trust Committee meeting like they did on Mayne Island

8. **COMMUNITY INFORMATION MEETING** – None

9. **PUBLIC HEARING** – None

10. **MINUTES**

10.1 **Adopted South Pender Island Local Trust Committee Minutes Dated November 10, 2023 (for Information)**

Received for information.

10.2 **Section 26 Resolutions-without-meeting Dated January 2024**

Received for information.

10.3 **Advisory Planning Commission Minutes** – None

11. **BUSINESS ARISING FROM THE MINUTES**

11.1 **Follow-up Action List Dated Jan 2023**

Received for information.

12. **DELEGATIONS** – None

13. **CORRESPONDENCE**

Correspondence received concerning current applications or projects is posted on the Local Trust Committee webpage

13.1 **Monica and Paul Petrie re First Nation Consultation – Bylaw No. 123**

The correspondence item was received.

14. **APPLICATIONS AND REFERRALS**

14.1 **North Pender Island Local Trust Committee Referral for Draft Bylaw No. 234 (for Response)**

Comments were made that North Pender Island and South Pender Island have separate Land Use Bylaws and Official Community Plans so approval of this draft Bylaw would not affect South Pender Island if approved.

SP-2024-001

It was Moved and Seconded,

that South Pender Island Local Trust Committee interests are unaffected by the North Pender Island Local Trust Committee Draft Bylaw No. 234.

CARRIED

15. LOCAL TRUST COMMITTEE PROJECTS

15.1 Minor Land Use Bylaw Amendments Project – Staff Report

Island Planner Stockdill reviewed the Staff Report relating to the Minor Land Use Bylaw Amendments Project. Discussion was held about the project timeline and the following comments were made:

- Preference was expressed for not rushing through the Project
- There has not yet been an opportunity to discuss the workshops recently held individually by each local Trustee
- Preference was expressed for in-person Community Information Meetings at a larger venue on North Pender Island
- Topics that were not identified as major topics in the Project should be discussed
- The Local Trust Committee needs to determine what topics will be covered in each Community Information Meeting, and how they should be structured to provide time to discuss each topic

Discussion was held about how to coordinate reporting from the workshops so input from community members can be analyzed; the following comments were made:

- The workshops held individually by each Trustee were great – lots of perspectives from community members were shared
- The Island Planner's intent is to gather summaries from the workshops and minutes from the two Community Information Meetings then send them to the Advisory Planning Commission for comment
- It is important to identify specific topics on which the Advisory Planning Commission should focus its discussion and attention
- The Local Trust Committee should identify any other topics on which the Advisory Planning Commission should focus its deliberations – in addition to the four major topics outlined in the staff report
- A special electronic meeting could potentially be held on March 7, 2024
- Staff can consider sending an informal email to update Advisory Planning Commission members on the Project thus far

SP-2024-002

It was Moved and Seconded,

that South Pender Island Local Trust Committee give direction to staff to schedule an electronic special meeting to discuss the Community Information Meetings for the Minor Land Use Bylaw Amendments Project.

CARRIED

SP-2024-003

It was Moved and Seconded,

that South Pender Island Local Trust Committee request that staff revise the Minor Land Use Bylaw Amendments Project Charter to the updated timeline.

CARRIED

16. REPORTS

16.1 Work Program Reports

16.1.1 Active Projects Report Dated Jan 2023

Received for information.

16.1.2 Future Projects Report Dated Jan 2023

Received for information.

16.2 Applications Report Dated Jan 2023

Received for information.

16.3 Trustee and Local Expense Report Dated Dec 2023

Received for information.

16.4 Adopted Policies and Standing Resolutions

Received for information.

16.5 Local Trust Committee Webpage

16.6 Reconciliation and First Nation Relationship Building

Monica Petrie reviewed the report related to Reconciliation and First Nation Relationship Building as included on pages 34-35 of the agenda.

It was noted that plans are in place for another SENĆOŦEN language workshop on March 20 at the Pender Library (not March 27 as stated in the agenda).

16.7 Islands Trust Conservancy Report – None

Comments were made about how increasingly projects are only receiving grants if they are co-developed with First Nations.

17. NEW BUSINESS

17.1 Housing Statute Changes to British Columbia Legislation – Staff Memo

Received for information. Discussion ensued and the following comments were made:

- If a proposed bylaw for a residential density rezoning is consistent with the Official Community Plan, the Local Trust Committee is not allowed to hold a Public Hearing
- There are big implications for the Local Trust Committee to consider before deciding whether to opt into the Province's principal residence requirement for short term rental accommodations
- A special meeting might be needed to discuss this topic before May 1, 2024 when the Short-Term Rental Accommodation Act removes legal nonconforming protection for short-term rental accommodation uses

- An analysis of the implications of the legislation is needed as is communication to the public about the changes

17.2 Fireworks Report

Trustee Falck reported that fireworks are legislated under the provincially regulated *Fireworks Act*, and therefore the Islands Trust and the Capital Regional District do not have authority to restrict their use. He noted that local Fire Chiefs can regulate fireworks within timeframes specified in the Act, and commented that better communication on the topic may be warranted.

18. UPCOMING MEETINGS

18.1 Next Regular Meeting Scheduled for May 10, 2024 at the Fire Hall, Pender Island

19. TOWN HALL

Town hall was held and the following comments were made:

- It is important to compare allowances and restrictions on other Gulf Islands, specifically regarding lot lines for dwellings, and to understand why South Pender is one of the most limited
- Scientific data should be available to explain why South Pender Island has a 10-foot setback for inside lot lines
- Business related to forming a new Advisory Planning Commission (e.g. selecting a Chair) can be accommodated during the first meeting of the Advisory Planning Commission
- There are people on the islands who have done a phenomenal job of making progress on relationship building with First Nations, such as Monica and Paul Petrie

Discussion was held about whether the South Pender Island Local Trust Committee should have a standing resolution not to enforce bylaw contraventions on currently operating short-term vacation rentals until the Local Trust Committee has reviewed the Short-term Rental Accommodation Act. The following comments were made:

- The Local Trust Committee needs more information about this topic
- Those on the email subscriber list should be notified that the Local Trust Committee may discuss this topic at the electronic special meeting and that a decision may be made

SP-2024-004

It was Moved and Seconded,

that South Pender Island Local Trust Committee request that staff add to the agenda of the next electronic special meeting an update on the implications of the Short-Term Rental Accommodation Act on South Pender legal non-conforming Short-term Vacation Rentals to the agenda.

CARRIED

20. CLOSED MEETING (Distributed Under Separate Cover)

20.1 Motion to Close the Meeting

SP-2024-005

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:

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

20.2 Recall to Order

20.3 Rise and Report

Chair Elliott reported that the South Pender Island Local Trust Committee has appointed Paul Petrie to the Advisory Planning Committee.

21. ADJOURNMENT

By general consent the meeting was adjourned at 1:40 pm.

Tobi Elliott, Chair

Certified Correct:

Carly Bilney, Recorder