ADOPTED

South Pender Island Local Trust Committee

Minutes of Regular Meeting

Date:	**August 28, 2026**
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:	**Mary Storzer, Regional Planning Manager** (electronic) **Warren Dingman, Bylaw Compliance and Enforcement Manager** **Kim Stockdill, Island Planner** **Lisa Millard, Meeting Administrator/Recorder** (electronic)
Others Present:	**There were approximately 6 members of the public present.**

1. CALL TO ORDER

Chair Elliott called the meeting to order at 10:33 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Elliott acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

4. TRUSTEE REPORT

Trustee Falck thanked community for their participation and engagement throughout the term.

Trustee Evans reported attendance at Trust Programs Committee and Chief Administrative Officer Performance Evaluation meetings and thanked the community for their involvement throughout the term and acknowledged Paul and Monica Petrie for providing reconciliation reports.

5. CHAIR'S REPORT

Chair Elliott reported the following:

- Attendance at Executive Committee meetings in preparation for September Trust Council and provided highlights of the Trust Council agenda

- Trust Council will be discussing advocacy regarding increased marine shipping and encouraged residents to become involved in the matter
- Thanked the Trustees for their work and acknowledged the community for their participation
- Requested time to be spent discussing the Future Projects list with focus toward shoreline protection and freshwater studies.

6. ELECTORAL AREA DIRECTOR'S REPORT - None

7. PUBLIC PARTICIPATION PERIOD

A member of the public spoke to the importance of shoreline protection discussions as they are also concerned about increased shipping traffic combined with effects of sea level rise and wave surge impacts.

A member of the public thanked the Chair for putting future projects up for discussion and noted the importance of shoreline protections, water studies, and First Nations reconciliation. Even though the Official Community Plan amendment from the previous term was well-situated for approval, the ministry sent it back to the Local Trust Committee for further review. They expressed dissatisfaction that a budget had not been approved for the completion of the Official Community Plan Review project. They look forward to seeing the Freshwater Atlas and are interested in knowing how the data will be applied to applications and spoke to the importance of recovering costs for development applications. They were dismayed that the permanent biologist position was not funded and stated the Local Trust Committee's decision to take no action when the Minister returned Bylaw No. 123 back for further review to ensure consultation with First Nation's had been comprehensive.

Trustee Evans clarified that Official Community Plan Bylaw 123 was not approved by the minister and needed to be split into two sections to address the work that the minister's office requested. The community had the option to choose this as its minor project, but chose another direction instead.

A member of the public stated wildfire suppression is a critical consideration, there is gorse that has not been trimmed from roadside for two years, and the Local Trust Committee should consider implementing a dedicated Development Permit Areas related to wildfire suppression.

A member of the public indicated that a community groundwater plan and water catchment should be considered for inclusion on the future projects list.

8. COMMUNITY INFORMATION MEETING - None

9. PUBLIC HEARING - None

10. MINUTES

10.1 Adopted Local Trust Committee Minutes Dated May 8, 2026 (for Information)

Received for information.

10.2 Section 26 Resolutions-without-meeting Dated Aug 2026

Received for information.

10.3 Advisory Planning Commission Minutes - None

11. BUSINESS ARISING FROM THE MINUTES

11.1 Follow-up Action List Dated Aug 2026

12. DELEGATIONS - None

13. CORRESPONDENCE

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

14. APPLICATIONS AND REFERRALS

14.1 North Pender Island Local Trust Committee Referral for Draft Bylaws 240 and 241 (for Response)

SP-2026-023
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee respond to the North Pender Island Local Trust Committee that interests are unaffected by Draft Bylaws 240 and 241.

CARRIED

14.2 Saturna Island Local Trust Committee Referral for Draft Bylaw No. 146 (for Response)

SP-2026-024
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee respond to the Saturna Island Local Trust Committee that interests are unaffected by draft Bylaw No. 146.

CARRIED

15. LOCAL TRUST COMMITTEE PROJECTS - None

16. REPORTS

16.1 Work Program Reports

16.1.1 Active Projects Report Dated Aug 2026

Received for information.

16.1.2 Future Projects Report Dated Aug 2026

Discussion ensued and the following comments were noted:

- Combine item 2 “Sea level Rise and Shoreline Erosion” and item 6 under the heading “Shoreline Review Project”
- Items 3 “First Nations Language” could be worked on as a minor project

- Add Wildfire Resiliency as a topic for consideration of a Development Permit Area
- Remove word “targeted” from “Targeted OCP Review” and add review of potential Development Permit Areas to this section

The Planner provided an explanation of how an incoming Local Trust Committee is provided orientation to the items on the Future Projects list.

SP-2026-025
It was MOVED and SECONDED,
that South Pender Local Trust Committee request staff to add Wildfire Resiliency to the Future Projects.

CARRIED

16.2 Applications Report Dated Aug 2026

Received for information.

16.3 Trustee and Local Expense Report Dated June 2026

Received for information.

16.4 Adopted Policies and Standing Resolutions

Received for information.

16.5 Local Trust Committee Webpage - None

16.6 Reconciliation and First Nation Relationship Building

Monica Petrie provided a report and highlighted the following:

- The W̱SÁNEĆ—SDÁ,YES community to community relationship continues to grow in scope and depth under the guidance of W̱SÁNEĆ Elders
- Elder Earl Claxton Jr. has generously shared his cultural knowledge and guidance with the community and has played a key role in identifying the historical Cama and Chocolate Lily legacy garden at Gowlland Point that will be recognized with the installation of two W̱SÁNEĆ inspired cultural panels this fall
- The Pender School honoured Earl Claxton Jr. on June 18, National Indigenous Peoples Day, with a special recognition ceremony
- In August a group of W̱SÁNEĆ youth journeyed in two canoes from the Saanich Peninsula to the dock near their Reserve land on South Pender
    - During the journey, the group set the reef net near the mouth of Bedwell Harbour in the Pelkey family’s traditional fishing area with volunteers from the SDÁ,YES Truth and Reconciliation Circle acknowledging the work of the reef net youth and Elders with a potluck supper

16.7 Islands Trust Conservancy Report Dated Mar 2026

Received for information.

17. NEW BUSINESS

17.1 South Pender Island LTC Public Notification Bylaw No. 131 - Request for Decision

The Planner summarized the Request for Decision which asks the Local Trust Committee to reconsider the platforms used for statutory notifications.

Discussion ensued and the following comments were noted:

- Not all community members have stable access to the internet
- The recommended options are not the preferred options of the Local Trust Committee and there is need to use a print publication
- The options that had been originally presented in the request for decision included "mail or email lists" as a means of distribution, which the Local Trust Committee selected; It was noted that this option should not have been presented if it was too costly or vague for executive committee to approve
- The use of the word "may" in the sentence "or any other enactment may be given by the following methods" is ambiguous and clarification is required
- A monthly print publication does not necessarily mean a second notice needs to be published in the same publication

SP-2026-026
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee rescind Third Reading of Bylaw No. 131, cited as "South Pender Island Local Trust Committee Public Notification Bylaw No. 131, 2025".

CARRIED

SP-2026-027
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee amend Bylaw No. 131, cited as "South Pender Island Local Trust Committee Public Notification Bylaw No. 131, 2025", by replacing s.2 in its entirety with the following words:

"The means of publication for public notice requirements under the Community Charter, Local Government Act, or any other enactment may be given by the following methods:

(i) electronically by posting the notice on the Islands Trust website; and
(ii) monthly print publication

CARRIED

SP-2026-028
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee give Bylaw No. 131, cited as "South Pender Island Local Trust Committee Public Notification Bylaw No. 131, 2025", Third Reading as amended".

CARRIED

SP-2026-029
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee Bylaw No. 131, cited as "South Pender Island Local Trust Committee Public Notification Bylaw No. 131, 2025" be forwarded to the Islands Trust Executive Committee for consideration of approval.

CARRIED

17.2 South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy - Staff Report

The Bylaw Compliance and Enforcement Manager summarized the staff report which presents a draft Bylaw Compliance and Enforcement Policy for consideration. The Policy will incorporate all current standing resolutions for compliance and enforcement into one document and provide clarity on current policies.

Discussion ensued and the following questions, answers, and comments were recorded:

- The document provides instruction from the Local Trust Committee to the Bylaw Enforcement Officer
- Some bylaw contraventions can be addressed without entering the property such as viewing from the road
- Section 5.5 speaks to a bylaw officer entering without notice in relation to a temporary use permit operation and this language has been replicated in the guidelines the Temporary Use Permit is subject to
- A description of what a Bylaw Enforcement Notice (BEN) System is should be added to the list of definitions
- There are reasons in which it might not be reasonable to pursue a file or fines and the specific circumstances would be brought to the Local Trust Committee to determine a course of action
- A Local Trust Committee can opt in to receiving a regular report or request a report on a case-by-case basis

SP-2026-030
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff add a definition for the "BEN System" to section 2.0 of to the South Pender Island Local Trust Committee Bylaw Compliance and Enforcement Policy.

CARRIED

SP-2026-031
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff to replace section 5.2 of the South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy with wording taken from a sub-section of Section 5.1 of the adopted Bylaw Compliance and Enforcement Policy 5.5.1 so that it reads:

> "In compliance with Trust Council Bylaw Compliance and Enforcement Policy section 5.5.1, investigations will focus exclusively on the specific alleged bylaw contraventions outlined in the complaint unless observations provide the officer with reasonable grounds to believe that the situation may pose a significant risk to health, safety, or the environment. Officers should answer reasonable questions related to the purpose of the visit and the bylaw complaint investigation process."

CARRIED

SP-2026-032
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff to replace section 5.4 of the South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy with wording taken from a sub-section of Section 5.2 of the adopted Bylaw Compliance and Enforcement Policy 5.5.1 so that it reads:

> "Entry without Notice: In exceptional circumstances, where prior notice is not feasible or where immediate entry is required as there are reasonable grounds to believe that the failure to enter may result in immediate threat to health, safety, or the environment, officers may enter property as authorized under the Local Government Act. Officers will document the justification for entry without notice, specifying the urgency and applicable legal authority, and will notify the property owner or occupier as soon as practicable following the visit."

CARRIED

SP-2026-033
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff to amend section 6.3 of the South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy by adding the words "identified" and "an immediate" so that it reads:

> "If there are contraventions in identified environmentally sensitive areas, or development permit areas, or if there is an immediate risk to health and safety, there will be a demand for the Respondent to cease the use or activity immediately."

CARRIED

SP-2026-034
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff to amend section 6.6 of the South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy by adding the words “immediate”, “risks”, and "identified" so that it reads:

> "Respondents will be given a Bylaw Warning Notice with a minimum of 45 days to comply before a Bylaw Violation Notice is issued, unless there are immediate health and safety risks, or contraventions in identified environmentally sensitive areas that may require more immediate action."

CARRIED

SP-2026-035
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff to amend section 7.4 of the South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy by replacing "unless there are contraventions that exist in environmentally sensitive areas or there are concerns about health and safety." with "except in cases where the contravention poses a significant risk to health, safety, or the environment." as per section 6.1.5 of Trust Council Bylaw Compliance and Enforcement Policy 5.5.1 so that it reads:

> "If a contravention has been identified that is subject to deferred enforcement by the LTC, the file can be closed except in cases where the contravention poses a significant risk to health, safety, or the environment."

CARRIED

SP-2026-036
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff to amend section 7.5 of the South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy by replacing "work in an environmentally sensitive area, or there are health and safety concerns" with "in cases where the contravention poses a significant risk to health, safety, or the environment." as per section 6.1.5 of Trust Council Bylaw Compliance and Enforcement Policy 5.5.1 so it reads:

> "If it is determined during an investigation that the complaint was frivolous, repeat, or vexatious in nature, the file can be closed unless there is work in a development permit area, or in cases where the contravention poses a significant risk to health, safety, or the environment."

CARRIED

SP-2026-037
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff to remove section 5.5 of the South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy as the wording is in contravention with the Principles of Administrative Fairness as presented in the Ombudsperson report.

CARRIED

SP-2026-038
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee request staff to remove the quoted text from South Pender Island Local Trust Committee Bylaw Compliance & Enforcement Policy under Section 3.0 References, South Pender Island Land Use Bylaw No 114, and reference it only, as language and numbering may change in the future resulting in the need to make updates to this document, so that this section reads:

"Section 2.3 Inspection (1)".

CARRIED

SP-2026-039
It was MOVED and SECONDED,
that the South Pender Island Local Trust Committee request the following policy be added to the proposed South Pender Bylaw Compliance and Enforcement Policy:

10.x The Local Trust Committee will receive regular reporting on open files where investigations have been completed, and the reporting will state whether or not enforcement or legal action of any kind is recommended.

CARRIED

SP-2026-040
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee adopt the proposed Bylaw Compliance and Enforcement Policy as amended.

CARRIED

SP-2026-041
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee Resolution No. 2024-013 be rescinded.

CARRIED

Discussion ensued on amending the Temporary Use Permit template and the following comments were noted:

- Currently a Bylaw Officer may enter the property between the hours of 9:00 a.m. and 5:00 p.m. on any day without prior consultation with the holder of the Permit, or short-term rental vacation renter for the purpose of investigating a complaint

- This policy is not inline with the Ombudsperson report, principles of administrative fairness, and a vacation renter's expectation of privacy

SP-2026-042
It was MOVED and SECONDED,
that South Pender Local Trust Committee request staff to review the South Pender Temporary Use Permit template regarding notice of entry to align with the Principles of Administrative Fairness as presented in the Ombudsperson report dated August 21, 2023.

CARRIED

17.3 Proposed Draft 2027/28 LTC Operating Budgets - Staff Report

The Regional Planning Manager summarized the staff report.

Discussion ensued on the proposed budget amounts presented in the report.

SP-2026-043
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee amend the proposed draft 2027/28 South Pender Local Trust Committee operating budget by increasing Trustee Expenses by $250, revise APC meeting expenses to $1000.

CARRIED

SP-2026-044
It was MOVED and SECONDED,
that South Pender Island Local Trust Committee submit the proposed draft 2027/28 local trust committee operating budget for inclusion in the Trust Council draft 2027/28 budget as amended.

CARRIED

18. UPCOMING MEETINGS

18.1 Next Regular Meeting Scheduled for November 27, 2026, Electronic Meeting

19. PUBLIC PARTICIPATION PERIOD

There were no comments from members of the public.

20. CLOSED MEETING - None

21. ADJOURNMENT

By general consent the meeting was adjourned at 2:34 p.m.

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Tobi Elliott, Chair

Certified Correct:

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Lisa Millard, Meeting Administrator/Recorder