

ADOPTED



South Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: May 6, 2022
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

Members Present: Peter Luckham, Chair
Steve Wright, Trustee
Cameron Thorn, Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
Lauren Edwards, Recorder (by recorded media)

28 members of the public were in attendance

1. CALL TO ORDER

Chair Luckham called the meeting to order at 11:05 am. He introduced himself and explained that Chair Patrick has resigned for personal reasons and that he is now chair for South Pender Local Trust Committee (LTC).

He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations and that May 5, 2022 was a day of recognition and mourning for missing indigenous First Nations women and children. He commented on the culturally rich area in which we live and the opportunity to learn its history.

He apologized for the technical challenges (no internet and live streaming).

2. APPROVAL OF AGENDA

- Staff reported that there was correspondence received by the Local Trust Committee (LTC) in the hours prior to the meeting; and
- Chair Luckham asked that this additional correspondence which relate to the proposed bylaws 122 and 123 be taken into consideration for the purpose of the public hearing record.

By general consent the agenda was approved as presented.

3. TRUSTEE REPORT

Trustee Wright reported that:

- There is a good deal of development occurring and that a request was made to staff that development applications be referred to trustees for comment prior to approval;
- He commented on a concern regarding a property scheduled for blast work on which active eagle nesting was confirmed. Staff were informed and contacted the Provincial BC Wildlife Branch and the work was temporarily halted for the safety of the hatchlings.

Trustee Thorn reported that:

- There is ongoing dialogue with the Ministry of Transportation and Infrastructure (MoTI) for information to be conveyed regarding timelines and plans for work on “the dip” and that wait times are up to a half hour.

4. CHAIR'S REPORT

Chair Luckham reported that:

- Islands Trust Council is scheduled to meet June 21 to 23. There will be early reporting on the concluded Phase Three of the 2050 Policy Statement Review and the Governance Review will also be considered; and
- Regarding the anchorages issue, he met with the Port of Vancouver for the purpose of engagement in response to the federal government’s direction that the Port address efficiencies and impacts of vessels anchoring in the Salish Sea.

5. TOWN HALL AND QUESTIONS

Members of the public raised the following issues:

- Emergency preparedness plan as it relates to the issue of “the dip” and bridge was discussed. Discussed the community supports available through the Emergency Program;
- Request to address Chair Patrick’s resignation, and the ability of Chair Luckham to proceed with bylaws. Chair Luckham addressed the role of the meeting chair and his preparation;
- It was questioned why the bylaw change was not put forward to a vote of the population affected. Chair Luckham addressed this issue and stated the *Islands Trust Act* empowers trustees to make decisions through public consultation and that voices will be listened to; and
- Discussion occurred that the venue is too small and that some people did not attend due to concerns of Covid. It was commented that the meeting was being recorded, but not streamed as there is no internet connectivity. Discussed options including deferring the meeting to a larger venue.

SP-2022-022

It was Moved and Seconded,

that the Public Hearing for Bylaw Nos. 122 and 123 be delayed to a later date.

CARRIED
(1 opposed)

-----Recessed for 10 minutes-----

6. COMMUNITY INFORMATION MEETING

Deferred.

7. PUBLIC HEARING

Deferred.

8. MINUTES

8.1 Adopted Local Trust Committee Minutes Dated March 4, 2022 (for Adoption)

By general consent the Local Trust Committee meeting minutes of March 4, 2022 were adopted as presented.

8.2 Section 26 Resolutions-without-meeting - None

8.3 Advisory Planning Commission Minutes – None

Chair Luckham advised that an Advisory Planning Commission should be appointed.

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated April 2022

Received for information.

10. DELEGATIONS - None

11. CORRESPONDENCE

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

11.1 Electoral Boundaries Commission

March 3, 2022 letter from Justice Nitya Iyer, Commission Chair, to Councillor Sue Ellen Fast, Island Municipality of Bowen Island, regarding the province's current electoral district boundaries - received for information.

12. APPLICATIONS AND REFERRALS

12.1 SP-ALR-2021.1 and SP-ALR-2022.1 – Staff Report

Planner Stockdill summarized the application and recommended requesting the applicant to provide additional information.

Applicant, Taylor Johnson, representing the property owners, spoke to the application and the property owners' intention to formalize the subdivision for the two dwellings. Specifically,

- Farm activity: no current farming activities, considered horse and sheep but not feasible;
- Agricultural capability impact: nothing contemplated that would impact the agricultural portion, road is existing, would not require significant alteration;
- No means to access residential portion of lot without going through agricultural portion; and
- Covenant will restrict dwellings on agricultural portion.

Trustee Thorn asked about Agricultural Land Commission (ALC) process and confirmed that there would be no subdivision within the ALR portion.

Trustee Wright commented that the property has never been an active farm. The property has greater subdivision potential than being requested, access has always been there, access is maintenance only. He has no issues advancing to Agricultural Land Commission (ALC).

Chair Luckham asked about adding restrictions in covenant to prevent further subdivision.

RPM Kojima pointed out challenges with re-subdividing a bare land strata.

SP-2022-023

It was Moved and Seconded,

that the applicant be requested to provide a restriction on further subdivision of the Rural Residential lots in the s. 219 covenant.

CARRIED

SP-2022-024

It was Moved and Seconded,

that the South Pender Island Local Trust Committee supports applications SP-ALR-2021.1 and SP-ALR-2022.1 (Airey Group) for subdivision and non-farm use within the Agricultural Land Reserve and directs staff to forward the application to the Agricultural Land Commission for further consideration and to include the following comments: that the Local Trust Committee supports the application because it reduces overall density and protects the agricultural lands and capability for agriculture.

CARRIED

12.2 Saturna Island Local Trust Committee Referral for Proposed Bylaws 133 and 134 (for response)

SP-2022-025

It was Moved and Seconded,

that the South Pender Island Local Trust Committee indicates that its interests are unaffected by the Saturna Island proposed bylaws 133 and 134.

CARRIED

12.3 Mayne Island Local Trust Committee Referral for Proposed Bylaws 184 and 189 (for response)

SP-2022-026

It was Moved and Seconded,

that the South Pender Island Local Trust Committee indicates that its interests are unaffected by the Mayne Island proposed bylaws 184 and 189.

CARRIED

12.4 Mayne Island Local Trust Committee Referral for Proposed Bylaws 186 and 187 (for response)

SP-2022-027

It was Moved and Seconded,

that the South Pender Island Local Trust Committee indicates that its interests are unaffected by the Mayne Island proposed bylaws 186 and 187.

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 South Pender Island Local Trust Committee Proposed Fees Bylaw No. 124 - Consideration of Adoption – Staff Report

SP-2022-028

It was Moved and Seconded,

that the South Pender Island Local Trust Committee Bylaw No. 124, cited as “South Pender Island Local Trust Committee Fees Bylaw, 2021”, be adopted.

CARRIED

13.2 Land Use Bylaw Amendments Project – Staff Report

- Chair Luckham raised the question of whether to proceed with further work on the bylaw;
- The LTC agreed to proceed with discussing potential amendments;
- A series of amendments were discussed and formulated for the following items:
 - water catchment requirement and flexibility of cistern use;
 - floor area amendments (residential, cottage, farm retail);
 - maximum house size;
 - side lot line clarity wording;
 - pump/utility house placement in relation to waterfront;

- lot coverage changed to maximum floor area (Agri-tourism); and
- limitation of the number of guests and bedrooms.
- It was discussed and agreed that building height and lot coverage would receive further discussion; and
- Consideration and discussion were given to timelines and public communication.

SP-2022-029

It was Moved and Seconded,

that the South Pender Island Local Trust Committee rescind first reading of bylaw 122.

CARRIED

SP-2022-030

It was Moved and Seconded,

that the following amendments, as discussed, be made to Bylaw 122:

- 2.4 by “and by removing the words “pump/utility house”;
- 2.5 adding the words “except for a fence, stairway, wharf and dock ramps or their footings” after the “buildings or structures”;
- section 2.7 by deleting “except for a lot located within the Agricultural Land Reserve, the combined floor area must not exceed...”;
- 2.8 (rainwater catchment for cottages): to read “ a building permit shall not be issued for a dwelling, excluding a cottage, unless a building on the lot is equipped with cisterns for freshwater storage with a minimum storage capacity of 18,000 litres”;
- 2.12 – add “side” lot line;
- 2.13 removing the words “does not exceed” and replacing them with “is not less than”, and adding the word “side” before the words “lot line”;
- 2.18 change floor area of cottage to 70m²;
- 2.20 change retail sales floor area to 500 square feet maximum 47m²;
- 2.21 - 5.5(18) by deleting “lot coverage of 5%” and replacing with “floor area of 90m²”; and
- 2.21 – 5.5(21) change to “10 guests and 5 bedrooms”.

CARRIED

SP-2022-031

It was Moved and Seconded,

that Bylaw 122 be amended, as discussed, to read 2.9 floor area table changes:

Less than 1 acre:	5000 and 2500
1 – 2 acres:	6000 and 3000
2-4 acres:	8000 and 3500
4-10 acres:	9000 and 3500
10+ acres:	15000 and 3500

CARRIED

SP-2022-032

It was Moved and Seconded,

that bylaw 122 be amended to apply the table in 5.5(1) to the Agriculture, Forest and Natural Resource zones.

CARRIED

SP-2022-033

It was Moved and Seconded,

that the South Pender Island Local Trust Committee proposed Bylaw No. 122, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021” be given first reading as amended.

CARRIED

SP-2022-034

It was Moved and Seconded,

That South Pender Island Local Trust Committee request staff to report back with options to address issues with height, natural grade and flat roofed buildings.

CARRIED

SP-2022-035

It was Moved and Seconded,

that the South Pender Island Local Trust Committee request staff to find venues and schedule Community Information meetings and a Public Hearing on bylaws 122 and 123.

CARRIED

13.3 Minor Official Community Plan Amendments Project – Staff Report

No discussion occurred.

14. REPORTS

14.1 Work Program Reports

14.1.1 Top Priorities Report Dated April 2022

Received for information.

14.1.2 Projects List Report Dated April 2022

Received for information.

14.2 Applications Report Dated April 2022

Received for information.

14.3 Trustee and Local Expense Report Dated Feb 2022

Received for information.

14.4 Adopted Policies and Standing Resolutions

Received for information.

14.5 Local Trust Committee Webpage

14.6 Islands Trust Conservancy Report Dated January 2022

Received for information.

15. NEW BUSINESS

15.1 Draft Annual Report Wording - for approval

By general consent the South Pender Island Local Trust Committee approves the format and outline of contents for the 2021/22 Annual Report.

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for June 24, 2022 at the South Pender Fire Hall, Pender Island, BC

17. TOWN HALL

18. CLOSED MEETING (Distributed Under Separate Cover)

18.1 Motion to Close the Meeting

SP-2022-036

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)(d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated February 4, 2022*
- *Appointment of Board of Variance Members*

AND that the recorder and staff attend the meeting.

CARRIED

18.2 Recall to Order

18.3 Rise and Report

19. ADJOURNMENT

By general consent the meeting was adjourned at 2:05 pm.

Peter Luckham, Chair

Certified Correct:
Lauren Edwards, Recorder