

ADOPTED

South Pender Island Local Trust Committee Minutes of Regular Meeting

Date: February 3, 2023
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

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

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
Sarah Shugar, Recorder (electronic)

Others Present: Approximately 26 members of the public

These minutes follow the order of the agenda, although the sequence may have varied. The electronic meeting was livestreamed, recorded, and made available for electronic public attendance.

1. CALL TO ORDER

Chair Elliott called the meeting to order at 11:00 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. TRUSTEE REPORT

Trustee Evans reported she has been appointed to the Financial Planning Committee and the Trust Programs Committee. The next meeting of the Trust Programs Committee will consider budget recommendations to be made to the Financial Planning Committee. Trustee Evans noted she would put up a poster regarding upcoming Islands Trust Conservancy Webinar series on the Hall poster board.

Trustee Falck reported he has attended several training sessions for newly elected Trustees. He expressed support for transparency, open communication and the importance of public input.

4. CHAIR'S REPORT

Chair Elliott reported she has been appointed Vice Chair of Executive Committee. Chair Elliott was a member of the Gabriola Island Housing Advisory Planning Commission regarding

biodiversity, housing and water availability. Chair Elliott attended two Islands Trust Conservancy meetings, a Regional Planning Committee meeting and an Islands Trust Conservancy celebration event with the Swift Family regarding the acquisition of the Link Island Nature Reserve. Chair Elliott encouraged members of the public to contact her at telliott@islandstrust.bc.ca.

5. ELECTORAL AREA DIRECTOR'S REPORT – None

6. TOWN HALL AND QUESTIONS

Chair Elliott reviewed the meeting decorum guidelines and opened the town hall portion of the meeting at 11:08 a.m.

Rick Friesen welcomed new Trustees and spoke to the last 4-year term as being fraught with controversy and peril. Mr. Friesen requested Trustees to review bylaws that were adopted during the last Trustee term and perhaps to be considered by an Advisory Planning Commission.

Liz Montague expressed concerns regarding application SP-TUP-2022.1 (9890 Castle Road) who presently serves as President of Strata Council and noted she is an adjacent property owner. Ms. Montague's concerns include that the Strata is not supportive of the TUP application, security, noise, fire risk, absentee STVR (short term vacation rental) property owner, privacy, water use, commercial use in a residential zone and impacts to nearby residents. Ms. Montague asked whether the commercial use would require a water licence and how would the STVR use impact the strata's insurance and requested the LTC to deny the application.

Rebecca Eagen welcomed new Trustees and expressed support to include affordable housing and groundwater sustainability in the LTC strategic priorities list. Ms. Eagen expressed concerns regarding application SP-TUP-2022.1 (9890 Castle Road) including an absentee STVR property owner, commercial use in a rural and residential neighbourhood, neighbourhood opposition and requested the LTC to deny the application.

Gord Duncan welcomed the newly elected Trustees and added that as Bylaw 123 has not been adopted, it should not be used in planning reports.

Robert Dill expressed concerns regarding SP-DVP-2023.1 (9825 Canal Road) including the 5,000 square foot size of the house and associated impacts of building materials, heat and furnishings. Mr. Dill expressed support for the design of the proposed house. Mr. Dill requested the LTC to deny the application and encourage the applicants to design a building that suits the rural character of the island.

Donna Spalding presented a submission on behalf of member of the public (Jane) and welcomed the new Trustees, and asked the LTC to consider the LTC work plan at a separate meeting with community input. There are many items on the current LTC work plan that were not supported by the South Pender Island residents including recent land use bylaw changes that resulted in numerous dwellings be non-compliant. The member of the public asked Trustees to reconsider Bylaw 122. Donna Spalding spoke on behalf of herself and expressed support for public input on the LTC work plan. Ms. Spalding expressed support regarding application SP-DVP-2023.1 (9825 Canal Road) including recommendations for aging in place, neighbour support, that it is not appropriate to regulate the size of the house and encouraged the LTC to approve the application. Ms. Spalding spoke to application SP-TUP-2022.1 (9890 Castle Road), advised the

proposed water storage does not follow legislation, encouraged the LTC to consider whether there are appropriate areas on South Pender Island for STVRs and noted STVRs are needed to support tourism in the Gulf Islands. Ms. Spalding requested the LTC to review Bylaw 122 with community input regarding water storage and submitted a piece of correspondence

Paul Petrie welcomed newly elected Trustees, expressed that he looks forward to working collaboratively and spoke to conservation of Brooks Point Park. Mr. Petrie expressed concerns regarding SP-TUP-2022.1 (9890 Castle Road), including impacts to neighbours, a commercial STVR operation within a rural neighbourhood and requested the LTC to deny the application.

Applicant for SP-DVP-2023.1 welcomed new Trustees and spoke to the application (9825 Canal Road). The applicant spoke to the importance of the house design to be wheelchair accessible and appropriate for her multi-generational family.

Heather Haryu welcomed newly elected Trustees and spoke to the Development Variance process. Ms. Haryu expressed support for application SP-DVP-2023.1 (9825 Canal Road) and that people living outside of the general area affected by the application should not be discussing the house size.

Michael St. Cyr expressed support for application SP-DVP-2023.1 (9825 Canal Road).

Debbie Friesen expressed support for application SP-DVP-2023.1 (9825 Canal Road) and expressed concerns regarding the past practice of Trustees meeting outside of a formal meeting.

Trustee Evans encouraged members of the public to write letters for transparency and public record. The LTC email address is: southpenderislandlocaltrustcommittee@islandstrust.bc.ca

Lee Pullen expressed support for a straw poll of the members of the public in attendance regarding whether there is support for application SP-DVP-2023.1 (9825 Canal Road).

Chair Elliott thanked the member of the public for the straw pole suggestion and Trustees agreed not to hold a straw poll regarding application SP-DVP-2023.1 (9825 Canal Road) at this time. Trustee Evans expressed support for considering whether straw polls should be used as a mechanism to gauge public support at a special meeting.

A member of the public asked whether there would be guidelines regarding who would be eligible to vote in a straw poll.

A member of the public expressed support for a straw poll as an informal mechanism to see whether there is public support.

7. COMMUNITY INFORMATION MEETING - None

8. PUBLIC HEARING – None

9. MINUTES

9.1 Adopted Local Trust Committee Minutes Dated November 4, 2022

The South Pender Island Local Trust Committee meeting minutes of November 4, 2022 were received.

9.2 Section 26 Resolutions Without Meeting Dated January 2023

The Resolutions Without Meeting Report was received.

9.3 Advisory Planning Commission Minutes – None

10. BUSINESS ARISING FROM THE MINUTES

10.1 Follow-up Action List Dated January 2023

The Follow-up Action List was received.

11. DELEGATIONS – None

12. CORRESPONDENCE

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

Planner Stockdill circulated two items of correspondence.

The meeting recessed for a break at 11:58 a.m. and the meeting reconvened at 12:00 p.m.

13. APPLICATIONS AND REFERRALS

13.1 SP-DVP-2023.1

Planner Stockdill presented a staff report dated January 26, 2023 regarding a Development Variance Permit application to increase the maximum floor area of a proposed dwelling unit at 9825 Canal Road.

Applicant spoke to the application.

In discussion the following items were noted:

- A minimal number of trees were removed at the building site;
- The reasons provided for the need to build a 5,000 square foot residence for a multi-generational family are valid;
- The building site location on the property will provide the least environmental impact; and
- The proposed design of the attached garage reduces the overall footprint of buildings on the site.

SP-2023-001

It was Moved and Seconded,

that the South Pender Island Local Trust Committee approve issuance of Development Variance Permit application SP-DVP-2023.1 (9825 Canal Road).

CARRIED

13.2 SP-TUP-2022.1 (Ellis)

Planner Stockdill presented a staff report dated January 25, 2023 regarding a Temporary Use Permit (TUP) application for a Short Term Vacation Rental (STVR) within an existing dwelling at 9890 Castle Road.

Applicants Catherine and Andrew Ellis spoke to the application.

In discussion the following items were noted:

- The applicants have done a lot of work to address concerns;
- Considerable opposition to the application has been received by the Strata Council and nearby residents; and
- Impacts from STVR's can be largely mitigated when the property owner lives on or nearby the property. There is no precedent to follow for STVR applications within the South Pender Island Local Trust Area. There should be policy regarding absentee property owners included in STVR guidelines. Applicant Catherine Ellis advised there would be three emergency contacts available at all times to respond to any emergencies.

The electronic meeting ended due to a power outage and recorder Sarah Shugar left the meeting at 12:35 p.m. Staff recorded the meeting and the minutes were completed from the meeting recording.

SP-2023-002

It was Moved and Seconded,

that the South Pender Island Local Trust Committee deny the Temporary Use Permit application SP-TUP- 2022.1 (Ellis).

CARRIED

13.3 Saturna Island Local Trust Committee Referral for Proposed Bylaws 136 and 137

RPM Kojima presented a bylaw referral from the Saturna Island Local Trust Committee dated October 27, 2022 regarding proposed Bylaws No. 136 and 137 was received.

SP-2023-003

It was Moved and Seconded,

that the South Pender Island Local Trust Committee interests are not affected by Saturna Island Local Trust Committee Proposed Bylaw No's 136 and 137.

CARRIED

13.4 North Pender Island Local Trust Committee Referral for Proposed Bylaw No. 232

RPM Kojima presented a bylaw referral from the North Pender Island Local Trust Committee dated January 19, 2023 regarding proposed Bylaw No. 232 was received.

SP-2023-004

It was Moved and Seconded,

that the South Pender Island Local Trust Committee interests are not affected by North Pender Island Local Trust Committee Proposed Bylaw No. 232.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS – None

15. REPORTS

15.1 Work Program Reports

15.1.1 Local Trust Committee Work Program Review - Staff Report

RPM Kojima presented a staff report dated December 14, 2022 regarding a summary of current and recently completed LTC Projects, an overview of the currently identified future projects, and other potential projects the LTC may wish to consider this term. The report also summarizes the status of major applications.

SP-2023-005

It was Moved and Seconded,

that the South Pender Island Local Trust Committee direct staff to schedule a meeting prior to the next regular LTC meeting to discuss future work, projects and community engagement processes that the community would like the LTC to take on.

CARRIED

15.1.2 Active Projects Report Dated January 2023

Received.

15.1.3 Future Projects Report Dated January 2023

Received.

15.2 Applications Report Dated January 2023

Received.

15.3 Trustee and Local Expense Report Dated November 2022

Received.

15.4 Adopted Policies and Standing Resolutions

Received.

15.5 Local Trust Committee Webpage - None

15.6 Islands Trust Conservancy Report Dated November 2022

Received.

16. NEW BUSINESS

16.1 Letter from WSANEC Leadership Council Staff regarding Draft 2021 Islands Trust Policy Statement Amendments

A Trust Programs Committee briefing dated September 2, 2022 regarding a letter from WSÁNEĆ Leadership Council staff regarding draft 2021 Islands Trust Policy Statement amendments was presented.

16.2 Brooks Point Regional Park – Update

An email received from T. Shannon dated August 30, 2022 regarding Brooks Point Regional Park was presented. Trustee Evans reported Brooks Point Regional Park has been reclassified to a conservation area and the “events are permitted with approval” sign will be replaced with a “no events” sign. Trustee Evans expressed gratitude to everyone for efforts on Brooks Point Regional Park.

16.3 Advisory Planning Commission Appointments – Discussion

Trustee Evans expressed support to re-establish the South Pender Island Advisory Planning Commission

SP-2023-006

It was Moved and Seconded,

that the South Pender Island Local Trust Committee request staff to advertise for expressions of interest for the Advisory Planning Commission.

CARRIED

17. UPCOMING MEETINGS

Staff will schedule a special meeting prior to the next regular meeting. The next regular meeting is scheduled for May 5, 2023 at the Fire Hall on Pender Island.

18. TOWN HALL – None

19. CLOSED MEETING – None

20. ADJOURNMENT

By general consent, the meeting was adjourned at 1:30 p.m.

Tobi Elliott, Chair

Certified Correct:

Sarah Shugar, Recorder