



ADOPTED

South Pender Island Local Trust Committee

Minutes of Regular Meeting

Date:	May 5, 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:	Kim Stockdill, Island Planner Sarah Shugar, Recorder
Others Present:	Paul Brent, Capital Regional District (CRD) Electoral Area Director Approximately 12 members of the public

These minutes follow the order of the agenda, although the sequence may have varied. The electronic meeting was live-streamed and recorded.

1. CALL TO ORDER

Chair Elliott called the meeting to order at 10:32 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. Chair Elliott requested a moment of silence to observe the National Day of Awareness for Missing and Murdered Indigenous Women and Girls. A moment of silence was observed. Chair Elliott spoke to the commitment to the Islands Trust Reconciliation Declaration.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

- 16.4 Staff Attending LTC Meetings by Zoom

By general consent, the agenda was approved as amended.

3. TRUSTEE REPORT

Trustee Evans reported she attended a Financial Planning Committee meeting regarding the Strategic Plan and the preliminary draft Strategic Plan document has been referred to the Governance Committee and Executive Committee for review. One outcome of the strategic planning process has been the need for clear vision, mission and value statements. Trustee Evans read the South Pender vision statement, "Our South Pender community is committed to

preserve the rural nature and natural diversity of our island Environment for Future Generations.” Trustee Evans suggested perhaps the LTC would add “where individuals, the environment and the community interact in ways that foster mutual health and vitality.” to the vision statement at some point in the future. Trustee Evans suggested using the phone book as a resource to contact the public regarding joining an LTC email list.

Chair Elliott reported the strategic plan work is owned by the Executive Committee and is in process.

Trustee Falck presented the following report:

- Attended a webinar regarding watersheds in B.C. The Gulf Islands watersheds are the “canary in the coal mine” as our watersheds are smaller than watersheds on Vancouver Island and the mainland of B.C.;
- Thanked Planner Stockdill for the jurisdictional descriptions in the Local Trust Committee Work Program staff report;
- Expressed support for improved communications with the public, including an LTC email list and the Pender Post;
- The CRD Parks Commission has two vacant seats and they would like one of the seats to be filled by a Pender Island representative.

Planner Stockdill reported there is a South Pender Island LTC email subscriber list. There was discussion regarding whether the subscriber email list is up to date. Planner Stockdill will report back on the LTC subscriber list.

4. CHAIR'S REPORT

Chair Elliott presented the following report:

- Attended the Rural Islands Economic Partnership Forum on Gabriola Island in April;
- The Province announced a Homes for People plan that includes a commitment of 4 Billion dollars for housing action plans in partnership with local governments;
- The CMHC Housing Accelerator Fund provides incentive funding to local governments encouraging initiatives aimed at increasing housing supply. Staff is working on what is the appropriate approach for islands to apply for the funding. If a community has a housing action plan, it can be used as the basis to apply for the funding;
- Attended the 2023 Association of Vancouver Island Coastal Communities (AVICC) convention in Nanaimo regarding housing and how to address climate change from a regional perspective;
- Ministry of Municipal Affairs Governance Relations Director Brent Mueller will speak to Trust Council on Reconciliation;
- Chair Elliott inquired on whether LTC has a protocol agreement with the CRD.

5. ELECTORAL AREA DIRECTOR'S REPORT

CRD Director Brent presented the following report:

- Attended the Rural Islands Economic Partnership Program on Gabriola Island regarding reconciliation, the economy and affordable housing;
- Director Brent reported housing is the top priority on the Southern Gulf Islands, and we are gutting our island demographics by not providing housing for younger people and affordable housing in general. Governments have not worked together, housing is in disarray and there is a lot to do to improve housing availability;
- The Province announced a 1 Billion dollar Growing Communities Fund that is allocated to every community in B.C.
- CRD and Islands Trust are working together on the Canada Mortgage and Housing Corporation (CMHC) Housing Accelerator Fund.

6. TOWN HALL AND QUESTIONS

Jane Perch spoke to the staff report dated April 26, 2023 regarding LTC work program. She expressed support for the wish list to be paired down substantially to focus on priorities, and requested it be referred to the APC. Ms. Perch asked when the LTC can apply for a major project and recommended Bylaw No. 122 be chosen as a priority project. Ms. Perch also requested clarification regarding why the LTC project funds are over budget, and asked whether the CRD Director will speak to item 16.1 – Siting and Use Permit Option.

Trustee Evans reported major project budget requests must be submitted by the summertime.

Chair Elliott reported there were extra meeting expenses due to COVID restrictions and two meetings were cancelled, although funds were already spent on advertising. Chair Elliott noted advertising in the newspaper is no longer a legislative requirement.

Shelly Henshaw welcomed new Trustees and expressed support for the LTC to communicate and speak to issues that are not within the Islands Trust jurisdiction such as water, RCMP and highways. Ms. Henshaw expressed concern that Bylaw 122 is an affront to the current housing crisis, and encouraged the LTC to reconsider it sooner than later.

Chair Elliott advised she cannot speak to Bylaw 123 as it is post Public Hearing and is in process with the Province. The LTC would either adopt Bylaw 123 or not after it has been approved by the Province.

Dennis Perch spoke to staff report dated April 26, 2023 regarding LTC work program wish list and jurisdiction areas, and advised he would not want advocacy issues to interfere with important priorities given limited time and funds. Advocacy issues such as tankers should be put aside to address priority items.

Trustee Evans advised the LTC priority projects will be based on what the community decides they would like to see the LTC to work on.

Chair Elliott advised advocacy is the responsibility of local governments as part of inter-governmental communications.

Trustee Falck expressed support to sort items by organizing the approach to each item and that some items can be dealt with quickly with a few emails, while some require much more time and resources.

Gordie Duncan expressed support for the LTC to reduce the work program priority list to focus on priorities before it is referred to the APC.

Chair Elliott summarized that the LTC should make leadership decisions before the work program priority list is referred to the APC.

A former member of the APC advised that last term, the APC was referred the question “how to protect the foreshore”. It was a broad question without data, mapping, or scientific studies to support the process. The APC was not asked to consider draft Bylaws 122 and 123 except for the building design guidelines, and suggested that referrals to the APC should be specific and include guidelines.

7. COMMUNITY INFORMATION MEETING – None

8. PUBLIC HEARING – None

9. MINUTES

9.1 Adopted Local Trust Committee Minutes Dated February 3, 2023 (reconsider amendments)

An email received from Liz Montague dated April 7, 2023 regarding amendments to the minutes was received.

By general consent, the South Pender Island Local Trust Committee agreed the Planning Team Assistant will review the meeting recording to consider the comments brought forward in an email from Liz Montague dated April 7, 2023, and amendments to the minutes will be brought forward to the LTC by Resolution Without Meeting (RWM).

9.2 Local Trust Committee Special Meeting Minutes Dated March 25, 2023 (for Adoption)

By general consent, the Local Trust Committee meeting minutes of March 25, 2023 were adopted as presented.

9.3 Section 26 Resolutions-without-meeting - None

9.4 Advisory Planning Commission Minutes – None

10. BUSINESS ARISING FROM THE MINUTES

10.1 Follow-up Action List Dated April 2023

Received for information.

11. DELEGATIONS – None

12. CORRESPONDENCE

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

12.1 John Kuharchuk re Straw Polls

The correspondence item was received.

13. APPLICATIONS AND REFERRALS

13.1 Saturna Island Local Trust Committee Referral for Draft Bylaw No. 138 (for response)

A bylaw referral from the Saturna Island Local Trust Committee dated April 11, 2023 regarding proposed Bylaw No. 138 was presented.

SP-2023-014

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. 138.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS - None

15. REPORTS

15.1 Work Program - Staff Report

15.1.1 Active Projects Report Dated April 2023

Planner Stockdill reviewed a staff report dated April 26, 2023 regarding LTC work program priorities.

In discussion the following comments were noted:

- Support for a special meeting to receive community input and to give time for the APC to have time to convene;
- It may be cost prohibitive to conduct a good survey;
- Saturday, June 3, 2023 at 1:00 pm was suggested as a potential date for a special meeting;

- There may be items such as blasting that could be addressed in an inter-agency protocol agreement with the CRD;
- A member of the public asked how much notice would be given for a special meeting.

SP-2023-015

It was Moved and Seconded,

That the South Pender Island Local Trust Committee request staff to schedule a special meeting for the purpose of setting LTC priorities and send out a meeting notice immediately after the meeting is scheduled.

CARRIED

15.1.2 Future Projects Report Dated April 2023

In discussion the following items were noted:

- There was a discussion regarding the Shoreline Review Project. It was noted shoreline review will continue to be a major issue with sea level rise, and there was a question regarding whether there could be a shoreline protection model bylaw as it is an issue across the Trust Area;
- There was a question regarding the Groundwater Sustainability Project. Planner Stockdill reported phase one was the mapping project and phase two would be to analyze the mapping and develop draft bylaws and development permit areas. The mapping is available on the Islands Trust website;
- There was a question regarding the raptor's nest mapping and it was noted this will be considered as part of the work plan review.

SP-2023-016

It was Moved and Seconded,

That the South Pender Island Local Trust Committee remove the shoreline review project from the active projects report and add it to the Future Projects report.

CARRIED

SP-2023-017

It was Moved and Seconded,

That the South Pender Island Local Trust Committee remove item number 6 - Brooks Point Zoning from the Future Projects Report, as it has been completed by the CRD.

CARRIED

The report was received.

15.2 Applications Report Dated April 2023

The report was received.

15.3 Trustee and Local Expense Report Dated Feb 2023

A Trustee asked if the Trustee and Local Expense Report could include a year-to-date total.

The report was received.

15.4 Adopted Policies and Standing Resolutions

In discussion the following items were noted:

- Trustees expressed concern regarding Standing Resolution No. 2020-015 - Bylaw Violations re disposal or storage of waste or recyclable materials or storage of vehicles. Concerns included that this standing resolution could be broadly interpreted;
- There was a question regarding 2019-015 - Reconciliation Report. Chair Elliott reported the work is in progress;
- There was a question regarding Standing Resolution No. 2019-014 - Model Cell Tower Strategy. Planner Stockdill advised the LTC has endorsed the Model Cell Tower Strategy, and Chair Elliott advised some LTCs are adopting more robust Cell Tower Strategies.
- There was a discussion regarding Standing Resolution No. 2006-012 – Adoption of Minutes and whether the current minute process is best practice.

SP-2023-018

It was Moved and Seconded,

That the South Pender Island Local Trust Committee Standing Resolution Number 2020-015 (Bylaw Violations re disposal or storage of waste or recyclable materials or storage of vehicles) be rescinded.

CARRIED

The report was received.

15.5 Local Trust Committee Webpage – None

15.6 Islands Trust Conservancy Report – None

16. NEW BUSINESS

16.1 Mayne LTC request re Siting and Use Permit Option

CRD Director Brent spoke to an email from David Maude dated January 31, 2023 regarding Siting and Use Permits option. CRD Director Brent expressed support for the CRD to be a service to help the public proceed through the BC Building code in a timely and cost effective way. Director Brent reported the Mayne Island LTC is considering a pilot project on Mayne Island.

SP-2023-019

It was Moved and Seconded,

That the South Pender Local Trust Committee's response to Mayne Island Local Trust Committee's request from Trustee Maude regarding the siting and use inquiry on Mayne Island is supported and of interest to the South Pender Island Local Trust Committee and request that Mayne Island provide an update to South Pender LTC on ongoing progress.

CARRIED

16.2 Draft Annual Report Wording - for approval

The South Pender Island Local Trust Committee Annual Report was presented.

SP-2023-020

It was Moved and Seconded,

That the South Pender Island Local Trust Committee approve the format and outline of contents for the 2022/23 Annual Report.

CARRIED

A Trustee asked whether a summary of building permit referrals can be reported to the LTC for information. Planner Stockdill will look into this.

The meeting recessed for a break at 12:48 p.m. and reconvened at 12:58 p.m.

16.3 South Pender Island LTC Freedom of Information and Protection of Privacy Bylaw No.128 - Request for Decision

A staff report dated March 30, 2023 regarding the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

It was noted there is a typo in the Definitions and Interpretation section as follows: Replace "Head" means the person designated under Section 3 of this Bylaw as the head of the of the Salt Spring Island Trust Committee for the purposes of the Act." with "Head" means the person designated under Section 3 of this Bylaw as the head of the of the South Pender Island Trust Committee for the purposes of the Act.

SP-2023-021

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 read a first time.

CARRIED

SP-2023-022

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 read a second time.

CARRIED

SP-2023-023

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 read a third time.

CARRIED

SP-2023-024

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 forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

16.4 Staff Attending LTC Meetings by Zoom

There was discussion regarding whether staff could join the LTC meetings by Zoom to reduce staff travel time.

By general consent, the South Pender Island Local Trust Committee expressed support for staff to attend meetings by Zoom.

17. UPCOMING MEETINGS

17.1 The next Regular Meeting is scheduled for September 1, 2023 at the Fire Hall, Pender Island

17.2 Date change November 10, 2023 meeting to November 3, 2023

By general consent, the LTC agreed to keep the November 10, 2023 meeting date.

18. TOWN HALL

Ron Uldall-Ekman spoke to short-term vacation rentals (STVR's) and noted the issue of STVR impacts on workforce housing is across B.C. As a nearby resident of a recent STVR application, he advised the issue has caused division in the community and the rules are not clear. Mr. Uldall-Ekman expressed support for the LTC to regulate STVR's through the use of

Temporary Use Permits (TUP's), encouraged the LTC to provide more information to the public regarding STVR's and acknowledged the LTC for transparency.

Trustee Evans advised there are many variables to consider regarding STVRs, including that many property owners do not want to rent long-term as they want to be able to use the housing. She further stated that the islands is for the enjoyment of the province as a whole, so we need accommodations for those visitors so they do not have to make a day trip, and some studies have shown that larger cities such as Toronto have not seen a measureable increase in long-term rental housing as a result of moratorium on STVRs.

Chair Elliott advised Union of BC Municipalities (UBCM) has published a report on STVRs. STVRs do need to be addressed appropriately by the local government. The LTC does not designate zoning to Strata Councils, and a Strata Council would need to apply to amend the LUB to be able to regulate STVRs. Currently STVRs are not allowed as a commercial use in a residential zone.

Chair Elliott will email the Priorities For Action On Short-Term Rentals Report of the Joint UBCM-Province Advisory Group on Short-Term Rentals to Trustees.

Trustee Evans reported the DIP project is going out for tender in the summer, discussions regarding Parks and First Nations are ongoing, the tree felling has been paused, and a review of the spit for barge landing is in progress. CRD Director Brent advised MOTI is keeping us informed and expressed support for inter-agency communication and collaboration to be effective going forward.

19. CLOSED MEETING (Distributed Under Separate Cover)

19.1 Motion to Close the Meeting

SP-2023-025

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:

- Appointment of APC Members and that the recorder and staff attend the meeting.

CARRIED

The meeting was closed at 1:30 p.m.

19.2 Recall to Order

The meeting was recalled to order at 1:43 p.m.

19.3 Rise and Report

The South Pender Island Local Trust Committee appointed Audrey Green, Cameron Thorn, Donna Spalding, Gordie Duncan and Rodney Kirkwood to the South Pender Island Advisory Planning Commission, commencing immediately for a term ending January 1, 2026.

20. ADJOURNMENT

By general consent, the meeting was adjourned at 1:45 p.m.

Tobi Elliott, Chair

Certified Correct:

Sarah Shugar, Recorder