

Adopted



Islands Trust

North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: November 28, 2019
Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Members Present: Laura Patrick, Chair
Benjamin McConchie, Local Trustee
Deb Morrison, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Shannon Brayford, Recorder

Public: There were approximately 8 members of the public.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:00 am. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Chair Patrick reported that the meeting was being live streamed on Facebook by a member of the community.

2. APPROVAL OF AGENDA

The following additions were recommended:

- 15.2 Transportation Commission
- 15.3 James Island

By general consent, the agenda was approved as amended.

3. TRUSTEE REPORT

Trustee Morrison reported that the Bylaw Review process had begun. She encouraged the community to email their recommendations for both changes or what should remain the same.

Trustee Morrison also provided an overview of the types of projects that can be undertaken locally related to climate change.

4. CHAIR'S REPORT

Chair Patrick provided a report including the following points:

- met with the Climate Action Group at the Salt Spring Island High School.
- Trust Council will be held December 3-5, 2019 and will include the first steps in the budget approval process for the next fiscal year.
- participated in a meeting with the Coast Guard regarding the inclusion of the Islands Trust area in the Marine Spill plan.

5. TOWN HALL AND QUESTIONS

Michael Sketch addressed the Waste Management Bylaws and the requirements under the Official Community Plan. He encouraged the Local Trust Committee (LTC) to revisit the zoning matter. He also recommended that climate change mitigation include incentives for prime Agricultural Land Reserve (ALR) lands to build ponds so that water is stored from winter rain fall for summer use.

Mike Burdett requested and received information on the use of catchment water as potable water and implications to the property owner for installing a pond.

He addressed information on plans for density transfer and alternative water sources that could be encouraged to prevent removal of density.

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated November 7, 2019

By general consent the Local Trust Committee meeting minutes of November 7, 2019 were adopted as presented.

8.2 Section 26 Resolutions-without-meeting Report

None

8.3 Advisory Planning Commission Minutes

None

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated November 2019

Regional Planning Manager (RPM) Kojima provided a brief overview.

10. DELEGATIONS

None

11. CORRESPONDENCE

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

None

12. APPLICATIONS AND REFERRALS

12.1 NP-RZ-2019.3 (Henshaw)

RPM Kojima provided an overview of the staff report and the history of the matter.

A discussion of industrial zoning, the tools available to LTCs for managing those zones, and the general challenges related to industrial zoning on the island was held.

NP-2019-113

It was Moved and Seconded,

that the North Pender Island Local Trust Committee deny application NP-RZ-2019.3 (Henshaw) for the following reason: that further comprehensive review of industrial land needs to occur; and further, that the North Pender Island Local Trust Committee request the applicant to make an application for a Temporary Use Permit prior to January 15, 2020.

CARRIED

12.2 NP-TUP-2019.4 (Burdett)

RPM Kojima provided an overview of the staff report, its recommendations, and the communication from the Islands Trust Conservancy staff regarding any of their concerns with the use.

A discussion was held regarding the application and potential revisions.

NP-2019-114

It was Moved and Seconded,

that the North Pender Island Local Trust Committee require that the agreement letter between the leasee and the owner explicitly state exclusive permission for the leasee to use the Temporary Use Permit land.

CARRIED

NP-2019-115

It was Moved and Seconded,

that the North Pender Island Local Trust Committee amend NP-TUP-2019.4 (Burdett), 3c to have the hours of operation be limited to daylight hours.

CARRIED

NP-2019-116

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit renewal application NP-TUP-2019.4 (Burdett), as amended, for three (3) years.

CARRIED

12.3 NP-TUP-2018.5 (Grimmer)

RPM Kojima provided an overview of the application and the associated staff report.

A discussion was held, with input from the applicant, regarding the requirements listed within the TUP.

It was recommended that the TUP be amended to require the following:

- Continual monitoring of the pH in the tanks;
- Cover the tanks with the highest pH;
- Fence the high pH tanks;
- Confirmation of the staff's safety training; and
- Mitigation of dirt/mud on the road.

12.4 South Pender Island Local Trust Committee Bylaw No. 117 Referral

RPM Kojima provided an overview of the referral.

NP-2019-117

It was Moved and Seconded,

that the North Pender Island Local Trust Committee indicate approval of the South Pender Island Local Trust Committee Bylaw No. 117 to foster careful consideration of their Short Term Vacation Rental review.

CARRIED

12.5 Salt Spring Island Local Trust Committee Bylaws 519 & 520 Referral

Chair Patrick provided an overview of the two bylaws.

NP-2019-118

It was Moved and Seconded,

that the North Pender Island Local Trust Committee respond to Salt Spring Island Local Trust Committee Bylaw 520 referral with "interests unaffected" and "that the North Pender Island Local Trust Committee encourages the Salt Spring Island Local Trust Committee to consider if they are consistent with the directive policies of the Islands Trust Policy Statement."

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

None

14. REPORTS

14.1 Work Program Report (attached)

14.1.1 Top Priorities Report Dated November 2019

RPM Kojima provided an overview of the Top Priorities and the work completed to date.

14.1.2 Projects List Report Dated November 2019

Received for information.

14.2 Applications Report Dated November 2019

RPM Kojima provided information on specific applications.

A discussion was held regarding property owners being held accountable for unlawful tree removal.

A discussion was held regarding Short Term Vacation Rentals (STVRs).

NP-2019-119

It was Moved and Seconded,

that the North Pender Island Local Trust Committee place a moratorium on new Short Term Vacation Rental Temporary Use Permits for a limited time while the Local Trust Committee completes the Short Term Vacation Rental Review.

CARRIED

14.3 Trustee and Local Expense Report

None

14.4 Adopted Policies and Standing Resolutions

Received for information.

14.5 Local Trust Committee Webpage

Received for information.

14.6 Islands Trust Conservancy Report Update - October 2019

Received for information.

15. NEW BUSINESS

15.1 North Pender Bike Lane Support Letter

The letter from Narrissa Chadwick was reviewed and the LTC expressed their appreciation of the recommendations.

15.1 Transportation Commission

Trustee Morrison requested that the letters written by staff regarding the North Pender Bike Lane Support letter also include encouragement of the development of a Transportation Commission.

15.1 James Island

A discussion of Associated Islands Bylaw 148 and the proposed subdivision of James Island was held. Staff provided recommendations of options available to the LTC for participating in the process moving forward

By general consent, the LTC requested that the Southern Gulf Islands Trust Areas hold a meeting with the Ministry of Transportation and Infrastructure.

16. UPCOMING MEETINGS

16.1 Next Proposed Regular Meeting Scheduled for January 30, 2020, at the Community Hall, Pender Island

17. TOWN HALL

Michael Sketch spoke to the James Island matter and requested information regarding the process by which bylaws can be challenged legally.

John Aftias requested and received information on NP-RZ-2019.3 (Henshaw) and the permitted uses. He expressed concern for the safety of his adjacent well. He requested that a restriction on early mornings be included in NP-TUP-2018.5 (Grimmer) in order to compromise between their ability to conduct their commercial operation and neighbouring residents' ability to have quiet enjoyment of their home.

Michael Sketch requested information on Temporary Use Permits (TUPs) and their relationship to the OCP and the Local Government Act. He identified incidences by which the OCP is being amended through several bylaw amendments.

18. CLOSED MEETING (Distributed Under Separate Cover)

18.1 Motion To Close the Meeting

NP-2019-120

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) (d & g) for the purpose of considering:

- Adoption of In-Camera Minutes Dated November 7, 2019
- Legal Opinion

CARRIED

18.2 Recall to Order

Chair Patrick recalled the meeting to order at 1:05 p.m.

18.3 Rise and Report

Chair Patrick reported that the LTC adopted the in-camera minutes of the Local Trust Committee meeting of November 7, 2019.

19. ADJOURNMENT

A discussion of future meeting locations was held.

By general consent the LTC determined that their 2020 meeting location would be moved to the Anglican Church.

By general consent the meeting was adjourned at 1:07 p.m.

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder