

# ADOPTED



## South Pender Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** November 1, 2019  
**Location:** South Pender Fire Hall  
8961 Gowlland Point Road, South Pender Island, BC

**Members Present:** Laura Patrick, Chair  
Cameron Thorn, Local Trustee  
Steve Wright, Local Trustee

**Staff Present:** Robert Kojima, Regional Planning Manager  
Narissa Chadwick, Island Planner  
Shannon Brayford, Recorder

**Public:** There were approximately nine members of the public.

#### 1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:00 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

No reports were made.

#### 4. CHAIR'S REPORT

Chair Patrick reported that Trust Council will be held December 3-5, 2019 and noted the process for submitting a delegation.

#### 5. TOWN HALL AND QUESTIONS

Jane Perch read a written statement on behalf of Ginger Talbot which spoke in favour of continuing to allow Short Term Vacation Rentals (STVRs) on the island and spoke against implementing expanded building guidelines.

Vic Daniels spoke in favour of STVRs and requested information on the Trustees' plans for Draft Bylaw 117.

Donna Spalding spoke against the proposed Bylaw 117, noting that it only targets some property owners and that the perceived threats attributed to STVRs are not founded in fact.

Peter Brooke noted that he submitted an electronic report analyzing STVRs in the South Pender Island market and provided recommendations for the LTC to consider in their deliberations.

Jane Perch spoke against proposed Bylaw 117, noting that it would contradict the Official Community Plan (OCP). She provided an overview of the policies within the OCP that apply to permitting STVRs.

Paul Petrie addressed David Marlor’s report on climate change and requested information on how South Pender Island will address the matter locally.

Rick Friesen requested and received information on the time limitation and scope of proposed Bylaw 117.

Vic Daniels provided an overview of the business market on Pender Island and cautioned that the proposed bylaw could create uncertainty in the market.

Donna Spalding requested and received information regarding the application of proposed Bylaw 117 for properties with both a house and cottage.

Peter Brooke noted that the Land Use Bylaw and Official Community Plan have conflicting interpretations of STVRs.

Vic Daniels recommended that the LTC use language for STVRs that is consistent with other levels of government.

**6. COMMUNITY INFORMATION MEETING**

None

**7. PUBLIC HEARING**

None

**8. MINUTES**

**8.1 Local Trust Committee Minutes Dated September 6 and October 18, 2019**

**By general consent** the Local Trust Committee meeting minutes of September 6, 2019 were adopted.

It was recommended that the resolution in the October 18, 2019 minutes be amended from “SP-2019-018” to “SP-2019-019”.

**By general consent** the Local Trust Committee meeting minutes of October 18, 2019 were adopted as amended.

**8.2 Section 26 Resolutions-without-meeting Dated October 2019**

Received for information.

**8.3 Advisory Planning Commission Draft Minutes Dated September 21, 2019**

Received for information.

**9. BUSINESS ARISING FROM THE MINUTES**

**9.1 Follow-up Action List Dated October 2019**

Regional Planning Manager (RPM) Kojima provided an overview of the Follow-Up Action list and it was received for information.

**10. DELEGATIONS**

None

**11. CORRESPONDENCE**

None

**12. APPLICATIONS AND REFERRALS**

None

**13. LOCAL TRUST COMMITTEE PROJECTS**

**13.1 Short Term Vacation Rentals (STVR) Review - Staff Report & Draft Bylaw 117**

Planner Chadwick provided an overview of the staff report. She included the following points:

- The history of the matter;
- The proposed bylaw's intent;
- The proposed bylaw's relationship to the OCP; and
- The implications on current operations should the proposed bylaw be adopted.
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The Trustees spoke to the draft bylaw addressing the following points:

- The rationale for the project and its timing;
- The proposed bylaw's relationship to the OCP;
- The mandate under which the LTC operates; and
- The impact of STVRs on property and land values.

Trustees requested and received information from staff on the proposed bylaw's relationship to the OCP.

**SP-2019-020**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee Bylaw No. 117, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019", be read a first time.

**CARRIED**

**SP-2019-021**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 117, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No.1, 2019”.

**CARRIED**

**SP-2019-022**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee direct staff to develop a project charter and staff report related to the short-term vacation rental review project.

**CARRIED**

A discussion of the scope and timeline for the project was held and RPM Kojima provided an overview of projects that have been completed in other Trust areas.

**SP-2019-023**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee request staff to schedule a Community Information Meeting prior to the Public Hearing.

**CARRIED**

**13.2 Building and Siting Guidelines - Staff Report**

Planner Chadwick provided an overview of the staff report, highlighting opportunities to work with the regulations to exercise control over some of the areas identified in the draft guideline document.

The Trustees each expressed their rationale for initiating this project.

**SP-2019-024**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee direct that the Staff Report and Draft Building and Siting Guidelines be forwarded to the Advisory Planning Commission for consideration.

**CARRIED**

**14. REPORTS**

**14.1 Work Program Reports**

14.1.1 Top Priorities Report Dated October 2019

RPM Kojima provided an update on the projects listed.

14.1.2 Projects List Report Dated October 2019

A discussion was held regarding the inclusion of First Nation’s language in the OCP and its maps.

**SP-2019-025**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee add a project to the Project's List to provide a more fulsome historical accounting of South Pender Island in the Official Community Plan.

**CARRIED**

**14.2 Applications Report**

None

**14.3 Trustee and Local Expense Report Dated August 2019**

Received for information.

**14.4 Adopted Policies and Standing Resolutions**

Received for information.

**14.5 Local Trust Committee Webpage**

No comments.

**14.6 Islands Trust Conservancy Report**

None

**15. NEW BUSINESS**

**15.1 Climate Change Information - Briefing and Report**

Received for information.

**15.2 Covenant Discharge Request re: 8806 Ainslie – Staff Report**

RPM Kojima provided an overview of the staff report, including the rationale for the request and the process should the recommendation be accepted.

**SP-2019-026**

**It was Moved and Seconded,**

that the South Pender Island Local Trust Committee accept the discharge of Section 219 covenant EL096392 registered on Lot 9, Section 21, Pender Island, Cowichan District, Plan VIP53829, except part in Plan VIP54818 and designate the Chair of the Local Trust Committee to sign the discharge of the covenant (8806 Ainslie Point Road)

**CARRIED**

**15.3 LTC(s) Live Streaming Meetings**

RPM Kojima provided an overview of the matter.

A discussion of potential options for implementing the practice, challenges, and current applications was held.

**SP-2019-027**

**It was Moved and Seconded,**

that the South Pender Local Trust Committee communicate to Trust Council its interest in filming and streaming its public meetings.

**CARRIED**

**15.4 BEN Bylaw No. 116 - Staff Report & Bylaw No. 116**

RPM Kojima provided an overview of the staff report.

**SP-2019-028**

**It was Moved and Seconded,**

that South Pender Island Local Trust Committee Bylaw No. 116, cited as "South Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 116, 2019", be adopted.

**CARRIED**

**16. UPCOMING MEETINGS**

**16.1 Next Regular Meeting - Proposed for February 7, 2020 at 10:30 am, at the South Pender Island Fire Hall**

**16.2 Proposed 2020 Annual Local Trust Committee Meeting Schedule**

A discussion of the number of annual meetings was held.

**SP-2019-029**

**It was Moved and Seconded,**

that South Pender Island Local Trust Committee approve the proposed 2020 Annual Local Trust Committee Meeting Schedule.

**CARRIED**

**17. TOWN HALL**

Rick Friesen requested and received information on Draft Bylaw 117 and whether current use is protected should the bylaw be passed.

Peter Brooke spoke to the limitations of the protection that being legal conforming after a bylaw change provides.

Donna Spalding requested that sufficient notice be given to the community for special meetings, the BEN Bylaw creates risk that the bylaw officer files complaints on their own, and requested that the LTC advocate on their behalf to deter public trespassing on their property at the border of the William Walker trail.

**18. CLOSED MEETING**

**18.1 Motion to Close the Meeting**

**SP-2019-030**

**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 September 6, 2019
- Appointment of Board of Variance Members

AND that the recorder and staff attend the meeting.

**CARRIED**

**18.2 Recall to Order**

At 12:48 p.m. Chair Patrick recalled the public meeting to order.

**18.3 Rise and Report**

Chair Patrick reported that the South Pender Island LTC passed a resolution appointing Michael Symons, Priscilla Zimmerman, and Andrew MacLean to the South Pender Island Board of Variance for a three (3) year term commencing immediately.

**CARRIED**

**19. ADJOURNMENT**

**By general consent** the meeting was adjourned at 12:48 p.m.

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Laura Patrick, Chair

Certified Correct:

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Shannon Brayford, Recorder