

ADOPTED

**MINUTES OF THE SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON TUESDAY, APRIL 10, 2012, AT 10:00 AM
AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD,
SOUTH PENDER ISLAND, BC**

PRESENT:	Ken Hancock	Chair
	Elizabeth Montague	Local Trustee
	Mike Jones	Local Trustee
	Andrea Pickard	Island Planner
	Kris Nichols	Planner
	Kathy Gilbert	Recording Secretary

There were twenty (20) members of the public present at the meeting.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 10:03 am.

2. APPROVAL OF AGENDA

2.1 Additions / Deletions

Chair Hancock identified late items to be placed under Correspondence, 8.1 from Wendy Scholefield and 9.2(a) from Tralee Dunn to be added to the agenda. By consent, the agenda, as amended, was approved.

2.2 Questions from public on Agenda items

Wendy Scholefield highlighted two items from her correspondence that she requested be discussed at the meeting: land erosion; and a request for more time for the review of the Land Use Bylaw.

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Adopted Local Trust Committee Minutes

5.1.1 Local Trust Committee Business Meeting Minutes of February 14, 2012

Chair Hancock noted that the February 14, 2012, minutes are provided for information.

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

Chair Hancock advised that these items are provided for information.

5.4 Advisory Planning Commission Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard presented the items as identified in the Follow-up Action Report and advised Trustees that the status of all items was as shown in the report..

7. DELEGATIONS

7.1 Ryan Evanoff, Ministry of Transportation and Infrastructure

Mr. Evanoff provided a status report on a proposed road closure at Tilly Point. The proposal is in response to a a land owners' application that, if approved, would result in the existing Tilly Point Road ocean access being closed in exchange for provision of two new accesses, to be constructed by the property owner.

Mr. Evanoff noted that public input is required, and that the District Highways Manager is the approving authority for the request.

Chair Hancock opened the floor for comment by the Pender Island Parks and Recreation Commission (PIPRC) and members of the public.

Chair of the PIPRC, Arn Berry, spoke to the letter of support provided by PIPRC in response to the proposal, noting that the existing and proposed accesses are both lookouts, rather than ocean accesses, and supporting a proposal that would see two accesses created in place of the present one.

Agnes Watts, adjacent property owner stated that the proposal will result in a loss of privacy for her.

Discussion followed regarding whether or not the trails were necessary; topographic considerations; fencing related to privacy concerns; and the possibility of reconfiguring the trail of concern to alleviate privacy concerns.

Mr. Berry provided a copy of a letter written by the PIPRC to neighbouring property owners clarifying the reasons for supporting the trail proposal.

Mr. Evanoff noted that discussions with the property owner were still on-going and that the public has until April 30 to provide input to the Ministry.

Chair Hancock thanked Mr. Evanoff for helping to foster a good working relationship with the Islands Trust.

7.2 Paul Petrie, Pender Islands Conservancy Association – Report on Brooks Point Ecological Inventory Project

Mr. Petrie identified Sylvia Pincott and Monica Petrie in the gallery from the Pender Islands Conservancy Association (PICA), working on the Brooks Point project.

Mr. Petrie presented the report. He reviewed the campaign to keep the latest acquisition intact (ie – no subdivision of the land.) He stated that PICA has shifted their campaign efforts from fund-raising to education and informed those present that the report will be on the PICA website shortly.

Mr. Petrie highlighted the existence of sharp-tailed snakes at Brooks Point. He identified a trail guide that has been prepared for visitors to Brooks point that provides educational information on flora and fauna, including marine life.

Mr. Petrie commented that preparation of the Brooks Point report was a team effort and thanked the Local Trust Committee for their support.

Trustees commended PICA on the report.

A brief discussion followed on present zoning (Rural Residential) and options for future rezoning.

8. CORRESPONDENCE

8.1 Email from Wendy Scholefield dated April 6, 2012

Chair Hancock noted that the email addressed a number of items on the agenda and suggested that the email be referenced as the various items came forward for discussion.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 SP-DVP-2012.1 (Hol)

Planner Nichols presented the application for an over height workshop with loft. The site is steeply-sloping and there will be no impact on the neighbours. Staff are supporting the requested variance.

The applicant was present and had no comments.

Both Trustees supported the requested variance as the building will have a smaller footprint than if designed to meet the Land Use Bylaw requirements.

Wendy Scholefield spoke to her email, stating that the present height limits should be reviewed.

Resolution-SP-LTC-14-12

It was Moved and Seconded that the South Pender Island Local Trust Committee Development Variance Permit SP-DVP-2012.1 (Hol) be approved.

CARRIED

9.2(a) SP-SUB-2011.2 (Cadez)

Planner Pickard presented the application, which consists of a proposed 4-lot bareland strata development, where parkland dedication is necessary. She also noted that this application will also require approval from the Agricultural Land Commission [see Item 9.2(b).]

The owners propose to satisfy the park dedication requirement by purchasing the adjacent Anglican Church property, no longer being used as a church, renovate it, provide an endowment for future maintenance, and convey the Church to a stewardship body, such as the Pender Island Parks and Recreation Commission (PIPRC,) with ownership by the Capital Regional District.

The applicant's representative, Howard Airey, was present and reviewed the history of the proposed development. He stated the owners do not wish to dedicate park, specifically access to the water, as there would be too much impact on the subject property. He further stated that if the Church was not accepted as the park dedication for this proposal, the applicants would not proceed with development.

Chair Hancock noted that the PIPRC does not support the applicant's proposal, as there are opportunities for water access through the property to satisfy the park dedication requirements.

Chair Hancock also noted correspondence received from Tralee Dun not supporting the applicant's proposal. In her letter to Trustees, Ms. Dun suggested approaching Parks Canada to enquire as to whether they might be interested in managing the Church should the applicant's proposal be accepted.

Chair Hancock referred to Wendy Scholefield's email of April 6, 2012, raising a number of issues, centering on the need for further dialogue and information.

Trustees, representatives of the PIPRC and members of the public discussed various aspects of the proposal, including:

- ownership and maintenance issues;
- the lack of servicing on the Church property, making it unsuitable for community purposes;
- the fact that the Church property is less than the maximum 5% parkland dedication required under the *Local Government Act*;
- loss of opportunity in the longer term for ocean access;
- condition of the building;
- broad community support for preservation of the Church;
- whether Parks Canada might be interested in the Church property.

Planner Pickard noted that discussions with the applicant are still in a preliminary phase and that there are many details to be worked out. She stated that the purpose of bringing the application forward at this time is to seek approval in principle.

Discussion followed on various courses of action, including referral to the Advisory Planning Commission.

**Note – The following motion was passed following the recess after Item [9.2(b).]*

Resolution-SP-LTC-15-12

It was Moved and Seconded that the South Pender Island Local Trust Committee refer Subdivision File SP-SUB-2011.2 to the South Pender Island Advisory Planning Commission, and that identified stakeholders be invited to attend.

CARRIED

9.2(b) SP-ALR-2012.1 (Cadez)

Planner Nichols presented his report on the component of the Cadez application ([see Item 9.2(a)] relating to the Agricultural Land Reserve (ALR.) The application to the Agricultural Land Commission (ALC) is required as the applicants propose to construct a strata road and common septic field on a portion of the land located within the ALR.

Planner Nichols stated that the impact on ALR land will be negligible.

**Note – The meeting recessed from 11:45 am to Noon.*

Resolution-SP-LTC-16-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to forward the application for a subdivision / non-farm use in the Agricultural Land Reserve, SP-ALR-2012.1 (Airey Group c/o Robert Cadez) to the Agricultural Land Commission for consideration.

CARRIED

9.3 Referral of Proposed North Pender Bylaw No. 190, Land Use Amendment Bylaw Amendment No. 1, 2012

This is an application on North Pender Island to construct a seawall below the natural boundary of the sea, in part, to protect an archaeological site.

Trustee Montague raised the idea of working with North Pender representatives to jointly address erosion issues.

Chair Hancock noted that the nature of the site, a First Nations archaeological site, warranted special consideration, as normally this application would not have been considered.

Resolution-SP-LTC-17-12

It was Moved and Seconded that the South Pender Island Local Trust Committee, in response to the referral of proposed Bylaw No. 190, cited as “North Pender Island Land Use Bylaw 103, 2006, Amendment No. 1, 2012”, and draft Development Permits NP-RZ-2011.1 (Turner) and NP-DP-2011.9 (Turner) advise the North Pender Island Local Trust Committee that interests of the South Pender Island Local Trust Committee are unaffected.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Land Use Bylaw Review 2012 – amendments

Planner Pickard presented her report, following on directive received at the February 14, 2012 South Pender Island Local Trust Committee meeting.

Of the changes proposed, as identified in the summary sheet, Item #5, relating to geoexchange systems may be refined.

Item #10, relating to the timing for construction and use of accessory buildings, Planner Pickard stated she was looking for direction on community consultation, a possible community information meeting, and timing for drafting and readings of an amending bylaw.

Discussion followed on how accessory building size is measured for “environmentally friendly” buildings – from the inside of walls (so that such building owners are not penalized for use of thicker walls) or the outside of buildings.

Trustee Jones suggested that building size be measured from the inside of walls for all buildings to keep the process consistent.

Chair Hancock asked for clarification as to how the proposed Land Use Bylaw changes came about, Planner Pickard replied that most came out from the update to the Official Community Plan, as well as “housekeeping” amendments.

In response to comments provided by Wendy Scholefield regarding the timeline and process for the Land Use Bylaw update, it was noted that this process is less extensive and requires less public consultation than the Official Community Plan review required.

Resolution-SP-LTC-18-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to prepare a newsletter and complementary survey outlining the proposed changes to the Land Use Bylaw, to gather information on shoreline issues and any other issues to be addressed.

CARRIED

10.2 Shoreline Review

Planner Pickard reviewed existing shoreline policies in various bylaws, related practices of the Islands Trust and other regulatory agencies. She identified various options for adopting shoreline management procedures, addressing items such as stairs, decks, land clearing, and geexchange systems. She further commented on the implications for construction in sensitive ecosystem areas, erosion control and creation of hazards.

Planner Pickard noted that this initiative is part of a Trust-wide initiative. Mapping has been done at a preliminary level.

Planner Pickard stated that direction is needed with respect to scope of the project, public consultation, and involvement of the Advisory Planning Commission.

Trustees discussed several issues, including:

- that erosion is the major issue;
- the need to identify the scope of the local project;
- the need to develop local mapping and policies;
- support for the Greenshores initiative.

Resolution SP-LTC-19-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to prepare a survey questionnaire to gather input from the community regarding shoreline issues.

CARRIED

10.3 Advisory Planning Commission Memo

In response to enquiries raised at the February 14, 2012 Local Trust Committee (LTC) meeting regarding options for the terms of Advisory Planning Commission (APC) members, Planner Pickard stated that the APC Bylaw does not require amendment, should the LTC wish to appoint APC members such that their appointments not coincide with LTC elections. She noted that terms of the APC are up to three (3) years.

Planner Pickard reviewed various options, as identified in her staff report, so that terms do not coincide with elections.

**Note – The meeting recessed from 1:55 pm to 2:04 pm.*

11. REPORTS

11.1 Work Program Reports

11.1.1 Adopted Policies and Standing Resolutions; and Objectives

This item was presented for information.

11.1.2 South Pender Island Local Trust Committee Work Program – March 2012

Trustee Montague described the value of a recent presentation by Deputy Fire Chief Mike Dine to the Castle Road strata members on wildfire prevention and preparedness. She suggested that this information could be made available to the broader community of South Pender and requested an amendment to the Forest Lands Project to include wildfire prevention and preparedness.

Resolution SP-LTC-20-12

It was Moved and Seconded that the South Pender Island Local Trust Committee requests that the “Activity” column for the Forest Lands Project be amended by adding wildfire protection and preparedness.

CARRIED

Trustees discussed ways to further engage constituents by adding a third item to the Top Priorities work program.

Resolution-SP-LTC-21-12

It was Moved and Seconded that the South Pender Island Local Trust Committee add a third item to the Top Priorities list to direct staff to work with Trustee Jones to draft a survey for the approval of the Local Trust Committee that can be used on the internet using Survey Monkey, and that this survey be distributed on-line.

CARRIED

11.2 Applications Report

11.2.1 South Pender Island Applications Report dated March, 2012

These items (Hol and Cadez /Airey applications) were discussed earlier in the meeting.

11.3 Expense/Budgets Reports

11.3.1 Trustee and Local Expenses

Chair Hancock stated that the 2012 – 2013 final budget had now been completed.

11.4 Bylaw Enforcement Report

None

11.5 South Pender Island LTC Web Page

Trustees requested that the South Pender Island Historical Reports section of the webpage be refined to look similar to that on the North Pender Island webpage.

11.6 Chair's Report

Chair Hancock reported that he is planning on attending the upcoming Association of Vancouver Island Coastal Communities (AVICC) meeting in Ucluelet. A workshop concerning derelict vessels will be of particular interest.

Chair Hancock also stated that North Pender Island Trustee Gary Steeves, is hoping to be elected to the executive of the AVICC.

11.7 Trustee Report

Trustee Montague commented that the new Islands Trust office location at Hope Bay, to be shared with the Capital Regional District (CRD,) will offer more opportunities for collaboration with the CRD.

Trustee Montague identified areas of interest to her that include food security, removal of broom and gorse, noting that these species are not only invasive, but also very flammable.

Trustee Montague indicated that she is looking forward to hosting the Trust Council meeting to be held June 12-14.

Trustee Jones reported that he will be taking part in a table top exercise that will take participants through a significant oil spill in Haro Strait. A further "live" exercise is planned later in the year.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Next Business Meeting – Tuesday, June 19, 2012 at 10:00 am, at the South Pender Fire Hall

12.2 A Strategic Approach to Islands Trust Communication

This item was presented for information.

12.3 Annual Report

Trustees reviewed a draft Annual Report prepared for their information and concurrence by Planner Pickard.

Chair Hancock requested a wording change from “appointed” to “elected” in the report.

Trustees agreed that the report with the change as requested accurately reflected their activities in the reporting period. .

12.4 Community Survey

This item was discussed previously in the meeting (Items 10.1, 10.2 and 11.1.2.)

12.5 Joint Penders Meeting

Trustees discussed items that may be interest to both Local Trust Committees, such as shoreline protection, Moving Around Pender, (MAP,) and the Parks Commission.

Chair Hancock noted that there was support for a joint meeting from the North Pender Island Local Trust Committee.

Resolution-SP-LTC-22-12

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to schedule a joint meeting of the South Pender Island and North Pender Island Trust Committees.

CARRIED

Timing for the meeting will likely be in the late summer.

13. MOTION TO CLOSE MEETING

Resolution SP-LTC-23-12

It was Moved and Seconded THAT, pursuant to Section 90(1)(c) of the Community Charter, the South Pender Island Local Trust Committee resolves to close the meeting to the public for the purpose of considering APC Appointments and adopting Minutes of March 15, 2011 Local Trust Committee In Camera Meeting; and further that Islands Trust Staff and Recording Secretary Kathy Gilbert remain present.

CARRIED

The Regular Business Meeting adjourned to the In Camera Meeting at 2:53 pm.

14. RECALL TO ORDER

Resolution-SP-LTC-28-12

It was Moved and Seconded that the South Pender Island Local Trust Committee Meeting reconvene out of camera.

CARRIED

The Regular Business Meeting reconvened at 3:00 pm.

Chair Hancock reported that the following members were appointed to the Advisory Planning Commission: Cameron Thorne, Buffy Paterson, Ron Henshaw, Paul Petrie, and Jane Perch for a term to expire on December 31, 2012.

15. TOWN HALL MEETING

John Chapman spoke to his concern that park dedication requirements are being manipulated through such activities as road and driveway construction, and timing of subdivision applications to circumvent park dedication requirements. He stated that such activities reduce opportunities to secure the best land for public purposes.

A discussion followed whereby it was stated that most of the activities of concern do not require any local government approvals.

16. ADJOURNMENT

Resolution-SP-LTC-29-12

It was Moved and Seconded that the South Pender Island Local Trust Committee Meeting be adjourned at 3:07 pm.

CARRIED

RECORDER

CHAIR