

ADOPTED

**MINUTES OF THE NORTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON THURSDAY, AUGUST 29, 2013, AT 9:45 AM
PENDER COMMUNITY HALL (LOUNGE),
4418 BEDWELL HARBOUR ROAD,
NORTH PENDER ISLAND, B.C.**

PRESENT:	Peter Luckham	Chair
	Gary Steeves	Local Trustee
	Ken Hancock	Local Trustee
	Andrea Pickard	Islands Trust Planner
	Lori Foster	Islands Trust Planning Secretary / Acting Recording Secretary
	Zorah Staar	Recording Secretary

REGRETS: None

There were seven (7) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:47 am, acknowledging that we were meeting on traditional Coast Salish territory. He also welcomed visiting Islands Trust Planning Secretary Lori Foster, who was observing today (see item 9.1).

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The proposed agenda was amended for the following Late Items/Additions:

- new item 8.3 re: Letter from Ministry re: Mineral Tenure
- supplemental document for item 9.1 (NP-RZ-2013.2 – Hamson).
- new item 12.2 re: Columbia Institute Energy Strategy Seminar

2.2 Questions from Public on Agenda Items

None

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARINGS

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes

5.1.1 Draft Minutes from June 27, 2013 Local Trust Committee Meeting

The June 27, 2013, Local Trust Committee minutes were amended as follows:

page 6, item 11.8, 2nd paragraph, 2nd line, to read: "...that this Program could largely privatize recycling handling..."

The June 27, 2013, minutes as amended were adopted by consensus.

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

None

5.4 Advisory Planning Commission/Task Force Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Pickard reviewed the Follow-up Action Report.

Trustee Hancock asked for assistance to locate the "Buying Property on North Pender" Word document.

7. DELEGATIONS

None

8. CORRESPONDENCE

- 8.1 July 15, 2013 Email from V. Butcher re: National Marine Conservation Area & Marina Exclusions

In response to the letter from Val Butcher of the Magic Lake Property Owners Society (MLPOS), Trustee Steeves had written individually to suggest that all marinas (including Thieves Bay) should be subject to the same federal policy on exclusion (or not) from the National Marine Conservation Area. The trustees supported Trustee Steeves attending the MLPOS Annual General Meeting (AGM), and then reporting back.

- 8.2 July 29, 2013 Email from S. Steil re: PICA's Shoreline Finale

Sara Steil had written re: the upcoming event on Saturday, September 21, 2013: "What Nature May Be Telling Us About Adapting to Climate Change" (organized by the Pender Islands Conservancy Association).

Resolution NP-LTC-66-13

It was Moved and Seconded that the North Pender Island Local Trust Committee request Staff to post notification of the September 21, 2013 event ("What Nature May Be Telling Us About Adapting to Climate Change") on the website and email to the North Pender subscribers.

CARRIED

- 8.3 August 20, 2013 Letter from Ministry re: Mineral Tenure

Trustee Steeves reported on the letter from the Chief Gold Commissioner to the Chair of the Islands Trust, indicating that the Ministry of Energy and Mines would not at this time make the Islands Trust Area a reserve from mining. However, Trustee Steeves would still be asking for a reserve for North Pender Island specifically. He also noted that the Ministry letter included some key information: BC is not a "free access" system for mineral claim holders; procedures for landowner notification, permission, agreement, compensation, and mediation, etc. apply before a mineral claim can be exercised. Due to extensive exemptions, the main North Pender mineral claim holders had been told by the Chief Gold Commissioner that they had no right to do anything on our island's residential property (as well as parkland or agricultural lands under cultivation).

9. APPLICATIONS, PERMITS, AND REFERRALS

- 9.1 NP-RZ-2013.2 (Hamson)

Note - Due to a perceived conflict of interest, Recording Secretary Staar, stepped aside, and Planning Secretary Foster, stepped in as Acting Recorder, for item 9.1.

Planner Pickard reviewed the Staff Report dated July 30, 2013, stating that the application is to amend the North Pender Island Land Use Bylaw (LUB) to permit up to 24 residential units for the phased development of a seniors and special needs housing complex. Applicant Karl Hamson is representing a larger group that has initiated the "Pender Elder Project", which is currently in the process of establishing a non-profit society.

Hamson and Staar presented an overview of the proposal and advised that a questionnaire they have circulated is still being received. The results of the questionnaire are assisting them in determining the needs of the community.

Note - The meeting was recessed for a Coffee Break at 11:23 am.

Note - The meeting reconvened at 11:36 am and discussion continued regarding rezoning application NP-RZ-2013.2

The covering of legal costs by the applicant was commented on by Chair Luckham. Trustee Steeves noted that members of the public have approached him raising some concerns with regards to the applicant's proposal. Trustee Hancock commented on life lease purchases.

The applicant stated that the project would now primarily be for people 65 years of age or older.

Resolution NP-LTC-67-13

It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff to advise the applicant for NP-RZ-2013.2 (Hamson) to:

- Revise the site layout such that the residential development would not be located on the portion of the property subject to the Agricultural Land Reserve, and
- To provide the information requested as identified in the Staff Report dated July 30, 2013.

CARRIED

Resolution NP-LTC-68-13

It was Moved and Seconded that the North Pender Island Local Trust Committee direct staff to proceed with the application NP-RZ-2013.2 (Hamson) as non-profit, senior and special needs housing and draft bylaws to amend the Official Community Plan and Land Use Bylaw.

CARRIED

Resolution NP-LTC-69-13

It was Moved and Seconded that the North Pender Island Local Trust Committee allocates up to \$2000.00 from its special projects budget for expenses to prepare legal documents for NP-RZ-2013.2 (Hamson).

CARRIED

9.2 NP-DVP-2013.2 (Johnson)

Planner Pickard reviewed the Staff Report dated August 26, 2013, commenting that NP-DVP-2013.2 (Johnson) application is to vary the front lot line setback for an existing dwelling from 7.6 metres to 7.0 metres; the house was built by previous owners, there was also a small, encroaching woodshed which the current owners said they planned to move rather than seek a variance for. No neighbours responded to the notice identifying any impacts or concerns.

The Trustees' only concern was that the encroaching shed be removed. Planner Pickard said that this could be followed up by Bylaw Enforcement if necessary, but could not legally be made a variance condition. Trustee Hancock suggested that in future, similar applicants be told to remove minor encroachments first, and then their application for other variances could be placed on the agenda.

Resolution NP-LTC-70-13

It was Moved and Seconded that the North Pender Island Local Trust Committee Development Variance Permit NP-DVP-2013.2 (Johnson) be approved.

CARRIED

9.3 NP-DP-2013.1 (Lund & Doyle)

Planner Pickard reviewed the Staff Report dated August 14, 2013, commenting NP-DP-2013.1 (Lund & Doyle) application is to permit construction of a garage and also improvement of a driveway and parking within a sensitive woodland development permit area; there was a biologist's report stating that given the safety and access issues with the current configuration, the proposed development was reasonable and of limited impact. The applicants had limited options due to slope and other factors and the draft Development Permit had conditions to minimize impact.

Trustee Steeves was concerned about the development requiring the removal of rock mounds, which should not be removed by blasting, and about hydrology effects due to historic drainage issues on the property.

In addition, Trustee Hancock was concerned that excess rock not be moved to any unmodified sensitive area.

The applicants, Lund and Doyle, were present and they said that there would not be any blasting, and that they wanted any excess rock that didn't fit into the man-made pond (within the development permit area) to be removed from the property.

Resolution NP-LTC-71-13

It was Moved and Seconded that the North Pender Island Local Trust Committee draft Development Permit NP-DP-2013.1 (Lund & Doyle) be amended as follows:

- Revise subsection 2 (g) by replacing the final words "...deposited outside of the development permit area" with "removed from the property"; and
- Add a new subsection 2 (h) reading as follows: "For certainty, no blasting is authorized by this permit."

CARRIED

Resolution NP-LTC-72-13

It was Moved and Seconded that the North Pender Island Local Trust Committee Development Permit NP-DP-2013.1 (Lund & Doyle), as amended be approved.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Shoreline Review

10.1.1 Forage Fish Habitat (TFB)

Planner Pickard noted the Islands Trust Fund Memorandum, attaching the Beach Spawning Forage Fish Habitat Assessments for North and South Pender. The Trustees said that the report was very valuable but scientifically complex and an Executive Summary would be helpful.

10.1.2 Shoreline Feature Map

Planner Pickard displayed the latest version of the North Pender Shoreline Feature Map, which now included the Forage Fish mapping locations from the above-mentioned Habitat Assessments.

10.2 Conservation Subdivision Review

Planner Pickard reported that she had started working on the Conservation Subdivision Review materials for community discussion which included a general FAQ document, potential features, examples from elsewhere, and a presentation. Planner Pickard hoped to have drafts of the foregoing and also some community engagement ideas for the next Local Trust Committee meeting.

11. REPORTS

11.1 Work Program Reports

North Pender Island Local Trust Committee Work Program The Work Program was unchanged.

11.2 Applications Report

North Pender Island Applications Report

Planner Pickard reviewed the available Applications Report. Regarding NP-ALR-2012.1 (Burdett), the Planner noted that Agricultural Land Commission representatives wanted to meet with the Applicants and Islands Trust Planning Staff.

Trustee Steeves asked that the Planner try to obtain a 1976 site plan regarding the original Industrial rezoning.

Re: NP-DP-2010.4 (Twa), the subdivision was on hold due to the Gardom Dam, about which the CRD wanted to meet with Islands Trust.

Re: NP-RZ-2013.2 (Henshaw), professional reports had been received, and now we were waiting for the operational plan.

Trustee Hancock suggested removing the reference to composting (no longer applicable).

11.3 Bylaw Enforcement Report

None

11.4 LTC Expense/Budget Reports

Trustee and Local Expenses Report

This item was presented for information

11.4.1 2014-15 Budget Requests

There was discussion of the August 16, 2013, memorandum regarding Special Projects budget requests for the 2014-15 fiscal year. The North Pender Trustees made an amendment to item 1 of their request.

Resolution NP-LTC-73-13

It was Moved and Seconded that the North Pender Island Local Trust Committee Special Projects budget request for 2014-15 be submitted to the Financial Planning Committee as follows:

1. Conservation Subdivision Review and Shoreline Review (completion) - \$3,500 (including public hearing)
2. Road and transportation amendments (OCP and LUB) - \$2,500 (CIM and public hearing)
3. LUB updates - \$5,000 (CIMs, communications, public hearings).

CARRIED

11.5 Adopted Policies and Standing Resolutions Report

Trustee Hancock suggested adding a policy re: applicants seeking to roll a development variance permit application into a development permit application (which had implications for fees and notifications).

Planner Pickard said that changing the development permit guidelines was also an option. She would ask Regional Planning Manager, Robert Kojima to provide an update in future.

11.6 North Pender LTC Web Page

After some discussion it was agreed to update the mineral section of the webpage to include the August 20, 2013 Ministry Letter (see 8.3).

The Trustees commented that they had received many complaints about the new Islands Trust website.

Planner Pickard said that these complaints should be directed to “web comments”.

As an example, Chair Luckham said that the history over 3 months was now gone (unless you checked “Resources”); that there were fundamental design flaws; and that there was a web design logo replacing the Islands Trust logo. A future motion was contemplated.

11.7 Chair’s Report

Chair Luckham said that it was exciting for Trust Council to be meeting on Lasqueti Island on September 10 to 12, 2013.

11.8 Trustee Reports

Trustee Hancock said that he was grateful to Chair Luckham for attending the upcoming Trust Council for the North Pender Trustees, who could not be there. Also, the North Pender Stewardship Day now had to be moved to April, 2014.

Trustee Steeves said that the Financial Planning Committee had considered spending for the first quarter, and this looked fine in relation to the budget.

12. OTHER BUSINESS

12.1 Upcoming Meetings

The next Local Trust Committee Business Meeting will be held Monday, September 23, 2013, at the Pender Island Community Hall, Lounge.at 9:45 am.

12.2 Columbia Institute Energy Strategy Seminar

Trustee Steeves has been invited to a September seminar in Vancouver regarding municipalities and communities engaging in a new energy strategy (involving prioritizing green sector jobs, clean energy innovation, etc.).

Resolution NP-LTC-74-13

It was Moved and Seconded that the North Pender Island Local Trust Committee authorize expenditure of up to \$500 to enable Trustee Steeves to attend a Columbia Institute function in September, 2013.

CARRIED

13. TOWN HALL MEETING

Sara Steil commented regarding the proposed Pender Elder Village, that she was happy to hear about the increased age to 65 and she also had some concerns about affordability and economic development issues. Ms. Steil wondered when the Hooson Road subdivision roadwork would be completed. She was asking for some copies of the "Sharing Our Shorelines" booklet, for distribution at the September 21, 2013 event, "What Nature May Be Telling Us About Adapting to Climate Change".

Trustee Steeves said that he believed the chip seal contractor hired by the Hooson Road subdivision developer was currently doing roadwork there.

Trustee Hancock noted that there had recently been a very good First Nations Reconciliation Initiative presentation on Pender, regarding First Nations history here.

14. ADJOURNMENT

The meeting was adjourned by consensus, at approximately 2:22 pm.

RECORDER

CHAIR