

# ADOPTED

**MINUTES OF THE SOUTH PENDER ISLAND  
LOCAL TRUST COMMITTEE BUSINESS MEETING  
HELD ON TUESDAY, SEPTEMBER 6, 2013, AT 10:00 AM  
AT THE FIRE HALL, 8961 GOWLLAND POINT ROAD,  
SOUTH PENDER ISLAND, BC**

<b>PRESENT:</b>	<b>David Graham</b>	<b>Acting Chair</b>
	<b>Mike Jones</b>	<b>Local Trustee</b>
	<b>Elizabeth Montague</b>	<b>Local Trustee</b>
	<b>Robert Kojima</b>	<b>Regional Planning Manager</b>
	<b>Kathy Gilbert</b>	<b>Recording Secretary</b>

There were three (3) members of the public present at the meeting.

## **1. Call to Order**

Acting Chair (A/Chair) Graham called the meeting to order at 10:14 am.

## **2. Approval of Agenda**

### **2.1 Additions / Deletions**

Regional Planning Manager (RPM) Kojima distributed Item 8.2, Email from A. Lightbody re: Speed Boat Signs, which had failed to print in the hard copy version of the agenda, but was included in the electronic version.

RPM Kojima also distributed a late agenda item, 5.4 Advisory Planning Commission Minutes (August 6, 2013)

Trustees noted the recent practice of including Town Hall meetings at both the beginning and end of the agenda, and amended Item 2.2 to read Questions from Public on Agenda Items / Town Hall Meeting

By consensus, the agenda, as amended, was approved.

### **2.2 Questions from Public on Agenda Items / Town Hall Meeting**

**Sara Steil** introduced herself to the Local Trustee Committee (LTC) as representing Pender Islands Conservancy Association (PICA; Item 8.1 on agenda) and Pender Islands Trust Protection Society.

## **3. Community Information Meeting**

None

#### **4. Public Hearing**

None

#### **5. Previous Meetings**

##### **5.1 Local Trust Committee Minutes – for consideration to Adopt**

###### **5.1.1 Local Trust Committee Meeting Minutes, August 10, 2013**

By consensus, the Minutes of August 10, 2013 were adopted.

##### **5.2 Public Hearing Records and Community Information Meeting Notes to Receive**

###### **5.2.1 Local Trust Committee Community Information Notes of August 10, 2013**

A typographic error was noted in Paragraph 6, p. 1 of the notes. Paragraph 6 was amended to read:

“Chair Hancock asked for submissions from the public.”

By consensus, the Community Information Meeting Notes of August 10, 2013, as amended, were received for information.

###### **5.2.2 Local Trust Committee Public Hearing Record of August 10, 2013**

By consensus, the Public Hearing Record of August 10, 2013 was received for information.

##### **5.3 Section 26 Resolutions-without-meeting**

###### **5.3.1 RWM Report Date August 26, 2013**

These items were provided for information.

##### **5.4 Advisory Planning Commission Minutes**

###### **5.4.1 APC Minutes dated August 6, 2013**

These were received for information.

#### **6. Business Arising from the Minutes**

##### **6.1 Follow-up Action Report**

RPM Kojima noted that the status of all items was as shown in the report and that some items were to be discussed on the agenda.

## 7. Delegations

None

## 8. Correspondence

Correspondence received concerning applications and/or projects is considered with the application/project.

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

Trustees thanked Ms. Steil for work on this initiative and for adding to the community body of knowledge on this issue. The event is forthcoming on Saturday, September 21, 2013 at 1:30 pm at the Community Hall.

Announcement of the event, "What Nature May be Telling us About Adapting to Changing Climate," will be posted on the Islands Trust website.

### 8.2 Email From A. Lightbody re: Boat Speed Signs

Trustees noted that the speed limitation signs in the canal are weathered. Possible installation of a camera was discussed, along with requesting the RCMP or Coast Guard to issue tickets to speeders.

#### **Resolution-SP-LTC-45-13**

It was Moved and Seconded that the South Pender Island Local Trust Committee request that the North Pender Island Local Trust Committee join in addressing the problem of erosion in the canal due to the high level of speed of boat traffic moving through the canal by paying for half the cost of sign refurbishment; and do follow-up with the RCMP to develop an enforcement plan.

**CARRIED**

Trustee Montague offered to contact North Pender Island Local Trustees regarding this initiative as well as to obtain a cost estimate for sign refurbishing.

## 9. Applications, Permits, Bylaws and Referrals

None

## **10. Local Trust Committee Projects**

### **10.1 Shoreline Review**

#### **10.1.1 Forage Fish Habitat – TFB**

Regional Planning Manager (RPM) Kojima presented the report titled “North and South Pender Islands Beach Spawning Forage Fish Habitat Assessments,” dated April 8, 2013, by Emerald Sea Biological (Ramona C. de Graaf) for information. He advised that the report will be available on the website.

#### **10.1.2 Shoreline Features Map**

RPM Kojima presented the map and noted that it will be available through the Islands Trust MapIT application; that the map is a flexible tool that will be capable of having layers added in future. A wall-sized map was provided to Trustees who will try to find a suitable location for it to be displayed (e.g. – Islands Trust office.)

#### **10.1.3 Shoreline Review Memo**

Planner Pickard’s covering memo presented the 1994 Atamanenko report outlining where docks may be physically feasible.

Trustees stated that the report may be a valuable resource for identifying applications for dock placement and evaluation of applications for marine geoexchange systems (MGSs.)

### **10.2 APC Bylaw and Terms of Reference - Report**

RPM Kojima presented the draft bylaw and identified the two salient changes as an increase in number of members to a maximum of seven (7) from the present five (5); and introduction of language concerning conflict of interest.

Trustee Montague was not in support of conflict of interest guidelines in the draft bylaw, nor in the draft terms of reference.

Trustees agreed to defer consideration of the draft bylaw and terms of reference pending a future Trust-wide discussion regarding Advisory Planning Commission (APC) conflict of interest and remove the item from the Top Priorities List.

## 10.3 Proposed Bylaw 111 – Post Public Hearing Memo

### Resolution-SP-LTC-46-13

It was Moved and Seconded that the South Pender Island Local Trust Committee Proposed Bylaw 111 be amended by inserting into clause 1, which amends the definition of floor area, “and deleting “collection of rainwater” and inserting “storage of rainwater”” as shown in the Staff Memo dated August 13, 2013.

**CARRIED**

The South Pender Island Local Trust Committee did not agree at this time to give Second Reading to Proposed Bylaw No. 111, cited as “South Pender Island Land Use Bylaw No. 92, 2003, Amendment No. 1, 2012.”

A/Chair Graham noted that there was no consensus between Trustees regarding next steps; specifically, to proceed with the amending bylaw, or to return it to the APC for additional work . He suggested a “project charter” to scope the Land Use Bylaw (LUB) amendments.

Trustees and staff discussed reducing the number of amendments to those that could be agreed on and introduction of information notes to the bylaw.

Options presented by RPM Kojima included the following: tabling the bylaw and further discussing the issues, which would necessitate another public hearing; defeating the bylaw and starting over; or proceeding with the bylaw, with changes to the scope.

Trustee Jones requested a recess to allow Trustee Montague to craft a motion that might be satisfactory to both Trustees to consider additional changes to the Land Use Bylaw (LUB) review before considering second and third reading.

\*Note – The meeting recessed at 10:55 am

\*Note – The meeting resumed at 11:13 am and discussion continued regarding Proposed Bylaw No. 111.

Trustee Montague stated that, based on the August 6, 2013, Advisory Planning Commission (APC) meeting minutes, a few more changes are needed in the draft Land Use Bylaw (LUB) amendments. She stated that she believed the APC could develop a list of items for consideration that could be prepared in time for the November 5, 2013, Local Trust Committee (LTC) meeting.

Trustee Montague stated that the bylaws on accessory buildings were causing confusion for property owners. She requested that a complete list be created of permitted uses and associated buildings on vacant property, together with a list of those uses and buildings not permitted and the rationale for why they are not permitted. She suggested changes to wording of the bylaw on home occupations. She stated that the proposed bylaw concerning pump house setbacks was causing concern for those who have existing pump houses and well heads in the setback zone.

**Resolution-SP-LTC-47-13**

It was Moved and Seconded that the South Pender Island Local Trust Committee defer consideration of Proposed Bylaw 111 to the November 5, 2013, Local Trust Committee meeting.

**CARRIED**

**10.4 Marine Geothermal Systems**

RPM Kojima presented Planner Pickard's report. The report identified various options for consideration of marine geoexchange systems such as introducing Official Community Plan (OCP) guidelines for site-specific rezoning applications; introduction of Development Permit Areas and accompanying guidelines where marine geoexchange systems could be considered; and a review of other options as presented previously to the LTC at the June 18, 2013, meeting.

Trustees asked what the background rationale was for establishment of the Marine Protection Zone, and whether the Islands Trust had technical information on installation practices.

RPM Kojima stated that research into the designation of the Marine Protection Zone could include reference to the 1994 Atamanenko report and review of the public hearing record when the zone was created. He further noted that land-based geoexchange systems are already permitted within the LUB.

Trustee Montague requested discussion of other heating systems, such as roof-mounted hot water systems.

**Resolution-SP-LTC-48-13**

It was Moved and Seconded that the South Pender Island Local Trust Committee direct staff to prepare a report to include technical information on marine geoexchange systems, installation practices, and background of the designation of the Marine Protection Zone.

**CARRIED**

## **11. Reports**

### **11.1 Work Program Reports**

#### **11.1.1 Adopted Policies and Standing Resolutions and Objectives**

No discussion.

#### **11.1.2 South Pender Island Local Trust Committee Work Program**

Trustees requested moving Top Priorities Item 4, APC Bylaw, to the Projects List.

RPM Kojima noted an upcoming roundtable meeting in October to discuss shoreline issues.

### **11.2 Applications Report**

#### **11.2.1 South Pender Island Application Report**

With respect to Application SP-SUB-2011.2 (Airey Group), RPM Kojima identified a September 7, 2013 community meeting to discuss the future of the Anglican Church property. He reviewed that the developer had proposed to turn the church property over to the CRD (Parks Commission) to satisfy park dedication requirements. However, a new Anglican Church Diocese staff member had recently taken over the file and the church's position on disposition of the church property had possibly changed. This may result in a different development proposal from the Airey Group that does not involve park dedication.

### **11.3 Expense/Budgets Reports**

#### **11.3.1 Trustee and Local Expenses**

This item was provided for information.

#### **11.3.2 2014-15 Budget Requests**

RPM Kojima advised that the LTC's budget requests were based on the Projects List.

Trustee Montague noted that the Farm Plan was not included in the other Southern Gulf Islands' budget request, despite being a multi-jurisdictional project.

### **Resolution-SP-LTC-49-13**

It was Moved and Seconded that the South Pender Island Local Trust Committee approve and forward the draft 2014-15 Local Trust Committee Project Budget submission to Financial Planning Committee as presented.

**CARRIED**

#### **11.4 Bylaw Enforcement Reports**

##### **11.4.1 LTC Pilot Project – Memo Proactively Enforcing Illegal Structures on the Foreshore**

Trustees discussed this becoming an education project, possibly to include development of a pamphlet. Trustees stated that they were not in favour of South Pender Island participating in the pilot enforcement project.

#### **11.5 South Pender Island LTC Web Page**

RPM Kojima identified upcoming minor changes, such as creating a section for minutes and agendas, separate from the meeting calendar.

#### **11.6 Chair's Report**

Acting Chair Graham reported on upcoming preparations for the Trust Council meeting to be held on Lasqueti Island, September 10-12, 2013.

#### **11.7 Trustee Report**

Trustee Montague reported that she is still hearing from constituents on the proposed amendments to the LUB. Caution was noted with respect to receiving information following close of the public hearing.

Trustee Jones expressed his gratitude to be back on Pender Island after an absence due to family illness.

### **12. Other Business**

#### **12.1 Upcoming Meetings**

The next South Pender Local Trust Committee Business Meeting will be held on Tuesday, November 5, 2013 at 10:00 am, at the South Pender Fire Hall.

**13. Town Hall Meeting**

**Sara Steil** noted that the canal is under the jurisdiction of Parks Canada and that there is a new warden. An upcoming Parks Canada meeting is to be held. Trustee Montague identified herself as the liaison and undertook to check the date of the meeting.

**14. Adjournment**

**Resolution-SP-LTC-50-13**

It was Moved and Seconded that the South Pender Island Local Trust Committee Meeting be adjourned at 12:00 PM.

**CARRIED**

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**RECORDER**

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**CHAIR**