

ADOPTED

**MINUTES OF THE NORTH PENDER ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON THURSDAY, MARCH 27, 2014, 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**
 Robert Kojima **Regional Planning Manager**
 Andrea Pickard **Island Planner**
 Zorah Staar **Recording Secretary**

REGRETS: **None**

There were fourteen (14) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:47 am and made introductions. He also acknowledged that we were meeting on traditional Coast Salish territory.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The agenda was amended to add the following:

new item 12.3 Letter to Realtors

The amended agenda was adopted by consensus.

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 North Pender Island Local Trust Committee Draft Meeting Minutes of February 27, 2014

The February 27, 2014, minutes were amended as follows:

- page 1, item 1 – delete the phrase after “Coast Salish territory”; and
- page 7, item 11.7 – delete the phrase after “0% tax increase”.

The February 27, 2014, 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 March, 2014, Follow-up Action Report.

7. DELEGATIONS

None

8. CORRESPONDENCE

None

9. APPLICATIONS, PERMITS, AND REFERRALS

9.1 NP-DP-2014.2 (Millett) / NP-DVP-2014.1 (Millett)

Planner Pickard reviewed the Staff Report dated March 19, 2014. Application NP-DP-2014.2 / NP-DVP-2014.1 (Millett) involved a request to develop a private float and dock within the Magic Lake Riparian and Aquatic Development Permit Area. Variances were requested to reduce the required side lot line setback and to increase the maximum length of the float in order to reach beyond the lily pads. There was a supporting professional report, including planting recommendations.

Trustees Hancock and Steeves noted the steps to minimize impact, e.g. contained flotation and the required planting to maintain the health of the lake.

NP-2014-031

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee Development Permit NP-DP-2014.2 (Millett) be Approved.

CARRIED

NP-2014-032

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee Development Variance Permit NP-DVP-2014.1 (Millett) be Approved.

CARRIED

9.2 NP-RZ-2012.1 (Burdett)

Chair Luckham noted that application NP-RZ-2012.1 (Burdett) was being given preliminary consideration today, regarding whether to proceed to require more information from the applicant and to make referrals to other agencies. There would be various opportunities for public comment during the Town Hall at the end of this meeting and, at future meetings during the process, after which the Local Trust Committee would decide whether or not to grant a rezoning.

Planner Pickard reviewed the Staff Report dated March 19, 2014. The application NP-RZ-2012.1 involved a request to rezone an Industrial-zoned portion of property at 4606 Razor Point Road which was also waterfront facing onto Hamilton Cove/Port Browning. This would accommodate a solid waste transfer facility and in-vessel composting. The Agricultural Land Commission had now approved the foregoing non-farm uses but not the requested boat storage or public trail. The applicants had provided previous Hydrological and Environmental Assessments and if the Local Trust Committee decided to rezone this property, the Capital Regional District (CRD) could have a regulatory role. Planner Pickard had prepared a suggested list of additional information to require from the applicants. A referral of the application to other appropriate agencies for comment required a draft rezoning bylaw.

The Trustees expressed various concerns, and asked questions of Planner Pickard and also applicants Michael and Anne Burdett. Attending members of the public were invited to comment during the Town Hall (see item 13. below).

The additional information which staff suggested be provided by the applicants involved buffering, a survey, the Agricultural Land Reserve boundary, a fencing plan, proposed mitigation strategies (for odours, leachate, noise, vectors, litter, dust), a more detailed site plan, an updated estimation of vehicle traffic, and more. The agencies to which a draft bylaw could be referred included the Regional Agrologist, CRD Solid Waste Management, CRD Building Inspection, the Ministry of Environment, and the Ministry of Transportation & Infrastructure.

NP-2014-033

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee directs staff to proceed with application NP-RZ-2012.1 (Burdett) and to prepare a draft bylaw.

CARRIED

NP-2014-034

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee directs staff to advise the applicant for NP-RZ-2012.1 (Burdett) to provide the information requested as identified in the Staff Report dated March 19, 2014.

CARRIED

9.3 Saturna Island Local Trust Committee Bylaws No. 112, 113, 114 & 115

There was consideration of four Bylaw Referral Forms from the Saturna Island Local Trust Committee.

NP-2014-035

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee advise the Saturna Island Local Trust Committee that with respect to Proposed Bylaw No. 112, its interests are unaffected.

CARRIED

NP-2014-036

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee advise the Saturna Island Local Trust Committee that with respect to Proposed Bylaws No. 113 and No. 114, its interests are unaffected.

CARRIED

NP-2014-037

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee advise the Saturna Island Local Trust Committee that with respect to Proposed Bylaw No. 115, its interests are unaffected.

CARRIED

Note - There was a break, during which the Trustees recognized that this was the last North Pender meeting for Planner Andrea Pickard, who was taking a new position. There was heartfelt acknowledgement of Planner Pickard's five years of outstanding work on behalf of the Pender Local Trust Committees and the Pender community.

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Conservation Subdivision

Planner Pickard reviewed the March 18, 2014, Staff Report. The requested follow-up to previous community and Local Trust Committee meetings were presented. Staff had prepared a revised Project Charter (to be amended further to remove Pickard's name) and they were organizing an April or May workshop to further engage property owners. As requested, Staff had prepared detailed lists and options about potential Official Community Plan and Land Use Bylaw amendments to support a Conservation Subdivision approach. One option was based on existing development permit areas whereas another involved creating a new development permit area.

There was discussion of Conservation Subdivision issues such as developable areas, lot clustering, minimum and average lot sizes, road standards, and balancing ecosystem protection with sustainable resource management.

Trustee Hancock said that it was premature to develop potential development permit area provisions, or other potential language for Official Community Plan or Land Use Bylaw amendments. First we needed to continue engaging landowners, to discuss their objectives and also community objectives, and to keep explaining the benefits and challenges of a Conservation Subdivision approach.

Trustee Steeves noted that there had been a lot of positive feedback since the November 23, 2014, community information meeting to introduce this project.

NP-2014-038

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee endorses the revised project charter, as amended and referred to as Version 2, updated March 27, 2014, for the Conservation Subdivision Project.

CARRIED

10.2 Land Use Bylaw Technical Amendments

Planner Andrea Pickard reviewed the March 19, 2014, Staff Report. Proposed Bylaw No. 194 would amend the Land Use Bylaw for technical corrections such as erroneous cross-references, typographical errors, outdated regulatory references and, improve clarity. After First Reading and agency referrals, discussions with the CRD Ports Manager had suggested the need for a revised water zone boundary for the public dock in Browning Harbour and that a Public Hearing for Proposed Bylaw No. 194 was scheduled to occur during the April 24, 2014, Local Trust Committee Meeting.

NP-2014-039

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee amend Proposed Bylaw No. 194, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2014,” by including a map amendment to the Water 4 zone boundary for the Browning Public Dock as indicated in the staff report dated March 19, 2014.

CARRIED

NP-2014-040

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee Proposed Bylaw No. 194, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 1, 2014,” be given Second Reading.

CARRIED

10.3 Shoreline Project – Verbal Update

Planner Pickard noted that staff were waiting to see the consultant’s final version of the tri-fold brochure for the Shoreline Project.

11. REPORTS

11.1 Work Program Report

There were no changes to the Work Program.

11.2 Applications Report

Planner Pickard reviewed the Applications Report dated March, 2014.

11.3 Bylaw Enforcement Report

None

11.4 Expense/Budget Reports

A Local Trust Committee Expense Report had been emailed to the Trustees.

11.5 Adopted Policies and Standing Resolutions

For information

11.6 North Pender LTC Web Page

Regional Planning Manager Kojima noted that staff were working on a new search tool, so people could find older documents on the Islands Trust website.

11.7 Chair's Report

Chair Luckham reported as follows: that there had been a successful Trust Council meeting on Hornby Island; that the budget for the coming fiscal year had been approved at the meeting; that there had also been a Treaty Negotiations presentation; and that there was ongoing Islands Trust advocacy on marine issues such as aquaculture and tankers.

11.8 Trustee Reports

Trustee Steeves reported that the approved Islands Trust budget for the coming year involved a 0% tax increase, with a slight increase in expenditures that was covered from accumulated surplus funds. He said, he had been dealing mainly with research on agenda items and that there was (as always) a myriad of telephone calls to deal with on various issues.

Trustee Hancock reported that there had been further progress on preparations for the Community Stewardship Day set for Saturday, April 19, 2014. The morning involved collaboration in support of the annual Beach Clean-Up followed by a free lunch for volunteers (call Amanda Griesbach to volunteer). A description of the afternoon program was going to be mailed out and Sara Steil was now assisting with a Parks Canada display about the National Marine Conservation Area. Trustee Mike Jones, South Pender Island, would be on-hand showing people how to use the new Islands Trust website application, MapIT, to view shorelines.

12. OTHER BUSINESS

12.1 Upcoming Meetings

The next regular meeting of the Local Trust Committee was scheduled for Thursday, April 24, 2014, (9:45 am, Community Hall Upstairs).

12.2 Groundwater Toolkit & Memo

Trustee Hancock noted the March 19, 2014, memo and the attached, “Gulf Islands Groundwater Protection – Regulatory Toolkit”. This document would be useful to Local Trust Committees when making decisions that involved groundwater.

12.3 Letter to Realtors

Trustee Steeves described recent conversations with Pender realtors regarding directional road signage for listed properties.

NP-2014-041

It was MOVED and SECONDED, that the North Pender Island Local Trust Committee authorize Trustee Steeves to write to island realtors regarding their signs on roadsides.

CARRIED

13. TOWN HALL MEETING

Michael Symons asked why a Staff Report had referred to requiring a Conservation Subdivision design for large parcels; meanwhile Symons had the impression from the previous community information meeting that this would be optional.

Trustee Steeves said that this was why the Local Trust Committee did not pass a proposed resolution today about Staff developing Development Permit provisions for the Conservation Subdivision approach – because the next step was to engage further with landowners about what their objectives were for this approach.

Michael Symons also spoke in opposition to application NP-RZ-2012.1 (Burdett) re: rezoning for solid waste transfer and composting. He commented that there was already an industrial area suitable for this use beside the Recycling Centre and it did not make sense to put this use in an area surrounded by agricultural land, the foreshore, and a resort. Once the Trustees started requesting additional reports, making referrals, etc., an application like this could take on a life of its own.

Ron Henshaw made comments as follows re: Conservation Subdivision: that he worked on the land in a rural setting, and was concerned that the above approach might project values from elsewhere, and create little gated communities here; that despite some negative public references to “rural sprawl”, there were various people living on Pender in a quiet, natural way already; and that the Conservation Subdivision approach could be wonderful idea, but it shouldn’t necessarily be a requirement, and there should be more community consultation about it.

Ron Henshaw (applicant on a different rezoning application involving solid waste) read out a letter in opposition to NP-RZ-2012.1 (Burdett), stating that he believed the proposed waste transfer and composting was far from the original intent of the 1976 industrial rezoning of a small portion of this land; that the proposed use would have a huge impact on the adjacent farmland and waterfront; that he was concerned about uses which he believed were already occurring on the site; and that the neighbours should be consulted first, and also the larger community.

Trustee Steeves said that the Local Trust Committee had not yet made any decisions about adopting a rezoning bylaw for this property, and was just gathering information.

Oliver Gannon (4608 Hamilton Road) stated he was totally against rezoning application NP-RZ-2012.1, for the reasons cited by Michael Symons, and additional concerns. He lived on a beautiful lawn area right across from the proposed rezoning, and was very concerned about potential smell and noise; and that this was also less than 200 feet from Browning Harbour and its regular boating visitors.

Peter Gannon (4610 Canal Road) spoke in opposition to application NP-RZ-2012.1 saying that he also lived close to the site. The applicants had not yet explained how they planned to mitigate the smell of waste and that information like this should be provided before a bylaw was drafted and referred out. He was concerned about land alterations and activities which he believed the applicants were already doing onsite (tree removal, fill dumping, seeing garbage trucks come and go, dumping waste into containers, etc.) and that the Staff Report should address this.

Planner Pickard said that there were no North Pender bylaws against moving fill or clearing trees on one's own property, unless it was a development permit area. However, staff could ask the applicant for NP-RZ-2012.1 about the alleged uses. Regional Planning Manager (RPM) Kojima added that there had already been an Islands Trust Bylaw Enforcement complaint about the site. This was a separate process from the rezoning application.

Sara Steil thanked departing Planner Andrea Pickard for her five years of fabulous work on behalf of the Islands Trust and our community.

Ben McConchie asked about the source of the comment in the NP-RZ-2012.1 Staff Report, to the effect that there had been "unstable" waste services on North Pender. Was there community consultation leading to this remark?

Planner Pickard said this just meant that waste services had been moving around sites on Pender, and temporary use permits had been obtained and then lapsed. RPM Kojima added that Planning staff gathered information from site visits, professional reports, applicable policies, and other sources, and that there was a separate process for community consultation to occur and be directed to the Trustees.

Ben McConchie commented that for young island families like his, handling garbage was expensive and unaffordable, and it often involved ferry trips, so he wondered if the current rezoning proposal would help.

RPM Kojima said that these were useful comments, and he invited McConchie and others to submit their comments in writing to the Local Trust Committee.

Oliver Gannon noted that the Agricultural Land Commission approval re: NP-RZ-2012.1 had supported a 5-year period to begin with. Gannon asked if the Trustees would approve a temporary permit like this, before significant consideration.

RPM Kojima said that it was simply an option mentioned by Planner Pickard, for the Local Trust Committee to consider supporting a 3-year temporary use permit rather than a longer-term rezoning as requested.

Trustee Steeves added that a temporary use permit was not on the table in this case, because the applicants had not requested it, and there had been no Trustee direction to pursue it. Right now the Trustees had just begun to consider rezoning application NP-RZ-2012.1 (Burdett).

14. ADJOURNMENT

The meeting was adjourned by consensus at approximately 1:06 pm.

RECORDER

CHAIR