

# ADOPTED



## North Pender Island Local Trust Committee Minutes of a Regular Meeting

**Date of Meeting:** Thursday, June 26, 2014  
**Location:** Pender Island Community Hall  
4418 Bedwell Harbour Road  
North Pender Island, BC

**Members Present:** Peter Luckham, Chair  
Gary Steeves, Local Trustee  
Ken Hancock, Local Trustee

**Regrets:** None

**Staff Present:** Robert Kojima, Regional Planning Manager  
Justine Starke, Island Planner  
Zorah Staar, Recording Secretary

**Media and Others Present:** Nine members of the public

### 1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:48 am. Chair Luckham acknowledged that the meeting was being held in traditional territory of the Coastal Salish First Nations. Trustees and staff were introduced.

### 2. APPROVAL OF THE AGENDA

#### 2.1 Additions and Deletions

The following additions to the agenda were presented for consideration:

- 11.3 Add Unsightly Properties to discussion under existing item 11.3
- 12.3 Community Stewardship Award Presentation

**By general consent** the agenda was approved as amended.

#### 2.2 Questions from Public on Agenda Items

None

**3. COMMUNITY INFORMATION MEETING**

**3.1 Bylaws No. 195 & 197 re: NP-RZ-2012.2 (Clam Bay Farm)**

See separate Community Information Notes dated June 26, 2014.

**4. PUBLIC HEARING**

**4.1 Bylaws No. 195 & 197 re: NP-RZ-2012.2 (Clam Bay Farm)**

See separate Record of Public Hearing dated June 26, 2014.

**5. PREVIOUS MEETINGS**

**5.1 Local Trust Committee Minutes**

**5.1.1 North Pender Island Local Trust Committee Meeting Minutes of May 22, 2014.**

The May 22, 2014 minutes were amended as follows:

- 7.1 paragraph four (“There was discussion...”), third bullet, that the word “fully” be removed.
- 11.1 paragraph one, third line, that “was had” be amended to read “took place”.
- 11.7 that this item be amended to read (in its entirety) “Chair Luckham spoke regarding the upcoming Trust Council meeting on Saturna, and noted that the Community Stewardship Awards will be announced”.

**By general consent**, the North Pender Island Local Trust Committee Meeting Minutes of May 22, 2014 were adopted as amended.

**5.2 Public Hearing Records and Community Information Meeting Notes received.**

None

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

None

**5.4 Advisory Planning Commissions / Task Force to be received.**

None

**6. BUSINESS ARISING FROM THE MINUTES**

**6.1 Follow-up Action List**

Island Planner Starke, provided information from the Follow-Up Action Report dated June 18, 2014.

**7. DELEGATIONS**

None

**8. CORRESPONDENCE**

**8.1 May 18, 2014 Letter from D. Perch re: Submission Recorded in April 24, 2014 Public Hearing Record**

Re: the letter from Dennis Perch, Trustee Hancock noted that the comments requesting amendment of the Public Hearing Record were about subjects not covered by the Land Use Bylaw amendments, so there was no need to respond.

Chair Luckham added that the Public Hearing Record was a summary of public comments (i.e. not a verbatim account).

**9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**

**9.1 North Pender Island Local Trust Committee Proposed Bylaws No. 195 & 197**

Regional Planning Manager Kojima noted that there had been a Community Information Meeting and Public Hearing concluded earlier today, on Proposed Bylaws No. 195 and 197 re: rezoning application NP-RZ-2012.2 for Clam Bay Farm.

**NP-2014-065**

**It was MOVED and SECONDED,**

That North Pender Island Local Trust Committee Proposed Bylaw No. 197, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2014" be read a Second time.

**CARRIED**

**NP-2014-066**

**It was MOVED and SECONDED,**

That North Pender Island Local Trust Committee Proposed Bylaw No. 197, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2014" be read a Third time.

**CARRIED**

**NP-2014-067**

**It was MOVED and SECONDED,**

That North Pender Island Local Trust Committee Proposed Bylaw No. 195, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2014" be read a Second time.

**CARRIED**

**NP-2014-068**

**It was MOVED and SECONDED,**

That North Pender Island Local Trust Committee Proposed Bylaw No. 195, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2014" be read a Third time.

**CARRIED**

**NP-2014-069**

**It was MOVED and SECONDED,**

That North Pender Island Local Trust Committee Proposed Bylaws No. 197 and 195 be referred to the Secretary of the Islands Trust for Executive Committee approval.

**CARRIED**

**NP-2014-070**

**It was MOVED and SECONDED,**

That North Pender Island Local Trust Committee Proposed Bylaw No. 197 be referred to the Minister of Community, Sport, and Cultural Development for approval.

**CARRIED**

The Trustees thanked Islands Trust staff for their fine work on the Clam Bay Farm application, and the Applicant for their patience and professional work.

**9.2 NP-RZ-2012.1 (Burdett)**

Island Planner Starke reviewed the June 18, 2014, Staff Report for NP-RZ-2012.1 (Burdett) – a rezoning application for a waste transfer station and in-vessel composter at 4606 Razor Point Road (with Hamilton Road access). Draft Bylaw No. 196 was presented for consideration. The applicants were present.

There was discussion between the Trustees, Planners, and applicants.

**NP-2014-071**

**It was MOVED and SECONDED,**

That North Pender Island Local Trust Committee refer Draft Bylaw No. 196 to the North Pender Island Advisory Planning Commission once information associated with the Implementation Recommendations cited on page 15 of the June 18, 2014 Staff Report has been received, and that CRD Bylaw No. 2736 be included.

**CARRIED**

**NP-2014-072**

**It was MOVED and SECONDED,**

That North Pender Island Local Trust Committee authorize staff to enter into a cost recovery agreement with the Applicants for rezoning application NP-RZ-2012.1 (Burdett) for the drafting of suitably worded section 219 covenant(s) and other agreements.

**CARRIED**

**By general consent,** the North Pender Island Local Trust Committee agreed that staff should amend Draft Bylaw No. 196 as follows:

- Revise section 8.9A.3 (1) to clarify that all waste, compost and recycling must “be contained in sealed collection bins within buildings” located on impervious surfaces designed with a drainage control system to prevent any contamination to the environment. except for one bin for bulk metal that could be outside of a building but within a covered structure and on an impervious surface.
- Revise section 8.9A4 (1) to remove “or under covered structures.”

**9.3 NP-TUP-2014.2 (Bigham)**

Island Planner Starke reviewed the June 17, 2014 Staff Report for NP-TUP-2014.2 (Bigham), an application to renew a Temporary Use Permit on Port Washington Road for storing and handling aggregates, soil and mulch, wholesales, accessory bulk retail sales, and storage of recreational vehicles.

The applicant was present to answer the Trustees’ questions. He had stated that if a three-year temporary use permit renewal was granted, he intended to apply for rezoning during that time.

**NP-2014-073**

**It was MOVED and SECONDED,**

That the North Pender Island Local Trust Committee approve Temporary Use Permit NP-TUP-2014.2 (Bigham) for a renewal period of three years.

**CARRIED**

## **10. LOCAL TRUST COMMITTEE PROJECTS**

### **10.1 Conservation Subdivision Project Charter Update**

Island Planner Starke reviewed the June 16, 2014, Memorandum which summarized the June 14, 2014, Conservation Subdivision Workshop with interested property owners, potential next steps, and the updated Project Charter. Staff suggested further review of policy and regulatory options, and that additional analysis would be presented at the next Local Trust Committee Meeting.

The Trustees were pleased with the positive property owner and community response thus far, and looked forward to receiving further information.

## **11. REPORTS**

### **11.1 Work Program Report**

Island Planner Starke confirmed that there was a detailed Memorandum re: potential changes to the Work Program Projects List which was missing from the agenda package but would be included in the next agenda package. Island Planner Starke presented the proposal onscreen, and the Trustees gave preliminary feedback.

### **11.2 Federal Marihuana for Medical Purposes Regulations**

Regional Planning Manager Kojima reviewed the May 26, 2014, Staff Report re: new Federal Marihuana for Medical Purposes Regulations, and local government options for response.

**By general consent**, the North Pender Island Local Trust Committee did not choose to take any action at this time.

### **11.2 Applications Report**

Island Planner Starke reviewed the Applications Report dated June 18, 2014.

### **11.3 Bylaw Enforcement Reports**

Trustee Steeves raised the issue of a local source having noticed unsightly premises with dumps of building materials and waste. Regional Planning Manager (RPM) Kojima suggested that the source make an anonymous complaint, and then Bylaw Enforcement could investigate and use options such as ticketing.

### **11.4 Expense/Budget Reports**

The May, 2014 Local Trust Committee Expense Report was available.

### **11.5 Adopted Polices and Standing Resolutions**

This report was unchanged.

### **11.6 North Pender LTC Web Page**

The Local Trust Committee web page could be found at [www.islandstrust.bc.ca/islands/local-trust-areas/north-pender](http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender)

### **11.7 Chair Report**

Chair Luckham said that he was just back from the Trust Council meeting on Saturna, where the Community Stewardship Awards were announced, including Brian Hollingshead for tremendous work on coastal ferry services.

### **11.8 Trustees Report**

Trustee Hancock reported on his advocacy with the Ministry of Transportation & Infrastructure re: Einar's Hill road safety concerns. An MOTI Operations Manager was going to assess this corner with an engineer and then get back to Trustee Hancock.

## **12. OTHER BUSINESS**

### **12.1 Upcoming Meetings**

The next meeting of the North Pender Island Local Trust Committee is scheduled for Thursday, August 28, 2014, (9:45 am, Pender Island Community Hall).

### **12.2 SGI EDC Food and Agriculture Strategy Briefing**

A briefing had been provided to Local Trust Committees about the Southern Gulf Islands Economic Development Commission (SGI EDC) Food and Agricultural Strategy project, by Jeff Weightman, CRD Project Manager. Regional Planning Manager (RPM) Kojima said that prospective contractors were being evaluated.

### **12.3 Community Stewardship Awards Presentation**

Trustee Steeves noted that a Community Stewardship Award is to be presented posthumously to Barrie Morrison and Nancy Waxler-Morrison for their fund supporting conservation covenants. Trustee Steeves would follow up with the Pender Islands Conservancy Association to coordinate a family presentation.

### 13. TOWN HALL MEETING

**Ron Henshaw** expressed concerns re: NP-RZ-2012.1 (Burdett) as follows:

- Allowing community/Town Hall comments at the time of Trustee discussion.
- Assessing potential pollution when rain runs off over impermeable surfaces.
- Whether the west access road would be considered an industrial non-farm use.
- The need for the Staff Reports to incorporate updated site photos.
- The considerable Agricultural Land Reserve encroachment from this proposal.
- The need for significant community consultation and looking at all the facts.

**Peter Gannon** expressed concerns re: NP-RZ-2012.1 (Burdett) as follows:

- His property being near the proposed Burdett site, and therefore affected.
- The Staff Report suggestion that the location was suitable to the proposed use because it was near Driftwood Mall services (he disagreed).
- Available reports suggesting problems with Earth Tub composters and odour.
- The need for a professional report on potential compost odour from the proposal.

Island Planner Starke explained the planning principle of complete community, which could be interpreted to support having a waste/recycling centre near the central mall.

Trustee Steeves noted how the Trustees are challenged to think in terms of mitigating climate change by encouraging the grouping of trips to services, but said that he personally didn't think closeness to the Driftwood Mall was a pertinent issue.

Applicant Mike Burdett responded to concerns by describing his plans, saying that he lived near the proposed use as well, so if there was odour, it would not continue.

**Oliver Gannon** expressed concerns re: NP-RZ-2012.1 (Burdett) as follows:

- His property being across the road 20 feet from the proposed Burdett site.
- Browning Harbour and Marina being close to the proposed Burdett site.
- Visitors to the marina/pub walking near a solid waste/composting location.
- Waste transfer stations typically being in areas with various industrial uses.
- Smell was his biggest concern, which could be addressed by a professional study showing that the proposed activities would not cause this.

Trustee Steeves explained that the Local Trust Committee was legally obligated to consider any application for rezoning, and they would not make any decision about NP-RZ-2012.1 (Burdett) until there had been additional information provided, referrals, and significant community consultation.

Trustee Hancock said that his research suggested composting systems needed to be carefully managed, which could potentially be accomplished through the CRD Composting Bylaw. For this Bylaw to apply, local zoning had to permit a use. The Local Trust Committee had to have an open mind to all new information as they considered applications.



Chair Luckham said that his research suggested some problems with in-vessel composting, technically and in various locations. There would be more opportunities for consultation and dialogue about such concerns with the Burdett proposal.

**Sara Steil** expressed opposition to both aquaculture and marihuana growing in the Southern Gulf Islands, which she felt the Local Trust Committee should rezone in advance to prohibit. She also mentioned the petitions she had sent to the Local Trust Committee about pleasure boats not dumping sewage in the Islands Trust area, and more pump out stations being installed.

**14. ADJOURNMENT**

**NP-2014-074**

**It was MOVED and SECONDED,**

That the North Pender Island Local Trust Committee meeting be adjourned at 1:52 pm.

**CARRIED**

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**Peter Luckham, Chair**

CERTIFIED CORRECT:

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**Zorah Staar, Recording Secretary**