

ADOPTED



North Pender Island Local Trust Committee Minutes of a Regular Meeting

Date: Thursday, March 26, 2015 (9:45 AM)
Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Members Present: George Grams, Chair
Dianne Barber, Local Trustee
Derek Masselink, Local Trustee

Staff Present: Justine Starke, Island Planner
Zorah Staar, Recorder

Public and Media Present: There were twenty-one (21) members of the public present

1. CALL TO ORDER

Chair Grams called the meeting to order at 9:45 am. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. Chair Grams also made introductions, including Paul LeBlond (CRD Alternate Director for the Southern Gulf Islands Electoral Area).

2. APPROVAL OF AGENDA

By general consent the Local Trust Committee approved the agenda.

3. TOWN HALL AND QUESTIONS

Sara Steil made a written submission re: Housing (item 11.2), and requested that the Local Trust Committee implement a restriction on principal dwelling size, and seek a related amendment to the Islands Trust Policy Statement. Steil said that local oversized houses were increasing at an alarming rate, which impacted climate change, and that affordable housing was decreasing.

Don Corbett said that the budget approved at the recent Trust Council meeting was about \$7 million (similar to the past), and he asked if there was any Trustee opposition or concerns, and if votes were recorded.

Chair Grams said that he believed there had been one budget objector.

Trustee Masselink said that opposition to a motion was normally recorded in the minutes, and that the Trust Council meeting had involved expressions of concern about expenditures, and soul-searching about the direction of the Islands Trust. This was in the context of the Trust needing to evolve to respond to new pressures (e.g. almost no provincial funding), and still provide the greatest possible value to communities.

Don Corbett also objected to Trust Council having passed a resolution re: the right to a healthy environment, because this was associated with David Suzuki's Blue Dot Campaign, and Suzuki had supported jailing leaders who didn't act on climate change.

Chair Grams said that he believed the Blue Dot Campaign had merit, and supporting it did not mean supporting all of David Suzuki's positions.

Michael Sketch commented as follows:

- Blue Dot Campaign based in part on the Gaia principle and public trust doctrine;
- Conservation Subdivision project should not be continued, because its goals could be supported through existing Development Permit Areas, without increasing density;
- James Island should be reconsidered, and Chair Grams should speak "peer to peer" with Tsawout Chief about Local Trust Committee involvement with this situation.

Chair Grams responded that the Local Trust Committee could only accommodate three top priorities at a time, and to dedicate attention and resources to James Island would mean withdrawing from one of the existing priorities for North Pender.

Elizabeth Montague said that she was happy a new project charter for Waste Management was being developed. She questioned granting the new Burdett Temporary Use Permit (TUP) application at this time, because it would pre-empt the local waste management planning process and the determination of optimal siting.

Trustee Barber said that she had similar thoughts about continuing with the waste management community planning process, and not granting a TUP at this time.

Marika Kenwell commented as follows:

- by United Nations declaration, this past Sunday began Earth/Water Day and Week;
- many countries or areas were already or would shortly be extremely water stressed;
- Gulf Islands was a unique climate area with no parallel in Canada, having less rainfall than nearby areas and dry hot summers, therefore we were vulnerable;
- Kenwell asked that the Local Trust Committee to start taking steps to establish water quantity and quality a part of all their decisions.

Chair Grams said that the CRD's Southern Gulf Islands and also Salt Spring Island Directors were collaborating on potentially having the local building code incorporate water conservation. For the LTC to go further would require sacrificing existing priorities.

Jane Perch commented as follows:

- re: Housing Top Priority, she did not find helpful the Staff Report dated March 17, 2015, because it included rhetoric and statements that were not fact-based;
- re: short term vacation rentals (STVR's), Report mentioned problems with noise, traffic, water use, etc., but these problems arose with other residences as well;
- other staff comments seemed biased, e.g. re: what is "normal" for people lending out their homes, a particular court decision, and how STVR's may affect affordable housing;
- do not refer entire Housing topic to Advisory Planning Commission, but rather address STVR's as per election statements, in an unbiased manner and with a clean slate.

Trustee Barber said that it was her intention to have a clean slate on STVR's, and to start on this issue with a new look at it.

Trustee Masselink said that our community had a history and a sensitivity to the issue of short term vacation rentals (STVR's). We needed a fulsome discussion, to learn where other people were coming from, and then figure it out together – with care for each other. There would be more than one community meeting where housing issues were discussed, and the process would be designed collaboratively, for maximum community engagement.

Chair Grams said that a Staff Report should highlight potential advantages and perceived dangers on an issue, and the Housing Staff Report did this. Then it was up to the LTC and the community, to be the final determiners about if the perceived factors were real or not.

Planner Starke said that the initial March 17, 2015 Housing Staff Report was intended to contextualize the discussion, by including community fears and hopes about STVR's that we were hearing, then the community would decide. She, herself, was not for or against STVR's.

Dennis Perch said that regarding the Staff Report, we needed to start our discussions with the facts, instead of starting with so many negative comments, without facts. We needed to start from a neutral place, and it might help to have the assistance of a neutral party.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1. Local Trust Committee Minutes Dated March 4, 2015 (for Adoption)

By general consent the Local Trust committee meeting minutes of March 4, 2015 were adopted.

6.2. Section 26 Resolutions-without-meeting Report

None

6.3. Advisory Planning Commission Minutes

None

7. BUSINESS ARISING FROM THE MINUTES

7.1. Follow-up Action List Dated March 2015

Chair Grams said that the list items were done. Trustee Masselink added that the Local Trust Committee was still going to explore how to record meetings.

8. DELEGATIONS

8.1. Rick Schnurr, Tim Finlay, and Kris Samuels: Directors from BCNRA

Rick Schnurr and Kris Samuels were present on behalf of the BC Nautical Resident Association (website: www.bcnr.org), and they had provided documents entitled a "Liveaboard Code of Ethics" and "Some Truths about Live Aboards".

Schnurr and Finlay commented as follows:

- live aboards (people living on boats) were part of a unique island culture, providing affordable housing, with a small environmental footprint (e.g. power, water, pollution);
- this was a viable, responsible lifestyle, for people who were encouraged to follow a code of ethics, and who paid taxes and were contributing members of communities;
- most live aboards were good citizens, although others might be part of common human problems for which there were solutions, so the BC Nautical Residents Association was asking the Local Trust Committee not to discriminate against them.

Trustee Masselink noted that North Pender Island had a Land Use Bylaw prohibition of live aboards, which was ignored for years, but then there were complaints late last year that led Island Trust Bylaw Enforcement to take action. Now the live aboard issue was intended to be part of the Housing Top Priority discussions.

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

None

10. APPLICATIONS AND REFERRALS

10.1. NP-DP-2015.1 (Cooke) & NP-DVP-2015.2 (Cooke) - Staff Report

Planner Starke referred to the March 16, 2015 Staff Report re: the above noted Cooke applications, and commented as follows:

- boundary adjustment subdivision was in progress, so that a new required septic field could be entirely within one lot (in the Razor Point subdivision);
- to facilitate this, a sensitive woodland development permit was required (with a 10 metre setback of the septic field from the woodland), and also a development variance permit (to allow a slightly smaller lot depth ratio);
- notices had been circulated to adjacent owners, and there were no objections.

NP-2015-020

It was MOVED and SECONDED

THAT the North Pender Island Local Trust Committee Development Permit NP-DP-2015.1 (Cooke) and Development Variance Permit NP-DVP-2015.2 (Cooke c/o Mayenburg) be Approved.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1. Waste Management - Project Charter

Planner Starke reviewed the March 17, 2015 Staff Report entitled "LTC Top Priority – Land Use Planning for Waste Management", commenting as follows:

- this was a preliminary report, for a community-wide land use planning process for waste management, including identifying land to be zoned for this;
- the report proposed the creation of a special Advisory Planning Commission (APC), to research best practices, conduct analysis, and reach consensus;
- the report summarized relevant policies and considerations, including the need to work collaboratively on waste management with CRD and South Pender;
- the draft project charter contained more detailed proposed objectives, scope, and work plan/timeline, all for the Local Trust Committee to consider;

Trustee Masselink said that he was interested in collaboration with the CRD and South Pender Local Trust Committee on waste management, and suggested a steering committee involving them, and a two-island Advisory Planning Commission.

Planner Starke said that there was a CRD regional waste management planning process currently happening, and it might be best to gather and direct Pender feedback into that process. Also, community members with waste management planning questions right now were invited to direct those to Planner Starke.

Paul LeBlond was present (as CRD Alternate Director for the Southern Gulf Islands), and he noted the importance of ongoing CRD/Islands Trust liaison and cooperation, as the waste management planning process continued.

NP-2015-021

It was MOVED and SECONDED

THAT the North Pender Island Local Trust Committee endorse the Project Charter dated March 5, 2015 (Land Use Planning for Waste Management).

CARRIED

NP-2015-022

It was MOVED and SECONDED

THAT the North Pender Island Local Trust Committee direct staff to draft Terms of Reference for a Special Advisory Planning Commission to address zoning for waste management on North Pender Island.

CARRIED

NP-2015-023

It was MOVED and SECONDED

THAT the North Pender Island Local Trust Committee designate Trustee Masselink as the member of the North Pender Island Local Trust Committee to be a liaison with the Capital Regional District Electoral Area Director on the issue of waste management planning.

CARRIED

11.2. Housing - Staff Report

In addition, Planner Starke reviewed the March 17, 2015 Staff Report entitled “LTC Top Priority – Housing”, commenting as follows:

- housing was a huge topic and this preliminary report was just an introduction;
- Local Trust Committee was asked to narrow the scope and prioritize which housing should be addressed first, that a more developed report and project charter could be drafted;
- current proposed project objectives were to engage in a community planning process to consider options that will improve affordable housing on North Pender, including discussing potential links with short term vacation rentals;
- 2008 Affordable Housing Task Force Report was an initial reference, and more data on North Pender housing stock and economic context was needed;
- project Option 1 (Comprehensive Approach) was to consider the right mix of all housing types for North Pender, and consider separately the use of that housing stock. Project Option 2 (Phased Approach) was to address affordable housing and short term vacation rentals separately, completing one issue before the other.

Trustee Barber commented that affordable housing and short term vacation rentals (STVR's) were two different issues and the Local Trust Committee should deal with the merits of each separately. She didn't think they overlapped. She believed that the majority of STVR homes were rented out by part-time residents who would not rent them out full-time for affordable housing in any event.

Trustee Masselink said that local housing was like an ecosystem with various elements, e.g. single family dwellings, STVR's, seniors housing, etc. He supported a better understanding of each element, looking at them together. Both affordable housing and STVR's were key issues right now, e.g. because there were a number of people in our community who wanted to stay here but couldn't because of housing challenges (e.g. having to stay in tents and rough accommodation).

Chair Grams suggested that some key elements were to remove obstacles to housing for those in need, maximize use of existing housing stock instead of building new, and always look at the impacts (e.g. water). As for STVR's, other islands had chosen to invite temporary use permit requests, to test whether there were problems with a site, require that the owner lived on-island, and also ascertain whether a particular STVR had an affordable housing impact or not.

NP-2015-024

It was MOVED and SECONDED

THAT the North Pender Island Local Trust Committee refer the Staff Report dated March 17, 2015 to the Advisory Planning Commission for feedback on options for approaching the Housing Top Priority.

CARRIED

NP-2015-025

It was MOVED and SECONDED

THAT the North Pender Island Local Trust Committee direct staff to return with one or more project charters that refine the scope of the Housing Top Priority.

CARRIED

11.2.1. Letter Dated March 5, 2015 from G Hanson re: Cottage Size

Received for information.

12. REPORTS

12.1. Work Program Report (attached)

12.1.1. Top Priorities Report Dated March 2015

Received for information.

12.1.2. Projects List Report Dated March 2015

Further re: the Age and Disability Friendly Communities project, Planner Starke reported that there had been a Trustee meeting with the consultant and a local community support worker, and there would be a community consultation event in May.

12.2. Applications Report Dated March 2015

Received for information

12.3. Trustee and Local Expense Report Dated February 2015

Received for information

12.4. Adopted Policies and Standing Resolutions

Planner Starke noted that a new advertisement for Advisory Planning Commission Members had been placed (current terms expiring in April).

12.5. Local Trust Committee Webpage

The North Pender Local Trust Committee webpage can be found at:
<http://islandstrust.bc.ca/islands/local-trust-areas/north-pender.aspx>

12.6. Chair's Report

Chair Grams commented on the following:

- his recent Salt Spring Island Trustee work on watershed management of Mary's Lake through the Salt Spring Island Watershed Protection Authority
- an inter-island economic development meeting sponsored by Salt Spring;
- regional movements towards "joined-up governance" (e.g. involving CRD)
- March Trust Council meeting, with a 0% budget increase for the fourth year;
- need for Islands Trust (40 years old) to take a bold review of its purposes;
- attending recent Grace Islet First Nations ceremony, which was an amazing.

12.7. Trustee Report

Trustee Masselink spoke on the need for the Islands Trust to build trust and collaboration in an effective way, now with 25,000 people in the Trust area. Trustee Masselink was continuing to meet with local groups (e.g. inspired by collaborative work of the women of the Southern Gulf Islands Libraries Commission).

Trustee Barber encouraged community members to get involved with Advisory Planning Commission work, and with Local Trust Committee meetings.

12.8. Trust Fund Board Report

None

13. NEW BUSINESS

None

14. UPCOMING MEETINGS

14.1. Next Regular Meeting Scheduled for April 30, 2015, at the Pender Island Community Hall

15. TOWN HALL

Sara Steil presented a written submission on “Liveaboards in Marine Waters”, expressing concerns about the ongoing issue of discharge of sewage by some craft, which was harmful to the marine habitat and ourselves. A network of sewage treatment pump-out facilities should exist, as had been advocated previously with Trust Council.

Michael Sketch commented as follows:

- there were CRD related waste management structures on Salt Spring, and could the new Pender Advisory Planning Commission on waste management liaise with that?
- noted however, that where CRD staff were involved with local waste management, they would take direction from the CRD;
- decision was needed about whether to try to regulate Pender waste management from Pender, with private operators, or to have greater CRD involvement.

Herb Katz commented as follows:

- discussions on affordable housing and short term vacation rentals (STVR's) involved a lot of feeling and anecdotes, but an absence of fact, so data should now be sought;
- re: Seniors, emerging consensus was that most important variable was independence, so we should encourage local seniors to get together and decide what was needed.

Chuck Harris said that to gather local data about local housing stocks, it was possible that the Pender Emergency Program's Neighbourhood Contacts could be asked about their neighbourhoods (e.g. how many resident families, people in trailers, STVR's etc).

Austin Davies said that from an environmental perspective, he hoped we could increase the density here as needed, without impacting the environment too much. There were a lot of people on the planet, and we could allow more here, within the same structures.

Candis Zell said that there were a lot of empty houses on Pender.

Trustee Barber said that during the election campaign, she had talked about using the building footprint we have here, so that we are not needing to build new as much.

16. CLOSED MEETING

None

17. ADJOURNMENT

By general consent the meeting was adjourned at 12:36 pm.

George Grams, Chair

Certified Correct:

Zorah Staar, Recorder