



ADOPTED

North Pender Island Local Trust Committee Minutes of a Regular Meeting

Date: March 31, 2016
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
Shannon Brayford, Recorder

Others Present Thirteen (13) members of the public present

1. CALL TO ORDER

Chair Grams called the meeting to order at 4:00 pm. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations and introduced the LTC and staff.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

John Chapman spoke on behalf of Moving Around Pender (MAP) regarding the updated MAP report submitted to the LTC in January of this year. He requested that the LTC share any feedback on the report, advise MAP on whether the LTC can open the 1992 agreement between the Islands Trust and the Ministry of Transportation and Infrastructure (MOTI), and pass a resolution endorsing the report.

The LTC acknowledged the requests, spoke in support of MAP's efforts, and noted that they required assistance from staff in order to move forward.

Planner Starke provided an overview of the information she had received regarding the possibility of reopening the MOTI agreement and presented alternative solutions.

By general consent, it was agreed to add MAP's Request to agenda item 13, New Business.

Dale Henning requested an update on the Waste and Resource Management project.

Planner Starke reported that according to the revised project charter, the next step is to host a public information session that includes participation by the Capital Regional District (CRD). She noted that this will be scheduled for April or May.

Michael Sketch referred to page 13 of the agenda package and remarked that the photo of the Port Browning property show fill that extends beyond the subject parcel's property line, and that the fill was not present in photos provided to the Agricultural Land Commission. He remarked that this could raise concerns regarding soil quality.

Chair Grams thanked Mr. Sketch for his information and noted that there is currently not an application before this LTC for that property. He invited him to bring it back to their attention, if and when there is an application.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated February 25, 2016 (for Adoption)

Trustee Masselink recommended that the fifth paragraph of Item 3 be revised to reflect that the sheep and horse in discussion belong to his wife and are not his.

By general consent, the Local Trust committee meeting minutes of February 25, 2016 were adopted as amended.

6.2 Section 26 Resolutions-without-meeting Report

none

6.3 Advisory Planning Commission Minutes (for Receipt)

none

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated March 2016

For information.

8. DELEGATIONS

8.1 Duane Shaw, Mill Bay Marine Group re: Port Browning Marina Proposed Development

Duane Shaw provided a presentation of the proposed development which included the following points:

- Proposal would replace the existing marina and extend its size, requiring a portion of the site to be rezoned from W1 to W2.
- A Wave and Wind study has been completed and will be used to determine the type of floating breakwater that should be installed.
- The proposed marina will sell fuel.
- The main building will be left in place, but is proposed to undergo a full renovation over several years.
- A 60 seat club house with a full kitchen is proposed.
- Fourteen private units and a nine unit lodge are proposed. This would require acquiring the adjacent Rural zoned property and doing a boundary adjustment subdivision.

Mr. Shaw remarked that they would like to post signs on the property and on their website regarding their proposals and their applications.

Planner Starke responded that the only limit to doing so would be regarding sign size and location. She directed Mr. Shaw to the bylaws governing such signs.

In response to questions from the LTC, Mr. Shaw provided the following information:

- The time frame to complete the project is expected to be 3-5 years.
- An Environmental Impact report has been completed and is currently in draft form. If possible, it will be posted online once complete.
- First Nations consultation is beginning in the upcoming weeks.

Chair Grams acknowledged members of the public who wished to speak.

Dale Henning asked whether the property lines that Michael Sketch had referred to in the Town Hall were accurate. It was noted that the diagrams provided were for illustrative purposes only and were not survey documents.

Jim Petrie asked for information on the following points:

- If the marina would offer sewage pump out services. It was answered that it would and that a holding tank would be used before the contents were taken to Victoria for disposal.
- If the fuel holding tanks would be aboveground. It was answered that the tanks would be aboveground and an overview of the safety and handling procedures was explained.
- If the Sailing Club's house would be allowed to stay on the property. It was answered that this discussion has to be had with the Sailing Club and they had been encouraged to stay.
- If the Mill Bay Marine Group had concerns regarding the neighbouring property's applications to serve as a waste transfer site. It was answered that there were concerns, but that they related more to traffic than the site's proposed use.

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 NP-DP-2016.1 (Daw) - Staff Report

Planner Starke provided an overview of the application and staff report, noting that the staff report recommended approval of the application.

NP-2016-018

It was MOVED and SECONDED,

that Development Permit NP-DP-2016.1 for LOT 2, SECTION 10, PENDER ISLAND, COWICHAN DISTRICT, PLAN 22149 (Daw - 36111 Galleon Way) be approved.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Housing - Short Term Vacation Rentals (STVR) - Staff Report

Planner Starke provided an overview of the Staff Report, noting that the project is on target with the charter's timeline.

Planner Starke noted that members of the public have criticized the data collected from the information sessions and the surveys. She explained the advantages of the qualitative approach and noted that obtaining statistically valid data was beyond the resources available for the project.

Planner Starke provided an overview of the options that could be considered, including the following points:

- The recommended option for changing the Land Use Bylaw to allow STVRs as an accessory use, where there is a second dwelling to ensure an on-going residential use also occurs on the property.
- That a "home business" approach ensures an operator is on site, and regulations can be drafted that are specific to the STVR use, despite the existing home business regulations that may be overly restrictive.
- The use of Temporary Use Permits (TUPs) to permit STVRs on a case-by-case basis where the proposed changes to the land use bylaw would not permit them.

A discussion was held regarding Temporary Use Permits, their cost, and the length of time for which they are held. Planner Starke noted that the process can be streamlined and the LTC can reduce the application fee. The length of time that a TUP is issued for is set by the LTC on a case-by-case basis as part of consideration of permit approval.

Chair Grams asked whether TUP guidelines would be proposed as part of the bylaw and Planner Starke said that they would be.

A discussion was held regarding whether to refer the staff report to the Advisory Planning Commission (APC). It was generally agreed that further public and APC input would be facilitated by the creation of a draft bylaw.

Trustee Masselink requested that the draft bylaw include a staff report on the issues that the bylaw might raise based on concerns heard from the public.

NP-2016-019

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to bring forward recommendations to streamline the process and reduce the fees of Temporary Use Permits.

CARRIED

NP-2016-020

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee direct staff to draft regulations based on the "Summary of Recommendations" in the staff report dated March 22, 2016 and the comments made by the Local Trust Committee during this meeting.

CARRIED

Jim Petrie noted that Magic Lake has small properties and asked if other islands that they are looking to as models are the same. Trustee Masselink said that other islands are not having difficulty with the small properties, but noted that no two islands are the same.

12. REPORTS

12.1 Work Program Report (attached)

12.1.1 Top Priorities Report Dated March 2016

Trustee Masselink reported that Trust Council had been asked what they are doing regarding Climate Change. He noted that while it may not be part of the LTC's mandate directly, he would like to find ways that they can support the efforts of other organizations, like MAP.

A discussion was held regarding the Top Priorities List and whether to add another project to the list. It was generally agreed to continue the discussion under Item 13.

12.1.2 Projects List Report Dated March 2016

Received for information.

12.2 Applications Report Dated March 2016 (attached)

Received for information.

12.3 Trustee and Local Expense Report Dated February 2016 (attached)

Received for information.

12.4 Adopted Policies and Standing Resolutions (attached)

Received for information.

12.5 Local Trust Committee Webpage

No comments.

12.6 Chair's Report

Chair Grams provided a report which included the following points:

- Executive Council's work has focused on Trust Council and the recent budget.
- The Chief Administrative Officer (CAO) Hiring Committee is pleased with the integration process of the new CAO.
- Recently attended a media training event.

12.7 Trustee Report

Trustee Masselink reported that he had attended Trust Council and shared the following points:

- The meeting focused on the passing of a budget.
- Discussions were held regarding the size of the budget and whether Islands Trust is providing enough value for the tax dollars.
- The new CAO was invited to take a critical look at the organization and provide constructive feedback.
- It was acknowledged that the organization struggles to work with other agencies, which is part of their mandate.
- Many trustees share frustration at being limited to land-use issues, but wanting to assist their community in other ways.

Trustee Barber reported that she is looking forward to working with the CRD and moving forward with the Waste Management project.

12.8 Trust Fund Board Report Dated March 2016

Received for information.

13. NEW BUSINESS

13.1 MAP Proposal

A discussion was held regarding the MAP proposal. Within the discussion the following points were generally agreed to:

- Planner Starke would coordinate a meeting between MAP, the CRD, and possibly MOTI.
- Trustee Masselink would act as the LTC liason for MAP and report back to the LTC.
- The project would not be added to the project list at this time, but may be considered in the future.

NP-2016-021

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee ask the Executive Committee to review the existing Ministry of Transportation and Infrastructure Letter Of Agreement with the Islands Trust.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for April 28, 2016, at the Pender Community Hall

15. TOWN HALL

Jim Petrie commented that regarding Trustee Masselink's remarks on inter-agency work, he commended CRD Director David Howe's facilitation of such collaboration. He also noted that the Waste and Sewer Local Service Committee was working with the CRD to get local contractors involved in upcoming projects.

Marika Kenwell asked that the LTC make their STVR decisions within the context of North Pender, noting that the island's density is not matched by those of Galiano and South Pender. She further asked that the LTC considers the local infrastructure and their capacity, including fire medical, RCMP and water resources.

Marika Kenwell reported that there is a group independently interviewing the key people regarding infrastructure and will provide the report to the LTC in the summer.

Trustee Masselink noted that educating tourists can play a role in preserving resources.

Michael Sketch made the following points:

- MAP is a long-term project and may not need to be placed on the LTC's Top Priority List. He commented that MOTI responds to the Official Community Plan (OCP) and the LTC could focus on MAP's recommended OCP amendments.
- The APC recommendation for top priority was Potable Water and shared his support of this recommendation.

- TUPs are seen as a precursor to rezoning, and if they are used as a regulatory feature for STVRs then they could lead to a case for rezoning. He asked whether a licence-approach could be considered instead.

John Chapman remarked that using TUPs for STVRs could consume LTC time and suggested a streamlined approach to avoid this.

16. CLOSED MEETING (Distributed Under Separate Cover)

At 5:58 pm Chair Grams thanked the public for attending the meeting and noted that they would be closing the meeting by resolution.

16.1 Motion to Close Meeting

NP-2016-022

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division e, s. 90(1) (d)(f) for the purpose of considering: Adoption of In-Camera Meeting Minutes Dated February 25, 2016; Bylaw Enforcement.

and

that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

Chair Grams recalled the public meeting to order at 6:09 pm, noting that there was no content for a Rise and Report.

17. ADJOURNMENT

By general consent, the meeting was adjourned at 6:10 pm.

George Grams, Chair

Certified Correct:

Shannon Brayford, Recorder