



ADOPTED

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: May 26, 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

The meeting was being recorded.

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.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Michael Sketch noted that he had sent two written submissions and he provided an overview of the first. The first submission addressed concern that, in 2012, "infrastructure discarded material" from Magic Lake was placed on the Browning Harbour Agricultural Land Review (ALR) land. He provided the history of the land, discussed the current owners' proposed use of the site as a waste transfer site, and cited studies to demonstrate that the soil did not suffer from soil degradation prior to 2012.

Mr. Sketch cited Official Community Plan (OCP) sections that may have been violated and remarked that the LTC, at that time, deferred the matter to the Agricultural Land Commission (ALC). He further requested that the LTC direct staff to address the matter and to formally advise the ALC on the matter.

Trustee Masselink responded to the comments. He acknowledged the concern about the soil quality and recommended a broader discussion that does not focus on a single land owner.

Michael Sketch referred to his second submission which addressed the issue of waste management on the Penders. He provided an overview of possible models that could be used and addressed the role of the CRD in those models. He noted that the Pender Island Recycling Society might provide a full range of waste services and provided an overview of the benefits of this model. Mr. Sketch requested that the LTC direct staff to liaise with Pender Island Recycling Society to investigate a similar provision for the Pender Islands.

Note: Planner Starke arrived at 10:12 am.

Mike Burdett noted that his property, previously discussed by Mr. Sketch, includes industrial land that is outside of the ALR. He denied the accuracy of Mr. Sketch's statements and asked that the issue be discussed without continued personal attacks directed specifically at his family and their property.

Donn Korbin referred to the upcoming May 30, 2016 North Pender Island Special Meeting that will have an open house with Capital Regional District (CRD) representatives. He noted that the meetings were not advertised in the Pender Post or other communications and that the CRD representatives are not mentioned in the advertisements he was able to find.

Planner Starke acknowledged that information about the meeting could have been put in the Pender Post, but that notice of the meeting was on Islands Trust website newsfeed, had been sent to the Islands Trust subscription list, and that posters had been put up around the island. She provided an overview of the statutory requirements for advertising meetings and the publications that are used to meet those requirements.

Chuck Harris spoke against business owner signs that are posted on roadsides and power poles. He noted that he has contacted Bylaw Enforcement, but has not yet received a response.

Gary Dudley remarked that he is very familiar with the property owned by Mike and Anne Burdett, which was discussed earlier in the Town Hall. He noted that he is one of the last people still alive who remembers the land before development, and stated strongly that the land has never been suited to grow vegetation and that extensive searches have never located a water source.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated May 6, 2016 (for Adoption)

By general consent, the Local Trust committee meeting minutes of May 6, 2016 were adopted as presented.

6.2 Section 26 Resolutions-without-meeting Report

none

6.3 Advisory Planning Commission Draft Minutes

none

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated May 2016

Trustee Masselink referred to Item 11.1 Short Term Vacation Rentals and asked for an update.

Planner Starke responded that it would be addressed at the next meeting.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

9.1 Email Dated May 10, 2016 from W. MacDonald re Community Housing Needs Assessment for the Pender Islands

Wendy MacDonald, Manager at Plum Tree Court, provided a hard copy of the Housing Need and Demand Study template used by BC Housing. She noted that this is the desired outcome of the study that they are asking the LTC to initiate.

Wendy MacDonald outlined the specific situation of Plum Tree Court and the reasons they are seeking assistance with this study. She also highlighted the benefits that the study would have for the community as a whole and asked that a Housing Need and Demand Study be considered for the overall Trust Area.

Trustee Barber remarked that the study could be included in the LTC's ongoing housing project.

Trustee Masselink asked whether the LTC, the CRD, or another organization could receive the grant to complete this study.

Wendy MacDonald responded that Plum Tree Court would be willing to work with anyone who was willing to help them.

Planner Starke provided an overview of the upcoming Islands Trust Housing Forum on June 13, 2016 and noted that Wendy MacDonald would be presenting that day. She also remarked that a housing needs assessment should be the first step in a housing-related project and that this would be the next stage in the work project.

There was general consensus to continue the discussion under agenda item 12.1.

10. APPLICATIONS AND REFERRALS

10.1 Salt Spring Island Local Trust Committee Bylaw No. 488 Referral

Chair Grams provided an overview of the Salt Spring Island referrals for the LTC's information.

NP-2016-035

It was MOVED and SECONDED,

that the interests of the North Pender Island Local Trust Committee are unaffected by proposed bylaw No. 488 Salt Spring Island Local Trust Area.

CARRIED

10.2 Salt Spring Island Local Trust Committee Bylaw No. 489 Referral

NP-2016-036

It was MOVED and SECONDED,

that the interests of the North Pender Island Local Trust Committee are unaffected by proposed bylaw No. 489 Salt Spring Island Local Trust Area.

CARRIED

10.3 Salt Spring Island Local Trust Committee Bylaw No. 489 Referral

NP-2016-037

It was MOVED and SECONDED,

that the interests of the North Pender Island Local Trust Committee are unaffected by proposed bylaw No. 489 Salt Spring Island Local Trust Area.

CARRIED

10.4 Mayne island Local Trust Committee Bylaw Nos. 165 & 166

NP-2016-038

It was MOVED and SECONDED,

that the interests of the North Pender Island Local Trust Committee are unaffected by proposed bylaw Nos. 165 & 166 Mayne Island Local Trust Area.

CARRIED

10.5 Mayne Island Local Trust Committee Bylaw No. 167 Referral

NP-2016-039

It was MOVED and SECONDED,

that the interests of the North Pender Island Local Trust Committee are unaffected by proposed bylaw No. 167 Mayne Island Local Trust Area.

CARRIED

10.6 Mayne Island Local Trust Committee Bylaw Nos. 168 & 169

NP-2016-040

It was MOVED and SECONDED,

that the interests of the North Pender Island Local Trust Committee are unaffected by proposed bylaw Nos. 168 & 169 Mayne Island Local Trust Area.

CARRIED

10.7 NP-TUP-2016.1 (Murdoch)

Planner Starke provided an overview of the application and the related staff report. She noted that this application has been made as a voluntary effort to bring the rural property into compliance with the current bylaws. She further reported that two letters have been received from neighbours speaking against the application.

Trustee Masselink expressed the following concerns:

- Industrial screening activities can be disturbing to neighbours.
- Neighbouring property owners have shared concerns regarding the activities and some who feel impacted are not captured in the definition of “neighbours” and should therefore be granted more time to have their concerns addressed.
- By relocating the gravel, this Temporary Use Permit (TUP) may relocate an issue that is concerning to the community instead of allowing the issue to be dealt with.

Gary Dudley was invited to speak as a neighbouring property owner. He asked whether there was any protection to ensure that the permitted activities would not be expanded to other sites on the property. He also noted that rain run-off will distribute the materials beyond the property on which they sit.

A discussion was held regarding what the next step should be. A recommendation for a community meeting was made and discussed by the LTC with input from Planner Starke.

A discussion was held regarding amending the TUP to add conditions that would mitigate the concerns of the LTC and the neighbours.

NP-LTC-041

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee approve Temporary Use Permit NP-TUP-2016.1 (Murdoch) for a period of three years.

A discussion of the motion was held and there was general agreement to make a friendly amendment to reduce the period to two years.

The motion was re-read as follows:

NP-LTC-041

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee approve Temporary Use Permit NP-TUP-2016.1 (Murdoch) for a period of two years.

Trustee Masselink expressed concern that the TUP process was moving too fast to provide adequate time to address the concerns of the community.

A discussion was held regarding the proposed activity of gravel screening and concerns from neighbours. The applicant responded that this activity would not take place and offered that it be removed from the TUP.

Further discussion was held regarding a community meeting and whether it would prove beneficial to this process.

Chair Grams recommended a friendly amendment “Which would not include gravel screening” and there were no objections. The motion was re-read and a vote was called.

NP-LTC-041

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee approve Temporary Use Permit NP-TUP-2016.1 (Murdoch) for a period of two years, which would not include gravel screening.

CARRIED

(Trustee Masselink opposed)

A member of the community expressed concern with the burning that has taken place on the property.

Chair Grams acknowledged the concern and noted that it was an issue for Bylaw Enforcement.

11. LOCAL TRUST COMMITTEE PROJECTS

none

12. REPORTS

12.1 Work Program Report (attached)

12.1.1 Top Priorities Report Dated April 2016

For information.

12.1.2 Projects List Report Dated April 2016

A discussion was held regarding the addition of a Community Housing Needs Assessment to the Project List. There was general consensus that the discussion would continue after the June 13, 2016 Housing Forum and that Trustee Masselink would contact CRD Director David Howe regarding possible CRD involvement in the study.

12.2 Applications Report Dated April 2016 (attached)

For information.

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

The date on the document was noted and Planner Starke remarked that an error may have been made by staff.

12.4 Adopted Policies and Standing Resolutions (attached)

For information

12.5 Local Trust Committee Webpage

Trustee Masselink noted that the advertising for the May 30, 2016 meeting is very general and asked if it could be broadened with more information.

Planner Starke acknowledged the concern and remarked that as an open house, there is little structure to expand upon. She also provided an overview of the meeting's structure and its goals.

12.6 Chair's Report

Chair Grams provided a report which included the following points:

- Attended a Royal Roads University presentation regarding the clam beds at Fulford Harbour. He noted that marine aquaculture is very topical and provided an overview of the issue.
- Preparing for Trust Council and looks forward to an interesting and full agenda.
- Provided an overview of the Salt Spring Island Watershed Protection Authority, noting that a Water Conservation and Efficiency Committee is being established to maximize conservation and efficiency.

12.7 Trustee Report

Trustee Masselink provided a report which included the following points:

- Teaching a course in Environmental Land Use Planning at Royal Roads University.
- Receiving many calls regarding STVRs from people who are concerned that there should be more aggressive regulations.
- On Sunday, May 29, 2016 there is a meeting at the Tribal School to discuss Saanich Sea and future care.
- Gulf Island National Parks Reserve is meeting June 17, 2016 for the first time is a long time and he will be attending on behalf of the LTC.

Trustee Barber provided a report which included the following points:

- A Parks meeting was held yesterday and they displayed a brochure of events which did not include activities on the Pender Islands. She noted that this is a missed opportunity for the island.
- The CRD Gas Tax Fund has made a donation for the Pender Island Community Bus and the organization is now seeking volunteer bus drivers.

12.8 Trust Fund Board Report May 2016

Chair Grams provided an overview of the report, noting that there are vacancies on the Trust Fund Board for which they are actively seeking referrals.

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for June 30, 2016, 4:00 pm, at the Anglican Parish Hall, 4703 Canal Road, Pender Island

15. TOWN HALL

Marika Kenwell remarked that she provided a report in follow-up to community statistics related to STVRs. She further noted that she will send the statistics from the Pender Island Fire Rescue Chief and the Community Hall Board in the near future.

Chuck Harris remarked that the economy on Pender Island is driven by construction and only 7% is driven by tourism. He remarked that as an Islands Trust location, tourism should not be promoted at the expense of the environment.

Michael Sketch asked whether the meeting was recorded, when it will be available, and if it will be edited.

Chair Grams responded that the meeting was being recorded, that it will be posted online, and that there is a policy to edit for defamation.

Michael Sketch commented on the STVR TUP provisions and remarked that the public expectation is that TUPs serve to address bylaw infractions or as a precursor for a zoning application. He recommended that the LTC make an OCP amendment that clarifies the use of TUPs specifically for STVRs.

A discussion was held regarding the use of vacation rental regulations in other jurisdictions.

Anne Burdett asked if the upcoming meetings regarding waste and resource management would be recorded.

Planner Starke responded that the May 30, 2016 meeting will be an informal town hall and will not be recorded, but that the meeting held in August will be recorded.

Marika Kenwell remarked that TUPs on Gabriola Island are specifically used for STVRs to prevent rezoning.

Michael Sketch outlined the benefits of having community land zoned industrial that could be run by a not-for-profit and used communally.

16. CLOSED MEETING

none

17. ADJOURNMENT

By general consent, the meeting was adjourned at 11:59 am.

George Grams, Chair

Shannon Brayford, Recorder