



ADOPTED

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: July 28, 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 Approximately thirty (30) members of the public were present.

1. CALL TO ORDER

Chair Grams called the meeting to order at 9:45 a.m. and announced that the meeting was being recorded. He read a statement providing an overview of the rationale for recording the meeting, the uses of the recording, and the regulations regarding defamatory comments.

Chair Grams welcomed the public and 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 provided a written submission to the Local Trust Committee (LTC) and provided a summary of that document, including comments on Trustee Conflict of Interest, benefits of a not-for-profit facility for waste management, and concerns that discarded roadworks asphalt may not be dealt with appropriately. He asked that staff post his submission to the Waste and Resource Management website and further requested that Trustee Masselink apologize for using the word “disingenuous” to describe him (Michael Sketch) at the May 26, 2016 meeting.

Candice Zell noted that over the July 01 long weekend there was not a large volume of tourists on the island and remarked that there may be over-concern of too many tourists on Pender.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated June 30, 2016 (for Adoption)

By general consent, the Local Trust committee meeting minutes of June 30, 2016 were adopted as presented.

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 July 2016

Received for information.

8. DELEGATIONS

8.1 Pender Island Trust Protection Society

Bill Deverell spoke regarding the amendment to proposed Bylaw 203 that would allow more than one Short Term Vacation Rental (STVR) on properties more than 10 acres. He asked that the LTC reject the proposal based on the following points:

- Lack of community consultation.
- Lack of community support.
- Conflict with the rural character of the island and the Official Community Plan (OCP)
- Policy would discriminate against those who own smaller parcels of land.
- Policy places STVRs in competition with legal B&Bs and Hotel establishments.
- The island's resources cannot carry a substantial increase in density.

9. CORRESPONDENCE

Chair Grams noted that correspondence received is posted to the website.

10. APPLICATIONS AND REFERRALS

10.1 NP-DP-2016.4 (Port Browning Marina)

Planner Starke provided an overview of the application and the staff report.

Chair Grams invited the applicant to speak. The applicant offered to answer any questions. He provided an overview of the construction timeline.

NP-2016-055

It was MOVED and SECONDED,

that development permit NP-DP-2016.4 (Port Browning Marina) be approved.

CARRIED

10.2 NP-DVP-2016.4 (Cribb)

Planner Starke provided an overview of the application and the staff report.

The applicant noted that the staff report states a variance for an exterior side lot-line, but clarified that it is only a front lot variance requested.

NP-2016-056

It was MOVED and SECONDED,

that development permit NP-DVP-2016.4 (Cribb) be approved.

CARRIED

10.3 NP-RZ-2016.3 (Eakins)

Planner Starke provided an overview of the application and the related staff report. She reviewed the community benefits of the rezoning, the additional recommendations from the staff, and also noted that many applications are occurring for this property and that the coordination of those applications is important.

A discussion was held regarding the timeline of the project and confidence that this LTC can stop proceeding with this bylaw, should the conditions of the approval not be met.

A discussion was held regarding First Nations engagement and it was noted that the applicant has made efforts to consult, but that those efforts were unsuccessful. Planner Starke noted that consultation can be coordinated at the Islands Trust and Provincial level.

NP-2016-057

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee proceed with application NP-RZ-2016.3 (Eakins) and request staff to prepare draft bylaws to rezone the subject 1.7 acre portion of Lot 3, Section 11, Pender Island, Cowichan District, Plan 7982, except part in Plan 21227 and 1772RW to Commercial 3(a).

CARRIED

NP-2016-058

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee request that the applicants of NP-RZ-2016.2 (Robert Blanchard, Mill Bay Marine Group) include Port Browning Marina Resort (4605 Oak Road) in the current rezoning request to ensure the overall upland density does not exceed 23 commercial accommodation units.

CARRIED

NP-2016-059

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee request staff coordinate the community consultation, agency referrals and First Nations engagement done for NP-RZ-2016.3 (Eakins) as much as possible with NP-RZ-2016.2 (Port Browning Marina Resort).

CARRIED

A discussion was held regarding NP-2016-058 to ensure that the applicant understood the request in this resolution.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Short Term Vacation Rentals (STVRs)

Planner Starke provided an overview of the staff report and information regarding allowing more than one STVR on parcels more than 10 acres. She outlined the options for allowing this amendment, noting that none of the options are best practice.

A discussion was held regarding the option of taking no action at this time and allowing those properties that would benefit from the amendment, to apply for a variance. There was general consensus to take no action at this time.

12. REPORTS

12.1 Work Program Report (attached)

12.1.1 Top Priorities – Housing Needs Assessment

Planner Starke noted that at the May Business Meeting, the LTC had requested that they revisit the issue of a Housing Need Assessment. She provided an overview of the benefits of the assessment and also the process. She also recommended that it be completed in conjunction with other agencies to reduce the cost.

A discussion was held regarding the process moving forward. Planner Starke recommended the LTC either place this in the third top priority spot or to wait until after the STVR project is completed.

The LTC asked staff to establish the cost of a Housing Needs Assessment and report back with those results.

12.1.2 Top Priorities Report Dated July 2016

NP-2016-060

It was MOVED and SECONDED,
that the North Pender Island Local Trust make "Housing Needs Assessment" the third Top Priority.

CARRIED

12.1.3 Projects List Report Dated July 2016

For information.

12.2 Applications Report Dated July 2016 (attached)

For information.

12.3 Trustee and Local Expense Report

none

12.4 Adopted Policies and Standing Resolutions (attached)

For information

12.5 Local Trust Committee Webpage

No remarks were made.

12.6 Chair's Report

Chair Grams provided a report which included the following points:

- Executive have been preparing for the September Trust Council meeting on Mayne, including a visioning session.
- The issue of incorporation on Salt Spring is becoming engaged with the public. He noted the issue of road improvements and provided an overview of the process and timeline moving forward.
- Ministry of Forest, Land and Natural Resources are looking to the Gulf Islands used as an indicator of groundwater depletion due to global warming. He provided an overview of the data and its intended uses.

12.7 Trustee Report

Trustee Barber reminded the public that a workshop regarding Waste Management is being held on August 10, 2016 at the Pender Island Legion. Planner Starke noted that 25 attendants have confirmed their spot.

Trustee Masselink reported on his attendance at a meeting with South Pender Island Trustee Wendy Scholefield, Islands Trust Staff, representatives of the Capital Regional District (CRD), representatives of Moving Around Pender (MAP), and the Ministry of Transportation and Infrastructure (MoTI). He requested that the agenda package from the meeting be added to the LTC's website.

Trustee Masselink remarked that a consultant has been hired to facilitate a vision-creation session at the September Trust Council meeting on Mayne Island. He further requested that the community remember to communicate in a respectful manner, even when in disagreement.

12.8 Trust Fund Board Report

none

13. NEW BUSINESS

13.1 2017-18 Budget: LTC Project Funding Requests – Staff Memo

Planner Starke provided an overview of the staff report and the proposed values in the budget.

NP-2016-060

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee approve and forward the draft 2017-18 LTC Project Budget Request to the Financial Planning Committee as presented.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for September 22, 2016, at the Community Hall, Pender Island.

14.2 Special Local Trust Committee Meeting Scheduled for August 10, 2016, at 10:00 am, at the Pender Island Legion

15. TOWN HALL

Dale Henning asked if the August 10, 2016 Waste and Resource Management Workshop would be facilitated by an external third party and whether those community members who have previously demonstrated strong bias in the process will be removed from the process so as not to hinder progress.

Chair Grams provided an overview of the facilitator's expertise and the benefits of the program in preventing conflict and bias.

Tracy Jones asked about the demolition of Port Washington General Store and why it wasn't protected under Heritage Status. She provided an overview of the history of

Pender Island and the process she went through in an attempt to protect the building. She also noted the danger of the property's demolition and the potential damage, should the hazardous materials not be dealt with appropriately. She reported that she had emailed the Trustees on June 15, 2016 and had concerns for the Medicine Beach Nature Sanctuary.

Planner Starke provided an overview of the Heritage Preservation process. She noted that she had discussions with the Heritage Branch regarding this property, but the property was not previously designated a heritage site and that the process requires a cooperative landowner.

Chair Grams directed the speaker to take environmental concerns to the CRD and the province.

Tracy Jones reported that commercial waste is being stored on the residential rural property and asked that the Islands Trust consider this a bylaw infraction.

Wendy MacDonald spoke regarding the Housing Needs Assessment. She noted that Plum Tree Court had received a quote of \$10,000 several years ago and asked whether South Pender Island may be interested in participating as well.

Michael Sketch responded to Tracy Jones' remarks noting that it was an example of the need to move forward with a Waste and Resource Management site.

Michael Sketch spoke in favour of the LTC not allowing the STVR guidelines to consider more than one STVR on more than 10 acres. He noted that it could be a precursor to amend the Land Use Bylaw and that would allow multiple commercial properties and if that is warranted, then the LTC should proceed with C4 zoning.

Jan Kirkby responded to Trustee Masselink's comments on respectful disagreement and spoke in favour of discourse, deliberation, and dialogue in which both sides agree to listen and find common ground. With humour, she recommended that copies of the book "I'm Right and You're an Idiot" by James Hoggen be provided publicly.

Peter Taylor asked that when people stand up and speak that they say their name and confirm whether they are North Pender Island residents or not.

Lou Henshaw remarked that the LTC has been left to deal with issues that were created 40 years ago when local politics didn't include proper planning.

Terry Chantler asked for the rationale regarding allowing more than one STVR on properties greater than 10 acres.

Trustee Masselink responded that the LTC's request for additional information on the matter was spurred by community correspondence.

Lou Henshaw noted that the Port Browning rezoning request will reduce density and is in the community's best interest. .

A break was held at 11:30 am and the meeting reconvened at 11:47 am.

16. CLOSED MEETING

16.1 Motion to Close the Meeting

NP-2016-061

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (a) & (d) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes dated March 31, 2016, and
- Appointment of APC Members

CARRIED

16.2 Recall to Order

The public meeting was recalled at 11:59 am. No members of the public returned to the meeting room.

16.3 Rise and Report

Chair Grams reported that the LTC had reappointed Benjamin McConchie, Dorothy Murdoch, Michael Symons, Barbara Johnstone Grimmer, Julie Roper, Garnet Coburn, and Ron Underhill, to the North Pender Island Advisory Planning Commission commencing immediately and expiring March 1, 2017.

17. ADJOURNMENT

By general consent the meeting was adjourned at 12:00 pm.

George Grams, Chair

Certified Correct:

Shannon Brayford, Recorder