



ADOPTED

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: September 22, 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 eight (8) members of the public.

1. CALL TO ORDER

Chair Grams called the meeting to order at 9:45 a.m. He welcomed the public and acknowledged that the meeting was being held in the 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

Candice Zell asked if it was true that Short Term Vacation Rental (STVR) regulations would prohibit small children. The LTC responded that this was not part of the bylaw.

Michael Sketch made (with rationales) several requests of the LTC, including the following:

- That they address discarded road-work materials, such as asphalt, directly in the Official Community Plan (OCP) and Land-Use Bylaw (LUB).
- That they address additional terms of the Waste and Resource Management project, such as operator interviews, concurrently with public consultation.
- That they consider passing a Soil Deposit Bylaw.
- That they request the Capital Regional District (CRD) release the location of the discarded asphalt waste from the contract 2012-693.
- That Trustee Masselink discloses if he was the environmental monitor for contract 2012-693.
- That they amend the Town Hall section of the minutes of July 28, 2016 to state that Trustee Masselink called Mr. Sketch's comments "disingenuous", not Mr. Sketch himself.

Dale Henning asked the LTC whether the issue of disposed asphalt was currently relevant.

A discussion was held among the LTC regarding the issue and Planner Starke noted that a Bylaw Officer would be in attendance later in the meeting and could be a resource for information on the issue.

Donn Korbin provided comments on the recent Waste and Resource Management Meeting, including the following points:

- Several in attendance are associated with special interest groups, thus not constituting a random sampling of North Pender Island.
- Input from South Pender Island would be appropriately sourced through the South Pender LTC rather than directly from South Pender participants in such meetings.
- The online questionnaire was inconsistent with the requirements for a public meeting.
- The Draft Report provides misleading information from the polls taken as there was opportunity for strategic voting, the group was not a random sample, and the sample size was very small.

Lou Henshaw remarked that the Waste and Resource Management Meeting was rightly open to everyone and one of the South Pender Island attendees was representing her, a North Pender Island resident.

Ben McConchie asked for clarification regarding the \$900 fee for a Temporary Use Permit (TUP) for STVRs.

Planner Starke explained the administrative costs associated with a TUP and a discussion was held regarding the Local Government Act requirement for newspaper advertising.. There was general consensus that the LTC would encourage Trust Council to raise the issue with the Union of British Columbia Municipalities (UBCM).

Candice Zell remarked that community members are often unwilling to stand up and share their opinion.

Michael Symons responded to Donn Korbins' comments, noting that advice-giving bodies do not have the same regulations for bias that decision-making bodies do.

Dale Henning requested information from the LTC on the following points:

- The cost of the facilitator for the Waste and Resource Management meeting.
- The impact that Trustee Masselink's new position with the Ministry of Agriculture will have on his ability to participate in the Waste and Resource Management project.

Mr. Henning also remarked that he was not impressed with the facilitation of the recent Waste and Resource Management meeting and that the resulting report contains conflicting information. He asked that the LTC reconsider the importance of a site being close to the Otter Bay Ferry Terminal.

Trustee Masselink addressed the community members and requested the tone of the meeting become more respectful.

Trustee Barber addressed concerns that the Waste and Resource Management meeting included participants with biased agendas. She remarked that everyone who volunteered to attend was appreciated, that no members of the community were turned away, that she hoped people would leave their biases at the door, and that she also hoped more community members would attend in the future.

Chair Grams addressed the issue of Trustees holding positions outside their role with the LTC. He noted that the stipend provided to Trustees is not meant to be a salary and would be insufficient to support a family. He further remarked that if the LTC is to include the younger population, the community will have to accept that they will also hold positions of employment.

4. COMMUNITY INFORMATION MEETING

None.

5. PUBLIC HEARING

None.

6. MINUTES

6.1 Local Trust Committee Minutes Dated July 28, 2016 (for Adoption)

By general consent, the Local Trust committee meeting minutes of July 28, 2016 were adopted as presented.

6.2 Local Trust Committee Special Meeting Minutes Dated August 10, 2016 (for Adoption)

By general consent, the Local Trust committee special meeting minutes of August 10, 2016 were adopted as presented.

6.3 Public Hearing Record Date July 30, 2015

Received for information.

6.4 Section 26 Resolutions-without-meeting Report

None.

6.5 Advisory Planning Commission Minutes

6.5.1 APC Adopted Minutes of February 18, 2016

Received for information.

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated September 2016

Received for information.

8. DELEGATIONS

None.

9. CORRESPONDENCE

No comments were made.

10. APPLICATIONS AND REFERRALS

10.1 Mayne Island Local Trust Committee Bylaw No. 170 Referral

NP-2016-062

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee respond to Mayne Island Local Trust Committee Bylaw Number 170 referral with “Interests unaffected”.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 North Pender Island Local Trust Committee Bylaws 203 & 204 (STVR) – Staff Report

Planner Starke provided an overview of Bylaws 203 and 204. She noted that several responses had come back from the referrals and those have been “interests unaffected”. She further noted that the North Pender Island Advisory Planning Commission (APC) has made recommendations, but those minutes will come at the next meeting.

NP-2016-063

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 203, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 2, 2016” be read for a second time.

CARRIED

NP-2016-064

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee Bylaw No. 204, cited as “North Pender Island Land Use Bylaw No. 103, 1996, Amendment No. 2, 2016” be read for a second time.

CARRIED

11.2 Waste Management – Update Report

Planner Starke provided a review of the report and noted that the next workshop meeting will be held on October 6th, 2016.

Trustee Masselink asked if any additional possible sites had been submitted by members of the community.

Planner Starke acknowledged that some additional sites had been submitted and that those property owners had been sent letters to inform them that their properties were being discussed.

Planner Starke also responded to community member, Michael Sketch's recommendation that public survey and service provider interviews take place concurrently with public consultation. She noted that the Staff Report explains considerations for amending or delaying these tasks.

NP-2016-065

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee schedule a special meeting to be held on October 6, 2016.

CARRIED

12. REPORTS

12.1 Work Program Report (attached)

12.1.1 Top Priorities Report Dated September 2016

Planner Starke provided an update regarding the Housing Needs Assessment which was discussed at the previous meeting. She reported that Wendy MacDonald, Manager of Plum Tree Court, had successfully advocated to the Capital Regional District (CRD), with the support of Director Howe, resulting in allocation of gas tax money to conduct a Housing Needs Assessment on each of the islands. She further reported that Trust Council will, by resolution, fund assessments for the remaining Trust areas.

12.1.2 Projects List Report Dated September 2016

For Information

12.2 Applications Report Dated September 2016

For information.

12.3 Trustee and Local Expense Report Dated July 2016

None

12.4 Adopted Policies and Standing Resolutions

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:

- Trust Council passed a resolution to authorize the Trust Council Committee studying the relocation of the Island Trust office to continue their work.
- At Trust Council, the San Juan Council presented on agricultural free trade, increased collaboration on oil spill responses, and collaboration to recognize the Salish Sea as a special place of marine diversity.
- The Incorporation Committee on Salt Spring Island is preparing to make a recommendation by the end of November 2016.

12.7 Trustee Report

Trustee Barber provided an overview of the recent Trust Council meeting held in Sidney, BC. She noted that the San Juan Council and USA Consult General were both in attendance. She further reported that the Trust Council Visioning Project was a valuable experience and that she had photos of the resultant piece of artwork which she would post publicly.

Trustee Masselink reported that he has been hired by the Ministry of Agriculture as a Regional Agrologist. He noted that as an islander, he is always grateful for employment opportunities. He also asked that the public improve the tone of politics on the island.

12.8 Trust Fund Board Report

None.

13. NEW BUSINESS

None.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for October 27, 2016, at the Community Hall, Pender Island.

15. TOWN HALL

Lou Henshaw provided a history of the agricultural uses of the land around Browning Harbour.

Michael Sketch remarked that his involvement in the request for reconsideration of the ALC's decision on the Burdett property has been raised as evidence that he is biased against the property owners. He provided a rationale for his involvement and asserted that his issue is with the decision, not the owners.

Mr. Sketch also responded to Trustee Masselink's requests that the community behave respectfully. He remarked that it is a community member's obligation to raise issues in good faith in order to protect the community.

Dale Henning asked whether attendees at the public waste Management meetings would be behaving inappropriately should they approach owners of prospective properties directly.

Planner Starke explained that the meetings are open to the general public, and participants in the meetings do not have special requirements that would limit them from talking to other community members or land owners about the issues. She further noted that although the waste meetings requested registration, this was in order to ensure there was enough food served at lunch and to enable the distribution of materials. Signing up to attend a meeting does not confer special status on those who attend.

Mr. Henning asked who will be responsible for creating the infrastructure of a future waste management site.

Planner Starke provided an overview of the role of the LTC in land use regulation and noted that the LTC would not be creating the infrastructure. She offered examples of entities that may play such a role.

Donn Korbin asked if the LTC could re-zone property if the current owner objected to the re-zoning.

Planner Starke responded that the LTC is technically able to rezone people's property, but it would be unlikely that they would ignore the current owner's preference.

Lou Henshaw provided an overview of the lands around Port Browning, including a history of their zoning.

16. CLOSED MEETING

16.1 Motion to Close the Meeting

NP-2016-066

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) & (f) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes dated July 28, 2016, and
- Bylaw Enforcement

and that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

The public meeting was recalled at 12:06 pm. No members of the public returned to the meeting room.

16.3 Rise and Report

Chair Grams reported that the LTC had received two reports from Bylaw Enforcement Staff, including a report on soil dumping on North Pender Island. He further reported that, based on the contents of these reports, no follow-up action is contemplated by bylaw enforcement, as there is no evidence of asphalt being disposed of improperly on North Pender Island.

17. ADJOURNMENT

By general consent the meeting was adjourned at 12:06 pm.

George Grams, Chair

Certified Correct:

Shannon Brayford, Recorder