



# ADOPTED

## North Pender Island Local Trust Committee Minutes of a Regular Meeting

**Date:** October 27, 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:** Ten (10) members of the public

### 1. CALL TO ORDER

Chair Grams called the meeting to order at 9:45 am. He acknowledged that the meeting was being held in Coast Salish Territory and introduced the LTC and staff. Chair Grams also acknowledged that the meeting was being recorded with an audio recorder and read a written statement regarding the purpose, intended uses, and limitations of the recording.

### 2. APPROVAL OF AGENDA

Member of the public, Michael Sketch, asked that he be included as a delegation on the agenda.

Chair Grams invited Michael Sketch to submit such requests in time for the agenda packages.

Planner Starke noted a late submission to be added under correspondence as item 9.1 Pender Island Trust Protection Society.

**By general consent**, the agenda was approved as amended.

### 3. TOWN HALL AND QUESTIONS

**Dale Henning** addressed the proposed Bylaws 203 and 204, recommending that the language “may” and “should”, be replaced with the terms “must” and “shall”.

Planner Starke noted that the language Mr. Henning referred to was deliberate because formed part of the recommended terms for issuing STVR Temporary Use Permits. She noted that the permit itself would then include obligatory language.

**Donn Korbin** asked for the rational for dismissing the Special APC for having members with bias and then forming a new group that included those same members.

The LTC responded that the current meetings were open to all members of the public and attendees were encouraged to sign-up in order to provide a catered lunch.

**Donn Korbin** requested the rational for allowing South Pender Island residents to attend the meetings.

The LTC responded that it is not uncommon for one LTC to open participation to other community areas.

**Donn Korbin** noted that several people attended the second meeting who were not present at the first meeting. He commented that the general community had not been informed that they could attend the meeting.

**Michael Sketch** provided rational for including members of South Pender Island, noting that a CRD service area would potentially include South Pender Island as well.

**Michael Sketch** read a written submission addressing fill placed on a steep ocean-front ravine from CRD contract 2012-693. He provided an overview of the contract's history and the bylaw enforcement history of the issue.

**Dale Henning** addressed comments made by Michael Sketch, noting that in a previous Special APC meeting, a CRD representative stated that a waste transfer site located on North Pender Island would be funded through taxation to North Pender residents only.

The LTC remarked that they are limited to land use issues and will not have a role in the management of such a facility.

**David Reed** remarked that although the Special APC was dissolved due to bias, the decisions made by the group formed a foundation that is still being used moving forward.

#### **4. COMMUNITY INFORMATION MEETING**

none

#### **5. PUBLIC HEARING**

none

#### **6. MINUTES**

##### **6.1 Local Trust Committee Minutes Dated September 22, 2016 (for Adoption)**

**By general consent**, the Local Trust committee meeting minutes of September 22, 2016 were adopted as presented.

**6.2 Local Trust Committee Minutes Dated October 6, 2016 (for Adoption)**

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

**6.3 Advisory Planning Commission Draft Minutes Dated September 9, 2016 (for Receipt)**

Received for information.

**7. BUSINESS ARISING FROM THE MINUTES**

**7.1 Follow-up Action List Dated March 2016**

For information.

**8. DELEGATIONS**

none

**9. CORRESPONDENCE**

**9.1 Pender Islands Trust Protection Society**

Planner Starke provided an overview of the correspondence which addressed a Quarry Application at 3410 South Otter Bay Road and provided information on the limitations of the LTC in dealing with mining issues.

**By general consent**, the LTC directed staff to respond to the letter on their behalf.

**10. APPLICATIONS AND REFERRALS**

**10.1 NP-DP-2016.5 (Townsend) - Staff Report**

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

A discussion was held regarding the riparian area and the protection of it.

**NP-2016-067**

**It was MOVED and SECONDED**, that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2016.5 (Townsend).

**CARRIED**

## 10.2 NP-RZ-2016.3 (Eakins) – Staff Report

Planner Starke provided an overview of the report, including information from the forthcoming archeological report and recommended Bylaw and OCP amendments.

Planner Starke detailed Bylaws 207 and 208, noting the changes and the rationales for recommending these amendments.

A discussion was held regarding potentially reducing the number of parking spots should the applicant provide a transportation plan. Recommendations of items to be included in that plan were discussed.

A discussion was held regarding the purpose of a first reading, and potential benefits and issues with moving forward prior to receiving the final archeological report.

Chair Grams invited **Lou Henshaw**, a member of the public, to speak. She provided historic information on the property.

**Peter Taylor** was acknowledged by the LTC and provided further history of the property.

**Ben McConchie** remarked that the LTC should consider whether the island can support another large resort on the island. He noted that the impact on the community and resources, such as water consumption, are not yet well understood.

The applicant provided an overview of the archeological report and the work that they are doing to mitigate the impact on the area. He noted that the study is taking longer than anticipated because of the findings.

**By general consent**, the Local Trust Committee deferred a decision on this application to a later time when the archeological report will be available.

## 10.3 NP-RZ-2016.2 (Port Browning) – Staff Report

Planner Starke provided an overview of the application, including First Nations and archeological issues. She further noted the recommended next steps.

Trustee Masselink noted that he has similar concerns with this application as with the application under 10.2 and would like to receive the archeological report prior to moving forward.

A discussion was held regarding the process moving forward, including the deadlines provided for responses from First Nations groups.

**By general consent**, the Local Trust Committee deferred decision on this application to a later time when the archeological report will be available.

A discussion was held regarding whether the applications could be forwarded to the APC. It was noted that should the archeological report arrive prior to the APC meeting, that that information should be provided to the members.

**NP-2016-068**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee request staff to refer Bylaws No. 206, 207, and 208 to the North Pender Island Advisory Planning Commission for comment.

**CARRIED**

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 STVR/TUP Fees Bylaw No. 205 - Staff Report**

Planner Starke provided an overview of the Staff Report, noting that this bylaw can be given three readings in one sitting.

A discussion was held regarding when to move forward with the amendment and whether there was a rationale to delay the readings until the public hearing on November 5, 2016.

**NP-2016-069**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee Bylaw No. 205, cited as "North Pender Island Local Trust Committee Fees Bylaw No. 173, 2007, Amendment Bylaw No. 1, 2016", be read a first time.

**CARRIED**

**NP-2016-070**

**It was MOVED and SECONDED,**

htat the North Pender Island Local Trust Committee Bylaw No. 205, cited as "North Pender Island Local Trust Committee Fees Bylaw No. 173, 2007, Amendment Bylaw No. 1, 2016", be read a second time.

**CARRIED**

**NP-2016-071**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee Bylaw No. 205, cited as "North Pender Island Local Trust Committee Fees Bylaw No. 173, 2007, Amendment Bylaw No. 1, 2016", be referred to the Executive Committee of Islands Trust for consideration.

**CARRIED**

**12. REPORTS**

**12.1 Work Program Report (attached)**

**12.1.1 Top Priorities Report Dated October 2016**

Received for information.

### 12.1.2 Projects List Report Dated October 2016

Received for information.

### **12.2 Applications Report Dated October 2016 (attached)**

Received for information.

### **12.3 Trustee and Local Expense Report Dated August 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:

- As a member of Trust Executive, met with the Ministry of Transportation and Infrastructure (MOTI) regarding the condition of roads on Salt Spring Island.
- As a member of Trust Executive, met with Agricultural Land Commission (ALC) to gain a better understanding of their processes and also provide information to them regarding the unique agricultural issues of the islands.
- Incorporation process on Salt Spring Island is continuing and the final report has been posted on the website. The final three community information meetings will be held in early November.

### **12.7 Trustee Report**

Trustee Masselink remarked that hearing the community's concerns around process for the waste project leads him to hope that the public will be guided by rational thought.

He reported that he has been teaching a course at Royal Roads University on Governance and it has led him to examine the idea of local government and the modes for organizing collective decisions.

He further noted that he spends a part of his week on Salt Spring Island and is experiencing the challenges of transportation in other Trust Areas. He remarked that he is motivated to move this issue forward and improve the transportation situation.

Trustee Barber reported that the Waste Management Report has been received by the LTC and will be made public shortly. She provided an overview of the process moving forward.

She further reported that the Housing Needs Assessment will be completed for the Southern Gulf Islands and that the affordable housing project will be the LTC's next focus.

#### **12.8 Trust Fund Board Report Dated September 2016**

Received for information.

#### **13. NEW BUSINESS**

none

#### **14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for November 24, 2016, at the Pender Community Hall**

**14.2 Special LTC Meeting Scheduled for November 5, 2016, at 9:30 am, at the Legion, 1344 McKinnon Rd, Pender Island**

**14.3 Proposed 2017 Annual LTC Meeting Schedule – Staff Memo**

**NP-2016-072**

**It was MOVED and SECONDED,**

That the North Pender Island Local Trust Committee adopt the proposed 2017 Annual LTC Meeting Schedule.

**CARRIED**

#### **15. TOWN HALL**

**Dale Henning** remarked that he was concerned that First Nations are controlling the decisions of the Trustees and that he is disappointed that progress was delayed on applications. He recommended inviting representatives to the meetings to facilitate progress.

The LTC provided an overview of the process for coordinating with First Nations groups, noting that consultation is essential and a legal requirement.

**Lou Henshaw** provided an overview of the history of zoning on the Browning Marina properties.

**Michale Sketch** made several comments including the following:

- Recommended that the public information meeting and public hearing for STVRs be held separately.

- Provided a history of First Nations consultation on Pender Island, including the issues with James Island.
- Recommended that local governments take the initiative to set meetings with potentially impacted First Nations groups in their own facilities.

**David Reed** asked for clarification on Trustee Masselink's recommendation that applications consider a sub-aquatic archeological studies as well.

**Lou Henshaw** provided remarks on the history of First Nations relations on the island.

**16. CLOSED MEETING**

none

**17. ADJOURNMENT**

**By general consent**, the meeting was adjourned at 12:21 pm.

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George Grams, Chair

Certified Correct:

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Shannon Brayford, Recorder