



# ADOPTED

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

**Date:** November 24, 2016  
**Location:** Pender Island Community Hall  
4418 Bedwell Harbour Road, North Pender Island, BC

**Members Present:** George Grams, Chair (By Phone)  
Dianne Barber, Local Trustee  
Derek Masselink, Local Trustee

**Staff Present:** Justine Starke, Island Planner  
Shannon Brayford, Recorder

**Others Present:** Nineteen (19) members of the public present

### 1. CALL TO ORDER

At 9:47 am Derek Masselink called the meeting to order, acting as Chair. He acknowledged that the meeting was being held in the traditional and unceded territory of the Coast Salish people. He reported that George Grams was unable to attend due to the weather, but would participate by phone. He further noted that Local Trust Committee (LTC) members are unable to vote via telecommunications.

### 2. APPROVAL OF AGENDA

It was noted that a piece of late correspondence had been received from the Pender Island Parks and Recreation Society and would be added under item 9.

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

### 3. TOWN HALL AND QUESTIONS

**Ben McConchie** asked for clarification regarding an email he received from George Grams addressing Advisory Planning Commission (APC) members speaking in LTC town halls.

Planner Starke provided information regarding the LTC and APC proceedings. She also agreed to meet with the APC in the future to provide further clarification.

**Dale Henning** reported that the Agricultural Land Commission (ALC) has denied the reconsideration to reverse the resolution regarding the Burdett property. He further provided comments regarding the ongoing waste management project, noting concern with the project's lack of progress. He requested information on the cost of the workshop facilitator, Dr. Shannon Cowan and spoke in favour of approving an application that will allow the Burdett property to house a waste management facility.

**Donn Korbin** provided comments on the Waste Management Staff Report and offered recommendations for moving forward.

**Jim Petrie** spoke in favour of approving the Burdett's application.

**Ann Burdett** spoke, noting that she and her husband have had an application before the LTC since 2012. She provided an overview of the impact the application's delay has had on their business and asked that the LTC move forward.

**Michael Sketch** provided an overview of the ALC's reconsideration decision regarding the Burdett property.

**Lou Henshaw** provided a personal perspective on the history of the properties surrounding Port Browning Marina and the modifications made by previous owners.

**Candice Zell** spoke against the LTC making a rushed decision regarding a waste and resource management site.

**Dale Henning** responded to comments made by Lou Henshaw, providing information from the ALC about the properties surrounding Port Browning Marina.

**4. COMMUNITY INFORMATION MEETING**

none

**5. PUBLIC HEARING**

none

**6. MINUTES**

**6.1 Local Trust Committee Meeting Minutes Dated October 27, 2016 & Special Meeting Minutes of November 5, 2016 (for Adoption)**

**By general consent**, the Local Trust Committee Meeting Minutes of October 27, 2016 were adopted as presented.

**By general consent**, the Local Trust Committee Special Meeting Minutes of November 5, 2016 were adopted as presented.

**6.1.1 Public Hearing Record Dated November 5, 2016 (for Receipt)**

**By general consent** the Public Hearing Record dated November 5, 2016 was received as presented.

**6.2 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 November 2016

For information.

## 8. DELEGATIONS

### 8.1 M. Sketch re: Discarded Materials Management for North and South Pender Islands

Michael Sketch read from a written report, including the following points:

- History of waste and resource management on the Pender Islands.
- Management of the materials from the Magic Lake sewers project.
- Rationale for conserving and improving agricultural lands on the islands.
- Potential solutions that the LTC could implement to protect water and soil quality, in addition to managing waste.

## 9. CORRESPONDENCE

### 9.1 L. Henshaw Email Dated November 4, 2016

The LTC acknowledged receipt of this correspondence.

### 9.2 Pender Islands Parks and Recreation Commission (PIPRC)

Planner Starke provided an overview of the letter noting that staff is working with the PIPRC to select the best option for moving forward.

## 10. APPLICATIONS AND REFERRALS

### 10.1 NP-DP-2016.7 (Regehr) - Staff Report

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

#### **NP-2016-073**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2016.7 (Regehr).

**CARRIED**

### 10.2 NP-DP-2016.8 (Elevation) – Staff Report

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

A representative of the applicant noted that the dock materials required by the permit are contrary to the recommendations within the riparian report.

A discussion was held regarding the dock materials.

**NP-2016-074**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee amend permit file number NP-DP-2016.8 2.v to include steel posts.

**CARRIED**

Member of the community, Jim Petrie remarked that consideration should be given to standardizing the materials used in bodies of water, particularly those that serve as reservoirs for drinking water.

**NP-2016-075**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2016.8 (Elevation) as amended.

**CARRIED**

**10.3 Salt Spring Island Local Trust Committee Bylaw No. 497 Referral**

George Grams provided an overview of the referral.

**NP-2016-076**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee respond to Salt Spring Island Local Trust Committee Bylaw No. 497 Referral with "interests unaffected".

**CARRIED**

**10.4 NP-DP-2016.9 (Lundie) – Staff Report**

Planner Starke provided a presentation of the staff report, including the staff recommendations for conditions to be fulfilled prior to approval.

A discussion was held with representatives of the property owners regarding the benefits of the permit and the opportunity to restore the riparian area. Further discussion was held regarding ongoing management of the vegetation in the riparian area and also the management of a trail access to the lake.

Planner Starke recommended that the LTC receive the report now, deliberate at this meeting, and plan to use a Resolution Without Meeting to approve, dismiss or defer the application, should all of the conditions be met.

A discussion was held regarding this recommendation.

**By general consent,** the Pender Island Local Trust Committee direct staff to include management of the vegetation in the Streamside Protection and Enhancement Boundary, and also location and management of the proposed trail in Development Permit NP-DP-2016.9 (Lundie).

**NP-2016-077**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee receive the report for information, and, pending receipt of a detailed cost estimate for planting and fencing and a security in the form of an irrevocable letter of credit, request staff prepare a resolution without meeting that would approve issuance of the Development Permit NP-DP-2016.9 (Lundie).

**CARRIED**

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Waste Management - Staff Report**

Planner Starke provided an overview of the Staff Report including the following points:

- Overview of the process.
- Rationale for requiring site specific review.
- Recommended considerations for moving forward.
- Recommended actions for the LTC to consider

A discussion was held regarding the recommended actions. It was noted that both Trustees should visit each of the sites, however the issue of convening as a quorum was raised. Planner Starke remarked that she will seek advice to ensure procedural correctness is followed. It was further noted that an invitation should be extended to Capital Regional District (CRD) staff to attend the site visits.

A discussion was held regarding the recommendations.

**NP-2016-078**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee direct staff to schedule site visits and meetings with land owners, for Trustees, Capital Regional District staff and Islands Trust staff to attend. Trustee attendance should be guided by procedural correctness.

**CARRIED**

**NP-2016-079**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee direct staff to continue to refine the list of suitable sites for waste management, based on the results of site visits, and consultation with owners and stakeholders.

**CARRIED**

**NP-2016-080**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee direct staff to draft regulations for the purpose of discussion, based on Option 1, as presented in the staff report dated November 7, 2016.

**CARRIED**

## 11.2 Short Term Vacation Rentals (STVR) – Staff Report – Bylaws 203 & 204

Planner Starke noted that the LTC is not able to hear new information at this point in the process. She provided an overview of the staff report and the included recommendations.

### NP-2016-081

**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 amended to remove section 6.4.13 and to renumber accordingly.

**CARRIED**

### NP-2016-082

**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 a third time, as amended.

**CARRIED**

### NP-2016-083

**It was MOVED and SECONDED,**

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

**CARRIED**

### NP-2016-084

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee proposed Bylaws No. 203 and No. 204 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

**CARRIED**

### NP-2016-085

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee proposed Bylaw No. 203 be forwarded to the Minister of Community, Sport and Cultural Development for approval.

**CARRIED**

The LTC thanked the staff and the community for their contributions to this project.

## 12. REPORTS

### 12.1 Work Program Report (attached)

#### 12.1.1 Top Priorities Report Dated October 2016

A discussion was held regarding the addition of secondary suites to the Top Priorities List.

A discussion was also held regarding requesting a report on First Nations Interests and Issues and how the North Pender Island LTC can integrate those matters in a more effective manner.

**NP-2016-085**

**It was MOVED and SECONDED,**

that the North Pender Island Local Trust Committee add Secondary Suites under the topic of housing, and also a third item, First Nations Interests, to the Top Priorities List.

**CARRIED**

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 September 2016 (attached)**

Planner Starke responded to Town Hall questions about Dr. Shannon Cowan's compensation for facilitating the workshop and creating the staff report. She noted that the compensation was approximately \$8,000 for approximately 150 hours of work.

**12.4 Adopted Policies and Standing Resolutions (attached)**

Received for information.

**12.5 Local Trust Committee Webpage**

Trustee Masselink requested that the LTC advertise the email subscription feature which provides alerts when the webpage has been updated. It was noted that this shall also be included in the Trustees' article in the Pender Post.

**12.6 Chair's Report**

Chair Grams reported that the incorporation study on Salt Spring Island has concluded and will make a recommendation that the Ministry of Community, Sport, and Cultural Development authorize a referendum for incorporation on Salt Spring Island.

**12.7 Trustee Report**

Trustee Barber reported that she is pleased with the outcome of the STVR project and is looking forward to moving forward with the housing project.

Trustee Masselink reported that he is preparing for the next Trust Council which will be held on Salt Spring Island in December. He also responded to concerns regarding his career change and part-time residence off-island with assurance that he continues to be committed to his position as a trustee.

**12.8 Trust Fund Board Report**

none

**13. NEW BUSINESS**

none

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for January 26, 2017, at 9:45 am at the Pender Community Hall**

**15. TOWN HALL**

**Lou Henshaw** provided a personal perspective on the history of watercourses around the Port Browning Marina. She spoke against approval of applications that will threaten those water ways and expressed concern that the planting of eel grass in the marina area is being done to prevent development.

Trustee Masselink responded with an overview of the goals of the habitat development.

**Michael Sketch** made remarks on the waste management and offered recommendations for future actions.

**John Antifi** provided a history of the properties surrounding his own and remarked that the Burdett's responded positively to his concerns regarding water runoff from their property with necessary landscaping modifications.

**16. CLOSED MEETING (Distributed Under Separate Cover)**

none

**17. ADJOURNMENT**

**By general consent**, the meeting was adjourned at 12:55 pm.

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Derek Masselink, Acting Chair

Certified Correct:

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Shannon Brayford, Recorder