



ADOPTED

North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: February 22, 2018
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

Members Present: George Grams, Chair
Dianne Barber, Local Trustee
Derek Masselink, Local Trustee

Staff Present: Justine Starke, Island Planner
Fiona XETXÁTTEN MacRaild, Senior Intergovernmental Policy Advisor
Shannon Brayford, Recorder

Public Present:: There were 17 members of the public present.

1. CALL TO ORDER

Chair Grams called the meeting to order at 10:05 a.m. He 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

Kathy Allison spoke in regards to the short term vacation rental (STVR) application on Harpoon Road. She provided an overview of the nature of the street and the history of short term rentals in the neighbourhood. She outlined concerns with the application and noted that the complaint driven enforcement process places a burden on neighbours to regulate the STVR.

Jerry Boucher commented on the short term vacation rental (STVR) application on Harpoon Road. He remarked that a 16 resident STVR is a commercial venture and is not consistent with the residential character of the neighbourhood.

David Reed asked about the Capital Regional District's (CRD) position on secondary suites, specifically as regards water and sewer use in the Magic Lake area.

Planner Starke provided an overview of the referral process and noted that the Local Trust Committee (LTC) is anticipating a letter from the Magic Lake Water and Sewer Commission in regards to the proposed bylaws.

Michael Sketch spoke to the rezoning of Browning Harbour Agricultural Land Reserve (ALR) land. He addressed matters of boat storage, reported removal of top soil from the ALR land,

questioned Trustee Masselink's dual role as Trustee and Regional Agrologist, and requested that an audit of staff process on the matter be held.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated January 30, 2018 (for Adoption)

By general consent the Local Trust Committee Meeting Minutes of January 30, 2018 were adopted as presented.

6.2 Section 26 Resolutions-without-meeting Report

none

6.3 Advisory Planning Commission Minutes Dated June 27 & October 25, 2017 (for Receipt)

Received for information.

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated February 2018

Planner Starke provided a report on the progress of the Waste Management Project.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 NP-RZ-2016.2 (Port Browning/MBMG) - Staff Report (Bylaws 206 - 210)

Planner Starke provided an overview of the staff report, including details of the two covenants being considered. She noted that the covenants implement LTC conditions of final bylaw adoption.

NP-2018-019

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee accept two (2) covenants under section 219 of the *Land Title Act* from the registered owners of LOT A (DD G54184), Section 11, Pender Island, Cowichan District, Plan 7982 and Lot 4, Section 11, Pender Island, Cowichan District Plan 7982 and designate any member of the Local Trust Committee to sign the two (2) covenants for NP-RZ-2016.2 (4605 and 4606 Oak Road).

CARRIED

NP-2018-020

It was MOVED and SECONDED,

That upon confirmation of registration of the two (2) covenants with the Land Title Office, the North Pender Island Local Trust Committee direct staff to conduct a vote by Resolution Without Meeting to adopt North Pender Island Local Trust Committee Bylaw No. 206.

CARRIED

10.2 NP-TUP-2017.5 (Kroeker) - Staff Report

Planner Starke provided an overview of the staff report and the rationale for the application. She also provided an outline of the letters received from neighbouring residents.

A discussion of neighbour concerns and potential amendments to the permit was held by the LTC.

The following amendments were recommended:

- That the number of permitted guests be limited to 10.
- That the fire pit be removed

The applicant was invited to address the LTC. He provided a history of the property's use and outlined the management systems. He requested clarification on how the STVR regulations will impact family use of the home.

Further discussion of the application and the proposed amendments was held.

NP-2018-021

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee amend temporary use permit NP-TUP-2017.5 by:

Limiting the number of guests to ten (10)

Removing the fire pit.

CARRIED

NP-2018-022

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee issue Temporary Use Permit NP-TUP-2017.5 as amended.

CARRIED

10.3 NP-SUB-2017.1 (Richardson/Hemsworth) - 10% Frontage Exemption - Staff Report

Planner Starke provided an overview of the report and the rationale for the application.

NP-2018-023

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee exempt proposed Lot Rem. 13 Section 22, Pender Island, Cowichan District, Plan 4105 of subdivision NP-SUB-2017.1 (Richardson and Hemsworth) from the 1/10 perimeter provision of Section 512 of the *Local Government Act* and subsection 4.3.1 of North Pender Island Land Use Bylaw No. 103, 1996.

CARRIED

10.4 NP-DVP-2017.4 (Johnson) - Staff Report

Planner Starke provided an overview of the staff report and the response received from the CRD, which noted an inability to evaluate the structure until a building permit is issued.

Trustee Masselink expressed, for the record, frustration with fragmented governance structure and the inability for the CRD to provide the requested inspection.

The applicant was invited to speak and he addressed the concerns of the neighbours.

NP-2018-024

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee approve issuance of Development Variance Permit NP-DVP-2017.4 (G. Johnson).

CARRIED

10.5 Mayne Island Local Trust Committee Bylaw No. 171 Referral

Planner Starke provided an overview of the referral.

NP-2018-025

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee respond to Mayne Island Local Trust Committee Bylaw No. 171 with "Interests Unaffected".

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 First Nations Interests - Staff Report & Project Charter/Presentation

Senior Intergovernmental Policy Advisor (SIPA) Fiona XETXÁTTEN MacRaild provided an overview of the Staff Report and outlined the workshop being proposed within it.

A discussion of James Island was held and SIPA MacRaild offered to provide a key messages report to the Trustees on that matter.

NP-2018-026

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee request staff to proceed with planning a First Nations-focused community workshop as outlined in the attached Project Charter, in coordination with Tsawout First Nation.

CARRIED

NP-2018-027

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee request that staff provide information and key messages on the James Island situation.

CARRIED

12. REPORTS

12.1 Work Program Report

12.1.1 Top Priorities Report Dated February 2018

Received for Information

12.1.2 Projects List Report Dated February 2018

Received for information.

12.2 Applications Report Dated February 2018

Trustee Masselink requested information on the application that had been made to place a cell tower on North Pender Island.

Planner Starke reported that no further communication has been received from the applicant.

12.3 Trustee and Local Expense Report Dated December 2017

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information

12.5 Local Trust Committee Webpage

No comments made.

12.6 Chair's Report

Chair Grams reported that Executive Committee has been involved in preparations for Trust Council and also in preparation for the Islands Trust delegation sent to the Agricultural Land Reserve (ALR)/Agricultural Land Commission (ALC) Revitalization session.

12.7 Trustee Report

Trustee Masselink reported that the Minister of Agriculture has struck a committee to examine revitalization of the ALC and ALR. He provided an overview of the sessions held.

Trustee Masselink also reported that under the new budget, the Ministry of Agriculture will receive increased funding.

Trustee Barber read a statement, indicating that she would like to make a motion regarding waste management activities and other permitted uses on land at Browning Harbour.

A discussion of the proposed motion was held.

Chair Grams recommended that the matter be brought forward at the next meeting to provide adequate time for deliberation.

Planner Starke provided an overview of the current progress on bylaws related to the topic of the motion.

Trustee Barber indicated that she will make the motion at the next meeting.

12.8 Trust Fund Board Report Dated January 2018

Received for information.

13. NEW BUSINESS

13.1 Executive Committee re: Farm Industry Review Board & Aquaculture - Staff Memo & Attachment

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for March 22, 2018, at the Royal Canadian Legion Hall, Pender Island

Chair Grams noted that an Islands Trust Fresh Water Forum is being held the same day and that the meeting could be cancelled.

NP-2018-028

It was MOVED and SECONDED,

That the North Pender Island Local Trust Committee cancel the meeting of March 22, 2018 and request that staff attempt to reschedule the meeting for the first half of April, 2018.

CARRIED

15. TOWN HALL

Sharon Card spoke to the Waste Management project, encouraging the LTC to learn what the island needs in terms of waste management. She addressed the application to have MacDonald Farm zoned for that use and provided an overview of concerns with that application.

Neville Agison noted that there is a rumour on the island that the CRD is pressuring the Islands Trust to establish a tax-funded Waste Management solution on the island.

The LTC confirmed that the CRD has not approached this committee regarding any such matter.

Michael Sketch provided history of the CRD's involvement in the waste management project and noted that in meetings of the Waste and Resource Management Commission the CRD did not indicate plans to establish a tax-funded facility.

Michael Sketch spoke to delays in the Waste Management project, noting consequences for Bylaw enforcement and encouraging the LTC to complete the matter during this election term.

Michael Sketch addressed NP-DVP-2017.4 (Johnson), recommending that the LTC should have requested a structural engineering report prior to approving the application.

Michael Sketch encouraged the LTC to work with the ALC and establish a Land Use Bylaw corresponding to Trust Policy.

16. CLOSED MEETING

None.

17. ADJOURNMENT

By general consent the meeting was adjourned at 12:08 pm.

George Grams, Chair

Certified Correct:

Shannon Brayford