



# **ADOPTED**

## **North Pender Island Local Trust Committee**

### **Minutes of Regular Meeting**

**Date:** April 26, 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  
Shannon Brayford, Recorder

**Public Present:** There were 38 members of the public present.

#### **1. CALL TO ORDER**

Chair Grams called the meeting to order at 10:00 AM. He 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**

Chair Grams noted that the meeting was being audio recorded and read a written statement regarding the use of the recording.

**Donald Tota** spoke against NP-TUP-2017.2. He outlined the concerns of a community group that has organized against the application and encouraged the use of transportable saw mill machines instead of localized zoning.

**Gavin Londergan** spoke in favour of NP-TUP-2017.2, noting that, as a direct property neighbour, he has not had any issues with the mill.

**Peter Taylor** spoke against the placing of industrial zones on the water table without careful planning.

**Kathy Kronk** spoke in favour of NP-TUP-2017.2 as a customer who has purchased fire wood and who plans to use the service for milling in the future.

**Ben McConchie** spoke in favour of NP-TUP-2017.2, encouraging the Trustees to question the staff report's reasons for recommending denying issuance and to consider working toward a collaborative solution for any concerns.

**Steven Loft** spoke against the use of the Razor Point Road site as a Waste Transfer Facility and encouraged the Trustees to support a motion to discontinue such use on that site.

**Allen Wilmott** spoke as the applicant of NP-TUP-2017.2, noting that the permit is not intended to lead to future rezoning. He noted the economic benefits of having his business on island and also raised several concerns with the accuracy of details in the staff report.

**Annie Smith** spoke in support of NP-TUP-2017.2. She encouraged the Trustees to carefully examine the facts.

**Mark Luckham** spoke in support of NP-TUP-2017.2, noting the importance of the service to the building industry on the island.

**Jim Peacock** spoke in support of NP-TUP-2017.2, commending the Wilmotts as good neighbours and contributors to the general community.

**Julie Wilmott** spoke as an applicant of NP-TUP-2017.2, noting that their mill is 1 of 20 on the island and 1 of 4 on Hooson Road.

**Michael Sketch** spoke to Bylaws 214 and 215, addressing the archeological site on MacDonald Farm and encouraging the Trustees to complete archeological surveys with thoroughness.

**Michael Sketch** also addressed Bylaws 214 and 215 in regards to the Browning Harbour site. He outlined concerns with the staff report and recommended eight actions to the Trustees, with rationale for each.

**Braedon Bigem** spoke as a service provider in favour of NP-TUP-2017.2, commending the Wilmott's business and customer service practices.

**Mike Burdett** addressed the comments made by Michael Sketch regarding the Browning Harbour Site. He noted that Pender Island Waste Management provides an essential service to the island and encouraged the Trustees to carefully consider the service impact of any decisions made.

**Robin Pettyfer** encouraged the Trustees to consider increasing the availability of chargers for electric vehicles.

**4. COMMUNITY INFORMATION MEETING**  
None

**5. PUBLIC HEARING**  
None

**6. MINUTES**

**6.1 Local Trust Committee Minutes Dated February 22, 2018**

**By general consent** the Local Trust committee meeting minutes of February 22, 2018 were adopted.

**6.2 Section 26 Resolutions-without-meeting Report**

None

**6.3 Advisory Planning Commission Minutes Dated February 26, 2018**

Received for information.

**7. BUSINESS ARISING FROM THE MINUTES**

**7.1 Follow-up Action List Dated April 2018**

Received for information.

**8. DELEGATIONS**

None

**9. CORRESPONDENCE**

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

**9.1 CRD Regional Parks - March 15 2018 Letter re: Gulf Island Regional Trails Plan**

Received for information.

**10. APPLICATIONS AND REFERRALS**

**10.1 NP-TUP-2017.2 (Wilmott) – Staff Report**

Planner Starke provided an overview of the staff report, summarizing the rationale provided for the recommendation to deny issuance and also the alternative options available to the applicants.

Chair Grams invited the applicant to speak.

Allen Wilmott addressed the LTC and provided an outline of his concerns with the staff report. He also provided a list of modifications in operations that they have willingly implemented in response to neighbours' concerns.

A discussion was held in which the LTC asked questions of the applicant, including details of the project timeline.

Further discussion was held regarding modifications to the Temporary Use Permit (TUP) in terms of requirements for sound abatement and the length of the permit.

Chair Grams spoke in favour of the TUP, noting the ecological benefits of locally milled lumber. He recommended that the TUP include a letter on file noting that the LTC recommends that it not be renewed.

**NP-2018-029**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit NP-TUP-2017.2 (Wilmott).

**CARRIED**

**NP-2018-030**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee direct staff to place a note on file associated with NP-TUP-2017.2, indicating that the Local Trust Committee recommends that any application for renewal of this Temporary Use Permit be denied and that any application for rezoning for industrial use also be denied.

**CARRIED**

**10.2 NP-TUP-2018.1 (Pettyfer) – Staff Report**

Planner Starke provided an overview of the staff report, including the responses of neighbours.

The LTC asked questions of the applicant and a discussion was held.

**NP-2018-031**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee issue Temporary Use Permit NP-TUP-2018.1 as shown in Appendix 1 of the staff report for the April 26, 2018 meeting.

**CARRIED**

**10.3 Galiano Island Local Trust Committee Bylaws No. 265 & 266 Referral**

**NP-2018-032**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee respond to Galiano Island Local Trust Area Bylaws No. 265 and 266 with “Interests Unaffected by Bylaw”.

**CARRIED**

**10.4 NP-DP-2018.1 (Driscoll)**

Planner Starke provided an overview of the Staff Report.

Chair Grams invited the applicant to speak.

The applicant provided a rationale for the application.

**NP-2018-033**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2018.1 (Driscoll).

**CARRIED**

**11. LOCAL TRUST COMMITTEE PROJECTS**

### 11.1 Waste Management – Staff Report

Planner Starke provided an overview of staff report regarding North Pender Island Local Trust Committee Bylaws 214 and 215. She outlined the staff recommendations and provided a rationale for each.

Chair Grams acknowledged a member of the community who indicated a desire to speak.

**Sharon Card** addressed the staff report, noting that the project does not appear to be responding to an application, a study to support demand for a change, or an LTC plan. She also addressed concerns with specific sites mentioned in the staff report, particularly MacDonald Farm.

Trustee Masselink and Chair Grams provided an overview of both the rationale for and history of the Waste Management Project.

**Mike Burdett** recommended that the Trustees carefully consider traffic issues of sites, specifically the site near the current Recycling Depot.

The LTC discussed the staff report in detail.

#### **NP-2018-034**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee Bylaw No. 214, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 2, 2017,” be amended to replace Schedules 2 and 4, as shown in Appendix 2 of the staff report for the April 26, 2018 regular business meeting of the North Pender Island Local Trust Committee.

**CARRIED**

#### **NP-2018-035**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee Bylaw No. 214, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 2, 2017,” be read a second time as amended.

**CARRIED**

#### **NP-2018-036**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee Bylaw No. 215, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 3, 2017,” be amended to replace Plan 2 and make other amendments in accordance with Appendix 3 of the staff report for the April 26, 2018 regular business meeting of the North Pender Island Local Trust Committee.

**CARRIED**

**NP-2018-037**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee Bylaw No. 215, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 3, 2017,” be read a second time as amended.

**CARRIED**

**NP-2018-038**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee direct staff to bring forward a covenant ensuring that an Archaeological Impact Assessment for Archaeological Site DeRT-55 is conducted prior to commencement of uses in the proposed 12(e) zone at 4415 Bedwell Harbour Road.

**CARRIED**

**NP-2018-039**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee direct staff to schedule a community information meeting as a special Local Trust Committee business meeting for Bylaws 214 and 215 .

**CARRIED**

**NP-2018-040**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee direct staff to schedule a public hearing for Bylaws 214 and 215.

**CARRIED**

**NP-2018-041**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee direct staff to draft amendments to Bylaws 215 to remove section 2.8 and to include a mapping amendment for Bylaws 214 and 215 that would rezone the portion of the Industrial 1(b) zone that is in the Agricultural Land Reserve from Industrial to 1(b) to “Agriculture”.

**DEFEATED**

Prior to the calling the vote, Chair Grams invited discussion of the resolution.

Trustee Barber provided an overview for her rationale for proposing the resolution.

Planner Starke provided an overview of procedural process and the relevance of other applications in consideration of the motion.

Chair Grams invited the property owners impacted by NP-2018-041 to address the resolution.

Mike and Ann Burdett encouraged the LTC to postpone consideration of the motion until relevant assessments and studies related to the property are complete.

Chair Grams noted that he will not support the motion, but recommended that staff give consideration to aligning the property's zoning with the Agricultural Land Commission's rulings.

Chair Grams called for a vote and the motion was defeated.

### **11.2 Secondary Suites – Staff Report**

Planner Starke provided an overview of the staff report regarding North Pender Island Local Trust Committee Bylaws 216 and 217. She summarized responses from agencies to whom the matter was referred.

#### **NP-2018-042**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee Bylaw No. 216, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2018," be read a second time.

**CARRIED**

#### **NP-2018-043**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee Bylaw No. 217, cited as "North Pender Island Land Use Bylaw, 103, 1996, Amendment No. 1, 2018," be amended as shown in Appendix 2 of the Staff report for the April 26, 2018 North Pender Island Local Trust Committee meeting.

**CARRIED**

#### **NP-2018-044**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee Bylaw No. 217, cited as "North Pender Island Official Community Plan Bylaw No. 103, 2006, Amendment No. 1, 2018," be read a second time as amended.

**CARRIED**

#### **NP-2018-045**

**It was MOVED and SECONDED,**

THAT the North Pender Island Local Trust Committee direct staff to schedule a community information meeting and public hearing for Bylaws 216 and 217.

**CARRIED**

A discussion was held regarding the timing of the Community Information Meetings for the Secondary Suite and Waste management Projects. It was generally agreed that the meetings should be scheduled to fall on the same day.

## **12. REPORTS**

**12.1 Work Program Report (attached)**

12.1.1 Top Priorities Report Dated April 2018

Received for information.

Trustee Masselink requested that an update regarding First Nations engagement on North Pender Island be provided at a future meeting.

12.1.2 Projects List Report Dated April 2018

**12.2 Applications Report Dated April 2018**

Received for information.

**12.3 Trustee and Local Expense Report Dated February 2018**

Received for information.

**12.4 Adopted Policies and Standing Resolutions**

Received for information.

**12.5 Local Trust Committee Webpage**

No comments.

**12.6 Chair's Report**

Chair Grams reported that he attended the recent Trust Council meeting in March which focused on approving the 2018-2019 budget.

**12.7 Trustee Report**

Trustee Masselink reported that he has accepted a new position with the Provincial Government to run an innovation hub and facilitate cross-jurisdictional collaboration.

**12.8 Trust Fund Board Report Dated April 2018**

Trustee Masselink provided an overview of the report.

**13. NEW BUSINESS**

**13.1 Briefing – Land-use Planning Implications of Fisheries and Oceans Canada**

*Intergraded Geoduck Management Framework March 2018*

Received for information.

**13.2 Memo from EC re: Approval Process for Community Water Systems on Salt Spring Island – Memo and Attachment**

Received for information.

**14. UPCOMING MEETINGS**



**14.1 Next Regular Meeting Scheduled for May 24, 2018, 4:00 PM, at the Royal Canadian Legion Hall, Pender Island.**

**15. TOWN HALL**

**Ann Burdett** addressed the LTC's comments regarding the ALC decision on her property and noted ongoing correspondence with that agency.

**Mike Burdett** questioned the practicality of a specific proposal that would to create a Waste Transfer facility without building structure.

**Michael Sketch** addressed the industrial zoning on the Browning Harbour Property and noted that the ALC had prohibited the boat storage zoning that is currently permitted by the LTC.

**Michael Sketch** expressed concern with Trustee Masselink's participation in deliberations on the Browning Harbour Property and provided a rationale.

Chair Grams noted that Trustee Masselink has sought legal council regarding the matter and recommended that a practice of repeatedly raising the matter at meetings be reconsidered.

**Mike Burdett** and **Anne Burdett** addressed Michael Sketch's comments, noting that some statements made were false.

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

**16.1 Motion to Close Meeting**

**NP-2018-046**

**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 January 30, 2018
- Appointment of APC Members

AND that the recorder and staff attend the meeting.

**CARRIED**

**16.2 Recall to Order**

Chair Grams recalled the meeting to order at 1:42 pm

**16.3 Rise and Report**

Chair Grams read the following resolution:

It was moved, seconded, and carried, that the North Pender Island Local Trust Committee direct staff to wait until after the 2018 election to advertise for expression of interest for the North Pender Island Advisory Planning

Commission, and to write letters of acceptance to Dorothy Murdoch and Andrew MacLean, and to advise Sarah Steil of her ineligibility due to her membership on the Board of Variance.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 1:44 PM.

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George Grams, Chair

Certified Correct:

Shannon Brayford, Recorder