

# Adopted



## North Pender Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** February 27, 2020  
**Location:** Anglican Parish Hall  
4703 Canal Road, RR#1, North Pender Island, BC

**Members Present:** Laura Patrick, Chair  
Deb Morrison, Local Trustee  
Ben McConchie, Local Trustee

**Staff Present:** Phil Testemale, Island Planner  
Shannon Brayford, Recorder

**Public:** There were approximately (13) members of the public.

#### 1. CALL TO ORDER

Chair Patrick called the meeting to order at 9:00 a.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

#### 2. APPROVAL OF AGENDA

By general consensus, the agenda was approved as presented.

#### 3. TRUSTEE REPORT

Trustee McConchie provided an overview of his recent working, including:

- Southern Resident Killer whale working group meeting and overview of Transport Canada and what they are doing to make it better; and
- MAP is working to create a bike route between Magic Lake and the school.

Trustee Morrison provided an overview of her recent working, including:

- Climate Action course on Pender Island;
- Trust Programs Committee has been continuing their work and all meeting notes are available online; and
- Trust Council is upcoming and she will encourage work on moving Directive Policies from Trust Council into action in the communities.

**4. CHAIR'S REPORT**

Chair Patrick reported that Trust Council will be held March 10-12, 2020. She noted that the agenda will be made public and provided an overview of the modes available for public participation.

**5. TOWN HALL AND QUESTIONS**

Joyce Theire, a member of the Pender Island Recycling Society, spoke regarding the definitions in proposed bylaws 214 and 215 of full-service waste transfer and requested that the definition in 215 be used in the NP-TUP-2019.7 (Burdett). She noted that the Society does not have any position on the Waste Transfer Temporary Use Permit.

Michael Sketch addressed the matter of Agricultural Land Commission (ALC) and the Agricultural Land Reserve (ALR) application for inclusion and exclusion (NP-ALR-2019.1) by the Burdetts. He provided an overview of the property, its application history, and the role of the ALC.

Niki Roberts provided an overview of the recycling society's operations.

Amanda Griesbach requested further information about the Southern Resident Killer Whale Working Group and whether Transport Canada is partnering with other agencies.

Amanda Griesbach also addressed application NP-TUP-2018.5 (Grimmer) and expressed support for the property owner's efforts to address concerns.

Peter Taylor addressed the applications on the Burdett property (4606 Razor Point Road – NP-ALR-2019.1). He provided an overview of the property's history as a sawmill and noted that the land being considered for agricultural land had a long history of buried machinery and contamination by previous owners over an eighty year history.

Peter Taylor addressed the state of Hamilton Cove and the extruded styrofoam that is polluting it from the old docks and noted that there are environmental issues bigger than those related to a waste transfer site.

Anne Burdett addressed her Temporary Use Permit (TUP) application for waste transfer at 4415 Bedwell Harbour Road (NP-TUP-2019.7). She provided an overview of history of the Waste Transfer Project. She encouraged the Trustees to consider any opposition in light of understanding that mitigating those concerns would be part of a standard operation.

**6. COMMUNITY INFORMATION MEETING**

None

**7. PUBLIC HEARING**

None

**8. MINUTES**

**8.1 Local Trust Committee Minutes Dated January 30, 2020**

It was recommended that under Item 17 Town Hall the following be added: "Michael Sketch addressed a decision made during the meeting and provided a rationale for encouraging reconsideration of it".

By general consent the Local Trust committee meeting minutes of January 30, 2020 were adopted as amended.

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

None

**8.3 Advisory Planning Commission Minutes**

None

**9. BUSINESS ARISING FROM THE MINUTES**

**9.1 Follow-up Action List Dated February 2020**

Received for information.

**10. DELEGATIONS**

None.

**11. CORRESPONDENCE**

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

**12. APPLICATIONS AND REFERRALS**

**12.1 NP-TUP-2018.5 (Grimmer)**

Planner Testemale provided an overview of the staff report, the amendments to the Temporary Use Permit (TUP), and the steps taken by the applicant to address the requirements of the TUP.

A discussion was held on the following points:

- Trustees requested and received information on how the site would be monitored should the TUP be approved;
- Information including: the history of the application, the overall impact of this TUP on the community's planning process and particularly the OCP Implementation project;
- Historical significance of the property and the role of the LTC in protecting historically significant properties; and
- The tools available to the LTC for heritage conservation and the LTC's priorities was discussed.

**NP-2020-011**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee (LTC) approve issuance of Temporary Use Permit NP-TUP-2018.5 (Grimmer) shown as Attachment 1.

**CARRIED**

**Trustee McConchie Opposed**

**NP-2020-012**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee (LTC) require that any application for renewal of Temporary Use Permit NP-TUP-2018.5 (Grimmer) include a monitoring report prepared by a qualified professional engineer addressing adherence to the conditions of NP-TUP-2018.5 and the Environmental Management Plans as specified in Subsection 4. bb) of Attachment 1.

**CARRIED**

**Trustee McConchie opposed**

Trustee McConchie stated for the record that although he is in opposition in principle to the application, he looks forward to working with the applicant and his fellow Trustees on finding an appropriate solution to this ongoing issue of industrial uses on the rural zoned property.

**12.2 NP-TUP-2019.7 (Burdett) - Staff Memo**

Planner Testemale provided an overview of the staff report and information on the current status of the project and the process moving forward.

The Trustees each took the opportunity to share their views of the application and request information regarding the process moving forward, including the following points:

- Overall community planning for industrial land and the OCP Implementation project;
- Neighbour opinions;
- Traffic in the area;
- Role of bylaw enforcement and compliance in the matter; and
- Details of the commercial recycling operation.

**12.3 NP-DP-2019.3 (Beaton)**

Planner Testemale provided an overview of the staff report and noted that the applicants were available by phone if the LTC has any questions.

The LTC discussed the application including a discussion of the health of Magic Lake, cooperation with the Capital Regional District to support overlapping jurisdictions in the watershed areas of Buck and Magic Lake, the role of Development Permit Areas (DPAs) and potential opportunities for joint public education initiatives with the CRD.

**NP-2020-013**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee direct staff to draft a letter to the Capital Regional District for consideration of creation of a joint project for landowner education for mutually overlapping areas of interest.

**CARRIED**

**NP-2020-014**

**It was Moved and Seconded,**

That the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2019.3 (Beaton) conditional to the Islands Trust receiving notice of approval from the Ministry of Forest, Lands and Natural Resource Operations and Rural Development.

**CARRIED**

**12.4 NP-DP-2019.2 (Gill)**

Planner Testemale provided an overview of the application and the associated staff report.

A discussion of the matter was held regarding the application.

Chair Patrick provided an overview of the work of Member of Provincial Parliament Adam Olsen to provide local jurisdictions with the power to ticket for violations in Development Permit Areas.

**NP-2020-015**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee direct staff to amend Point 2 of NP-DP-2019.2 (Gill) to remove the term “retroactive” and make the language consistent with the most recent similar permit.

**CARRIED**

**NP-2020-016**

**It was Moved and Seconded,**

that the North Pender Island Local Trust Committee approve issuance of proposed Development Permit NP-DP-2019.2 (Gill) as amended.

**CARRIED**

**By general consent** it was agreed that, due to time considerations, item 18 would be moved ahead in the agenda.

Refer to item 18 below in consecutive order.

**13. LOCAL TRUST COMMITTEE PROJECTS**

Received for information.

**14. REPORTS**

**14.1 Work Program Report**

14.1.1 Top Priorities Report Dated February 2020

Received for information.

14.1.2 Projects List Report Dated February 2020

Received for information.

**14.2 Applications Report Dated February 2020**

Trustee McConchie requested and received information regarding the Mainroad rezoning application (NP-RZ-2016.1) reactivation and the forthcoming TUP renewal (NP-TUP-2020.1) for a neighbouring industrial property.

Trustee Morrison left the meeting at 12:30 p.m.

**14.3 Trustee and Local Expense Report Dated December 2019**

Received for information.

**14.4 Adopted Policies and Standing Resolutions**

Received for information.

**14.5 Local Trust Committee Webpage**

None

**14.6 Islands Trust Conservancy Report**

None

**15. NEW BUSINESS**

None

**16. UPCOMING MEETINGS**

**16.1 Next Regular Meeting Scheduled for April 2, 2020 at the Anglican Parish Hall Church, Pender Island**

**17. TOWN HALL**

None

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

This item was brought up right after item 12 due to time considerations.

**18.1 Motion to Close the Meeting**

**NP-2020-017**

**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) (d & k) for the purpose of considering:

- Adoption of In-Camera Minutes Dated November 28, 2019
- Islands Trust Conservancy Information

AND that the recorder and staff attend the meeting.

**CARRIED**

**18.2 Recall to Order**

Chair Patrick recalled the public meeting to order at 12:29 p.m. and two members of the public returned to the meeting

**18.3 Rise and Report**

None

**19. ADJOURNMENT**

**By general consent** the meeting was adjourned at 12:34 p.m.

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Laura Patrick, Chair

Certified Correct:

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Shannon Brayford, Recorder