

ADOPTED



North Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: October 29, 2020
Location: Electronic Meeting (Zoom Webinar)

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

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
Phil Testemale, Island Planner 2

Shannon Brayford Recorder
Maple Hung, Host, Planning Assistant

Public: There were approximately eleven (11) attendees in the Zoom Webinar.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:00 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 consent the agenda was approved as presented.

3. TRUSTEE REPORT

Trustee McConchie provided a report including the following points:

- Federal Bill regarding freighter anchorages and the impact on the local region;
- Re-election of Adam Olsen as local Member of the Legislative Assembly;
- Congratulated Paul Brent as appointment to Southern Gulf Islands Capital Regional District Alternate Director; and
- Noted that he is a volunteer Commissioner with the Pender Islands Parks and Recreation Commission.

Trustee Morrison provided a report including the following points:

- Echoed the congratulations in local elections and appointments;
- Highlighted local events coming up including the Climate Speaker Series; and

- Encouraged further participation in the Community Information Meetings regarding the Land Use Bylaw Review.

4. CHAIR'S REPORT

Chair Patrick provided a report including the following points:

- Upcoming Trust council dates and deadlines for receiving delegations, she noted that draft budget discussions will take place at this time; and
- Highlighted the potential of the Salish Sea Forum.

5. TOWN HALL AND QUESTIONS

Anne Burdett requested and received information on accessing video recordings of the Climate Speaker Series.

Anne Burdett requested that the Local Trust Committee (LTC) consider allowing the public to view the list of names of other public attending the electronic meeting.

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes

8.1.1 September 10, 2020 Regular Meeting Minutes

By general consent the Local Trust committee meeting minutes of September 10, 2020 were adopted.

8.1.2 September 19, 2020 Special Meeting Minutes

By general consent the Local Trust committee meeting minutes of September 19, 2020 were adopted.

8.1.3 October 2, 2020 Special Meeting Minutes

By general consent the Local Trust committee meeting minutes of October 2, 2020 were adopted.

8.1.4 October 3, 2020 Special Meeting Minutes

By general consent the Local Trust committee meeting minutes of October 3, 2020 were adopted.

8.2 Section 26 Resolutions-without-meeting Report Dated September 2020

Received for information.

8.3 Advisory Planning Commission Minutes - None

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated October 2020

Regional Planning Manager (RPM) Kojima noted that the report from Lisa Wilcox will be postponed to the November 2020 meeting.

10. DELEGATIONS

10.1 Michael Sketch re NP-ALR-2019.1

Michael Sketch noted that photographs and a written report were submitted to support his delegation. In his oral presentation he encouraged the LTC to deny the application which seeks to exclude the Agricultural Land Reserve (ALR) portion of the I1 (b) Zone from the ALR. He provided history and rationale for his request and encouraged restoration of the farmland.

11. CORRESPONDENCE

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

12. APPLICATIONS AND REFERRALS

12.1 NP-ALR-2019.1 – Burdett - Staff Report

Planner Testemale provided an overview of the staff report, including the purpose of the application, the options available to the LTC, and a rationale for the staff report's recommendation.

Chair Patrick invited Anne Burdett, the applicant, to speak.

Anne Burdett encouraged the LTC to reconsider the report's statement that the applicants have been operating "illegally" and provided a rationale for this request. She addressed the historical role of the Islands Trust in the islands' waste transfer issues and the zoning issues with the property in question prior to their current ownership.

Chair Patrick invited Harry Williams, the reporting Agrologist, to speak. Technical difficulties prevented his participation; however, he was able to provide written responses through email regarding the agricultural uses suited to the sloped portion of the site and on questions of soils mapping.

The LTC requested and received information on the historical uses of the site and the process for remediation that would be required if the Agricultural Land Commission (ALC) did not approve the inclusion and exclusion request.

A discussion was held by the LTC including the impact their decision could have on:

- Total land within the Agricultural Land Reserve (ALR);
- Waste management matters and how it is or is not relevant to this application;
- Financial impact on current property owners; and
- Overall planning and future for the area surrounding the property in question.

NP-2020-043

It was Moved and Seconded,

that the North Pender Island Local Trust Committee supports application NP-ALR-2019.1 (Burdett) for inclusion and exclusion of land in the Agricultural Land Reserve and directs staff to forward the application to Agricultural Land Commission for further consideration.

CARRIED

12.2 Temporary Use Permit Renewals - Staff Report

Planner Testemale noted that five Temporary Use Permit (TUP) renewal applications are being considered. He provided an overview of each application individually and summarized the rationale for each associated recommendation.

A discussion was held including the following points:

- The proposed length of the extensions
- Historical community concerns regarding Short Term Vacation Rentals (STVRs)

12.2.1 NP-TUP-2020.2 – Lovatt

Chair Patrick invited Mr. Lovatt to address the Committee.

Mr. Lovatt provided remarks encouraging the LTC to understand the motivation of property owners to protect their homes and relationships with neighbours.

NP-2020-044

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit NP-TUP-2020.2 (Lovatt) for a period of two (2) years

CARRIED

12.2.2 NP-TUP-2020.3 – Vermeeren

Chair Patrick invited the applicant to address the LTC.

The applicant addressed the letter of concern regarding the vegetative screening. He invited direct requirements from the LTC and noted that the immediate neighbour has been actively collaborating on the barrier's installation.

NP-2020-045

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit NP-TUP-2020.3 (Vermeeren) for a period of two (2) years

CARRIED

12.2.3 NP-TUP-2020.4 - Joshua Ganasi

NP-2020-046

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit NP-TUP-2020.4 (Ganasi) for a period of two (2) years

CARRIED

12.2.4 NP-TUP-2020.5 - Pauline O'Malley

The LTC discussed the past requirement for inclusion of hydro and CRD water usage data for this application and the benefit of inclusion of this requirement moving forward.

Chair Patrick invited the applicant to speak.

Pauline O'Malley responded to LTC questions regarding pre-screening of guests, educational information provided to guests, and monitoring of hydro and water consumption.

NP-2020-047

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit NP-TUP-2020.5 (O'Malley) for a period of two (2) years

CARRIED

12.2.5 NP-TUP-2020.6 - Robert Pasion

Chair Patrick invited the applicant to speak.

Robert Pasion provided an overview of the requirements of guests and their personal plans for the property.

NP-2020-048

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit NP-TUP-2020.6 (Pasion) for a period of two (2) years

CARRIED

Note: A break was held from 12:23 pm – 12:27 p.m.

12.3 NP-DP-2020.4 – Casey - Staff Report

Planner Testemale provided an overview of the staff report, including the rationale for the amendment application (renewal) and the associated staff report. Planner Testemale also provided information regarding bylaw issues on this and neighbouring properties.

Chair Patrick acknowledged the applicant who provided an overview of their work on the site.

The LTC requested and received information on the following topics:

- Impact of the decision on the Development Permit Area (DPA)
- The overall health and management of Magic Lake.
- Impact of this decision on general policies regarding eco-system management

RPM Kojima provided advice regarding the LTC's legislative limits when making a decision on this application.

NP-2020-049

It was Moved and Seconded,

that the North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2020.4 (Casey)

CARRIED

Trustee Morrison requested that the minutes record that this application is an example of the process issue with professional judgement regarding the way Development Permit Areas (DPAs) are written regarding tree cutting.

12.4 Mayne Island Local Trust Committee Bylaws 177 and 178 Referral

NP-2020-050

It was Moved and Seconded,

that the North Pender Island Local Trust Committee respond o Mayne Island Local Trust Committee Bylaws 177 and 178 referrals with "interests unaffected".

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Short Term Vacation Rental Review - Staff Report

Planner Stockdill provided an overview of the staff report, the contents of the draft bylaw, and the temporary permit use guidelines included.

A discussion was held, including the following points:

- Recommendations for scheduling consultation and public comments;
- The inclusion of the 200 m radius limitation and the need for community feedback; and
- The history of Temporary Use Permits for Short Term Vacation Rentals.

NP-2020-051

It was Moved and Seconded,

that the North Pender Island Local Trust Committee Bylaw No. 222, cited as the "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2020", be read a first time.

CARRIED

NP-2020-052

It was Moved and Seconded,

that the North Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 222, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2020", is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

13.2 Land Use Bylaw Review – Staff Memo

Planner Stockdill provided an overview of the staff memo, noting the recommendations for decisions regarding extending the deadline for written submission from the Special Agricultural Advisory Planning Commission to January 4, 2021 and scheduling of a joint South Pender and North Pender Community Information meeting regarding floor space.

There was general consensus that the deadline for the written submission from the Special Agricultural Advisory Planning Commission be extended to January 4, 2021.

NP-2020-053

It was Moved and Seconded,

that the North Pender Island Local Trust Committee direct staff to schedule a community information meeting with the South Pender Island Local Trust Committee to be held via zoom in early January 2021.

CARRIED

14. REPORTS

14.1 Work Program Report

14.1.1 Top Priorities Report Dated October 2020

RPM Kojima provided an overview of the current top priorities.

14.1.2 Projects List Report Dated October 2020

Received for information

14.2 Applications Report Dated October 2020

Received for information

14.3 Trustee and Local Expense Report Dated August 2020

Received for information

14.4 Adopted Policies and Standing Resolutions

Received for information

14.5 Local Trust Committee Webpage

Received for information

14.6 Islands Trust Conservancy Report Dated October 2020

Received for information

15. NEW BUSINESS

15.1 Development Permit Area – Discussion

By general consensus this item was postponed to the next meeting.

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for November 26, 2020

16.2 Draft 2021 LTC Meeting Schedule - for Adoption

NP-2020-054

It was Moved and Seconded,

that the North Pender Island Local Trust Committee adopt the 2021 Meeting Schedule as presented.

CARRIED

17. TOWN HALL

Chair Patrick invited public comment and heard none.

18. CLOSED MEETING

None

19. ADJOURNMENT

By general consent the meeting was adjourned at 1:34 p.m.

Laura Patrick, Chair

Certified Correct:

Shannon Brayford, Recorder