



# North Pender Island Local Trust Committee Special Meeting Agenda

Date: April 1, 2021  
Time: 9:00 am  
Location: Electronic Meeting

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Pages

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. BUSINESS ITEMS
  - 3.1. NP-SUB-2008.9 (James Island) – Staff Memo (attached) 2 - 3
4. ADJOURNMENT



DATE OF MEETING: April 1, 2021  
TO: North Pender Island Local Trust Committee  
FROM: Robert Kojima, Regional Planning Manager  
Southern Team  
COPY: Phil Testemale, Planner 2  
Lisa Wilcox, Senior Intergovernmental Policy Advisor  
Kim Stockdill, Island Planner  
SUBJECT: NP-SUB-2008.9 – James Island Properties

## PURPOSE

The purpose of the memorandum is to provide information for the Local Trust Committee (LTC) to consider with respect to the subdivision application for James Island.

At the Regular Meeting on February 25, 2021 the LTC received a report on outstanding conditions for the subdivision, including the acceptance of covenants, discharge of encumbrances and consideration of cash in lieu. The report and attachments are available on the Islands Trust website here:

[http://www.islandstrust.bc.ca/media/351003/np-ltc\\_2021-02-25\\_agd\\_pkg\\_final.pdf](http://www.islandstrust.bc.ca/media/351003/np-ltc_2021-02-25_agd_pkg_final.pdf)

At that meeting, the LTC adopted resolutions accepting covenants subject to confirmation of the finalization of the consultation process between the Ministry of Transportation and the Tsawout First Nation. The LTC also passed the following resolutions:

### **NP-2021-023**

#### **It was Moved and seconded,**

That the North Pender Island Local Trust Committee direct staff to request that the Crown provide to the North Pender Island Local Trust Committee proof of consultation with the *Tsawout Chief and Council*.

**CARRIED**

### **NP-2021-026**

#### **It was Moved and Seconded,**

That the North Pender Island Local Trust Committee direct staff to schedule an In Camera discussion regarding NP-SUB-2008.9 (James Island) to receive legal advice and information about First Nations consultations before proceeding with the application.

**CARRIED**

On March 26, 2021 the LTC held a closed meeting for the purpose of receiving legal advice. The LTC subsequently scheduled a special meeting for April 1, 2021 for the purpose of considering options for a resolution requesting that the subdivision not be approved upon the basis of it not being in the public interest. If the LTC wishes to consider such a resolution, the following wording is proposed:

Whereas the Islands Trust Council has adopted a reconciliation declaration; and

Whereas the North Pender Island Local Trust Committee has adopted a standing resolution with respect to First Nations reconciliation in the North Pender Island Local Trust Area; and

Whereas the North Pender Island Local Trust Committee has reviewed the consultation record, and notes that objections to the subdivision continue to be expressed by the Tsawout First Nation;

Therefore, the North Pender Island Local Trust Committee resolves to:

1. Advise the Provincial Approving Officer that the North Pender Island Local Trust Committee considers approval of the subdivision of James Island as not being in the public interest.
2. Advise the Lieutenant-Governor-in-Council that the North Pender Island Local Trust Committee considers the deposit of the subdivision plan of James Island as being against the public interest.

And that staff forward this resolution to the Provincial Approving Officer and the Lieutenant-Governor-in-Council.

Alternately, the LTC may give further consideration to the resolution wording to accept the covenants, discharge encumbrances and consider the proposed cash-in-lieu as outlined in the report in the February 25<sup>th</sup> agenda.

Submitted By:	Robert Kojima, Regional Planning Manager	March 31, 2021
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