

## Pender Post Report

### **March Local Trust Committee Meeting**

The North Pender Local Trust Committee (LTC) met on Thursday March 22<sup>nd</sup> at the Community Hall. Islands Trust Council Vice Chair Peter Luckham was in the Chair. Local Trustees Ken Hancock and Gary Steeves as well as Island Planner Andrea Pickard and Recording Secretary Zorah Staar were also present.

LTC meetings are open to the public. A dozen members of the public attended in addition to the Trustees and staff listed above.

The meeting began at 9:45 AM. Following the approval of the agenda and the adoption of the minutes from the February LTC meeting, four applications were considered.

### **APPLICATIONS**

The first application proposed a by-law change to permit the installation of a geo-exchange system utilizing six titanium heat transfer plates which are located in about 30 feet of water under an existing dock. Such a system would require an amendment to the Water 1 zone, which currently does not allow such a use.

The LTC discussed the situation at some length. The Staff Report received by the Committee (available on Islands Trust website/ North Pender page) noted that such a system for this particular home would mean CO2 emissions of 2.2 tons compared to 9.8 tons using electric baseboard heating. The Staff Report also noted that the ramp/dock does not comply with the Land Use Bylaw since it would exceed the 1.2 metre width.

The Local Trust Committee was advised that the property owners would be submitting a variance application to deal with the width of the dock/ramp issue. The Committee then discussed where consideration should be given to looking at a bylaw change for all Water 1 zoning or on a site specific basis to this Water 1 parcel only.

In the end by majority vote, the LTC directed staff to prepare a draft bylaw amendment and bring it to a future LTC meeting for consideration.

The second application concerned a variance to legalize an existing ancillary structure and permit the construction of a sauna and deck. Due to the topography of the particular parcel of property, the existing structures and proposed changes were all tucked into one corner of the property. The topography and the geology presented real challenges for the property owner and made a compelling case for the LTC to grant the variance.

The third application was a matter which had been previously discussed by the LTC . The Committee, at its February 22rd meeting, had directed staff to prepare draft bylaws and refer them to the interested First Nations. The application concerned a registered archaeological site where human remains have been found and the property owner wants to construct a protective wall. As the bylaws do not permit the construction of such a wall, the property owner supported by neighbours, the archaeological branch, professional archaeologists and First Nations sought to have the by-laws amended so as to permit the construction of the seawall.

With the receipt of Draft By-law No. 190 the LTC decided to refer it to various government agencies as is legally required and directed staff to schedule a Community Information meeting. The Committee as decided to approve in principle a Development Permit subject to the bylaw amendment process. The permit will not be issued until the related bylaw amendment is adopted.

The fourth and final application of the day concerned a proposed four lot subdivision. The Local Trust Committee had considered an application for a waiver of the 10% minimum road frontage at the Committee's February meeting. The LTC had not approved the waiver and advised the applicant to provide more detail. In February, the LTC also suggested the applicant deal with proposed Natural Area Covenants that had been proposed for a number of ponds on the property.

At the March meeting the applicant advised the the LTC that they no longer sought a waiver to the 10% road frontage rule and that agreement had been reach with the Pender Conservancy to hold the covenants on the ponds. The LTC decide to also be a covenant holder and authorized the Chair of the LTC to sign the covenant on behalf of the LTC.

The applicant was not legally required to offer covenant protection to the ponds. The applicants were not required to offer parkland as part of this subdivision but has offered trail lands and farmlands to the local Parks Commission. The LTC was very happy to see the applicant respond to community comment in this protracted subdivision matter.

## **CORRESPONDENCE**

Three pieces of correspondence were considered by the LTC.

First was a letter from S. Nieves concerning the possible increase in oil tanker traffic past our coastlines. The LTC was happy to endorse the proposed letter on behalf of the North Pender Local Trust Area. However, the Executive Committee of the Islands Trust was dealing with it on behalf of the entire Trust Area and the LTC was supportive of the Executive Committee approach.

On April 11<sup>th</sup> pipeline operator Kinder Morgan announced their intention to apply to increase their pipeline capacity to BC from about 300, 000 barrels per day to 850,000 barrels per day. Such a capacity would increase tanker traffic through the Strait of Georgia and Burrard Inlet from 32 tankers in 2011 to some 360 tanker.

The increase being sought by Kinder Morgan is even larger than the potential impact of the Northern Gateway project. If approved, the Northern Gateway project would deliver 525,000 barrels per day from Alberta. The Islands Trust has called for public consultation on the Kinder Morgan application to take place in the Trust Area, not just Vancouver!

In other correspondence, Pender Community Transition report to the LTC on their work. For a complete review see [www.pendercommunitytransition.ca](http://www.pendercommunitytransition.ca)

And last but not least, the Nature Conservancy of Canada sought LTC approval for a controlled grass burn on James Island. Approval was given and the burn took place a few days later.

### **Routine Reports**

A variety of routine reports were received including the Work Program Report, the Applications Report, Financial Report and Trustees and Chair Report.

Of note was a request to seek Ministry attention to the painting of centre lines on the main roads and the receipt of a report summarizing legal enforcement of sign regulations on our roads. The April LTC meeting will be dealing with the sign issue.

### **Joint Meeting**

The LTC decided staff to ask the South Pender LTC if there was any interest in a joint meeting. Staff were also directed to draft a meeting agenda if such a meeting was a possibility.

Please note: all the meeting material, reports and correspondence for this and future LTC meetings is available on the Islands Trust website ([www.islandstrust.bc.ca](http://www.islandstrust.bc.ca))

Respectfully submitted

Gary Steeves and Ken Hancock  
Local Trustees

