

ADOPTED

**MINUTES OF THE MAYNE ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON WEDNESDAY OCTOBER 30, 2013 AT 1:00 P.M.
AT THE MAYNE ISLAND COMMUNITY CENTRE**

<u>PRESENT:</u>	Peter Luckham	Chair
	Jeanine Dodds	Local Trustee
	Brian Crumblehulme	Local Trustee
	Robert Kojima	Regional Planning Manager
	Gary Richardson	Island Planner
	Pat Todd	Recording Secretary

There were approximately seven (7) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 1:00 pm, recognizing the Local Trust Committee meeting was being held in the Coast Salish Territories and introduced himself, the Local Trustees and Islands Trust Staff.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

8.2 Addition: Correspondence from David Howe regarding Economic Development Commission representation

12.4 Amendment: change the meeting time from 11:00 am to 1:00 pm

New Item: 12.5 IT Oil Spill Prevention Advocacy

2.2 Questions from Public on Agenda Items

None

The amended agenda, by consensus, was adopted .

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes

5.1.1 Mayne Island Local Trust Committee Business Meeting Minutes of September 4, 2013.

The Mayne Island Local Trust Committee Business Meeting Minutes of September 4, 2013, by consensus, were adopted .

5.2 Public Hearing Records and Community Information Meeting Notes for Consideration

5.2.1 Mayne Island Local Trust Committee Public Hearing Record of September 28, 2013

Received for information

5.2.2 Mayne Island Local Trust Committee Special Meeting Notes of September 28, 2013

Received for information.

5.3 Section 26 Resolutions-without-meeting

5.3.1 Resolution-without-meeting Report dated October 2013

Received for information

5.4 Advisory Planning Commission Minutes and/or Mayne Island Commercial Land Use Task Force Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Richardson stated that all items have been completed.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Letter Dated Oct. 2, 2013 from Ian Cocker, Mayne Island Holdings re: Bylaw 146 Clarification of Zoning of Dinner Point Property

Planner Richardson reviewed the history of the property which is approximately 47 acres and allowed 5 houses. The question has been raised as to the number of allowable accessory buildings. The request has been made to have the zoning consistent with the covenant on the property.

Chair Luckham asked if this would involve a change to the OCP/LUB.

Planner Richardson stated that changes can be made to fix historical omissions/changes. Likely both the OCP and LUB will need amending.

Chair Luckham cited that it would be approximately 18 months for changes to be enacted.

There was discussion as to the property zones and number of houses permitted.

Regional Planning Manager Kojima clarified that this property is a unique zone.

Mr. Cocker stated while the lots have been surveyed but not registered, there are bylaws in place to manage development.

Resolution MA-LTC-41-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct Planner Richardson to amend Work Project Item 3 for the review of Mayne Island Holding Corporation regarding accessory buildings.

CARRIED

8.2 Correspondence from David Howe regarding Economic Development Commission representation

The Mayne Island Local Trust Committee had asked that a formal request be made by the Southern Gulf Islands Economic Development Commission for a Mayne Island representative.

Mr. Howe's letter indicated that Brian Deardon, of Mayne Island, is currently on the Commission and there is no need for another representative at this time.

There will be further discussion regarding this item at the December LTC meeting.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 2013-10 04 Islands Trust Council Referral of Strategic Plan to LTC

Regional Planning Manager (RPM) Kojima spoke to the referral from Trust Council to Trustees to elicit input from all LTCs regarding the Strategic Plan.

Trustee Crumblehulme questioned compliance with Riparian Area Regulations and if funds and time are available to meet requirements.

RPM Kojima stated there is budget money for this year and some funds in the budget for next year.

Trustee Dodds raised the question of the Marine National Conservation Area and that there had been no further action by the Federal Government at this time.

Trustee Crumblehulme also questioned the progress on this item.

Chair Luckham stated that input from LTCs had been sent to the government over the past few months and it is not expected that anything will happen until next year.

9.2 Referral – Galiano Bylaw No. 241

Resolution MA-LTC-42-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to advise Galiano Local Trust Committee that Mayne Island Local Trust Committee interests are not affected by Bylaw No. 214.

CARRIED

9.3 Referral-Salt Spring Island LTC Bylaw No. 470

Resolution MA-LTC-43-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to advise Salt Spring Island Local Trust Committee that Mayne Island Local Trust Committee interests are not affected by Bylaw No. 470.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Secondary Suites Report and Draft Bylaws No. 159 and 160

Planner Richardson spoke to the items within these two draft bylaws.

Trustee Dodds questioned that large lots, which allow for a residence and a cottage, would be excluded from having both a cottage and a secondary suite.

Trustee Crumblehulme stated that this could be clarified by specifying a lot size that would allow for both a cottage and secondary suite.

There was discussion regarding water catchment and storage.

Trustee Crumblehulme questioned regulating allowable Home Occupations.

Trustee Dodds clarified that intent is to not allow a secondary suite to be then turned into a bed and breakfast.

Planner Richardson stated that a bylaw could specify a suite to not be used as a bed and breakfast.

Chair Luckham requested clarification as to the three items to be reconsidered and whether these items are LUB or OCP considerations.

Planner Richardson stated that all three items are within LUB.

Chair Luckham asked that staff to consider the discussion and return with an amendment to the draft bylaws.

Planner Richardson suggested that amended draft bylaws could be considered under a RWM, go to first reading and then be referred to appropriate agencies.

Further discussion clarified that most water districts have opted to not allow secondary suites, amended bylaws could be resent to water districts in first reading form, and that water catchment requirements could be adjusted.

Resolution MA-LTC-44-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to revise Draft Bylaws 159 and 160 that no secondary suites be permitted on lots, where a cottage is constructed, where the lot is less than 4 hectares.

CARRIED

Resolution MA-LTC-45-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to forward the amended draft Bylaws 159 and 160 after first reading by Resolution-without-meeting to the Mayne Island Advisory Planning Commission and the appropriate agencies.

CARRIED

Resolution MA-LTC-46-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to schedule a Public Hearing for draft Bylaws 159 and 160.

CARRIED

10.2 Riparian Area Regulations

Planner Richardson spoke to this long-term item and stated that there had been a number of legal opinions and reports as to the situation for Mayne Island.

There had been a motion in 2012 to adjust setback to 5 meters.

There was discussion as to the status of other islands.

Trustee Dodds stated that there had been a number of reports, citing no fish on Mayne Island and that there should be no further action on this item.

Resolution MA-LTC-47-13

It was Moved and Seconded that Mayne Island Local Trust Committee proceed no further regarding implementation of Riparian Area Regulations.

CARRIED

Chair Luckham Opposed

Trustee Dodds spoke to the expense and efforts put forth to date on this item; there are no fish in water courses and there has been no indication of need for regulations from the community.

Trustee Crumblehulme stated that set backs are adequate and reviewed a letter from Ian Dow on behalf of the Land Owners Coalition.

Chair Luckham spoke to the importance of protecting habitat and feels the Riparian Area Regulations (RAR) is structured to protect fish habitat and therefore he was not in favour of the motion. He also stated that noncompliance with Provincial regulations could be detrimental to the LTC and Islands Trust.

There was extensive discussion as to RAR.

Resolution MA-LTC-48-13

It was Moved and Seconded that Mayne Island Local Trust Committee Chair write to the Ministry of Forest, Lands, and Natural Resource Operations stating the Mayne Island Local Trust Committee is not proceeding with implementing the Riparian Area Regulations due to frustrations with the lack of clarity and contradictory information of the regulations, with copies to Members of the Provincial and Federal Legislature and Land Owners Coalition.

CARRIED

Note – There was a break at 2:45 pm.

Note – The meeting reconvened at 3:00 pm.

11. REPORTS

11.1 Work Program Reports

11.1.1 Work Program Report dated October 2013

Regional Planning Manager Kojima stated that in consideration of the resolution MA-LTC-48-13 regarding RAR, #1 on Priority list could be removed.

Resolution MA-LTC-49-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to remove Item 1 – Implementation of Riparian Area Regulations from top priorities.

CARRIED

There was discussion as to impact on financial status as monies had been allocated to this project.

After discussion as to priorities and projects, it was determined that Item 2 – Housing Options: Secondary Suites would be moved to Item 1 and Item 3- OCP and LUB amendments would become Item 2.

11.2 Applications Report

11.2.1 Applications Report dated October 2013

Planner Richardson stated that the needs assessment is underway for the Oceanwood rezoning application and there have been approximately 500 responses to date. The report is due Nov. 15 and this will be on November meeting agenda along with the staff report.

Planner Richardson spoke to an application from the Mayne Island Resort for a Temporary Use Permit (TUP) to allow expanded use of the existing dock. There will be a Community Information Meeting in February.

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report September 2013

Received for information

11.4 Bylaw Enforcement

11.4.1 Memo re: STVR Files

Bylaw Enforcement has stated that there are four (4) open files.

Discussion addressing the issues of internet advertising, enforcement of bylaws, TUP's, and that Short Term Vacation Rental's (STVR's) may no longer be operating, but still appear on connected web sites.

Trustee Crumblehulme questioned the status of the existent STVR/ TUP.

Planner Richardson stated that the operator had been notified of the October 2013 expiration of the permit, and the need to apply for re-approval but had not heard back at this time.

11.5 Adopted Policies and Standing Resolutions

Received for information

11.6 Mayne Island LTC Web Page

The Mayne Island home page can be found at www.islandstrust.bc.ca/islands/local-trust-areas/mayne.

Regional Planning Manager (RPM) Kojima stated that changes could be directed through Planner Richardson or by using the feedback form on the web page.

11.7 Chair's Report

Chair Luckham informed the LTC that the next Trust Council is in December in Victoria. The Islands Trust budget is underway. Chair Luckham is also taking active steps to increase awareness and understanding of First Nations issues, concerns, and relationships with Islands Trust.

11.8 Trustee Report

Trustee Dodds reported that the Southern Gulf Islands Trustees met on Oct. 29. There is a web page being developed to address questions: e.g.: "Who do I contact...?" She also stated that there was a very good mapping presentation which will be on the web shortly. The topic of fallow deer was introduced as a number of islands are now experiencing this issue.

Trustee Crumblehulme thanked RPM Kojima for setting up the meeting for the trustees. Broadband is moving slowly forward and there has been positive feedback from the province as to development of internet access for the islands. The community bus is active and there are two (2) studies underway. The BC Transit report is expected in November.

12. **OTHER BUSINESS**

12.1 Memo from R. Kojima re: Emmett

RPM Kojima reviewed the history of the jetty and Planner Richardson has confirmed the options available from the Ministry.

It was confirmed that the LTC cannot hold land and while the site could be designated as a heritage site, the owners would still be responsible to pay the tenure.

The Emmetts are concerned as to possible dismantling of the jetty, impact on the area, and are very keen to maintain the historical site.

There was further discussion as to the options available.

The LTC appreciates the historical significance and encouraged the family to purchase the sea wall.

The Emmetts expressed appreciation for the LTC efforts to date.

12.2 Proposed 2014 Mayne Island LTC Meeting Schedule

The Trustees questioned the time gap between the November and February meetings; however, it was stated that a Special Meeting could be called if necessary.

Resolution MA-LTC-50-13

It was Moved and Seconded that Mayne Island Local Trust Committee approve the Mayne Island Local Trust Committee Schedule as presented.

CARRIED

12.3 Deer Management

Trustee Dodds, who is a member of the Deer Committee, reviewed the community actions to date. There is a request for LTC support of a fallow deer eradication plan as this problem has now spread to other islands. To date, the Provincial Government has taken no responsibility and there is significant environmental impact by these deer.

Resolution MA-LTC-51-13

It was Moved and Seconded that Mayne Island Local Trust Committee support the concept of long-term eradication of fallow deer on Mayne Island..

CARRIED

Trustee Dodds left the meeting due to a perceived conflict of interest at 4:00 pm.

There was discussion as to information required to form a credible plan for eradication. There are biological reports available.

Chair Luckham suggested a request be made for a proposal on eradication of fallow deer.

Resolution MA-LTC-52-13

It was Moved and Seconded that Mayne Island Local Trust Committee authorize a request for a proposal on eradication of fallow deer on Mayne Island not to exceed \$2,000.00 to be expended from the Local Trust Committee Project Budget.

CARRIED

Trustee Dodds rejoined the meeting at 4:05 pm.

Chair Luckham reported to Trustee Dodds as to the resolution.

Resolution MA-LTC-53-13

It was Moved and Seconded that Mayne Island Local Trust Committee add the fallow deer eradication plan as Work Plan Item #3.

12.4 Upcoming Meetings

The next Mayne Island Local Trust Committee meeting will be held November 27, 2013, at 1 pm. at the Mayne Island Agricultural Hall.

12.5 IT Oil Spill Prevention Advocacy

Trustee Crumblehulme requested that Sheila Malcolmson, chair of Islands Trust, be invited to present information to community on this topic.

Resolution MA-LTC-54-13

It was Moved and Seconded that Mayne Island Local Trust Committee invite Sheila Malcolmson to attend a Public Information Meeting in regards to oil spill prevention and preparedness advocacy.

CARRIED

13. TOWN HALL MEETING

Chair Luckham invited comments from the public.

Barry Wilks: very pleased with the discussion regarding RAR. He spoke to the history of Horton Bay and efforts that had been made to introduce salmon to the waterway. After three attempts and failures he is convinced it is a futile project. It is felt that Islands Trust has a responsibility to protect the community and in that sense protect the community from imposition of provincial regulations that do not make sense for individual islands.

David Maude: In November there will be an announcement as to whether the Lighthouse has been designated as a heritage site. It met all the criteria except for age.

Heather Dow: expressed appreciation to Trustee Dodds for bringing the issue of fallow deer to the LTC. Much more information has gone out to the community and there is a better understanding of invasiveness of this species.

There was discussion of the provincial/federal support to eradicate invasive species. The Ministry of Agriculture created the fallow deer problem but takes no ownership of issue.

The survey from Islands Trust regarding the Oceanwood rezoning application did not have the "Island designation in the address.

Staff reported that addresses came from BC Assessment database.

14. ADJOURNMENT

Chair Luckham declared the meeting adjourned at 4.23 p.m.

RECORDER

CHAIR