



ADOPTED

Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: July 31, 2023
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

Members Present: Tobi Elliott, Chair
David Maude, Local Trustee
Jeanine Dodds, Local Trustee

Staff Present: Stefan Cermak, Director of Planning Services
Charly Caproff, Planner 1
Pat Todd, Recorder

Others Present: Paul Brent, Capital Regional District (CRD) Electoral Area Director for the Southern Gulf Islands
There were four (4) members of the public present.

1. CALL TO ORDER

Chair Elliot called the meeting to order at 1:30 p.m. She acknowledged that the meeting was held on the territory of the Coast Salish First Nations. Introduced Capital Regional District Director (CRD) Paul Brent.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 13.3 New Business: CRD Archeologist - correspondence

By general consent, the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Pat Todd noted the recent passing of Rich Tamboline who had been an islander for 39 years, CRD Director for 1 term, LTC Trustee for 2 terms, and long time Chair of the Advisory Planning Commission (APC).

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Minutes Dated June 26, 2023

The following amendments to the minutes were presented for consideration:

- Change the last sentence: to add Addie Elliott as one of three carvers on Page 5 of minutes, 13.7 in Trustee Maude's report.

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-without-meeting Report - None

6.3 Advisory Planning Commission Minutes - None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated July 2023

- Discussion regarding Bylaws 181 and 183 status
- Wood Dale Drive – seeking legal opinion on red zone

8. DELEGATIONS - none

9. CORRESPONDENCE

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

10. APPLICATIONS AND REFERRALS

10.1 Saturna Island Local Trust Committee SA-ALR-2023.1 Application Referral

MA-2023-040

It was Moved and Seconded,

that the Mayne Island Local Trust Committee interests are unaffected by Saturna Island Local Trust Committee SA-ALR-2023.1 application.

CARRIED

Discussion regarding inter-island referrals and Policy of Trust Council:

- Planner could assess if there might be an impact
- Director Cermak added Trust Policy is specific for zoning changes and LTC notification

10.2 MA-DVP-2023.6 (Lafond)

Planner Caproff reviewed the application for a variance regarding maximum square footage of a cottage. Proposed building has a small footprint (relative to the size of the lot), is adequately screened, not visually intrusive and meets all other zoning regulations. One neighbour is opposed.

Discussion:

- No increase in density
- Not against Official Community Plan (OCP)
- Parcel is over 22 acres
- Well removed from neighbours
- Well thought out plan
- Allows for intergenerational living situation

MA-2023-041

It was Moved and Seconded,

that the Mayne Island Local Trust Committee approve issuance of MA-DVP-2023.6 (LaFond).

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 OCP/LUB Minor Amendments

Reviewed the approval process: if adopted, the changes will be sent to the Executive Committee (EC), if approved by the EC they will be referred to the Ministry of Municipal Affairs.

Discussion:

- The LTC intends to evaluate the height of accessory buildings not the size
- Trustee Maude asked if the zoning of the Wood Dale Drive red zone could be changed to restrict people from living in the rock fall area
 - Legal opinion forthcoming
 - Requested a meeting with CRD water district and bylaw enforcement
 - Staff recommended that issues related to the red zone should not be added to the work program for OCP/LUB review. The LTC could revisit this issue as a separate matter
- Trustee Maude proposed a change to allow wood sheds within set backs
 - Discussed definition of accessory buildings
 - Water tanks and storage allowed
 - Define which structures should be permitted within setbacks
- Personal water craft are defined within the Land Use Bylaw (LUB), but is this necessary? Trustee Maude proposed that the LTC consider deregulating
- Hornby OCP bylaw notes that if someone is planning a major rezoning, they are to speak with their neighbours first. Trustee Dodds would like to include something like this in the Mayne Island bylaw
- First nations acknowledgement
- BC Ferries property is currently under a temporary use permit, as the property is currently zoned residential
 - No application to date regarding rezoning to Commercial or split zone
 - Correct zoning for B.C. ferries commercial use, and for “potential community use”

MA-2023-042

It was Moved and Seconded,

that the Mayne Island Local Trust Committee approve the Project Charter, as amended for the 2023 Mayne Island Official Community Plan and Land Use Bylaws Minor Amendments Project.

CARRIED

11.2 Housing Options Project

Discussion

- Moving into phase 2
- Application for Housing Acceleration Fund is in progress
- Should LTC approve the business case, it will be forwarded to EC for approval to finalize
- Budget is sufficient
- A lot of work already completed

MA-2023-043

It was Moved and Seconded,

that the Mayne Island Local Trust Committee endorse the attached business case for the Mayne Island Housing Options | Phase 2) and that staff forward the business case to the relevant committees and to Trust Council.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Active Projects Report Dated July 2023 – to be updated

12.1.2 Future Project List Report Dated July 2023

Discussion:

- Question of including Wood Dale Drive
- Foreshore education communications package
 - Lot of interest in clarifying authority and uses with regards to shoreline protection
 - Existing literature from executive committee package can be used
 - Interest in doing a mail out
 - 400 lots on waterfront
 - Information package should cover what you can and cannot do and help property owners understand their impact on the ocean
 - Major and Minor Projects have already been identified
 - Can be taken on by regional planning committee instead
 - Trust wide issue
 - Work with Mayne Island Conservancy – would they do brochure?

12.2 **Applications Report Dated July 2023** – received for information

12.3 **Trustee and Local Expense Report Dated May 2023** – received for information

12.4 **Adopted Policies and Standing Resolutions** – received for information

12.5 **Local Trust Committee Webpage** – will be updated upon conclusion of meeting

12.6 Chair's Report

Chair Elliott reported on:

- Attended a meeting with Conservancy and EC. There will be a second meeting to discuss First Nations Liaison and Bylaw referrals process. Spoke of adding an ecologist or biologist to staff to help with land use planning
- Active with Culturally Committed, an organization with a focus on providing culturally safe health care to indigenous peoples
- Lasqueti OCP review undertaken by community. Interesting process
- The Housing Tool is a valuable resource and on line now.
 - There was some discussion about the need to look at rural vs. urban solutions and funding needed from the provincial government
- Letters have been drafted for First Nations leaders and governments. Need to set up meetings and build face to face interaction.

12.7 Trustee Report

Trustee Maude spoke to the recent passing of a number of individuals:

- Rich Tamboline
- Pat Carney (resident of Saturna Island, Past Senator) who was instrumental in the island obtaining heritage preservation status for the lighthouse
- Pat Gasston, active in the Church and many community organizations
- Glen McLeod, island Realtor and very active in community
- John Bianchin, another well known figure on Mayne Island

Trustee Dodds met recently with Sargeant Lee, RCMP Detachment, and they discussed:

- The mandates of LTC and CRD
- Discussed problem areas and issues such as speeding and drinking and driving
- Sargent Lee is encouraging officers to spend time on the detachment islands to increase visibility.

Trustee Dodds also reported on the Fallow Deer management plan:

- A comprehensive Management Plan has been developed and will be going to CRD soon and possibly Provincial Agencies
- Looking for funding from Ministry of Wildlife. Important to work with First Nations as partners
- Encouraged by Chair Elliott to forward document to IT Conservancy

12.8 Electoral Area Director's Report

Director Brent spoke of the focus on housing:

- Difficult for rural areas to qualify for existent programs
- Looking at legislation to permit trailers and RVs for housing, which is happening anyway.
- Interested in building on a smaller scale
- Galiano had a number of cabins donated which are being moved to the island for housing

- CRD Building Inspection creating higher costs, need to work with the province on this
- Current message to Province is to be more flexible

Chair Elliot spoke to a pending letter to CRD Director Brent which would address the siting and use permitting process used on Denman and Hornby Islands. So far, the LTC has received a lot of support from the other southern gulf islands to explore these building alternatives.

- CRD Director Brent acknowledged the request
 - Mayne Island could be a pilot project
 - All islands supportive except Galiano at this time
 - Item will go before Executive Secretary tomorrow

12.9 Islands Trust Conservancy Report

Chair Elliott reported that Risa Smith is the new Chairperson for the Board of IT Conservancy, Lisa Gauvreau (Trustee Galiano) was elected as the 2nd. Trustee to the Board and Charles Kahn is the new ministerial appointee. Linda Adams is no longer on the Board.

13. NEW BUSINESS

13.1 Mayne Island LTC Freedom of Information and Protection of Privacy Bylaw No. 192

MA-2023-044

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Bylaw No. 192, cited as “Mayne Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 192, 2023”, be adopted.

CARRIED

13.2 Bylaw Enforcement

Trustee Maude summarized a point raised by Bylaw Enforcement during a Denman Island LTC Meeting. The LTC could adopt an enforcement policy that requires Bylaw Officers to seek approval from the LTC before pursuing legal action, including the use of bylaw notices.

Director Cermak reviewed the current process:

- Noted majority comply
- With the current policy, If the property owner disputes a fine during the adjudication process, the LTC would be approached by Bylaw officers to ask whether they want to continue to pursue the matter
- Could amend Schedule A to change the point at which the LTC is brought into the bylaw enforcement notification process
- Staff could report back to the LTC as to options

Discussion:

- Greater Involvement in Bylaw enforcement could complicate interpretations of infractions objectively vs. subjectively. The current process avoids conflict of interest
- Trustee Maude proposed that bylaw officers could approach the LTC before issuing a ticket
- Email notification would be easiest
- Review options to modify the Bylaw Enforcement Notification (BEN) Bylaw
 - Case by case resolution
 - Summarize issues and submit options for solutions
 - Simplest option is to eliminate BEN except for Short Term Vacation Rentals
- Director Cermak recommended retaining as many bylaw enforcement options as possible

MA-2023-045

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to provide a report in regards to consider adopting an enforcement policy that requires Bylaw staff to seek approval of all legal action, including the use of Bylaw notices.

CARRIED

Chair Elliott added that a number of issues may be addressed through the LUB amendments. Chair Elliot was hesitant to ask staff to prepare further reports.

13.3 CRD Archaeologist - Correspondence

MA-2023-046

It was Moved ad Seconded,

that the Mayne Island Local Trust Committee invite Shauna Huculak to participate in person, or by zoom, in a regular Local Trust Committee meeting to present information regarding the Capital Regional District archaeological policy and practices

CARRIED

Trustee Dodds met with the CRD regarding Cotton Park and had a discussion regarding trees. The archaeological review was very informative. They felt it was important to balance efforts. There are other parks with archaeological significance.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for September 25 at the Agricultural Hall, Mayne Island

15. TOWN HALL

Rachel (DVP applicant) expressed appreciation for efforts of LTC and found the meeting very educational. It was nice to hear what's happening on island.

16. CLOSED MEETING

16.1 Motion to Close Meeting at 3:20 pm.

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (d)(f) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated March 27, 2023 and May 29, 2023
- Bylaw Enforcement

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

Regular LTC recalled at 3:32 pm.

16.3 Rise and Report

Chair Elliott reported on adoption of minutes for March 27, 2023 and May 29, 2023.

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:33 pm.

Tobi Elliott, Chair

Certified Correct:

Pat Todd, Recorder