

Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: September 25, 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: Narissa Chadwick, Island Planner
Charly Caproff, Planner 1 (electronic)
Warren Dingman, Bylaw Compliance and Enforcement Manager (electronic)
Pat Todd, Recorder

Others Present: Shauna Huculak, Capital Regional District (CRD) Archaeology Manager, First Nations Relations (electronic)
Justine Starke, CRD Manager, Southern Gulf Islands Service Delivery (electronic)
Paul Brent, CRD Electoral Area Director for the Southern Gulf Islands
There were sixteen (16) members of the public present.

1. CALL TO ORDER

Chair Elliott 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. Chair Elliott read from a section of the Policy Amendment Project called "Truth Precedes Reconciliation" by Lisa Wilcox. She stressed the importance of stewardship of the lands and water for future generations. She stated that Islands Trust is committed to doing better at forming interconnected relationships with First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 13.3 New Business Discussion of lot line changes

By general consent, the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Tim Mackie: spoke to the Oceanwood application:

- Questioned the amenity zoning guidelines
- Noted the opportunity to provide some affordable housing.
- Believed it was too early to turn down application and would like to explore possibilities

Carsten Peterson: noted that the Oceanwood application mentions staff housing, but clarification is needed. Would the housing be available to Oceanwood staff and/or general population?

Speaker: was concerned about running out of water. They wanted to know if the Islands Trust is looking at retention options e.g. reservoir.

- Water is addressed through Capital Regional District (CRD) Building Permits
- CRD Electoral Area Director Brent noted that rainwater catchment is included in the building permit, but it is not specific about what to do with it
- The majority of housing on Mayne Island has already been built
- Education is critical
- Could consider adding requirements for how rainwater is to be used to land use bylaw changes

Marc Tremblay:

- Is currently building a secondary suite
- Water catchment bylaw is ambiguous
- Issue is enforcement
- Not clear is the water needs to be potable
- Encouraged Islands Trust to identify what to do with water

Speaker: observed that there needs to be flexibility about how the rainwater is used if the LTC were to change the bylaws about rainwater catchment requirements.

Thomi Glover: requested clarification from LTC about the statement regarding Mayne Island being “built out”. The speaker asked for more clarification beyond water issue for Air BnBs and secondary suites, as they increase density.

Local Trust Committee (LTC) has strong policies as to Short Term Vacation Rentals. The LTC advised that questions or complaints regarding legality of Air BnBs should go to Bylaw Enforcement.

Tim Mackie: spoke to the Statistics Canada information in agenda package:

- Mayne Island third most dense
- At build out, yet need more housing
- Official Community Plan (OCP) to identify where builds could occur
- Flexible Housing Initiative allows for more accommodation with smaller foot prints

- Island Planner Chadwick noted that the Suitable Land Analysis Initiative will produce data that can help identify areas that would be suitable for higher density
- Work being done Trust wide
- The project will be moving forward in the spring
- Working with the CRD to apply for the housing accelerator fund

John Glover: asked whether the LTC could look at Oceanwood for flex housing

- The Oceanwood site is zoned commercial, so it is not an ideal location
- Flex housing should be near community resources

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Mayne Island Local Trust Committee Regular Meeting Minutes Dated July 31, 2023

The following amendments to the minutes were presented for consideration:

- Pg. 6 third bullet, second point: change Saturna to Galiano
- Pg. 6 12.9 to read: Chair Elliott reported that Risa Smith is the new Chairperson for the Board of Islands Trust 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.

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 September 2023

Island Planner Chadwick noted that Wood Dale discussion has been added as an agenda item.

- Letter to RCMP (16.3) to be removed
- New Sergeant
- Many issues are civil disagreements not legal and it is felt that RCMP are aware of concerns and issues.

8. DELEGATIONS

8.1 Shauna Huculak re CRD's Archaeology Policy and Practices

CRD Manager Justine Starke introduced Archaeology Manager Shauna Huculak and expressed appreciation for opportunity to present to the LTC.

Presentation Points:

- Taught by First Nations families and communities

- CRD 2020 Heritage Protection Policy was adopted to reduce risks and harms to archeological sites within the CRD
- Huculak provides training to staff and contractors which helps to identify previously unknown sites
- In the case of “Chance finds” Huculak will notify First Nations, Province, and register site
- Helps Southern Gulf Islands teams to:
 - Develop and refine guidelines
 - Identify sites
 - Work co-operatively with First Nations
 - Minimize impact
 - Heritage management
 - Develop best practices and stewardship
 - Promote awareness and protection of areas
- Part of the CRD’s commitment to reconciliation
- Meets with First Nations communities regularly
- Gulf Islands have some of the most pristine archaeological sites in province
- Here to help
- Currently involved in pathway realignments, stairways, identifying resources, and field visits with First Nations

A question was raised about the alignment of Islands Trust and CRD Policy.

Islands Trust has CRD Policy and work is underway to bring together. Both parties are talking and sharing best practises.

Trustee Dodds referred to a Tour of Cotton Park Provided by Starke and Huculak and reported on her: increased understanding of the Archaeological Act; increased understanding of why it is important not to disturb the shoreline area; importance of education.

The province organized an inventory of middens in the 1970s. There are sites online for Planners and Archaeologists to refer to, however the information may be dated. The location of sensitive sites is kept quiet to prevent being destroyed by public.

Currently updating Heritage Conservation Act.

LTC raised a concern about how to work effectively with many Nations with individual structures and levels of trust. Huculak emphasized that it is Important to bring forward each project to First Nations. The CRD has a First Nations Relations page on website for information.

There was a discussion about the removal of danger trees in Cotton Park. LTC proposed that arborists exercise more caution in the future.

The public can find more information on the First Nations Relations page on the CRD website.

LTC expressed appreciation for presentation and information received.

9. CORRESPONDENCE

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

10. APPLICATIONS AND REFERRALS

10.1 MA-RZ-2023.1 (Blaney)

Planner Caproff reviewed the rezoning application for the property known as Oceanwood. Staff received a letter from the Village Point Improvement District, which raised concerns about the potential water demand. Mayne Island Parks and Recreation Commission have not been consulted to date.

The applicants spoke to the steps taken to-date:

- Planning on water catchment
- Looking at desalination
- Expectation is that proposed dwellings would lessen water demand of the past
- Barn is designated as a community space for events, commercial kitchen, and possible café or restaurant
- Spoke with one of two neighbours bordering the property and believed they were fine with it
- The other neighbour had begun a petition within neighbourhood which expressed opposition, so they felt not further consultation was needed.

The property owner's designer Robert Blaney spoke to:

- Plan is for small buildings, private and less intrusive to land than large existent buildings.
- Interested in providing housing for staff
- Have implemented desalination plants in the past
- Have been using rainwater collection for toilets in other properties they've worked on

Discussion:

- Planner Caproff provided the applicants with information and options on the amenity contribution requirement of their application prior to the LTC meeting
- The LTC believed it was too early in the process to decline the application
- The LTC advocated for the applicant hosting their own Community Information Meeting to help the LTC understand what the community wants
- With regards to the applicant's plans for the Barn, the LTC was not convinced that Mayne island needs another community space and restaurant
- The LTC emphasized the position that Mayne Island needs affordable housing
- The LTC advised the applicant that the existing plan with regard to water will not get approved at the provincial or Trust Council level
- The LTC supports new development on the Oceanwood property
- The owners of the property stated that they have no intention of putting affordable housing on the property

- The applicant agreed that they will need to meet with the water association and come up with a plan to mitigate the community's concerns about water usage
- The LTC encouraged the applicant to consider engaging with first nations at this early stage in the process

MA-2023-047

It was Moved and Seconded,

that Mayne Island Local Trust Committee request that prior to proceeding further, the applicant consult with surrounding neighbours, host a Community Information Meeting, provide their feedback to the Local Trust Committee for consideration, identify additional options for amenity contribution and water management, and explore archaeological potential.

CARRIED

10.2 MA-DVP-2023.5 (Girouard)

Planner Caproff spoke to the application for a height variance. One neighbour was opposed. Staff support the application due to the challenging site topography.

Applicant Robert Begrand attended the meeting and reviewed the existent Bylaw issues.

Chair Elliott expressed appreciation for the Green Shore Plan.

MA-2023-048

It was Moved and Seconded,

that Mayne Island Local Trust Committee approve issuance of MA-DVP-2023.5 (Girouard).

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Land Use Bylaw Review

Island Planner Chadwick reviewed the Bylaw document. There was consensus that the report be forwarded to the Advisory Planning Commission (APC).

Discussion:

- OCP changes requires approval from the Province, which makes it a slower process, while Land Use Bylaw (LUB) changes can be completed more quickly
- Housing Project will require OCP and LUB review and changes
- Some items need further discussion
- Important that analysis of proposed changes have context
- Discussion and consultation with First Nations will occur with Housing Project
- There was some debate about the definition of a seawall and whether LUB changes could address issues of seawall siting
- Island Planner Chadwick proposed that issues related to foreshore sustainability could be addressed by the Regional Planning Committee
- The LTC considered whether the LUB should specify appropriate uses for rainwater catchment.

- Appropriate use of rainwater could be decided by the CRD or it could be included in the housing project
- Island Planner Chadwick encouraged the LTC to provide a deadline for the APC to provide feedback
- With the expected timelines, the draft bylaw amendments are to come back to LTC end of January or February

MA-2023-049

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff to refer to the Advisory Planning Committee the September 25, 2023 staff report, with the exception of those items beyond the scope of the project, and request that the Advisory Planning Commission provide recommendations no later than November 13, 2023.

CARRIED

MA-2023-050

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff to add to the Mayne Islands Local Trust Committee's Housing Options Project rezoning, to permit multiple dwelling units, of the portion of the Capital Regional District's land in the Upland zone at the end of Wooddale Drive that the Capital Regional District has identified as "surplus land".

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Active Projects Report Dated Sept 2023 - Received for information

12.1.2 Future Project List Report Dated Sept 2023 - Received for information

12.2 Applications Report Dated Sept 2023 – Received for information

12.3 Trustee and Local Expense Report Dated July 2023 – Received for information

12.4 Adopted Policies and Standing Resolutions – Received for information

12.5 Local Trust Committee Webpage – will be update at conclusion of meeting

12.6 Chair's Report

Chair Elliott spoke of the recent Union of British Columbia Municipalities (UBCM), held in Vancouver. Of significant interest was Shared Path of Reconciliation. MLA Olsen and key members of staff were in attendance. Noted discussions as to how best to meet principles and parameters of Provincial laws. Islands Trust hosted a breakfast with focus on building relationships. Islands Trust Council starts September. 26 on Pender Islands. Trust Council's focus will be on "setting a vision" and the values of the community.

At 4:00 pm. Chair Elliott left the meeting temporarily and Trustee Dodds assumed Chair.

12.7 Trustee Report

Trustee Maude stated UBCM was very interesting. He had the opportunity to speak with Minister of Highways and Minister of Health regarding issues on Mayne Island.

Trustee Dodds reported on the draft management plan for fallow deer. The focus of the plan is on education. Carl Olsen, a lead hunter on Sidney Island, gave a lot of practical advice. The next meeting is on October 2, 2023. The committee is looking to engage Tsartlip Band.

Trustee Dodds stated that there have always been water issues and the biggest problem is aging infrastructure. Trustee Dodds added that if water districts would allow secondary suites and charge for 2 hookups, it would be a better way of managing water issues than the LTC regulating rainwater usage.

12.8 Electoral Area Director's Report

CRD Electoral Area Director Brent stated that there was \$2,750,000.00 for affordable housing and Galiano received a large portion of these funds. Regarding the presentation from Archeological Manager Huculak, Director Brent added that Shauna knows the balance between importance of archaeological sites and current existence.

12.9 Islands Trust Conservancy Report - None

13. NEW BUSINESS

13.1 Census Infographics – received for information

13.2 Wooddale Drive

Island Planner Chadwick explained that Islands Trust has been talking to the CRD about the building permit process. There was an agreement made that water district to make sure there are no water hookups where they should not be happening.

Discussion:

- Noted that plans are still underway for a meeting of various agencies and jurisdictions
- There is a need to identify specific issues
- Need for CRD Building Permit office to speak with water district regarding water hook-ups
- Province allowed subdivision – look at changing zoning

Planner Chadwick's interpretation of the Local Government Act is that there isn't any specific liability related to the existence of the zoning and the decision to not enforce in that area. CRD Electoral Area Director Brent commented that the CRD just passed a policy of non-enforcement on recreational vehicles that use a quick-connect setup to access services.

MA-2023-051

It was Moved and Seconded,

that Mayne Island Local Trust Committee ask staff to explore changing the residential zoning on Wood Dale Drive within the classified Red Zone.

13.3 Lot Lines

The LTC initiated a discussion on a situation where two neighbours purchase an empty lot and spilt the land, thereby reducing the density. There was a question as to whether this situation would allow for a second accessory building. Planner Chadwick advised that this would have to be addressed with site-specific zoning. The LTC agreed that further discussion required.

Chair Elliott rejoined meeting at 4:20 pm.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for October 30, 2023 at the Agricultural Hall, Mayne Island

15. TOWN HALL

Jacquie Burrows: spoke to the previously discussed rezoning application and stated that there was no petition and their information on the application was collected online. There have been discussions between neighbours. The proposal is vague and needs more detail.

John Glover: added to the discussion about the rezoning application. They believe the information presented is questionable, particularly the number of parking spaces.

16. CLOSED MEETING

16.1 Motion to Close Meeting

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 July 31, 2023
- Bylaw Enforcement Policy Options

AND that the recorder and staff attend the meeting.

The meeting was closed at 4:35 pm. for LTC to go In-Camera.

16.2 Recall to Order

The regular LTC meeting was recalled to order at 4:57 pm.

16.3 Rise and Report – no reports

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:58 pm.

Tobi Elliott, Chair

Certified Correct:

Pat Todd, Recorder