

Mayne Island Local Trust Committee Minutes of Regular Meeting

Date: October 7, 2024

Location: Electronic Meeting

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

Staff Present: Narissa Chadwick, Island Planner
Phil Testemale, Planner 2
Warren Dingman, Bylaw Compliance & Enforcement Manager
David Worthington, Bylaw Compliance & Enforcement Officer
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were fourteen (14) 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 being held in the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

13.2 Fallow Deer Letter

By general consent, the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

- A member of the public spoke to the continued illegal operation of a short-term vacation rental despite numerous bylaw contravention complaints and ongoing concerns about noise and excessive water use. The speaker noted they have been informed additional enforcement actions are forthcoming and asked what residents can do to help stem short-term vacation rental operations.
 - Bylaw Compliance and Enforcement Manager Dingman replied as follows:
 - Enforcement at the property has been ongoing since 2020
 - Fines have been paid and additional penalties issued
 - The property owner recently signed a compliance agreement to cease operation
 - Community members can continue to submit bylaw complaints about short-term vacation rentals directly to Bylaw Compliance and Enforcement through the website or to the Local Trust Committee

- A member of the public asked if Provincial Bill 44 would levy stricter penalties for illegal operation of short-term vacation rentals
 - Bylaw Enforcement and Compliance Manager Dingman noted that if the Province chose to conduct enforcement on the Gulf Islands the Province could issue fines in excess of local penalties
- A member of the public asked how short-term vacation rentals affect the rental housing shortage
 - Island Planner Chadwick indicated impacts are difficult to measure

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Minutes Dated July 29, 2024 (for Adoption)

By general consent the Mayne Island Local Trust Committee meeting minutes of July 29, 2024 were adopted.

6.2 Section 26 Resolutions-without-meeting Report Dated Sept 2024

Received for information.

6.3 Advisory Planning Commission Minutes - None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated Sept 2024

Received for information.

8. DELEGATIONS - None

9. CORRESPONDENCE

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

10. APPLICATIONS AND REFERRALS

10.1 MA-DVP-2023.7 (Seymour) - Staff Report

Island Planner Chadwick summarized the staff report and highlighted the following:

- Development Variance Permit is for construction of two retaining walls and reconstruction of stairs within property line setbacks
- Designs have been approved by Ministry of Transportation and Infrastructure
- Bank stabilization work being done prior to winter rains is a factor for consideration

Applicant was in attendance and spoke to the application.

Discussion ensued and the following comments were noted:

- Slope has become a public safety issue therefore Trustees feel there are limited options but to approve the variance
- Initial work was undertaken without permits
- Trustees asked if there will also be retaining walls built on the opposite side of the road as early signs of destabilisation, due to removal of all vegetation and trees, is evident
 - Geotechnical professional responsible for the stabilization of the slope on the water side of the road indicated the bank on the opposite side of the road was left in its current condition by Ministry of Transportation and Infrastructure several years ago however they will provide an update on concerns raised about the opposite bank with the owner and contractor.

MA-2024-053

It was MOVED and SECONDED

that Mayne Island Local Trust Committee approve issuance of MA-DVP-2023.7 (Seymour).

CARRIED

10.2 MA-DVP-2024.3 (Bacchus) - Staff Report

Planner Testemale summarized the staff report and highlighted the following:

- Development Variance Permit is for a boulder seawall built within the setback to the natural boundary of the sea for the purpose of preventing further erosion
- Fill and grass planting has been put in place behind the seawall
- Applicant stated they were unaware of necessity to obtain a permit

Discussion ensued and the following comments were noted:

- Work done by the applicant was to repair seawall built many years ago by a previous property owner
- Letters of support have been received from neighbours
- Repairing the seawall will be ongoing and professional advice should be obtained to determine if the seawall will achieve its intended purpose over the long term

Applicant was in attendance and apologized for not realizing a permit was required to reinforce existing structure, noted the fill and grass were added to remedy damage done by erosion and equipment, and stated a biologist from the Mayne Island Conservancy would be attending the property later in the week to assess suitable options for the entire property.

MA-2024-054

It was MOVED and SECONDED

that Mayne Island Local Trust Committee approve application MA-DVP-2024.3 (Bacchus)

CARRIED

The meeting was recessed for a break at 2:35 p.m. and reconvened at 2:45 p.m.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Housing Project - Verbal Update

Island Planner Chadwick provided a verbal update and highlighted the following:

- Organizing October 28, 2024 community workshop on housing
- Workshop will identify elements that contribute to affordable housing, inform what the Local Trust Committee can accomplish through the Official Community Plan and Land Use Bylaw, and describe what the housing action plan for Mayne Island is
- Potential partners, stakeholders, community members, and other levels of government will be invited to participate

MA-2024-055

It was MOVED and SECONDED

that Mayne Island Local Trust Committee cancel it's regularly scheduled business meeting of October 28, 2024 and reschedule it as a community workshop on housing options.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Active Projects Report Dated Sept 2024

Received for information.

12.1.2 Future Project List Report Dated Sept 2024

Received for information.

12.2 Applications Report - Verbal Update

No update provided.

12.3 Trustee and Local Expense Report Dated July 2024

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

No updates at this time.

12.6 Chair's Report

Chair Elliott reported the following:

- Attended Union of BC Municipalities conference and highlighted community to community forum on intergovernmental dialogue and reconciliation, and meeting with Ministry of Municipal Affairs staff regarding Islands Trust governance review
- Attended Trust Council
- Advancing work of reducing barriers to tiny homes

12.7 Trustee Reports

Trustee Dodds reported the following:

- Attended Trust Council
- Attended Committee of the Whole meeting to continue draft Policy Statement work
- Met with Capital Regional Manager and Director to discuss fallow deer

Trustee Maude reported the following:

- Attended Union of BC Municipalities conference
- Attended Trust Council
- Noted several community events that took place throughout the summer months

12.8 Electoral Area Director's Report - None

12.9 Islands Trust Conservancy Report Date July 2024

Received for information.

13. NEW BUSINESS

13.1 Dark Sky Principles Adoption Advocacy Briefing

Received for information

13.2 Fallow Deer Letter

MA-2024-056

It was MOVED and SECONDED

that Mayne Island Local Trust Committee authorize Trustee Dodds to write a letter to Capital Regional District Board Director Paul Brent regarding advocacy on the fallow deer issue.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for October 28, 2024 at the Agricultural Hall, Mayne Island

15. TOWN HALL - none

16. CLOSED MEETING

16.1 Motion to Close Meeting

MA-2024-057

It was MOVED and SECONDED,

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

- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment

AND that the recorder and staff attend the meeting

CARRIED

The meeting was recessed at 3:20 p.m.

16.2 Recall to Order

The meeting was recalled to order at 3:36 p.m.

16.3 Rise and Report

Chair Elliott rose and reported that bylaw enforcement files were reviewed and short term vacation rental files discussed.

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:37 p.m.

Tobi Elliott, Chair

Certified Correct:

Lisa Millard, Recorder