

Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: April 28, 2025
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: Robert Kojima, Regional Planning Manager (electronic)
Narissa Chadwick, Island Planner
Bruce Belcher, Planner 2
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were nine (9) members of the public present.

1. CALL TO ORDER

Chair Elliott called the meeting to order at 1:30 p.m.

Trustee Dodds expressed condolences to members of the Filipino community affected by the recent tragedy that occurred during Lapu-Lapu Day in Vancouver, BC.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Elliott acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. TOWN HALL AND QUESTIONS

A member of the public spoke to bylaw compliance and enforcement issues related to their floating dock in Horton Bay and the following comments were noted:

- They spoke with the Bylaw Compliance and Enforcement Manager prior to signing a consent letter in good faith
- The Bylaw Compliance and Enforcement Manager communicated the requirement for the float to be attached to the upland part of the property in order for it to be in compliance with local bylaws
- The speaker attached the dock to the property by chain and subsequently received a fine
- The speaker does not want to pay a fine for a float that is one of many in the bay

A Trustee replied as follows:

- There are several docks in Horton Bay anchored to marine buoys
- If a dock is attached to land with a permit from the Ministry it would be considered compliant because the property is zoned to have a dock
- Chaining the dock to land would not be adequate
- They requested the speaker provide details in writing to the Local Trust Committee so they can look into the circumstances of the matter

A member of the public spoke to having a contractor yard in a residential zone and stated the following:

- They are having difficulties understanding the parameters around having a contractor yard in residential zoning when agriculture and silviculture are part of the land use
- The bylaw complaint process does not serve the speaker nor the complainant and erodes trust
 - The Chair stated if the speaker has issues with staff, they need to proceed through the complaint process as the Local Trust Committee can not adjudicate professional behaviour complaints
- The speaker indicated they had a letter from the Chief Administrative Officer regarding the complaint, they disagree with how Bylaw Enforcement staff interpret the Land Use Bylaw, and reiterated they wished to make a public statement that Islands Trust has let down their constituents through this process

5. COMMUNITY INFORMATION MEETING - None

6. PUBLIC HEARING - None

7. MINUTES

7.1 Local Trust Committee Special Meeting Minutes Dated February 12, 2025 (for Adoption)

By general consent the Mayne Island Local Trust Committee meeting minutes of February 12, 2025 were adopted.

7.2 Local Trust Committee Minutes Dated February 24, 2025 (for Adoption)

The following amendments to the minutes were presented for consideration:

- On page 6 of the minutes, first bullet point of Trustee Maude's report, change Cowichan Regional District to Capital Regional District
- Correct Trustee Dodd to Trustee Dodds throughout the document

By general consent the Mayne Island Local Trust Committee meeting minutes of February 24, 2025 were adopted as amended.

7.3 Section 26 Resolutions-without-meeting Report - None

7.4 Advisory Planning Commission Minutes - None

8. BUSINESS ARISING FROM THE MINUTES

8.1 Follow-up Action List Dated April 2025

Island Planner Chadwick provided an update to the Follow-up Action List.

9. DELEGATIONS - None

10. CORRESPONDENCE

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

10.1 Islands Trust Letter to Fisheries and Oceans Canada and Transport Canada re Hazardous Vessels

Received for information.

11. APPLICATIONS AND REFERRALS

11.1 Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 543 (for Response)

MA-2025-009

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee interests are unaffected by the Salt Spring Island Local Trust Committee Draft Bylaw No. 543.

CARRIED

11.2 Galiano Island Local Trust Committee Referral for Draft Bylaw No. 291 (for Response)

MA-2025-010

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee interests are unaffected by the Galiano Island Local Trust Committee Draft Bylaw No. 291

CARRIED

11.3 PL-DVP-2024-0349 (Begrant) - Staff Report

Planner Belcher summarized the staff report and highlighted the following:

- The application seeks a Development Variance Permit to relax the interior lot line setback, increase the maximum lot coverage, and increase the total number of accessory buildings permitted to allow construction of a garage
- The ability to locate a new garage on the property is restricted due to the narrowness of the lot and siting of the dwelling
- The property has an existing lot coverage of 17.5% and the addition of the garage would bring the total to 22.6%
- The proposed building location has been previously disturbed and no new tree removal will be required
- Four letters of support have been received from neighbours and one letter not in support

The applicant was in attendance and spoke to the application.

Trustees had no questions or comments for the applicant or Planner.

MA-2025-011

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee approve issuance of PL-DVP-2024-0349.

CARRIED

11.4 PL-DVP-2025-0061 (Iredale) - Staff Report

Planner Belcher summarized the staff report and highlighted the following:

- The application seeks a Development Variance Permit to reduce the interior and exterior lot line setback requirements and increase the maximum height allowance for the construction of a new garage
- The new structure is proposed to be built on the foundation of a previous garage and will be substantially the same as the original building
- The variance application is the result of a stop work order issued by the Capital Regional District and an Islands Trust Bylaw Enforcement file
- The requested variance of the minimum setback of the interior side lot line is from 3 metres to 0.85 metres, the exterior side lot line from 4.5 metres to 1.8 metres, and a height variance from 5 metres to 5.45 metres
- Three letters of support and three letters not in support of the application have been received

The applicant was in attendance and spoke to the application.

Discussion ensued and the following comments were recorded:

- The structure is replacing a previous structure
- The letters against the application might require explanation of the purpose of a variance permit
- Ideally the applicant would apply for a building permit prior to starting construction and the delay in issuing a variance permit was primarily due to staffing capacity issues

MA-2025-012

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee approve issuance of PL-DVP-2025-0061.

CARRIED

11.5 PL-DVP-2025-0110 and PL-TUP-2025-0105 (BC Ferries) - Staff Report

Planner Belcher summarized the staff report and highlighted the following:

- The application seeks a Develop Variance Permit and Temporary Use Permit to relax the natural boundary setback to the sea for the construction of shoreline stabilization structures within the property boundaries and within the foreshore adjacent to the ferry terminal

- A slope stability assessment was conducted to determine options to prevent further erosion of the ferry terminal
- Erosion of the shoreline has resulted in risk to a substation and the terminal washroom building
- The foreshore work requires rezoning and the mesh structure requires a siting variance
- The applicant opted to apply for a Temporary Use Permit with the intention of commencing the work this summer and subsequently will apply for rezoning to bring the shoreline work into long term compliance
- A qualified professional engineer's report identifies adjacent properties to be low risk for potential erosion
- Existing eelgrass beds may be disrupted during the construction process

Representatives from BC Ferries were in attendance. Discussion ensued and the following comments from the applicant were recorded:

- The applicant applied for a Temporary Use Permit before submitting a rezoning application as it was their understanding that a Temporary Use Permit would be reviewed and issued in a timelier manner and, due to emergency nature of the work to be done, they sought a quicker way to complete the work
- While a rezoning application would trigger the referral response process to First Nations, the applicant did engage with First Nations in the region as part of the Hazard Identification Permit and Archaeology Permit requirements
- BC Ferries received a referral response about the application from the BC Archaeology Branch and have sent a response
- Hydroseeding is for esthetic purposes and they have consulted with an environmental specialist regarding the use of the product
- They have been in consultation with the Department of Fisheries and Oceans (DFO) regarding the eelgrass bed adjacent to the site and DFO will list constraints and requirements to protect the grasses and this information will be provided to the construction contractor

MA-2025-013

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee approve issuance of PL-DVP-2025-0110.

CARRIED

MA-2025-014

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee approve issuance of PL-TUP-2025-0105 for a period of three (3) years.

CARRIED

11.6 MA-RZ-2023.2 (CRD) – Staff Report

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

- The report presents draft bylaws related to the rezoning of the St. John Point Park from the split zoning of Agriculture and Rural to Agriculture and Resource Conservation
- The Agricultural Land Commission has approved the non-farm use of the portion of the Park Entrance Hub that is within the Agricultural Land Reserve
- The Agricultural zoned portion of the property will contain the parking lot and Park Entrance Hub and the remainder of the parcel will be rezoned to Resource Conservation
- The Resource Conservation zone maintains the passive park permission that allows the trails that the Capital Regional District maintains
- The Park Entrance Hub will feature a park entrance sign, visitor kiosk, expanded parking lot, bicycle rack and pump-out toilet
- The Park is currently designated as a passive park which prohibits driveways and parking lots and the proposed Park Hub requires a rezoning application to allow its development under site specific zoning
- Direction to initiate referrals was provided by the Local Trust Committee at a previous meeting and draft bylaws are being presented for review prior to being sent out for referral

The applicant was in attendance and available for answer questions.

The Local Trust Committee requested that each feature assigned to the Park Entrance Hub specify a number and the Bylaw should state twenty parking spaces, one entrance sign, one kiosk, one bicycle rack, and one pump out toilet building.

MA-2025-015

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee Draft Bylaw 194 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2024” be read a first time.

CARRIED

MA-2025-016

It was MOVED and SECONDED,

that the Mayne Islands Local Trust Committee Draft Bylaw 195 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2024” as amended be read a first time.

CARRIED

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Mayne Island Housing Project – Staff Report

Island Planner Chadwick stated the Project Charter had been updated to reflect revised project timelines and costs and noted that follow up to previous discussions was required prior to drafting bylaws for first reading.

Discussion ensued and the following comments were recorded:

- Draft bylaw language for cottages on smaller lots states one cottage is permitted on lots 1 acre to 1.5 acres where the total combined floor area of all dwellings does not exceed 2500 square feet
- Trustees previously established criteria for expansion of an area to permit flexible housing including proximity to services and transportation routes and a map was provided which highlighted areas within 1km, 2km, and 3km from the Agricultural Hall that identifies properties that could be considered for flexible housing as well as areas of exclusion including those with saltwater intrusion and two areas with road safety concerns due to flooding
- Consider of additional density beyond zoning from Rural to Settlement Residential on Montrose property should be considered in the context of a rezoning and not pro actively rezoned as there are a number of questions that would need to be explored.
- The Planner clarified properties that are less than 1.5 acres are permitted one additional dwelling unit provided the combined floor area does not exceed 2500 square feet, parcels 1.6 to 3 acres in size are allowed two dwellings and one cottage, and lots 3 acres to 5 hectares are permitted three dwellings and one cottage
- Georgina Point was identified as an area to be excluded due to road conditions; however, some residents in the area have expressed interest
- A mail out, or other means of advertising, can invite expressions of interest from landowners that might wish to be included in flexible zoning

MA-2025-017

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee request staff to develop a MayneLiner article explaining flexible housing opportunities and inviting expressions of interest from landowners for potential inclusion in flexible housing zoning.

CARRIED

MA-2025-018

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee request staff schedule a Community Information Meeting related to the housing options project with an emphasis on flexible housing to be scheduled during a regular meeting prior to first reading.

CARRIED

- Exploration of a reduced cost Temporary Use Permit to allow Recreational Vehicles as dwellings can be done as an implementation action as part of the project
- The Planner confirmed the recommendation of a 18,000-litre cistern for all new builds can be supported by cistern sizes available for sale on Vancouver Island

and that the cistern size requirements for dwellings under 1000 square feet can also be supported

- It was clarified that there is opportunity for an individual to apply for a variance for consideration of alternative sources for proof of potable water and if the Local Trust Committee approved said variance, as supported by a report from an appropriate registered professional and with a covenant in place, the Provincial Approving Officer (PAO) may be supportive of allowing an alternative source; however, approval by the PAO is not guaranteed
- The Comprehensive Development Two Zone allows visitor accommodation, residential dwellings, employee housing, and accessory dwelling units and staff analysis determined that allowing flexibility for residential use of units within the zone permitted for tourist accommodation not be proactively zoned due to uncertainty regarding the availability and quality of freshwater
- Staff have initiated a conversation with the Capital Regional District (CRD) related to their ability to hold and manage land that has been donated for affordable housing and the CRD indicated it is possible but would need to be examined on a case by case basis.
- There is a desire to develop alternative language to be used to specify clustered tiny home parks

MA-2025-019

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee endorse the revised project charter for the Mayne Island Housing Options project.

CARRIED

MA-2025-020

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee request staff incorporate the following into draft bylaws for the Mayne Islands Housing Options Project:

- Permitting one cottage on lots 0.4 hectares (1 acre) – 0.6 hectares where total combined floor areas of all dwellings does not exceed 232m² (2500 square feet)
- Expanding flexible housing zoning as recommended by staff based on the Map in Attachment 2
- Permit RVs as a temporary dwelling if an active building permit for a permanent dwelling is in place
- Reduced cistern size requirements for dwellings under 1000 square feet

CARRIED

13. REPORTS

13.1 Work Program Reports

13.1.1 Active Projects Report Dated April 2025

Received for information.

13.1.2 Future Project List Report Dated April 2025

The Local Trust Committee expressed interest in adding a Heritage Designation Register to the Future Projects List and Regional Planning Manager Hutton confirmed there are three avenues a local government could take including a heritage list that recognizes the status of the properties, heritage bylaws which are primarily for buildings, and a heritage conservation designation.

MA-2025-021

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee request staff to add Heritage Structure Protection to the future projects list.

CARRIED

13.2 Applications Report Dated April 2025

Received for information.

13.3 Trustee and Local Expense Report Dated Feb 2025

Received for information.

13.4 Adopted Policies and Standing Resolutions

Received for information.

13.5 Local Trust Committee Webpage

No updates required.

13.6 Chair's Report

Chair Elliott reported the following:

- Executive Committee has sought advice from staff regarding Crown Tenure referrals as some Local Trust Committees have expressed interest in seeing these referrals
- Attended the Association of Vancouver Island Coastal Communities conference and highlighted a discussion on a report commissioned by the BC Union of Municipalities on the impact of the United States and Canada trade war and resulting anticipated job losses and a tiny home on wheels presentation made in conjunction with the Regional District of Nanaimo
- Upcoming attendance at Executive Committee and Bowen Island Municipality annual protocol meeting
- Upcoming Xwe'etay/Lasqueti Archaeology Project mural unveiling that marks the beginning of a travelling exhibit about community centered archeology

13.7 Trustee Report

Trustee Dodds reported the March fallow deer count resulted in a total of 723 deer counted including 655 fallow deer and 68 black tail deer and data will be sent to the Ministry of Water, Lands, and Resource Stewardship and Michael Kilpatrick, who led

the project, met with the Ministry and Capital Regional District and will return with recommendations.

Trustee Maude reported an increase in ferry traffic and anticipates a busy summer.

13.8 Electoral Area Director's Report - None

13.9 Islands Trust Conservancy Report - None

14. NEW BUSINESS

14.1 2024/25 Annual Report - Request for Decision

MA-2025-022

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee approves the attached text for inclusion in the 2024/25 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for May 26, 2025 at the Agricultural Hall, Mayne Island

16. TOWN HALL

A member of the public stated allowing tourist accommodation to be rented out as a dwelling would create a revenue property with no owner living on-site resulting in a wide-open rental situation of which they are opposed to.

Trustees noted the specific property the speaker is concerned with is not on the flexible housing zoning map and would not be affected by the matter.

A member of the public expressed support of tiny homes being permitted as alternative dwellings.

17. CLOSED MEETING (Distributed Under Separate Cover)

17.1 Motion to Close Meeting

MA-2025-023

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)(a) and (f):

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and

(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 closed to the public at 4:07 p.m. and adjourned at 4:29 p.m. at the same time the in-camera meeting was adjourned.

17.2 Recall to Order

17.3 Rise and Report

Chair Elliott will rise and report at the next scheduled regular meeting.

18. ADJOURNMENT

By general consent the meeting was adjourned at 4:28 p.m.

Tobi Elliott, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder