

# ADOPTED

**MINUTES OF THE MAYNE ISLAND  
LOCAL TRUST COMMITTEE MEETING  
HELD ON WEDNESDAY APRIL 25, 2012 AT 1:00 P.M.  
AT THE MAYNE ISLAND AGRICULTURAL HALL, MAYNE ISLAND, BC.**

**PRESENT:** Peter Luckham Chair  
Jeanine Dodds Local Trustee  
Brian Crumblehulme Local Trustee  
Gary Richardson Island Planner  
Miles Drew Bylaw Enforcement Coordinator  
Sharon Lloyd-deRosario Recording Secretary

There were approximately twenty-nine (29) 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

Add 8.1 - Mayne Island Commercial Land Use Review Task Force (CLURTF) Reports (2).

2.2 Questions from Public on Agenda Items

Chair Luckham asked the members of the public if there were any questions regarding the agenda items; there were none.

The agenda as amended was approved by consensus.

**3. COMMUNITY INFORMATION MEETING**

3.1 Mayne Island Bylaw Enforcement Notification Bylaw

3.2 McDougall Farm Gate Rezoning Application MA-RZ-2010.2

Note – see separate Community Information Notes of the same date.

**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 March 21, 2012.

Chair Luckham asked the trustees for any comments and the following amendments were made:

- Page 1, item 3.1: third line - add the word “amended” after “been”.
- Page 3, second paragraph: change “Maine” to read “Marine”.
- Page 9 Item 9.2: first paragraph: Delete second sentence and replace with – The current Draft TUP permit (Burke) terms for 2011, state the period from May to October with no advertising.
- Page 12, item 12.3, third sentence - insert the words before “Shaw” - “advocate high speed internet service”
- Page 14, Item 16 - Add the number (24) into the Resolution title.

The Mayne Island Local Trust Committee meeting minutes of March 21, 2012, as amended were Adopted by consensus.

### 5.2 Public Hearing Records and Community Information Meeting Notes

None

### 5.3 Section 26 Resolutions without meeting

None

### 5.4 Advisory Planning Commission 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 reviewed the on-going items; he advised that item 11 was now done and asked if Trustee Crumblehulme would like to elaborate.

Trustee Crumblehulme reported that he met with Barry Wilks who had contacted Paul Robertson, a partner at an IT company in Calgary, who will contact Shaw. Trustee Crumblehulme added Shaw could support a package for TV/internet/telephone for \$50.00 - \$55.00 instead of \$45.00 for just internet; he asked for expression of interest from the public to proceed further. There was a brief discussion with the public.

7. **DELEGATIONS**

None

8. **CORRESPONDENCE**

8.1 Mayne Island Commercial Land Use Task Force Reports (2)

The two reports were received.

9. **APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**

9.1 MA-TUP-2011.1 (Burke)

Chair Luckham acknowledged that the applicant, Rose White, was present and asked Planner Richardson to present his report.

Planner Richardson referring to his staff report of March 7, 2012, stated the proposal for a TUP is to permit the existing residence to be rented to the public on a short term basis as a vacation rental. He reviewed the background; site context; current planning status of the subject lands. He spoke to the process to date and the Staff recommendation to the LTC.

Chair Luckham asked the applicant if she had anything to add.

**Rose White, Applicant** stated that everything is now done.

Chair Luckham asked if the applicant agreed to the terms of the proposed permit of six (6) months with no advertising.

**Rose White** responded that she would like the right to do some advertising.

Trustee Crumblehulme commented that after thrashing over the last month for the proposal as written, he is not happy about making any changes.

Trustee Dodds added that after hearing the neighbor's concerns, she stands on the decision of no advertising.

**Rose White** read aloud her written concerns about the process; her request to have the application fee returned should the permit not be approved and she requested two months of advertising.

Chair Luckham addressed the issue of the fees and the refunding process, adding that it was discussed in October that there was no guarantee that a permit would be approved. He stated that issuing TUPs are on an individual basis; he explained the differences of commercial versus residential uses, adding that there are concerns with the community and the issue of Short Term Vacation Rentals (STVRs).

Trustee Crumblehulme said that this decision is very difficult as the community is split on this issue; the applicant is motivated by fear and he believes it is set up to fail; the owner doesn't live on the property therefore there is no policing and he sees a housing rental as a better option at this time.

Trustee Dodds stated that she has heard concerns from four of the applicant's neighbours who are opposed to this permit, adding that the TUP is with the property and not the owner. She stated she cannot support this permit.

Chair Luckham suggested the applicant revisit the long term rental and solicit friends to help find a renter. He spoke to the decision adding it was difficult to make.

#### **Resolution MA-LTC-09-12**

It was Moved and Seconded that Mayne Island Local Trust Committee Proposed Temporary Use Permit, MA-TUP-2010.1 (Burke) not be issued.

**CARRIED**

Planner Richardson informed the applicant of the refund process and that no refund can be given when the application goes through the entire process, whether or not the permit is approved.

#### 9.2 Referral for Proposed North Pender Bylaw No. 190, Land Use Bylaw Amendment No. 1, 2012

Planner Richardson summarized Bylaw 190 and answered some questions from the LTC.

#### **Resolution MA-LTC-10-12**

It was Moved and Seconded that Mayne Island Local Trust Committee interests regarding North Pender Island Local Trust Committee Bylaw No. 109, are unaffected.

**CARRIED**

9.3 McDougall Application MA-RZ-2010.2

Note - Trustee Dodds excused herself from the meeting due to a conflict of interest at 2:28 pm.

Planner Richardson stated that this topic was discussed in item 3.2 earlier and that he had nothing more to add at this point.

Trustee Crumblehulme stated he no further comments and would like to proceed.

Chair Luckham asked the Planner what was required to proceed.

Planner Richardson stated first reading and direction to schedule a public hearing and advised that it would be sent out as a referral to agencies that could have an interest.

**Resolution MA-LTC-11-12.**

It was Moved and Seconded that Mayne Island Local Trust Committee Bylaw No. 157 cited as “Mayne Island Land Use Bylaw 146, 2008, Amendment No. 1, 2012” be given First Reading.

**CARRIED**

**Resolution MA-LTC-12-12.**

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to send Bylaw No. 157 cited as “Mayne Island Land Use Bylaw 146, 2008, Amendment No. 1, 2012”, out on referral and proceed to Public Hearing.

**CARRIED**

Note - Trustee Dodds rejoined the meeting at 2:34 pm.

Chair Luckham updated Trustee Dodds on the outcome of Bylaw 157.

10. **LOCAL TRUST COMMITTEE PROJECTS**

None

11. **REPORTS**

11.1 **Work Program Reports**

11.1.1 Mayne Island Local Trust Committee Work Program – Report dated April, 2012

Planner Richardson reviewed the Work Program report.

## 11.2 Applications Report

### 11.2.1 Mayne Island Applications report dated April 2012

Planner Richardson advised that the Burke TUP would now come off the list and the rest of the applications remain active. He added that MA-TUP-2012.2 (Bennett) will be a topic of a Community Information Meeting at the May LTC meeting.

## 11.3 Expense/Budget Reports

### 11.3.1 Trustee and Local Expenses

Received for information.

## 11.4 Bylaw Enforcement

### 11.4.1 Bylaw Enforcement Investigations Report

This report is to summarize the bylaw enforcement investigations activity up to April 16, 2012.

#### **Resolution MA-LTC-13-12.**

It was Moved and Seconded that Mayne Island Local Trust Committee add to their Work Program under Housing Options - Examination of short term rentals of secondary dwellings.

**CARRIED**

### 11.4.2 Bylaw Enforcement Notification Bylaw

BEC Miles Drew stated this was addressed in item 3.1 and is now ready for the LTC's consideration to give the bylaw First, Second and Third Readings. He explained the purpose of the bylaw.

After discussion on whether or not to send the bylaw to the Advisory Planning Commission prior to giving the readings, or if the bylaw is even something that is needed at this time.

#### **Resolution MA-LTC-14-12.**

It was Moved and Seconded that Mayne Island Local Trust Committee Bylaw No. 156, 2011, cited as "Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011" be given First Reading.

**CARRIED**

**Resolution MA-LTC-15-12.**

It was Moved and Seconded that Mayne Island Local Trust Committee Bylaw No. 156, 2011, cited as “Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011” be given Second Reading.

**CARRIED**

**Resolution MA-LTC-16-12.**

It was Moved and Seconded that Mayne Island Local Trust Committee Bylaw No. 156, 2011, cited as “Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011” be given Third Reading.

**CARRIED**

**Resolution MA-LTC-17-12.**

It was Moved and Seconded that Mayne Island Local Trust Committee Bylaw No. 156, 2011, cited as “Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011” be forwarded to the Islands Trust Executive Committee for Approval.

**CARRIED**

**11.5 Adopted Policies and Standing Resolutions**

Received for information.

**11.6 Mayne Island LTC Web Page**

Chair Luckham asked the trustees if they had any suggestions regarding the web page; the following changes were made:

- Add First Reading to McDougal Bylaw 146.
- Add Bylaw Enforcement Report
- Remove Active Pass

**11.7 Chair’s Report**

Chair Luckham reported that he participated in a meeting of the Association of Vancouver Coastal Communities to share best practices and techniques on land planning; Islands Trust continues to be active in advocating on oil spill preparedness and seeking solutions to derelict vessels; A Working Group is looking at how Islands Trust might better engage with First Nations. Chair Luckham also reported that North Pender Island Trustee, Gary Steeves was elected to a seat on the Association of Vancouver Island Coastal Communities executive for a one year term.

## 11.8 **Trustee Report**

Trustee Dodds reported that the beach cleanup went very well, sponsored by the Conservancy and students from Miners Bay were out there helping; she added that forty (40) people participated in the cycle ride.

As a point of interest, Chair Luckham added that North Pender has a cycle map showing hazardous areas.

Trustee Crumblehulme reported that he and Trustee Dodds held an Open House and fifteen (15) people attended adding there was networking between officials and representatives. He reported that David Howe, CRD Electoral Area Director announced the budget had been approved. He commented that the LTC meetings are very long and was wondering if there could be a short break and maybe some refreshments.

It was decided that the community would work together to supply refreshments for future LTC meetings.

## 12. **OTHER BUSINESS**

### 12.1 Upcoming Meetings

12.1.1 Next Business Meeting – Wednesday May 30, 2012 at 1:00 pm. at the Mayne Island Agricultural Hall.

### 12.2 Annual Report

Chair Luckham suggested looking at last year's reports on the website as an example when drafting an Annual Report. He asked that comments for inclusion into the report be emailed to Planner Richardson.

## 13. **TOWN HALL MEETING**

Chair Luckham invited comments from the public.

**Ian Dow**, asked as a Ratepayer Association member, they frequently get asked what the process was for opening a community driven review of the Official Community Plan (OCP). He added that the biggest concern was regarding Temporary Use Permits (TUPs).

Planner Richardson responded that you would bring comments to the LTC or the LTC could create a task force to collect information.



Chair Luckham added that information brought forward from an ad hoc taskforce could be forwarded to the APC for comment to be brought to the LTC to review.

Trustee Dodds commented that OCP changes are ongoing and a lot of issues may be getting addressed already.

**Ian Dow** stated that garbage has been a huge issue to bring forward; utilizing TUPs to deal with this seems to be the process.

Chair Luckham relayed that using a TUP to manage garbage on North Pender Island has proved a business model can work. He encourages the public to continue bringing topics to the LTC.

**Barry Wilks** has concerns with the difficulty the island is having getting Ministry of Transportation and Infrastructure (MoTI) to stand true to their promise of having extra blacktop resurfacing work done on the roads which was supposed to be done after Galiano Island was finished with their work. This was promised to the Mayne community over and above the annual program.

Chair Luckham asked if there was a liaison i.e. Rate Payers Association, with MoTI.

Trustee Crumblehulme commented that the LTC could advocate some letter writing.

**Resolution MA-LTC-18-12.**

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to invite a representative from Ministry of Transportation and Infrastructure to update the Local Trust Committee on road maintenance.

**CARRIED**

14. **ADJOURNMENT**

Chair Luckham declared the meeting adjourned at 3:44 pm.

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**RECORDER**

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**CHAIR**