

ADOPTED

**MINUTES OF THE MAYNE ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON WEDNESDAY MAY 30, 2012 AT 1:00 P.M.
AT THE MAYNE ISLAND AGRICULTURAL HALL, MAYNE ISLAND, BC.**

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|------------------------|--------------------|-------------------------------|
| <u>PRESENT:</u> | Peter Luckham | Chair |
| | Jeanine Dodds | Local Trustee |
| | Brian Crumblehulme | Local Trustee |
| | Gary Richardson | Island Planner |
| | Miles Drew | Bylaw Enforcement Coordinator |
| | Pat Todd | Recording Secretary |

There were approximately nineteen (19) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 1:00 pm and introduced himself, the Local Trustees and Islands Trust Staff.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

None

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; it was asked if the public can question the Mayne Island Commercial Land Use Task Force Report. This was agreed to.

Chair Luckham announced there would be a coffee break at 2:30 pm.

The agenda as amended was approved by consensus.

3. COMMUNITY INFORMATION MEETING

3.1 MA-TUP-2012.2 (Bennett)

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

4. PUBLIC HEARING

None

5. **PREVIOUS MEETINGS**

5.1 Local Trust Committee Minutes for Adoption

5.1.1 Mayne Island Local Trust Committee Business Meeting Minutes of April 25, 2012.

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

- Page 4, Resolution MA-LTC-09-12: change Galiano Island Local Trust to read Mayne Island Local Trust Committee...
- Page 4, last sentence before Resolution MA-LTC-09-12: to read "He spoke to the decision..."
- Page 5 Item 9.3: first sentence: remove word "perceived"
- Page 6, item 11.4.2, second paragraph: last sentence: delete everything after word "time"
- Page 7; item 11.5: strike sentence "Chair Luckham..."
- Page 7; Chair's Report: first sentence to read: Chair Luckham reported that he participated in a meeting of the Association of Vancouver Island Coastal Communities...; 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 ..."
- Page 8; Trustee Report: third paragraph, first sentence; to read "Trustee Crumblehulme reported that he and Trustee Dodds held..."

The Mayne Island Local Trust Committee meeting minutes of April 25, 2012, as amended, were Adopted by consensus.

5.2 Public Hearing Records and Community Information Meeting Notes

5.2.2 Mayne Island Community Information Meeting notes of April 25, 2012

- Page 2; Item 3.2; Note – Trustee Dodds...remove "perceived"

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 advised that item 1, is now done. All other items have been completed except for item 7, which has to go back to the Ministry of Transportation and Infrastructure.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 M. Cooper, Chair MIIWSS letter dated April 17, 2012 re: Purchase of 2011 SFU Well Testing Report from MIIWSS

Trustee Dodds spoke in favour of the purchase of the report. There will be a further test in the fall. It was felt that the report would be a valuable tool. Traditionally LTC supports the MIIWSS with a \$500.00 grant which was not requested last year.

Mary Cooper reported that 30 wells, spanning the island, had been tested and some areas have salt water intrusion. There was a copy of the report for Planner Richardson. There will be a septic assessment for new installations in July.

Trustee Crumblehulme spoke in agreement with Trustee Dodds and while there is some concern regarding the cost it was felt to be money well spent.

Chair Luckham expressed concern regarding costs and questioned the authority of the LTC to award a contract for work in excess of \$500.00. This is a significant expenditure that may impact on activities over the next ten months. It was suggested in future there be advance notice to allow for consideration in budget planning. Staff was asked for clarification.

Resolution MA-LTC-19-12

It was Moved and Seconded that Mayne Island Local Trust Committee purchase from the Mayne Island Integrated Water Systems Society the 2011 SFU well testing report subject to confirmation of the Local Trust Committee authority to spend \$2,000.00.

CARRIED

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

- 9.1 Referral of Proposed North Pender Bylaw No. 191, Land Use Bylaw Amendment No.2, 2012 (Geothermal)

Planner Richardson spoke briefly to the Bylaw amendment and advised that Mayne Island interests are not affected.

Resolution MA-LTC-20-12

It was Moved and Seconded that Mayne Island Local Trust Committee advise North Pender Island Local Trust Committee that Bylaw No.191 does not affect the interests of Mayne Island.

CARRIED

- 9.2 Referral of Proposed Salt Spring Bylaw No. 460

Planner Richardson reviewed the referral.

Resolution MA-LTC-21-12

It was Moved and Seconded that Mayne Island Local Trust Committee advise Salt Spring Island Local Trust Committee that Bylaw No. 460 does not affect the interests of Mayne Island.

CARRIED

- 9.3 MA-TUP-2012.2 (Bennett)

Planner Richardson summarized the application which is to operate a solid waste transfer station. The LTC options are to receive the application, decide to deny or decide to withhold the application. The application could also be referred to the Advisory Planning Commission.

Trustee Crumblehulme spoke to a number of issues however people are currently using the service and he encouraged co-operation with the Mayne Island Improvement District (MIID).

Trustee Dodds suggested that the TUP be drafted for the next meeting and be circulated to Recycle Society, APC and MIID.

Planner Richardson stated that a draft bylaw should be reviewed by the LTC prior to extending the referral to other groups and that he would work with the applicant to draft the bylaw.

Resolution MA-LTC-22-12

It was Moved and Seconded that staff be directed to draft a Temporary Use Permit MA-TUP-2012.2 and prepare a Staff Report incorporating comments received from the Community Information Meeting of May 30, 2012.

CARRIED

10. **LOCAL TRUST COMMITTEE PROJECTS**

10.1 Mayne Island Commercial Land Use Report

There were 3 members of the Task force present and it was clarified that there are actually three reports.

Trustee Dodds stated that there had been 10 members on the Task Force; original Terms of Reference called for 9; and the Task Force is now dissolved.

Planner Richardson's report, and recommendations, has brought forward the main resolutions identified and staff are waiting for further direction from the LTC.

Chair Luckham expressed appreciation for the efforts of the Task Force members.

Shanti McDougall spoke to the Planner not including any items from the secondary report and feels the Staff Report fails to take into account other opinions.

Planner Richardson stated that it is the responsibility of the LTC to consider all opinions before deciding on actions/directions to be taken.

Trustee Crumblehulme spoke to the importance of economic stimulation and development. He reviewed the historical development of Miners Bay. Potential development requires consensus of the island population and there is a need for discussion and Open House meetings.

Trustee Dodds stated that there is much to be considered within the 3 reports and it is important to clarify economic development vs. commercial land use. It is felt that this item should be put on the work program.

Chair Luckham also identified the distinction between economic development and commercial land use. This material could blend into the OCP which acts as a guiding document for the LTC. The LTC (of the day) could use discretion and decide outside of the OCP.

His recommendation would be to maintain this item on the Work Program and that all 3 reports be given consideration in conjunction with community consultation.

Don McDougall read comments by Glenda Johnson from the July 5, 2010 LTC minutes.

Shanti McDougall stated that the formation of the Task Force as an additional APC caused problems for the function of the group.

Resolution MA-LTC-23-12

It was Moved and Seconded that the Mayne Island Local Trust Committee maintain the commercial land use review as a work program priority and that staff review the 3 reports and report back to the LTC at a future date.

CARRIED

11. REPORTS

11.1 Work Program Reports

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

Planner Richardson reviewed the Work Program report.

Trustee Crumblehulme questioned what can be expected regarding Riparian Rights.

Planner Richardson reported that a legal opinion is being drafted and he will be submitting a report for the next meeting.

Ian Dow reviewed the history and dissatisfaction with the situation.

Barry Wilks reported the failure of a project to restock salmon.

11.2 Applications Report

11.2.1 Mayne Island Applications Report dated May 2012

Planner Richardson advised that there are 4 applications in process.

11.3 Expense/Budget Reports

11.3.1 Trustee and Local Expenses

Received for information.

11.4 Bylaw Enforcement

11.4.1 Notice Enforcement Bylaw No. 156

Miles Drew, Bylaw Enforcement Coordinator spoke to the bylaw which was approved by the Executive Committee. It is for minor issues when unable to get voluntary compliance. The current system is complaint driven. This bylaw avoids having to go through court processes in cases of noncompliance.

Trustee Dodds has received two letters citing concerns with the bylaw. There is concern that MILTC did not refer the bylaw to the APC while other islands did and subsequently there was more opportunity for dialogue. It is felt that there was insufficient consultation and therefore she is not able to support the bylaw.

Trustee Crumblehulme spoke to the criticism received by the LTC regarding lack of bylaw enforcement. Bylaw No. 156 addresses the process of dealing with infractions and simplifies the system.

Trustee Dodds questioned the volume of bylaw infractions on the island and feels there was a missed opportunity for community feedback.

Chair Luckham questioned the expectations if referred to the APC. Bylaw No. 156 is an administrative bylaw. He suggested that BEC Drew present the bylaw information to the APC.

Jon Hoff spoke to importance of historical perspective; importance of going slower; the impact on the community.

Chair Luckham asked if historical information is available and would this form of a bylaw have made things easier/less costly.

BEC Drew is unsure of availability of such details and spoke strongly in favour of the bylaw.

Ian Dow (MI Residents and Ratepayers Association): feedback has been “how will system work?” concern that people may be penalized for unclear/outdated bylaws.

David Maude stated there are concerns on Saturna Island and that 2 islands have turned the bylaw down.

Resolution MA-LTC-24-12

It was Moved and Seconded that Mayne Island Local Trust Committee refer Bylaw No. 156 to the Advisory Planning Commission with direction that they request further information from the Bylaw Enforcement Coordinator.

CARRIED

11.4.2 Notice Enforcement Bylaw No. 156 Policy

Deferred as referred to APC

11.5 Adopted Policies and Standing Resolutions

Planner Richardson informed the members that the resolution term for Short Term Vacation Rentals (STVR) has expired. Enforcement on STVR was; through a Standing Resolution with direction to not enforce unless the property was being advertised; there was use of a third party manager; property being used for commercial revenue. The options now are: renew Standing Resolution; or renew with a date to prioritize issue and review bylaw, or not renew and direct Bylaw Enforcement to enforce all STVR infractions

Resolution MA-LTC-25-12

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to come back with a report regarding bylaw enforcement for Short Term Vacation Rentals.

CARRIED

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:

- Remove Bennetts and add 2 new items for next meeting
- Remove April minutes
- Remove October 10 items
- Remove Active Pass TUP staff report

- Add 3 reports from Commercial Land Use Task Force; remove expressions of interest; leave Terms of Reference
- Add bylaw for rezoning McDougall and Public Hearing Notice

11.7 Chair's **Report**

Chair Luckham reported attending the National Marine Conservation Area meeting. There is continued interest and support in determining if this is an appropriate designation for the entire Gulf Islands area. Looking at consultation with local governments and seeking direction in how best to approach local governments. Target is to complete consultations the end of 2012; management plan 2013 and Park to be finalized 2014/15.

Preparations are underway for the Trust Council meeting on North Pender June 11/12/13 and all are invited. Information is on the web site regarding the Federation.

Strategic Plan is in the final stages and will be including public consultation for the first time – there will be a mail out.

11.8 Trustee **Report**

Trustee Dodds reported feeling that the LTC is becoming more focused.

Trustee Crumblehulme reported that better internet service is coming along slowly. There will be a letter drafted to MP and Shaw. Approval has been given for the CRD Economic Commission and he is awaiting notification from David Howe.

12. **OTHER BUSINESS**

12.1 Upcoming Meetings

12.1.1 Next Business Meeting – Wednesday June 27, 2012 at 1:00 pm. at the Mayne Island Agricultural Hall.

12.2 Water District Referrals

Discussed under Work Program

13. **TOWN HALL MEETING**

Chair Luckham invited comments from the public.

Shanti McDougall spoke to concerns regarding lack of bylaw enforcement that were raised while she sat on the Commercial Land Use Task Force. She also suggested that the change of use to the Bennett property through the TUP may necessitate a referral to the Ministry of Transportation.

Planner Richardson reported that would happen.

Barry Wilks spoke to the issue of internet access. He is concerned with Shaw eroding the customer base for Beacon Wireless which currently serves a “pocket” of residents who don’t have other sources.

14. **ADJOURNMENT**

Chair Luckham declared the meeting adjourned at 4:00 pm.

RECORDER

CHAIR