



ADOPTED

Mayne Island Local Trust Committee Minutes of Regular Meeting

Date: January 30, 2017
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

Members Present: George Grams, Chair (via telelink)
Jeanine Dodds, Local Trustee
Brian Crumblehulme, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Gary Richardson, Island Planner
Fiona MacRaid, Sr. Intergovernmental Policy Advisor
Miles Drew, Bylaw Enforcement Manager
Pat Todd, Recorder

Others Present: Approximately fourteen (14) members of the public present

1. CALL TO ORDER

Acting Chair (A/C) Trustee Crumblehulme called the meeting to order at 1:00 pm. acknowledging that the meeting was being held in territory of the Coast Salish First Nations. He introduced staff present.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

none

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated November 28, 2016 (for Adoption)

By general consent the Local Trust Committee meeting minutes of November 28, 2016 were adopted.

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 January 2017

Planner Richardson reported that everything is completed and in order.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 MA-DVP-2016.1 (Crocker) - Staff Report

Planner Richardson explained that the application is for a variance of the setback from sea to permit a second floor deck. There has been one letter of concern received.

The application and staff report were discussed.

The staff recommendation is in support of an amended variance for a smaller deck.

MA-2017-001

It was MOVED and SECONDED

that the Mayne Island Local Trust Committee approve issuance of amended Development Variance Permit MA-2016.3(Crocker)

CARRIED

The applicant informed the Committee that the septic has been buried and questioned the smaller deck.

The Planner stated that a smaller deck would not cover a natural herbaceous area and would be less intrusive

Trustee Dodds recused herself from meeting due to a conflict of interest for the next item.

10.2 MA-TUP-2016.3 (Beaudet/Active Pass Auto Marine) - Staff Report

Planner Richardson reviewed the application which is for an expansion of permitted uses for the business for personal service use and office use.

One response has been received questioning parking spaces.

Staff has recommended approval as proposed are compatible with existing uses.

Chair Grams reported having no issue with application.

Regional Planning Manager Kojima stated that the application could be approved with a Resolution-Without-Meeting.

The applicant spoke to the importance of the business to the island and the need to enhance revenue sources.

Staff were directed to prepare a Resolution-Without-Meeting to accept the application for a 3 year term.

Trustee Dodds rejoined the meeting.

11. LOCAL TRUST COMMITTEE PROJECTS

none

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated January 2017

Staff spoke to the need to pare down Top Priorities from 4 to 3 and suggested that Short Term Vacation Rentals Review (STVR) be moved to the Projects List

The top priority is Commercial Land Use Review and this is underway.

Field work will be carried out in the next couple of weeks by a qualified environmental professional (madrone Environmental) to help facilitate the implementation of the Riparian Area Regulations.

MA-2017-002

It was MOVED and SECONDED

that the Mayne Island Local Trust Committee direct staff to amend Top Priorities List to #1 Commercial Land Use Review, #2 Riparian Area Regulation Implementation, and #3. Fallow Deer Eradication and that Short Term Vacation Rentals Review be placed on Projects List.

CARRIED

It was reported that on February 14, 2017 there will be a meeting regarding Fallow Deer and there will be representatives from a number of Ministries.

12.1.2 Projects List Report Dated January 2017

Staff will amend according to discussion.

12.2 Applications Report Dated January 2017 (attached)

Two applications have been addressed today.

12.3 Trustee and Local Expense Report Dated November 2016 (attached)

Received for information

12.4 Adopted Policies and Standing Resolutions (attached)

Received for information

12.5 Local Trust Committee Webpage

Staff will update according to meeting proceedings.

12.6 Chair's Report

Chair Grams reported on the Trust Council meeting held on Salt Spring Island. Two key items to be addressed by Council include an internal review of the Islands Trust Act (any changes recommended would have to be adopted by the Minister) and the engagement of a fresh water specialist to collect data as to water quantity and quality as this would relate to land use.

12.7 Trustee Report

Trustee Dodds spoke to attending a community meeting hosted by the Mayne Island Health Centre Association (MIHCA) regarding a Community Health Network to co-ordinate island groups/efforts. This project was proposed to start on Mayne Island and then may extend to other islands. The emphasis is on the importance of a healthy community.

Trustee Dodds and Crumblehulme cut the ribbon at the grand opening of the refurbished library.

Trustee Crumblehulme also attend the MIHCA forum and reported there is an upcoming meeting with the Capital Regional District (CRD) regarding Cotton Park. There will be a number of CRD meetings in February.

12.8 Trust Fund Board Report

none

12.9 Bylaw Enforcement re STVR Enforcement Policy - Staff Report

Bylaw Manager Miles Drew reviewed the staff report and requested guidance from the Trustees regarding Short Term Vacation Rental (STVR) policies and enforcement.

Staff recommendation is to continue enforcement for unlawful STVR as home owner can request a TUP or rezoning to legalize operation.

Staff reported that there is a lot of research involved in identifying and notifying unlawful STVR operations.

Trustee Dodds raised concerns that if there is a TUP application it is unlikely to be approved as there is probably a complaint on file.

Regional Planning Manager Kojima reviewed the situation on Galiano Island regarding STVR Bylaw enforcement. There have been three applications, to date n Mayne Island with two of them coming forward after complaint(s) had been registered.

There was discussion as to Bylaw process, advertising component and steps to compliance.

MA-2017-003

It was MOVED and SECONDED

that the Mayne Island Local Trust Committee direct staff to forward Bylaw Enforcement Staff Report, copy of current Standing Resolutions and any correspondence received to date to Mayne Island Advisory Planning Commission regarding acceptance of staff report or recommendations regarding enforcement policies for Short Term Vacation rentals.

CARRIED

Trustee Dodds questioned how Bylaw Enforcement Bylaw (BEN) has been working on Mayne Island.

Bylaw Enforcement Manager Miles Drew reviewed the process and stated that it is easier to achieve compliance as opposed to issuance of a ticket. A fine is only imposed if there is no compliance. BEN is a compliance tool.

Trustee Dodds raised the issue of housing that is not permitted/legal/conforming to zoning.

Miles Drew reported that some areas have a policy specific to this situation and that a policy could be developed for Mayne Island which for instance would only take enforcement action if there were a second agency involved and/or the complaint concerned health and safety issues.

MA-2017-004

It was MOVED and SECONDED

that the Mayne Island Local Trust Committee direct Bylaw Enforcement staff to bring forward a draft policy regarding enforcement policy for unlawful housing.

CARRIED

13. NEW BUSINESS

13.1 First Nations Presentation by Fiona MacRaid

Senior Intergovernmental Policy Advisor MacRaid presented information regarding relationships with First Nations and spoke very favourably regarding the efforts of John Aiken, a local First Nations resident.

Presentation highlights:

- Douglas Treaties and the Gulf Islands: “We are all Treaty People”
- Historical review of Douglas Treaties
- Impact of treaties, smallpox epidemic, formation of reserves
- Significance of reduction of reserve lands – forced people off reserves
- Impact of residential schools: over 88 years of segregation policies
- Douglas Treaty people have been fighting for past 50 years to have treaty rights respected
- May 2017 – court application for 200 acres around Cadboro Bay, Victoria by Songhees/Esquimalt as compensation for village site
- Village sites on Gulf Islands identified by Elders in 1983 and 2015
- 37 First Nations identified with Islands Trust: each defines reconciliation differently
- Importance of listening and learning...being authentic to facilitate island reconnections
- Acknowledge history and language

It was suggested that Trustees consider hosting an event with the Elders to begin reconnection process. A Staff Report will be forwarded to the Trustees and consideration should be given to address First Nations in the OCP.

Planner Richardson will post a link to presentation on the web site.

There was a break taken from 2:50 to 3:05pm.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for February 27, 2017, at the Agricultural Hall, Mayne Island

15. TOWN HALL

Chris Redsell questioned what constitutes a legitimate bylaw complaint.

He also stated that the Chamber of Commerce is advertising the island however there are concerns as to lack of accommodation. It was also stated that Air B&B could be of benefit to the island as participants are screened.

Trustee Dodds stated usually complaints are regarding a specific issue such as noise or trespassing and come from an immediate neighbour.

Robert Kojima stated that a complaint is a complaint and Bylaw Enforcement investigates as to circumstances. Role of Bylaw enforcement is to determine if bylaw is being adhered to or is a law being broken.

Trustee Dodds commented that there are specific zones/areas for commercial/STVR and owner can apply to rezone. The input from the community is critical as to the direction of bylaws.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close Meeting

MA-2017-005

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) (d & f) for the purpose of considering:
Adoption of In-Camera Meeting Minutes Dated November 7, 2016
Bylaw Enforcement Issue
AND that the recorder and staff attend the meeting.*

CARRIED

16.2 Recall to Order

The meeting was recalled to order at 3:40 pm.

16.3 Rise and Report

Nothing to report

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:45 pm.

George Grams, Chair

Certified Correct:

Pat Todd, Recorder