



Mayne Island Local Trust Committee

Regular Meeting Agenda

Date: February 22, 2016
Time: 1:00 pm
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

	Pages
1. CALL TO ORDER	1:00 PM - 1:15 PM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	
4. COMMUNITY INFORMATION MEETING	
none	
5. PUBLIC HEARING	
none	
6. MINUTES	
6.1 Local Trust Committee Adopted Minutes Dated November 30, 2015 (for Receipt)	3 - 11
6.2 Section 26 Resolutions-without-meeting Report Dated February 2016	12 - 12
6.3 Advisory Planning Commission Minutes for Receipt	
none	
7. BUSINESS ARISING FROM THE MINUTES	1:15 PM - 1:30 PM
7.1 Follow-up Action List Dated February 2016	13 - 14
8. DELEGATIONS	
none	
9. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
9.1 Email Dated December 15, 2015, from I. Dow re Letter of Support for More Docks in Miners Bay	15 - 16

10.	APPLICATIONS AND REFERRALS	1:30 PM - 2:30 PM	
10.1	MA-RZ-2015.1 (CRD c/o Robbins) - Staff Report		17 - 30
11.	LOCAL TRUST COMMITTEE PROJECTS		
11.1	Short Term Vacation Rentals (STVRs) & Temporary Use Permit (TUP) Guidelines - Staff Report		31 - 58
	Draft Bylaws No. 165, 166 & 167		
11.2	Mayne Island BEN Bylaw No. 156 - Staff Report		59 - 77
	For Consideration of Adoption		
12.	REPORTS	2:30 PM - 3:00 PM	
12.1	Work Program Reports (attached)		
12.1.1	<u>Top Priorities Report Dated February 2016</u>		78 - 78
12.1.2	<u>Projects List Report Dated February 2016</u>		79 - 79
12.2	Applications Report Dated February 2016 (attached)		80 - 80
12.3	Trustee and Local Expense Report Dated January 2016 (attached)		81 - 81
12.4	Adopted Policies and Standing Resolutions (attached)		82 - 85
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Report		
12.8	Trust Fund Board Report		
	none		
13.	NEW BUSINESS		
13.1	Georgina Point Road - Discussion		
13.1.1	<u>Email Dated December 10, 2015 from G. Holman</u>		86 - 86
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for March 21, 2016 at the Agricultural Hall, Mayne Island		
15.	TOWN HALL	3:00 PM - 3:30 PM	
16.	CLOSED MEETING (Distributed Under Separate Cover)		
	none		
17.	ADJOURNMENT	3:30 PM - 3:30 PM	



ADOPTED

Mayne Island Local Trust Committee Minutes of Regular Meeting

Date: November 30, 2015
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

Members Present: George Grams, Chair
Jeanine Dodds, Local Trustee
Brian Crumblehulme, Local Trustee

Staff Present: Gary Richardson, Island Planner
Miles Drew, Bylaw Enforcement Manager
Pat Todd, Recorder

Members of the Public and Media present: There were approximately eleven (11) members of the public present and no members of the media

1. CALL TO ORDER

Chair Grams called the meeting to order at 1:00 pm. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. Chair Grams introduced the Trustees and staff.

2. APPROVAL OF AGENDA

Additions for consideration:
8.1 Delegations – Michael Dunn, Mayne Island Conservancy;
2.8.2 Trust Fund Board Report.

By general consensus the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Carl Bunnin of the Southern Gulf Islands Harbours Commission stated he was prepared to speak to the rezoning application if necessary.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Mayne Island Local Trust Committee Minutes

6.1.1 Local Trust Committee Minutes Dated September 30, 2015

By general consent the Local Trust Committee meeting minutes of September 30, 2015 were adopted.

6.1.2 Local Trust Committee Special Meeting Minutes Dated November 15, 2015

By general consent the Local Trust Committee Special Meeting minutes of November 15, 2015 were adopted.

6.2 Section 26 Resolutions-without-meeting Report Dated November 2015

Received for information.

6.3 Advisory Planning Commission Minutes Dated September 21, 2015

Received for information.

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated November 2015

Chair Grams expressed appreciation for the staff efforts as all items have been completed except for proposed bylaw No. 156 (Bylaw Enforcement Notification) which Bylaw Enforcement Manager (BEM) Drew will speak to today.

BEM Drew spoke to a report (which did not get included in the agenda package). The Advisory Planning Commission has recommended adoption of the bylaw.

Historically, bylaw enforcement notification (BEN) has not been felt to be helpful with short term vacation rentals (STVRs) as the fine is not significant compared to the potential rental income. The bylaw does work to enforce signage and advertising restrictions. The bylaw officers have reported that the “threat” of BEN has been effective with STVRs and that there is more impetus to apply for a Temporary Use Permit (TUP).

BEM Drew outlined the process to fine for illegal signage and chronic abusers of STVRs.

There are significant amendments currently before the Minister of Community, Sport and Cultural Development and BEM Drew recommended that the Mayne Island LTC adopt the bylaw as it is the most economical and efficient method to enforce bylaws.

Staff will bring the bylaw and a staff report to the next meeting for consideration.

8. DELEGATIONS

- 8.1 Michael Dunn, on behalf of the Mayne Island Conservancy (MIC), presented the LTC with the Mayne Island Path Initiative report which the LTC had supported financially.

In 2013 the MIC conducted a survey focused on the safety of pedestrians, bikers, and drivers on the primary roads. Results emphasized the need for a pathway between the ferry terminal and the village. Work has begun on this project.

Copies of the report have been given to the Capital Regional District, Regional Director, Ministry of Transportation and Infrastructure, the Mayne Island library, and will be put on the Islands Trust website.

The LTC expressed appreciation for the report.

9. CORRESPONDENCE

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

9.1 Letter from I. Dow (President Mayne Island Residents & Ratepayers Assoc.) re: Road Naming Correction

Ian Dow spoke regarding a number of road corrections including:

- a) Correction to spelling of Wilkes Road to Wilks Road;
- b) Removal of apostrophe on Williams Road;
- c) Confusion regarding Cherry Tree Lane and Cherry Tree Bay Road.

Trustee Dodds agreed to draft a letter of support to lobby for the changes.

MA-2015-62

It was Moved and Seconded that Trustee Dodds work with Mayne Island Residents and Ratepayers Association to prepare a letter of support for changes to road names.

CARRIED

10.1 Salt Spring Island Local Trust Committee Bylaw No. 485 Referral

Chair Grams reviewed the bylaw under consideration on Salt Spring Island.

MA-2015-63

It was Moved and Seconded that Salt Spring Island Local Trust Committee Bylaw No. 485 has no effect for Mayne Island.

CARRIED

10.2 MA-DVP-2015.2 (Irving) - Staff Report

Planner Richardson spoke to the history of the structures which encroach on the setbacks. There is correspondence from 1993 that the house was lawful.

The staff report suggests inclusion of all structures in the variance application, to legalize existent structures.

There was discussion regarding the application. There have been some emails from neighbours received speaking to the boat/storage unit which is within the setback and still to be dealt with.

The applicant's agent spoke to the application and stated that all structures had been completed under permit and that the owner will be advised as to the issue of the boat/storage shelter.

The LTC recommended that there be contact with the Archaeology Branch as a Heritage Conservation Act permit may be needed before further development is undertaken.

MA-2015-64

It was Moved and Seconded that Development Variance Permit MA-DVP-2015.2 (Irving) be approved.

CARRIED

10.3 MA-RZ-2015.1 (CRD) - Staff Report

Planner Richardson reviewed the Community Information Meeting (CIM) held November 15, 2015 and had attended a meeting of the Harbours Commission.

Staff has a better appreciation of the location and appropriateness of this area for a docking facility; however, the need for an environmental report is still important.

There was discussion as to the need for a pump out station.

MA-2015-65

It was Moved and Seconded that Mayne Island Local Trust Committee request applicant, Capital Regional District, to provide a report as to the cost of construction and need of a pump out station for this site.

CARRIED

MA-2015-66

It was Moved and Seconded that the Mayne Island Local Trust Committee directs staff to request the applicant of MA-RZ-2015.1 (Capital Regional District) to obtain a report prepared by a qualified professional to provide an environmental review of the marine area of the proposed Anson Road community dock to determine environmental values, assess impacts and recommend mitigation measures.

CARRIED

After discussion it was determined that when there are more details available, a second CIM would be held to identify community interest/concerns.

The requirement of a pump out station is currently contained within the Official Community Plan so if rezoned without such an amenity may necessitate amendment to the OCP.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Work Program Survey Results – Memo

Planner Richardson spoke to the recent survey. Results brought forth a lot of information to draw on relative to future projects. Some issues identified are outside of the LTC scope.

MA-2015-67

It was Moved and Seconded that the Mayne Island Local Trust Committee directs staff and Trustee Crumblehulme to create a summary report of survey information.

CARRIED

11.2 Temporary Use Permit Guidelines & Cottage Options for Short Term Vacation Rentals - Staff Report

Staff reviewed the report. It was suggested that the guidelines could be drafted as a bylaw.

MA-2015-68

It was Moved and Seconded that the Mayne Island Local Trust Committee request staff to prepare a draft Official Community Plan amendment bylaw that would insert Temporary Use Permit guidelines into the Mayne Island Official Community Plan Bylaw No. 144, 2007, as outlined in the staff report of November 18, 2015.

CARRIED

MA-2015-69

It was Moved and Seconded that the Mayne Island Local Trust Committee requests staff to prepare draft amendment bylaws that would permit Short Term Vacation Rental use of a cottage as a home occupation.

CARRIED

MA-2015-70

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to amend Bylaw Referral to include the Mayne Island Advisory Planning Commission and that the amended Official Community Plan and Land Use Amendments – Project Charter v4 November 17, 2015 be adopted

CARRIED

11.3 Technical Amendments - Staff Memo - Bylaws No. 161 & 162 (for further consideration)

Planner Richardson stated that the bylaws had been approved by the Minister's Office.

MA-2015-71

It was Moved and Seconded that Mayne Island Local Trust Committee proposed Bylaw No. 161, cited as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2014" be adopted.

CARRIED

MA-2015-72

It was Moved and Seconded that Mayne Island Local Trust Committee proposed Bylaw No.162, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2014" be adopted.

CARRIED

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated November 2015

Planner Richardson will update as per today's recommendations.

12.1.2 Projects List Report Dated November 2015

BEN Bylaw and Bylaw staff report will be on the agenda for January. Planner Richardson reviewed the government actions to date as to riparian area regulations (RAR). A planner has been hired by the government to finalize the project. Staff will invite this individual to a LTC meeting in 2016.

12.2 Applications Report Dated November 2015

Staff reviewed the status of the applications.

12.3 Trustee and Local Expense Report Dated October 2015

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

Staff will update from today's actions.

12.6 Chair's Report

Chair Grams reported on two meetings with the Minister of Community, Sport and Cultural Development: an introduction/explanation of Islands Trust function and structure, and one to update on the process of the Salt Spring Island incorporation study. He also attended a meeting on anchorages in Islands Trust areas. Chair Grams detailed a seminar regarding Saanich Inlet and the issue of marine sewage. There are changes in regulations and codes.

Chair Grams spoke to a proposed liquid natural gas (LNG) plant that was introduced by First Nations. This has been opposed by many organizations. He also noted Islands Trust Executive is preparing for Trust Council.

12.7 Trustee Report

Trustee Dodds attended the anchorage meeting: there are 5 noted in Plumper Sound. There are some additional anchorages requested in the Gabriola area and there will be removal of some anchorages. There are still issues regarding noise and lights and a sense of lack of appreciation for island residents. Trustees met with Gary Holman, MLA for Saanich North and the Islands, regarding roads and fallow deer.

Trustee Crumblehulme participated in a webinar on security with a focus on emails. He related that the Village Bay to Miners Bay pathway is a pilot project and as such is a high priority. The contract has been assigned and work should begin by January and to be completed with the lease intrusion as possible.

Trustees attended the opening of the new fire hall.

12.8 Trust Fund Board Report - October 2015

12.8.1 Briefing re Coastal Douglas -fir & Associated Ecosystems Partnership Conservation Strategy

Received for information.

12.8.2 Trust Fund Board Report

Received for information.

13. NEW BUSINESS

13.1 Mayne Island Local Trust Committee Draft 2016 Annual Regular Meeting Schedule - Memo (for consideration to Adopt)

MA-2015-73

It was Moved and Seconded that the Mayne Island Local Trust Committee adopts the 2016 meeting schedule as presented.

CARRIED

13.2 Nov. 10, 2015 Email from M. Richards, Grants Manager re Support for Policies on Community Energy Sustainability

Trustee Crumblehulme spoke to this item. Some policies had already been discussed, many are for urban areas.

Trustee Crumblehulme will contact to see funding may be available for the island.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for January 25, 2016

15. TOWN HALL

Paula Buchholz referred to her recent correspondence sent to the LTC to remove density from the projects list.

The LTC will take her comments under advisement.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close Meeting

The following motion to close meeting was made at 2:53 pm.

MA-2015-74

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) for the purpose of considering the following: adoption of in-camera meeting minutes dated September 30, 2015 and that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

The regular business meeting as recalled to order at 2:54 pm.

16.3 Rise and Report

Chair Grams reported that the in-camera meeting minutes dated September 30, 2015 were adopted.

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:56 pm.

George Grams, Chair

Certified Correct:

Pat Todd, Recorder



Islands Trust

Print Date: February 16, 2016

Resolutions Without Meeting

Mayne Island

Resolution #	Action	Resolution Description	Resolution Date
2016-01	In Favour	THAT the Mayne Island Local Trust Committee regular business meeting of January 25, 2016, be cancelled.	11-Jan-2016
2016-02	In Favour	THAT the Mayne Island Local Trust Committee meeting minutes dated November 30, 2015, be Adopted	14-Jan-2016

Follow Up Action Report

Mayne Island

30-Nov-2015

No.	Activity	Responsibility	Target Date	Status
1	LTC Minutes of September 30, 2015 adopted as drafted.	Lori Foster		Done
2	LTC Minutes of November 15, 2015 adopted as drafted.	Lori Foster		Done
3	Salt Spring Island LTC Bylaw 485 respond as interests unaffected.	Sharon Lloyd-deRosario		Done
4	Correspondence from Ian Dow regarding road naming. Trustee Dodds will work with ratepayers group to prepare letter to be sent to MoTI.			Done
5	MA-DVP-2015.2 (Irving) - permit issued as drafted.	Sharon Lloyd-deRosario		Done
6	MA-RZ-2015.1 (CRD) - Request report from applicant on cost of providing sewage pump out station.	Gary Richardson		Done
7	MA-RZ-2015.1 (CRD) - staff to request applicant to provide an environmental report prepared, by qualified professional.	Gary Richardson		Done
8	MA-RZ-2015.1 (CRD) Staff to request plan of proposed improvements to upland.	Gary Richardson		Done
9	Trustee Crumblehulme will prepare a summary of questionnaire results.			Done
10	Short Term Vacation Rental Review - staff to prepare an OCP amendment containing TUP guidelines for STVRs.	Gary Richardson		Done
11	Short Term Vacation Rental Review - staff to prepare amending bylaw(s) that would permit STVR use of cottages.	Gary Richardson		Done
12	MILTC Proposed Bylaws 161 and 162 - both adopted as proposed. Update and consolidate into base bylaws.	Sharon Lloyd-deRosario		Done

Follow Up Action Report

13	Place Staff report prepared by Miles Drew and BEN bylaw on January LTC agenda for consideration of adoption. - Placed on February agenda.	Sharon Lloyd-deRosario	Done
14	MILTC 2016 meeting schedule adopted as proposed. Schedule to be posted.	Lori Foster	Done
15	In Camera Minutes of September 30, 2015 adopted as drafted.	Lori Foster	Done

From: "Brian & Mary Crumblehulme" <[REDACTED]>
Date: December 15, 2015 at 4:55:10 PM PST
To: Brian Crumblehulme <bcrumblehulme@islandstrust.bc.ca>
Subject: Fwd: Miners Bay dock

----- Forwarded message -----

From: **Ian Dow** <[REDACTED]>
Date: Tue, Dec 15, 2015 at 4:02 PM
Subject: Miners Bay dock
To: Jeanine Dodds <[REDACTED]>, Brian & Mary Crumblehulme
[REDACTED]

Hi Jeanine and Brian,
Can you support this attached letter requesting funding for an expansion of the Miners Bay dock? I am soliciting and have garnered quite a bit of support so far but adding the LTC would be very good for us.
Thanks
Ian

LETTER OF SUPPORT FOR MORE DOCKS IN MINERS BAY

The Southern Gulf Islands Harbours Commission is currently in the process of planning repairs to the Miners Bay dock.

Mayne Island is in dire need of additional wharf space for local boaters and tourists alike.

We request that the Harbours Commission commit \$200,000 for up to an additional 300 lineal feet of wharves, properly oriented, in Miners Bay concurrent with planned work this spring.

Background;

As a direct result of intervention by members of the Mayne Island community implementing a financial review of the SGI Harbours Commission, money was found that was not previously disclosed. Mayne Island is directly responsible for most of the \$1.4 million which is now available for the improvements of all of the SGI CRD docks.

The SGI Economic Development Commission recently hosted Bruce Colgrave, Project Manager for Pacific Industrial & Marine limited who spoke on the Miners Bay harbour. He stated that Miners Bay was the best natural harbour in the Southern Gulf Islands and with docks oriented properly, mooring boats bow into wake, additional floats will provide good marine facilities for the community and local business. Later the addition of floating breakwater systems would create an excellent harbour for a full marina facility.

It is early to discuss a full marina however there are some points to ponder. The recent addition by BC Ferries of the Coastal class ferries has observably reduced ferry wake by about 50%. The new ferries soon to replace the Nanaimo, will have the same hull design. So with the current and future reduction in ferry wake and proper orientation of new docks, expanding docks in Miners Bay will provide returns to our community, exponentially greater than the investment.

Finally, this can be accomplished immediately.

We request a budget of \$200,000 to install up to 300 lineal feet of additional docks. These may be available used at significant savings. In order to save on crew and equipment mobilization and demobilization, this should be concurrent with the planned repair work slated for this spring, 2016.

These improvements are a benefit to the entire community, recreational boaters, Santa Ship, commercial fish boats, the Experience the Gulf Islands project and Trans Canada Trail, inter Island foot passenger traffic, water taxi services, float planes and more. Many local businesses are proximate to Miners Bay. Farmers and craft fairs are held in the Agricultural Hall grounds all summer. Miners Bay Park is ongoing with festivals and other events year round. Food and drink are readily available and all this within walking distance of the dock.

Please indicate your support of this proposal. It will be presented in mid January, 2016, to CRD Director Howe, Integrated Water Services General Manager Ted Robbins, the Southern Gulf Islands Harbours Commission, and the Southern Gulf Island Economic Development Commission requesting support and implementation.

Thank you,
Ian Dow,

STAFF REPORT

File No.: MA-RZ-2015.1
Capital Regional
District

To: Mayne Island Local Trust Committee
For the meeting of February 22, 2015

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Proposed Zoning Amendment - Water Lease No. 112548 (DL 2070)
Horton Bay, Mayne Island

Owner: Capital Regional District
Applicant: Capital Regional District
Description: Water Lease No. 112548 (DL 2070) Horton Bay, Mayne Island

SUPPLIMENTARY REPORT

THE PROPOSAL:

The application is requesting that the zoning on water lease No. 112548 be changed from Water Moorage (W2) to a zone that will allow for the construction and operation of a public dock facility and boat ramp.

The applicant is also proposing improvements to the upland access (Anson Road) to service the proposed dock facility.

BACKGROUND:

The Capital Regional District (CRD) operates a number of public dock facilities across the Southern Gulf Islands under the Southern Gulf Islands Harbours Commission service. Under this service the CRD acquired a water lot lease fronting Anson Road in 2007. There has been interest in developing a dock facility at Anson Road for several years.

The application states that there is a shortage of public dock facilities on Mayne Island and that if this facility is constructed it will serve as a key facility for Mayne Island residents, emergency access and evacuation, and act as a portal allowing transportation between Mayne and the surrounding islands. There is an existing public dock in Horton Bay owned by the Small Craft Harbours Branch of Fisheries and Oceans, which from casual observation appears to be at capacity all year.

- A [preliminary staff report](#) was prepared for the September 30, 2015 LTC meeting.

The LTC passed the following resolution at the September 30, 2015 LTC meeting:

MA-2015-54

It was Moved and Seconded that the Mayne Island Local Trust Committee request staff to begin organizing the Community Information Meeting regarding MA-RZ-2015.1 subsequent to receipt of environment report currently held by the Capital Regional District.

- A Community Information Meeting was held on November 15, 2015.
- A [supplementary staff report](#) was prepared for the November 30, 2015 LTC meeting.

The LTC passed the following resolutions at the November 30, 2015 LTC meeting.

MA-2015-65

It was Moved and Seconded that Mayne Island Local Trust Committee request applicant, Capital Regional District, to provide a report as to the cost of construction and need of a pump out station for this site.

MA-2015-66

It was Moved and Seconded that the Mayne Island Local Trust Committee directs staff to request the applicant of MA-RZ-2015.1 (Capital Regional District) to obtain a report prepared by a qualified professional to provide an environmental review of the marine area of the proposed Anson Road community dock to determine environmental values, assess impacts and recommend mitigation measures.

SITE CONTEXT:

The lease area is 0.2830 hectares in size and is located in Horton Bay. Horton Bay, protected by Curlew and Samuel Islands, is a popular location for boaters to moor their boats to mooring buoys (as can be seen on the photos contained in this report).

There is a dedicated highway (Anson Road) that provides unpaved access to the lease area from Horton Bay Road. The upland area that is to be used to access the lease

slopes down from Horton Bay Road to the foreshore. The portion of Anson road closest to the lease area is saturated with water in the winter months preventing motor vehicle access. To allow all-weather access to the foreshore and sufficient off-street parking, Anson Road would need to be constructed to a higher standard.

The surrounding area consists of residential waterfront lots ranging in size from 0.3 ha to 0.5 ha.

Figure 1: Subject Property Map

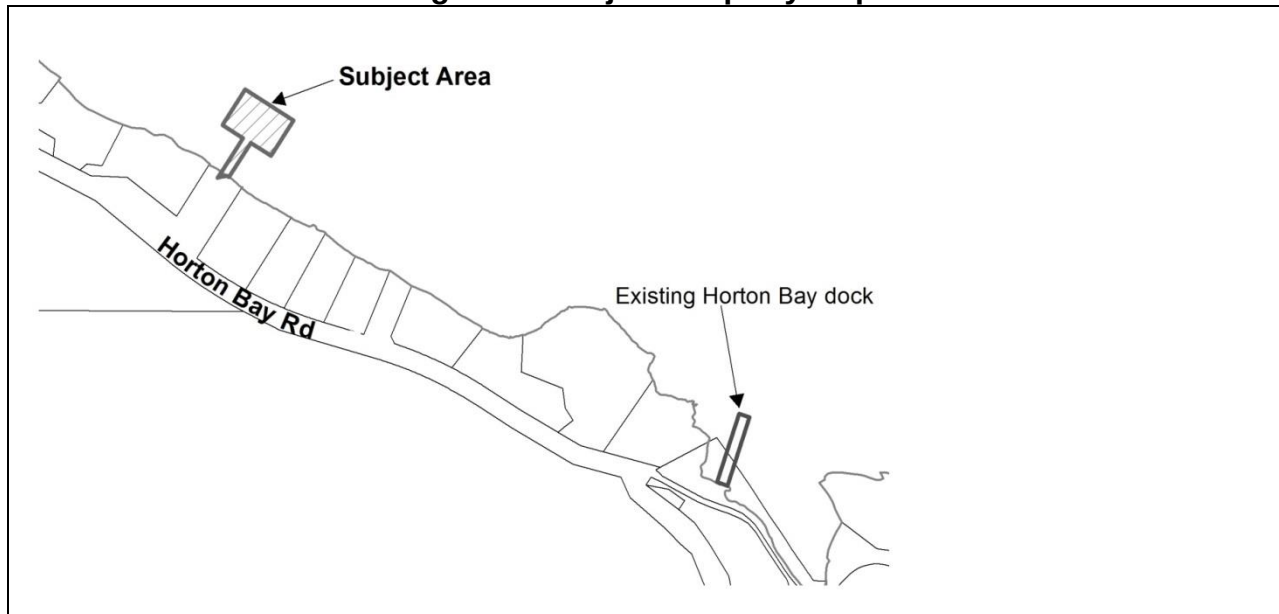


Figure 2: Orthophoto of Subject Area



Figure 3: Orthophoto of Subject Area



Figure 4: Photo from Existing Access Stairs at end of Anson Road



STAFF COMMENTS:

Further to the LTCs resolution at the November 30, 2015 requesting further information the applicant has supplied the following:

1. A report from Gormican Environmental Services titled, "Marine Habitat Assessment of Proposed Anson Road Dock in Horton Bay, Mayne Island, B.C. " The report is attached.

The following are excerpts from the Gormican Environmental report:

- The majority of the substrate consists of mud and sand with a veneer of fine particles.
- Numerous holes were present which likely indicate the presence of bivalves, crustaceans and worms that burrow into the substrate.
- Eelgrass was present in two areas on the edge of the water lot.
- Four orange sea pens were observed near the northwest edge of the water lot.
- In the case of the proposed Anson Road dock, there is no significant eelgrass habitat in the portion of the water lease that would be impacted by the proposed dock.
- The water lot is located near the head of Horton Bay and is not subject to significant longshore sediment transport.
- To mitigate or prevent negative impact on the marine environment, construction should take place outside of important biological events.
- Further mitigation for the installation of docks includes the use of nontoxic materials (e.g. steel versus creosote pilings), pre-cast concrete structures, encapsulated foam dock flotation, and the use of gratings on walking surfaces to allow light penetration.
- Best management practices for construction include avoiding spillage of fuel and oils and having a spill kit on hand at all times.
- A barge will likely be used to drive the piles and it should use vibration for installation and avoid contact with the bottom substrate as much as is possible.
- An environmental monitor should be present during pile driving to monitor impact on fish species.
- A follow up benthic survey should be conducted one year after the project completion. Should unpredicted impacts be observed, compensation measures should be implemented.
- It is not recommended that the restoration of the marine environment be performed as the project will have minimal impact on the benthic environment and will provide new habitat of a different but nonetheless, valuable nature.

Although many of the mitigation measures and best practices cannot be specified in zoning if this proposal proceeds there is an expectation that the

CRD and the parties involved in the construction of the dock will adhere to the mitigation measures and best practices listed in the Gormican Environmental report.

2. Public Toilet and Pump Out facility

The applicant is proposing a vaulted public toilet facility be provided on the upland. The facility will be similar to other vaulted toilets operated on Mayne Island by Mayne Island Parks and Recreation. The toilets are pumped out when necessary.

The applicant suggests there is not a need for a pump out facility at this time as the docks currently operating on Mayne Island are used primarily by recreational boaters, in boats that are 22 feet or smaller, without holding tanks.

The SGIHC, through the CRD, plans to monitor the future need for pump out facilities at Anson Road. Should a need for a pump out service be required there is portable pump out equipment that can be implemented for \$5100.00. The vaulted toilet on the upland will be constructed in a manner that will accept waste from the portable pump out unit.

The applicant's submission dated January 6, 2016 regarding pump out facilities and upland toilet facilities is attached.

This seems like a reasonable approach as it allows a small scale pump out facility to be provided if it is required.

3. Upland Facilities

Improvements to the upland will include upgrading the road access and parking area to an all-weather gravel surface. As well a public toilet will be constructed. The applicant has provided a plan showing the proposed upland improvements.

The plan shows 8 parking spaces with the shoulder of Horton Bay Road shown as overflow parking. Section 14.2 of the Land Use Bylaw requires, for Marinas, 1 parking space per two berths used for year round moorage plus 1 space per 2 employees.

If this proposal proceeds staff will ensure there is sufficient off road parking to provide for most of the parking for the dock facility. The LUB sec 7.4 requires 1 parking space per berth.

The report suggests that the proposed dock facility will have minimal impact on the benthic environment, a plan for the upland has been provided and the need and future implementation strategy for a pump out facility has been addressed.

Staff is recommending that the application proceed as proposed. If the LTC recommend the proposal proceeds staff will prepare draft bylaws for the LTCs consideration at the March 21, 2016 LTC meeting.

Options:

- 1) Proceed as proposed. This will ensure the proposal proceeds as staff has recommended. Draft bylaws will be prepared for the LTCs consideration.
- 2) Proceed no further. If this option is chosen the file will be closed and a partial refund will be forwarded to the applicant.
- 3) Proceed as amended. The LTC may direct staff to proceed in a different way than is recommended.

Next Steps:

- 1) Prepare draft bylaw(s) for the LTC's consideration.
- 2) Forward draft bylaws to agencies for comment.

RECOMMENDATIONS:

1. **THAT** the Mayne Island Local Trust Committee directs staff to prepare draft bylaws in response to the community dock facility proposed in application MA-RZ-2015.1 (CRD).

Prepared and Submitted by:

Gary Richardson

February 12, 2016

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

February 12, 2016

Date

Attached: Report prepared by Gormican Environmental Services

Marine Habitat Assessment Of Proposed Anson Road Community Dock in Horton Bay, Mayne Island, B.C.

Prepared for:

Stephen Henderson
Manager of Real Estate Services,
Capital Regional District
625 Fisgard Street, Victoria, BC, Canada V8W 2S6

Prepared by:

Stephen J. Gormican, M.Sc., R.P.Bio.

Gormican Environmental Services
10686 Derrick Road
North Saanich, B.C. V8L 5M8
Email: GES@telus.net

February 3, 2016

Project No. GES 097

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<i>Discussion</i>	<i>3</i>

Introduction

The Islands Trust requires environmental impact assessment of projects in the marine environment. Accordingly, the proposed Anson Road Community Dock in Horton Bay, Mayne Island (Application MA-RZ-2015.1) required a checklist to be completed to meet the assessment requirements. Gormican Environmental Services was contacted to complete the marine habitat assessment of the proposed dock. No assessment was made of a boat ramp facility as that was removed by the proponent. A survey of the marine habitat in the water lot lease where the proposed dock is to be constructed was performed on January 31, 2016. This report details the findings of the survey and addresses the checklist of information requested by the Islands Trust.

Methods

The field investigations were conducted on January 31, 2016 using a towed underwater camera from a boat. Real time observations were made and the survey completed by making passes over the water lot lease (DL 2070). Positioning was done using WAAS enabled GPS and positions as provided by the CRD. Positioning was also confirmed by visual reference to shore survey pins and landmarks.

After making a series of passes across the water lot lease (and a few metres beyond), areas of interest were investigated further with the camera to delineate particular features.

Results

The visibility during the survey was > 4 metres and tidal currents nearly undetectable (tide was high and turned to ebb during survey). Winds were light and the location is protected from winds from most quadrants.

The majority of the substrate consisted of mud and sand with a veneer of fine particles. Empty clam and cockle shells were observed and these were covered with a thin layer of silt. Numerous holes were present which likely indicate the presence of bivalves, crustaceans and worms that burrow into the substrate. No clam siphons were observed which may indicate a low clam population or that the holes belong to other organisms.

Eelgrass (*Zostera marina*) was present in two areas on the edge of the water lot. The plants were sparse (~2% coverage) and located at the shoreward edge of the lease boundary (Figure 1).

Four orange sea pens (*Ptilosarcus gurneyi*) were observed near the north east edge of the water lot.

Some terrestrial origin woody debris was noted and a few pieces of debris such as tin cans and rope were present. A tongue of gravel extends from shore and is a remnant of a barge loading facility that can be seen in the aerial photo (Figure 1). Presumably, the shoreline was straight before the loading facility was built.

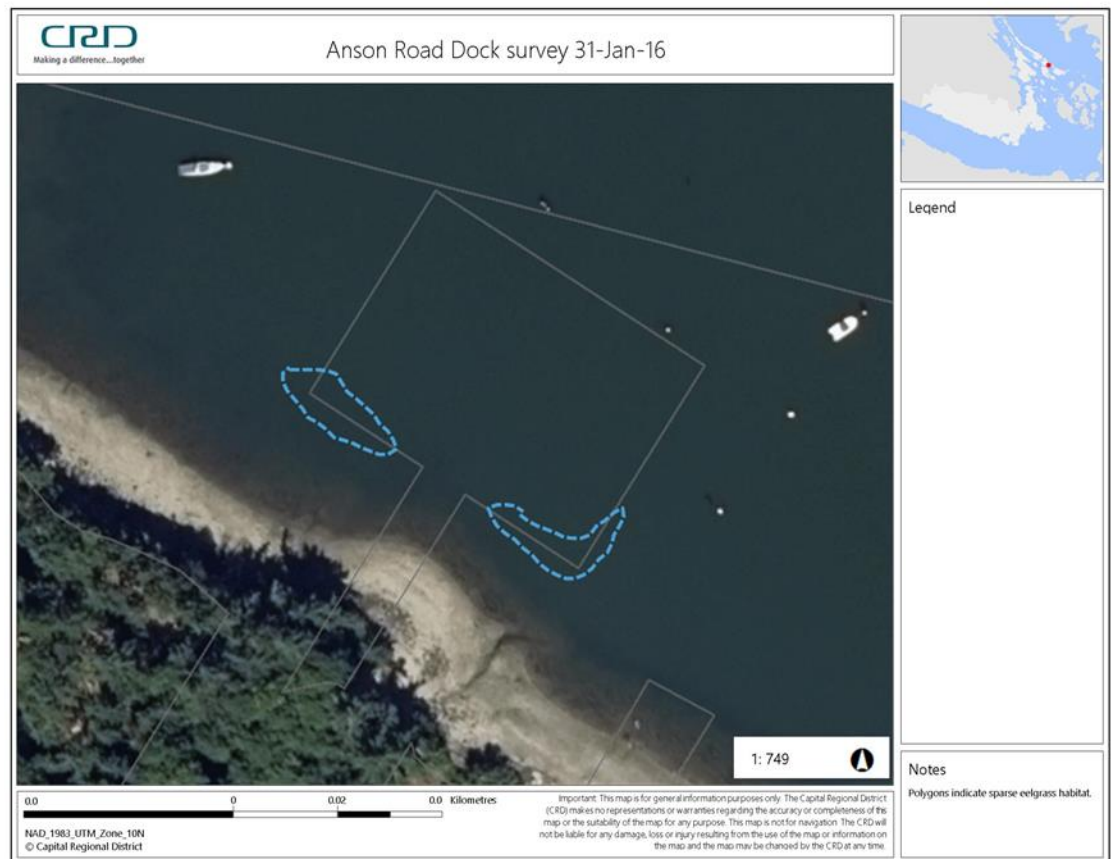


Figure 1. Anson Road water lot lease, blue polygons indicate areas of fringing, low density eelgrass as observed in January 31, 2016 survey.

Discussion

One of the primary concerns with the installation of docks in the nearshore marine environment is the potential for the loss of functioning ecosystem components. In particular, shading from dock approaches, floats and moored boats can be detrimental to the growth of eelgrass which supports an abundance of marine species. In the case of the proposed Anson Road dock, there is no significant eelgrass habitat in the portion of the water lot lease that would be impacted by the proposed dock.

The water lot is located near the head of Horton Bay and is not subject to significant longshore sediment transport. The presence a fine coating of sediments on objects on the bottom confirm this observation as does the presence of a shallow sloped sand beach to the west. The preliminary dock layout (January 2007 drawing for the Southern Gulf Islands Harbours Commission) indicate that the floating walkway will begin at the high water mark and will be aligned using piles. Should a footing need to be constructed for the landing, keeping it above the high water mark will eliminate impact on the marine environment. The piles will not significantly impact sediment transport as there is little evidence of transport and they have very small profiles to impede movement of particles.

To mitigate or prevent negative impact on the marine environment, construction should take place outside of important biological events. There are defined work windows for the South Coast of BC that the Department of Fisheries and Oceans specifies to avoid impact on spawning and other critical phases of local species.

Further mitigation for the installation of docks includes the use of non-toxic construction materials (e.g., steel versus creosote pilings, pre-cast concrete structures, encapsulated foam dock flotation, the use of gratings on walking surface to allow light penetration, *et cetera*). Best management practices for construction include avoiding spillage of fuel and oils and having a spill cleanup kit on hand at all times. A barge will likely be used to drive piles and it should use vibration for installation and avoid contact with the bottom substrate as much as is possible.

An environmental monitor should be present during pile driving to monitor the impact on fish species. A follow up benthic survey should be conducted one year after project completion. Should unpredicted impacts be observed, compensation measures should be implemented.

The presence of the dock and floats will provide new habitat to the area, which will attract invertebrates and plants initially, and then over time provide habitat for fish. It is not recommended that restoration of the marine environment be performed as the project will have minimal impact on the benthic environment and will provide new habitat of a different but nonetheless, valuable nature.

The users of the dock should adopt green boating standards that strive to eliminate harmful discharges from boats and thereby reduce their impact on the marine environment.

Date: February 15, 2016

File No.: 6500-20- STVR
Review

To: Mayne Island Local Trust Committee
For the meeting of February 22, 2016

From: Gary Richardson
Island Planner

CC: Robert Kojima
Regional Planning Manager

**Re: Short Term Vacation Rental Review – Temporary Use Permit
Guidelines and Use of Cottages for Short Term Rental**

Purpose

The purpose of this project is to establish Temporary Use Permit guidelines for the evaluation of Short Term Vacation Rental (STVR) applications and to consider STVR use in cottages. The intent of the TUP guidelines is to provide greater certainty for applicants, surrounding property owners and future LTCs regarding the issuance of TUPs for STVRs.

Background

The LTC initiated a project to amend the OCP/LUB February 23, 2015. The project has been amended since its initiation. There are now two main components to the OCP/LUB project: One is to amend the Temporary Use Permit section of the OCP to contain a list of guidelines to be addressed when a TUP for an STVR is applied for and the second is to amend the OCP and LUB to allow STVR use of cottages.

At the November 30, 2015 LTC meeting the LTC passed the following resolutions:

MA-2015-68

It was Moved and Seconded that the Mayne Island Local Trust Committee request staff to prepare a draft Official Community Plan amendment bylaw that would insert Temporary Use Permit guidelines into the Mayne Island Official Community Plan Bylaw No. 144, 2007, as outlined in the staff report of November 18, 2015.

MA-2015-69

It was Moved and Seconded that the Mayne Island Local Trust Committee requests staff to prepare draft amendment bylaws that would permit Short Term Vacation Rental use of a cottage as a home occupation.

MA-2015-70

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to amend Bylaw Referral to include the Mayne Island Advisory Planning Commission and that the amended Official Community Plan and Land Use Amendments – Project Charter v4 November 17, 2015 be adopted.

As a result of the direction given at the November 30, 2015 LTC meeting staff has prepared the following for the LTCs review:

1. **Draft Bylaw 165** – is an OCP amendment that supports the short term commercial use of cottages within home occupation regulations.
2. **Draft Bylaw 166** – is an LUB amendment that would allow cottages to be used as STVRs within the home occupation regulations. The bylaw also contains a definition of *Short Term Vacation Rental*.
3. **Draft Bylaw 167** – is an OCP amendment that contains a list of guidelines that apply to the issuance of a TUP for an STVR.

Relevant Policy and Land Use Considerations

Islands Trust Policy Statement

- 4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:
- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,
 - water quality is maintained, and
 - Existing, anticipated and seasonal demands for water are considered and allowed for.
- 5.2.5 LTCs shall, in their OCPs and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
- 5.7.2 LTCs shall, in their OCPs and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

Official Community Plan

1.2 The Broad Community Objectives

- 2) To support a rural island community by preserving for resident and visitor enjoyment, the aesthetic, historic, scenic and natural resource values from the forests, farmlands, gardens, waterways, coastline and marine environment of the Mayne Island Trust Area.
- 6) To recognize the important role that varied livelihoods and a vibrant economy play in our community's unique character through the encouragement of economic diversity and a vital local economy.

4.6.1 Tourism

The objectives of this section are:

- 1) to maintain the rural ambience of the Mayne Island Trust Area,
- 2) to provide adequate infrastructure for tourist activities, and
- 3) to ensure tourism use that is environmentally, economically and civically sustainable, and within the capability of our community's volunteer base which supports or provides most local services and resources.

Policies

- 4.6.1.1 High impact destination recreational facilities that are not part of, or sensitive to, the natural and rural values of the Mayne Island Trust Area and that are designed to attract visitors to the Area shall not be permitted.

Land Use Bylaw

Short Term Vacation Rentals are presently not a permitted use in the Land Use Bylaw.

Islands Trust Fund

Consistent with policy, any temporary use permit application pertaining to a property adjacent to a TFB owned property or conservation covenant would be referred to Islands Trust Fund for comment.

Bylaw Enforcement

Once a TUP is issued, the conditions of the TUP are enforced in the same manner as zoning. It is important to note that a TUP cannot be canceled once issued; however once the permit expires the use is no longer permitted. There have been several bylaw enforcement files on Mayne Island regarding STVRs. Property owners have always

had the opportunity to apply for a TUP for an STVR on Mayne Island; however, a list of guidelines will give future applicants more certainty as to what may be required to legalize an STVR perhaps encouraging more people to apply.

Analysis

STVR is a term commonly used to describe the commercial rental of dwellings to paying guests for a period of time generally less than a month. Currently, the Land Use Bylaw does not permit STVR use as a permitted use. The OCP does provide for STVRs to be permitted through the issuance of a Temporary Use Permit however, there are no specific guidelines that apply to STVRs.

Temporary Use Permits

The LTC has provided direction to staff to prepare a list of Temporary Use Permit guidelines that would assist in assessing applications to allow vacation rentals in residences. Temporary Use Permits are a mechanism by which a local government can permit a use that is not otherwise permitted in a zone by issuing a permit for up to three years, renewable for an additional three years. Conditions of use may be included in the permit. Authorization to issue TUPs must be included in the Official Community Plan (OCP). The Mayne OCP currently permits the issuance of TUPs, and a landowner could currently apply for a temporary use permit for a short term vacation rental. However, the LTC has identified that specific guidelines relating to issuance of TUPs for vacation rentals should be drafted for inclusion in the OCP. This would provide guidance and certainty for applicants, surrounding property owners, and guidance for planning staff and the LTC in assessing applications.

Draft Bylaw 167 contains a list of TUP guidelines to be applied when the LTC considers the issuance of a TUP for an STVR.

Cottages

The LTC has identified permitting STVRs in cottages as an option for consideration. This would mean that the owners/operators would have to live permanently on the lot. The Home Occupation Regulations in the Land Use Bylaw (LUB) would be amended to accommodate STVR use and contain specific regulations for their use. There would not be a fee as STVRs would become a home occupation in the LUB.

. This approach:

- Ensures that the owner or operator is resident on the property;
- Allows regulations to be incorporated in the home occupation provisions;
- Limits the outright use to cottages; owners wishing to use a dwelling can apply for a TUP;
- Is generally consistent with the approach adopted recently on Galiano.

Communications and Consultation

Draft bylaws have been prepared and ready for consideration of First Reading. Staff will now initiate bylaw referrals to agencies. Staff will also initiate engagement with any First Nations with an interest in the area for OCP the amendments. The following First Nations have been identified as having an interest in the Mayne Island Local Trust Area:

- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout
- Tsawwassen First Nation
- Tseycum First Nation

The LTC has also requested that the draft bylaws be referred to the Advisory Planning Commission.

The LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected by an OCP bylaw. The LTC should consider if it wishes to undertake additional consultation than that identified above and direct staff accordingly.

Resources and Roles

The current timeline aims to have the project substantially underway before the end of the fiscal year, with the public hearing in the spring. If this timeline can be met, the amendments can be considered approved in principle prior to the summer. Implementation is a key element of the project and should involve development of materials and contact with operators to encourage compliance.

Budget resources are available in the current fiscal. Additional funds may need to be re-directed from other projects for any costs occurring in the 2016/17 fiscal year.

Next Steps

The LTC is requested to:

1. Review the attached draft bylaws 165, 166 and 167 and provide direction on any changes.
2. Direct staff to arrange a public hearing for draft bylaws 165, 166 and 167.
3. Give draft bylaws 165, 166 and 167 first reading.
4. Review the Policy Statement Checklists for draft bylaws 165, 166 and 167.

RECOMMENDATIONS:

1. THAT the Mayne Island Local Trust Committee give First Reading to draft Bylaw No. 165, cited as Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2015.
2. THAT the Mayne Island Local Trust Committee give First Reading to draft Bylaw No. 166, cited as Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2015.
3. THAT the Mayne Island Local Trust Committee give First Reading to draft Bylaw No. 167, cited as Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 2, 2015.
4. THAT the Mayne Island Local Trust Committee direct staff to arrange a public hearing for draft Bylaws 165, 166 and 167.
5. THAT the Mayne Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 165 and Bylaw No. 166 are not contrary to or at variance with the Islands Trust Policy Statement.
6. THAT the Mayne Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 167 is not contrary to or at variance with the Islands Trust Policy Statement.

Prepared and Submitted by:

Gary Richardson

February 15, 2016

Name, Title

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

February 16, 2016

Date

Attachments: Draft Bylaw 165
 Draft Bylaw 166
 Draft Bylaw 167
 Policy Statement Checklist Draft Bylaw 165 and 166
 Policy Statement Checklist Draft Bylaw 167

DRAFT

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 165

**A BYLAW TO AMEND THE MAYNE ISLAND OFFICIAL
COMMUNITY PLAN BYLAW NO. 144, 2007**

WHEREAS the Mayne Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Mayne Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Mayne Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Mayne Island Local Trust Committee wishes to amend the Mayne Island Official Community Plan Bylaw No. 144, 2007;

AND WHEREAS the Mayne Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2015”.

2. SCHEDULES

Mayne Island Official Community Plan No. 144, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this	day of	, 20.
READ A SECOND TIME this	day of	, 20.
PUBLIC HEARING HELD this	day of	, 20.
READ A THIRD TIME this	day of	, 20.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this	day of	, 20.
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this	day of	, 20.
ADOPTED this	day of	, 20.

DEPUTY SECRETARY

CHAIR

Mayne ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 165
SCHEDULE 1

- A. Bylaw No. 144, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007” is amended as follows:
1. Amending Subsection 2.3 (Home Occupation) by inserting the following immediately after policy 2.3.1.6:

“ 2.3.1.7 The rental of a cottage as a commercial vacation rental shall be permitted as a home occupation.”

DRAFT

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 166

A BYLAW TO AMEND MAYNE ISLAND LAND USE BYLAW NO.146, 2008

The Mayne Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Mayne Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw, No. 146, 2008, Amendment No.2, 2015”.

2. Mayne Island Local Trust Committee Bylaw No.146, 2008 cited as “Mayne Island Land Use Bylaw, No. 146, 2008” is amended as follows:

2.1 Section 3.6 Home Occupation Regulations, is amended by adding a new Article immediately following Article (g) as follows:

“(h) short term commercial rental of a *cottage*,” and reordering the remaining articles alphabetically.

2.2 Section 3.6 Home Occupation Regulations, is amended by adding a new Subsection immediately following Subsection 11 as follows:

“12 No more than one *cottage* per constructed *residence* may be used as a *short term vacation rental* at any one time.”

2.3 Section 1.1 Definitions is amended by adding the following definition in alphabetical order:

“Short term vacation rental” means the use of a *cottage* as a temporary commercial accommodation for a period of less than one month at a time by persons, other than the owner or permanent occupier. For this purpose, a *cottage* used as a *short term vacation rental* shall be considered as a home occupation subject to the regulations established in section 3.6.”

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

____ DAY OF _____ 20____

ADOPTED THIS

____ DAY OF _____ 20____

Chair

Secretary

**A BYLAW TO AMEND THE MAYNE ISLAND OFFICIAL
COMMUNITY PLAN BYLAW NO. 144, 2007**

WHEREAS the Mayne Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Mayne Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Mayne Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Mayne Island Local Trust Committee wishes to amend the Mayne Island Official Community Plan Bylaw No. 144, 2007;

AND WHEREAS the Mayne Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 2, 2015”.

2. SCHEDULES

Mayne Island Official Community Plan No. 144, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this	day of	, 20.
READ A SECOND TIME this	day of	, 20.
PUBLIC HEARING HELD this	day of	, 20.
READ A THIRD TIME this	day of	, 20.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this	day of	, 20.
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this	day of	, 20.
ADOPTED this	day of	, 20.

DEPUTY SECRETARY

CHAIR

Mayne ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 167
SCHEDULE 1

A. Bylaw No. 144, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007” is amended as follows:

1. Amending Subsection 2.9 (Temporary Use Permits) by inserting the following immediately after policy 2.9.1.8:

“ 2.9.1.9 Additional Guidelines to be applied when considering the issuance of a Temporary Use Permit for a Commercial Vacation Rental:

- a) The LTC may require mitigating measures to provide a separation between STVRs and surrounding properties such as screening and fencing.
- b) The LTC should consider the cumulative effects on the neighbourhood and Island of all the permits issued for STVRs.
- c) The LTC may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence.
- d) A contact person on Mayne Island associated with the property should be available by telephone 24 hours/day, seven days per week.
- e) The property owner/applicant should provide neighbors within a 100 metre radius of the vacation rental with the contact person’s phone number, and a copy of the temporary use permit.
- f) The property owner/applicant should provide evidence that there is an adequate supply of potable water.
- g) The property owner/applicant should provide evidence that there is adequate septic capacity for the proposed occupancy.
- h) The property owner/applicant should post information for guests regarding noise bylaws, water conservation, fire safety, fire escape plan, storage of garbage, septic field location, and control of pets. The guest information should also remind guests that they are in a residential area, not a commercial area.
- i) As a condition of the permit pets should be under control at all times.
- j) The property owner/applicant should be required to provide sufficient off street parking.
- k) The property owner /applicant should be required to ensure outdoor lighting is not directed onto surrounding properties.

- l) A condition of the permit should restrict the maximum number and size of signs an STVR can have. That the signs be made of wood and not illuminated.
- m) As a condition of the permit the maximum number of guests may be limited;
- n) As a condition of the permit the number of bedrooms may be limited;
- o) As a condition of the permit the specific months in a year that STVR use can be carried out may be specified.
- p) As a condition of the permit recreational vehicles and camping should be prohibited.
- q) As a condition of the permit outdoor fires should be prohibited.
- r) As a condition of use advertising that can be utilized may be specified.
- s) A condition of the permit should prohibit the rental or provision of motorized personal watercraft for rental clients.
- t) A condition of the permit may require the property owner/applicant to post contact information and permit information at the entrance to the property.
- u) As a condition of the permit the Islands Trust bylaw enforcement officer should be permitted to enter the property between the hours of 9 am and 5 pm on any day without prior consultation with the holder of the permit or STVR renter for the purpose of investigating a complaint.



Islands Trust

POLICY STATEMENT CHECK LIST (DIRECTIVES ONLY)

File No: MA-6500-20 STVR Use For Cottages
Bylaws 165 (OCP) and 166 (LUB)

PURPOSE- The following table provides planning staff with an efficient and effective means to evaluate bylaws to ensure that they are consistent with the policies within the Policy Statement.

POLICY STATEMENT - The Policy Statement (Consolidated April 2003) is comprised of several parts. Parts I and II, outline the purpose as well as the Islands Trust object and guiding principles. Parts II, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities. There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council - statements about Trust Council's position or philosophy on various matters,
- Directive Policies - policies that direct Local Trust Committees and island municipalities to address certain matters, and
- Recommendations – recommendations to other government agencies, non-government organizations, property owners, residents and visitors.

POLICY CHECK LIST (DIRECTIVES ONLY) - The Policy Statement Checklist (Directives Only) is based on the Directive Policies from the Policy Statement. The Directive Policies require the Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and the island municipalities to address certain a matters in their official community plan in a way that implements the policy of Trust Council. Staff use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality applications and proposals for their consistency with the Island Trust Policy Statement. The table identifies whether or not the referral addresses and is consistent with the policies within the Policy Statement as follows:

- ✓ identifies that the bylaw is CONSISTENT with the policy from the Policy Statement.
- N/A means the policy is not applicable to the bylaw.

✕ identifies that the bylaw is INCONSTSTENT (contrary or at variance) with the policy from the Policy Statement.

Directive Policies: Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following:

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	POLICY	POLICY
	3.1	Ecosystems
N/A	3.1.3	the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	the protection of unfragmented forest ecosystems ¹⁵ within their local planning areas from potentially adverse impacts of growth, development and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	the protection of sensitive coastal areas.
N/A	3.4.5	the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	POLICY	POLICY
	4.1	Agricultural Land

¹⁵ Unfragmented Forest Ecosystem - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

N/A	4.1.4	the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	POLICY	POLICY
N/A	4.1.7	the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands

N/A	4.5.8	The needs and locations for marine dependent land uses.
N/A	4.5.9	the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
N/A	4.6.3	Soils and Other Resources - the protection of productive soils.

Directive Policies: Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following:

PART V: Policies for Sustainable Communities

CONSISTENT	POLICY	POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	5.3	Transportation and Utilities
N/A	5.3.4	the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	the impacts of road location, design, construction and systems.
N/A	5.3.6	the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	the identification of acceptable locations for the disposal of solid waste.
	5.5	Recreation
N/A	5.5.3	the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.

Directive Policies: **Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following**

CONSISTENT	POLICY	POLICY
N/A	5.5.5	the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	the planning for bicycle, pedestrian and equestrian trail systems.

	5.6	Cultural and Natural Heritage
N/A	5.6.2	the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



Islands Trust

POLICY STATEMENT CHECK LIST (DIRECTIVES ONLY)

File No: MA-6500-20 TUP Guidelines for STVRs
Bylaws 167 (OCP)

PURPOSE- The following table provides planning staff with an efficient and effective means to evaluate bylaws to ensure that they are consistent with the policies within the Policy Statement.

POLICY STATEMENT - The Policy Statement (Consolidated April 2003) is comprised of several parts. Parts I and II, outline the purpose as well as the Islands Trust object and guiding principles. Parts II, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities. There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council - statements about Trust Council's position or philosophy on various matters,
- Directive Policies - policies that direct Local Trust Committees and island municipalities to address certain matters, and
- Recommendations – recommendations to other government agencies, non-government organizations, property owners, residents and visitors.

POLICY CHECK LIST (DIRECTIVES ONLY) - The Policy Statement Checklist (Directives Only) is based on the Directive Policies from the Policy Statement. The Directive Policies require the Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and the island municipalities to address certain a matters in their official community plan in a way that implements the policy of Trust Council. Staff use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality applications and proposals for their consistency with the Island Trust Policy Statement. The table identifies whether or not the referral addresses and is consistent with the policies within the Policy Statement as follows:

- ✓ identifies that the bylaw is CONSISTENT with the policy from the Policy Statement.
- N/A means the policy is not applicable to the bylaw.

✕ identifies that the bylaw is INCONSTSTENT (contrary or at variance) with the policy from the Policy Statement.

Directive Policies: Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following:

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	POLICY	POLICY
	3.1	Ecosystems
N/A	3.1.3	the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	the protection of unfragmented forest ecosystems ¹⁵ within their local planning areas from potentially adverse impacts of growth, development and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	the protection of sensitive coastal areas.
N/A	3.4.5	the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	POLICY	POLICY
	4.1	Agricultural Land

¹⁵ Unfragmented Forest Ecosystem - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

N/A	4.1.4	the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	POLICY	POLICY
N/A	4.1.7	the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands

N/A	4.5.8	The needs and locations for marine dependent land uses.
N/A	4.5.9	the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
N/A	4.6.3	Soils and Other Resources - the protection of productive soils.

Directive Policies: Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following:

PART V: Policies for Sustainable Communities

CONSISTENT	POLICY	POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	5.3	Transportation and Utilities
N/A	5.3.4	the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	the impacts of road location, design, construction and systems.
N/A	5.3.6	the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	the identification of acceptable locations for the disposal of solid waste.
	5.5	Recreation
N/A	5.5.3	the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.

Directive Policies: **Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following**

CONSISTENT	POLICY	POLICY
N/A	5.5.5	the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	the planning for bicycle, pedestrian and equestrian trail systems.

	5.6	Cultural and Natural Heritage
N/A	5.6.2	the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

STAFF REPORT

Date February 10, 2015 **File :** Bylaw 156

To: Mayne Island Local Trust Committee
For Meeting February 22, 2015

From: Miles Drew
Bylaw Enforcement Manager

Re: Adoption of Bylaw Notice System Bylaw

The Issue/Problem:

The Mayne Island Local Trust Committee (MILTC) has directed staff to bring Proposed Bylaw Enforcement Notification Bylaw No. 156 (Bylaw 156) for final adoption. This report will propose that Bylaw 156 be amended before final adoption.

Background:

On April 25, 2012, the MILTC gave third reading to the attached Bylaw 156 and referred it to the Executive Committee for approval. The approval was given on May 8, 2012. On May 30, 2012, the MILTC referred Bylaw 156 to the Advisory Planning Commission (APC) for its review and recommendations.

The APC, at its August 10, 2015 meeting, recommended that Bylaw 156 be adopted by the MILTC.

The MILTC, at its November 30, 2015 meeting, directed staff to bring Bylaw 156 forward for final adoption.

Staff Comments:

Bylaw 156 was ready for final adoption in 2012 but since then the Mayne Island Land Use Bylaw has been amended to include new regulations for suites and to make several technical improvements. This means that Schedule A to Bylaw 156 is slightly out of date and it should be updated.

To update Bylaw 156, the MILTC must pass a resolution rescinding third reading and then pass a resolution to amend the Bylaw by removing the existing Schedule A and replacing it with the new Schedule A as attached to this report. Then the MILTC can give third reading again and refer the bylaw to the Executive Committee for approval before finally adopting the Bylaw at a subsequent meeting.

The new Schedule A has been updated to reflect the several changes to the Land Use Bylaw that have taken place since 2012, such as the new regulations for secondary suites. Staff is also recommending changing the reduction in fine amounts for persons who agree to comply with the

Land Use Bylaw. In the old Schedule A, fines could be reduced by 75% or 50% in return for compliance. This is similar to other BEN bylaws that have been adopted by other Local Trust Committees. Experience with these fine structures has shown that, even after compliance is achieved, sometimes the fines are unpaid. Thus staff must pursue persons in court, or by debt collection procedures, for non payment of a fine despite the fact that the original bylaw violation is resolved. This situation is counter productive as it consumes many scarce resources and damages good will. Additionally, in many cases the cost to comply with bylaws is sometimes substantial and reducing the fine to zero in return is a powerful incentive.

Assuming the LTC agrees to amend Bylaw 156 as recommended, the Bylaw must be given Executive Committee approval and then be finally adopted by the MILTC. The last steps to be taken before Bylaw Violation Notices can finally be issued are to approve required bylaw notices and appoint screening officers and related policies.

RECOMMENDATIONS:

That the Mayne Island Local Trust Committee makes the following resolutions:

1. The Mayne Island Local Trust Committee rescinds third reading of Proposed Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011;
2. The Mayne Island Local Trust Committee amends Proposed Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011, by deleting existing Schedule A and replacing it with the new Schedule A attached to the staff report dated February 10, 2016;
3. The Mayne Island Local Trust Committee gives third reading to Proposed Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011 as amended;
4. The Mayne Island Local Trust Committee forward Proposed Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011 to the Executive Committee for approval.

Miles Drew,
Bylaw Enforcement Manager

February 10, 2016

Date

Attachments:

Proposed Bylaw Enforcement Notice Bylaw 156
Schedule A Mayne Island
Schedule A Amended 9 Feb 2016 Mayne Island

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 156, 2011

A BYLAW TO RESPECT THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE MAYNE ISLAND LOCAL TRUST AREA

WHEREAS the Mayne Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Mayne Island Local Trust Area, pursuant to the *Islands Trust Act*; and

WHEREAS the Mayne Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Notices in the Mayne Island Local Trust Area;

NOW THEREFORE the Mayne Island Local Trust Committee enacts, in open meeting assembled, as follows:

Citation

1. This Bylaw may be cited as "Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw, No. 156, 2011".

1.0 INTERPRETATION

In this Bylaw:

- 1.1 "Act" means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 "Registry" means the North Shore Bylaw Notice Adjudication Registry established pursuant to section 6 of this bylaw.
- 1.3 "LTC" means the Mayne Island Local Trust Committee.

2.0 DEFINITIONS

The terms in this bylaw have the same meaning as the terms defined in the *Act*.

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedule "A" attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedule "A" as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Early Payment Penalty set out in column A2 of Schedule "A" as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1), and is the Late Payment Surcharge set out in column A3 of Schedule "A" as attached to this bylaw or
- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedule "A" as attached to this bylaw.

5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

- 5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

- 5.2 A person may pay the indicated penalty after 14 days of receiving the notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.
- 5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the *Act*.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

- 6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw violation notices.
- 6.2 The civic address of the Registry is 141 West 14th Street, North Vancouver, BC, V7M 1H9.
- 6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice, or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

- 7.1 The position of screening officer is established.
- 7.2 The following are designated classes of person that may be appointed as screening officers:

- (1) Regional Planning Manager;
- (2) Bylaw Enforcement Coordinator;
- (3) Bylaw Enforcement Officer;
- (4) Bylaw Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

- 7.3 The powers, duties and functions of screening officers are as set out in the *Act*, and include the following powers:
 - (1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
 - (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the bylaw violation notice;
 - (c) the complainant or their representative;
 - (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.

- 7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule “A” as attached to this bylaw.
- 7.5 The maximum duration of a compliance agreement is one year.

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- ## 9.0 FORM OF BYLAW VIOLATION NOTICE

10.0 SCHEDULES

(a) Schedule A – Mayne Island Land Use Bylaw No. 146, 2008 Contraventions and Penalties.

READ A THIRD TIME THIS 25th DAY OF April, 2012

ADOPTED THIS DAY OF ,20__

CHAIR

Schedule A
MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.2.1	Keeping Of Non Permitted Animals	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.2	Non Permitted Disposal/Storage Of Hazardous/Toxic Waste	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.3	Non Permitted Rental/Sale Of Personal Watercraft	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.4	Non Permitted Fin Fish Aquaculture	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.5	Non Permitted Bridges/Causeways/Tunnels	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.6	Non Permitted Marina Restricted To Member Of Private Club	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.7	Non Permitted Retail Sale/Wholesaling Of Groundwater Extracted On Mayne Island	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.2	Building/Structure Exceed Height Restriction Or Within Setbacks	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.3	Non Permitted Building/Structure Within Setback To Natural Boundary Of Sea	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.4	Non Permitted Building/Structure With Underside Of Floor System Lower Than 1.5 Metres Above Natural Boundary Of Sea/Natural Watercourse	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.5	Non Permitted Building/Structure Within Setback To Natural Boundary Of Watercourse	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.6	Non Permitted Feature Projecting Into Required Setback	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.1	Building/Structure Accessory To Dwelling Used For Human Habitation	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.2	Non Permitted Building/Structure On Lot Prior To Construction Of Principal Dwelling/Commencement Of Principal Residential Use	\$300.00	\$225.00	\$150.00	Yes	75%
3.6.2	Non Permitted Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.3	Home Occupation Not Entirely Conducted In Dwelling Unit/Permitted Accessory Building	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.4	Home Occupation Exceeds Maximum Combined Floor Area	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.5	Fail To Retain Residential Appearance On Home Occupation Premises	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.6	Home Occupation Not Operated By Person Permanently Residing In Dwelling Or Exceeds Non-Resident Employees	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.7	Inadequate Landscape Screen/Fence For Exterior Storage Of Home Occupation	\$100.00	\$75.00	\$50.00	Yes	75%

Schedule A
MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.6.8	Home-Based Guest Accommodation Exceeds Maximum Bedrooms/Guests Or Breakfast Served Or Recreational Equipment Rented To Non Guests	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.9	Area Of Home Occupation Used To Prepare/Serve Food Exceeds Floor Area Restriction	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.10	Area Of Home Occupation Used For Sales And Storage Of Goods For Sale Exceed Floor Area Restriction	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.11	Noise From Home Occupation Heard At Lot Line/Natural Boundary Of Sea	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.1	Fence Exceeds Height Restriction In Required Setback	\$300.00	\$225.00	\$150.00	Yes	75%
3.8.1	Non Permitted Landscape Screen	\$100.00	\$75.00	\$50.00	Yes	75%
3.9.1	Non Permitted Use Of Recreational Vehicles As Dwelling/Cottage	\$300.00	\$225.00	\$150.00	Yes	50%
3.12.1(a)	Exceed Floor Area For Retail Sales Ancillary To BC Licensed Winery/Cidery	\$300.00	\$225.00	\$150.00	Yes	75%
3.12.1(b)	Exceed Floor Area For Food And Beverage Service Lounge Ancillary To BC Licensed Winery/Cidery	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.1	Non Permitted Use In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.2	Exceed Maximum Number Of Dwelling Units In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.3	Exceed Maximum Number Of Cottages In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.4	Exceed Maximum Number Of Accessory Buildings In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.5	Exceed Maximum Lot Coverage Restriction In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.6	Exceed Maximum Floor Area Restriction For Cottages In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.7	Encroachment Into Setbacks In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.8	Exceed Height Restriction For Dwelling Unit/Cottage In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.9	Exceed Height Restriction For Accessory Building/Structure In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.1	Non Permitted Use In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.2	Exceed Maximum Number Of Dwelling Units In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.2.3	Exceed Maximum Number Of Cottages In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.4	Exceed Maximum Number Of Accessory Buildings In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.5	Exceed Maximum Lot Coverage Restriction In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.6	Exceed Maximum Floor Area Restriction For Cottages In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.7	Encroachment Into Setbacks In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.8	Exceed Height Restriction For Dwelling Unit/Cottage In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.9	Exceed Height Restriction For Accessory Building/Structure In Rural Residential One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.1	Non Permitted Use In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.2	Exceed Maximum Number Of Dwelling Units In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.3	Exceed Maximum Number Of Accessory Buildings In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.4	Exceed Maximum Lot Coverage Restriction In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.6	Encroachment Into Setbacks In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.7	Exceed Height Restriction For Dwelling Unit In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.8	Exceed Height Restriction For Accessory Building/Structure In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.9	Exceed Maximum Floor Area Restriction For Dwelling Unit In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.10	Exceed Maximum Floor Area Restriction For Accessory Building In Rural Residential Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.1	Non Permitted Use In Miners Bay Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.2	Exceed Maximum Number Of Dwelling Units In Miners Bay Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.3	Exceed Maximum Number Of Cottages In Miners Bay	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.4	Exceed Maximum Number Of Accessory	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Buildings In Miners Bay					
5.4.5	Exceed Maximum Lot Coverage Restriction In Miners Bay	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.6	Exceed Maximum Floor Area Restriction For Cottages In Miners Bay	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.7	Encroachment Into Setbacks In Miners Bay	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.8	Non Permitted Siting Of Feeding Troughs And Manure Piles	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.9	Exceed Height Restriction For Dwelling Unit/Cottage In Miners Bay	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.10	Exceed Height Restriction For Accessory Building/Structure In Miners Bay	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.1	Non Permitted Use In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.2	Exceed Maximum Number Of Dwelling Units In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.3	Exceed Maximum Number Of Cottages In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.4	Exceed Maximum Number Of Accessory Buildings In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.5	Exceed Maximum Lot Coverage Restriction In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.6	Exceed Maximum Floor Area Restriction For Cottages In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.7	Encroachment Into Setbacks In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.8	Non Permitted Siting Of Feeding Troughs And Manure Piles	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.9	Exceed Height Restriction For Dwelling Unit/Cottage In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.10	Exceed Height Restriction For Accessory Building/Structure In Rural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.13	Fail To Meet Site Specific Regulations In Rural Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.6.1	Non Permitted Use In Upland Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.2	Exceed Maximum Number Of Dwelling Units In Upland Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.3	Exceed Maximum Number Of Cottages In Upland Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.4	Exceed Maximum Number Of Accessory Buildings In Upland Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.5	Exceed Maximum Lot Coverage Restriction In Upland Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.6	Exceed Maximum Floor Area Restriction For Cottages In Upland Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.7	Encroachment Into Setbacks In Upland	\$300.00	\$225.00	\$150.00	Yes	75%

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MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Zone					
5.6.8	Non Permitted Siting Of Feeding Troughs And Manure Piles	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.9	Exceed Height Restriction For Dwelling Unit/Cottage In Upland Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.10	Exceed Height Restriction For Accessory Building/Structure In Upland Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.1	Non Permitted Use In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.2	Exceed Maximum Number Of Dwelling Units In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.3	Exceed Maximum Number Of Cottages In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.4	Exceed Maximum Number Of Accessory Buildings In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.5	Exceed Maximum Lot Coverage Restriction In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.6	Exceed Maximum Floor Area Restriction For Cottages In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.7	Encroachment Into Setbacks In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.8	Exceed Height Restriction For Dwelling Unit/Cottage In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.9	Exceed Height Restriction For Accessory Building/Structure In Agricultural Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.1	Non Permitted Use In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.2	Exceed Maximum Floor Area Ratio In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.3	Exceed Maximum Number Of Accessory Buildings In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.4	Exceed Maximum Lot Coverage Restriction In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.5(a)	Apartment Residential Use Not Located Within Principal Building In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.5(b)	Apartment Residential Use Exceeds Maximum Floor Area Restriction Of Building In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.5(c)	Apartment Residential Use Not Located Above Ground Floor Of Building In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.5(d)	Apartment Residential Use Not Provided With Separate Entrance From Ground Level In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%

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MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.8.5(e)	Apartment Residential Use Does Not Meet Minimum Floor Area Requirements In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.6	Encroachment Into Setbacks In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.7	Exceed Height Restriction For Principal Building/Accessory Dwelling Unit In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.8	Exceed Height Restriction For Accessory Building/Structure In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.10	Inadequate Landscape Screen For Lots With Commercial Uses In Settlement Commercial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.8.11	Fail To Meet Site Specific Regulations In Settlement Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.9.1	Non Permitted Use In Commercial Tourist Accommodation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.9.2	Exceed Maximum Lot Coverage Restriction In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.3	Exceed Maximum Floor Area Ratio Restriction In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.4	Exceed Maximum Units And Maximum Total Floor Area In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.5	Exceed Maximum Floor Area Of Any Tourist Accommodation Unit In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.6	Exceed Maximum Floor Area Of Accessory Retail Sales Uses In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.7	Exceed Maximum Accessory Employee Housing Units In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.8	Exceed Maximum Floor Area Of Accessory Employee Housing In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.9	Exceed Maximum Accessory Dwelling Units In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.10	Exceed Maximum Buildings Accessory To Tourist Accommodation Uses In Commercial Tourist Accommodation	\$250.00	\$187.50	\$125.00	Yes	50%

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MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Zone					
5.9.11	Encroachment Of Building/Structure Into Setback In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.12	Exceed Maximum Height Restriction Of Building/Structure In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.9.14	Fail To Meet Site Specific Regulations In Commercial Tourist Accommodation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.10.1	Non Permitted Use In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.2	Exceed Maximum Number Of Principal Buildings/Accessory Dwelling Units In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.3	Exceed Maximum Number Of Accessory Buildings In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.4	Exceed Maximum Floor Area Ratio Restriction In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.5	Exceed Maximum Lot Coverage Restriction In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.6	Encroachment Into Setbacks In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.7	Exceed Height Restriction For Principal Building/Accessory Dwelling Unit In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.8	Exceed Height Restriction For Accessory Building/Structure In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.10	Stored Materials Not Located Within Buildings/Enclosed Storage Areas In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.11	Non Permitted Storage Of Hazardous Materials In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.10.12	Inadequate Landscape Screen For Lots With Commercial Uses In Service Commercial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.10.13	Fail To Meet Site Specific Regulations In Service Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.1	Non Permitted Use In Automotive Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.2	Exceed Maximum Number Of Principal Buildings/ Accessory Dwelling Units In Automotive Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.3	Exceed Maximum Number Of Accessory Buildings In Automotive Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.4	Exceed Maximum Floor Area Ratio	\$300.00	\$225.00	\$150.00	Yes	75%

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MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Restriction In Automotive Commercial Zone					
5.11.5	Exceed Maximum Lot Coverage Restriction In Automotive Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.6	Encroachment Into Setbacks In Automotive Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.7	Exceed Height Restriction For Principal Building/Accessory Dwelling Unit In Automotive Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.8	Exceed Height Restriction For Accessory Building/Structure In Automotive Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.11	Stored Materials Not Located Within Buildings/Enclosed Storage Areas In Automotive Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.12	Inadequate Landscape Screen For Lots With Commercial Uses In Automotive Commercial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.12.1	Non Permitted Use In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.2	Exceed Maximum Lot Coverage Restriction In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.3	Exceed Maximum Number Of Guest Houses Permitted In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.4	Exceed Maximum Number Of Accessory Dwelling Units Permitted In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.5	Exceed Maximum Number Of Accessory Restaurants Located Within A Guest House In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.6	Exceed Maximum Number Of Accessory Buildings In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.5	Encroachment Into Setbacks In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.6	Exceed Height Restriction For Guest House/Dwelling Unit In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.7	Exceed Height Restriction For Accessory Building/Structure In Country Guest House Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.12.8	Exceed Height Restriction For Accessory Building/Structure Used For Agricultural Purposes In Country Guest	\$300.00	\$225.00	\$150.00	Yes	75%

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MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	House Commercial Zone					
5.12.13	Inadequate Landscape Screen For Outdoor Storage Areas And Tourist Accommodation Uses In Country Guest House Commercial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.12.14	Fail To Meet Site Specific Regulations In Country Guest House Commercial Zone	\$250.00	\$187.50	\$125.00	Yes	50%
5.13.1	Non Permitted Use In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.2	Exceed Maximum Number Of Principal Buildings Or Accessory Dwelling Units In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.3	Exceed Maximum Number Of Accessory Buildings In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.4	Exceed Maximum Floor Area Ratio Restriction In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.5	Exceed Maximum Lot Coverage Restriction In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.6	Encroachment Into Setbacks In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.7	Exceed Height Restriction For Principal Building/Accessory Dwelling Unit In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.8	Exceed Height Restriction For Accessory Building/Structure In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.10	Stored Parts, Machinery And Equipment Not Located Within Buildings Or Enclosed Storage Areas In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.11	Storage Of Hazardous Materials In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.13.12	Storage Of Goods, Materials And Equipment Within 7.5 Metres Of Watercourse/Wetland/Water Body	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.13	Inadequate Landscape Screen For Lots Having Industrial/Warehousing/Storage/Highway Maintenance Uses In Industrial One Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.13.14	Fail To Meet Site Specific Regulations In Industrial One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.14.1	Non Permitted Use In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.14.2	Exceed Maximum Lot Coverage Restriction In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.14.3	Encroachment Into Setbacks In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%

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Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.14.4	Exceed Height Restriction For Any Principal Building/Structure In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.14.6	Fail To Meet Site Specific Regulations In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.1	Non Permitted Use In Local Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.2	Exceed Maximum Lot Coverage Restriction In Local Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.3	Encroachment Into Setbacks In Local Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.4	Exceed Height Restriction For Any Principal Building/Structure In Local Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.6	Fail To Meet Site Specific Regulations In Local Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.1	Non Permitted Use In Transportation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.2	Exceed Maximum Lot Coverage Restriction In Transportation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.3	Encroachment Into Setbacks In Transportation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.4	Exceed Height Restriction For Any Principal Building/Structure In Transportation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.5	Exceed Maximum Combined Floor Area Restriction For All Accessory Commercial Uses In Transportation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.1	Non Permitted Use In Community And Regional Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.2	Exceed Maximum Lot Coverage Restriction In Community And Regional Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.3	Encroachment Into Setbacks In Community And Regional Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.4	Exceed Height Restriction For Any Principal Building/Structure In Community And Regional Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.6	Fail To Meet Site Specific Regulations In Community And Regional Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.19.1	Non Permitted Use In Resource Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.19.2	Exceed Maximum Lot Coverage Restriction In Resource Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%

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Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.20.1	Non Permitted Use In Water Protection Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.21.1	Non Permitted Use In Water Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.21.2	Exceed Height Restriction For Any Structure In Water Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.1	Non Permitted Use In Water Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.2	More Than One Building/Building Exceeds Maximum Floor Area Restriction In Water Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.3	Exceed Height Restriction For Any Structure In Water Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.4	Fail To Provide Off-street Parking Or Parking Not Located On Adjacent Upland Lot In Water Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.23.1	Non Permitted Use In Community Wharf Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.23.2	Exceed Height Restriction For Any Building/Structure Constructed On Dock In Community Wharf Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.23.3	Building/Structure Exceeds Maximum Floor Area Restriction In Community Wharf Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.23.4	Fail To Provide Off-street Parking Or Parking Not Located On Adjacent Upland Lot In Community Wharf Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.1	Non Permitted Use In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.2	Exceed Maximum Number Of Permitted Duplexes In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.3	Exceed Maximum Floor Area Restriction Of Dwelling Unit In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.4	Exceed Maximum Number/Floor Area Of Attached Carports Per Dwelling Unit In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.5	Exceed Maximum Combined Floor Area Of All Accessory Buildings In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.6	Permitted Accessory Uses Sited In More Than One Building In Senior Citizens Housing Comprehensive Development	\$300.00	\$225.00	\$150.00	Yes	75%

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Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	One Zone					
5.25.7	Encroachment Of Building/Structure Into Setbacks In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.8	Exceed Maximum Height Restriction Of Dwelling Unit In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.9	Exceed Maximum Height Restriction Of Any Accessory Building/Structure In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.25.11	Inadequate Landscape Screen For Accessory Buildings And Structures And Parking Areas In Senior Citizens Housing Comprehensive Development One Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.26.1	Non Permitted Use In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.2	Exceed Maximum Lot Coverage Restriction In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.3	Exceed Maximum Floor Area Restriction In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.4(a)	Exceed Maximum Floor Area Restriction Of Tourist Accommodation Uses In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.4(b)	Exceed Maximum Floor Area Restriction Of Residential Uses In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.4(c)	Exceed Maximum Floor Area Restriction Of Retail Sales Uses In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.4(d)	Exceed Maximum Floor Area Restriction Of Combined Restaurant, Office, Personal Service, Medical And Dental Clinic Uses In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.5	Exceed Maximum Floor Area Restriction Of Any Tourist Accommodation Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.6	Exceed Maximum Number Of Tourist Accommodation Units In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.7	Exceed Maximum Number Of Residential Dwelling Units In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.8	Exceed Maximum Floor Area Of Any	\$300.00	\$225.00	\$150.00	Yes	75%

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MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Residential Dwelling Unit In Comprehensive Development Two Zone					
5.26.9	Exceed Maximum Number Of Accessory Employee Housing Units In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.10	Exceed Maximum Floor Area Of Any Accessory Employee Housing Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.11	Exceed Maximum Number Of Accessory Dwelling Units In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.12	Exceed Maximum Floor Area Of Any Accessory Dwelling Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.13	Encroachment Of Building/Structure Into Setbacks In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.14	Exceed Maximum Height Restriction Of Building Containing Tourist Accommodation Units/Accessory Dwelling Unit/Restaurant In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.15	Exceed Maximum Height Restriction Of Residential Dwelling Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.16	Exceed Maximum Height Restriction Of Any Accessory Building/Structure In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.17	Non Permitted Use In Area A On Schedule 5.26(a) In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.18	Non Permitted Use In Area B On Schedule 5.26(a) In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.26.20	Inadequate Parking For Residential Use In Comprehensive Development Two Zone	\$300.00	\$225.00	\$150.00	Yes	75%
6.2.1	Non Permitted Animated/Flashing/Noise-Making Sign	\$250.00	\$175.00	\$125.00	Yes	50%
6.2.2	Non Permitted Third Party Sign	\$250.00	\$175.00	\$125.00	Yes	50%
6.3.2	Sign Pertaining To Lease/Sale/Status Of Lot/Building/Name Of Owner/Address Exceeds One Square Metre In Area	\$250.00	\$175.00	\$125.00	Yes	50%
6.3.3	Election Candidate Sign Not Removed Within 48 Hours Of Date Of Election	\$250.00	\$175.00	\$125.00	Yes	50%
6.5.1	Non Permitted Number/Area Of Signs	\$250.00	\$175.00	\$125.00	Yes	50%
6.5	Obsolete Sign Not Removed From Premises Within Thirty Days Of	\$250.00	\$175.00	\$125.00	Yes	50%

Schedule A
MAYNE ISLAND LAND USE BYLAW NO. 146, 2008
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply To the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Becoming Obsolete					
7.1.1	Fail To Provide Off-road Parking On Lot	\$250.00	\$187.50	\$125.00	Yes	75%
7.1.2	Restrictive Covenant Not Registered For Off-road Parking Near Lot On Which Use/Building/Structure Being Served Is Located	\$250.00	\$187.50	\$125.00	Yes	75%
7.2.1	Manoeuvring Aisle Does Not Meet Size Requirements	\$250.00	\$187.50	\$125.00	Yes	75%
7.2.2	Parking Space Does Not Meet Size Requirements	\$250.00	\$187.50	\$125.00	Yes	75%
7.4	Fail To Provide Minimum Parking Spaces	\$250.00	\$187.50	\$125.00	Yes	75%

Top Priorities

Mayne Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Commercial Land Use Review	Existing OCP policies and LUB regulations being reviewed.	27-Apr-2015	Gary Richardson	31-Jul-2016	On Going
2	STVR Review	Draft Bylaws have been prepared for the February 22, 2016 LTC meeting for the LTCs review.	23-Feb-2015	Gary Richardson	30-Oct-2016	On Going
3	Fallow Deer Eradication	Letter prepared for Director Howe requesting Fallow Deer Management Plan (done) Waiting for response from Director Howe	26-Jan-2015	Gary Richardson	30-Mar-2015	On Going

**Projects****Mayne Island**

No.	Description	Activity	Received/Initiated	Status
1	Climate Change Adaptation	Consider regulatory changes and implementation of new DPA authority	02-Mar-2009	On Going
2	Riparian Area Regulations	Project moved from Top Priorities pending ombudsperson report response and Ministry decision on SSI bylaw. Staff to prepare a report and recommendations on how to proceed once SSI bylaw decision made and Ministry response to ombudsperson complete	26-Jan-2015	On Going
3	Road issues		27-Jun-2012	On Going
4	Density on large lot remainders	to review covenants on remainder lots and review zoning to density of dwellings and cottages	30-Sep-2015	On Going
5	Bylaw enforcement notification bylaw	to consider adopting BEN bylaw	30-Sep-2015	On Going



Islands Trust

Print Date: February 16, 2016

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2015.1	CAPITAL REGIONAL DISTRICT Integrated Water Services Planner: Gary Richardson	21-Jul-2015	REZONING WATER LEASE No. 112548 District Lot 2070 /ANSON RD
Planning Status			
Status Date: 16-Feb-2016 Staff report prepared for February 22, 2016 LTC Mtg.			
Status Date: 23-Nov-2015 Nov 15, 2015 CIM held.			
Status Date: 23-Nov-2015 Staff report prepared for Nov 30, 2015 LTC Mtg.			

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2015.2	Mayne Island Resort Ltd.	20-Nov-2015	494 ARBUTUS DR
Rezone SL 1 to allow some retail. SL 17 - 20 to allow mixed use.			
Planner: Gary Richardson			
Planning Status			
Status Date: 16-Feb-2016 Preliminary staff report to be prepared for March 21, 2016 LTC Mtg.			
Status Date: 24-Nov-2015 opened file, processed fee, notified LTC and gave to planner.			

Islands Trust
LTC EXP SUMMARY REPORT F2016
Invoices posted to Month ending January 2016

645 Mayne	Invoices posted to Month ending January 2016	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-645	LTC "Trustee Expenses"	750.00	107.57	642.43
LTC Local				
65200-645	LTC - Local Exp - LTC Meeting Expenses	1,500.00	1,131.96	368.04
65210-645	LTC - Local Exp - APC Meeting Expenses	750.00	231.78	518.22
65220-645	LTC - Local Exp - Communications	300.00	1,024.00	-724.00
65230-645	LTC - Local Exp - Special Projects	750.00	818.18	-68.18
TOTAL LTC Local Expense		<u>3,300.00</u>	<u>3,205.92</u>	<u>94.08</u>
Projects				
73001-645-3005	Mayne RAR	2,500.00	0.00	2,500.00
73001-645-4053	Mayne Density & STVR Review	2,000.00	0.00	2,000.00
73001-645-4059	Mayne Commercial Land Use Review	2,000.00	1,807.70	192.30
TOTAL Project Expenses		<u>6,500.00</u>	<u>1,807.70</u>	<u>4,692.30</u>

Mayne Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: July 25, 2012

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	October 1, 2007	MA-LTC-70-07	Guidelines for Use When Considering Funding for Reports	The MILTC has adopted a policy establishing the set of guidelines the LTC should employ when purchasing a report for LTC and public use.
2.	February 7, 2011	MA-LTC-13-11 This resolution repeals MA-LTC-90-09	STVRS Bylaw Enforcement	1. Given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities STVRs that have one or more of the following characteristics will be subject to enforcement: 1. They are advertised on the internet, newspapers or other media; 2. They are not managed by the property owner; 3. More than one dwelling on the lot is simultaneously made available for STVR; 4. While the property is rented persons are permitted to stay in tents or trailers; 5. There are issues related to health and safety; 6. There is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the STVR; 7. The owner of the property uses more than one property on Mayne Island as a STVR. 2. No enforcement actions under section 1.1 will be taken against any STVR operation that takes place in a lawful cottage or dwelling while the operator lives in a lawful dwelling or cottage on the same property. 3. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time. This means that persons who have two lawful dwelling places on one lot and who live in one dwelling while the other is used as an STVR will be exempt from enforcement if they advertise. Staff recommends that the other factors continue to apply because STVR operations that have third party management, have more than one location on Mayne Island, or use more than one dwelling or cottage or permit camping are essentially operating as a resort or motel. The safety and nuisance triggers for enforcement protect the renters, the operators, and the neighbourhoods. It also reduces the Islands Trusts' liability.

No	Meeting Date	Resolution No.	Issue	Policy and Description
3.	May 2, 2011	MA-LTC-44-11	Options for adopting In Camera Minutes	It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to only include in-camera minutes on agendas where there are other reasons to close the meeting to the public .
4.	February 1, 2012		Special Occasion Liquor License referrals	That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
5.	July 25, 2012	MA-LTC-34-12 x-ref #2 above	STVR Bylaw enforcement policy	That Mayne Island Local Trust Committee resolves to extend the current Short Term Vacation Rental bylaw enforcement policy, as written in Staff Report dated June 26, 2012 until the project to review use of second dwellings for Short Term Vacation Rentals is complete.

GUIDELINES FOR MAYNE ISLAND LTC TO USE WHEN CONSIDERING FUNDING FOR REPORTS

**Adopted by Resolution MA-LTC-70-07 at the regular meeting of
October 1, 2007.**

ISSUE: What guidelines should an LTC employ when purchasing a report for LTC and public use?

BACKGROUND:

Islands Trust financial policy provides that an LTC cannot sponsor an event, even a community non-profit venture. LTC's can, however, purchase goods and services which are of benefit to the LTC and, by extension, the community it serves. Therefore, LTC's have supported worthwhile conferences, workshops and the like by purchasing a report on conference issues, proceedings, findings and recommendations.

In order that LTC's receive value for their purchases, the Mayne Island LTC has raised the issue outlined above. It has asked that guidelines be considered for use in evaluating future opportunities to purchase reports on a wide variety of subjects related to LTC mandates.

CONSIDERATIONS:

There are a number of factors or considerations an LTC might need to entertain. These considerations are cited below in an order which range from "fundamental" to "consequential".

1. Does the LTC have the budgetary capacity to consider the opportunity to purchase a conference report or proceeding?
2. Is the subject matter germane to the work and/or mandate of the LTC?
3. If the answers to 1 and 2 above are in the affirmative, the LTC may wish to consider requirements for the report they agree to purchase.

GUIDELINES

If the LTC decides to purchase a conference report or proceedings, it may require that reporting guidelines below be met as a condition of purchase.

These guidelines are:

1. The full proceedings of the conference or workshop are preferred.
2. If full proceedings are not produced or available the report to the LTC should include:
 - (a) The agenda of the conference or workshop
 - (b) A list of presenters and the topics they represented
 - (c) A summary of each topic discussed
 - (d) A copy of all papers presented at the conference
 - (e) A list of all recommendations made by the conference (if not cited in the papers or summary of each topic)
 - (f) A summary of any follow-up actions identified by the conference
 - (g) A copy of any contact list or referral resources generated by the conference,.
3. If only a narrative report is produced, the narrative should include or address the information sought in (a) to (g) above.

It is hoped that the guidelines above will ensure that the LTC will receive all relevant information generated by the conference or workshop.

From: "Holman.MLA, Gary" <Gary.Holman.MLA@leg.bc.ca>

Date: October 6, 2015 at 2:33:48 PM PDT

To: Brian Crumblehulme <bcrumblehulme@islandstrust.bc.ca>, Jeanine Dodds <jdodds@islandstrust.bc.ca>

Subject: Georgina Point Rd

Hello Brian and Jeanine,

Gary has asked me to contact you following a conversation with Mike Pearson of the Ministry of Transportation regarding Georgina Point Rd.

He would like to know if the recent visit and survey of the area by the ministry and geotechnical team and the work that was undertaken, satisfy the community needs at this time.

We understand that the recent report indicates that there has been no change since 2007 but that they would be looking further at the maps to confirm this report.

Please let us know if you would like us to address any further concerns with the ministry.

Thank you,

Chris

Chris McLaren | Constituency Assistant | Gary Holman, MLA Saanich North and the Islands

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