



Mayne Island Local Trust Committee

Regular Meeting Agenda

Date: November 27, 2013
Time: 1:00 pm
Location: Mayne Island Agricultural Hall
430 Fernhill Road
Mayne Island, BC
V0N 2J0

Pages

- | | | | |
|-------|---|-------------------|---------|
| 1. | Call to Order | 1:00 PM - 1:10 PM | |
| 2. | Approval of Agenda | | |
| 2.1 | Additions/Deletions | | |
| 2.2 | Questions from the Public on Agenda items | | |
| 3. | Community Information Meeting | | |
| | None | | |
| 4. | Public Hearing | | |
| | None | | |
| 5. | Previous Meetings | 1:10 PM - 1:20 PM | |
| 5.1 | Local Trust Committee Minutes | | |
| 5.1.1 | Mayne Island Local Trust Committee Meeting Minutes of October 30, 2013 (attached) | | 4 - 15 |
| | For Consideration to Adopt | | |
| 5.2 | Public Hearing Records and Community Information Meeting Notes for Consideration | | |
| | None | | |
| 5.3 | Section 26 Resolutions-without-meeting | | |
| 5.3.1 | RWM Report dated November 2013 (attached) | | 16 - 16 |
| 5.4 | Advisory Planning Commission and/or Mayne Island Commercial Land Use Task Force Minutes | | |

None

- | | | | |
|--------|---|-------------------|---------|
| 6. | Business Arising from the Minutes | 1:20 PM - 1:25 PM | |
| 6.1 | Follow-up Action List (attached) | | 17 - 18 |
| 7. | Delegations | 1:25 PM - 1:50 PM | |
| 7.1 | Mayne Island Residents and Ratepayers Association - Small Craft Harbour Facilities - Ian Dow (email attached) | | 19 - 19 |
| 8. | Correspondence | | |
| | None | | |
| 9. | Applications, Permits, Bylaws and Referrals | 1:50 PM - 2:25 PM | |
| 9.1 | Salt Spring Island Local Trust Committee Bylaw No. 471 Referral (attached) | | 20 - 21 |
| 9.2 | MA-RZ-2012.1 (Oceanwood) Report (pending) | | |
| 10. | Local Trust Committee Projects | 2:25 PM - 3:00 PM | |
| 10.1 | Fallow Deer Eradication | | |
| 10.2 | Secondary Suites - Memo w/Proposed Bylaws No. 159 & No. 160 (attached) | | 22 - 28 |
| 11. | Reports | 3:00 PM - 3:40 PM | |
| 11.1 | Work Program Reports | | |
| 11.1.1 | Work Program Report dated November 2013 (attached) | | 29 - 30 |
| 11.2 | Applications Report | | |
| 11.2.1 | Applications Report dated November 2013 (attached) | | 31 - 32 |
| 11.3 | Expense/Budget Reports | | |
| 11.3.1 | LTC Expense Report October 2013 (attached) | | 33 - 33 |
| 11.4 | Bylaw Enforcement | | |
| | None | | |
| 11.5 | Adopted Policies and Standing Resolutions (attached) | | 34 - 37 |
| | For Information | | |
| 11.6 | Mayne Island LTC Web Page | | |
| | Mayne Island Home Page can be found at: | | |

11.7 Chair's Report

11.8 Trustee Report

12. Other Business

3:40 PM - 4:25 PM

12.1 Upcoming Meetings

12.1.1 Regular Business Meeting

The next Mayne Island Local Trust
Committee meeting will be held
February 26, 2014 at 1:00 pm at the
Mayne Island Agricultural Hall.

12.1.2 Special Meeting

Consideration to schedule a Special
LTC business meeting

13. Town Hall Meeting

14. Motion to Close Meeting

THAT, pursuant to Section 90(d),(f) and (g) of the
Community Charter, the Mayne Island Local Trust
Committee resolves to close the meeting to the public for
the purpose of adopting the February 27, 2013 In Camera
Minutes and further that staff and Recording Secretary
remain present. (distributed under separate cover)

15. Recall to Order

Rise and Report from the Closed Meeting

16. Adjournment

4:25 PM - 4:25 PM

**Local Trust Committee
Minutes Subject to Approval By
the Local Trust Committee**

DRAFT

**MINUTES OF THE MAYNE ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON WEDNESDAY OCTOBER 30, 2013 AT 1:00 P.M.
AT THE MAYNE ISLAND COMMUNITY CENTRE**

<u>PRESENT:</u>	Peter Luckham	Chair
	Jeanine Dodds	Local Trustee
	Brian Crumblehulme	Local Trustee
	Robert Kojima	Regional Planning Manager
	Gary Richardson	Island Planner
	Pat Todd	Recording Secretary

There were approximately seven (7) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 1:00 pm, recognizing the Local Trust Committee meeting was being held in the Coast Salish Territories and introduced himself, the Local Trustees and Islands Trust Staff.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

8.2 Addition: Correspondence from David Howe regarding Economic Development Commission representation

12.4 Amendment: change the meeting time from 11:00 am to 1:00 pm

New Item: 12.5 IT Oil Spill Prevention Advocacy

2.2 Questions from Public on Agenda Items

None

The amended agenda, by consensus, was adopted .

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes

5.1.1 Mayne Island Local Trust Committee Business Meeting Minutes of September 4, 2013.

The Mayne Island Local Trust Committee Business Meeting Minutes of September 4, 2013, by consensus, were adopted .

5.2 Public Hearing Records and Community Information Meeting Notes for Consideration

5.2.1 Mayne Island Local Trust Committee Public Hearing Record of September 28, 2013

Received for information

5.2.2 Mayne Island Local Trust Committee Special Meeting Notes of September 28, 2013

Received for information.

5.3 Section 26 Resolutions-without-meeting

5.3.1 Resolution-without-meeting Report dated October 2013

Received for information

5.4 Advisory Planning Commission Minutes and/or Mayne Island Commercial Land Use Task Force Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Richardson stated that all items have been completed.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Letter Dated Oct. 2, 2013 from Ian Cocker, Mayne Island Holdings re: Bylaw 146 Clarification of Zoning of Dinner Point Property

Planner Richardson reviewed the history of the property which is approximately 47 acres and allowed 5 houses. The question has been raised as to the number of allowable accessory buildings. The request has been made to have the zoning consistent with the covenant on the property.

Chair Luckham asked if this would involve a change to the OCP/LUB.

Planner Richardson stated that changes can be made to fix historical omissions/changes. Likely both the OCP and LUB will need amending.

Chair Luckham cited that it would be approximately 18 months for changes to be enacted.

There was discussion as to the property zones and number of houses permitted.

Regional Planning Manager Kojima clarified that this property is a unique zone.

Mr. Cocker stated while the lots have been surveyed but not registered, there are bylaws in place to manage development.

Resolution MA-LTC-41-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct Planner Richardson to amend Work Project Item 3 for the review of Mayne Island Holding Corporation regarding accessory buildings.

CARRIED

8.2 Correspondence from David Howe regarding Economic Development Commission representation

The Mayne Island Local Trust Committee had asked that a formal request be made by the Southern Gulf Islands Economic Development Commission for a Mayne Island representative.

Mr. Howe's letter indicated that Brian Deardon, of Mayne Island, is currently on the Commission and there is no need for another representative at this time.

There will be further discussion regarding this item at the December LTC meeting.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 2013-10 04 Islands Trust Council Referral of Strategic Plan to LTC

Regional Planning Manager (RPM) Kojima spoke to the referral from Trust Council to Trustees to elicit input from all LTCs regarding the Strategic Plan.

Trustee Crumblehulme questioned compliance with Riparian Area Regulations and if funds and time are available to meet requirements.

RPM Kojima stated there is budget money for this year and some funds in the budget for next year.

Trustee Dodds raised the question of the Marine National Conservation Area and that there had been no further action by the Federal Government at this time.

Trustee Crumblehulme also questioned the progress on this item.

Chair Luckham stated that input from LTCs had been sent to the government over the past few months and it is not expected that anything will happen until next year.

9.2 Referral – Galiano Bylaw No. 241

Resolution MA-LTC-42-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to advise Galiano Local Trust Committee that Mayne Island Local Trust Committee interests are not affected by Bylaw No. 214.

CARRIED

9.3 Referral-Salt Spring Island LTC Bylaw No. 470

Resolution MA-LTC-43-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to advise Salt Spring Island Local Trust Committee that Mayne Island Local Trust Committee interests are not affected by Bylaw No. 470.

CARRIED

10. **LOCAL TRUST COMMITTEE PROJECTS**

10.1 Secondary Suites Report and Draft Bylaws No. 159 and 160

Planner Richardson spoke to the items within these two draft bylaws.

Trustee Dodds questioned that large lots, which allow for a residence and a cottage, would be excluded from having both a cottage and a secondary suite.

Trustee Crumblehulme stated that this could be clarified by specifying a lot size that would allow for both a cottage and secondary suite.

There was discussion regarding water catchment and storage.

Trustee Crumblehulme questioned regulating allowable Home Occupations.

Trustee Dodds clarified that intent is to not allow a secondary suite to be then turned into a bed and breakfast.

Planner Richardson stated that a bylaw could specify a suite to not be used as a bed and breakfast.

Chair Luckham requested clarification as to the three items to be reconsidered and whether these items are LUB or OCP considerations.

Planner Richardson stated that all three items are within LUB.

Chair Luckham asked that staff to consider the discussion and return with an amendment to the draft bylaws.

Planner Richardson suggested that amended draft bylaws could be considered under a RWM, go to first reading and then be referred to appropriate agencies.

Further discussion clarified that most water districts have opted to not allow secondary suites, amended bylaws could be resent to water districts in first reading form, and that water catchment requirements could be adjusted.

Resolution MA-LTC-44-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to revise Draft Bylaws 159 and 160 that no secondary suites be permitted on lots, where a cottage is constructed, where the lot is less than 4 hectares.

CARRIED

Resolution MA-LTC-45-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to forward the amended draft Bylaws 159 and 160 after first reading by Resolution-without-meeting to the Mayne Island Advisory Planning Commission and the appropriate agencies.

CARRIED

Resolution MA-LTC-46-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to schedule a Public Hearing for draft Bylaws 159 and 160.

CARRIED

10.2 Riparian Area Regulations

Planner Richardson spoke to this long-term item and stated that there had been a number of legal opinions and reports as to the situation for Mayne Island.

There had been a motion in 2012 to adjust setback to 5 meters.

There was discussion as to the status of other islands.

Trustee Dodds stated that there had been a number of reports, citing no fish on Mayne Island and that there should be no further action on this item.

Resolution MA-LTC-47-13

It was Moved and Seconded that Mayne Island Local Trust Committee proceed no further regarding implementation of Riparian Area Regulations.

CARRIED

Chair Luckham Opposed

Trustee Dodds spoke to the expense and efforts put forth to date on this item; there are no fish on the island and there has been no indication of need for regulations from the community.

Trustee Crumblehulme stated that set backs are adequate and reviewed a letter from Ian Dow on behalf of the Land Owners Coalition.

Chair Luckham spoke to the importance of protecting habitat and feels the Riparian Area Regulations (RAR) is structured to protect fish habitat and therefore he was not in favour of the motion. He also stated that noncompliance with Provincial regulations could be detrimental to the LTC and Islands Trust.

There was extensive discussion as to RAR.

Resolution MA-LTC-48-13

It was Moved and Seconded that Mayne Island Local Trust Committee Chair write to the Ministry of Forest, Lands, and Natural Resource Operations stating the Mayne Island Local Trust Committee is not proceeding with implementing the Riparian Area Regulations due to frustrations with the lack of clarity and contradictory information of the regulations, with copies to Members of the Provincial and Federal Legislature and Land Owners Coalition.

CARRIED

Note – There was a break at 2:45 pm.

Note – The meeting reconvened at 3:00 pm.

11. REPORTS

11.1 Work Program Reports

11.1.1 Work Program Report dated October 2013

Regional Planning Manager Kojima stated that in consideration of the resolution MA-LTC-48-13 regarding RAR, #1 on Priority list could be removed.

Resolution MA-LTC-49-13

It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to remove Item 1 – Implementation of Riparian Area Regulations from top priorities.

CARRIED

There was discussion as to impact on financial status as monies had been allocated to this project.

After discussion as to priorities and projects, it was determined that Item 2 – Housing Options: Secondary Suites would be moved to Item 1 and Item 3- OCP and LUB amendments would become Item 2.

11.2 Applications Report

11.2.1 Applications Report dated October 2013

Planner Richardson stated that the needs assessment is underway for the Oceanwood rezoning application and there have been approximately 500 responses to date. The report is due Nov. 15 and this will be on November meeting agenda along with the staff report.

Planner Richardson spoke to an application from the Mayne Island Resort for a Temporary Use Permit (TUP) to allow expanded use of the existing dock. There will be a Community Information Meeting in February.

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report September 2013

Received for information

11.4 Bylaw Enforcement

11.4.1 Memo re: STVR Files

Bylaw Enforcement has stated that there are four (4) open files.

Discussion addressing the issues of internet advertising, enforcement of bylaws, TUP's, and that Short Term Vacation Rental's (STVR's) may no longer be operating, but still appear on connected web sites.

Trustee Crumblehulme questioned the status of the existent STVR/TUP.

Planner Richardson stated that the operator had been notified of the October 2013 expiration of the permit, and the need to apply for re-approval but had not heard back at this time.

11.5 Adopted Policies and Standing Resolutions

Received for information

11.6 Mayne Island LTC Web Page

The Mayne Island home page can be found at www.islandstrust.bc.ca/islands/local-trust-areas/mayne.

Regional Planning Manager (RPM) Kojima stated that changes could be directed through Planner Richardson or by using the feedback form on the web page.

11.7 Chair's Report

Chair Luckham informed the LTC that the next Trust Council is in December in Victoria. The Islands Trust budget is underway. Chair Luckham is also taking active steps to increase awareness and understanding of First Nations issues, concerns, and relationships with Islands Trust.

11.8 Trustee Report

Trustee Dodds reported that the Southern Gulf Islands Trustees met on Oct. 29. There is a web page being developed to address questions: e.g.: "Who do I contact...?" She also stated that there was a very good mapping presentation which will be on the web shortly. The topic of fallow deer was introduced as a number of islands are now experiencing this issue.

Trustee Crumblehulme thanked RPM Kojima for setting up the meeting for the trustees. Broadband is moving slowly forward and there has been positive feedback from the province as to development of internet access for the islands. The community bus is active and there are two (2) studies underway. The BC Transit report is expected in November.

12. **OTHER BUSINESS**

12.1 Memo from R. Kojima re: Emmett

RPM Kojima reviewed the history of the jetty and Planner Richardson has confirmed the options available from the Ministry.

It was confirmed that the LTC cannot hold land and while the site could be designated as a heritage site, the owners would still be responsible to pay the tenure.

The Emmetts are concerned as to possible dismantling of the jetty, impact on the area, and are very keen to maintain the historical site.

There was further discussion as to the options available.

The LTC appreciates the historical significance and encouraged the family to purchase the sea wall.

The Emmetts expressed appreciation for the LTC efforts to date.

12.2 Proposed 2014 Mayne Island LTC Meeting Schedule

The Trustees questioned the time gap between the November and February meetings; however, it was stated that a Special Meeting could be called if necessary.

Resolution MA-LTC-50-13

It was Moved and Seconded that Mayne Island Local Trust Committee approve the Mayne Island Local Trust Committee Schedule as presented.

CARRIED

12.3 Deer Management

Trustee Dodds, who is a member of the Deer Committee, reviewed the community actions to date. There is a request for LTC support of a fallow deer eradication plan as this problem has now spread to other islands. To date, the Provincial Government has taken no responsibility and there is significant environmental impact by these deer.

Resolution MA-LTC-51-13

It was Moved and Seconded that Mayne Island Local Trust Committee support the concept of long-term eradication of fallow deer on Mayne Island..

CARRIED

Trustee Dodds left the meeting due to a perceived conflict of interest at 4:00 pm.

There was discussion as to information required to form a credible plan for eradication. There are biological reports available.

Chair Luckham suggested a request be made for a proposal on eradication of fallow deer.

Resolution MA-LTC-52-13

It was Moved and Seconded that Mayne Island Local Trust Committee authorize a request for a proposal on eradication of fallow deer on Mayne Island not to exceed \$2,000.00 to be expended from the Local Trust Committee Project Budget.

CARRIED

Trustee Dodds rejoined the meeting at 4:05 pm.

Chair Luckham reported to Trustee Dodds as to the resolution.

Resolution MA-LTC-53-13

It was Moved and Seconded that Mayne Island Local Trust Committee add the fallow deer eradication plan as Work Plan Item #3.

12.4 Upcoming Meetings

The next Mayne Island Local Trust Committee meeting will be held November 27, 2013, at 1 pm. at the Mayne Island Agricultural Hall.

12.5 IT Oil Spill Prevention Advocacy

Trustee Crumblehulme requested that Sheila Malcolmson, chair of Islands Trust, be invited to present information to community on this topic.

Resolution MA-LTC-54-13

It was Moved and Seconded that Mayne Island Local Trust Committee invite Sheila Malcolmson to attend a Public Information Meeting in regards to oil spill prevention and preparedness advocacy.

CARRIED

13. TOWN HALL MEETING

Chair Luckham invited comments from the public.

Barry Wilks: very pleased with the discussion regarding RAR. He spoke to the history of Horton Bay and efforts that had been made to introduce salmon to the waterway. After three attempts and failures he is convinced it is a futile project. It is felt that Islands Trust has a responsibility to protect the community and in that sense protect the community from imposition of provincial regulations that do not make sense for individual islands.

David Maude: In November there will be an announcement as to whether the Lighthouse has been designated as a heritage site. It met all the criteria except for age.

Heather Dow: expressed appreciation to Trustee Dodds for bringing the issue of fallow deer to the LTC. Much more information has gone out to the community and there is a better understanding of invasiveness of this species.

There was discussion of the provincial/federal support to eradicate invasive species. The Ministry of Agriculture created the fallow deer problem but takes no ownership of issue.

The survey from Islands Trust regarding the Oceanwood rezoning application did not have the "Island designation in the address.

Staff reported that addresses came from BC Assessment database.

14. ADJOURNMENT

Chair Luckham declared the meeting adjourned at 4.23 p.m.

RECORDER

CHAIR



Islands Trust

Print Date: Nov-19-2013

RWM From: November 01, 2013 To: November 27, 2013

Mayne Island

Resolution #	Action	Resolution Description	Resolution Date
2013-04	In Favour	THAT Mayne Island Local Trust Committee Proposed Bylaw No. 160 cited for all purposes as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2013" be given First Reading.	Nov 13, 2013
2013-03	In Favour	THAT Mayne Island Local Trust Committee Proposed Bylaw No. 159 cited for all purposes as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2013" be given First Reading.	Nov 13, 2013



Islands Trust

Follow Up Action Report w/ Target Date

Mayne Island Oct-30-2013

No.	Activity	Responsibility	Target Date	Status
1	Update Mayne LTC website: 1. summary of LTC meeting highlights 2. add recent reports	Lori Foster Gary Richardson	Nov-07-2013	Done
2	5.1.1 Mayne Island LTC meeting minutes of September 4, 2013 adopted as presented	Lori Foster	Oct-31-2013	Done
3	5.2.1 Mayne LTC special meeting notes of September 28, 2014 received	Lori Foster	Oct-31-2013	Done
4	8.1 Letter from Ian Cocker dated October 2, 2013 re: Accessory Buildings on Dinner Pt. property. Add review of RR zone accessory buildings and lot coverage to item 3 (OCP/LUB review) of top priorities	Gary Richardson	Oct-31-2013	Done
5	9.2 Galiano Bylaw NO. 241 - respond that Mayne LTCs interests are unaffected	Sharon Lloyd-deRosario		Done
6	9.3 Salt Spring bylaw No. 470 - respond that Mayne LTCs interests are unaffected	Sharon Lloyd-deRosario		Done
7	10.1 Proposed Bylaw 159 and 160 ... 1) revise bylaws to permit one secondary suite and cottage on lots over 4 ha. 2) consider RWM to give first reading, 3) refer to APC, and schedule hearing after first reading	Gary Richardson	Nov-14-2013	Done

8	10.1 Riparian Area Regulations Implementation - LTC proceed no further with RAR implementation. That LTC write to FLNRO stating that LTC is not proceeding with implementing the RAR due to frustrations with the lack clarity of the regulation and contradictory information from ministry staff. copy to MLA and MP, landowners coalition.	Gary Richardson	Nov-15-2013	On Going
9	Mayne Island Work Program to remove RAR implementation as a top priority. Inform FPC that it's no longer a top priority.	Robert Kojima	Nov-22-2013	Done
10	consider scheduling of special meeting at nov meeting	Lori Foster Gary Richardson	Nov-20-2013	Done
11	2014 Meeting Schedule adopted as presented	Lori Foster	Oct-31-2013	Done
12	Deer Management: that the miltc authorize an RFP for options on fallow deer eradication program for mayne island, not to exceed \$2000, to be expended from the LTC special projects budget.	Gary Richardson	Nov-28-2013	On Going
13	copy ltc on response to Troy Tyrell	Gary Richardson	Oct-31-2013	On Going
14	revise top priorities to add "fallow deer eradication plan" to work program	Gary Richardson	Oct-31-2013	Done
15	that chair malcolmson be invited to a public meeting on Mayne to present on oil spill prevention and preparedness	Brian Crumblehulme	Nov-27-2013	Done

Lori Foster

From: Jeanine Dodds
Sent: November 16, 2013 6:16 PM
To: Lori Foster
Cc: Gary Richardson; Brian Crumblehulme
Subject: FW: Next Trust meeting

If it is not too late please add to the agenda. Jeanine

From: iccd@telus.net [iccd@telus.net]
Sent: Saturday, November 16, 2013 5:53 PM
To: Jeanine Dodds; Brian Crumblehulme; directorsqi@crd.bc.ca
Subject: Next Trust meeting

Jeanine and Brian

As you are aware MIRRA has over the past two years, been conducting meetings on the status of our CRD docks and how they affect the lives of Mayne Islanders and the economy of our community. A Mayne Island delegation is meeting with CRD Representatives on Monday, November 18 to present a request that our community have more say in the operations and management of our CRD docks.

We request that the CRD docks on Mayne Island be placed on the agenda for our next trust meeting, November 27 at 1:00 pm. We request that our Trustees provide a letter of support for greater community involvement and participation in the management , maintenance and operation of our docks.

CRD Director Howe has agreed to attend the meeting to discuss the docks.

Respectfully

Ian Dow President

MIRRA

Sent from my Motorola device on the Rogers Wireless Network

Envoyé depuis mon téléphone Motorola sur le réseau sans fil Rogers



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 471 **Date:** November 1, 2013

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held in the near future.

APPLICANTS NAME / ADDRESS:

N/A

PURPOSE OF BYLAW:

To amend the Salt Spring Island Official Community Plan Bylaw No. 434 - Part G - to allow a Temporary Use Permit to be issued for a residential use.

GENERAL LOCATION:

Salt Spring Island

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

Staff Report and Bylaw 471 attached.

Please fill out the Response Summary on the back of this form. If your agency's interests are "*Unaffected*", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Justine Starke

Title: Island Planner

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
BC Assessment Authority

First Nations

Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation - Te'Mexw Treaty Association
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation & Penelakut Tribe

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee

Regional Agencies

Capital Regional District
CRD Building Inspection
CRD Engineering Services
Vancouver Island Health Authority

Non-Agency Referrals

BC Ambulance Service
Ganges Sewer Committee
North Salt Spring Waterworks District
RCMP
School District 64
SSI Chamber of Commerce
SSI Fire-Rescue
SSI Transportation Commission
SSI Copper Kettle
SSI Land Bank Society

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island

(Island)

(Signature)

(Date)

471

(Bylaw Number)

(Title)

(Agency)



Memorandum

Date November 20, 2013 File Number 6500-20-secondary suite review

To Mayne Island Local Trust Committee

From Gary Richardson
Island Planner

Re Proposed Bylaws 159 (OCP) and 160 (LUB) – Secondary Suites

At the October meeting, the LTC requested staff amend draft bylaws 159 and 160 to allow both cottages and secondary suites to be permitted on lots larger than 4 ha. The amendment requested was made and the LTC gave the bylaws 1st reading on November 13, 2013 by RWM.

The proposed bylaws were then forwarded to the Mayne Island APC for review and comment. The bylaws will also be forwarded to other appropriate agencies and a report on the comments from those agencies will be prepared for the February 26, 2014 LTC meeting.

The bylaws are here today for the LTCs and general public's information.

pc Gary Richardson, Island Planner

Attachments: Proposed Bylaws 159 and 160

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW No. 159

A BYLAW TO AMEND 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, 2013.”

2. SCHEDULES

- a. Schedule A (Policy Document) of Mayne Island Official Community Plan No. 144, 2007 is amended as shown on Schedule 1, attached to and forming part of this amending 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 13 day of November 2013
PUBLIC HEARING HELD this day of
READ A SECOND TIME this day of
READ A THIRD TIME this day of
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this

ADOPTED this

DEPUTY SECRETARY

CHAIR

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO.159

SCHEDULE 1

1. Schedule A (Policy Document) of Mayne Island Official Community Plan No. 144, 2007 is amended by:

- a) Inserting the following as a new policy 2.1.1.10:

“2.1.1.10 One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. On parcels less than 4 hectares: a secondary suite shall not be permitted on the parcel if a cottage has been constructed; and a cottage shall not be permitted on the parcel if a secondary suite has been constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite.”

- b) Inserting the following as new policy 2.1.4.12:

“2.1.4.12 One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. On parcels less than 4 hectares: a secondary suite shall not be permitted on the parcel if a cottage has been constructed; and a cottage shall not be permitted on the parcel if a secondary suite has been constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite.”

- c) Inserting the following as new policy 2.1.5.10:

“2.1.5.10 One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. On parcels less than 4 hectares: a secondary suite shall not be permitted on the parcel if a cottage has been constructed; and a cottage shall not be permitted on the parcel if a secondary suite has been constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite.”

- d) Inserting the following as new policy 2.2.1.10:

“2.2.1.10 One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. On parcels less than 4 hectares: a secondary suite shall not be permitted on the parcel if a cottage has been constructed; and a cottage shall not be permitted on the parcel if a secondary suite has been constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite.”

BYLAW NO. 160

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

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

- A. Schedule A of Bylaw No.146, cited as “Mayne Island Land Use Bylaw No 146, 2008” is amended as follows:
 1. By adding a new definition in alphabetical order to Section: “1.1 Definitions” as follows:

“secondary suite” means an accessory, self-contained dwelling unit, located within a building that otherwise contains a dwelling unit, and having a lesser floor area than the principal dwelling unit.”
 2. By adding to the definition of “Dwelling Unit” in Section “1.1 Definitions” as follows: adding the following “a secondary suite,” immediately after the words “or portion of a building in the case of”.
 3. By adding a new section immediately following section 3.12 as follows:

“3.13 Secondary Suites

- (1) Secondary suites are permitted on lots that are within the shaded area on Schedule “D” to this Bylaw.
 - (2) There is a maximum of one secondary suite per lot.
 - (3) On parcels less than 4 hectares: a secondary suite shall not be permitted on the parcel if a cottage has been constructed; and a cottage shall not be permitted on the parcel if a secondary suite has been constructed.
 - (4) The secondary suite must be contained within the walls of the building that contains the principal dwelling unit.
 - (5) Home occupations cannot be carried out in a secondary suite.
 - (6) The entrance to a secondary suite from the exterior of the building must be separate from the entrance to the principal dwelling unit.
 - (7) A building permit shall not be issued for a secondary suite until the building that is to contain the secondary suite is equipped with a water catchment and storage system for the storage of rainwater. Minimum cistern capacity required for a building containing a secondary suite is 13640 litres (3000 gallons).
 - (8) The floor area of the secondary suite shall not exceed 60m² (646 ft²) nor shall it exceed 40 per cent of the floor area of the principal dwelling unit.
 - (9) A secondary suite must not be subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*.”
 4. By adding a new subsection immediately following subsection 5.1(5) as follows:

“5.1(6) One secondary suite is permitted per lot subject to section 3.13.”

and renumbering the following subsections accordingly.
 5. By adding a new subsection immediately following subsection 5.5(5) as follows:

“5.5(6) One secondary suite is permitted per lot subject to section 3.13.”

and renumbering the following subsections accordingly.
 6. By adding a new subsection immediately following subsection 5.6(5) as follows:

“5.6(6) One secondary suite is permitted per lot subject to section 3.13.”

and renumbering the following subsections accordingly.

7. By adding a new subsection immediately following subsection 5.7(5) as follows:

“5.7(6) One secondary suite is permitted per lot subject to section 3.13.”

and renumbering the following subsections accordingly.

8. By adding a parking requirement for secondary suites to: “7.4 Off Street Parking Spaces” as follows:

<i>Use of Building or Lot</i>	<i>Minimum Number of Parking Spaces Required</i>
<i>Secondary suite</i>	<i>1 per suite</i>

9. A new schedule “Schedule D” is to be inserted immediately following schedule C. The new schedule D is attached to this bylaw as Plan No. 1.

- B. This bylaw may be cited for all purposes as the “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.2, 2013”.

READ A FIRST TIME THIS	13	DAY OF	November	20	13
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	

DEPUTY SECRETARY

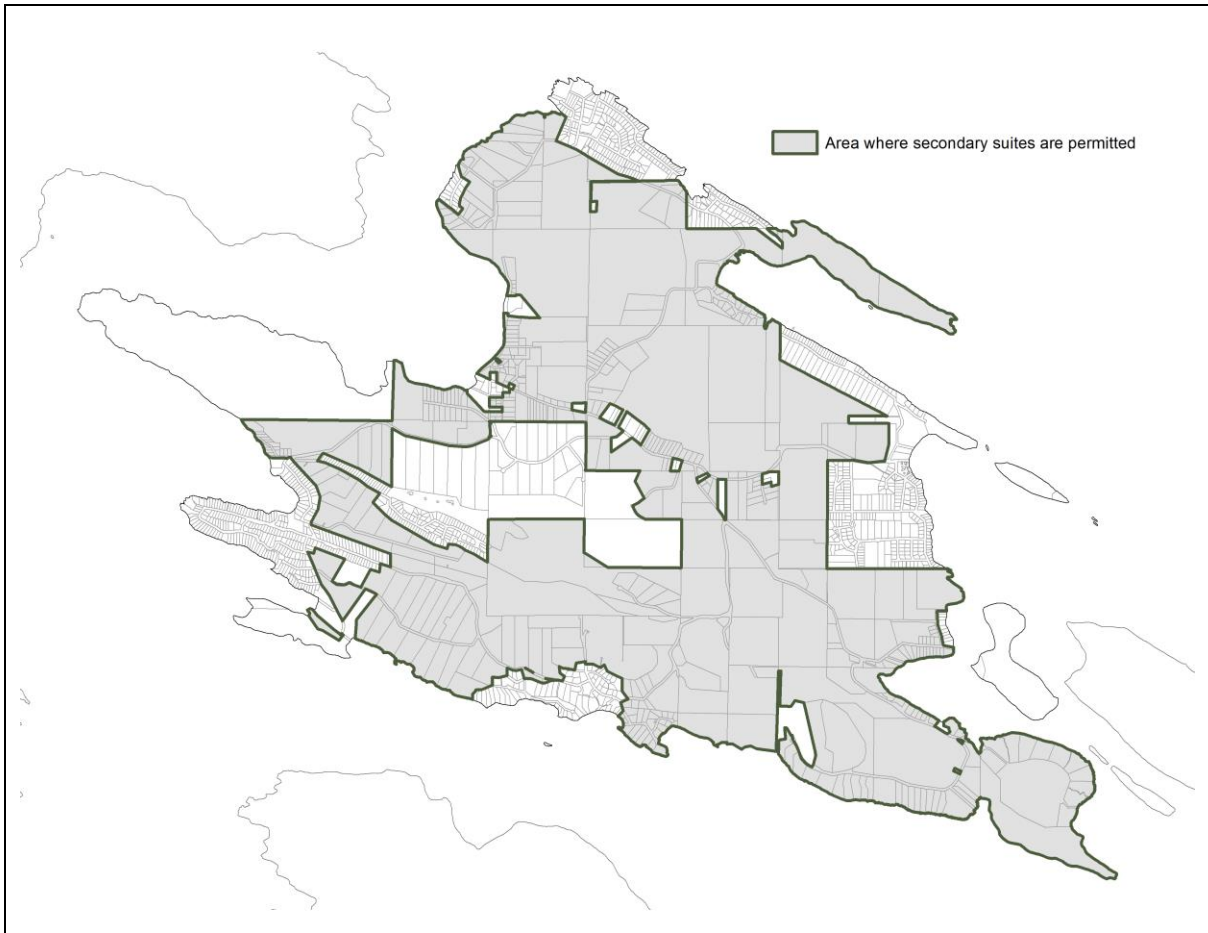
CHAIRPERSON

Mayne Island Local Trust Committee

Bylaw NO. 160

Plan No. 1

SCHEDULE D (Secondary Suite Map)





Top Priorities

Mayne Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Housing Options - Secondary suites	Draft Bylaws 159 (OCP) and 160 (LUB) forwarded to APC for review and comment.	Jul-31-2013	Gary Richardson		On Going
2	OCP and LUB amendments	Review OCP and LUB as per APC report dated February 2013. Review appropriateness of allowing public service uses in all zones as they may not be compatible with surrounding residential use. Review setbacks for agricultural buildings from water courses, consistent with Ministry guidelines. Review accessory building regulations and lot coverage in RR zone Staff report to be prepared for February 26, 2014 LTC meeting.	Jul-31-2013	Gary Richardson		On Going
3	Fallow deer eradication plan	1. rfp for fallow deer eradication plan options	Oct-30-2013	Gary Richardson		On Going



Islands Trust

Print Date: Nov-20-2013

Projects

Mayne Island

No.	Description	Activity	Received/Initiated	Status
1	Climate Change Adaptation	Consider regulatory changes and implementation of new DPA authority	Mar-02-2009	On Going
2	Commercial Land Use Review	review task force reports and provide options/recomendations to the LTC	Oct-24-2012	On Going
3	First Nations Communication - deer		Jun-27-2012	On Going
4	Density provisions on large remainder lots		Jul-27-2012	On Going
5	Road issues		Jun-27-2012	On Going
6	Review TUP policies		Sep-19-2012	On Going
7	STVR Review		Sep-19-2012	On Going
8	Geo-exchange review		Nov-28-2012	On Going



Applications w/ Status - Mayne Island Status: Open

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2012.1	0747825 BC LTD / Bruce Rosengren c/o Murray Rosengren Planner: Gary Richardson	Dec-18-2012	630 DINNER BAY RD To rezone from Commercial zone (C5a) to Senior Citizen Housing Comprehensive Development Three zone (CD3) with site specific permissions.

Planning Status

Status Date: Nov-20-2013

Staff report and needs study on November 27, 2013 LTC agenda for the LTCs consideration.

Status Date: Oct-23-2013

Need study being carried out report from consultant to be prepared Nov 15, 2013.

Status Date: Oct-23-2013

Staff to review needs study and prepare report for LTC to consider at its Nov, 27, 13 LTC meeting

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2013.1	Mayne Island Resort Strata Planner: Gary Richardson	Jul-09-2013	Address 494 ARBUTUS DR PID 027-713-253 Changing the use to allow strata owners docking privileges.

Planning Status

Status Date: Nov-20-2013

CIM to be held during February 26, 2014 LTC mtg.

Status Date: Oct-23-2013

Staff report to be prepared for February 26, 2014 LTC meeting.

Status Date: Sep-30-2013

Receipt of fees letter mailed out. Created label for file, gave to planner

Islands Trust

LTC EXP SUMMARY REPORT F2014

Invoices posted to Month ending October 2013

645 Mayne	Invoices posted to Month ending October 2013	Budget	Spent	Balance
65000-645	LTC "Trustee Expenses"	1,100.00	419.21	680.79
LTC Local				
65200-645	LTC - Local Exp - LTC Meeting Expenses	2,500.00	1,119.04	1,380.96
65210-645	LTC - Local Exp - APC Meeting Expenses	1,000.00	185.85	814.15
65220-645	LTC - Local Exp - Communications	500.00	862.90	-362.90
65230-645	LTC - Local Exp - Special Projects	2,000.00	0.00	2,000.00
65240-645	LTC - Local Exp - Miscellaneous	250.00	0.00	250.00
TOTAL LTC Local Expense		<u>6,250.00</u>	<u>2,167.79</u>	<u>4,082.21</u>
Projects				
73001-645-2005	Mayne OCP/LUB	4,000.00	1,113.30	2,886.70
73001-645-4013	Mayne housing options	3,000.00	0.00	3,000.00
TOTAL Project Expenses		<u>7,000.00</u>	<u>1,113.30</u>	<u>5,886.70</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.