



MAYNE ISLAND LOCAL TRUST COMMITTEE

**BUSINESS MEETING AGENDA
TO COMMENCE AT 1:00 P.M., WEDNESDAY, MARCH 21, 2012
AT THE MAYNE ISLAND AGRICULTURAL HALL
430 FERNHILL ROAD, MAYNE ISLAND, B.C.**

***Approximate** time is provided for the convenience of the public only and is subject change without notice.

	Page #	*Time Approx
1. CALL TO ORDER		
2. APPROVAL OF AGENDA		1:00 pm
2.1 Additions/Deletions		
2.2 Questions from public on Agenda Items		
3. COMMUNITY INFORMATION MEETING		1:10 pm
3.1 MA-TUP-2010.2 – Active Pass Auto Marine		
4. PUBLIC HEARING none		
5. PREVIOUS MEETINGS		2:00 pm
5.1 Local Trust Committee Minutes for Adoption	1	
5.1.1 Mayne Island Local Trust Committee Business Meeting Minutes of February 1, 2012 (attached)		
5.2 Public Hearing Records and Community Information Meeting Notes - none		
5.3 Section 26 Resolutions-without-meeting - none		
5.4 Advisory Planning Commission and/or Mayne Island Commercial Land Use Task Force Minutes (attached)		
5.4.1 Advisory Planning Commission Minutes of January 11, 2012	13	
5.4.2 Commercial Land Use Task Force Minutes of January 17, 2012	16	

6.	BUSINESS ARISING FROM THE MINUTES	
6.1	Follow-up Action Report (attached)	20
7.	DELEGATIONS	
7.1	Mayne Island Integrated Water System Society (attached)	21
8.	CORRESPONDENCE (attached) <i>[correspondence received concerning applications and/or projects is considered with the application]</i>	
8.1	J. Rowlandson email dated February 6, 2012 re: Support for Rural Cycling	23
8.2	D. Slinn email dated February 21 2012 re: Naming of Mayne Island	26
9.	APPLICATIONS, PERMITS, BYLAWS AND REFERRALS	2:30 pm
9.1	MA-TUP-2010.2 – Active Pass Auto Marine (attached)	27
9.2	MA-TUP-2011.1 (Burke) (attached)	40
9.3	MA-DVP-2012 (Ashworth) (attached)	65
10.	LOCAL TRUST COMMITTEE PROJECTS	
10.1	Secondary Suite Review – Timeline (pending)	
11.	REPORTS	3:30 pm
11.1	Work Program Reports	
11.1.1	Mayne Island Local Trust Committee Work Program - Report dated March, 2012 (attached)	75
11.2	Applications Report	
11.2.1	Mayne Island Applications Report dated March, 2012 (attached)	77
11.3	Expense/Budget Reports – for information	
11.3.1	Trustee and Local Expenses (attached)	80
11.4	Bylaw Enforcement - none	
11.5	Adopted Policies and Standing Resolutions) – for information (pending)	

11.6	Mayne Island LTC Web Page (attached)	81
11.7	Chair's Report	
11.8	Trustee Report	
12.	OTHER BUSINESS	
12.1	Upcoming Meetings	
12.1.1	Next Business Meeting – Wednesday, April 25 21, 2012 at 1:00 pm., at the Mayne Island Agricultural Hall	
12.2	A Strategic Approach to Islands Trust Communications (attached)	83
14.	MOTION TO CLOSE MEETING	
	THAT, pursuant to Section 90(1)(i)and (c) of the Community Charter, the Mayne Island Local Trust Committee resolves to close the meeting to the public for the purpose of considering legal advice; consideration of APC Appointments and adopting Minutes of December 19, 2011 Local Trust Committee In Camera Meeting; and further that Islands Trust Staff and Recording Secretary Pat Todd remain present.(distributed under separate cover)	
15.	RECALL TO ORDER	
15.1	Rise and Report from Closed Meeting	
13.	TOWN HALL MEETING	
14.	ADJOURNMENT	4:30 pm

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

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

Sixty-eight (68) members of the public were in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 1:00 p.m. He introduced himself, the Trustees and the Planners. The Chair explained that the information session was not a Public Hearing but an opportunity to outline and present the facts regarding the item and questions could be directed to the Planners.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

12.3 Discuss Multijurisdictional Open House that Trustees wish to organize.

2.2 Questions From Public on Agenda Items

In reply to a question regarding copies of meeting package, it was stated that while there had been some copies available at the meeting the package is also accessible on line.

The agenda as amended was approved by consensus.

3. COMMUNITY INFORMATION MEETING

3.1 MA-TUP-2011.1 (Burke) re: Short Term Vacation Rental

Gary Richardson, Island Planner, spoke to the application. He advised that the community was asked to provide comments to the Planners. He stated that the Temporary Use Permit (TUP) can be issued for up to 3 years and renewed for 3 years. It can include a number of conditions to control issues and/or concerns. The property is located on the corner of Charter Road and Arbutus Drive. The Planners have received correspondence regarding concerns including: noise, privacy, water, decrease in property values, unfair to commercial enterprises.

Planner Richardson added that a TUP allows use for a short term to determine the appropriateness of usage while rezoning allows the use in perpetuity. Residential rental of a property is generally for more than 30 days. Short Term Vacation Rental (STVR) is for the benefit of the traveling public and is usually done on a weekly basis.

Trustee Crumblehulme spoke to the process of the Local Trust Committee (LTC) and the responsibility of the Islands Trust to preserve and protect the ecology and islands communities. There are a number of policies that address these two areas. Ecology is of primary importance. For a business, a significant majority of the community population has to support the enterprise. There is a moral imperative for the LTC to listen to feedback and dialogue to determine interest and concerns.

The community has indicated no support for Short Term Vacation Rentals. It is not in the OCP and to allow would require a new bylaw. It was clarified that a TUP does not affect the OCP or bylaws.

Questions Regarding Application (it was stated that a decision would not be made until next LTC and that questions should be for clarification only)

Maja Jordan: Questioned summary of correspondence.

Planner Richardson outlined the procedure and stated that letters are available on web site.

Bill Borges: Questioned why opinions were not wanted.

It was explained that this is an opportunity to clarify the application. A TUP generally does not include a Community Information Meeting however the Trustees felt it important to have a meeting for clarification. The TUP is similar to “spot zoning” and gives rights to an individual that others don’t have. A TUP is a legal tool and allowed for within the OCP.

It was questioned as to whether a TUP should be used for a STVR. The LTC could address this through the OCP.

There was discussion as to the legality of “spot zoning”.

Marilyn Turner: Questioned the use of such a permit elsewhere and the ramifications.

Planners detailed that Gabriola has had three or four TUP applications for STVRs and while some are approved other applications have not been issued.

David Burrows: There is an issue in that the owner is not on the property. If permit issued would be on the same level as a commercial property. He questioned the fairness. A Bed and Breakfast is not classified as commercial.

Sheila Dunachie: Questioned the setting of a precedent. Would allowing this TUP make it easier for the next application?

It was explained that this is an individual process and while it does not set a precedent it may create an expectation. TUP allows the LTC to look at cumulative effect.

Murray Rosengren: The most effective tool to control the operation of a STVR is in not allowing advertising. Questioned if the TUP would permit advertising. If yes – then this affects commercial operations.

Planners stated that the TUP could specify no advertising. The TUP allows for negotiation of terms and conditions with applicant and can be a good tool to test “use”.

Carmen and Andrew Pearson: STVRs have occurred and there is a lack of bylaw enforcement. Questioned the availability of historical concerns and data regarding the impact of STVR. Also voiced concern regarding the inadequate resources to deal with bylaw infractions and if there are additional stipulations how will this be controlled.

Planners indicated that there have been initiatives over the past year to identify issues on islands re: STVR. Bylaw concerns are complaint driven. Trustees are aware of historical concerns and issues. There is a need to examine the application on an individual basis.

Doug Peers: Noted that the applicant is not the owner and questioned who will operate the STVR and is the applicant on island.

It was stated that the owner will manage the STVR and that the applicant is the daughter of the owner. Should the property be sold the “use” goes with it unless stipulated otherwise in the TUP.

Edward Gale: This will impact on other businesses and is viewed as unfair. Questioned why not just a rental (long term).

Judy Englehardt: If OCP says no to STVR why is application being considered?

Louis Vallee: There was a Task Force which reviewed STVRs.

Wesley Mulvin: Questioned if the TUP would be renewed after 3 years or would site be rezoned?

The TUP term is not necessarily 3 years (this is the maximum) and can be renewed once.

Andrew Pearson: Were this to go ahead can they operate different to a Bed and Breakfast or commercial enterprise? Expressed a concern regarding control of activities and absentee owner.

TUP could stipulate that someone be available to respond to concerns.

Ellen Vissor: Is consideration given to neighbouring businesses?

The Planners review submissions, concerns and comments received.

Bill Borges: How does community get information to staff and Trustees?

There will be a Town Hall session at next meeting prior to a decision on application. Contact can be made through emails, written letters and calls to Planners and Trustees.

Maya Jordan: Comment that for \$1,100 (cost of TUP application) can turn self into a commercial property without having to meet commercial standards. Questioned inspections, safety of renter, parking.

Staff explained that site would be under Building Code for residential use.

Asked if TUP could stipulate standards/inspections.

Yes, but Islands Trust would have to determine if standards are met and inspection is under CRD.

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 December 19, 2011.

The following amendments were made to the minutes:

- Under Call to Order: after introduced himself..."shared his desire to support open communication with the meeting guidelines as described in Islands Trust policy".
- Page 4: bullet 7: to read – Chair Luckham reminded that only recommendations are asked for and decision rests..."

- Page 6 Chair's Report: To read "New Members of Trust Council ..." and delete sentence "At his point..."
- Page 7 last bullet: after comma to read ..."which are creating an unsafe condition on the roads".
- Section 16 to read: ..."a review in August to evaluate how er are doing as a committee"

Resolution MA-LTC-01-12

It was Moved and Seconded that the Mayne Island Local Trust Committee Business Meeting Minutes of December 19, 2011, as amended, be Adopted.

CARRIED

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions without meeting

None

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

5.4.1 Commercial Land Use Task Force Meeting Minutes Meeting dated December 6, 2011

No questions /no action at this time

5.4.2 Commercial Land Use Task force Meeting Minutes dated January 3, 2012

No questions/no action at this time

6. **BUSINESS ARISING FROM THE MINUTES**

6.1 Follow-up Action Report

Gary Richardson reported that the Bylaw Enforcement Officer was not available to come to an LTC meeting until April. This will be advertised in the Mayneliner Newspaper and there will be a Community Information Meeting.

7. **DELEGATIONS**

None

8. CORRESPONDENCE

Staff has received a significant volume of correspondence regarding MA-TUP-2012.1 (renewal) and MA-RZ-2010.2 (rezoning). Staff has tried to organize according to the two different applications.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 Galiano Island Bylaws 233 and 234 Referral

These Bylaws amend the OCP and LUB to allow the provision of affordable housing and the Staff Report is attached to meeting package. The information was included to allow opportunity to comment if felt that neighbouring communities may be impacted.

Resolution MA-LTC-02-12

It was Moved and Seconded that Galiano Island Local Trust Committee Bylaws 233 and 234 do not affect the interests of Mayne Island

CARRIED

9.2 MA-TUP-2011.1 (Burke)

Planner Richardson gave a summary of the application to operate a STVR and referred to the earlier Community Information Meeting. He outlined some of the issues which include: noise, water usage, pets, screening of property, number of guests allowed, use of recreational vehicles. There have been long term rentals of the property which were unsuccessful. This is seen as a trial. Planner Richardson said the application could be disallowed today or proceed to the next LTC meeting where a draft permit could be considered.

Trustee Crumblehulme voiced that he is not prepared to make a decision today and would like to follow process and is interested in community response. A Draft Permit would allow more information to the public for discussion and the LTC is always able to deny application.

Trustee Dodds feels there are a number of people who have not read the application and would like there to be draft permit brought forward to the March meeting for Town Hall discussion. She encouraged submissions of concerns.

Resolution MA-LTC-03-12

It was Moved and Seconded that Staff draft a Temporary Use Permit for the Local Trust Committee's consideration at the March 21, 2012 Local Trust Committee meeting. It is recommended that the draft TUP contain conditions regarding numbers of guests, numbers and control of pets, water consumption, length of stay, use of recreational vehicles and tents on the property, signage, parking, emergency contact, garbage disposal, screening from surrounding properties, outdoor fires, outdoor lighting and noise. It is further recommended that the draft TUP limit operation to the months of May to October, that there be no advertising and that there be a management plan in place.

CARRIED

The applicant queried if there would be a refund should the TUP be denied. Staff explained that the applicant pays for the process of the TUP not the outcome and that there would be no refund.

Trustee Dodds left the meeting at this time for perception of bias.

9.3 MA-TUP-2012, Renewal (McDougall)

Trustee Crumblehulme, in reference to MA-TUP-2012.1 and MA-RZ-2010.2, cited concern regarding a conflict of interest. After seeking a legal opinion he is not perceived to be in a conflict of interest, however concerns were raised by a member of the public as to Trustee Crumblehulme's bias regarding this application.

Planner Richardson reviewed the renewal application which is for a retail sales food items operation. There has been extensive correspondence in favour of this enterprise and a few concerns raised regarding traffic and that the business has operated outside of TUP conditions.

The renewal can be for up to 3 years and should the property be rezoned the TUP is no longer in affect.

The Bylaw Officer has attended the site and reported no contraventions.

Resolution MA-LTC-04-12.

It was Moved and Seconded that MA-TUP-2010.1 (McDougall) be re-issued for two years.

CARRIED

Chair Luckham queried why the Bylaw Officer had been called in.

Staff cited the TUP as allowing for “accessory sales of processed food items” and there had been a complaint that merchandise exceeded this parameter. The Bylaw Officer felt that the current operation was within this definition.

9.4 MA-RZ-2010.2 (McDougall)

Planner Richardson spoke to the application for rezoning. Property is currently zoned for a machine shop and rezoning would permit retail sales in a 3000 sq. ft. building. To date there has not been a Public Hearing nor Community Information Meeting. Staff Report recommends a Community Information Meeting.

Trustee Crumblehulme suggested a draft bylaw be developed to allow LTC to proceed with the Community Information Meeting and Public Hearing. There is also a question of C1 or C3 (site specific)

Resolution MA-LTC-05-12.

It was Moved and Seconded that Staff be directed to draft an amending bylaw and to schedule a community information meeting regarding MA-RZ-2010.2. It is also recommended that the draft bylaw be referred to the Advisory Planning Committee and governmental agencies (e.g. Ministry of Transportation and Infrastructure) for review and comment.

CARRIED

Trustee Dodds rejoined the meeting and Chair Luckham advised of the actions regarding the TUP and Rezoning applications.

10. **LOCAL TRUST COMMITTEE PROJECTS**

None

11. **REPORTS**

11.1 **Work Program Reports**

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

Legal advice is being sought regarding reports, and information will be brought forth at another meeting. Trustee Dodds is in receipt of information from Landowners Coalition.

11.1.2 2008-2011 Trust Council Strategic Plan

This is a 6 month process scheduled to begin in March. There will be 1 or 2 sessions of Trust Council, and is likely to be ratified in Fall 2012.

11.2 Applications Report

11.2.1 Mayne Island Applications report dated January 2012

Planner Richardson provided details on the report.

Resolution MA-LTC-06-12.

It was Moved and Seconded that Staff be asked to add a new item to projects list regarding the requirement of proof of potable water for boundary adjustments in subdivisions draft an amending bylaw and to schedule.

CARRIED

Chair Luckham is concerned regarding the number of applications being put forth for the next meeting. It was decided that MA-RZ-2010.2 (McDougall) application for rezoning will be put to the April meeting.

The Manager of Farm Gate spoke to a concern in delaying the rezoning application as the Development Permit cannot go forward until rezoning is finalized which restricts operation over summer peak season.

11.3 Expense/Budget Reports

11.3.1 Trustee and Local Expenses

Report was attached and any questions are best directed to staff, Cindy Shalest.

11.3.2 Confirmation of 2012-2013 Budget Requirements

\$5,000 has been requested for implementation of Housing Options recommendations. This item is felt to be a priority.

11.4 Bylaw Enforcement

None

11.5 Adopted Policies and Standing Resolutions

Standing Resolution regarding STVR: Staff to review and report to Trustees as pertains to TUP application.

11.5.1 Special Occasion Liquor License Referrals

Robert Kojima, Regional Planning Manager (RPM) spoke to the need of a special occasion liquor license to be approved by local government, which for this purpose is the LTC and police. Other islands have a standing resolution to allow staff to respond to applications if no history of complaints and it is a public assembly. He has drafted a standing resolution for Mayne.

It was questioned as to how a license application with concerns would go forward to LTC. The Agricultural Hall Society has a form for renters of the hall. The Society requires a significant security. Typically application goes to Pender RCMP detachment and is then taken to the liquor store. The suggestion is if no complaints from preceding 3 years application does not have to go to LTC and could be approved by staff. The Hall has had a number of complaints due to residential setting. This will be brought back to next Agenda.

11.6 Mayne Island LTC Web Page

Discussed need to ensure people are aware of TUP applications. Staff can post those issued on the web page. Trustees can refer to the web site in the monthly update in the Mayne Liner.

11.7 Chair's Report

Chair Luckham reported that March Trust Council Meeting will include a second look at the budget. There are a number of fixed costs.

Council is starting First Nations Council Responsibilities review. There are 26 groups involved and no provincial funding.

Chair Luckham also chairs North Pender, Denman as well as being on Islands Trust Council.

The Chair is happy to hear from the constituents.

11.8 Trustee Report

Trustee Dodds reported she is on the Financial Committee. Islands Trust focus is on programs and people – to cut budget means less personnel which impacts on programs.

Trustee Crumblehulme reported he is on the Local Planning Committee. David Howe, CRD, is forming an Economic Development Commission for the Southern Gulf Islands and has asked Trustee Crumblehulme to be the Mayne Island representative.

Chair Luckham suggested that this appointment wait until there is a formal request for a representative.

12. **OTHER BUSINESS**

12.1 Upcoming Meetings

12.1.1 Next Business Meeting – Wednesday March 21, 2012 at 1:00 pm. at the Mayne Island Agricultural Hall.

12.2 Advisory Planning Commission Appointments

Committee needs 1 more member. There are 2 members who's term will expire in February 2011, and they have expressed interest in staying on the committee. Recommendation is to advertise for 3 vacancies and then decision is made at LTC regarding appointment/reappointment.

Resolution MA-LTC-77-12.

It was Moved and Seconded that Staff be asked to advertise the need for 3 members for the Advisory Planning Commission. It was also recommended that ad indicate there may be a reappointment of existent members.

CARRIED

13. **TOWN HALL MEETING**

Deb Foote: spoke to the budget and setting of taxes. Questioned if property value decreases does mill rate increase so taxes stay the same.

Noted that requirements stay the same. Explained this would depend if there was a drastic decrease.

Andrew (Manager at Farm Gate Store): Suggested a large print agenda be projected on wall to allow participants for follow. Or having more copies of agenda available – not necessary to copy whole package.

David Maude: in regards to web site – suggested some things looked misleading. A lot of information regarding Galiano with no explanation as to why it was there.

Barry Wilks: was confused by the Galiano information as well. Also raised serious concern regarding the safety of two areas – 1. junction of Horton Bay Road and Fernhill Road and 2. Village Bay Road and Felix Jack Road Also spoke to the poor road conditions in lights of intensity of usage.

14. **ADJOURNMENT**

Resolution MA-LTC-08-12

It was Moved and Seconded that Mayne Island Local Trust Committee meeting be adjourned at 4:15 p.m.

CARRIED

RECORDER

CHAIR

☒ PLANNER

☒ LIC

DRAFT

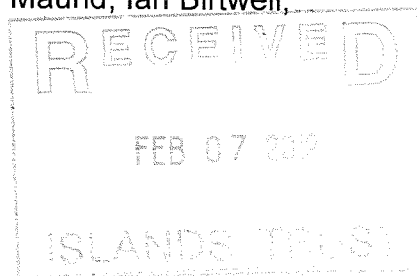
☒ *KJ*

**MINUTES OF THE MAYNE ISLAND ADVISORY PLANNING
COMMISSION
HELD ON WEDNESDAY January 11, 2012 AT 7:00 P.M.
AT THE COMMUNITY CENTRE**

Present: Rich Tamboline (Chair), Bill Bender, Bill Maund, Ian Birtwell,
Pat Todd (recorder)

Regrets: Sally Manson and Dennis Emmett

1. CALL TO ORDER: 7:00
2. APPROVAL OF THE AGENDA



**IT WAS MOVED AND SECONDED THAT THE AGENDA BE
APPROVED.**

CARRIED

3. APPROVAL OF MINUTES OF A.P.C.: Meeting of April 16, 2011

**IT WAS MOVED AND SECONDED THAT THE MINUTES OF APRIL 16,
2011 BE ADOPTED.**

CARRIED

Special Meeting of Tuesday June 28, 2011

**IT WAS MOVED AND SECONDED THAT THE MINUTES OF SPECIAL
MEETING JUNE 28, 2011 BE ADOPTED.**

CARRIED

4. BUSINESS ARISING FROM MINUTES: April 16, 2011

Recommendations regarding the referrals at both meetings were prepared, approved and forwarded to the Local Trust Committee.

The Chair clarified as to what constitutes a Transfer Station. Mayne Island Improvement District has to decide whether or not to establish a transfer station. Their mandate is to pick-up and dispose of garbage.

Islands Trust views the current system at Active Pass Auto and Marine as a transfer station therefore the business needs to meet the standards of operation as outlined by CRD.

MIID is in discussions with Islands Trust and the Ministry of Community Services as to who is responsible for disposal.

The Ministry says MIID is responsible and will not allow Letters Patent to be altered.

For the APC the issue is appropriateness of land use.

The Commercial Land Use Task Force has recommended that if a Transfer Station is to be established it should be on an Industrial Zoned property not Commercial Zone.

LTC has had to defer this item a number of times.

5. REFERRALS

1. Draft Community Housing policy section of the OCP: Changes to OCP are what APC is concerned with.

Secondary suites are a major departure from Islands Trust position of "multiple housing" on a lot. Commercial Zone has provision for second storey residential.

2. Consideration of legalization of secondary suites

To Date Islands Trust policy-approach has been for single family dwellings.

Building Inspection defines secondary suite as a "unit" containing cooking facilities: can have everything except a kitchen.

Important to be able to inspect to ensure everything is up to code e.g. smoke detectors.

Directions could be to Islands Trust as to what zones secondary suites would be permissible.

Could allow suites with conditions: should be by some form of permit; has to meet septic/water regulations and requirements; consultation with neighbours; consider parking needs; independent access.

Regulations would be established in LUB,

OCP would need to identify parameters.

As a policy – agree with secondary suites as long as suite meets requirements (to be determined)

How is situation monitored? Complaint driven.

Could establish a limit as to number of suites to minimize effects on water supply. e.g. 10% of current number of sites.

Could suggest Islands Trust determine a: bed count” for island

Guest cottages: agreed to increase size in LUB review with the idea that unit would be more rentable.

Under definitions of usage: Planner’s interpretation – if not listed as a permitted use then not allowed.

Suggested to review staff report recommendations for Feb. 8 meeting and to identify factors Committee feels are important for inclusion in OCP.

Significant change to legalize secondary suites.

6. TRUSTEES REPORT: none

7. NEW BUSINESS: none

8. NEXT MEETING: February 8, 2012

ADJOURNMENT

CHAIR

RECORDER

MINUTES OF THE MAYNE ISLAND COMMERCIAL LAND USE TASK FORCE
Tuesday January 17, 2012

PRESENT: R. Tamboline, G. Johnson, L.Yip, B. Wilks, D. Maude,
B. Maund, and Shanti McDougall. Pat Todd (recorder)

REGRETS: G. Siverns, Brian Steele and Deb Foote

MEMBERS OF THE PUBLIC : Lise McLeod

1. **CALL TO ORDER:** The Chair called the meeting to order at 7:00 pm.

2. **APPROVAL OF AGENDA**

The date for the agenda amended to January 17, 2012.

It was Moved and Seconded that the Agenda be adopted as amended.

CARRIED

3. **ADOPTION OF MINUTES:** Meeting of January 3, 2012

It was Moved and Seconded that the Minutes of January 3, 2012 be adopted.

CARRIED

4. **BUSINESS ARISING FROM THE MINUTES: January 3, 2012**

a) Home Occupations: Summary Report from OCP

The Chair circulated copies of Home Occupation policies from the OCP and regulations from the LUB.

The background statements and objectives are felt to be clear and concise.

Policies are well stated and specific as to operation of a Home Occupation.

Permitted uses and those activities not permitted are quite specific and straightforward.

There was discussion about not being able to bottle and sell water.

For B&Bs there is a limit of 3 bedrooms: if 4 bedrooms utilized must charge Hotel tax and is then considered a commercial operation which would come under the heading of "guest house" for zoning.

Discussion of "creation of a product": How is this defined? Committee members don't want to limit possibilities – want to encourage enterprise in conjunction with preserving residential character.

Noise is a primary concern and accounts for most of the complaints to Bylaw Officer. Parking can also be an issue. Signage bylaw only limits size – not location(s). Issues go back to lack of bylaw enforcement.

Recommendations could go forward on this topic.

Need to identify frequency of concern before "turning" it into an issue. Does infraction happen once a year or every weekend?

The more regulations/rules the less encouragement for enterprise.

Commercial parking requirements are based on square footage. LUB Part 7 Parking Regulations: 2 per dwelling; 1 per 30 sq. ft. of floor area

Bylaw enforcement is key.

It was Moved and Seconded that the Mayne Island Commercial Land Use Task Force accepts the OCP outline regarding Home Occupations and the regulations in the LUB; the Task Force also recommends a rewording of Paragraph 11 defining noise limitations and the Task Force further recommends a reexamination of Bylaw enforcement as it pertains to these regulations.

CARRIED

b) Existing Policies in OCP: discussion and summary

The Chair circulated copies of Commercial objectives and policies from the OCP for review and discussion.

Use of the term "small scale" is ambiguous: how is this defined?

Interpretation of 2.4.1.2 "Retail businesses shall be clustered...with the exception of; The Montrose..." would suggest that clusters of retail could be in these other identified areas: clarification needed.

Discussions have not limited C1 zone to Miners Bay. The intention is to define Miners Bay as the commercial core, which is identified in the OCP. This is not intended to totally restrict but to try and encourage a commercial core.

One member felt that efforts and discussions are narrowing focus. That member indicated there may be a second report put forward to the LTC by those committee members who may agree with the primary report. Motion of Dec. 6, 2011 was interpreted as excluding C1 zoning except within

Miners Bay and was felt to be causing a rift amongst committee members. The motion was reviewed and clearly does not preclude applications for C1 zoning in other areas of the island. The member continued: the purpose of the Task Force is to enter into discussion regarding identification of potential commercial areas but because of the hostility of the committee there is a feeling by some members of a lack of openness to differing opinions; a bias and prejudgment.

.5. Sub Committee Report : Miners Bay Commercial Core

A map was distributed highlighting the suggested area within Miners Bay for a commercial core which identified approximately 60 acres.

Area is intended to be a mix of C1 and Residential.

There was an area marked out for light industrial – Enterprise Park.

The sub committee travelled the proposed area: considered potential of lot extensions; i.e.: purchase of more than 1 lot; considered road extensions; possibility of seniors; discussed road frontages and tight of ways.

Area identified is felt appropriate for C1 zoning and beyond this area is open for site specific zoning. The designation of C2 or C3 would be done by the Planners.

Site specific zoning lets neighbours know what is there: e.g. If C1 grocery store now could be a hardware store 10 years from now. C1 can define uses/not permitted uses.

A larger area allows for a mix of zoning. Outline of “core” is not being put forward to preclude zone changes in any other areas.

Area identified includes a piece of agricultural land.

Sub committee will provide a summary report as to rationale for parameters and considerations made for next meeting.

6. Preliminary Discussions on Drafting Final Report Rezoning requests and applications

This item was forwarded to next meeting.

7. NEXT MEETING: February 7, 2012

8. ADJOURNMENT: 8:50pm

CHAIR

RECORDING SECRETARY



Islands Trust

Follow Up Action Report w/ Target Date

Mayne Island Feb-01-2012

No.	Activity	Responsibility	Target Date	Status
1	Arrange CIM for April 25, 2012 for bylaw enforcement notice bylaw. Place ad in Mayneliner	Miles Drew Gary Richardson		On Going
2	Minutes of LTC Mtg. December 19, 2011 adopted as amended.	Sharon Lloyd-deRosario		Done
3	Galiano Bylaws 233 and 234 respond that LTCs interests are unaffected.	Gary Richardson		Done
4	MA-TUP-2011.1 Burke/White - staff to prepare a TUP for the LTCs consideration at the March 21/12 LTC meeting.	Gary Richardson		Done
5	MA-TUP-2010.2 Active Pass Auto Marine - staff to arrange a CIM for March 21/12	Gary Richardson		Done
6	MA-TUP-2010.1 McDougall - to be issued for two years	Kathy Jones		Done
7	MA-RZ-2010.2 McDougall - staff to draft bylaw to allow for site specific zoning on subject lot.	Gary Richardson	Apr-13-2012	On Going
8	Mayne APC - staff to advertise for 3 APC positions.	Kathy Jones		Done
9	Special Occasion Liquor Licence referrals - amended policy adopted (see minutes).	Gary Richardson		On Going

Kathy Jones

From: Jeanine Dodds <jdodds@islandstrust.bc.ca>
Sent: February-03-12 7:04 AM
To: Kathy Jones; Mayne Island Local Trust Committee
Subject: FW: Trust support

Follow Up Flag: Follow up
Flag Status: Flagged

Please place on our next agenda and put Mary down as a Delegation. Thank you. Jeanine

-----Original Message-----

From: Mayne Island Integrated Water System Society [\[mailto:watersociety@shaw.ca\]](mailto:watersociety@shaw.ca)
Sent: January-31-12 11:33 AM
To: Jeanine Dodds
Cc: JARCO RICHARD; WARNING BILL; ELLIOTT MARIE; MCKAY Ev; PLUCINAK DI;
 STANTON DAN
Subject: Trust support

Hi Jeanine,
 MIIWSS needs some assistance.

We are holding a workshop Feb 18 that qualifies for certification maintenance units for our operators from all islands.

Last year we were awarded .6 using an economical method of training-- operator to operator using their experiences. This year with the same format, they came back with .4 for actual teaching time of 6.75 hours.

Needless to say, we have lost 2 speakers from a larger system who had to travel.

To state our case clearly, we believe that with the Environmental Operators Certification Program, raising the costs (\$140 to be posted on their website---which we not do not need, plus \$5 for every

operator) attending to have their units accredited to their account), we are going to lose qualified personnel on our islands.

There is possibly only 1 system on Mayne that could legally require a certified operator and the balance could run on 'Joe the baker' if they so chose. The only stipulation would be that they keep the VIHA inspector content.

If we cease to offer courses at cost or close to, the small systems are facing close to \$1000 per course, off island, for certification maintenance.

That will not likely get them the full Units they require within the 2 year time span set by the EOCP, and is rolled over every

2 years (they start all over collecting units). My advice to the systems would be to simply pay the extra it would cost for their insurance raise, and forget the EOCP. It would be cheaper.

However, none of the above is good for our water systems and our aquifers, or the awareness of each, or the supply of qualified people to help the single well owner.

We are asking that our Trustees send a letter to Bill Hyslop, EOCP executive administrator offering support re the value of what we do and what we offer the water systems, and get the island purveyors and residents get in return.

As it stands now, it is not worth our effort to run these maintenance courses. While we are loathe to surrender, it is pointless from a cost and work perspective to run workshops that people do not think there is sufficient value in return for the travel, & 8 hours in a chair, on a weekend.

Hopefully we can discuss this by phone if you have any questions. This is a difficult topic to get all the details in one e-mail./ Regards, Mary Cooper, MIIWSS Chair.

Kathy Jones

From: Jeanine Dodds <jdodds@islandstrust.bc.ca>
Sent: February-06-12 10:21 AM
To: Kathy Jones; Mayne Island Local Trust Committee
Subject: FW: Support for Rural Cycling
Attachments: 120131_Resolution-VeloVillage&ruralcyclinginfrastructure.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please add this to our next agenda. Jeanine

From: John Rowlandson [<mailto:velovillage2012@gmail.com>]
Sent: February-06-12 10:05 AM
To: Jeanine Dodds; Brian Crumblehulme
Subject: Fwd: Support for Rural Cycling

Dear Jeanine and Brian,

As you may know, Island Pathways is pulling out all the stops to make Salt Spring *bicycle-heaven-on-earth* between June 21st and 23rd.

Velo Village shines a light on rural cycling: its benefits, challenges and requirements. Specifically, we're setting aside a day to focus on cycling as a Rural Mobility Solution.

The conference will bring together about 200 delegates from all over BC to build stronger links between rural and urban cycling networks. Registration opens at the end of February.

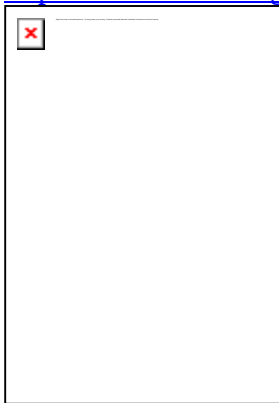
In advance of the event we're asking all British Columbia municipalities and regional districts to support this effort by passing the attached resolution. We've introduced this motion with our Local Trust Committee and Capital Regional District and will be bringing it to Trust Council in March. We're asking that you support this motion on Mayne.

I'm happy to chat, should you have comments or questions. Please forward a scanned signed copy of the resolution to: velovillage2012@gmail.com

Very best,

John Rowlandson
[Velo Village](#) Team Lead
 Island Pathways, Salt Spring Island
[250 653 4049](tel:2506534049)

<http://www.velovillage.ca>



PROVINCIAL FUNDING FOR CYCLING INFRASTRUCTURE

WHEREAS the Union of British Columbia Municipalities has consistently endorsed resolutions calling for development, improvement and augmentation of cycling infrastructure, including but not limited to:

- frequent sweeping of bike lanes (2011-B19);
- increased width and refurbished road shoulders to accommodate cycling (2010-B16, 2007-B14, 2007-B99);
- a BC Cycling Development Program (2010-B17);
- revenue sharing for cycling infrastructure intersecting provincial highways (2009-B83);
- safer cycling conditions to encourage ridership (2008-B108);
- bicycle lane funding (2007-B100, 2006-B140); and
- infrastructure for non-greenhouse gas emitting transportation (2006-B110);

AND WHEREAS rural cycling infrastructure strengthens communities by:

- increasing the safety of cycling on rural roads;
- supporting the growth of cycle tourism;
- addressing local climate change challenges;
- providing transportation and recreation alternatives;
- establishing links with existing urban and regional cycling networks; and
- enabling small business access to new commercial corridors and markets;

THEREFORE BE IT RESOLVED that [My Local Government] urges the Province of British Columbia to invest in cycling infrastructure in rural communities, in order to accelerate the availability and broaden the range of cycling opportunities for commuter, recreational and competitive cyclists living in and visiting rural and urban areas.

Reference Documents:

Salish Sea Statements on Cycling & Rural Mobility

http://www.velovillage.ca/wp-content/uploads/SSSOCandRM_English.pdf

Salish Sea Statements on Cycling & Rural Mobility – Body of Knowledge

http://www.velovillage.ca/wp-content/uploads/SSSOCandR_BOK.pdf

Kathy Jones

From: Jeanine Dodds
Sent: March-10-12 10:45 AM
To: Kathy Jones
Subject: FW: Mayne Island

Follow Up Flag: Follow up
Flag Status: Flagged

Can you add this one as well. Jeanine

From: donsylvia@shaw.ca [donsylvia@shaw.ca]
Sent: Tuesday, February 21, 2012 8:45 PM
To: Dereck DA. Atha; Jeanine Dodds
Subject: Mayne Island

Copy of Email I sent to Elizabeth May

Hi E, May

Could you find an answer to my request please

My name is Don Slinn I live at 587 Bayview Dr Mayne ISLAND named in 1872 by captain George Henry Richardson and it has been called by this Name ever since, until Canada post took our ISLAND away and renamed it MAYNE . But if you look up Canada post job posting for mail delivery for the addition new postal the add says the jobs are on Mayne Island and the address is Mayne Island RR1 BC codes we were V0N2J0 now the have spit the Island into V0N2J1 & V0N2J2 and the post off with the Name of mayne island Also there Local cancelation stamp Elizabethp Says Mayne Island????? I tried to find in 2006 out who took our Island away and Canada post said it was the municipality???? my search ended at the sidney office of Gary Lund and was told by his office manager that they were not interested in looking into this problem so I stopped my search .

When I noticed that C.P was using Mayne Island I phoned the 1 800 number and was told the local government changed it,I wouldn't accept this answer and ask to speak to the person who would give me a copy of the direction to take our ISLAND away from US. One off the many problems we have is when we apply for anything on the internet they will not accept M I as the copy of the disk they purchased from C.P. only list us by Mayne

Thanks

Don Slinn
MAYNE ISLAND please



STAFF REPORT

March 1, 2012

File No.: MA-TUP-2010.2

To: Mayne Island Local Trust Committee

From: Gary Richardson
Island Planner
Local Planning Services

CC: Robert Kojima, Regional Planning Manager

Re: Temporary Industrial Use Permit Application for 424 Fernhill Road

Owner: Active Pass Auto & Marine Ltd.
Applicant: Geoffrey Siverns and Lina Beaudet
Location: 424 Fernhill Road

THE PROPOSAL:

The applicant is applying for a Temporary Use Permit (TUP) for the purposes of permitting the transfer, storage, and shipping of discarded goods and materials, on the property located at 424 Fernhill Road on Mayne Island. The proposal is for disposal and storage of garbage in a waste collection and compactor truck that can be moved as required. The waste collection and compactor truck will be located in a covered gated enclosure with a concrete pad for a base. The stated purpose of the facility is to provide Mayne Island residents and garbage collection contractors a site to discard and store solid waste materials prior to transfer off island.

BACKGROUND:

This application has been presented at previous LTC meetings. The proposal has changed some since it was originally submitted, a waste collection and compactor truck is being proposed in place of a collection trailer and the covered storage area will now have a concrete pad for a base. A revised draft TUP was prepared late in 2011 that incorporated both community comments and the revised proposal but was not considered by the LTC due to lack of a quorum.

SITE CONTEXT:

The property at 424 Fernhill Road is the current location of the gas station. The property is 0.34 hectares (0.83 acres) in size, and is zoned C4 – Automotive Commercial. Adjacent properties to the south and west are zoned C1 – Settlement Commercial, the property containing the Agricultural Hall to the east is zoned S1 – Community Service, while the properties to the north across the street are zoned SR – Settlement Residential (see Figure 1).

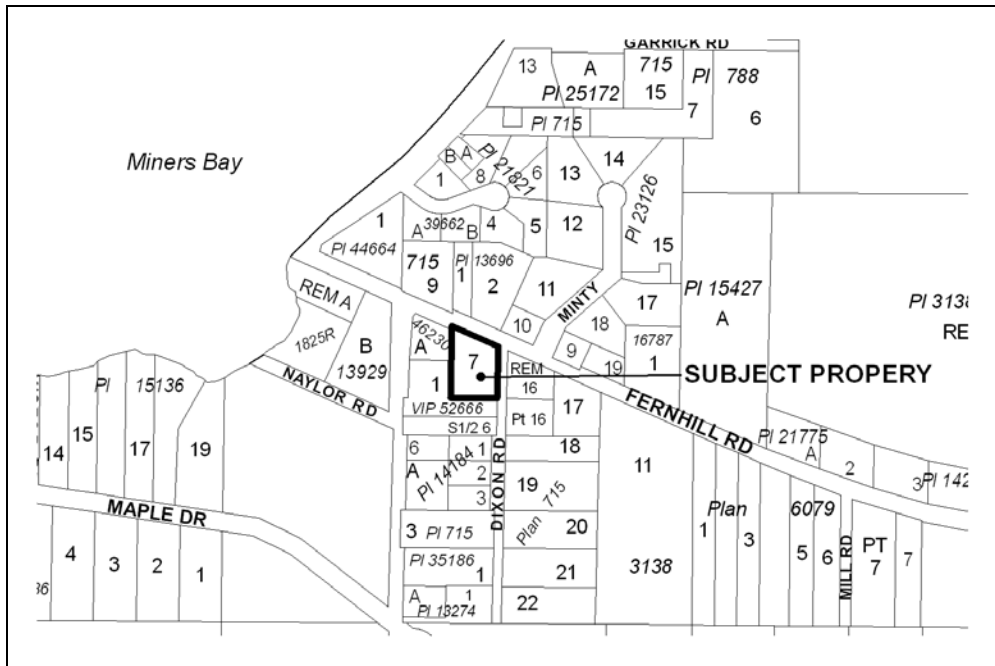


Figure 1: Location Map

The waste collection and compactor truck will be located in the centre of the property (see Schedule A of the attached draft permit), and is currently covered by a temporary roofed structure (see Figure 2). There is also a waste collection point, where garbage is dropped off into a hand wagon, located in the northwest corner of the property (see Schedule A).



Figure 2: Covering Structure that will have a concrete pad for a base and house the waste collection and compactor truck

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

The section of the Trust Policy Statement relevant to this application is Section 5.4 Disposal of Waste:

Commitments of Trust Council

- 5.4.1 It is Trust Council's policy that the safe disposal in the Trust Area of waste originating in the Trust Area is acceptable.
- 5.4.2 It is Trust Council's policy that:
 - neither hazardous nor industrial waste should be disposed of in the Trust Area,
 - local recycling operations should be established, and
 - local programs for chipping of wood waste and disposal of hazardous wastes should be established.
- 5.4.3 It is Trust Council's policy that there should be a reduction in the burning of solid waste in the Trust Area.

Directive Policy

- 5.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

Official Community Plan

The subject property is designated C – General Commercial. Most policies under section 2.4 Commercial pertain only to retail commercial uses and visitor accommodation. However, this application would appear to be in accordance with policy 2.4.1.1 which states that the principal land use shall be small scale commercial business. It is also in accordance with policy 2.4.1.3 which states that service based businesses should be dispersed in the Mayne Island Trust Area.

Other Official Community Plan policies relevant to this application are included in section 2.9 Temporary Commercial and Industrial Use Permits and in policy 3.3.2 Disposal of Solid Waste. Policy 3.3.2 does not contain any direction as to the siting of waste disposal facilities or transfer areas on the island, and only provides direction for other agencies regarding the handling of waste and the encouragement of recycling and composting as follows:

3.3.2 Disposal of Solid Waste

The objectives of this section are:

- 1) to encourage the on-island handling of reusable, recyclable and compostable materials,
- 2) to protect the environmental quality of the Mayne Island Trust Area, and,
- 3) to extend the life of the Hartland Landfill.

Advocacy Policies

3.3.2.1 The reuse, recycling and composting of solid wastes is encouraged.

3.3.2.2 The Recycling Depot and any other site used for the storage of solid wastes shall be managed in compliance with the regulations of the Capital Regional District and the Ministry of Environment.

- 3.3.2.3 The Ministry of Environment shall be requested to provide safe storage and to regulate and to coordinate dangerous cargo sailings with BC Ferries in the removal of hazardous wastes from the Mayne Island Trust Area.
- 3.3.2.4 Fisheries and Oceans Canada and the Provincial Ministry of Environment shall be requested to prohibit the dumping of any waste materials in the waters of the Mayne Island Trust Area.
- 3.3.2.5 The development of innovative techniques and appropriate training will be supported for the disposal of waste material generated by both existing and future development in the Mayne Island Trust Area will be supported.
- 3.3.2.6 The LTC should support efforts to expand recycling and composting and small-scale chipping in appropriate locations.

The objectives for issuing Temporary Commercial and Industrial Use permits include testing the compatibility of a proposed land use, which may have not been anticipated, with existing uses. The policies under Section 2.9 Temporary Commercial and Industrial Use Permit are evaluated in Appendix 1 of this staff report.

The subject property is within the Commercial Development Permit Area. A Development Permit was issued in 1996 to guide the form and character of an addition to the main commercial building on the property. However, as the waste disposal facilities (the waste collection and compactor truck, the covering structure, and the hand wagon) are temporary in nature and do not require building permits, the proposal is exempt from the requirement to amend the existing Development Permit or to obtain a new Development Permit.

Land Use Bylaw

The subject property is zoned C4 – Automotive Commercial. The proposed use does not cause the expansion of the use of the property beyond the permitted number of accessory buildings, floor area ratio or lot coverage.

A Development Variance Permit (DVP) was issued in 1996 that pertains to the siting of the garage in the south east corner of the property. The current proposal meets setback requirements with regard to the siting of the waste collection truck and the covering structure, and therefore a new DVP application is not required. Although the waste collection point is located within the western interior side lot line setback, there are no structures associated with this use, and therefore a DVP is not required for this use either.

Sensitive Ecosystems and Hazard Areas:

According to Islands Trust Sensitive Ecosystems Mapping (SEM) there are no sensitive ecosystems on this property. The property to the north across Fernhill Rd. contains a mature forest which is classified as an important ecosystem. However, this additional use is unlikely to have any greater effect on this ecosystem than the existing uses.

Archaeological Sites:

Based on information from the provincial Remote Access to Archaeological Data (RAAD), there are no archaeological sites on this property.

Notwithstanding the foregoing, and by copy of this report, the owners are advised that the unearthing of any archaeological resource should be reported to the Archaeological Branch.

Covenants:

There are no covenants registered on the title of the subject property.

Other:

Capital Regional District – Concern has been expressed by some community members that a license is required from the Capital Regional District (CRD) for this use to occur. In an email dated November 12, 2010, John Craveiro of the CRD explains that the CRD does have the ability to enact bylaws for the management of solid waste, but to date has only enacted one region-wide bylaw for licensing composting facilities, and one bylaw specific to Salt Spring Island for waste transfer stations. There is currently no such bylaw in place for waste transfer stations on Mayne Island.

Vancouver Island Health Authority – A number of community members have also expressed concern about the health aspects of having a waste transfer station in the Miners Bay area, particularly with regard to the attraction of rodents and the potential for water contamination. Staff contacted the Vancouver Island Health Authority (VIHA) with regard to these concerns, and were assured that VIHA was aware of the situation and that their staff had visited the site in 2010 and had not found any issues of concern.

Bylaw Enforcement – There is an open file relating to the use being applied for in this TUP. File: BE 2010.1.

COMMUNITY INFORMATION MEETING(S):

No community information meeting has been held to date. Community information meetings (CIM) are not required under the *Local Government Act* prior to the issuance of Temporary Use Permits. A CIM is scheduled for March 21, 2012 on Mayne Island within the LTC meeting.

RESULTS OF CIRCULATION:

Notices were circulated to surrounding property owners on two separate occasions regarding previous draft permits; changes to the draft permit were necessary and as such required re-circulation. At the time of writing of this report, seven letters of objection had been received from members of the public regarding these previous draft permits. Concerns raised included the attraction of rodents and flies, the proximity of commercial food operations and tourist attractions such as the farmers market, the impact of the smell of garbage in the summer, the potential for water contamination, enforcement concerns, and competition with the Mayne Island Improvement District garbage collection service. If a new permit is drafted comments from the LTC and the public will be incorporated when appropriate.

The applicant previously submitted a petition that contains 249 signatures of people in favour of the waste transfer facility.

As of the writing of this report no comments had been received regarding the recent CIM notice.

If the LTC decides to proceed with this proposal notices will be circulated to surrounding property owners as well as being placed in a newspaper.

STAFF COMMENTS:

The use complies with most of the Temporary Commercial and Industrial Use permit guidelines of Section 2.9 of the OCP and the permit has been drafted in accordance with these guidelines (see Appendix 1). The exceptions are policy 2.9.1.2 and articles 2.9.1.6a) and b).

Policy 2.9.1.2 states that permitted uses should be consistent with the policies of the designation and the provisions of 2.9.1. This guideline appears to limit any proposed temporary use to those which have been anticipated by existing designations. This is in direct conflict with the provisions of 2.9.1 which states the objective of testing the compatibility of land uses which may not have been anticipated with existing uses. In this case, the use is not a perfect fit for any designation in the current OCP, including the Industrial designation. In any case, the guidelines for temporary use permits are not binding in the same manner that the guidelines are for a Development Permit Area. The LTC has the discretion to apply the guidelines which are most applicable to a particular application. The LTC is also not obligated to issue the permit even if it complies with the guidelines.

This application would appear to represent a case of the use not being anticipated by the bylaws, as there is no zone or designation on Mayne Island which would permit a waste transfer operation. Therefore, a temporary use permit is considered to be an appropriate mechanism for testing out the use to determine its compatibility with other uses in this location. Issuing the permit could provide an opportunity to test whether or not the use is suitable in this zone and designation and in this location.

Articles 2.9.1.6 a) and b) of the OCP state:

2.9.1.6 Permit conditions must make reference to measures dealing with the following points:

- a) general activity levels that will not create any disturbance apparent beyond the property's boundaries;
- b) adequate landscape buffering or distance separation to adjacent lots.

The disposal and storage of waste occurs in two areas on the subject property. Customers drop off their garbage into a small hand wagon on the western side of the main commercial building. Employees of the gas station then transfer the garbage from the wagon into the waste collection and compactor truck in the centre of the property. The truck is currently covered by a temporary roofed structure to keep water from percolating through the waste products (see Fig. 2).

While staff has incorporated conditions into the permit which will likely mitigate some of the disturbance beyond the property boundaries, it is difficult to evaluate the full impact of the use on surrounding properties in winter. Provided the site is kept tidy and waste is removed regularly the main impact from this use is expected to be unpleasant smells from decomposing waste materials. Although no smell was detected during the site visit, the situation could be different in summer, and is difficult to mitigate through permit conditions. The conditions that have been included in the permit in an attempt to mitigate negative impacts on surrounding properties

could prove difficult to enforce. This is particularly true in regard to the number of hours that waste may be stored in the hand wagon and the frequency that the truck is emptied.

The maintenance of existing vegetation is specified as a condition in the most recent draft permit in order to provide screening of the use from surrounding properties. Staff were made aware that a number of trees were removed from along Dixon Road which may have provided screening for residents across the street. Although the operator of the waste disposal operation has indicated his intention to replant screening vegetation in this location replanting has been made a condition of the permit.

The Local Trust Committee has several options regarding this permit:

1. Amend the permit by changing the period of validity of the permit or by adding any further conditions desired by the Local Trust Committee.
2. Refer the draft permit to the Advisory Planning Commission.
3. Not proceed with the permit.
4. Issue the permit

Staff recommends that proceeding with the permit is reasonable for the short term; however a more suitable location should be found away from small lot areas and away from residential areas and possibly within an industrial area. Conditions have been included in the permit to try to reduce the impact on surrounding properties, these conditions should be adequate to eliminate most of the impacts; however some may prove difficult to enforce.

RECOMMENDATIONS:

THAT Temporary Industrial Use Permit MA-TUP-2010.2 (Active Pass Auto & Marine Ltd.) PROCEED and that a draft permit be considered at the April 25, 2012 LTC meeting.

Prepared and Submitted by:

Gary Richardson

Island Planner

March 12, 2012

Date

Concurred in by:



Regional Planning Manager

March 12, 2011

Date

Appendix 1:

Permit Guideline	Complies		Comments
	Yes	No	
2.9.1.1 Permits can be issued for any period up to two years and could be considered for renewal once for any further period up to two years.	☒	☐	Draft permit is valid for a 3 year period. The reference to 2 years in the OCP is a reiteration of previous legislation. The legislation has now changed to allow the LTC to issue this permit for a period of 3 years as the applicant is requesting.
2.9.1.2 Permitted uses should be consistent with the policies of the designation and the provisions of 2.9.1.	☐	☒	Designation is general commercial. Use is generally in compliance with policies of the designation. However, it appears that the specific use was not anticipated by any designation or zoning on the island.
2.9.1.3 Permitted uses should not preclude or compromise future permitted uses on the affected lot.	☒	☐	Structure is temporary and waste disposal truck and hand wagon are on wheels and can be moved and removed once the permit lapses.
2.9.1.4 Uses should not be allowed if they conflict with any ongoing planning policies or programs.	☒	☐	Use does not conflict with any ongoing planning policies or programs.
2.9.1.5 Sand and gravel removal and processing, and asphalt plants shall be subject to a permit if they exceed 50 truck loads in any given year.	☐	☐	N/A – no sand and gravel removal and processing is proposed.
2.9.1.6 Permit conditions must make reference to measures dealing with the following points:			
a) general activity levels that will not create any disturbance apparent beyond the property's boundaries.	☐	☒	Hours of operation have been restricted to the opening hours of the gas station. Compactor truck must be located in the centre of the property. Garbage may not be stored in the hand wagon for longer than 2 hours. However, these conditions may not be adequate to completely eliminate any disturbance beyond the property boundaries.
b) adequate landscape buffering or distance separation to adjacent lots.	☐	☒	Storage of garbage in hand wagon could affect adjacent properties. Adjacent properties may be affected by smell in summer months.
c) provision of off-street parking spaces consistent with regulatory bylaws.	☒	☐	n/a – lack of floor area associated with the proposed use negates the requirement for provision of further parking spaces.
d) reclamation measures that will restore the permit area to suitability for its designated primary use.	☒	☐	Condition included in permit to remove structures if use is discontinued or permit lapses.
e) adequate supervision of the site.	☒	☐	Disposal will only be available during hours in which the gas station is open and an employee is on site.

Permit Guideline	Complies		Comments
	Yes	No	
2.9.1.7 In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatability with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.	☒	☐	The permit includes conditions that limit the hours of operation to those of the gas station, and ensures maintainance of a clean site to help ensure compatibility with the neighbourhood. The permit includes a condition that the temporary structure and bin be removed when the use ceases or the permit lapses.
2.9.1.8 Review of applications should include consideration of smart growth principles.	☒	☐	The use is occurring on an existing property which is used for automotive commercial uses and which is located in the main commercial centre of Mayne Island. This results in less land being used elsewhere for this type of use, and also helps to locate a mix of uses within the community (Smart Growth principle 1) and in creating compact communities (principle 2).



Islands Trust

PROPOSED

Revised

MAYNE ISLAND LOCAL TRUST COMMITTEE

TEMPORARY INDUSTRIAL USE PERMIT

MA-TUP-2010.2

TO: Active Pass Auto & Marine Ltd.

1. This Temporary Industrial Use Permit applies to the land described below:

Lot 7, Section 12, Mayne Island, Cowichan District, Plan 715

As indicated on Schedule 'A' attached to and forming part of this permit.
2. This permit is issued for the purpose of allowing the following industrial uses in the subject area:
 - a) "transfer, storage, and shipping of discarded goods and materials"
3. The uses may be carried on subject to the following conditions:
 - a) The use shall be limited to one waste collection and compactor truck, designed for that purpose, and shall be parked within the area shown as "covered garbage storage" on Schedule 'A', and to one hand wagon stored within the area shown as "waste collection point" on Schedule 'A'.
 - b) The waste collection and compactor truck shall be parked within a covered, fenced and gated enclosure and parked upon a concrete pad with screened drain and sump for the purpose of catching and containing any leachate.
 - c) The hours of operation for public disposal of discarded goods and materials shall be limited to between the hours of 8:30 am to 6:00 pm daily. The hand wagon must be removed from waste collection point outside of the hours of operation.
 - d) The storage of all discarded goods and materials permitted by 2(a) above shall be bagged and contained within the waste collection and compactor truck described in 3a).
 - e) In spite of section 3(d), bagged discarded goods and materials may be stored for periods not exceeding 2 hours in the hand wagon at the waste collection point.
 - f) The *transfer, storage and shipping of discarded goods and materials* permitted by 2(a) above shall not include any hazardous waste, including household hazardous waste as defined by Capital Regional District Environmental Services, bulk liquids and semi-solid sludges, including septage, black water, and sewage treatment sludge, biomedical waste, dead animals and slaughterhouse and farming wastes.
 - g) The *transfer, storage and shipping of discarded goods and materials* permitted by 2(a) above shall not include any demolition, construction or land clearing waste.
 - h) The processing of discarded goods and materials is prohibited.

PROPOSED

- i) The placement of signage denoting what is and is not accepted at the site and what is accepted at the recycling facility at a separate location, fees, and hours of operation. All other signage associated with the use is not permitted.
 - j) The areas in and around the site, the waste collection and compactor truck and the waste collection point are to be maintained clear of litter and kept safe for general public.
 - k) The waste collection and compactor truck is to be emptied at least every seven calendar days.
 - l) All existing vegetation is to be maintained along the east, south and west lot lines to provide a landscaped buffer to adjacent lots. Additional screening in the form of either drought tolerant evergreen plants that will attain a height of at least 2 metres to provide a visual screen or solid fencing two metres in height along the west lot line adjacent to the covered garbage storage area in any locations where there is no existing vegetation or solid fencing of at least 2 metres in height.
 - m) If the use ceases to occur or if this permit is not renewed the structure and waste collection and compactor truck shall be removed within 30 days.
4. This permit is valid for three years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust unless the permit is renewed by resolution of the Mayne Island Local Trust Committee.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Mayne Island Land Use Bylaw No. 146, 2008 " and to obtain other approvals necessary for completion of the proposed development, including approvals from the Capital Regional District, Vancouver Island Health Authority and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE
THIS —th DAY _____, 20__.

Deputy Secretary, Islands Trust

Date of Issuance

SCHEDULE 'A'



Kathy Jones

From: Gary Richardson
Sent: March-12-12 1:26 PM
To: Kathy Jones
Subject: FW: garbage on Mayne

Follow Up Flag: Follow Up
Flag Status: Flagged

Agenda Item

From: Ann Johnston [<mailto:ann@ajohnston.ca>]
Sent: March-11-12 9:04 PM
To: Gary Richardson; Brian Crumblehulme; Peter Luckman; David Maude
Cc: David Howe; Jane Mendum
Subject: garbage on Mayne

Hello all--

I understand that the question of re-zoning for a garbage transfer/pick-up station is to come up at the March 21st Local Trust Committee meeting.

As I sit on the Capital Regional District's Solid Waste Advisory Committee, representing the public interest, I will need to hear what the Mayne Island Improvement District [which has a grand-fathered responsibility to award garbage contracts on Mayne Island] and what the CRD [which holds provincial responsibility for waste management throughout the District] have to say on this issue. It is my understanding that the CRD has stringent standards for transfer stations.

My concern is the public interest. Will there be local pick-up and how are home-bound residents to be served? Will environmental standards be met? Will we have any guarantee of long term service?

I am very concerned about the long-term interests of Mayne Island residents in terms of their garbage collection and removal service as this now appears to be very uncertain. Where is the Mayne Island Improvement District in all these discussions?

Please see that these concerns are addressed at the meeting on March 21st. Does the Mayne Island public understand what is at issue? Have they really had a say?

Yours respectfully, Ann W. Johnston



STAFF REPORT

Date: March 7, 2012

File No.: MA-TUP-2011.1

To: Mayne Island Local Trust Committee

From: Gary Richardson, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: MA-TUP-2011.2 (774 Charter Rd)

Owner: Rose White
Applicant: Sharon Burke
Location: 774 Charter Road, Mayne Island
Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114
 PID: 004 183 819

Final report prepared for LTC Meeting March 21, 2012

THE PROPOSAL:

The property owner is requesting that a Temporary Use Permit be issued for a residential lot at 774 Charter road in order to permit the existing residence to be rented to the public on a short term basis as a vacation rental. The applicant has had unsatisfactory experiences with long term renters and believes that there will be more control with short term renters. The applicant has also suggested restrictions regarding: numbers of people; noise; tents; garbage; pets; and water consumption. There would be no change to the existing buildings or grounds.

BACKGROUND:

A preliminary report on this application was prepared for an LTC meeting held February 1, 2012. A Community Information Meeting (CIM) was held within the regular scheduled LTC regarding this application. The LTC and staff listened to comments from the applicant and the community.

Following the CIM the LTC the LTC passed the following resolution:

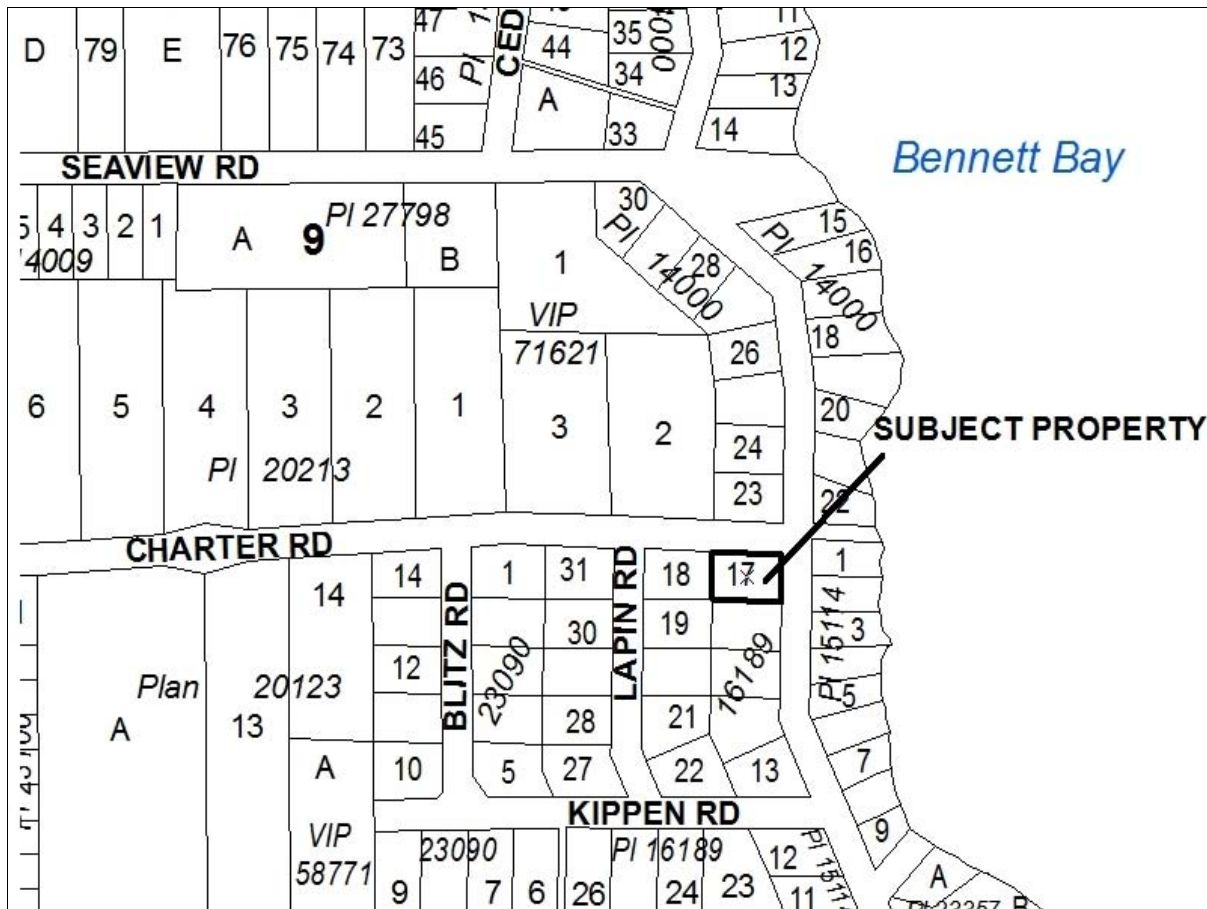
That Staff draft a Temporary Use Permit for the Local Trust Committee's consideration at the March 21, 2012 Local Trust Committee meeting. It is recommended that the draft TUP contain conditions regarding numbers of guests, numbers and control of pets, water consumption, length of stay, use of recreational vehicles and tents on the property, signage, parking, emergency

contact, garbage disposal, screening from surrounding properties, outdoor fires, outdoor lighting and noise. It is further recommended that the draft TUP limit operation to the months of May to October, that there be no advertising and that there be a management plan in place.

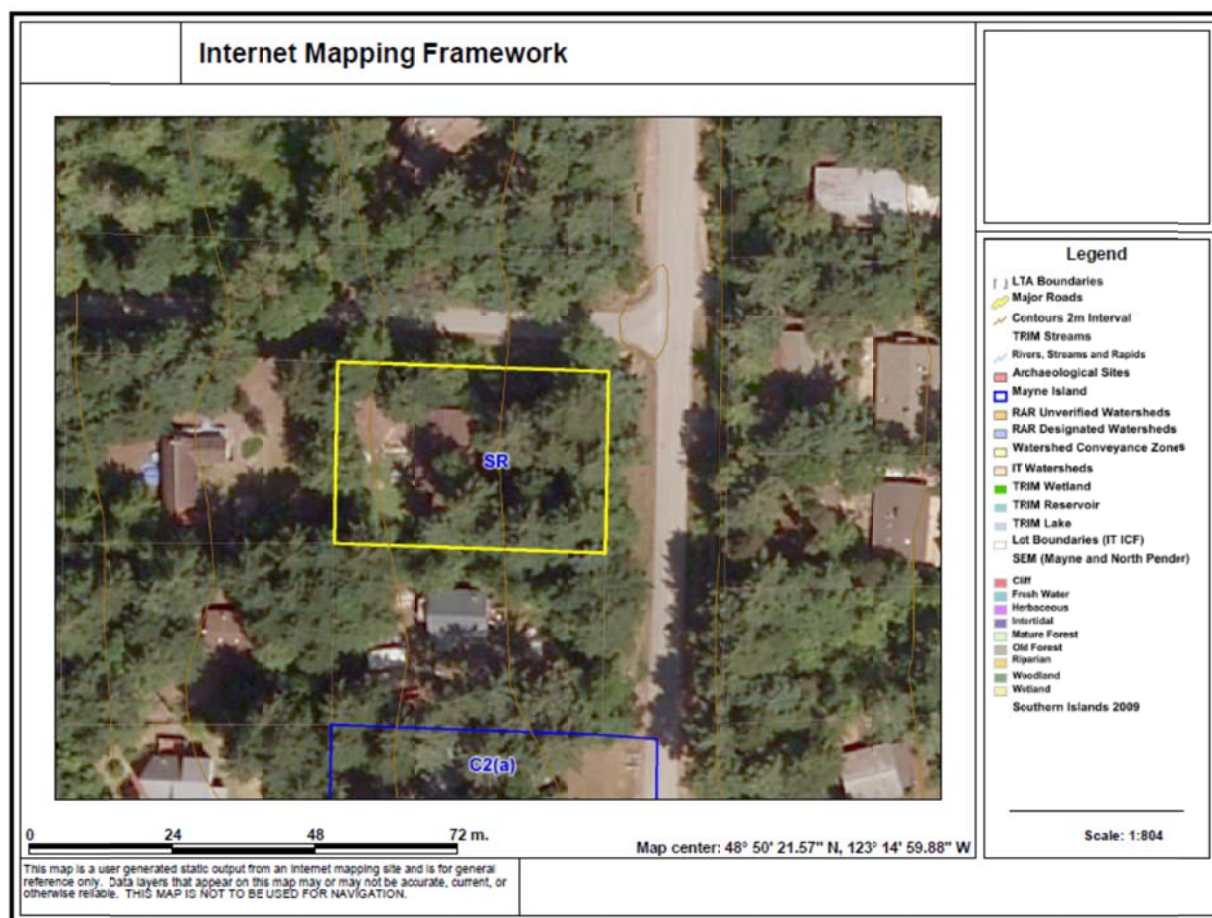
SITE CONTEXT:

Site is zoned SR (Settlement Residential) and is 0.14 hectares (0.35 acres) in size. Located at the SW corner of Arbutus and Charter Roads South on Bennett Bay on the East side of Mayne Island. It is an inland lot surrounded predominately by residential properties. One exception is the Blue Vista Resort that is located one lot to the South of this property (Lots 14 and 15).

The following is a map showing the location of the subject property.



The following map is an orthophoto of the subject property showing contours a 2 m intervals.



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

The following are some excerpts from the policy statement that the LTC should consider:

- 5.2.3 *LTCs shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.*
- 5.7.2 *LTCs shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.*

Official Community Plan

Schedule B – Land Use Designations – Designated Settlement Residential (SR)

Schedule C – Development Permit Areas – subject lot not in a development permit area

Schedule D – Land Status and Road Dedication – Arbutus Road is designated minor rural and Charter Road is designated rural residential

Schedule E – Water Resources – subject lot is within the Bennett Bay waterworks district

Schedule F – Sensitive Ecosystem – no sensitive ecosystems shown on subject property

Some OCP policies and objectives that the LTC may want to consider:

2.1.1 Settlement Residential

2.1.1.1 The principal use shall be residential with accessory uses consistent with the residential character.

4.6 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.*

Applicable Temporary Use Permit Guidelines

OCP Section	OCP Guidelines	Staff Comments
2.9.1.1	<i>Permits can be issued for any period up to two years and could be considered for renewal once for any further period up to two years.</i>	The Local Government Act now allows a permit to be issued for up to three years and considered once for up to a further three years.
2.9.1.2	<i>Permitted uses should be consistent with the policies of the designation and the provisions of 2.9.1.</i>	The draft permit has been prepared in order to be consistent with these guidelines.
2.9.1.3	<i>Permitted uses should not preclude or compromise future permitted uses on the affected lot.</i>	The proposal is consistent with this guideline as there will be

		no changes to the residence or grounds to accommodate the proposed STVR use.
2.9.1.4	<i>Uses should not be allowed if they conflict with any ongoing planning policies or programs.</i>	There are no apparent conflicts.
2.9.1.5	<i>Sand and gravel removal and processing, and asphalt plants shall be subject to a permit if they exceed 50 truck loads in any given year.</i>	Not applicable
2.9.1.6	<i>Permit conditions must make reference to measures dealing with the following points: a) general activity levels that will not create any disturbance apparent beyond the property's boundaries; b) adequate landscape buffering or distance separation to adjacent lots; c) provision of off-street parking spaces consistent with regulatory bylaws; d) reclamation measures that will restore the permit area to suitability for its designated primary use; and e) adequate supervision of the site.</i>	All of the conditions except for d) have been addressed in the draft permit. As the building and grounds will remain substantially unchanged if the STVR is permitted reclamation measures are not required in the permit.
2.9.1.7	<i>In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.</i>	The permit contains conditions that address the months which the STVR use can be carried out. Staff has written in several conditions to try and insure the STVR use is compatible with the predominately residential neighborhood. A security deposit can be required if deemed necessary.
2.9.1.8	<i>Review of applications should include consideration of smart growth principles.</i>	Not applicable for a proposed short term STVR use.

Land Use Bylaw

The property is zoned Settlement Residential (SR)

The permitted uses in the SR zone are as follows:

- (a) *Residential;*
- (b) *Cottage;*
- (c) *Accessory uses, buildings and structures, including but not limited to home occupations.*

Sensitive Ecosystems and Hazard Areas:

Islands Trust Sensitive Ecosystems Mapping (SEM) indicates that there are no sensitive or important ecosystems on the subject property. In addition, the subject property is not located within any designated or unverified Riparian Areas Regulation watershed. It is a well-draining site with a high intrinsic ground water capability

Archaeological Sites:

Based on information from the Provincial Remote Access to Archaeological Data (RAAD), there are no archaeological sites on the property. Notwithstanding the foregoing, and by copy of this report, the owners are advised that the unearthing of any archaeological resource should be reported to the Archaeology Branch.

Covenants:

There are no covenants on title.

Bylaw Enforcement:

There have been two bylaw enforcement files opened for this property in the past. Each is described below:

MA-BE-2006.8: siting of shed (closed).

MA-BE-2010.3: use of residence for STVR (open).

COMMUNITY INFORMATION MEETING(S):

A community information meeting was held for February 1, 2012. Comments from the community included the following:

- question as to whether a TUP should be used for a STVR. Could be addressed through the OCP.
- there is an issue with the owner not being on the property.
- use is commercial.
- would this set a precedent?
- most effective tool to control the operation would be to not allow advertising.
- historically there has been a lack of bylaw enforcement.
- proposal will impact other businesses.
- concern regarding control of activities by absentee owner.
- will there be inspections regarding safety and parking?

RESULTS OF CIRCULATION:

Prior to the community information meeting a CIM notice was distributed to surrounding properties/owners, posted on bulletin boards and on the Islands Trust web site.

More recently a notice stating that the LTC will be considering issuing a TUP for an STVR at its March 21, 2012 LTC meeting has been placed in the March 14 edition of the Driftwood newspaper. Also notices will be distributed to surrounding property owners and posted on notice boards on or before March 8, 2012.

As of the date of the writing of this report several letters of support have been received. They are attached for review. Staff will distribute further correspondence to the LTC as received and bring copies to the March 21 LTC meeting for the LTC consideration.

STAFF COMMENTS:

1. Islands Trust Policy statement - This application does not contravene the directive policies contained within the Trust Policy Statement. The Policy Statement advises LTCs to turn their minds the social impact of development and consider economic opportunities that are compatible with conservation of resources and protection of community character.

Staff has prepared a draft TUP that contains conditions that should, if complied with, allow the proposed commercial activity (STVR) to take place within a residential area that has minimal social impact and retains the character of the area. The conditions are fairly extensive and it is the responsibility of the property owner to ensure the guests using the STVR comply with all of the conditions contained in the TUP.

2. Mayne Island OCP – The OCP does not contain policies that directly apply to consideration of applications for short term vacation rental of residences; however there are some existing policies that provide some guidance. OCP policies suggest that uses in the SR designation be consistent with residential character. The tourism objectives in the OCP suggest that: the rural ambience be maintained, there be adequate infrastructure for tourist activities, tourism use be environmentally, economically and civically sustainable.

This proposal would not directly contravene the OCP policies and objectives for the following reasons: the appearance of the residence and residential property would not change; the proposed TUP contains conditions to ensure the residential character of the property is maintained and the rural ambience of the surrounding area is maintained.

Once again the conditions are fairly extensive and it is the property owners responsibility to ensure they are complied with.

3. Temporary Use Permit Conditions – The guidelines require: a 24 hr. 7 day a week contact ; communication with surrounding property owners; information to be posted for guest regarding noise, information on use of water, fire, garbage, septic field, control of pets; outdoor lighting; minimal signage; restricted number of guests; no camping or recreation vehicles; STVR use be restricted and only be carried out between May 1 to Oct 31, that there be no advertising and no outdoor fires.

These conditions have been put in place to ensure that the residential character of the area is maintained and that there is no loss of enjoyment for the surrounding property owners.

The conditions put the onus on the property owner to ensure the conditions are complied with. Staff has no reason to believe that the property owner will not do everything they can in order to ensure the TUP conditions are complied with; however in the event the conditions are not complied with it is staff's experience that the Islands Trust bylaw enforcement officer or planner is contacted. Due to the nature of the conditions of the TUP the enforcement and evidence gathering is often required during non-regular working hours. The bylaw enforcement officer would likely be responding days after any infraction. Surrounding property owners have an expectation that the conditions of the permit will be reasonably enforced and with there being a lag time between a possible infraction and enforcement staff is not confident that in the event of an infraction that the conditions of the permit can be upheld during the time that the offending party is using the STVR.

4. Term – TUPs can be issued for up to three years and renewed once for up to 3 years. Staff has put a 3 year term in the draft permit. If the LTC issues the permit the term can 3 years or any period up to 3 years that the LTC determines is reasonable.
5. Staff is recommending that the TUP for an STVR not be issued. The principle reason is administrative issues inherent in the use and the conditions in the proposed permit. In the event that an infraction takes place staff are not confident that enforcement and evidence gathering can occur while the alleged offending party is using the STVR making effective enforcement difficult. Also the large number of conditions in the permit increase the possibility that an infraction may take place which in turn places an burden on Islands Trust staff to ensure the conditions are complied with on an ongoing basis.

RECOMMENDATION:

That the Mayne Island Local Trust Committee not issue MA-TUP-2011.1 (White)

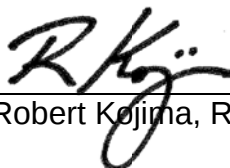
Prepared and Submitted by:

Gary Richardson

March 8, 2012

Date

Concurred in by:


Robert Kojima, RPM

March 8, 2012

Date



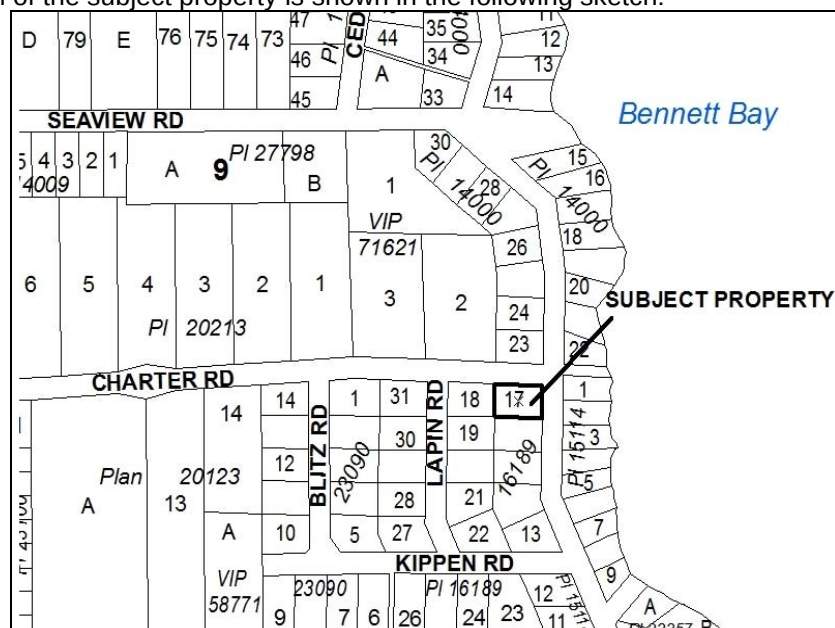
Islands Trust

**NOTICE
MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-TUP-2011.1**

NOTICE is hereby given that the Mayne Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit pursuant to Section 921 of the *Local Government Act*. The proposed permit would apply to Lot 17, Section 9, Mayne Island, Cowichan District, Plan 15114.

The purpose of this temporary use permit would be to permit a residence located at 774 Charter Road on Mayne Island to be rented to the public on a short term basis as a short term vacation rental. The permit could be issued for up to three years and the owner may apply to the Mayne Island Local Trust Committee to have it renewed once for up to an additional three years.

The general location of the subject property is shown in the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing March 8, 2012 and continuing up to and including March 19, 2012.

For the convenience of the public only, and not to satisfy Section 922(5) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Mayne Island, B.C., commencing March 8, 2012.

If you have any questions or comments please contact the Planner, Gary Richardson at (250) 405-5157; for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867 before 4:30 p.m., March 19, 2012. Written comments may be mailed to Islands Trust, 200 – 1627 Fort Street, Victoria, BC V8R 1H8; faxed to (250) 405-5155; or emailed to information@islandstrust@islandstrust.bc.ca before 4:30 p.m., March 19, 2012.

The Mayne Island Local Trust Committee may consider the issuance of the permit at the Mayne Local Trust Committee Meeting being held at 1:00 p.m., March 21, 2012 at Mayne Island Agricultural Hall, 430 Fernhill Road, Mayne Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Kathy Jones, Deputy Secretary



PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE TEMPORARY USE PERMIT MA-TUP-2011.1 (White)

774 Charter Road

To: Rose White

1. This Permit applies to the land described below:

Lot 17, Section 9, Mayne Island, Cowichan District, Plan 15114, shown on Schedule "A", which is attached to and forms part of this Permit.

2. This Permit is issued for the purpose of permitting the owner to operate a commercial short term vacation rental on their property and is subject to the following conditions:

- a) a contact person on Mayne Island associated with the property be available by telephone 24 hours/day, seven days per week;
- b) the property owner must provide neighbours within a 100 metre radius of the vacation rental with the contact persons phone number, and a copy of the temporary use permit;
- c) the landowner must post for guests information on noise bylaws, water conservation, fire safety, fire escape plan, storage of garbage, septic field location, and control of pets. In any case pets must be under control at all times. The guest information must also remind guests that they are in a residential area, not a commercial area;
- d) the owner must not remove any existing vegetative screening;
- e) the owner must provide accommodation for a minimum of two (2) vehicles on the property;
- f) outdoor lighting must not be directed onto surrounding properties;
- g) the owners are restricted to a maximum of one (1) sign advertising the commercial vacation rental, with a maximum area of 1 square metre, to be made of wood and not illuminated;
- h) the maximum number of guests is limited to two (2) persons per bedroom;
- i) the number of bedrooms is limited to a maximum of three (3);
- j) recreational vehicles and camping are prohibited;
- k) the residence can only be used for short term vacation rental between May 1 and October 31 of each year the permit is valid;
- l) the short term vacation rental cannot be advertised in any way, this includes but is not limited to notice board, newspaper and internet advertising;
- m) all outdoor fires are prohibited; and

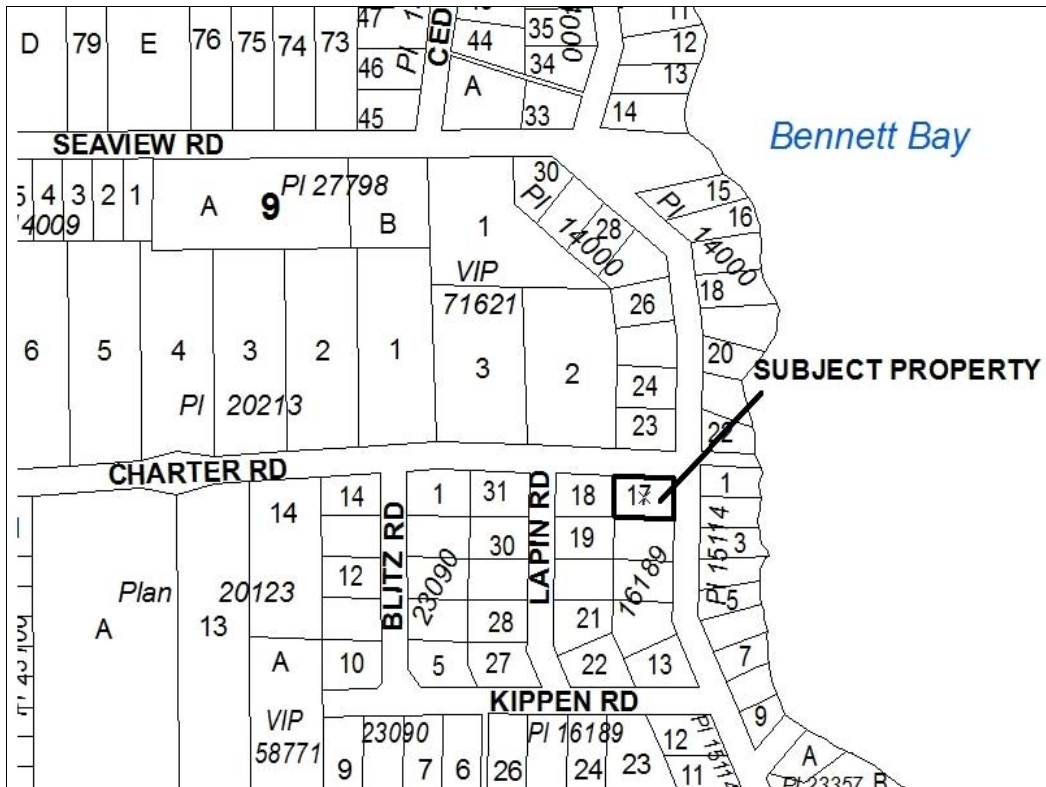
- n) the holder of this Permit, will be held accountable for any violation of the conditions of this Permit. The Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation with the holder of the Permit, or commercial vacation renter for the purpose of investigating a complaint.
3. This Permit expires on _____, 201__.
4. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF _____, 2012.

Deputy Secretary, Islands Trust

Date Issued

MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-TUP-2011.1
SCHEDULE A





STAFF REPORT

(1)

File No.: MA-TUP-2011.1

To: Mayne Island Local Trust Committee

From: Gary Richardson, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: MA-TUP-2011.2 (774 Charter Rd)

Owner: Rose White

Applicant: Sharon Burke

Location: 774 Charter Road, Mayne Island

Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114

PID: 004 183 819

COPIED TO
☒ PLANNER
☒ LTC

Preliminary Report prepared for Community Information Meeting February 1, 2012

THE PROPOSAL:

The property owner is requesting that a Temporary Use Permit be issued for a residential lot at 774 Charter road in order to permit the existing residence to be rented to the public on a short term basis as a vacation rental. The applicant has had unsatisfactory experiences with long term renters and believes that there will be more control with short term renters. The applicant has also suggested restrictions regarding: numbers of people; noise; tents; garbage; pets; and water consumption. There would be no change to the existing buildings.

SITE CONTEXT:

Site is zoned SR (Settlement Residential) and is 0.14 hectares (0.35 acres) in size. Located at the SW corner of Arbutus and Charter Roads South on Bennett Bay on the East side of Mayne Island. It is an inland lot surrounded predominately by residential properties. One exception is the Blue Vista Resort that is located one lot to the South of this property (Lots 14 and 15).

*Rose is a very nice lady
and I do not have any objection to her
short term renters*

*Mr. Ross Diamond
Mrs. Edna Diamond*



STAFF REPORT

(2)

File No.: MA-TUP-2011.1

To: Mayne Island Local Trust Committee

FAX 250 405 5155

From: Gary Richardson, Island Planner

Add

CC: Robert Kojima, Regional Planning Manager

200 1627 FORT ST

Re: MA-TUP-2011.2 (774 Charter Rd)

Owner: Rose White
 Applicant: Sharon Burke
 Location: 774 Charter Road, Mayne Island
 Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114
 PID: 004 183 819

Preliminary Report prepared for Community Information Meeting February 1, 2012

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As a resident of the Bennett Bay I do
 not see any issues with this proposal.
 Brian Dearden
 566 Bluff Rd, MAYNE
 ISLAND



STAFF REPORT

(3)

File No.: MA-TUP-2011.1

To: Mayne Island Local Trust Committee

Fax 250 405 5155

From: Gary Richardson, Island Planner

Add

CC: Robert Kojima, Regional Planning Manager

200 1627 Fort St

Re: MA-TUP-2011.2 (774 Charter Rd)

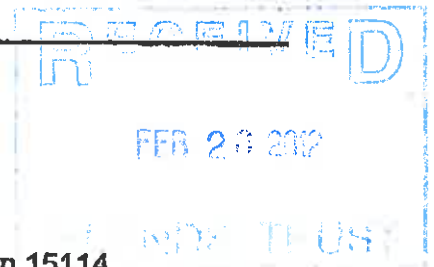
Owner: Rose White

Applicant: Sharon Burke

Location: 774 Charter Road, Mayne Island

Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114

PID: 004 183 819



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*This island is a vacation destination
it is busier in the summer. We could use
the extra accommodation, we need the support.
Toni Brown, Gardemia, The Home & Garden
700 Charter Rd. 417 Fernhill Rd. Shop*

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Islands Trust

Staff Report

Page No. 54

Feb 18 2012

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(4)

Islands Trust

GARY RICHARDSON

File No.: MA-TUP-2011.1

To: Mayne Island Local Trust Committee

FAX 250 405 5155

From: Gary Richardson, Island Planner

Add
200-1627 FORT ST
VICTORIA V8R 1H8

CC: Robert Kojima, Regional Planning Manager

250 405 5151

Re: MA-TUP-2011.2 (774 Charter Rd)

Owner: Rose White
 Applicant: Sharon Burke
 Location: 774 Charter Road, Mayne Island
 Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114
 PID: 004 183 819

Preliminary Report prepared for Community Information Meeting February 1, 2012

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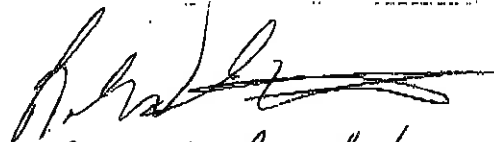
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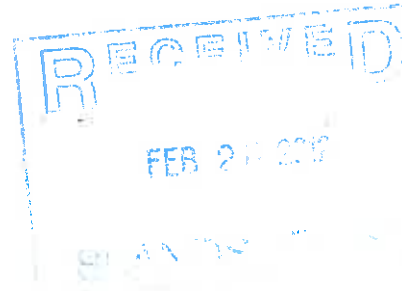
I have no problem with Rose's request but I don't live in the area.

*M. Leathers
 A+ Guesthouse on Bayview*

(5)

I, as a store owner, am in favor of this short-term rental as I feel there is insufficient accommodation available on Mayne Island. We do need more visitors to the island, and I feel not everyone who comes to Mayne, wants to stay in a hotel.


Robert Boettcher
5003



(6)

Feb. 24, 2012
774 Charter Road
Mayne Island B.C.
V0n 2J2

RECEIVED

FEB 27 2012

ISLANDS

Lot 17, Section 9, C.L.D. 16, Plan 15114 P.I.D. 004-183-819

Island Trust

Mr. Garry Richardson and Staff:

I am asking you to please grant me a temporary permit, for a three year period to operate a short term rental which will also be used by my family when they are on vacation. I will have full control according to your rules,

- with no more than six people staying at a time
- no pets allowed
- no use of recreational vehicles
- no tents
- parking for two cars
- garbage disposal
- no outdoor fires
- no additional lighting
- monitoring of water consumption
- monitoring noise levels

Thank You for your consideration

Rose White

Rose White

COPIED

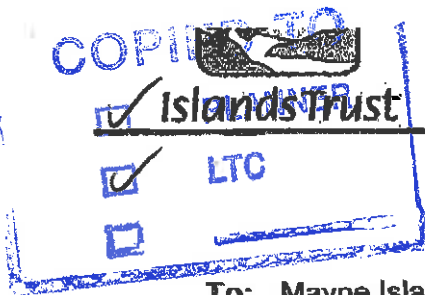


PLANNER



LTC





STAFF REPORT

(7)

File No.: MA-TUP-2011.1

To: Mayne Island Local Trust Committee

Fax 250 405 5155

From: Gary Richardson, Island Planner

Add

CC: Robert Kojima, Regional Planning Manager

200 1627 Fort St

Re: MA-TUP-2011.2 (774 Charter Rd)

Owner: Rose White
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Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114

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Being neighbours of Rose White's house & to having short term renters; and as she would have more control over the people she rents to, we have no complaints to her renting it in this manner & more access to checking on tenants with short-term rentals

Bernard & Grace Jones 500 Arbutus Dr. Mayne Island

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Islands Trust

Staff Report

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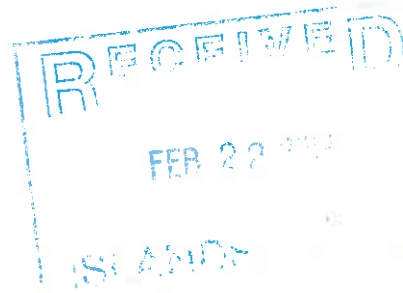
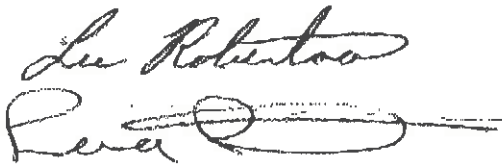
Mayne Island Local Trust Committee
Attn: Gary Richardson, Island Planner

Re: Temporary Use Permit
Rose White
774 Charter Road
Mayne Island
MA-TUP-2011.2(774 Charter Road

To whom it may concern:

As neighbours we would have no problem with Mrs. White having short term renters using above property. There were quite a few problems with her last tenants in the neighbourhood and it would be nice to see the property kept up.

Sincerely,
Lee & Laura Robertson
558 Blitz Road
Mayne Island V0N 2J1



To: Mayne Island Local Trust Committee

Fax 250 405 5155

(10)

From: Gary Richardson, Island Planner

CC: Robert Kojima, Regional Planning Manager

Add
200 1627 Fort St
VICTORIA V8R 1H8

Re: MA-TUP-2011.2 (774 Charter Rd)

250 405 5151

Owner: Rose White
Applicant: Sharon Burke
Location: 774 Charter Road, Mayne Island
Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114
PID: 004 183 819

Preliminary Report prepared for Community Information Meeting February 1, 2012

THE PROPOSAL:

The property owner is requesting that a Temporary Use Permit be issued for a residential lot at 774 Charter road in order to permit the existing residence to be rented to the public on a short term basis as a vacation rental. The applicant has had unsatisfactory experiences with long term renters and believes that there will be more control with short term renters. The applicant has also suggested restrictions regarding: numbers of people; noise; tents; garbage; pets; and water consumption. There would be no change to the existing buildings.

SITE CONTEXT:

Site is zoned SR (Settlement Residential) and is 0.14 hectares (0.35 acres) in size. Located at the SW corner of Arbutus and Charter Roads South on Bennett Bay on the East side of Mayne Island. It is an inland lot surrounded predominately by residential properties. One exception is the Blue Vista Resort that is located one lot to the South of this property (Lots 14 and 15).

I see no problem with Rose White
having a vacation rental.

Juliane Losier
526 Felix Jack Rd

Page 1 of 8

MAYNE ISLAND

Mayne Island Trust
Islands Trust

Staff Report

Page No. 54





Islands Trust

STAFF REPORT

(11)

File No.: MA-TUP-2011.1

To: Mayne Island Local Trust Committee

From: Gary Richardson, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: MA-TUP-2011.2 (774 Charter Rd)

RECEIVED
FEB 22 2012
ISLANDS TRUST

Owner: Rose White
Applicant: Sharon Burke

Location: 774 Charter Road, Mayne Island

Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114
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We have no issues with Rose RB using her cottage for S.T.R. We feel the island business community benefits from this type of tourist accommodation.

Austin Gowing

Sharon Burke

File No.: MA-TUP-2011.1

To: Mayne Island Local Trust Committee

FAX 250 405 5155

From: Gary Richardson, Island Planner

Add

CC: Robert Kojima, Regional Planning Manager

*200 1627 FORT ST
VICTORIA BC*

Re: MA-TUP-2011.2 (774 Charter Rd)

Owner: Rose White
Applicant: Sharon Burke
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*I have no objection to Rose White using the above property
for income purposes as a vacation rental.*

Luon Newbury

Feb 21 2012

(13)

M.I. Local Trust Committee

Mrs. White's family uses these premises
for short visits which ~~would~~ would only be
possible if the property ~~was~~ rented on a short
term basis.

Stella Robinson

February 22, 2012

David Bergmark
728 Wilks Rd
Mayne Island, BC.
V0N2J1

Re. MA-TUP-2011.2 ()

Owner: Rose White

Location: 774 Charter Rd, Mayne Island

Legal: Lot 17, Section 9, Cowichan District, Mayne Island, Plan 15114

PID: 004 183 819

Dear Mr Richardson,

Regarding the proposal for a Temporary Use Permit requested by Rose White.

I have known Rose White for several years as a neighbour and friend. Her generosity and kindness is well known in the community on Mayne Island.

Mayne Island attracts many visitor / families. We enjoy our visitors and we depend on them to stimulate the local economy.

Many visitors (particularly families) would prefer a "home away from home" rather than the hotel / resort accommodations currently available.

For this reason I believe Rose offers an alternative which should be encouraged. Short term rentals make sense on a "get-away" island.

Rose has demonstrated her responsibility and commitment as a property owner by renovated this property inside and out.

Without reservation

Sincerely,



David Bergmark



STAFF REPORT

March 8, 2012

File No.: MA-DVP-2012.1
(Ashworth)

To: Mayne Island Local Trust Committee
For the meeting of March 21, 2012

From: Gary Richardson
Island Planner

CC: Robert Kojima
Regional Planning Manager

Re: Development Variance Permit MA-DVP-2012.1 (Ashworth)

Owner: James Ashworth
Applicant: Same as above
Location: 790 Steward Drive
Legal: Lot 4, Section 2, Mayne Island, Cowichan District, Plan 13285

THE PROPOSAL:

The applicant is seeking to vary Article 5.1(7)(b) of the Mayne Island Land Use Bylaw No. 146, 2008 (LUB) in order to allow for an existing accessory building (carport, shed, garage) to be sited as close as 0.1 metre (.33 feet) from an interior side lot line. Current regulation requires a minimum setback for any building or structure of 3 metres (10 feet) from any interior side lot line.

SITE CONTEXT:

The subject property is a waterfront property 0.25 hectares (.630 acres) in size, located near Aitken Point. The property is on the eastern shore of Mayne Island and faces Curlew Island. It is zoned Settlement Residential (SR) and is of similar size and zoning as surrounding waterfront properties on Steward Drive. There are some large Rural (R) zoned properties located across Steward Drive. A single family dwelling and an accessory building consisting of a carport, shed and garage (subject of this application) are located on the property. Figure 1 indicates the location of the subject property.

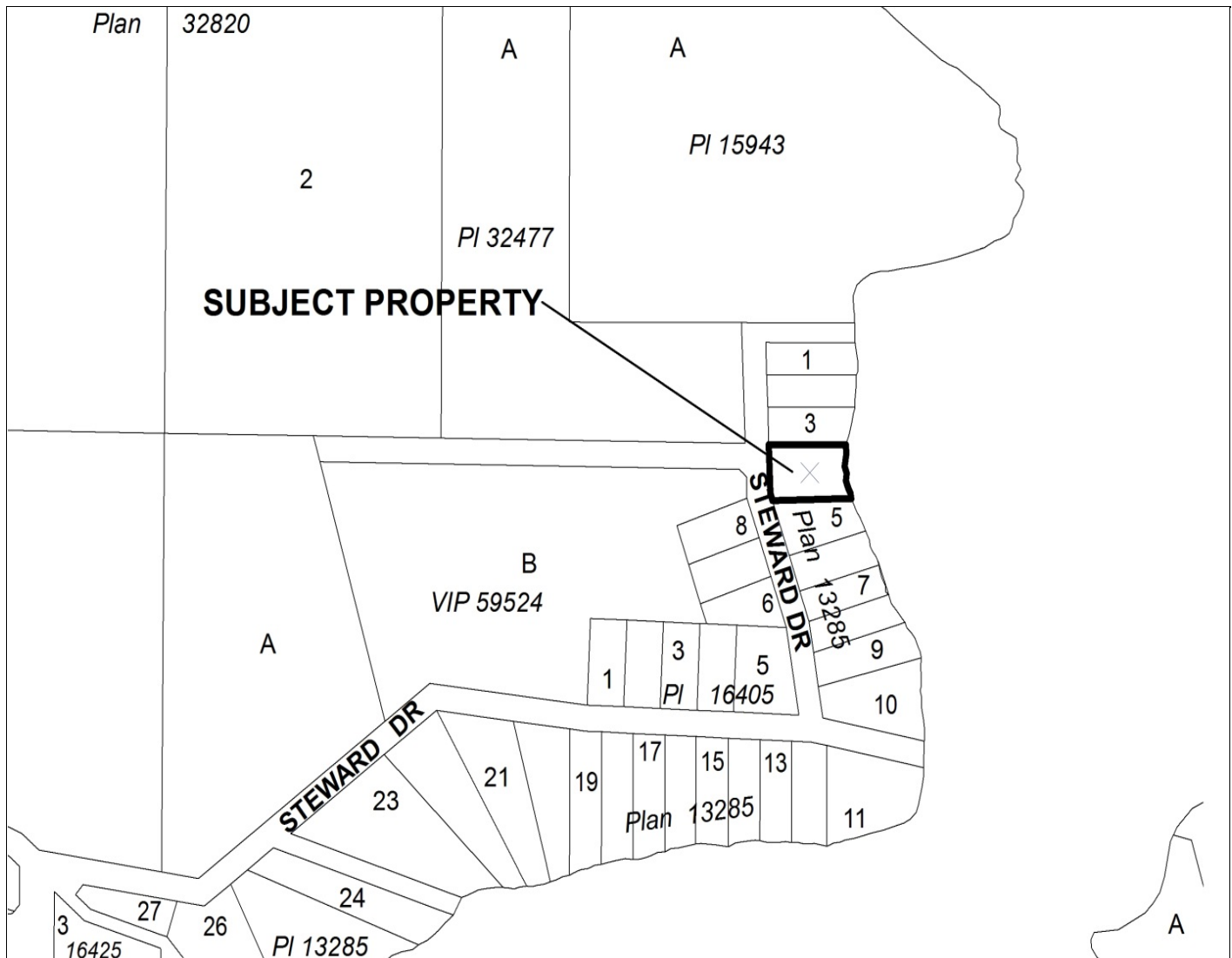


Figure 1: Location Map of Subject Property



Figure 2: Orthophoto Showing subject lot and Existing Structures

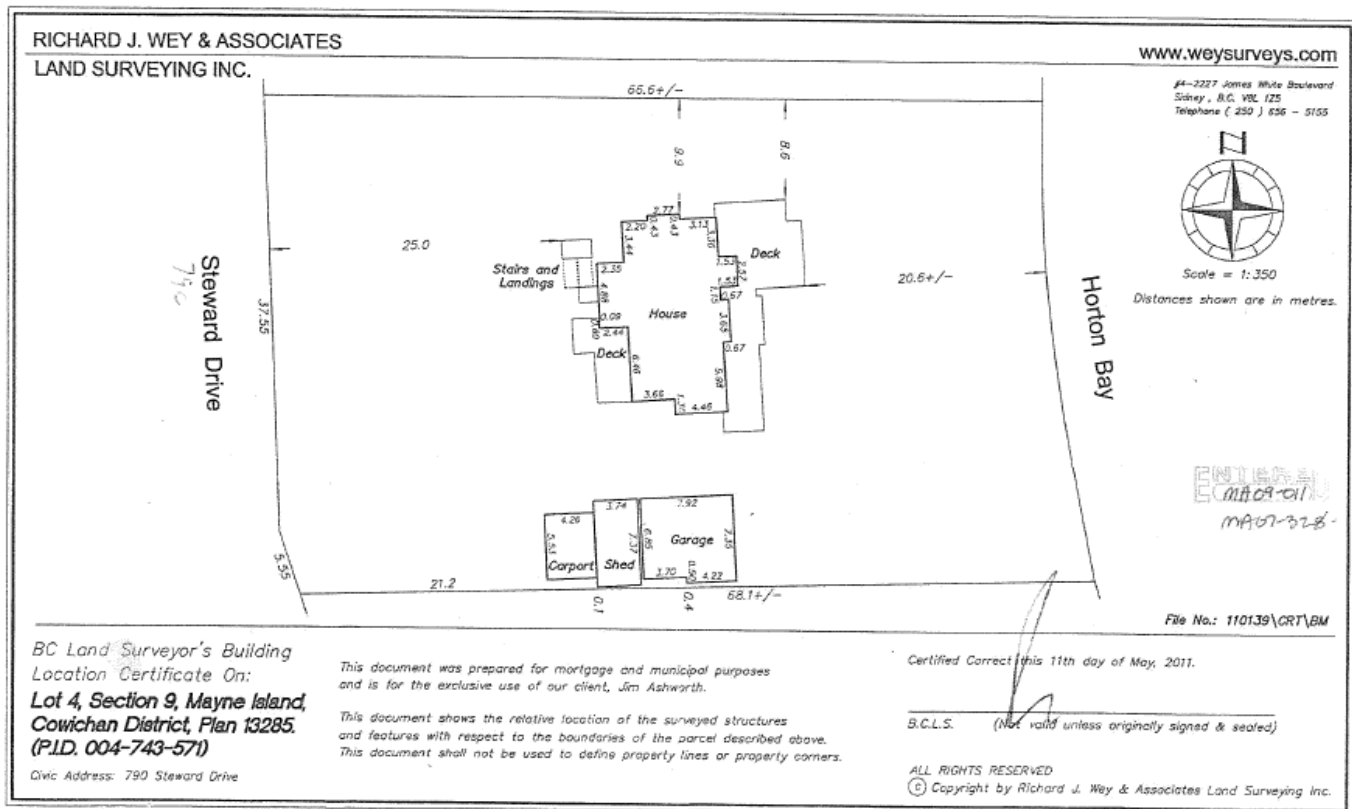


Figure 3: Survey Showing Existing Buildings

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

This application is not in contravention of the Trust Policy Statement and there are no directive policies relevant to this application.

Official Community Plan

The subject property is designated Settlement Residential (SR) in the Mayne Island Official Community Plan (OCP) Bylaw No. 144, 2007. The Residential objectives of this designation are:

1. to ensure compatibility of the residential use with adjoining land uses,
2. to protect the health and safety of the residential neighbourhood, and
3. to ensure that ecologically sensitive areas are not disturbed by future development.

The specific policies in the SR designation that pertain to this application are:

- 2.1.1.1 The principal use shall be residential with accessory uses consistent with residential character.

- 2.1.1.5 Location, number and size of buildings and structures shall be regulated to protect the quiet enjoyment of property and to implement smart growth principles.
- 2.1.1.7 The number and size of accessory buildings permitted on a parcel shall be regulated.

Land Use Bylaw

The subject property is zoned Settlement Residential (SR) in the Mayne Island Land Use Bylaw (LUB) No. 146, 2008. The specific bylaws relevant to this application include:

3.3(2) No building or structure, except a fence, utility line, navigational aid, water storage tank not exceeding 3 metres (10 feet) in height, or utility shed, may be constructed, reconstructed, moved, extended or located with the setback areas established in the regulations in Part 5 of this bylaw.

3.3(6)(a) The following features may project into a required setback area: steps, eaves and gutters, cornices, sills, chimneys, or other similar features, provided that they do not project more than 1 metre into the required setback area or 0.5 metres in the case of a side yard setback area less than 3 metres in width.

5.1(7)(b) The minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line.

Islands Trust Fund:

There are no Islands Trust Fund covenants on this property or implications for this application.

Sensitive Ecosystems:

Islands Trust Sensitive Ecosystems Mapping (SEM) does not identify any sensitive ecosystems on the property.

Watercourse

The applicant has shown a seasonal watercourse on the site plan running on Lot 5 which is adjacent to the subject lot and in close proximity to the building subject to the variance. The watercourse does not show on Islands Trust TRIM mapping. The applicant has stated that the stream flows less than 6 months of the year; therefore additional watercourse setbacks are not required as it is not considered a watercourse according to the definition of watercourse contained in the LUB.

Archaeological Sites:

Based on information from the Provincial Remote Access to Archaeological Data (RAAD), there are no archaeological sites on the property. Notwithstanding the foregoing, and by copy of this report, the owners are advised that the unearthing of any archaeological resource should be reported to the Archaeology Branch.

Covenants:

There are no covenants registered on the title of this property.

Other:

Building Inspection often has concerns in situations where setbacks are reduced to the extent that there is no effective fire separation between buildings. If this variance is granted the owner of the adjacent lot 5 may be required to site buildings further from the interior lot line than what is required in the LUB in order to achieve safe fire separation. This application has been forwarded to CRD building inspection for comment. Staff will update the LTC on the any response received from building inspection at the March 21 meeting.

RESULTS OF CIRCULATION:

Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m on March 19, 2012. At the writing of this report, no public submissions have been received. Any additional public submissions will be forwarded to the LTC and presented at the Mayne Island Local Trust Committee meeting on March 21, 2012.

ISSUES SUMMARY:

Applicant's stated rationale for the proposed variance. That at the time of construction a building permit was applied for but at that time surveys were not required and it is surmised that the measurements (for setback purposes) were taken from hydro poles or the fence that did not accurately represent the interior lot line.

The overall intent of the regulation being varied. The overall purpose of setback requirements for the interior side lot line is to ensure a safe separation between uses, consistent pattern of development and the maintenance of green space.

Potential impacts of granting a variance. Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation, it is unlikely to generate expectations for other landowners. Each application is evaluated on its own merits.

STAFF COMMENTS:

Staff were originally made aware of the encroaching shed through a building permit referral from CRD Building Inspection in August 2011. The referral was rejected as the survey shows the accessory building being sited too close to the property line.

It is staff's understanding that a survey was not required when the accessory building was first started in the early 1990s and the building was incorrectly sited as the exact location of the interior side lot line was not known.

The applicant has applied for this variance in order to allow the accessory building to remain as sited.

Given the the fact that: the property owner thought this building was correctly sited when construction was first started and received a building permit from the CRD; and that there is a reasonable setback between the subject building and the closest building on the adjacent lot staff feel that the variance should be granted to allow the accessory building to remain in its current location.

The Mayne Island LTC has the following options with regard to this variance permit:

1. Issue the permit as presented
2. Deny the permit

RECOMMENDATIONS:

THAT MA-DVP-2012.1 (Ashworth) BE APPROVED.

Prepared and Submitted by:

Gary Richardson

March 9, 2012

Gary Richardson, Island Planner

Date

Concurred in by:



Robert Kojima, RPM

March 9, 2012

Date

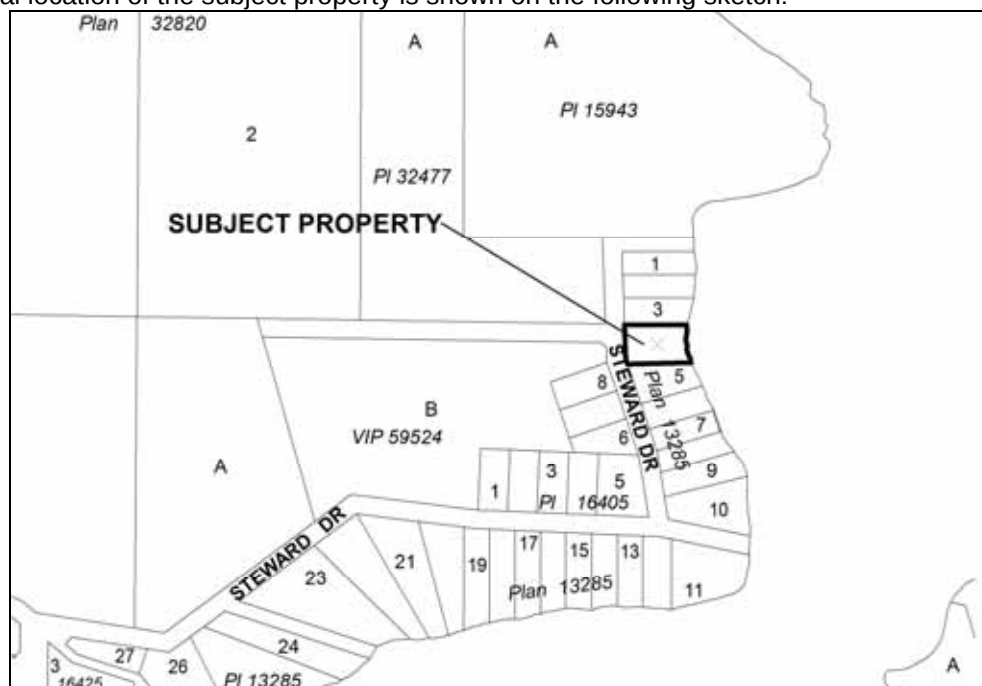
**NOTICE
MA-DVP-2012.1
MAYNE ISLAND LOCAL TRUST COMMITTEE**

NOTICE is hereby given that the Mayne Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 922 of the *Local Government Act*.

The purpose of this permit is to vary Article 5.1(7)(b) of Mayne Island Land Use Bylaw No. 146, 2008, which states that the minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line, to allow for an existing accessory building (carport, shed, garage) to be sited as close as 0.1 metre (.33 feet) from an interior side lot line.

The property is located at 790 Steward Drive and is legally described as Lot 4, Section 2, Mayne Island, Cowichan District, Plan 13285.

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing March 8, 2012 and continuing up to and including March 19, 2012.

For the convenience of the public only, and not to satisfy Section 922(5) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Mayne Island, B.C., commencing March 8, 2012. Also, attached for your convenience is a copy of the proposed permit.

If you have any questions or comments please contact the Planner, Gary Richardson at (250) 405-5157; for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867 before 4:30 p.m., March 19, 2012. Written comments may be mailed to Islands Trust, 200 – 1627 Fort Street, Victoria, BC V8R 1H8; faxed to (250) 405-5155; or emailed to information@islandstrust.bc.ca before 4:30 p.m., March 19, 2012.

The Mayne Island Local Trust Committee may consider the issuance of the permit at the Mayne Local Trust Committee Meeting being held at 1:00 p.m., March 21, 2012 at Mayne Island Agricultural Hall, 430 Fernhill Road, Mayne Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.



PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT MA-DVP-2012.1

TO: James Ashworth

1. This Development Variance Permit applies to the land described below:

Lot 4, Section 2, Mayne Island, Cowichan District, Plan 13285
2. The "Mayne Island Land Use Bylaw No. 146, 2008" is varied as follows:

Article 5.1(7)(b) which states that the minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line, is varied to allow for an existing accessory building (carport, shed, garage) to be sited as close as 0.1 metre (.33 feet) from the southern interior side lot line.

All buildings and structures are to be consistent with Schedule A attached to and forming part of this permit.
3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Mayne Island Land Use Bylaw No. 146, 2008" and obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF _____ 2012.

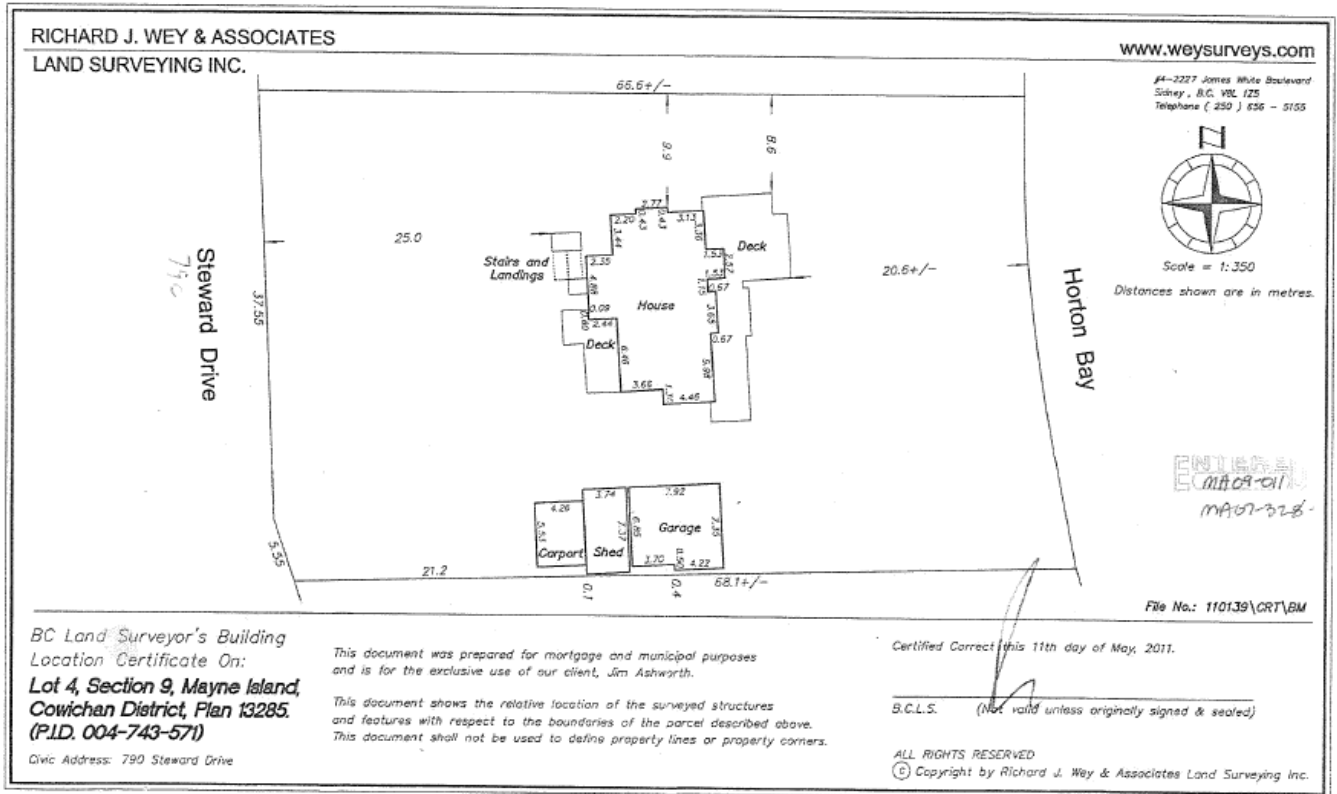
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 2014, THIS PERMIT AUTOMATICALLY LAPSES.

MAYNE ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
MA-DVP-2012.1

SCHEDULE "A"





Islands Trust

Print Date: Mar-13-2012

Top Priorities

Mayne Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Housing Options	1. Forward staff report to APC for comment on OCP amendments and secondary suite legalization process. (COMPLETE)	Jul-04-2011	Gary Richardson	Mar-31-2012	On Going
2	Commercial Land Use Review	Provide background report - COMPLETED draft terms of reference for a potential task force - COMPLETED forward staff report to Task Force - COMPLETED	May-02-2011	Gary Richardson	Mar-31-2012	On Going
3	OCP Follow-up: 1. Implementation of Riparian Areas Regulation	1. Determine applicability of RAR to Mayne watercourses - - status of two watercourses to be determined - potential changes to Campbell Bay/Horton Bay/Hunt Brook watersheds on Montrose Road	Jun-09-2010	Robert Kojima	Mar-31-2012	On Going



Islands Trust

Print Date: Mar-13-2012

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	Agricultural Building riparian setbacks	Review LUB to consider potential amendments to setbacks for agricultural buildings from watercourses, consistent with Ministry guidelines	Oct-03-2011	On Going
3	Review LUB requirements for proof of water for boundary adjustment subdivisions			On Going



Islands Trust

Applications w/ Status - Mayne Island Status: Open

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2012.1	James Ashworth	Jan-03-2012	To vary the setbacks to allow for garage, carport and shed from encroaching lot line.

Planner: Gary Richardson

Planning Status

Status Date: Jan-18-2012

Staff report and draft permit to be prepared for March 21, 2012 LTC meeting for the LTCs consideration.

Status Date: Jan-04-2012

Sent letter of acknowledgment of receipt of fees and application to applicant. Copied to trustees and forwarded file to planner.

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2010.2	Don & Shanti McDougall	Mar-23-2010	568 FERNHILL RD To amend the LUB, section 5.10(1) C3A by changing to C1 5.8 Settlement Residential.

Planner: Gary Richardson

Planning Status

Status Date: Mar-13-2012

Staff report and draft bylaw to be prepared for April 25, 12 LTC meeting

Status Date: Jan-18-2012

Staff report to be prepared for February 1, 2012 LTC meeting for LTCs direction.

Status Date: Dec-06-2011

Applicants have requested that application be re-activated. Would like to pursue C1 zoning as per original application.

11.2.1

Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2011.1	Richard Wey & Associates Land Surveying Inc Planner: Gary Richardson	Mar-10-2011	HORTON BAY RD Boundary Adjustment
Planning Status			
Status Date: Mar-13-2012 Staff reviewing report regarding potable water.			
Status Date: Jan-19-2012 Proof of potable water still required, planner discussing options with property owner.			
Status Date: Dec-05-2011 Applicant now has potable water approval. Will send to planner for review.			

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2010.2	Geoffrey & Lina Siversn & Beaudet Planner: Gary Richardson	Oct-15-2010	Transfer, storage and shipping of discarded goods and materials.
Planning Status			
Status Date: Mar-13-2012 CIM being held March 21, 2012.			
Status Date: Jan-19-2012 Applicant requested that the application be deferred until March 21, 2012 LTC meeting.			
Status Date: Sep-23-2011 Application deferred until the new LTC Term			

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2011.1	Sharon Burke Planner: Gary Richardson	Oct-27-2011	Short Term Vacation Rental
Planning Status			
Status Date: Mar-13-2012 Staff report and draft permit prepared for LTCs consideration at March 21, 12 LTC Mtg.			
Status Date: Jan-19-2012			

Staff report prepared for LTCs consideration at Feb 1/12 LTC meeting. CIM also being held Feb 1/12.

Status Date: Dec-06-2011

Staff have informed applicant that should this application proceed, it will require a re-assessment of Mayne's STVR policy.

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2012.2	Fred C. Bennett Excavating Ltd	Jan-26-2012	Expansion of storage & sale of aggregate, trucking & excavation business
Planner: Gary Richardson			
Planning Status			

Status Date: Mar-13-2012

Staff preparing report for April or May LTC Mtg.

Status Date: Jan-26-2012

LTC copied

Status Date: Jan-26-2012

forward to planner

Kathy Jones

From: Nancy Roggers
Sent: February-23-12 1:40 PM
To: Mayne Island Local Trust Committee; Kathy Jones; Sharon Lloyd-deRosario
Cc: Cindy Shelest
Subject: Mayne expense report - Feb/12

		Budget	Spent	Balance
Invoices posted to FEB 23, 2012				
645 Mayne	65000 Trustee Expense	1,000.00		1,000.00
645 Mayne	65200 LTC Meetings	5,800.00	1,735.63	4,064.37
	65210 APC Meetings		471.98	(471.98)
	65220 Communications		255.00	(255.00)
	65230 Special Projects		718.93	(718.93)
	65240 Miscellaneous			-
	TOTAL LTC Local Expense	5,800.00	3,181.54	2,618.46
645 Mayne	72300 OCP/LUB Expense	-		-

Thanks!

Nancy Roggers
 Finance Officer

Islands Trust
 #200 1627 Fort Street
 Victoria, B.C. V8R 1H8
 Phone: (250) 405-5154
 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving *island* communities, culture and environment

Please consider the environment before printing this email.



Islands Trust

Preserving **island** communities, culture and environment.

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Population (2011):

Approximately 1,071

Size:

2,334 hectares (5,767 acres)

Location:

19.7 kilometres east of the Swartz Bay ferry terminal on Vancouver Island.

[Land Use Planning](#)
[Related Planning Services](#)
[Related Resources](#)
[Trust Area Mapping](#)
[Related Links](#)

Mayne Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Mayne Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

March 2012

- [Mayne Island Advisory Planning Commission Expression of Interest](#)
- [Mayne Island Business Meeting held March 21, 2012 re: Application Information Notice](#)

July 2011

- ["Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands"](#)
- Fact sheet: "[Choosing a Building Site on your Lot](#)"
- Fact sheet: "[Making Changes to your Lot Line](#)"
- Fact sheet: "[Applying for a Variance](#)"

October 2010

- [2007 Community Energy and Emission Inventory Reports \(CEEIs\) now available](#)
- [New Islands Trust GHG Emission Inventories webpage posted](#)

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Planner Office Hours on Mayne Island

- [Planner Office Hours on Mayne Island - 2012](#)

Mayne Island Local Trust Committee Projects

General

- [Mayne Island Integrated Water System Society Report - May 1, 2010](#)
- [Short Term Vacation Rentals - Information Notice](#)
- [Mayne 2030 A Panel Discussion and Community Dialogue - Sponsored by Resilient Mayne Initiative](#)
- [Amended Mayne Island Bylaw Enforcement Policy for Short Term Vacation Rentals](#)
- ["A Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands" booklet](#)
- [A "Choosing a Building Site on your Lot" fact sheet](#)
- [A "Making Changes to your Lot Line" fact sheet](#)
- [An "Applying for a Variance" fact sheet](#)
- [Update on Bylaw Enforcement on Short Term Vacation Rentals](#)

Commercial Land Use Review

- [Task Force Terms of Reference](#)
- [Expression of Interest for Task Force Members](#)
- [Mayne Island Commercial Inventory Staff Report - September 19, 2011](#)

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Committee Links

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- [Contact Trustees](#)
- [Contact Planning Staff](#)
- [Planning Bylaws](#)
- [Administrative Bylaws](#)
- [Meetings Schedule](#)
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- [Meeting Minutes](#)
- [Resolutions-Without-Meeting](#)
- [Associated Islands](#)
- [Land Use Application Forms](#)

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Sensitive Ecosystem Mapping

Maps and Fact Sheets

- Sensitive Ecosystem: [Map](#) | [Project Background](#) | [Methods](#)
- [How to Read a Sensitive Ecosystems Map](#)
- Cliff Ecosystems: [Map](#) | [Fact Sheet](#)
- Freshwater Ecosystems: [Map](#) | [Fact Sheet](#)
- Herbaceous Ecosystems: [Map](#) | [Fact Sheet](#)
- Riparian Ecosystems: [Map](#) | [Fact Sheet](#)
- Woodland Ecosystems: [Map](#) | [Fact Sheet](#)
- Wetland Ecosystems: [Map](#) | [Fact Sheet](#)
- Intertidal Ecosystems: [Map](#) | [Fact Sheet](#)
- [Sensitive Ecosystem Development Permit Areas](#)
- [Development Permit Areas Workshop Presentation](#)

Other Important Ecosystems

- [Mature Forest Ecosystem Fact Sheet](#)
- [Young Forest Ecosystem Fact Sheet](#)

Background Information

- [Sensitive Ecosystem Mapping Webpage](#)
- [Sensitive Ecosystem Mapping Standard](#)
- [Terrestrial Ecosystem Mapping of the Southern Gulf Islands - Final Report](#)

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Riparian Area Regulations

- [Ministry of Forest, Lands & Natural Resource Operations - Resource Stewardship Division - June 3, 2011](#)
- [Swell Environmental Consulting Report \(February 16, 2010\) \(Complete Report 12 MB\)](#)
- For convenience this report has been divided into the following parts:
 - [Part 1](#)
 - [Part 2](#)
 - [Part 3](#)
 - [Part 4](#)
- [D.R.Clough Report - January 2012](#)
- [D.R. Clough Report - July 2010](#)
- [Staff Report - March 20, 2009](#)
- [Staff Report - May 15, 2009](#)
- [Staff Report - September 17, 2009](#)
- [Provincial Riparian Area Regulations](#)
- [Map of Ministry of Environment Designated Watersheds](#)
- [2007 - Stream Survey Report](#)

Mayne Island Temporary Use Permit Application: MA-TUP-2010.2 (Active Pass)

- [Staff Report - March 23, 2011](#)

Mayne Island Housing Options Task Force

Report

- [Mayne Island Housing Options Task Force Report - May 31, 2011](#)
- [Staff Report - dated September 19, 2011](#)

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Memorandum

Date February 21, 2012

To Local Trustees

From David Marlor
Director of Local Planning Services

Re A Strategic Approach to Islands Trust Communications

In order to assist local trust committees with enhancing communications and public engagement, Trust Area Services, with input from Local Planning Services, prepared the attached guidelines; these guidelines have been approved by the Executive Committee.

These guidelines will become part of the tool kit planners may use when generating staff report recommendations for projects that would benefit from a communications plan. Staff will include recommendations on communications using the guidelines at appropriate times, for example, at the start of a larger project or initiative that is expected to generate considerable public interest.

Regional Planning Managers will discuss this template in more detail at an upcoming Local Planning Services meeting to to determine the best approach to incorporating the guidelines into the planning process.

David Marlor
Director of Local Planning Services

pc Executive Committee
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GUIDELINES: A STRATEGIC APPROACH TO LOCAL TRUST COMMITTEE COMMUNICATIONS

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Value of a Communications Strategy for Local Trust Committees

A Communication Strategy is an essential planning tool to help coordinate communication activities by:

- Ensuring all communications focus proactively on Islands Trust's priorities, goals and objectives in a clear, timely and cost-effective way
- Ensuring roles & responsibilities are clear and consistent, ideally guided by policy
- Harnessing and focusing combined efforts to prevent duplication, avoid unintended conflicts and to make the most of existing opportunities (e.g. partnership with other agencies)
- Minimizing last-minute demands (crisis management)
- Anticipating public reaction before launching projects

Communications strategy framework - six standard questions to answer for all LTC projects

1. Goals: Define the project's communications goals and objectives.

- Goals are broad, general statements about what you need to address
- Objectives are SMART: Specific, Measurable, Achievable, Realistic, Timely
- Clearly defining these elements makes it much easier to identify key messages

Questions that help define goals:

- Why are we doing this project?
- What is the risk of not doing the project?
- How will the project promote the object/mandate?
- What do we already know and what do we need to find out to succeed?
- What is the problem and what needs to change to solve the problem?
- Is the solution a change in regulation, policy or behaviour? E.g. If the problem is erosion, is a soil bylaw the only solution or are there other ways to change the behaviour that leads to erosion?

2. Audience: Who do you want to reach?

- Target audiences
- Internal (Trustees, senior staff, front line staff)
- Other agencies affected (Regional Districts, First Nations, Provincial, Federal)
- External (e.g. voters, seniors, media, community organizations and leaders)
- What do you know about the audience? What do they think of your program or service?

3. Messages: What do you want to say to each audience?

- What motivates your audience – Benefits – what's in it for me?
- What stops your audience - Barriers?
- Frame your message to emphasize benefits and overcome barriers.

- What is your call-to action? You are trying to change the audience's current state in some way. Are you asking them to share their opinions, participate in a debate, to support something, or just to be aware of something that they have little choice about?
 - Crafting your messages
 - o Make it easy to remember in easy, simple terms
 - o Use captivating information – vivid and personal
 - o Use stories and metaphors to engage your audience
 - o Use two-sided vs. one-sided message – recognize other viewpoints
4. Methods: How will you reach people? Different audiences have different objectives and need different approaches. Consider finding a well-respected expert or community member(s) to offer testimonials in support of your project.
5. Resources: Who will do what, when and at what cost?
6. Evaluation: Did they did get it? Were there misinterpretations? Was there backlash? How can we improve next time? How can we share what we learned with other staff / trustees?

SAMPLE Communication Action Plan

Project: _____

Launch Date: _____

Methods	Person responsible	Cost	Content Focus / Key message	Audience	Due Date (e.g. for approval)	Publication Date
E-mail						
Direct mail						
News release						
Paid ad (Paper / TV / Radio)						
Letter to editor / editorial						
Web page						
Article for newsletter						
Brochure						
Social media						
Poster / bulletin board						
Annual report						
Public meeting						