



Mayne Island Local Trust Committee Regular Meeting Agenda

Date: September 30, 2019
Time: 1:00 pm
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

			Pages
1.	CALL TO ORDER	1:00 PM - 1:30 PM	
2.	APPROVAL OF AGENDA		
3.	TOWN HALL AND QUESTIONS		
4.	COMMUNITY INFORMATION MEETING		
	none		
5.	PUBLIC HEARING		
	none		
6.	MINUTES		
6.1	Local Trust Committee Minutes Dated June 24, 2019 (for Adoption)		4 - 11
6.2	Section 26 Resolutions-without-meeting Report		
	none		
6.3	Advisory Planning Commission Minutes Dated July 16, 2018 (for Receipt)		12 - 14
7.	BUSINESS ARISING FROM THE MINUTES		
7.1	Follow-up Action List Dated July 2019		15 - 16
8.	DELEGATIONS	1:30 PM - 2:00 PM	
8.1	Southern Gulf Islands Economic Sustainability Commission (attached)		17 - 36
8.2	Mayne Island Parks Commission - Cotton Park (attached)		37 - 43

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 MA-DVP-2019.5 (Hagkull) - Staff Report (attached) 44 - 56

11. LOCAL TRUST COMMITTEE PROJECTS 2:00 PM - 2:30 PM

11.1 Mayne Bylaws 174 & 175 Commercial Zoning Amendment - Staff Report (attached) 57 - 74
For further consideration

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated July 2019 75 - 75

12.1.2 Projects List Report Dated July 2019 76 - 76

12.2 Applications Report Dated July 2019 (attached) 77 - 79

12.3 Trustee and Local Expense Report Dated July 2019 (attached) 80 - 80

12.4 Adopted Policies and Standing Resolutions (attached) 81 - 82

12.5 Local Trust Committee Webpage

12.6 Chair's Report

12.7 Trustee Reports

12.8 Islands Trust Conservancy Report Date May 2019 83 - 86

13. NEW BUSINESS 2:30 PM - 3:00 PM

13.1 Cell Tower Model - Staff Briefing 87 - 88
David Marlor to attend via phone

13.2 Climate Change Communication Proposal/Brochure Concept - Staff Briefing & Attachment (attached) 89 - 107

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for October 28, 2019, at the Agricultural Hall, Mayne Island

15. TOWN HALL 3:00 PM - 3:30 PM
16. CLOSED MEETING (Distributed Under Separate Cover)
- 16.1 Motion to Close Meeting
- That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (d, i & f) for the purpose of considering:*
- *Adoption of In-Camera Meeting Minutes Dated June 24, 2019*
 - *Bylaw Enforcement Update*
 - *Legal Opinion*
- AND that the recorder and staff attend the meeting.*
- 16.2 Recall to Order
- 16.3 Rise and Report
17. ADJOURNMENT 3:30 PM - 3:30 PM



Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: June 24, 2019
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

Members Present: Dan Rogers, Chair
Jeanine Dodds, Local Trustee
David Maude, Local Trustee

Staff Present: Gary Richardson, Island Planner
Brad Smith, Island Planner
Patricia Todd, Recorder

Public: There were approximately nineteen (19) members of the public.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 1:03 p.m. Chair Rogers acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

New added items to the agenda:

- 8.3 Community Centre
- 13.1 Trust Policy Amendment Policy
- 13.2 St. John Point
- 13.3 Correspondence – Meers
- 13.4 Ministry of Transportation – Road Closure

By **general consent** the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Jean-Daniel Cusin, Brian Crumblehulme and Deborah Goldman have been working on a project called: Design of the Future for Mayne Island. There will be meetings, seminars and recommendations may come forward to the Local Trust Committee (LTC) for inclusion in the OCP.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

Mayne Local Trust Committee
Regular Meeting Minutes
June 24, 2019

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated May 27, 2019

The following amendments to the minutes were presented for consideration:

- Change Trustee Maude “recusing self” – to read: Trustee Maude recused himself for items MA-DVP-2019.2 and MA-RZ-2018.1.
- Page 6 - To change the word to “request” in the motion MA-2019-036.

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-without-meeting Report

None

6.3 Advisory Planning Commission Minutes Dated June 10, 2019

Received for information.

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated June 2019

Planner Richardson stated there wasn’t anything of significance to report.

Trustee Dodds commended staff for efforts.

Chair Rogers informed the LTC that the Executive Committee (EC) had approved Ground Water Sustainability Project, for 5 islands, June 12, 2019.

8. DELEGATIONS

8.1 Mayne Island Housing Society

Deborah Goldman (President Mayne Island Housing Society), reviewed efforts to date to address island housing issues. BC Housing requires clear title to land before a project can move forward. Plans are for a number of smaller units around the island as opposed to one large unit. Community agencies/societies are supportive of project. Presently looking at land parcel adjacent to Community Centre which is part of allowance for Campbell Bay Road. Ministry of Transportation has requested road closure.

Richard Iredale spoke to water resources and displayed drawings of proposed structures. The design is for four 4 plexes and the plan is to maintain the existent trail. The location has many positive attributes.

8.2 Mayne Island Parks and Trails

Irene Barrett, President Mayne Island (MI) Pathways and Trails Society spoke on the following points:

- Informed the LTC that the Society had been granted a License to Occupy in 2015 for the creation of a trail; and

- Society would support Housing proposal provided there is a Registered Easement, pathway not blocked and area not used for any other purpose.

8.3 MI Community Centre

Lise McLeod spoke on behalf of Community Centre. She spoke on the following points:

- Overflow parking serves as a buffer for neighbours/green space;
- The Community Centre is the designated Emergency Evacuation site; and
- 16 housing units would have significant impact on the area.

9. CORRESPONDENCE

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

Trustee Maude recused himself and left the meeting room at 1:24 p.m. due to conflict of interest as he owns property within the notification area for the file MA-DVP-2019.2 (Larock).

10. APPLICATIONS AND REFERRALS

10.1 MA-DVP-2019.2 (Larock)

Chair Rogers reviewed status of the application and referral to the Advisory Planning Commission (APC).

Planner Richardson added that the APC recommendations are clear. There was correspondence from the water district regarding bylaws – approval is required for additional hook-ups.

MA-2019-039

It was Moved and Seconded,

that the Mayne Island Local Trust Committee not approve the issuance of Development Variance Permit MA-DVP-2019.2 (La Rock).

CARRIED

Chair Rogers spoke to the individual consideration of a variance request.

Trustee Maude returned to the meeting room at 1:30 p.m.

10.2 Saturna Island Local Trust Committee Bylaw 127 Referral

MA-2019-040

It was Moved and Seconded,

that Mayne Island Local Trust Committee interests are not affected by Saturna Island Local Trust Committee Bylaw 127.

CARRIED

Trustee Maude questioned the need to receive bylaw referrals from neighbouring islands.

Chair Rogers is unaware if this is a government regulation.

Planner Richardson informed the LTC that Saturna had recently passed a motion that only those Bylaws the Planner deems appropriate are forwarded to the Saturna LTC.

MA-2019-041

It was Moved and Seconded,

that the Mayne Island Local Trust Committee ask staff for options to exclude Mayne Island from receiving proposed Bylaws from neighbouring islands.

CARRIED

A brief break was taken between 2:06 p.m. to 2:26 p.m.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Housing Policy Review Project - Staff Report

Directed by the LTC, Planner Smith designed a Project Charter for the Housing Policy Review Project. Over the next few months staff will assess impact of existent policies, gauge community flexibility, analysis buildout and present a discussion paper.

Trustee Dodds questioned the focus on foot print and environmental impact.

Planner Smith reported this has been mentioned and he will address this in the objectives.

MA-2019-042

It was Moved and Seconded,

that the Mayne Island Local Trust Committee:

- a) Endorse the attached Mayne Island Housing Regulations and Policy Review Project Charter, as amended, and associated scope of work, timelines and Budget and,
- b) Direct staff to begin working on Mayne Island Housing Regulations and Policy Review Project deliverables.

CARRIED

Richard Iredale spoke to the processes and costs incurred in his endeavour to obtain a building permit for a tiny home.

Trustee Dodds clarified that this example was complicated by a request for a structure on wheels versus a ground site.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated June 2019

Received for information.

12.1.2 Projects List Report Dated June 2019

Currently only one item on the Projects List.

Trustee Maude raised the issue of ambiguity in the Land Use Bylaw (LUB). There are grey areas and definitions that could be clarified.

Trustee Dodds stated that any clarification of items could become a major project.

Planner Richardson reported that the issue could be placed on Priorities List once the Commercial Land Use Review returns from Ministry.

Chair Rogers suggested the project could be referred to the APC.

MA-2019-043

It was Moved and Seconded,

that the Mayne Island Local Trust Committee ask staff to add Review of Land Use Bylaw definitions to Projects List.

CARRIED

MA-2019-044

It was Moved and Seconded,

that the Mayne Island Local Trust Committee direct staff to remove Item 4 "Review permitted accessory building height" from Projects List.

CARRIED

Trustee Dodds mentioned the importance of identifying regulations for cannabis production. Such regulations would address items like: size of structure, zoning regulations, etc.

12.2 Applications Report Dated June 2019

Received for information.

12.3 Trustee and Local Expense Report

None

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

To be updated upon conclusion of meeting.

12.6 Trustee Report

Trustee Maude spoke of attending Trust Council on Galiano Island. He noted that salt water intrusion is a significant concern. Trustee Maude attended the recent memorial for Colin Shew (past Trustee).

Trustee Dodds mentioned the Learning Centre on Galiano. There is a food forage garden with traditional First Nations food stuffs. The opening of the Campbell Bay Music Festival coincided with National Indigenous Persons Day and was attended by WSÁNEĆ Elders, artisans and musicians. The MI Conservancy, Active Pass Arts in Nature

Festival Society and Campbell Bay Music Festival Society joined together to pledge \$750.00 in matching funds for the regalia and drums for the SENĆOŦEN LENONET SCULPTURE from the SENĆOŦEN Language immersion program at ŁÁU, WELNEW Tribal School in Saanich and there were Youth Drummers. John Elliott, who recently received an honorary Doctor of Education from Victoria University, also spoke at the Festival.

12.7 Chair's Report

Chair Rogers reported that the Penelakut had opened Trust Council on Galiano and spoken positively about a relationship with Islands Trust. The Reconciliation Action Plan has passed and is quite ambitious. Bi-annual Community Stewardship awards were presented. Trust Council is working to be more responsive to the needs of local trustees. Office renovations are almost completed. Next Trust Council will be on Bowen Island.

12.8 Islands Trust Conservancy Report

None

13. NEW BUSINESS

13.1 Trust Policy Amendment Policy

Chair Rogers reported that the document is now titled Vision 2015. Trustees concerns were given to staff and there will be an effort from staff to be available as requested. The suggestion was given to have a Town Hall for sharing information with the community rather than in a Business meeting.

Trustee Dodds responded that there was concern about staff travel time to the island and that the Town Hall might be poorly attended.

13.2 St. John Point

Planner Richardson reported receiving correspondence detailing concerns as to the Capital Regional District (CRD) Strategic Plan.

Trustee Maude suggested that Chair Rogers write to the CRD Chair regarding zoning and permitted usages.

Trustee Dodds emphasized that CRD needs to come to Islands Trust (IT) for rezoning or permitted usages prior to the Strategic Plan.

Planner Richardson added that until zoning is amended nothing can be developed beyond Passive Park.

MA-2019-045

It was Moved and Seconded,

that the Mayne Island Local Trust Committee direct staff to draft a letter to the Director Howe of the Capital Regional District and anyone else staff determines appropriate under Chair Rogers signature emphasizing existent zoning and permitted uses for St. John Point.

CARRIED

13.3 Correspondence – Meers

Planner Richardson reviewed the correspondence which involved a Bylaw infraction.

MA-2019-046

It was Moved and Seconded,

that Mayne Island Local Trust Committee ask staff to review the matter, identify option and report at the July meeting.

CARRIED

It was decided to discuss the matter In Camera.

13.4 Road Closure

Planner Richardson reviewed the request from the Ministry of Transportation. Notices were only sent to IT and Island Health.

Trustee Maude spoke to the value of the land parcel and questioned the most appropriate use if the parcel is divested.

Chair Rogers reminded the LTC that the Ministry of Transportation and Infrastructure (MoTI) is asking LTC only to comment on closure of the road.

Trustee Dodds added that the site could be used in case of emergency and MoTI should be made aware of concerns raised.

Chris Roehrig spoke in favour of the Housing Project and that it could be an asset for the Community Centre.

MA-2019-047

It was Moved and Seconded,

that the Mayne Island Local Trust Committee ask staff to respond to the Ministry of Transportation and Infrastructure that concerns from the immediate neighbours have been brought to the attention of the Mayne Island Local Trust Committee regarding closure and divestiture of undeveloped Campbell Bay Road allowance.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for July 29, 2019 at the Agricultural Hall, Mayne Island

15. TOWN HALL

Chris Roehrig encouraged LTC to continue getting bylaw referrals from other islands. Referrals keep everyone up to date with how other islands are dealing with common issues.

Ron Weeks, President, Legion and Association for Retirees, commented on the issue of affordable housing; this is a keystone of the Legion and Retirees Association.

Annette Witteman, a neighbour of the road parcel, while supportive of the need of affordable housing raised some concerns as to the proposed site and the need to balance ecology and water demand.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

MA-2019-048

It was Moved and Seconded

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1)(a,d) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated May 27, 2019
- Appointment of APC Secretary

AND that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

Meeting was recalled at 3:36 p.m.

16.3 Rise and Report

Chair Rogers reported that Lauren Edwards has been appointed as the Mayne Island Advisory Planning Commission Secretary.

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:40 p.m.

Dan Rogers, Chair

Certified Correct:

Pat Todd, Recorder

ADOPTED



MAYNE ISLAND ADVISORY PLANNING COMMISSION MEETING MINUTES

Date: July 16, 2018

Location: Church House

Members Present: Stephen Cropper, Chair
Dennis Emmett
Bill Bender
Chris Roehrig

Regrets Ian Birtwell
Aaron Reith

Staff Present: Pat Todd, Recorder

Trustees Present: Trustee Dodds
Trustee Crumblehulme

Members of the Public and none
Media Present:

1. CALL TO ORDER

Chair Cropper called the meeting to order at 7:00 p.m.

2. APPROVAL OF THE AGENDA

By general consent the agenda was adopted as presented.

3. APPROVAL OF MINUTES OF A.P.C.

3.1 Meeting of March 12, 2018

By general consent the Advisory Planning Commission minutes of March 12, 2018 were adopted as presented.

4. BUSINESS ARISING FROM THE MINUTES - none

5. REFERRALS

5.1 Commercial Land Use Review

Referral is to comment on:

- Proposed boundary of the Miner's Bay Commercial Core
- Allowing residential use in the Miner's Bay Commercial Core in addition to all other uses
- Allowing the C1(a), C1(b) and C1(c) zones all of the uses permitted in the C1 zone

Discussion

Concept is to identify area for potential for commercial development; "urban area"

Would make rezoning easier within designated area. Clarifies OCP

There is no impact on assessment of residential property as assessment is based on use.

Amalgamates usages: expands options for properties with site specific zoning .

Would result in "up-zoning" for a number of properties.

Recommended that residents on Dixon Road and noted commercial sites be notified regarding proposed changes.

Regarding proposed boundary:

MA-APC-2018-002

It was Moved and Seconded

that the Mayne Island Advisory Planning Commission recommend to the Mayne Island Local Trust Committee acceptance of boundary as presented in staff report of June 2018.

CARRIED

Regarding residential use/all other uses:

MA-APC-2018-003

It was Moved and Seconded

that the Mayne Island Advisory Planning Commission recommend to the Mayne Island Local Trust Committee accepting allowing residential use in the Miner's Bay Commercial Core in addition to all other uses.

CARRIED

Regarding site specific zones:

MA-APC-2018-004

It was Moved and Seconded

that the Mayne Island Advisory Planning Commission recommend that the Mayne Island Local Trust Committee accept allowing C1(a), C1(b) and C1(c) zones all of the uses permitted in the C1 zone.

CARRIED

6. Trustees Report

Trustee Crumblehulme spoke to Trust Council having made a motion to take a strong position against the proposed pipeline. The Islands Trust Programs Committee is attempting to identify how best to co-ordinate service delivery across the islands with the numerous agencies providing services. There will be a Forum on August 13, at Mary Winspear Centre, sponsored by the CRD. Invitations will be made to Improvement Districts, Regional Districts, agencies, Service providers. Goal is to identify what works, what doesn't and how to provide efficient, effective services.

Trustee Dodds informed the APC that once the Commercial Land Use Review is completed the LTC will be looking at Contractors Yards in regards to storage of materials, vehicles, etc. on residential sites with the goal being development of guidelines. There has been a report received from Bylaw that BEN is not a cost efficient tool for the Islands and will be discontinued.

7. New Business

There will be a note of appreciation sent to Jerry Wise and Sally Manson for their participation on the APC. Pat will co-ordinate this.

8. Election of Officers

Item deferred till next meeting.

By general consent the meeting adjourned at 8:30

Stephen Cropper, Chair

Certified Correct:

Pat Todd, Recorder



Follow Up Action Report

Mayne Island

27-May-2019

Activity	Responsibility	Dates	Status
1 Groundwater Sustainability Project - LTC requested to be included in the project and made it one of its top three work program priorities. A project charter to be prepared for consideration.	Gary Richardson William Shulba	Target: 11-Jun-2019	Completed

24-Jun-2019

Activity	Responsibility	Dates	Status
1 Minutes of May 27, 2019 adopted as amended.	Maple Hung	Target: 28-Jun-2019	Completed
2 MA-DVP-2019.2 (Larock) - not issued. Advise applicant, close file	Sharon Lloyd-deRosario	Target: 26-Jun-2019	Completed
3 Saturna LTC Bylaw 127 - Mayne LTC responded that its interests are unaffected.	Sharon Lloyd-deRosario	Target: 05-Jul-2019	Completed
4 Housing Policy Project Charter - adopted as amended.	Brad Smith	Target: 05-Jul-2019	Completed
5 Amend project list by: Removing: review of accessory building height Add: Review of LUB definitions	Gary Richardson		Completed
6 Provide LTC with options regarding receiving bylaw referrals from adjacent LTCs.	David Marlor	Target: 05-Jul-2019	Completed

Follow Up Action Report

Mayne Island

24-Jun-2019

Activity	Responsibility	Dates	Status
7 Saint Johns Point - Chair to send letter to CRD Director Howe outlining prest zoning of the property that it only allows "passive recreation" until zoning is amended.	Gary Richardson	Target: 05-Jul-2019	Completed
8 Road Closure Request MoTI - staff to respond to MOTI that the Mayne LTC that concerns have been raised about the closure and divestiture of ...	Gary Richardson		Completed
9 Correspondence from Christee Mears - prepare list of options to be discussed in-camera at July regarding this matter.	Gary Richardson Warren Dingman	Target: 12-Jul-2019	Completed
10 In-camera minutes of May 27, 2019 adopted as drafted.	Maple Hung		Completed
11 Lauren Edwards appointed as APC secretary.	Maple Hung		Completed

August 30, 2019

To: Mayne Island Local Trust Committee

Within the Southern Gulf Islands Electoral Area, the Community Economic Sustainability Commission (CESC) has given direction to pursue connectivity planning as a top priority for its work program. Improving broadband connection in SGI as a way to support sustainable economic development has been a long standing goal of the Electoral Area Director. We are undertaking community engagement to discover how greater connectivity can advance each island's common goals of sustainable economic development and community health and resilience. We are writing to keep you informed about this integrated connectivity planning process and invite you to participate in the conversation.

The region lags far behind the internet speeds identified by the Federal government as a minimum standard: broadband speeds of at least 50 Mbps download and 10 Mbps upload. The persisting digital divide between urban areas and the SGI affects quality and accessibility of healthcare and education, level of safety and security, access to government services, economic diversification and more. Improved connectivity will strengthen this region's potential, diversity, and sustainability. Not only are improvements to our internet service levels crucial for the realization of our economic development goals, improved connectivity will support us in working together to reduce our carbon footprint – from alternative transportation to tele-health and distance education.

Provincial and Federal granting agencies that support infrastructure investment, including last mile connectivity, are now requesting community connectivity plans to support applications. Connectivity planning ensures infrastructure investments are coordinated, scalable, provide value for money, and achieve priority objectives for the region. Our approach is to develop a community based connectivity plan that can guide Internet Service Providers in their investment decisions.

The CRD is currently undertaking Phase 1 of this program: we are working with Network BC and the Ministry of Citizen Services Connected Communities program to develop a "Digital Roadmap," for the SGI. The Digital Roadmap is a framework tool and presents a strategic approach to address the needs, benefits and trade-offs of greater connectivity. We will engage different sectors in each island community on the potential for increased connectivity to support the social, economic, and sustainability goals of the Southern Gulf Islands. By focusing on how better connectivity can help the SGI meet its needs and objectives, we will offer a new way to approach community conversations about the impacts and benefits of increased broadband, cell service, and wifi.

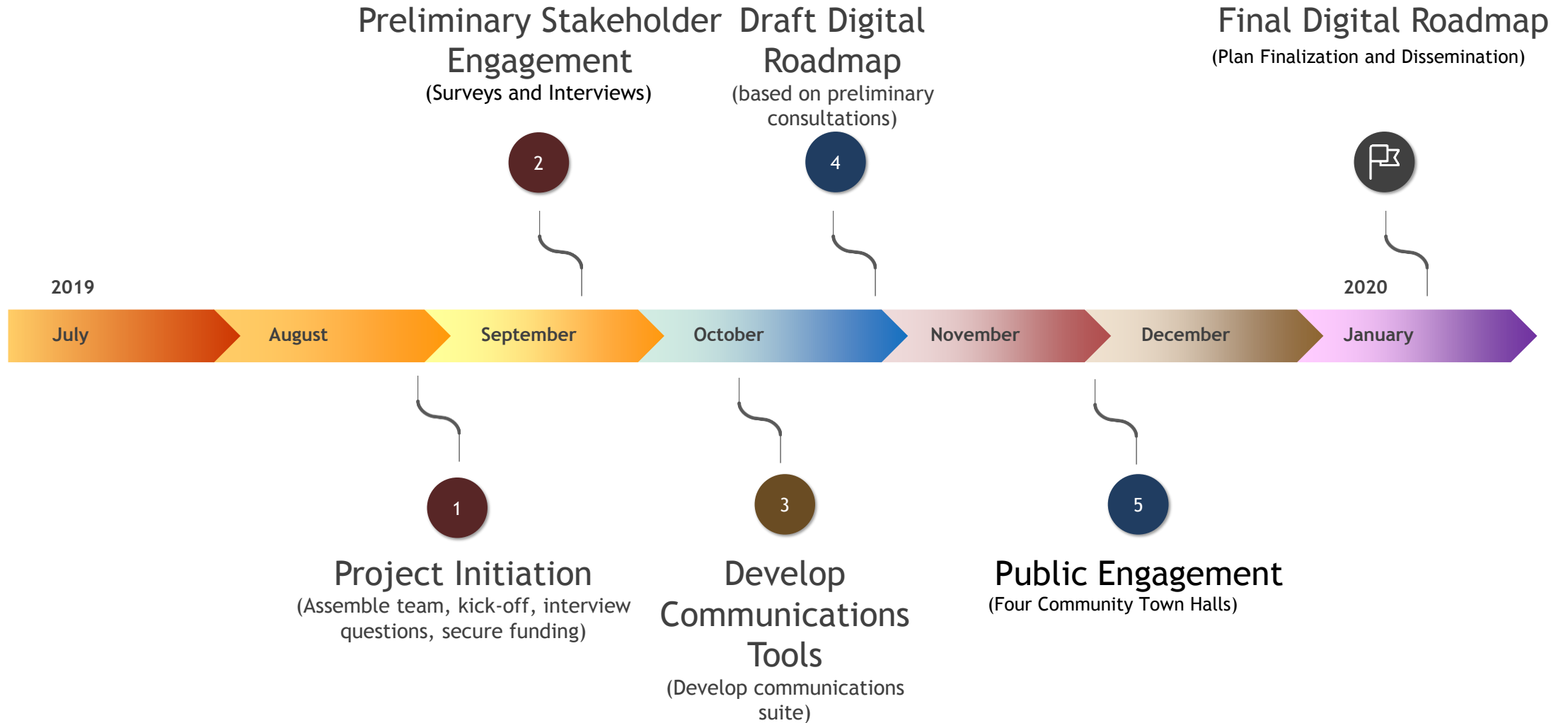
Phase 2 of the project will engage qualified professionals to develop a "Southern Gulf Islands Connectivity Design Strategy." It will consider how the community goals identified in phase 1 can be advanced through infrastructure design. It will take into account existing service hubs and will present the region with options for infrastructure and technology to advance our communities' own connectivity goals, as identified in Phase 1.

We look forward to any comments or feedback the LTC may have on this work program and will be pleased to keep the LTC informed about community meetings and other opportunities for engagement.

Sincerely,

Deborah Goldman,
Chair, Southern Gulf Islands Economic Sustainability Commission

Connectivity Planning in the Southern Gulf Islands: The Timeline



Phase I: Develop and Finalize the Digital Roadmap

Connectivity and the Islands Trust

Islands Trust Council has formally requested that the appropriate agencies of Canada and the Province “take steps to facilitate and fund the safe and reliable improvement of internet connectivity throughout the Trust Area.” In particular, Trust Council encouraged “the provision of additional landing sites to service islands in the Trust Area that may request such service through the Connected Coast project”

(See http://www.islandstrust.bc.ca/media/347928/tc_2019-06_18-19-20_decisionhighlights_final.pdf).

Within the Southern Gulf Islands, each Local Trust Area has an Official Community Plan that addresses the issue of connectivity in slightly different ways and which guide the approach to connectivity planning for the region. This project will directly support the LTCs' objectives through the development of a community-based Southern Gulf Islands Connectivity Design Strategy.

Excerpts of each Local Trust Area's OCPs are attached. Sections of the OCPs that support the development of connectivity infrastructure include:

Saturna Island OCPBL 70: (Section F.6.6) and South Pender OCP BL 107 (Section 6.2.2):
“providers of internet and other electronic communication services should be encouraged to expand and improve the delivery of services to, and the development of infrastructure for, the local community”

South Pender OCP BL 107: “advancements in electronic communication...[allow for] increased opportunities to engage in economic activities from residences [and enhance] the island residents' economic capacity” (Section 3.1.2).

Galiano Island OCP BL 108: “in order to enhance the social, economic, educational, environmental, and cultural aspects of life on the island...the LTC will support efforts to expand electronic communications and infrastructure within the community provided it can be demonstrated that there are no harmful health or environmental effects” (Section 4.1.1.g).

North Pender Island OCP BL 171: “The North Pender Island LTC should support and encourage efforts to expand or improve the electronic communications on the island in order to reduce the need to travel” (Section 2.3.6).

Mayne Island OCP BL 144: the Mayne Island LTC “should support and encourage efforts to expand or improve the digital infrastructure on the island in order to reduce the need to travel” (Section 2.6.1.10).



SOUTH PENDER ISLAND

OFFICIAL COMMUNITY PLAN

BYLAW NO. 107, 2011

AS AMENDED BY SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW(S) NO. 113 and 115

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plan are available from the Islands Trust Office, Suite 200 – 1627 Fort Street, Victoria BC V8R 1H8

ii) Other allowed uses on Rural Residential designated lands are to be compatible, both in type and scale, with small lot rural residential living. Land use regulatory bylaws are to make provision for the following uses customarily associated with small lot rural living: short-term rental of a single family dwelling; home occupations; horticulture, including small-scale greenhouse and nursery uses; the keeping of poultry for domestic use; and the sale of produce originating on the lot, including the use of small roadside stands.

iii) The Local Trust Committee may consider implementing regulations that would permit outbuildings as a permitted principal use prior to construction of a residential dwelling on Rural Residential designated lands.

iv) Single family residential use is to be permitted on lots within the Agricultural (A), Forest (F), and Natural Resource (NR) Land Use Designations as a principal use.

3.1.2 (b) Number of Dwellings

i) One single family dwelling only is to be allowed on RR designated lots less than 0.8 hectares (2.0 acres) in area.

ii) One single family dwelling and one cottage are to be allowed on RR designated lots 0.8 hectares (2.0 acres) and larger in area.

iii) Two single family dwellings and two cottages are to be allowed on RR designated lots 4.0 hectares (9.88 acres) and larger in area.

iv) Additional single family dwellings and/or additional cottages on RR designated lots as an alternative to subdivision are to be subject to rezoning.

3.1.2 (c) Lot Area Requirements for Subdivision of Land

Land use regulations applicable for RR lands shall be developed with zoning classes to permit, except where otherwise stated, the minimum lot area requirements for subdivision to be:

- 0.4 hectares (1.0 acre) for lots in the RR1 zone
- 0.8 hectare (2.0 acres) for lots in the RR2 zone
- 4.0 hectare (9.9 acres) for lots in the RR3 zone

3.1.2 (d) Housing Policies for Affordable Housing, Rental Housing, and Special Needs Housing

Provision is to be made for affordable housing, rental housing, and special needs housing land uses and developments when justified by demand from the community.

3.1.2 (e) Residential-based Economic Activities

Background

Advancements in electronic communication and the use of home computers are allowing increased opportunities to engage in economic activities from residences, thereby enhancing island residents' economic capacity. Home occupations are economic enterprises operated on the premises by residents. On South Pender Island they include such activities as home offices, bed and breakfast accommodation, artist studios, and craftsperson workshops. Short-term rentals of dwellings provide economic return, offer the visitor an opportunity to experience rural island living, and are an alternative form of accommodation to bed and breakfast or commercial resorts.

3.1.2 (e)(i) Home Occupations

- Home occupations are to be allowed as an accessory use on every lot where there is residential use of a single family dwelling.
- Land use regulations applicable to home occupations are to be developed with the perspective of land use compatibility, as contained in the General Policies of this OCP. Their primary purpose is to minimize adverse effects on both the adjacent lots and the subject lot. Measures to be addressed are to include: types of home occupation; where, to what extent, and under what conditions these activities are to be conducted; the number of employees permitted; residential requirements; exterior storage of materials and necessary screening; and provisions for off-street parking.
- Lots having more than one cottage are limited to using not more than one cottage for short-term rental at any one time.

3.1.2 (e)(ii) Short-term Rental of Single Family Dwellings

- On lots where a single family dwelling is allowed as a principal use, short-term rental of those dwellings may be allowed, subject to regulation. A single family dwelling is not to be used for short-term rental during the time when a cottage is being used for this purpose. Lots having more than one single family dwelling are to be limited to using not more than one for short-term rental at any one time.
- Land use regulations applicable to short-term single family dwelling rentals are to be developed with the perspective of land use compatibility, as contained in the General Policies of this OCP. Their primary purpose is to minimize adverse effects on adjacent lots and on the community in general.

3.2 Commercial Land Use and Development

Background

Commercial development on South Pender Island presently consists of the visitor accommodation facilities and associated retail and service facilities of the resort and marina development at Bedwell Harbour. The commercial retail and service development of North Pender Island is readily accessible to the South Pender Island community.

Poets Cove Resort at Bedwell Harbour is a destination resort for both land and marine based visitors with visitor accommodation facilities. Existing commercial retail and service facilities on the island are the small store, pub, licensed retail liquor store and the restaurant operating as an accessory use to the resort at Bedwell Harbour. Historically the majority of commercial needs for South Pender Island residents have been met on North Pender Island or regionally, and this pattern is expected to continue into the future.

Lands for commercial development are designated Commercial (C) in Schedule "B".

3.2.1 Commercial Objectives

- a) To ensure all future on-island commercial land use and development occurs in response to the needs of the community, is compatible with its immediate surroundings, and is in keeping with the island's rural character.

regarding aircraft noise and flight routes within and over the South Pender Island Local Trust Area.

ii) Land based aircraft facilities are to be limited to those necessary for emergency helicopter evacuations.

iii) Floatplane facilities only allowed in foreshore and marine water areas designated Marine Commercial on Schedule "B".

6.2 Communication and Utilities Services

Background

Private sector companies provide telephone and electronic communication services to the island via fixed link or electronic transmission. Electrical power is provided by BC Hydro, a provincial Crown corporation. Both federal and provincial regulatory agencies are involved in the provision of these services. The advent of increased telecommunication services and electronic forms of communication is gradually making it more feasible for people to live on-island and work from home.

6.2.1 Communications and Utilities Objectives

- a) To ensure communication and utilities services land use and development on South Pender Island is primarily for the needs of its community.
- b) To support cooperation with and between the communication and utilities service providers serving the needs of the community, as a means of efficiently providing services.

6.2.2 Communication and Utilities Policies

- a) Communication and utilities land use and development whose primary purposes are for meeting the needs of the community are to be recognized and provided for in the regulatory bylaws implementing this OCP. No such provision is to be given for those whose primary purpose does not serve the community's needs.
- b) Locations for additional communication and utilities service development, excluding electrical, telephone, and cablevision distribution lines, are only to be considered on a site-specific basis upon application and consultation with the community.

Advocacy Policies

- c) Providers of communication and utilities services involving overhead or underground transmission wires, cables, or piping are encouraged to use existing public rights-of-ways and common corridor routings wherever practical.
- d) Providers of internet and other electronic communications services are encouraged to expand and improve the delivery of services to, and the development of infrastructure for, the community.
- e) Industry Canada and its agents are requested to ensure adequate community consultation occurs prior to approval of new communications towers.

6.3 Water Supply Services

Background

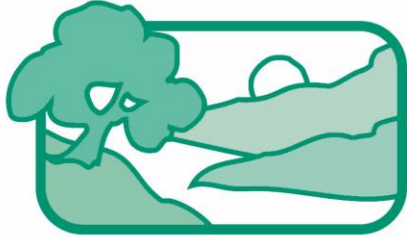
Freshwater supplies on South Pender Island are obtained almost exclusively from groundwater sources, primarily from aquifers located in fractured bedrock. An exception is the water taken under licence from Greenburn Lake.

6.3.1 Water Supply Objectives

- a) To maintain self-sufficiency as a fundamental principle of the island's freshwater supply servicing.
- b) To protect adequate freshwater supplies for current and future land use and development.
- c) To encourage conservation of freshwater supplies.
- d) To ensure adequate supplies of water are available for fire protection purposes.

6.3.2 Water Supply Policies

- a) The supply of freshwater for South Pender Island is only to be from on-island sources, except for direct deliveries by tanker truck in circumstances where the regular source of freshwater becomes temporarily inadequate. Facility use and development for off-island sourced bulk water supplies is to be prohibited by zoning regulations.
- b) The Local Trust Committee is to help protect supplies of freshwater for current and future land use and development by taking into consideration the possible effects of increased freshwater supply services and use associated with major new developments.
- c) Conservation of freshwater supplies is to be encouraged; supportive measures may include but are not limited to:
 - i) the use of drought tolerant plants for landscaping purposes.
 - ii) information programs to increase awareness of:
 - water conservation practices;
 - new technologies for water purification; and
 - potential impacts from the practice of well hydrofracturing.
 - iii) installation of water saving plumbing fixtures and appliances;
 - iii) collection, storage, and use of rainwater as an alternative to groundwater by means of:
 - ponds to increase freshwater supplies available for non-domestic uses such as irrigation, lawn and garden watering, and fire suppression; and
 - cisterns for domestic use where the collected rainwater supply is kept and treated in a manner conforming to standards meeting the requirements of the Medical Health Officer, Vancouver Island Health Authority.
- d) The Local Trust Committee will permit and promote rainwater catchment systems for fire protection, irrigation, and as an alternate source of potable water for domestic use.
- e) The Local Trust Committee may consider implementing regulatory provisions to address groundwater protection, such as:
 - i) requiring rainwater catchment systems for new construction;
 - ii) limiting the extent of impermeable surfaces on a lot;



Islands Trust

GALIANO ISLAND LOCAL TRUST COMMITTEE

OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995

AS AMENDED BY GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAWS NO: 124, 138, 141, 169, 171, 179, 203, 204, 206, 207, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 235, 242, 244, 246, 248, 252, 253, 254, 259 AND 233

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document

Certified copies of the Official Community Plan are available from the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B. C. V8R 1H8

Consolidated: August 16, 2017

- | | | |
|-------|----|---|
| BL215 | n) | Landowners are encouraged to protect the natural systems, biological sustainability, ecological services, and natural aesthetics of forest lands. |
| BL215 | o) | Landowners are encouraged to protect riparian areas, marine shoreline areas, sensitive ecosystems, endangered habitat, soils, watersheds, biodiversity, old or large individual trees, and old growth stands. |
| BL215 | p) | Landowners are encouraged to protect culturally modified trees and other heritage features. |
| BL215 | q) | The LTC should advocate the mitigation of climate change through :
i) encouraging the provincial government to provide tax incentives and reforestation programs;
ii) local education programs; and
iii) encouraging well-coordinated management practices to maintain the health of the forest, to promote carbon sequestration in the forest and soil, and to reduce the risk of stand-destroying wildfires. |
| BL215 | r) | The Local Trust Committee encourages local economic opportunities for small-scale sustainable forestry through supporting:
i) the establishment of a non-profit community-owned forest that is consistent with ecosystem-based sustainable forest practices, and the lands so acquired are preserved for forestry use in perpetuity for future generations;
ii) the development of co-operative ecosystem-based sustainable forest management and value-added ventures;
iii) initiatives to provide tax incentives for maintaining ecosystem-based sustainable forest management activities;
iv) appropriate small scale forest related activities such as the sustainable gathering of non-timber forest products, food crops, hiking, bird watching and wildlife viewing, education and value added industry. |

4. Community Facilities and Utilities

4.1 Community Facilities

BL215 Galiano's community facilities for social and cultural services currently include a recycling centre, fire halls, ambulance station, a health care centre, a church, a school, a cemetery, community halls.

Community Facilities Objective

The objective of this subsection is:

- | | | |
|-------|----|--|
| BL215 | 1) | to promote the establishment of community facilities that enhance the social, economic, educational, environmental and cultural aspects of life on the island and in a manner that minimizes impacts on the natural environment. |
|-------|----|--|

Community Facilities Policies

- BL215 a) The principal use shall be community facilities.
- BL215 b) Community facility zones shall be developed for such uses as community orchards, nurseries, gardens and woodlots, farmers markets, arts facilities recycling centre, ambulance station, R.C.M.P. facilities, emergency evacuation services and fire halls.
- BL215 c) Zoning for a community facility shall be considered on a site specific basis.
- BL215 d) As a plan for a local trust area designated under the *Islands Trust Act* and placing priority on the preservation and protection of unique amenities and environment of the area, rezoning for new community facility uses should not be considered in advance of demonstrated need.

Community Facilities Advocacy Policies

- BL215 e) The delivery of services by local non-profit organizations shall be encouraged.
- f) Opportunities for creation and ownership of community facilities through vehicles such as a Community Land Trust, shall be encouraged.
- BL 207; 215 g) The Local Trust Committee will support efforts to expand electronic communications and infrastructure within the community provided it can be demonstrated that there are no harmful health or environmental effects.
- BL215 h) Green building techniques are encouraged in new construction.
- BL215 i) Green burials in cemeteries are encouraged.

4.2 Utilities

Utilities Objective

The objective of this subsection is:

- BL215 1) to ensure the delivery of utility services compatible with rural character in a way that minimizes impacts on the natural environment.

Utilities Policies

- BL215 a) Community or public utilities other than transmission lines and telephone or electricity services on an easement or registered right of way, shall be zoned on a site specific basis.



NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW No. 171, 2007

AS AMENDED BY NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW(S) NO. 182, 184, 197, 203, 207, 209, 211 and 216

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plan are available from the
Islands Trust Office, Suite 200 – 1627 Fort Street, Victoria BC V8R 1H8

Consolidated: December 10, 2018

2.3 COMMUNITY SERVICE LAND USES

Background

North Pender is well served by facilities for health care, education, public protection, and community and social services. Most facilities are provided through the voluntary initiatives of members of the community. Residents value maintaining a diverse community able to accommodate people of varying ages, income and abilities. In order to achieve this, the community may need to explore options for ensuring housing for working people, young families, seniors and those who have special needs. Currently, seniors housing is provided at Plumtree Court, which is owned and operated by the non-profit Pender Islands Seniors Housing Society.



Photo: Islands Trust

Community Service Objectives

- 2) To ensure that North Pender Island is a healthy community with residents working together to improve the quality of life.
- 3) To facilitate community services that meet the social and physical needs of the community.
- 4) To support community facilities through efforts of community members.
- 5) To ensure that all community service facilities are accessible to all members of the community.

- 6) To permit a range of housing options without detracting from the rural character of North Pender Island.

Community Service Policies

- 2.3.1 Preference shall be given to applications involving community service facilities that will be located close to the school and medical centre, the library, the Driftwood Centre and the fire stations.
- 2.3.2 Regulations shall require that adequate parking facilities be provided in any expansion of existing public facilities or in the development of new facilities.
- 2.3.3 Land acquired or dedicated for public service use may be zoned for public service use within any land use designation except the Agricultural designation or zone.

Community Service Advocacy Policies

- 2.3.4 Development of recreational and cultural facilities to serve the needs of all groups within the island community, including people with special needs, is encouraged.
- 2.3.5 Public service facilities shall be for the Pender Islands only.

BL 182

- 2.3.6 The North Pender Island Local Trust Committee should support and encourage efforts to expand or improve the electronic communications on the island in order to reduce the need to travel.

Seniors Housing Policies



Photo: Islands Trust



SATURNA ISLAND LOCAL TRUST COMMITTEE

OFFICIAL COMMUNITY PLAN

AS AMENDED BY SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAWS: 101, 109 and 117

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plan are available from the Islands Trust Office,
200 - 1627 Fort Street, Victoria, B.C. V8R 1H8

Consolidated April 26, 2018

F.4 AIR TRANSPORTATION

The objective of this section is to provide a balance between the need for air transportation and the quiet enjoyment of the island.

Air Transportation Advocacy Policies

- F.4.1** The Saturna Island Local Trust Committee shall support maintenance of the emergency landing facilities, including helicopter landing pads, at Winter Cove and East Point; and location of terminal facilities for regularly scheduled flights in conjunction with the public wharf.
- F.4.2** The Saturna Island Local Trust Committee should continue to make representations, as required, to Transport Canada regarding aircraft noise and routing that affect the Area.

F.5 WATER SUPPLY

The objective of this section is to ensure safe potable water supply for the residents and visitors of Saturna Island.

- F.5.1** The availability of potable water sufficient to support the proposed use while meeting environmental objectives should be a condition of subdivision approval.
- BL 101 **F.5.2** The Saturna Island Local Trust Committee in reviewing all development requirements, referrals, and approvals should consider or require developers provide a guarantee of the availability and sustainability of freshwater resources and will support the use of sources other than ground water including conservation, the collection and storage of rain water.
- F.5.3** The use of new technologies for water conservation, purification, desalinization, and efficient use of water may be permitted provided all by-products can be disposed of in a safe and environmentally acceptable manner.
- F.5.4** The Saturna Island Local Trust Committee will permit and promote rainwater cisterns and ponds for fire protection, irrigation, and to supplement or as an alternate source of potable water for households.
- F.5.5** The Saturna Island Local Trust Committee should create and maintain a data base of water well information through the subdivision referral process to supplement the information contained in the Groundwater report by Diane Allan 1998.
- F.5.6** Community water systems, the collection and storage of water, shared wells, and new technologies are to be encouraged and required as a condition of subdivision approval where groundwater sources are insufficient or endangered.

Water Supply Advocacy Policies

- F.5.7** The Ministry of Environment, Lands and Parks is requested to create a groundwater well registration system, including water quality and quantity information and site locations with a global positioning system.

F.5.8 Where a groundwater well produces a high salt content, it should be grouted to protect against the intrusion of salt into the fresh water table. Development approval by the Medical Health Officer should be refused when a proposed lot contains an ungrouted high salt-content well unless an impermeable lining in the water well is installed to protect the freshwater table.

F.5.9 The Saturna Island Local Trust Committee will request:

- a) the Ministry of Environment and Lands and Parks to undertake a full investigation of water sources, quality, use, and hydrogeology as the basis for a wetlands, water table recharge, and groundwater strategic plan to assist in future land use decisions;
- b) the Ministry of Environment, Lands and Parks to develop groundwater management legislation, including a groundwater licensing program that would protect existing wells from depletion;
- c) the Capital Health Region to permit the development and use of on-island sewage treatment methods that create re-circulated grey water for garden or other non-potable use and to require more water-efficient plumbing fixtures in its building bylaw; and
- d) the Capital Health Region to monitor the water quality of community water systems.

F.6 UTILITIES

The objective of this section is to provide services in a way that is sensitive to community needs.

F.6.1 The Saturna Island Local Trust Committee shall specifically zone public utilities, not located on public rights-of-way, in separate public service use zones and permit only the particular public service use that is required.

Utilities Advocacy Policies

F.6.2 Infrastructure construction and maintenance should conform to the guidelines contained in publications of the federal Department of Fisheries and Oceans, and the Ministry of Environment, Lands and Parks.

BL 101 **F.6.3** The Saturna Island Local Trust Committee encourages the use of renewable energy sources and non-polluting alternate methods of power generation. The Local Trust Committee may consider amending zoning regulations to permit or facilitate small-scale renewable energy production, such as solar collectors, wind turbines and geothermal heating.

F.6.4 The Saturna Island Local Trust Committee shall support classification of Saturna Island as a single rate area with respect to telephonic, electromagnetic, and light-based information infrastructure or similar transmission systems.

F.6.5 The Saturna Island Local Trust Committee encourages the maintenance of an on-island facility for automotive and marine fuel supply.

BL 101 **F.6.6** Providers of internet and other electronic communications services should be encouraged to expand and improve the delivery of services to, and the development of infrastructure for, the local community.



Islands Trust

MAYNE ISLAND LOCAL TRUST COMMITTEE

OFFICIAL COMMUNITY PLAN

Bylaw No. 144, 2007

AS AMENDED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAWS: 147, 149, 150, 151, 152, 155, 159, 161, 165, 168 and 171

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plans are available from the Islands Trust Office, 200 - 1627 Fort St., Victoria, B.C. V8R 1H8

Consolidated: December 20, 2018

- 2.5.1.5 All goods, materials and equipment associated with or produced by an industrial operation must be stored in a manner that does not cause environmental damage.
- 2.5.1.6 The map does not identify sand and gravel deposits because they are small and dispersed around the island, processing shall be under a temporary use permit.
- 2.5.1.7 In reviewing any application for new industrial uses, or increased density in industrial zones, the LTC should consider potential climate change impacts.

2.6 PUBLIC USE AND PUBLIC SERVICES

2.6.1 Public Use, Services and Utilities

Background

These objectives and policies address the community's current and future needs for public services, public use facilities and utilities.

Objectives

The objectives of this section are:

- 1) to provide public services on a scale appropriate for the island,
- 2) to protect the health and safety of residents and visitors, and
- 3) to ensure that services and utilities are of a scale and cost appropriate for the island.

Policies

- 2.6.1.1 Multiple uses of public facilities and services shall be encouraged.
- 2.6.1.2 Off street parking, signage and lighting shall be regulated in keeping with the rural character of the island.
- 2.6.1.3 Locations for service depots such as Telus or B.C. Hydro shall be considered upon application for rezoning.
- 2.6.1.4 All goods, materials and equipment associated with a public use, service or utility must be stored in a manner that does not cause any environmental damage and be adequately screened from roads and neighbours.

Advocacy Policies

BL 151	2.6.1.5	The recycling depot shall be encouraged to consider expansion of recycling, composting and chipping services, while maintaining the highest environmental health standards and shall ensure that the storage of recyclable material be designed with special regard for the protection of groundwater.
	2.6.1.6	All public use facilities and services must meet the strictest interpretation of all health and environment standards.
	2.6.1.7	B.C. Hydro is encouraged to conduct an appropriate level of tree trimming to minimize downed power lines.
	2.6.1.8	The community is encouraged to implement Fire-smart practices in order to minimize the impact that a wildfire can have on the island.
BL 147	2.6.1.9	The Mayne Island Local Trust Committee recognizes the value of community policing and supports community policing initiatives by the RCMP.
BL 151	2.6.1.10	The Mayne Island Local Trust Committee should support and encourage efforts to expand or improve the digital infrastructure on the island in order to reduce the need to travel.

2.7 PARKS AND RECREATION

There are a number of parks of varying uses on Mayne Island most under the jurisdiction of the Capital Regional District through a local Parks Commission. There is a Regional Park, Mount Parke, situated in the centre of the island. There are areas of the Mayne Island Trust area that have recently become part of the Gulf Island National Park Reserve.

2.7.1 Regional Parks

Background

Mount Parke, a Regional Park is situated inland on the south western portion of the Island and includes approximately 40 hectares (100 acres) of land. A management plan for this park has been completed by the CRD Parks.

Objectives

The objectives of this section are:

- 1) to support education, aesthetics, recreation and spiritual values of the park system, and
- 2) to protect the natural system from degradation by public use of land.



September 14, 2019

Mayne Island Local Trust Committee
Islands Trust
Mayne Island, BC V0N 2J1

Dear Sirs/Mesdames:

RE: Bylaw Amendment Application – Rezoning of Fred and Bette Cotton Community Park (“Cotton Park”) from “Rural” to “Park”

The Mayne Island Parks and Recreation Commission (“MIPRC”) is writing to request the Mayne Island Local Trust Committee (“LTC”):

1. approve the Bylaw Amendment Application as filed with no site-specific regulations. This meets the public’s wishes for the park, as heard in our consultation process set out below; and
2. amend the proposed bylaw to remove restrictive floor area requirements that will render existing buildings and structures legal non-conforming.

FRAMEWORK

The Capital Regional District (“CRD”) Board delegated to the MIPRC all of the administrative powers of the Board “with respect to the **development**, maintenance and **operation** of all community parks and the organization and conduct of recreational programs”...pursuant to CRD Bylaw No. 3488 dated November 14, 2007. The bylaw provided for a continuation of a joint MIPRC created in the late 1980’s.

The current Mayne Island Land Use Bylaw definition of Park is:

“Park” means a publicly owned lot which is used or intended to be used for the recreation and enjoyment of the public and may be developed with recreational facilities or may be retained in its natural state.

Land Use Bylaw s. 5.17 Community and Regional Park (P) Zone provides as follows:

Permitted Uses

- (1) The following uses are permitted...and all other uses are prohibited:
- (a) Parks;
 - (b) Accessory uses, buildings and structures.

There are no site-specific regulations for any Park except a provision to specifically allow a putting green in Dinner Bay Park.

This definition of Park has served the MIPRC well as it provides a broad definition which covers a range of uses of the various parks under its stewardship. The community parks to date have been developed, well managed and operated by the MIPRC within the definition of Park and the parameters of s. 5.17. MIPRC currently is responsible for 7 significant community parks and several 'pocket' parks. The commission is comprised of 8 volunteers and the elected Director of the SGI Electoral District. Over the course of time, the individuals on the commission change but all strive to develop and operate the community parks to meet the needs of the community. There are also changes in community needs, desires and demographics which the MIPRC tries to satisfy only after community consultation. Thus, there is great value and efficiency in governing pursuant to bylaws and definitions which allow for latitude and changing needs.

COTTON PARK

The 8-acre property was residential and included a home of approximately 2,500 square feet in which Fred and Bette Cotton resided; several accessory buildings; gardens and landscaping. At the time of donation in 2015, it was stipulated that the land be dedicated as a Mayne Island Community Park and named the Fred and Bette Cotton Community Park.

COMMUNITY CONSULTATION

The MIPRC recognized the need to consult with the community with respect to the future development of the park. In March 2016, the entire community was invited to an open house at the park and a questionnaire designed asking for input on a variety of topics.

"It is considered vital to have as much community involvement as possible and so the invitation [to the Open House] will be disseminated in as many ways as is workable including the MayneLiner magazine and various social media sites....two full pages be reserved in the March issue of the MayneLiner for the invitation to the open house and the questionnaire."

MIPRC Minutes - February 10, 2016

The questionnaire asked what were one's priorities for the park. Of the 57 questionnaires completed, 25 (44%) wanted the existing home and buildings upgraded for public use. Suggested public use included art shows, music and weddings. Others wanted the property used for event rentals. Approximately 75% of those completing the questionnaires were residents as opposed to weekenders or visitors.

When the MIPRC pursued the possibility of upgrading the home for public use based on their community consultation, the list of deficiencies and the cost to upgrade was held to be prohibitive. An anonymous donor offered to pay up to \$40,000 in demolition costs.

"This individual is concerned about the Commission spending scarce resources on demolishing the residence and would far rather we focused what capital we have in positive directions such as seed money for a possible replacement structure at some point in the future."

MIPRC Minutes – October 12, 2016.

The house was demolished in July 2017. Subsequently, the MIPRC determined that a gazebo type structure should be built including a wall for memorial plaques. This plan is currently on hold.

Thus, in a four-year period, there was a building nearly 50% of respondents wanted to upgrade for public use; a demolition funded in order that capital may be preserved for a replacement building sometime in the future; a recommendation to build a gazebo type structure and the current signage stating "Wildlife Refuge".

BYLAW AMENDMENT APPLICATION FORM

As the property was zoned "Rural" but intended to be used as a community park a Bylaw Amendment Application Form ("Form") was submitted by the MIPRC and the owner, the CRD.

The Form Section 4 requests an amendment of the Official Community Plan ("OCP") designation from "Rural" to "Park" and an amendment of the Land Use Bylaw zoning from "Rural" to "Park". The application does not request any changes to the definition of Park in the OCP or the Land Use Bylaw nor request any site-specific regulations.

Of significance is Section 6 which attaches the restrictive covenant on the property. Terms of the instrument include the following:

1. The Grantor will use the Lands for park purposes only in accordance with the terms of this Covenant.
2. For certainty, and without limiting the ordinary meaning of the expression "park purposes", the Grantor may use the Lands and the improvements thereon, including the house, driveway, water supply system, and septic field (the "improvements") for community, social, and recreational events and may levy fees and charges for such uses as the Grantor deems appropriate....
10. The restrictions and covenants herein contained will be covenants running with the Lands and shall be perpetual...

This wording demonstrates it was intended that the park may be used for a variety of purposes and events and the covenants run with the lands in perpetuity. Consideration should be given to the wishes of the grantor (donor)/grantee which support the community as a whole.

Section 7 states there are no plans at present to replace the structure. While the current MIPRC does not have plans to replace the house, as noted above, in keeping with the intent of the land donation, a gazebo like or other structure may be of benefit and would be constructed in accordance with the lot coverage restrictions in the P Zone.

Section 9 requests the reasons in support of the bylaw amendment and to report on any community consultation you have undertaken. Our application submission did not reference the previous consultation undertaken by MIPRC, although we realize it should have. We respectfully request our comments on this topic be taken into your consideration of the bylaw amendment application.

REZONING PROCESS TO DATE

Draft bylaws to rezone Cotton Park into existing park zones were presented at the January 2019 meeting of the LTC. As applicants, we were not informed of the application being on the meeting agenda nor extended an offer to attend.[Title]

A trustee raised the concern that the sense from the community was that Cotton Park be a passive park and suggested an addendum to the application of “no further buildings”. The planner presented amended bylaws at the March 2019 meeting of the LTC recommending structures be limited to 400 square feet, however the LTC decided to further limit structures to 200 square feet.

The MIPRC carried out formal community consultation with respect to the desires of the community for the park. There was considerable support that the park be used for community events.

The MIPRC then requested that the LTC defer further discussion of the application until September 2019 which was granted and gratefully accepted. In addition, the MIPRC were in the process of updating their Parks Master Plan which may have a bearing on the rezoning application.

PARKS MASTER PLAN

The current Parks Master Plan is approximately 20 years old. The committee working on updating the plan has recommended it be updated every 5 years. This allows the plan to address short- and medium-term goals as well as being adaptive and responsive to community needs which are identified through a public engagement process. The flexibility provided by the current zoning bylaw accommodates the long term while a 5-year Parks Master Plan accommodates the short to medium term. The plan can be updated without requiring time consuming zoning changes (assuming it is removed as Schedule H to the OCP).

As a result, the MIPRC does not believe the Parks Master Plan, when updated, should affect the current application which requested a rezoning to “Park” without site specific regulations.

EXISTING BUILDINGS AND STRUCTURES

We would like to draw to the attention of the LTC the existing size of buildings and structures on the property and to consider the need for related additions.

The attached Appendix 1 shows the approximate measurements of what would appear to qualify as buildings and structures (all of which are in use) for purposes of the zoning bylaw. The current square footage of existing structures including water storage on platforms is 426 square feet. In our respectful submission, it is unnecessary to create legal non-conforming structures due to restrictions on structure square footage which would be the case under the current LTC bylaw proposal.

Consideration should also be given to the need for related additions such as the following:

1. The MIPRC is currently undergoing discussions with the Mayne Island Conservancy Society with respect to a stewardship plan for the property. Due to the stress on the land

likely due to climate change drought, the stewardship plan will include a restoration program. It may be useful to have an additional water storage tank to aid in this endeavour.

2. The gardens which are a feature of the park and enjoyed by residents and visitors alike may benefit from the addition of a water storage tank and greenhouse.
3. The number of visitors to the island is increasing annually and MIPRC can attest to the fact due to the increase in demand on the washrooms. The custodian of the washrooms has indicated that the increase in usage is 30% over the previous year, and that is 30% over the second previous year. On busy weekends, there is often a lineup to use the washrooms in some parks. There is only one vault toilet at Cotton Park. It would be forward looking to allow the addition of a second vault toilet.
4. The need to consider future implications of zoning restrictions is clearly evident in the case of Pender Island. A shelter used by players at the disc golf park was taken down in 2018 however could not be replaced as the property was not zoned for “buildings and structures accessory to sports events”. This necessitated an application for a Temporary Use Permit in order to rebuild the shelter until the lengthy rezoning process could be completed. See Appendix 2.

These examples demonstrate the MIPRC’s need for flexibility to best manage this park.

CONCLUSION

In the spirit of acknowledging the ability of current and future MIPRC commissioners to develop, maintain and operate all community parks in a manner which balances the preservation of the natural environment and the needs and desires of our community we respectfully request the following:

1. the Bylaw Amendment Application be approved as filed with no site-specific regulations which respects the wishes of the community pursuant to our consultation process; and
2. the limitation on floor area of all building and structures which would render the current buildings and structures legal non-conforming be removed.

Thank you for the opportunity to present the position of the MIPRC and your kind consideration of our request. We look forward to and welcome the next step in the rezoning process which includes consultation with First Nations.

Yours truly,

Bill Duggan, Chair
Mayne Island Parks and Recreation Commission

APPENDIX 1
COTTON PARK EXISTING STRUCTURES

Approximate measurements: July 16, 2019

Confirmed by Bill Duggan, Chair, MIPRC: August 24, 2019.

1. Vault toilet

- a. $4'3'' \times 4'11'' = 21 \text{ sq. ft.}$

2. Garden shed

- a. $16'6'' \times 9'6'' = 157 \text{ sq. ft.}$

3. Storage shed

- a. $6'3'' \times 7'6'' = 47 \text{ sq. ft.}$

4. Shed roof structure

- a. $13' \times 3'6'' = 46 \text{ sq. ft.}$

5. Water storage tanks

- a. Two 1200-gallon water storage tanks 5' high and standing on a platform 2' high = 7'. Area of platform: $8'7'' \times 18' = 155 \text{ sq. ft.}$
- b. One water storage tank 5' high, partially buried

Total square footage of existing structures including water storage facility: 426 sq. ft.

APPENDIX 2

PENDER ISLAND EXPERIENCE

The following is an excerpt from the Agenda Package of the North Pender Island Local Trust Committee Regular Meeting Agenda, January 31, 2019, pp. 26-27. (Emphasis added)

In summary, the above recommendation for the issuance of the TUP is supportable as, the structures are necessary and reasonable in support of the disc golf use in the park which is long established on the subject property and is important to the community; the structures are in replacement of an older structure that was removed; and the TUP is intended only as interim measure prior to a rezoning application on the subject; there has been one positive response to date from the notification to neighbouring properties.

BACKGROUND The application will facilitate the construction of two (2) separated open shelters, each 9.2 m² (99 ft²) in size. These will be accessory to the disc park use that is long established on the subject property. **The shelters are to replace an existing shelter (approximately 40 years old) that was removed by the CRD in the spring of 2018 for safety reasons.** The disc park is an important facility in the community and one which also hosts numerous tournaments. Having a shelter(s) is an important facility particularly during months of poor weather. **The current Community Park 1 (CP1) zone on the subject portion of the property does not permit (unlike the Community Park 2 (CP2) zone) “buildings and structures accessory to sports events”.** Therefore, in order to legalize the replacement of the shelter, the Pender Islands Parks and Recreation Commission applied to have the shelters 26 Islands Trust Staff Report 2 included as part of a current rezoning application (NP-RZ-2018.3) on the property that was initially intended to facilitate a lawn bowling facility by the ball park. **The timeframe for a rezoning can typically take a year or more, and given that the PIPRC has funding, supplies and volunteer labour at hand, waiting for that long would be undesirable to the applicant and the community of disc park users. A temporary use permit is the most appropriate mechanism to allow the structures get built in the short term in advance of the rezoning being finalized.** Additionally, the process requires consultation with the neighbouring properties and the larger community (see ‘consultation’ –below). This could potentially provide specific feedback on the suitability of the proposed location and identify any issues that can inform both the rezoning moving forward.

DATE OF MEETING: September 30, 2019
TO: Mayne Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
COPY:
SUBJECT: Development Variance Permit
Applicant: Ramon and Bonnie Hagkull
Location: 523 Sandy Hook Road

RECOMMENDATION

1. That the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2019.5 (Hagkull).

REPORT SUMMARY

The purpose of this report is to consider a Development Variance Permit (DVP) for the rear and interior side lot lines for the siting of an accessory building (shop) on the subject property.

The above recommendation is supported as: the new building is modest; the applicant's rationale is sound as there is no other reasonable location to site the shop; the siting of the garage does not affect the views of the neighbours; notification to date has generated no concerns/objections; and, the variances do not impact the intent of the bylaw regulation.

BACKGROUND

The proposal is to vary the rear lot line and interior side lot line regulations in the Mayne Island Land Use Bylaw 146, 2008 (LUB). Specifically:

- a) Article 5.1(8)(a); and Article 5.1(8)(b) are varied to permit: an accessory building (shop) to be sited within 0.91 metres (3 ft.) of an interior side lot line and to be sited within 3 metres (10 ft.) of a rear lot line.

A copy of the notice and draft permit (MA-DVP-2019.5) are Attachments 3 and 4.

The property currently has a principal dwelling on it. Staff visited the site on September 19, 2019 (Photos – Attachment 2)

Figure 1 – Subject Property

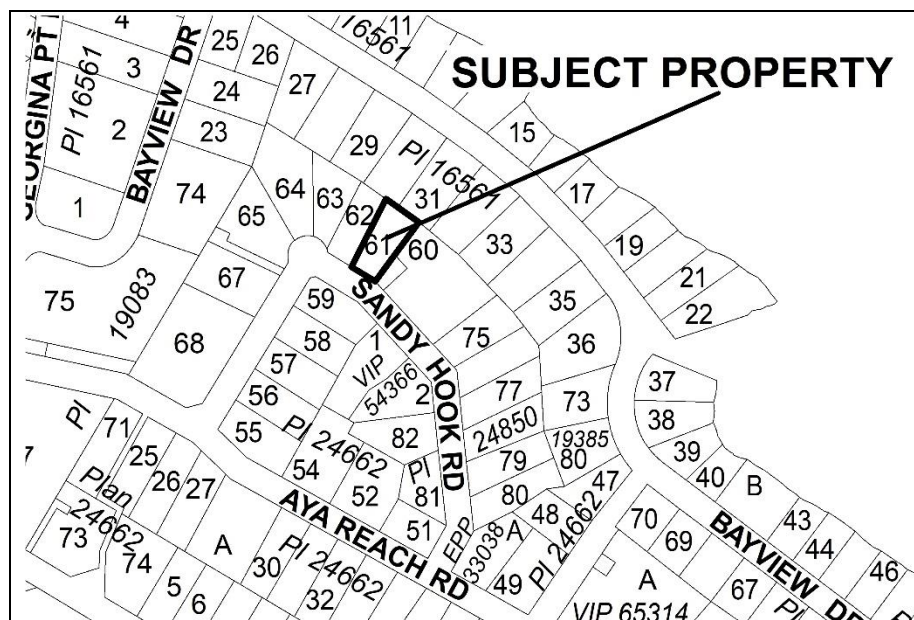
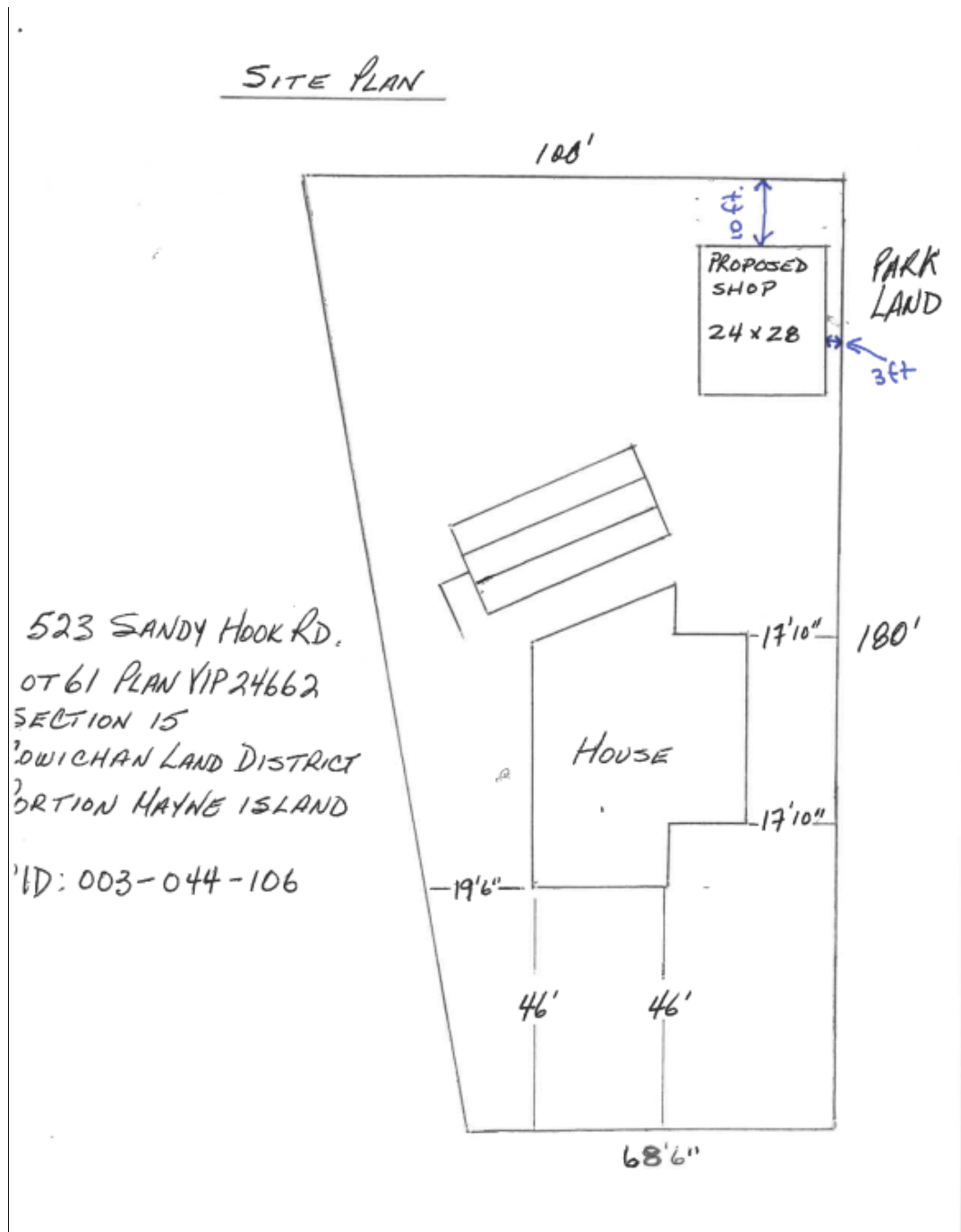


Figure 2 – Orthophoto



Figure 3 – Site Plan



Policy/Regulatory

Islands Trust Policy Statement:

There are no relevant policies for this application.

Official Community Plan:

The property is designated as **SR – Settlement Residential** in the Mayne Island Official Community Plan No. 144, 2007 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.

Land Use Bylaw:

The property is in the **Settlement Residential (SR) Zone** in the LUB.

The existing residential use complies with use and density provisions for the zone on the property.

Islands Trust Fund:

This application has no considerations for the Islands Trust Fund and has no considerations for the Regional Conservation Plan.

Issues and Opportunities

Rationale for the Variance

The applicant's rationale for the variance:

- Proposed location reduces the number of trees that will need to be removed.
- Septic field requires building to be sited in proposed location.
- The proposed location lines up with existing driveway allowing easy access.
- No other buildings sited close by on surrounding lots.

Impact on Neighbouring Properties

The size and configuration of the proposed garage is modest in size and height.

Parkland to the Southeast.

There are no buildings on the surrounding properties sited close to the site of the proposed shop.

No issues have been brought forward to date as a result of notification from surrounding property owners.

The Overall Intent of the Regulation being Varied

The overall purpose of the setback regulation is to minimize impacts on adjacent properties related to:

- Limiting the visual impact of development on adjacent properties.
- Establishing a consistent development pattern within a local area.

- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Establishing certainty with respect to residential development by maintaining consistent siting regulations.

Potential Impacts of Granting the 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 each application should be evaluated on its own merits.

Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m. on September 27, 2019.

At the time of writing, staff have received no written submissions. Any submissions received prior to the LTC Meeting will be forwarded to the LTC and reported at the meeting.

Rationale for Recommendation

The recommendation on Page 1 is supported as:

- The building is modest.
- Due to siting of septic tank, driveway, and property lines this is an appropriate location for a shop.
- The applicant's rationale is sound.
- The proposed location of the shop will reduce the number of large trees that need to be removed.
- Notification to date has not generated any responses.
- The variance does not impact the intent of the bylaw regulation.

ALTERNATIVES

- **Request further information**

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should be advised to describe the specific information needed and the rationale for this request.

Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee request that the applicant submit to the Islands Trust...

- **Deny the application**

The LTC may deny the application.

Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee deny application MA-DVP-2019.5 (Hagkull).

Submitted By:	Gary Richardson, Island Planner	September 19, 2019

ATTACHMENTS

1. Site Context
2. Photographs
3. Notice
4. Draft Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 61, Section 15, Mayne Island, Cowichan District, Plan 24662
PID	003-044-106
Civic Address	523 Sandy Hook Road

LAND USE

Current Land Use	Settlement residential
Surrounding Land Use	Settlement residential and Park

HISTORICAL ACTIVITY

File No. (None)	No historical file activity shown
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POLICY/REGULATORY

Official Community Plan Designations	The property is designated as SR – Settlement Residential in the Mayne Island Official Community Plan No. 144, 2007 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.
Land Use Bylaw	The property is in the Settlement Residential (SR) Zone in the Mayne Island Land Use Bylaw No. 146, 2008. The existing residential use complies with use and density provisions for the zone on the property.
Other Regulations	N/A
Covenants	No legal notations shown on title.
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Fund
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	N/A
Sensitive Ecosystems	Mature Forest shown on area on area of proposed development.
Hazard Areas	There are no risk areas shown on mapping.
Archaeological Sites	There are no archaeological sites listed in the Remote Access to Archaeological Data (RAAD) within the property or within 100 metres; however, the area is shown as having archaeological potential. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during

	development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The elevation and distance from the sea indicates that the impacts from anticipated or possible climate change induced hazards are not immediate.
Shoreline Classification	N/A

Attachment 2 - Photos



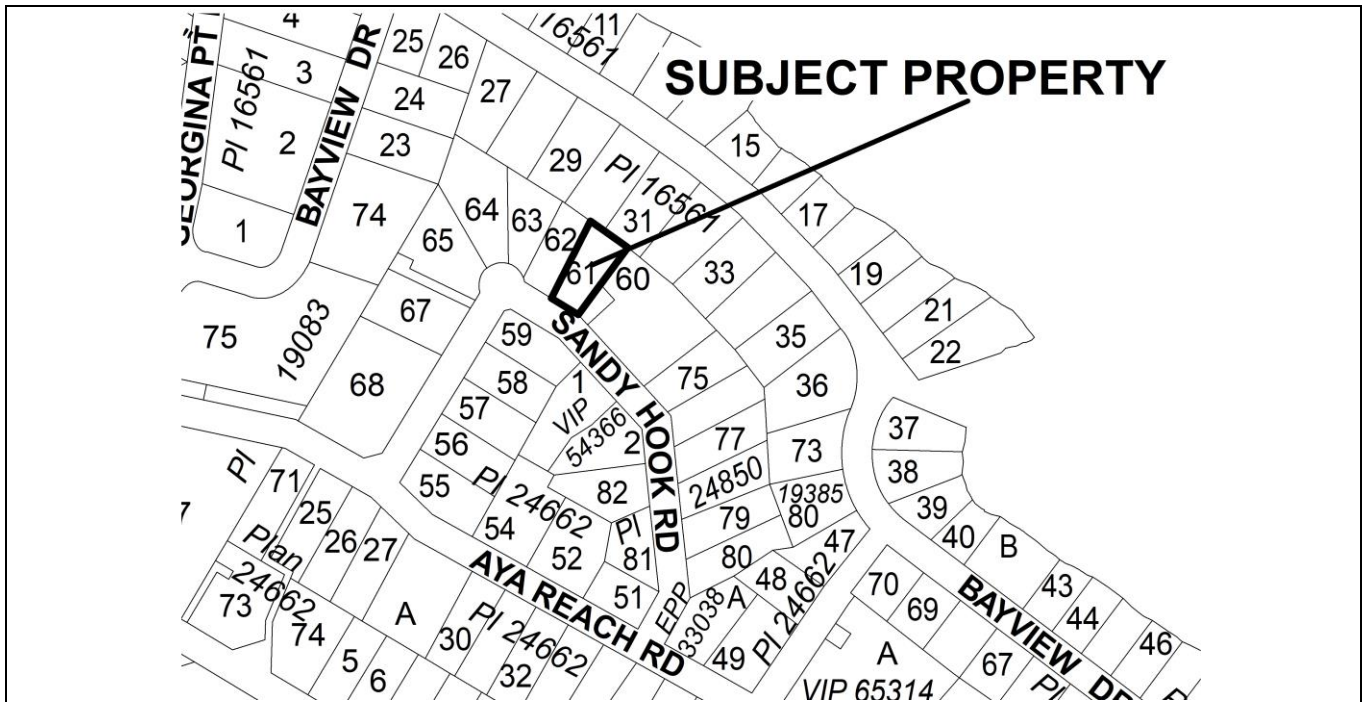
**NOTICE
MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2019.5**

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 499 of the *Local Government Act*. The proposed permit would vary the Mayne Island Land Use Bylaw No.146, 2008, by varying:

1. Article 5.1(8)(b) which states that the minimum setback for any building or structure is 3.0 metres from any interior side lot line; and Article 5.1(8)(a) which states that the minimum setback for any building or structure is 8.0 metres from any rear lot line are varied to permit: 1) a proposed accessory building (shop) to be sited within 0.91 metres (3 ft.) of an interior side lot line; and 2) and to be sited within 3 metres (10 ft.) of a rear lot line.

The property is located at 523 Sandy Hook Road and is legally described as Lot 61, Section 15, Mayne Island, Cowichan District, Plan 24662. PID: 003-044-106

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. and 4:30 p.m., Monday to Friday inclusive, excluding Statutory Holidays, commencing **September 16, 2019** and up to and including **September 27, 2019**.

For the convenience of the public only, and not to satisfy Section 499 (2) (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 **September 16, 2019**.

Enquiries or comments should be directed to Gary Richardson, Island Planner 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; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca, before **4:30 p.m., September 27, 2019**. The Mayne Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **1:00 p.m., September 30, 2019**, at the Mayne Island Agricultural Hall, Fernhill Road, Mayne Island, BC.

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

Sharon Lloyd-deRosario
Deputy Secretary



Islands Trust

**MAYNE ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
MA-DVP-2019.5**

To: Ramon and Bonnie Hagkull

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

Lot 61, Section 15, Mayne Island, Cowichan District, Plan 24662
(PID: 003-044-106)
2. Mayne Island Land Use Bylaw 146, 2008 is varied as follows:
 - a) Article 5.1(8)(a) and Article 5.1(8)(b) are varied to permit: 1) a proposed accessory building (shop) to be sited within 0.91 metres of an interior side lot line and to be sited within 3 metres of a rear lot line.
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 to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE THIS DAY OF , 2019.

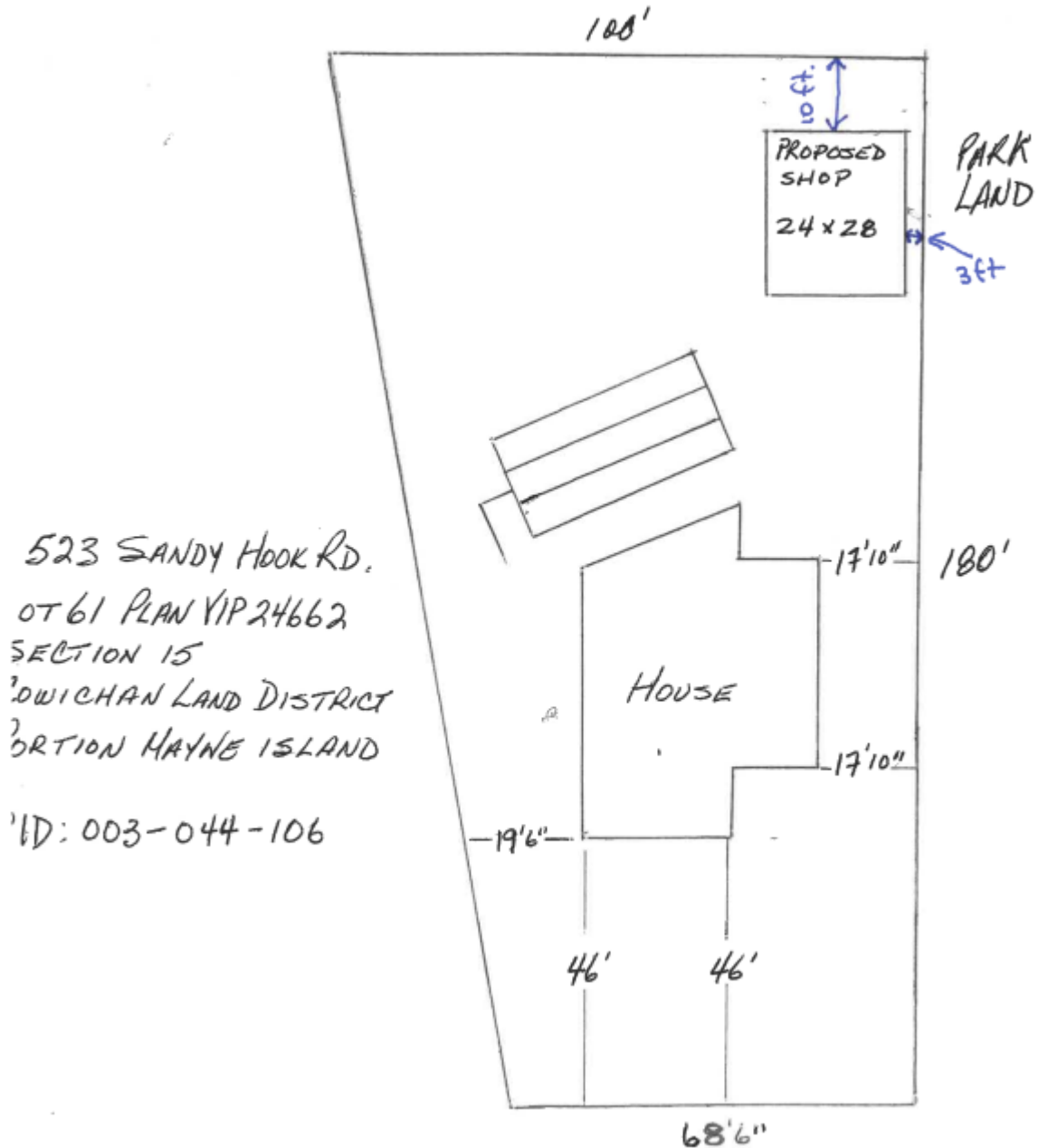
Corporate Secretary, Islands Trust

Date of Issuance

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

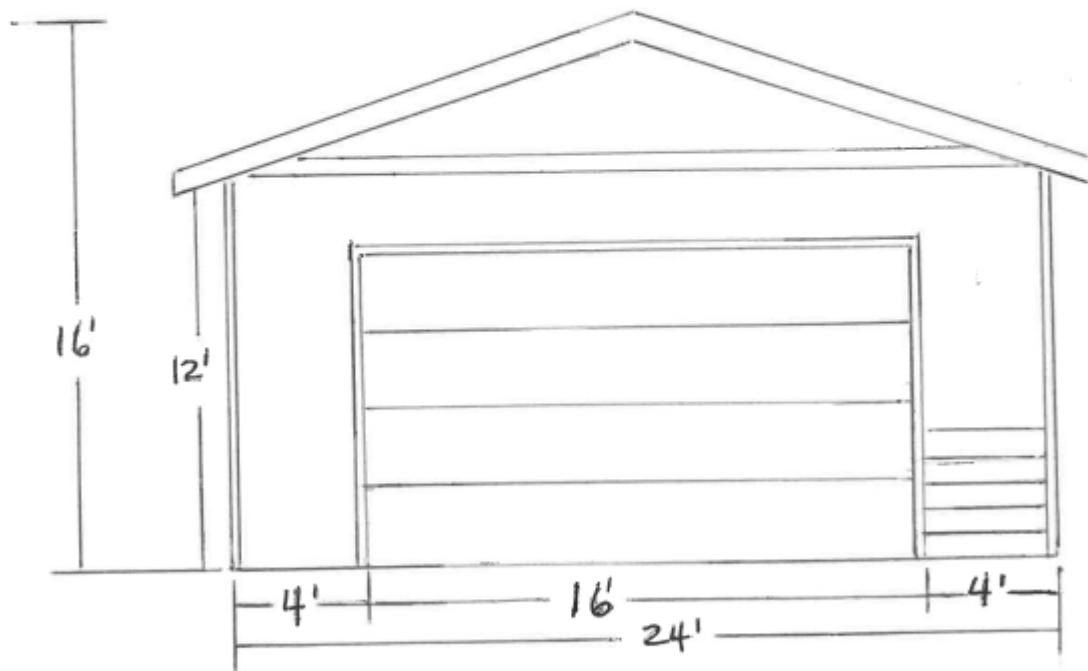
MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2019.5
SCHEDULE 'A'

SITE PLAN



MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2019.5
SCHEDULE 'B'

FRONT ELEVATION



SCALE $\frac{1}{4}" = 1'$

File No.: 6500-20 (Mayne
Commercial Land Use
Review)

DATE OF MEETING: September 30, 2019

TO: Mayne Island Local Trust Committee

FROM: Gary Richardson, Island Planner
Southern Team

SUBJECT: Proposed Bylaw 174 (OCP) and 175 (LUB) – Commercial Land Use Review

Applicant: Mayne LTC Project

Location: Mayne Island Local Trust Area

1. That the Mayne Island Local Trust Committee Bylaw No. 174 cited as, “Mayne Island Official Community Plan Bylaw 144, 2007, Amendment No.1, 2018” be adopted.
2. That Mayne Island Local Trust Committee Bylaw 175 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2018” be adopted.

REPORT SUMMARY

Proposed Bylaw 174 amends the Mayne Island OCP by adding and amending policies regarding commercial land use within the Mayne Island Local Trust Area. The bylaw has now received approval from the Minister of Municipal Affairs and Housing and may be considered for adoption.

Proposed Bylaw 175 amends the Mayne Island LUB by adding and amending regulations regarding commercial land use within the Mayne Island Local Trust Area.

This report is recommending adoption of Bylaws 174 and 175 as statutory requirements have been carried out, the Executive Committee of the Islands Trust has approved the bylaws and the Minister of Municipal Affairs and Housing has approved Bylaw 174.

BACKGROUND

These amendments define a commercial core for Miners Bay, give property owners in the Miners Bay core that are to be zoned C1(a) the ability to use their property for commercial use, residential use, or both, and gives some direction to what types of commercial activity may be carried on outside of the Miners Bay commercial core. The properties that are zoned Settlement Residential (SR) in the commercial core will have to apply for a rezoning to carry out commercial uses.

A public hearing was held March 25, 2019, with second and third reading following the close of the hearing. The bylaws were approved by Executive Committee on April 17, 2019 and Bylaw 174 was approved by the Minister of Municipal Affairs and Housing on July 22, 2019.

ALTERNATIVES

1. Proceed no further

The LTC may decide to proceed no further with Bylaws 174 and 175.

Submitted By:	Gary Richardson, Island Planner	September 23, 2019

ATTACHMENTS

1. Proposed Bylaw 174 and 175

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 174

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

The Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2018”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS 28TH DAY OF JANUARY 2019

PUBLIC HEARING HELD THIS 25TH DAY OF MARCH 2019

READ A SECOND TIME THIS 25TH DAY OF MARCH 2019

READ A THIRD TIME THIS 25TH DAY OF MARCH 2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
17TH DAY OF APRIL 2019

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING
THIS 22ND DAY OF JULY 2019

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 174**

SCHEDULE 1

The Mayne Island Official Community Plan No. 144, 2007, is amended as follows:

1. Section 3 under the title ORGANIZATION is amended by removing “and H” and replacing it with “, H and I”.
2. Section 4 under the title ORGANIZATION is amended by adding “Schedule I – Miners Bay Commercial Core” immediately following “Schedule H – Excerpt from Parks and Recreation Master Plan”.
3. Table of Contents is amended by removing “2.4.1 Retail Commercial” and replacing it with “2.4.1 General Commercial”.
4. Section 2.4 Commercial is removed in its entirety and replaced with the following:

“2.4. COMMERCIAL

There are two classifications of commercial use policies in this section: general commercial and visitor accommodation. The policies that determine the criteria for locating these uses differ.

2.4.1 General Commercial

Background

Historically, the major focus of centralized commercial activity was concentrated at Miners Bay with a secondary commercial centre at the junction of Fernhill and Montrose Roads and Fernhill and Whalen Roads.

Objectives

The objectives of this section are:

- 1) to supply services necessary to residents and visitors of the Mayne Island Trust Area,
- 2) to protect the integrity of quiet residential and rural neighbourhoods,
- 3) to provide employment opportunities within the community,

- 4) to protect the rural and marine character of the Mayne Island Trust Area,
- 5) to ensure the scale, form and character of all new commercial developments harmonize with the natural surroundings, and
- 6) to support the clustering of commercial uses in areas that limit or reduce the need to travel for services.

Policies

- 2.4.1.1 The principal land use shall be small scale commercial businesses, and in the Miners Bay Commercial Core, one residential dwelling per lot.
- 2.4.1.2 Retail, restaurants, licensed premises, office, personal service, medical and dental clinics, and other similar uses should be clustered in the Miners Bay Commercial Core shown on Schedule I. Increased residential density within the Miners Bay Commercial Core may be appropriate.
- 2.4.1.3 Existing commercial zones outside of Miners Bay Commercial Core at Montrose/Fernhill, Whalen/Fernhill, Horton/Fernhill, and Dalton/Village Bay should remain.
- 2.4.1.4 Where rezoning applications are received for existing commercial designated properties outside of the Miners Bay Commercial Core, the following types of uses are considered appropriate for the specified areas:
 - 2.4.1.4.1 Montrose/Fernhill – Uses similar to those permitted in the Miners Bay Commercial Core.
 - 2.4.1.4.2 Whalen/Fernhill – Building supply sales, and other similar uses.
 - 2.4.1.4.3 Horton/Fernhill – Vehicle repair provided it is carried out indoors.
 - 2.4.1.4.4 Village Bay /Dalton – Uses similar to those permitted by zoning in the Miners Bay Commercial Core. Buildings and structures should be limited in floor area.
- 2.4.1.5 Rezoning applications to change or add uses in existing commercial zones outside of the Miners Bay Commercial Core should demonstrate:
 - 2.4.1.5.1 That there is adequate parking to service the proposed use.
 - 2.4.1.5.2 That the proposed use will not have adverse impacts on neighbouring properties.

- 2.4.1.5.3 That there is adequate water and septic capacity to support the proposed use.
 - 2.4.1.6 Applications proposing to rezone non-commercial land to commercial land should only be considered if the application demonstrates:
 - 2.4.1.6.1 That there is no other suitable appropriately-zoned land.
 - 2.4.1.6.2 That there is community need for the proposed use.
 - 2.4.1.6.3 That there is adequate parking to service the proposed use.
 - 2.4.1.6.4 That the proposed use will not have adverse impacts on the neighbouring properties.
 - 2.4.1.6.5 That there is adequate water and septic capacity to support the proposed use.
 - 2.4.1.6.6 That the proposed use, buildings and structures be small in scale.
 - 2.4.1.7 Recreation commercial businesses shall be subject to rezoning on a site specific application only.
 - 2.4.1.8 The density of use on a parcel or within a building in this designation may be increased subject to compliance with Section 2.10 (Amenity Zoning Guidelines) of this Plan.
 - 2.4.1.9 In addition to principal commercial uses, in appropriate locations second-storey residential dwelling units may be permitted in order to provide a mix of housing types and to encourage residences closer to services and amenities.
 - 2.4.1.10 The LTC may consider amending the parking requirements for commercial uses, to require alternatives to parking spaces, including but not limited to: bicycle racks, electric vehicle plug-ins, or cash-in-lieu for use for trails and paths.
 - 2.4.1.11 All properties within the Miners Bay Commercial Core should be permitted one residence.
 - 2.4.1.12 Lots within the Miners Bay Commercial Core should not be consolidated into large commercial lots.
 - 2.4.1.13 Strip development will be restricted through the rezoning process and through the application of development permit guidelines.”
5. Subsection 2.8.1 is amended by removing the word “Retail” which follows the words “all land that is designated” and replacing it with the word “General”.

6. Subsection 2.8.1 is amended by removing “g) construction of unpaved driveways and walkways.” and adding:

“g) construction of unpaved driveways and walkways; and
h) residential buildings within the Miners Bay Commercial Core as shown on Schedule I.”

7. Subsection 3.3.2 is amended by adding the following:

“Policies

3.3.2.1 Solid waste transfer stations should be located on industrial zoned land.”

Immediately after “3) to extend the life of the Hartland Landfill.”

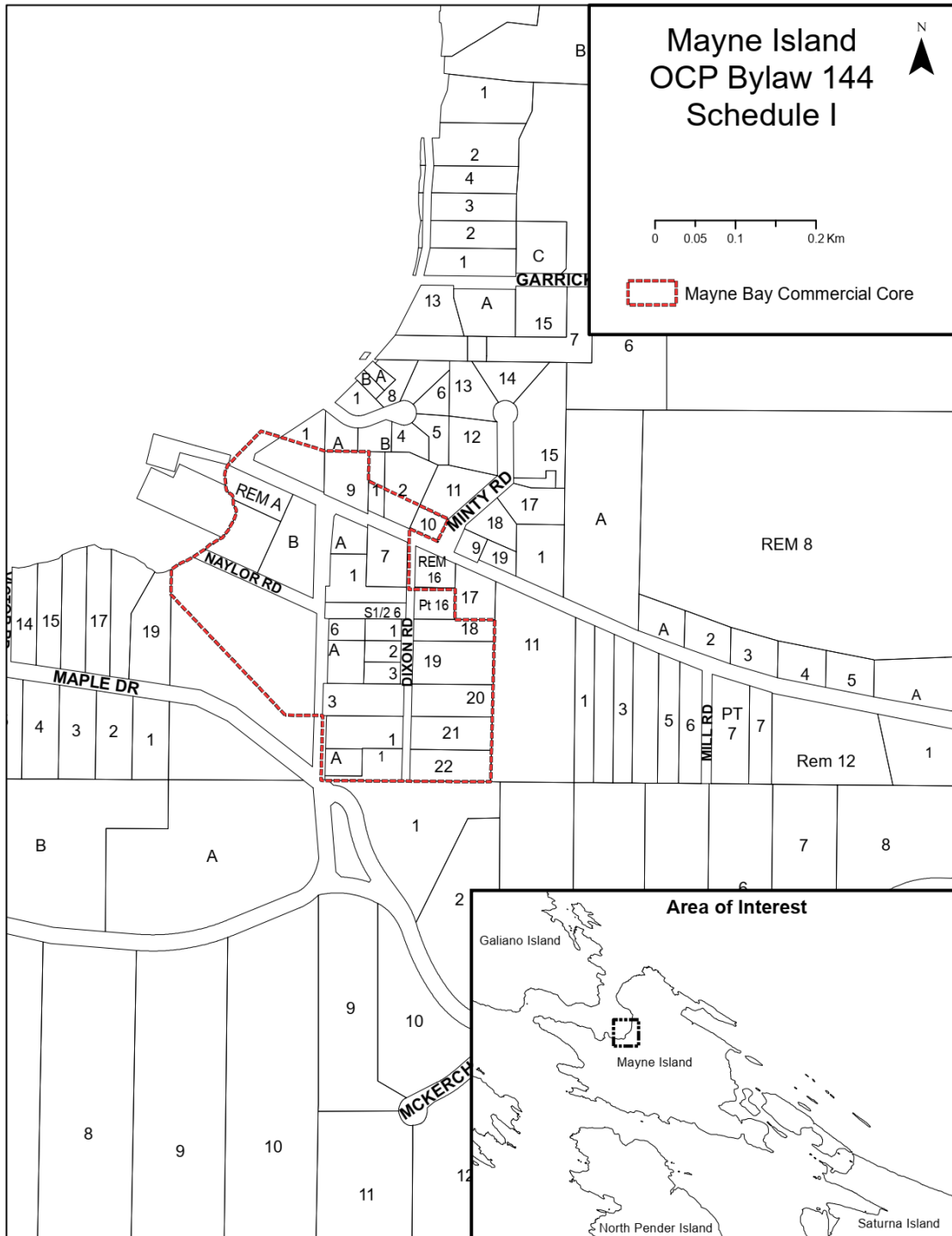
The Advocacy Policies following article 3.3.2.1 are to be renumbered accordingly.

8. Adding a new schedule titled “Schedule I Miners Bay Commercial Core” immediately following “Schedule H” as shown on Plan No. 1, which is attached to and forms part of this bylaw.
9. By amending Schedule B by changing the land use designation on a portion of Lot A, Section 12, Mayne Island, Cowichan District, Plan 13929, except part in Plan 1825R from the Industry (I) land use designation to the Visitor Accommodation (VA) land use designation as shown on Plan No. 2, which is attached to and forms part of this bylaw.
10. By amending Schedule B by changing several properties from the Settlement Residential (SR) land use designation to the General Commercial (C) land use designation as shown on Plan No. 2, which is attached to and forms part of this bylaw.
11. By amending Schedule C by changing development permit area designation of a portion of Lot A, Section 12, Mayne Island, Cowichan District, Plan 13929, except part in Plan 1825R from Industrial (I) to Visitor Accommodation as shown on Plan No. 3, which is attached to and forms part of this bylaw.
12. By amending Schedule C by placing several properties in the Commercial (C) Development Permit area as shown on Plan No. 3, which is attached to and forms part of this bylaw.

Mayne Island Local Trust Committee

Bylaw No. 174

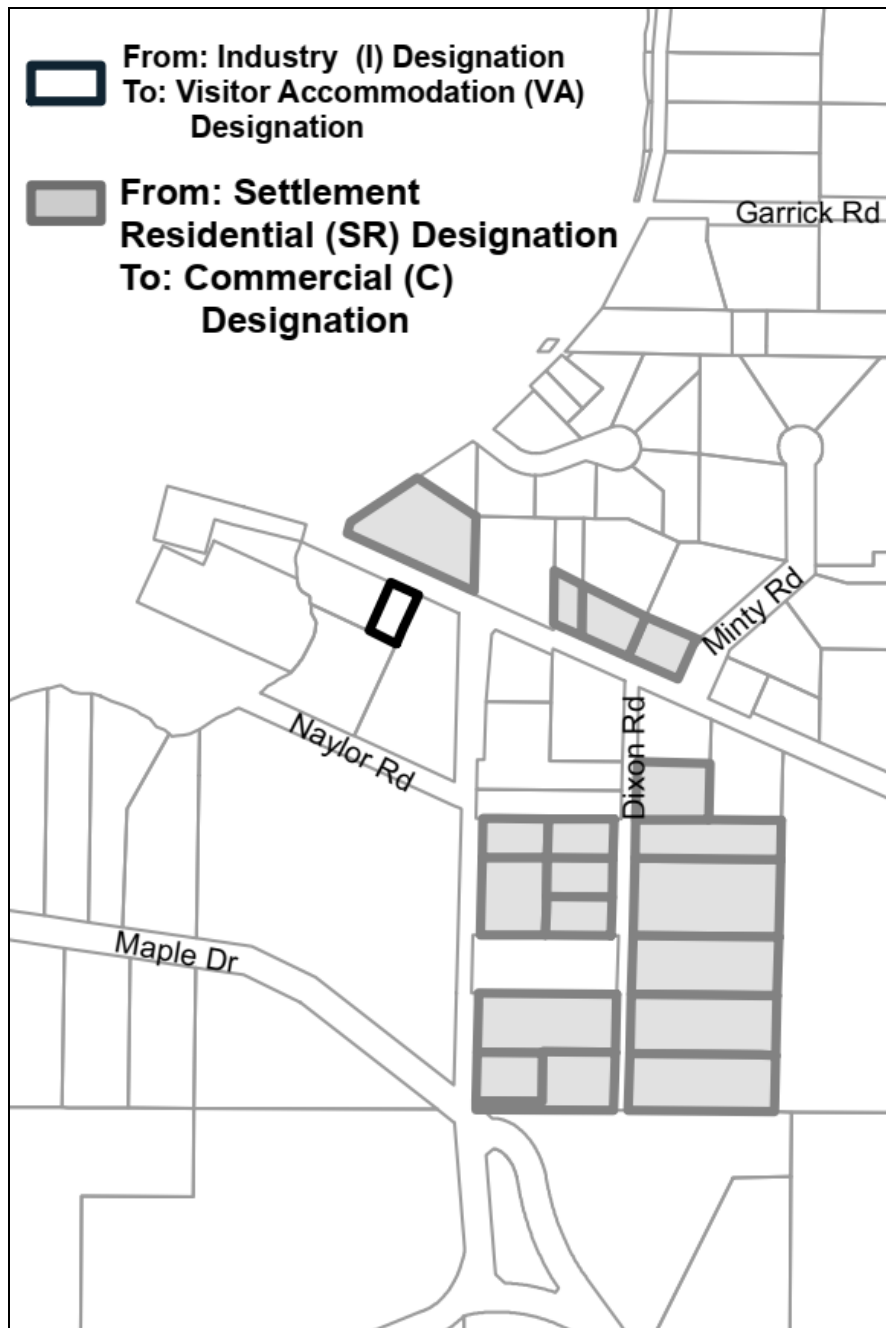
Plan No. 1



Mayne Island Local Trust Committee

Bylaw No. 174

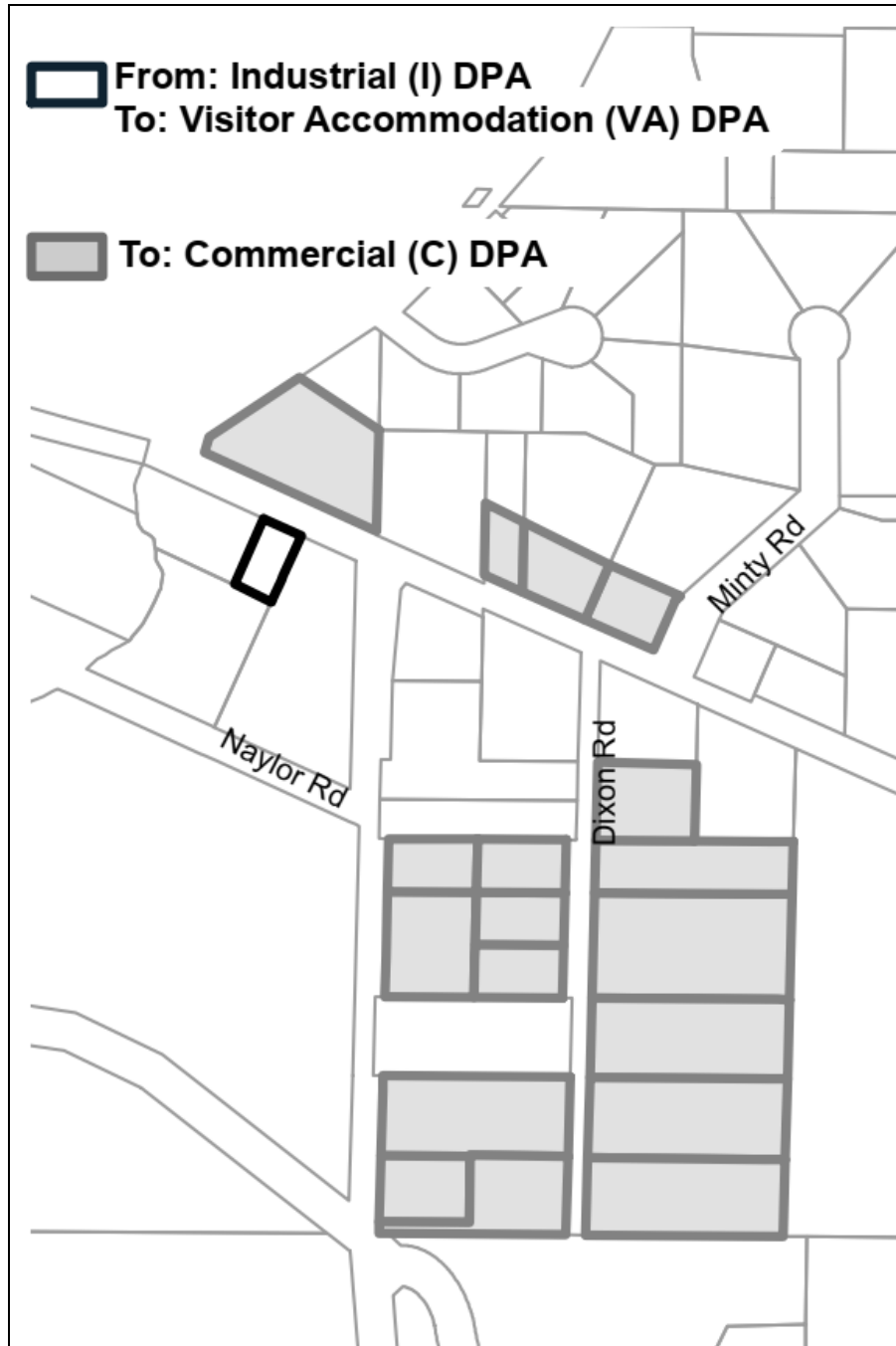
Plan No. 2



Mayne Island Local Trust Committee

Bylaw No. 174

Plan No. 3



PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 175

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

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2018”.

2. Mayne Island Local Trust Committee Bylaw No. 175, cited as “Mayne Island Land Use Bylaw No.146, 2008,” is amended as follows:

2.1 Subsection 3.6(1) is amended by inserting the following in alphabetical order:

“(h) A sampling area, having a floor area not exceeding 15m², is permitted inside of a building to allow for sampling of products produced as part of the home occupation;” The remaining subsections are to be renumbered accordingly.

2.2 Section 4.1 – **Division into Zones** is amended by:

- a) Deleting the words: “Settlement Commercial” and replacing it with “Commercial 1”.
- b) Deleting the words: “Commercial Tourist Accommodation” and replacing it with “Commercial 2”.
- c) Deleting the words: “Service Commercial” and replacing it with “Commercial 3”.
- d) Deleting the words “Automotive Commercial” and replacing it with “Commercial 4”.

2.2 Section 5.8 is amended by deleting the Title: “Settlement Commercial (C1) Zone” and replacing it with “Commercial 1 (C1) Zone”.

2.3 Section 5.8 is amended by deleting the words: “Settlement Commercial Zone” following the words “The purpose of the” and replacing it with “Commercial 1 Zone”.

2.4 Article 5.8(1)(c) is amended by deleting the words: “, including financial services and travel agencies”.

2.5 Subsection 5.8(2) is amended by deleting the words: “The maximum Floor Area Ratio is 0.25.” The remaining subsections are to be renumbered accordingly.

2.6 Subsection 5.8(4) is amended by deleting: “35%” and replacing it with “25%”.

- 2.7 Section 5.8 is amended by adding in the following immediately after subsection 10:

“Consolidation of Lots

(11) No lot should be consolidated with another lot if the resulting lot has an area larger than 0.25 ha.” The remaining subsections are to be renumbered accordingly.

- 2.8 The Table listing “Site Specific Regulations” in subsection 5.8 (11) is deleted in its entirety and replaced with the following table:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
C1(a)	Lot 9, Section 12, Mayne Island, Cowichan District, Plan 715 Lot A, Section 12, Mayne Island, Cowichan District, Plan 46230 Lot 1, Section 12, Mayne Island, Cowichan District, Plan VIP52666 That Part of Lot 6, Section 12, Mayne Island, Cowichan District, Plan 715, Lying to the South of the Easterly and Westerly Boundaries of Said Lot Lot 3, Section 12, Mayne Island, Cowichan District, Plan 715	In addition to the uses permitted in 5.8(1) principal residential use is permitted at a density of one dwelling per lot.

- 2.9 Section 5.9 is amended by deleting the Title: “Commercial Tourist Accommodation (C2) Zone” and replacing it with “Commercial 2 (C2) Zone”.
- 2.10 Section 5.9 is amended by deleting the words: “Commercial Tourist Accommodation (C2) Zone” following the words “The purpose of the” and replacing it with “Commercial 2 Zone”.
- 2.11 Subsection 5.9(3) is amended by deleting the words: “The maximum Floor Area Ratio is 0.25.” The remaining subsections are to be renumbered accordingly.
- 2.12 Section 5.10 is amended by deleting the Title “Service Commercial (C3) Zone” and replacing it with “Commercial 3 (C3) Zone”.

- 2.13 Section 5.10 is amended by deleting the words: “Service Commercial Zone” following the words “The purpose of the” and replacing it with “Commercial 3 Zone”.
- 2.14 Subsection 5.10(4) is amended by deleting the words: “The maximum Floor Area Ratio is 0.25.”. The remaining subsections are to be renumbered accordingly.
- 2.15 Section 5.11 is amended by deleting the Title: “Automotive Commercial (C4) Zone” and replacing it with “Commercial 4 (C4) Zone”.
- 2.16 Section 5.11 is amended by deleting the words: “Automotive Commercial Zone” following the words “The purpose of the” and replacing it with “Commercial 4 Zone”.
- 2.17 Subsection 5.11(4) is amended by deleting the words: “The maximum Floor Area Ratio is 0.25.”. The remaining subsections are to be renumbered accordingly.
- 2.18 Section 5.9 –Commercial Tourist Accommodation (C2) Zone, Subsection (14) - Site Specific Regulations, Table 5.1, C2(b), column three is amended by adding the following: “7) In addition to the uses permitted in 5.9(1) office use, not exceeding a maximum total floor area or 93 m², is permitted on Strata Lot 1, Strata Plan VIS6703.”.
- 2.19 Subsection 5.11(1) is amended by adding the word: “(e) offices”. The remaining subsections are to be renumbered accordingly.
- 2.20 Section 5.11 is amended by adding the following: “(5) The maximum total floor permitted for office use is 93 m². The remaining subsections are to be renumbered accordingly.
- 2.21 Schedule B, Mayne Island Zoning Map is amended by:
- a) Deleting the zone title in the legend “C1 Settlement Commercial” and replacing it with “C1 Commercial 1”.
 - b) Deleting the zone title in the legend “C2 Commercial Tourist Accommodation” and replacing it with “C2 Commercial 2”.
 - c) Deleting the zone title in the legend “C3 Service Commercial” and replacing it with “C3 Commercial 3”.
 - d) Deleting the zone title in the legend “C4 Automotive Commercial” and replacing it with “C4 Commercial 4”.
 - e) Changing the zone on Lot 2, Section 8, Plan 17070, Mayne Island, Cowichan District from C1(c) to C1 as shown on Plan No. 1.
 - f) Changing the zone on Lot 36, Section 6, Plan 22057, Mayne Island, Cowichan District from C1(a) to C1 as shown on Plan No. 2.
 - g) Changing the zone on Lot 3, Section 12, Plan 715, Mayne Island, Cowichan District from C1(b) to C1 (a) as shown on Plan No. 3.

- h) Changing the zone on Lot 9, Section 12, Plan 715, Mayne Island, Cowichan District from C1 to C1(a) as shown on Plan No. 3.
- i) Changing the zone on Lot A, Section 12, Plan 46230, Mayne Island, Cowichan District from C1 to C1(a) as shown on Plan No. 3.
- j) Changing the zone on Lot 1, Section 12, Plan VIP52666, Mayne Island, Cowichan District from C1 to C1(a) as shown on Plan No. 3.
- k) Changing the zone of that Part of Lot, Section 12, Plan 715, Mayne Island, Cowichan District, Lying to the South of a Straight Boundary Joining Points of Bisection of the Easterly and Westerly Boundaries of Said Lot from C1 to C1(a) as shown on Plan No. 3.
- l) Changing the zone on a portion of Lot A, Section 12, Mayne Island, Cowichan District, Plan 13929, except part in Plan 1825R from Industry 1 (I1) to Commercial 2 (C2) as shown on Plan No.4.

3. SEVERABILITY

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

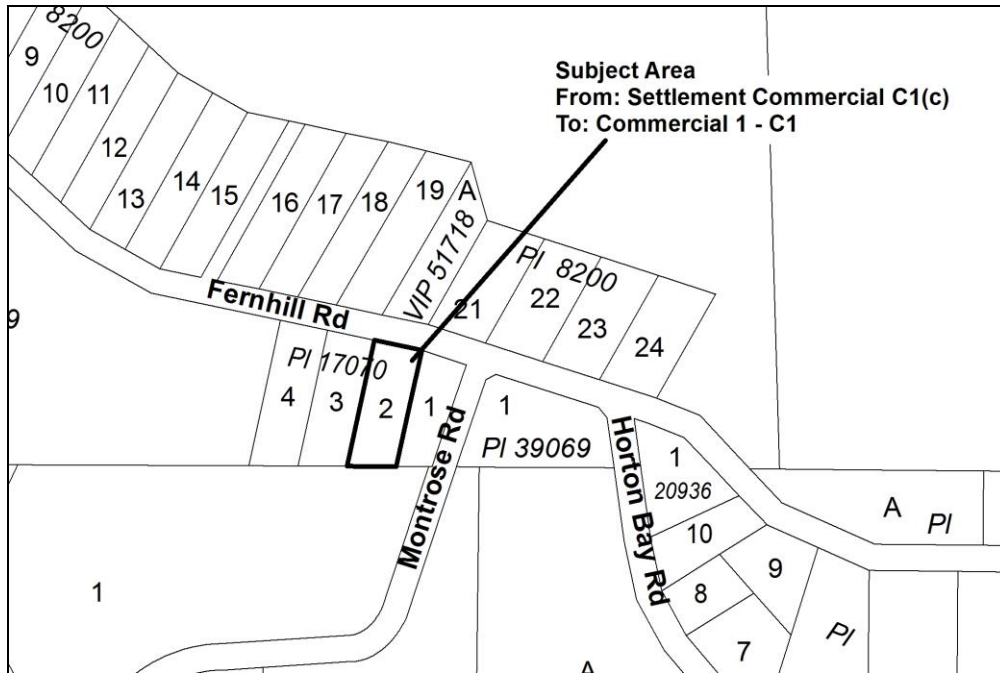
READ A FIRST TIME THIS	28 TH	DAY OF	JANUARY	2019
PUBLIC HEARING HELD THIS	25 TH	DAY OF	MARCH	2019
READ A SECOND TIME THIS	25 TH	DAY OF	MARCH	2019
READ A THIRD TIME THIS	25 TH	DAY OF	MARCH	2019
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	17 TH	DAY OF	APRIL	2019
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

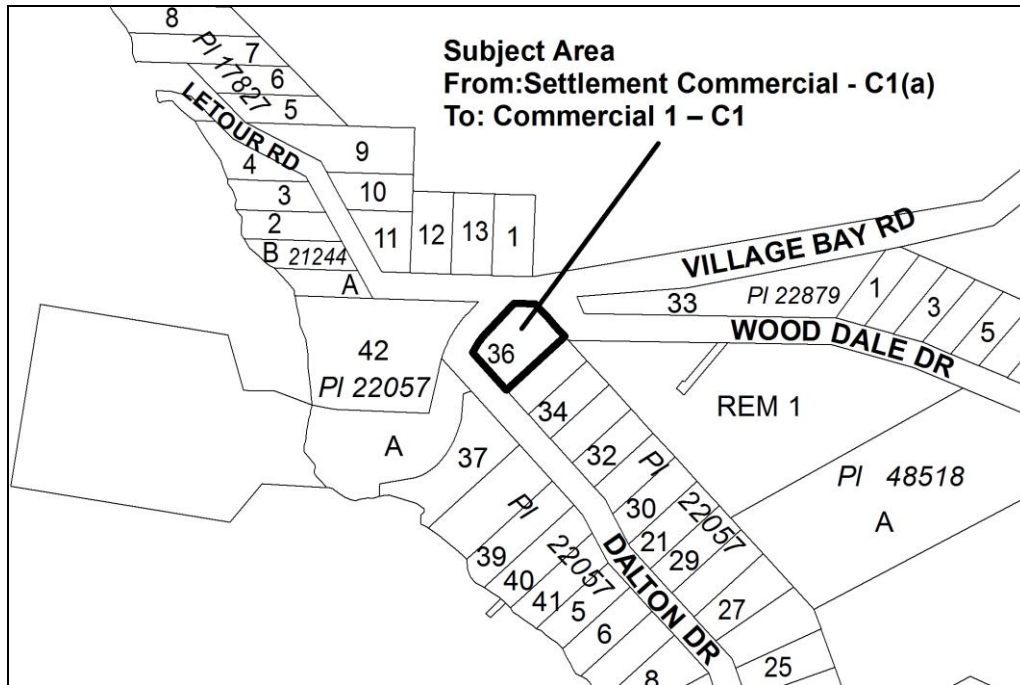
MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 175

Plan No. 1



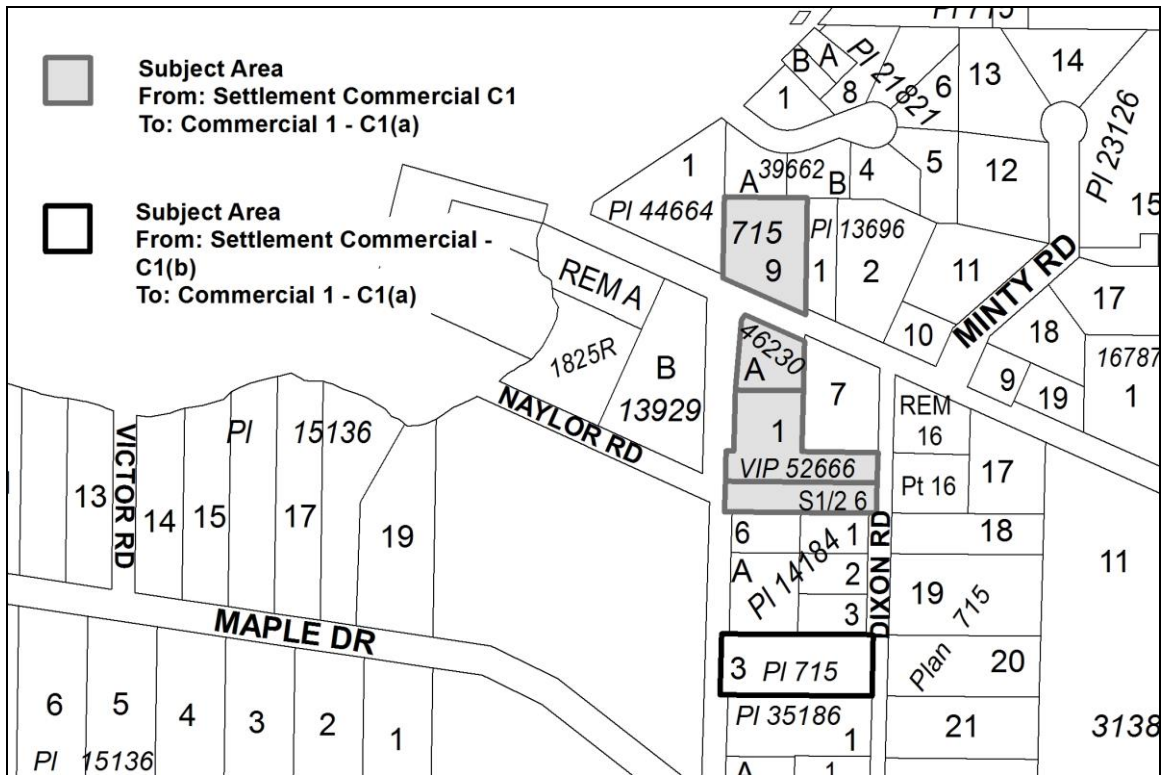
MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 175

Plan No. 2



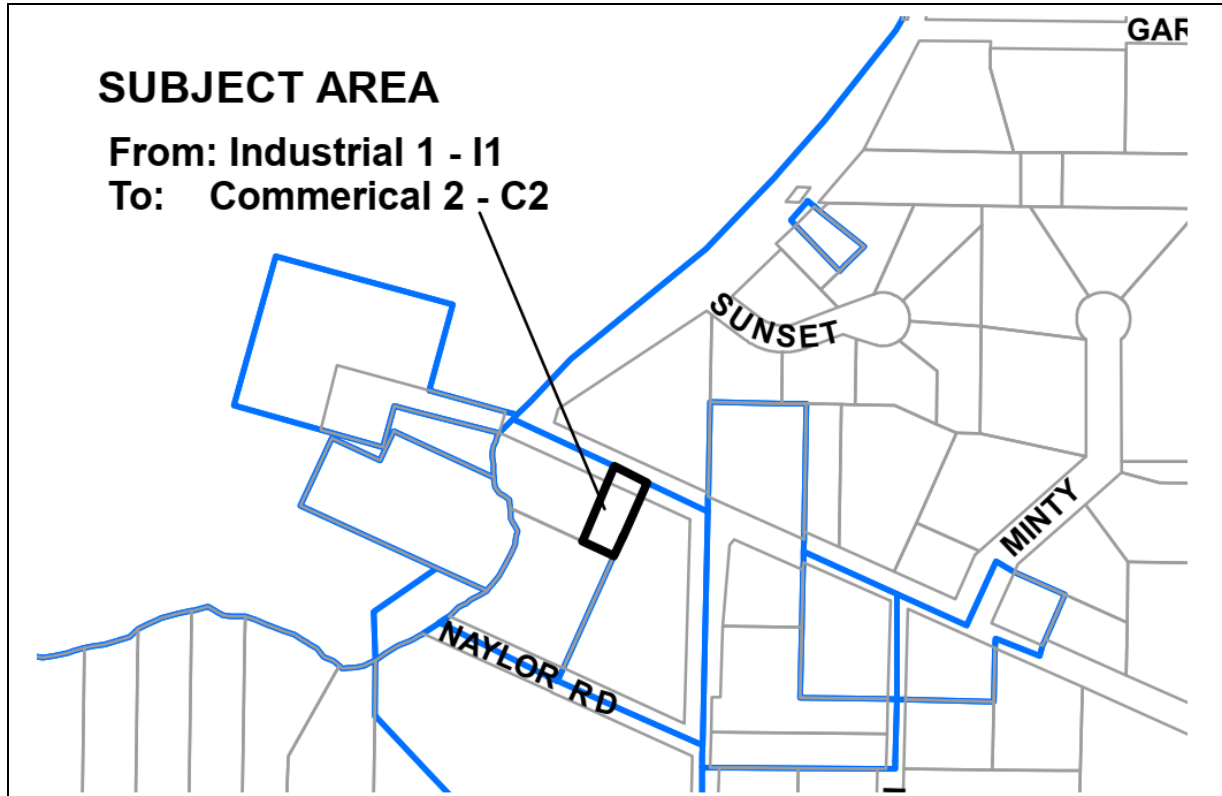
MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 175

Plan No. 3



MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 175

Plan No. 4



Top Priorities Report

Mayne Island

1. Commercial Land Use Review

Public Hearing being held March 25, 2019 for bylaws 174 and 175.
 Bylaws to be approved by Executive of the Islands Trust May 22, 2019 then (174) will be forwarded to the Minister of Municipal Affairs and Housing for approval.
 Bylaws approved by Minister and are on September 30, 2019 LTC agenda for consideration of adoption.

Gary Richardson

Rec'd: 27-Apr-2015
 Target: 31-Oct-2018

2. Housing Regulations and Policy Review (tiny home initiative)

Project Charter to be prepared for June 24, 2019 LTC Mtg.

Brad Smith

Rec'd: 26-Nov-2018

3. Groundwater Sustainability Project

Initial staff report and project charter to be prepared.

Gary Richardson
 William Shulba

Rec'd: 27-May-2019

Projects Report

Mayne Island

1. <i>Climate Change Adaptation</i>	Responsible	Date Received
Consider regulatory changes and implementation of new DPA authority		02-Mar-2009
2. <i>Waste Management</i>	Responsible	Date Received
		31-Oct-2017
3. <i>Fallow Deer</i>	Responsible	Date Received
		26-Mar-2018
4. <i>Cannabis Production - Regulating structures</i>	Responsible	Date Received
		24-Sep-2018
5. <i>Review of Contractors Yards</i>	Responsible	Date Received
		27-May-2019
6. <i>Review of LUB definitions</i>	Responsible	Date Received
		24-Jun-2019



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2019.4	Peace, Wayne	02-Jul-2019	370 and 380 Georgina Point Rd - variance for subdivision regulations for frontage on Garrick Rd

Planner: Gary Richardson

Planning Status

Status Date: 18-Sep-2019

Applicant requested application be put on October 28, 2019 LTC agenda for consideration.

Status Date: 04-Jul-2019

PTA created file

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2019.5	Hagkull, Ramon & Bonnie	20-Aug-2019	proposed variance made because of the septic field and large trees on the rear of property

Planner: Gary Richardson

Planning Status

Status Date: 18-Sep-2019

Draft permit and staff report on September 30, 2019 LTC agenda for consideration.

Status Date: 20-Aug-2019

PTA created file, fees received, LTC notified, Planner to be assigned

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2018.1	Capital Regional District (MIPRC)	01-Nov-2018	Rezone from Rural to Park

Planner: Gary Richardson

Planning Status

Status Date: 18-Sep-2019

MI Parks commission giving presentation at September 30, 2019 LTC meeting regarding application to rezone Cotton Park.

Applications

Status Date: 16-May-2019

MI Parks Commission asked that the application be put on hold until September 2019.

Status Date: 15-Mar-2019

Staff report and amended bylaws on March 25, 2019 agenda for consideration.

Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.1	Brent Mayenburg (Maude) Planner: Gary Richardson	09-Apr-2018	Proposed 3 lot conventional subdivision
Planning Status			

Status Date: 18-Sep-2019

Waiting for applicant to work through PLA conditions.

Status Date: 16-May-2019

PLA received from MoTI April 25, 2019.

Status Date: 19-Jun-2018

Referral response sent to MOTI, applicant, owner and LTC cc'd

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.3	Wey Mayenburg Land Surveying Inc (Peace) Planner: Gary Richardson	16-Oct-2018	Subdivision to create 2 parcels use
Planning Status			

Status Date: 18-Sep-2019

Applicant working through PLA conditions.

Status Date: 14-Jun-2019

PLA received June 11, 2019

Status Date: 26-Mar-2019

Review response sent to MoTI and applicant.



Applications

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2019.1	Mayenburg, Brent	22-Jan-2019	Boundary adjustment subdivision
Planner: Gary Richardson			
Planning Status			
Status Date: 18-Sep-2019			
Applicant working through PLA conditions.			
Status Date: 14-Jun-2019			
PLA received June 11, 2019.			
Status Date: 16-May-2019			
Review response sent to MoTI May 16, 2019			

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2019.2	Robinson, Karen	04-Sep-2019	Subdivision Application for a boundary adjustment.
Planner: Gary Richardson			
Planning Status			
Status Date: 18-Sep-2019			
Requested applicant complete Islands Trust Application form.			
Status Date: 10-Sep-2019			
PTA created file, waiting on fees.			

Islands Trust
LTC EXP SUMMARY REPORT F2020
Invoices posted to Month ending July 2019

645 Mayne	Invoices posted to Month ending July 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-645	LTC "Trustee Expenses"	665.00	0.00	665.00
LTC Local				
65200-645	LTC - Local Exp - LTC Meeting Expenses	1,446.00	891.80	554.20
65210-645	LTC - Local Exp - APC Meeting Expenses	411.00	52.10	358.90
65220-645	LTC - Local Exp - Communications	250.00	350.00	-100.00
65230-645	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>2,401.00</u>	<u>1,293.90</u>	<u>1,107.10</u>
Projects				
73001-645-4100	Mayne Island Housing	4,000.00	0.00	4,000.00
TOTAL Project Expenses		<u>4,000.00</u>	<u>0.00</u>	<u>4,000.00</u>

Mayne Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: September 24, 2018

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	May 2, 2011	MA-LTC-44-11	Options for adopting In Camera Minutes	It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to only include in-camera minutes on agendas where there are other reasons to close the meeting to the public.
2.	February 1, 2012		Special Occasion Liquor License referrals	That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
3.	June 27, 2016	MA-LTC-2016-055	Statutory Public Notice Advertising	That the Mayne Island Local Trust Committee advertise all statutory public notices in the Mayne Limer
4.	June 26, 2017	MA-2017-027	Unlawful Dwelling Enforcement Policy	That the Mayne Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists: 1.1. There is a complaint from an immediate neighbor; or, 1.2. There is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. 2. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.
5.	June 26, 2017	MA-2017-028	Unlawful STVR Enforcement policy	That the Mayne Island Local Trust Committee adopts the following resolution in regards to Bylaw Enforcement of Unlawful Short Term Vacation Rentals (USTVR): a) Given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Unlawful Short Term Vacation Rentals that have one or more of the following characteristics will be subject to proactive enforcement: i) they are advertised on the internet, newspapers or other media; ii) they are not managed by an owner of the USTVR property who lives on Mayne Island; iii) more than one dwelling on the lot is simultaneously made available for USTVR; iv) while the property is used as a USTVR, persons are permitted to stay in tents or trailers; v) there are issues related to health and safety on the property; vi) there is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the USTVR;

No	Meeting Date	Resolution No.	Issue	Policy and Description
				vii) the owner of the property uses more than one property on Mayne Island as a USTVR. b) Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.
6.	September 24, 2018		Cannabis Retail Referrals	- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms - The location of the proposed establishment and the subject site - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - How public comments may be submitted to the local trust committee



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality May 2019

Regional Conservation Plan

All of the work the Islands Trust Conservancy undertakes and reports on is guided by the science-based and community-informed 2018-2027 Regional Conservation Plan. The ITC continues to work towards four long-term goals (science-based conservation planning, collaboration with First Nations, protection of core conservation areas and a strong voice for nature conservation) and 25 objectives that further conservation in the entire Trust Area. The following is an update on the ITC activities from the May 2019 ITC Board meeting to meet these goals.

Islands Trust Conservancy Board Policy and Bylaw Revisions

Goal 4 – A strong voice for nature conservation, core ITC business and operations.

- The ITC Board gave first, second and third readings to Bylaw No. 2, the “Islands Trust Conservancy Meeting Procedures Bylaw, 2019.” The new bylaw replaces Bylaw No.1 and reflects the ITC name change, allows for the election of a Vice Chair and adds reference to committee meetings. The Board also amended Policy 1.2 Islands Trust Conservancy Board and Committee Elections.

Fund Development Advisory Committee (FDAC)

Goal 4 – A strong voice for nature conservation, Objective 4.1 – Develop and expand fundraising strategies to support Islands Trust Conservancy programs.

- The ITC Board received and approved the ITC Fund Development Advisory Committee Terms of Reference and Operating Guidelines.

2017-2018 Annual Report

Goal 4 – A strong voice for nature conservation, Objective 4.3 Continue to develop the Islands Trust Conservancy brand and promote organizational recognition through telling of the Islands Trust Conservancy story.

- The ITC Board received and approved the discussed options for endorsement or participation in the Islands Trust Reconciliation Declaration.

Canada Nature Fund

Goal 4 – A strong voice for nature conservation, Objective 4.1 – Develop and expand fundraising strategies to support Islands Trust Conservancy programs.

- The ITC Board discussed potential options for participating in the federal funding announced in 2018.

Draft Reconciliation Action Plan and Reconciliation Declaration

Goal 2 – Collaboration with First Nations, Objective 2.1 Amend or redraft policies, procedures, plans, document templates and reports to include acknowledgement and consideration of First Nations.

- The ITC Board direct staff to develop a specific draft reconciliation declaration and action plan for the Islands Trust Conservancy.

Executive Committee Liaison Meeting Draft Agenda

Goal Three- Objective 3.6 - Participate in significant ecosystem conservation opportunities related to land use planning in collaboration with local trust committees and island municipalities.

- The ITC Board discussed and approved the agenda items for the upcoming, annual Executive Committee Liaison Meeting.

Fire Smart from a Conservation Perspective

Goal One – Science-based Conservation Planning, Objective 1.3 - Investigate opportunities for protection of important conservation areas with partners.

- The ITC Board discussed the issues around fire safety and ecosystem management on ITC owned or protected properties.

Current Islands Trust Area Activities

Goal Three – Protection of Core Conservation Areas – Objective 3.1 – Manage islands Trust Conservancy conservation areas responsibly and strategically for ecological integrity, species and ecosystems at risk, known threats, public safety and protection of identified features using the Property Management strategy.

- The ITC has completed the management plan for Fairyslipper Forest Nature Reserve on Thetis Island, is nearing completion of three nature reserve management plans on Gambier Island, and is working on management plans for three nature reserves on Denman Island and one nature reserve on Lasqueti Island. Property monitoring was completed on Bowen, Denman, Hornby, Gabriola, Gambier, Lasqueti, Link, Little D’Arcy, Saturna, Sidney and Thetis Islands. Property monitoring is underway on North Pender and Salt Spring Islands and is being planned for Galiano, South Pender, and South Winchelsea Islands.

Current Island-by-Island Activities

Goal Three – Protection of Core Conservation Areas – Objective 3.1 – Manage islands Trust Conservancy conservation areas responsibly and strategically for ecological integrity, species and ecosystems at risk, known threats, public safety and protection of identified features using the Property Management strategy.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Denman

Management planning for three nature reserves, including the Valens Brook Nature Reserve addition, is under way. New ten-year management plans for Inner Island and Lindsay Dickson nature reserves will be completed in 2019. Property monitoring on Denman has been completed for 2019. Invasive species management activities continue at Inner Island, Lindsay Dickson, and Morrison Marsh nature reserves.

Gabriola

Expansion of the boardwalk over wet areas and exposed roots on the west side of the loop trail in Elder Cedar Nature Reserve has been completed and construction of a 93-ft boardwalk across a seasonally flooded section of trail in the northeast corner is planned for 2019. Property monitoring on Gabriola has been completed for 2019.

Galiano

Trail maintenance is being planned for Vanilla Leaf Land Nature Reserve in partnership with the Galiano Conservancy Association. Invasive species removal and annual cormorant nest monitoring are being planned for Trincomali Nature Sanctuary in partnership with the Habitat Acquisition Trust.

Gambier

Management planning for three Gambier Island nature reserves (Brigade Bluffs, Long Bay Wetland, and Mount Artaban) is nearing completion. Property monitoring on Gambier has been completed for 2019.

Lasqueti

The ITC and the Lasqueti Island Nature Conservancy (LINC) have met the fundraising goal for the Salish View acquisition campaign. Staff are continuing working to finalize the land transfer. Once the land transfer is complete, the ITC will begin public consultation on the draft management plan. Forest restoration activities at Mount Trematon Nature Reserve, led by LINC, have been completed for 2019 with assistance from Katimavik volunteers. Property monitoring on Lasqueti has been completed for 2019.

Link Island

ITC staff attended a celebration event at Link Island with the landowners and co-covenant holder (Nanaimo and Area Land Trust) and installed conservation covenant signage. Property monitoring on Link Island has been completed for 2019.

North Pender

The ITC Board discussed a referral from the North Pender Island Local Trust Committee for Bylaw No. 220. The subject property for the bylaw is adjacent to the Medicine Beach Nature Sanctuary. The ITC Board noted concerns about the effects of light pollution on many animal species, including bats, and concerns about storage of toxic materials on the site. Staff provided the ITC Board response to the local trust committee and followed up with planning staff

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

regarding best management practices for external lighting and wildlife. Property monitoring on North Pender is under way.

Salt Spring

The ITC Board considered a referral from Salt Spring Island planning staff regarding a Development Variance Permit for lands adjacent to the Lower Mount Erskine Nature Reserve. The ITC Board indicated that its interests are not significantly impacted and directed staff to work with the Salt Spring Island Planner to follow up with the landowner to provide information regarding conservation options to provide a natural buffer for the nature reserve. Property monitoring on Salt Spring is under way.

Thetis

The ITC Board approved a management plan for the Fairyslipper Forest Nature Reserve, which includes a commitment to developing a parallel *Management Plan for Areas of Cultural Heritage and Sacred Significance* with a flexible timeline. ITC is collaborating with Thetis Island Nature Conservancy and Cowichan Community Land Trust on the design and building of a publicly accessible trail loop in the nature reserve, with a trail opening celebration tentatively scheduled for Earth Day 2020. ITC staff plan to install signage informing the public of Thetis Island nature reserve boundaries later this year.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

BRIEFING

To:	Local Trust Committees	For the Meeting of:	Various
From:	David Marlor, Director, Local Planning Services	Date Prepared:	June 17, 2019
SUBJECT:	Model Radio Antenna Strategy		

PURPOSE: To provide the model radio antenna strategy to local trust committees for consideration of adoption.

BACKGROUND:

The federal Ministry of Innovation, Science and Economic Development Canada (ISED)(formerly Industry Canada),has jurisdiction over telecommunications uses such as radio broadcast towers and cellular telephone towers, which are licensed under the federal *Telecommunications Act*. ISED looks for the land use authority to issue a letter of concurrence or non-concurrence with the proposal put forward by telecommunications proponents and the consultation process they conduct. ISED recommends land use authorities establish a documented public consultation process to guide cell/radio tower proponents.

Within the Islands Trust, the consultation process on these types of applications was previously guided by the Letter of Understanding (LOU, signed October 30, 1996) that existed between ISED and the Islands Trust Council, on behalf of Local Trust Committees, for proposed towers of over 25m in height. Since ISED updated its Radio communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) in 2014 to include a Default Public Consultation Process, the Trust Council/ISED LOU was rescinded by ISED under the terms of the agreement.

When a land use authority does not have an established or documented public consultation process, proponents of radio towers must use the ISED default process outlined in the Radio communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03).

In March 2016, Trust Council passed the following resolution:

THAT the Islands Trust Council request the Local Planning Committee to make recommendations on policy that includes public consultation procedures and development guidelines for the siting and design of antenna systems, which may then be adapted and implemented by local trust committees.

The report, “Model Program for Antenna Systems,” dated May 3, 2018, (Attachment 1) was prepared by a consultant (James Van Hemert) under contract with Islands Trust. The report provides a model consultation program, land use siting criteria, and model official community plan policies. The report also presents a literature review and summary of background materials that were reviewed as part of the report’s creation.

The report was received by Trust Council the June 2018 Trust Council meeting and was requested to be forwarded to local trust committees. This is being forwarded to you now to allow the new local trust committees elected in November 2018 to consider adoption of the public process contained in the

“Model Program for Antenna Systems”, as well as the policy and regulatory recommendations contained in this document.

ATTACHMENT(S):

1. Model Program for Antenna Systems,” dated May 3, 2018

Link to IT Web Document: <http://www.islandstrust.bc.ca/media/346706/final-model-strategy-for-antenna-systems.pdf>

FOLLOW-UP:

A brochure is being developed to explain the process and will be posted on the Islands Trust website as soon as it is complete.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date:

DATE OF MEETING: Various

TO: Local Trust Committees

FROM: David Marlor, Director,
Local Planning Services

SUBJECT: Climate Change Adaptation and Mitigation Strategies

PURPOSE

At its regular business meeting in June 2019, Trust Council passed the following resolution:

TC-2019-043

It was Moved by Trustee Fast and Seconded by Trustee Peterson,

That Trust Council direct staff to add agenda items 6.4 and 8.4 regarding climate emergency tools and strategies to all Local Trust Committee's upcoming agendas and suggest to the Bowen Island Municipality.

NEXT STEPS

The two reports "Report on Climate Change Adaptation and Mitigation strategies by the Islands Trust" and "Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation" are provided for information on the local trust committees, and to assist when determining local actions to take in response to Trust Council's climate emergency declaration.

Submitted By:	David Marlor, MCIP, RPP Director, Local Planning Services	August 29, 2019
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ATTACHMENTS

1. Attachment 1: Items 6.4 and 8.4 from June 2019 Trust Council

To: Trust Council **For the Meeting of:** June 19, 2019
From: CAO **Date Prepared:** May 23, 2019
SUBJECT: Report on Climate Change Adaptation and Mitigation strategies by the Islands Trust

PURPOSE: To provide Trust Council a summary report on current and past actions, and policies adopted by the Islands Trust to address climate change. This report is a companion report to the land use actions report on the current agenda and is offered to provide context for Trust Council as they contemplate a range of potential options to address climate change within the Trust Area.

BACKGROUND: On March 13, Trust Council passed the following resolution:

That the Islands Trust Council:

1. Declare a Climate Change Emergency in the Islands Trust Area.
2. Add climate change mitigation, resilience, and adaptation policies to the Islands Trust Policy Statement amendment project.
3. Direct the Trust Council Chair to write to the Chairs of Regional Districts in the Islands Trust Area asserting Trust Council's full support for declarations of a Climate Emergency;
4. Direct the Trust Council Chair to write to the Provincial Minister of the Environment, asserting the Islands Trust Council's support to help the Province close the 25% emissions gap in the Clean BC Plan, and calling on the Province to provide the powers and resources to local governments;
5. Direct the Trust Council Chair to write to the Federal Minister of the Environment, asserting the Islands Trust Council's support to help Canada meet its Nationally Determined Contribution target made in the Paris Agreement and call on the federal government to provide the powers and resources to local governments.
6. Direct staff to report back to the June 2019 Trust Council meeting on measures and land-use planning actions that the Islands Trust can take to advance progress toward Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations.
7. Direct staff to include a central focus on equitable climate change mitigation, adaptation, and resilience into strategic planning to provide guidance and support for the Trust Area's efforts to transition away from fossil fuels in ways that prioritize those most vulnerable to climate impacts and most in need of support in transitioning to renewable energy.
8. Trust Council directs staff to work with First Nations and First Nations government agencies to seek support for the climate change emergency and to engage to coordinate climate action strategies with First Nations within the Islands Trust Area.

While the Islands Trust, as a function of its mandate and authority, has included climate change adaptation and mitigation measures in its decision making, including Bill 27 OCP implementation and the application of land use regulations, this briefing provides an overview of specific climate actions that the organization has taken.

1. **Anticipated climate changes within the Trust Area:** Given accessible climate change information for the region, it is anticipated that with an increase in global warming at or above 1.5 C the Trust Area would be impacted in the following ways.
 - i. Wetter fall seasons
 - ii. Drier, hotter summers, drought conditions
 - iii. More inclement weather, extreme weather events
 - iv. Warmer winters
 - v. No frost
 - vi. Rise in sea level
 - vii. Species shift
2. The following table provides a timeline of key climate change actions by the Islands Trust and Islands Trust Conservancy over the last 15 years.

Table 1. Timeline of climate change actions

2005	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
passed resolution for advocacy on climate change	Signed BC Climate Action Charter	developed "Trust Area Climate Vulnerabilities" document	Bill 27 requirements, develop OCP amendments: Climate Smart Islands Program	over 2 year span, the majority of OCPs are amended to incorporate Bill 27			adoption of Carbon Neutral Operations Policy 7.4.v		Letter to Prime Minister Trudeau re Paris Climate Accord	State of the Islands Report	initiated groundwater workshops	delivered seal level rise workshops	declared climate emergency
		adopted Corporate Climate Action Plan					Corporate Sustainability Advisory Group Initiated					Adopted CDF toolkit	

3. BC Climate Action Charter

The Islands Trust is a signatory to the BC Climate Action Charter and has taken a number of steps to honor that commitment. Since 2007, we have reported on our website on our plan to achieve our climate action goals. We participate in the Climate Action Revenue Incentive Plan (CARIP) that requires we summarize our GHG emissions and energy consumption and detail our programming towards carbon neutrality. To summarize, the Islands Trust as an organization generates between 55 and 65 tCO₂e per year. We have traditionally then purchased carbon credits to achieve carbon neutrality from the Community Carbon Marketplace, which we been doing since 2012.

Using 2017 CARIP report as an example, key emissions measures are the following:

- a) Direct emissions
 - a. Vehicles fuel 14652 L
 - b. Stationary gigajoule 346
- b) Indirect Emissions
 - a. Purchased energy gigajoule 506
 - b. Purchased reported gigajoule 126
- c) Scope 3 emissions
 - a. Office paper packages 608

Please note that while the Province committed to providing Community Energy and Emission Inventory data for local governments, there is insufficient data for the Islands Trust specifically, requiring that we use a conversion factor to approximate some of our emissions measures.

4. **Bill 27 OCP Greenhouse Gas amendments**

Under separate cover a report will be provided to the June 2019 Trust Council meeting that will include the amendments to local trust committees OCPs required by Bill 27. Generally, each LTC/Bowen Island Municipality (except Piers Island) adopted target reductions for their area, either a 50% or 33% reduction by 2020 and a greater, 85% reduction by 2050. Land use bylaws have not been comprehensively updated to reflect OCP direction. There has been no sustained performance measurement of each local trust area/island municipality to determine how successful the OCP amendments have been in reducing emissions. Datasets are limited on an LTA/IM by LTA/IM basis for specific GHG reductions.

5. **Corporate Actions**

- i. In 2007, the Islands Trust adopted a **Corporate Climate Action Plan**. From a corporate perspective, the three areas effecting our emissions levels are travel, paper and building heating and maintenance. The Climate Action Plan provides a reasonably rigorous analysis of these target emission sources as well as others and make recommendations for mitigations. The Action Plan has led to a number of business practices that are still in place including:
 - a. Reduction of printing
 - b. Reduction of color printing
 - c. Double siding of documents
 - d. Not producing paper agendas
 - e. Support for employees to commute by bike
 - f. Increased ride sharing to staff and Trust meetings
 - g. Replacement of the windows and shading of Victoria office
 - h. Revised purchasing policy to emphasize energy efficiency

The plan is now somewhat dated and could be refreshed to find new points of emphasis and education for staff and trustees.

Since 2007 the Trust has monitored its GHG generation and in support of the Action Plan.

- ii. Adoption of **Policy 7.4.5 Carbon Neutral Operations**. This policy formalized a number of Trust wide operations dedicated to GHG reduction, including a carbon reduction goal, identification of carbon emission sources, dedication to using offsets to achieve carbon neutrality (including purchasing criteria) and reporting requirements.
- iii. In January 2013, a Corporate Sustainability Advisory Group (Green Team) was identified consisting of one member of Trust Council and a department representative across the organization. The term was for 12 months and the terms of reference included develop innovating ways to address climate change impacts and GHG reductions and to implement the Corporate Action Plan.

From the available data on Islands Trust operations, it is reasonable to conclude that we are a low carbon producing organization.

6. **Regional and National Context**

It would be impractical to provide a comprehensive overview of regional climate change initiatives; however, it is worth noting that there have been 16 declarations of a climate emergency in BC. Prominent among them is the City of Vancouver who have recently unanimously approved a motion recognizing the climate emergency and passing an ambitious set of six “Big Moves” that will guide

the City's response to Climate Change. The goal is to meet the objective of limiting warming to 1.5C as per the Paris Agreement.

The initial wave of climate emergency declarations occurred in Quebec (2018-2019), with over 300 communities having taken this step.

7. Issues and Opportunities

The following items provide a list of issues, amongst many, that could form the basis for further discussion by Trust Council.

- We do not have accurate Community Energy and Emissions Inventory information which limits our ability to accurately measure how emissions programing is reducing carbon levels.
- Issue of built form density is central to lessening climate change impacts and GHG production within the Trust Area.
- The Islands Trust does not have climate change policy in the Policy Statement but does in Official Community Plans and a variable level of climate regulation in LUBs.
- Corporate opportunities: electronic meetings, carbon friendly foods, further policies on travel.
- We have not liaised with First Nations on climate change in any substantial manner and will need to include this issue in our Policy Statement discussions.

ATTACHMENT(S):

- 1. N/A**

FOLLOW-UP: As directed by Trust Council

Prepared By: R Hotsenpiller

Reviewed By/Date: May 28, 2019



Islands Trust Council Plan for Continuous Learning

(What other topics would trustees like to propose?)

Updated May 9, 2019

Year	Trust Council Meeting	Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2019	December (Victoria)				
	September (Bowen)				
	June (Galiano)	Strategic Plan	What Elected Officials Need to Know about FOI & Protection of Privacy Training (LGMA) June 25 th webinar.		Chair, Vice Chair, Committee Chairs & ITC Chair training
	March 2019 (Gabriola)	Strategic Plan	Young/Anderson Introduction Bill Buholzer		
	January 2019 Nanaimo	Orientation	Orientation		NA
2018	November (Victoria)	Orientation	Orientation	Orientation	Orientation
	September (Gambier/Keats)	Lessons Learned 2014 -2018	Implications of the Water Sustainability Act		
	June (Saturna)	Strategic Plan	<i>Islands Trust Act</i> Amendments		Agricultural Land Commission/Islands Trust
	March (Salt Spring)	(Freshwater Specialist) (Water Sustainability Act) Regional Conservation Plan		Adapting to Climate Change	March (Salt Spring)

BRIEFING

To: Trust Council **For the Meeting of:** June 18, 2019

From: David Marlor, Director, Local Planning Services **Date Prepared:** May 30, 2019

SUBJECT: **Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation**

PURPOSE:

To provide an initial approach in response to Trust Council's Climate Change Emergency Declaration in respect to local planning tools to address climate change.

BACKGROUND:

At its regular business meeting in March 2019, Trust Council declared a Climate Change Emergency. As part of that declaration, Trust Council requested that staff:

"report back to June 2019 Trust Council meeting on measures and land use planning actions that the Islands Trust can take to advance progress towards Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations".

This briefing focuses on land use planning actions that the local trust committees and Bowen Island Municipality could take to advance progress towards greenhouse gas reduction targets and to adapt to the effects of climate change.

Following the implementation of new mandatory requirements for official community plans to include targets and policies for greenhouse gas reductions, all local trust committees and Bowen Island Municipality amended their official community plans to include those targets and policies.

The following table includes a summary of the targets established by each local trust committee and Bowen Island Municipality in their official community plans. Each local trust committee and Bowen Island Municipality also adopted related policies on how to achieve those targets.

Local Trust Committee/Island Municipality	Reduction By 2015	Reduction By 2020	Reduction By 2050	Notes
Bowen Island Municipality	-	33%	80%	Reduction over 2007 emissions
Ballenas-Winchelsea	-	50%	50%	Below per Canadian per capita for 2020/2050
Gabriola	-	33%	85%	Reduction over 2007 emissions

• Mudge	-	50%	50%	Below per Canadian per capita for 2020/2050
• DeCourcy	-	50%	50%	Below per Canadian per capita for 2020/2050
Galiano	-	33%	-	Reduction over 2007 emissions
Gambier	-	33%	85%	Reduction over 2007 emissions
• Associated	-	20%	85%	Reduction over 2007 emissions
• Keats	-	33%	85%	Reduction over 2007 emissions
Denman	-	33%	85%	Reduction over 2007 emissions
Hornby	-	25%	80%	Reduction over 2007 emissions
Lasqueti	-	50%	50%	Below per Canadian per capita for 2020/2050
Mayne	-	33%	-	Reduction over 2007 emissions
North Pender	-	33%	-	Reduction over 2007 emissions
• Associated	-	50%	50%	Below per Canadian per capita for 2020/2050
Saturna	-	33%	-	Reduction over 2007 emissions
SSI	15%	40%	85%	Reduction over 2007 emissions
• Piers	-	-	-	Bylaw is not compliant
South Pender	-	33%	-	Reduction over 2007 emissions
Thetis	-	33%	85%	Reduction over 2007 emissions
Associated	-	-	-	Bylaw contains no targets
Valdes	-	50%	50%	Below per Canadian per capita for 2020/2050

A. Local Planning Actions Since 2010

Since 2010, planning Staff regularly include consideration of climate change mitigation and adaptation in staff reports on planning applications and projects. As a result, all planning decisions by local trust committees over the past eight years have included a climate change lens. In addition to this, local trust committees adopted specific policies in their official community plans related to climate change mitigation and adaptation. Many of these policies have been implemented through land use bylaw amendments. A list of these implemented policies is included in Appendix 1.

Appendix 2 lists the official community plan policies that have not yet been implemented in the land use bylaws.

The remainder of this briefing provides information on land use planning actions that can be undertaken in relation to climate change. Section B addresses actions related to climate change mitigation and Section C addresses actions related to climate change adaptation.

B. Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and policies for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP policies to require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be

effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

5. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

C. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. **Sea Level Rise Adaptation Tools**

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for

buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. **Longer Periods of Drought Adaptation Tools**

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.

ATTACHMENTS:

1. Summary of Local Trust Committee OCP climate change policies already implemented
2. Summary of Local Trust Committee OCP climate change policies not yet implemented

FOLLOW-UP:

Further work in specified areas as indicated in the briefing, or as requested by the Trust Council, Executive Committee, Local Planning Committee or local trust committees.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/

Summary of Official Community Plan policies, listed by local trust area, that have been implemented in the land use bylaws.

Ballenas-Winchelsea Local Trust Area

- Shoreline Development Permit Area (applicable to 30 m upland of the natural boundary of the sea).
- Regulations in the land use bylaw exempts solar collectors, wind generators and water storage tanks from height restrictions.

Denman Island Local Trust Area

- Climate change impacts are considered in staff.
- Providing the dedication of conservation area, consistent with OCP policies for density transfer.

Gabriola Island Local Trust Area

Gabriola Island

- Climate change impacts are considered in staff reports.
- Providing for rainwater collection and storage, trail/path connections and dedication of 300+ acres of parkland.
- Development Approval Information (DAI) Bylaw amended (2013) to include option to address GHG emissions, anticipated energy usage, carbon emissions and groundwater resources in conjunction with bylaw amendment or TUP applications [Criteria for assessing OCP/LUB applications developed.
- Land Use Bylaw (parking regulations and Village DPA guidelines) amended to encourage public transit, smaller vehicles, non-polluting vehicles, and permeable parking surfaces and increase walkability.
- Land Use Bylaw amended to measure the footprint of buildings and structures from the interior walls instead of the outer perimeter of the foundation of the building, so increased insulation is encouraged, and to exclude cisterns from floor area calculation.
- Official Community Plan and Land Use Bylaw amended to encourage local food production.

Mudge Island

- Climate change impacts considered in staff reports.
- Land Use Bylaw amended to exclude from the calculation of lot coverage in the RR zone: cisterns and similar structures for rainwater collection and storage; fire-fighting towers; pervious paths, driveways and parking spaces; and garden beds.

DeCourcey Island

- Climate change impacts considered in staff reports.

Galiano Island Local Trust Area

- Climate change impacts considered in staff reports, and inclusion of a policy in the Land Use Policies section of the Official Community Plan applicable to consideration of all applications.
- Amendments to shoreline development permit area to include guidelines to consider and address sea level rise impacts.
- Changes to zoning regulations to permit small-scale renewable energy, specifically height regulations amended.

Gambier Island Local Trust Area

- Climate change impacts considered in staff reports.

Hornby Island Local Trust Area

- Climate change impacts considered in staff reports.
- Official Community Plan Water Supply Protection and Water Resource Protection Development Permit Area includes guidelines to protect water resources.
- Official Community Plan Community Service Use Development Permit Area includes guidelines to provide rainwater catchment and storage; and hydrology study.
- Official Community Plan Commercial Development Permit Area includes guidelines to maintain natural vegetation and reduce light pollution.
- Water storage tanks and wind turbines exempt from Land Use Bylaw height regulations.

Lasqueti Island Local Trust Area

- Climate change impacts considered in staff reports.

Mayne Island Local Trust Area

- Climate change impacts considered in staff reports.
- Zoning amended to exclude solar collectors, wind generators and water tanks from maximum height regulations.
- Geothermal heating systems permitted.
- Amendments to Land Use Bylaw to permit mixed use (second storey residential) in commercial zones.
- Zoning for employee accommodation in commercial resorts.
- Secondary suites permitted.

North Pender Island Local Trust Area

North Pender Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted.
- Temporary use permit guidelines amended to include climate change impacts.

North Pender Associated Islands

- Climate change impacts considered in staff reports.
- Shoreline DPAs include erosion provisions.

Salt Spring Island Local Trust Area

Salt Spring Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted in select areas.
- Amenity Zoning includes implementation of energy efficient building design criteria that exceeds that required by the B.C. Building Code or other regulations.
- Climate change considered when evaluating suitability of density transfer.
- Rezoning application supporting local food production and storage as a community amenity
- Coordination with local and provincial agencies regarding fresh water demand and supply in relation to climate change.
- Land use regulations require 15m setbacks from natural bodies of water; 1.5 m elevation above natural body of water.
- Pathways and bikeways dedication at time of subdivision as per OCP Cycle Route map.

- DAI Bylaw including development permit checklist (both are drafted but not yet implemented).

Piers Island

- Climate change impacts considered in staff reports.
- 3.0 m elevation of buildings required if within 30m of water body.

Prevost Island

- Climate change impacts considered in staff reports.

Saturna Island Local Trust Area

- Climate change impacts considered in staff reports.
- Geothermal heating permitted.
- Secondary dwelling units (secondary suites amendment in process).
- Sustainability checklist.
- TUP guidelines amended to include consideration of climate change impacts.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.
- Although not a Bill 27 requirement, LUB was amended to limit dwelling floor area and overall floor area on residential lots.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.

Thetis Island Local Trust Area

Thetis Island and Valdes Island

- Climate change impacts considered in staff reports.

Thetis Associated Islands

- Climate change impacts considered in staff reports.
- Land Use Bylaw definition of floor area excludes any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection.
- Land Use Bylaw permits the following uses in all zones: conservation; water supply facilities for the purposes of supplying potable or grey water on an individual island, including cisterns, reservoirs, pipes, treatment facilities, catchment and storage facilities and pumping and intake structures; solar collectors; wind turbines; and ocean geothermal loop exchange systems.
- Solar collectors are exempt from Land Use Bylaw height regulations.

Summary of Local Trust Committee Official Community Plan Policies that have yet to be implemented.

The following is a summary of Official Community Plan policies on climate change that have not yet been enacted in the land use bylaw regulations or through development permit areas. For actual wording of the policies, please consult that relevant official community plan bylaw.

Ballenas-Winchelsea Local Trust Area

- Identify significant un-fragmented forest and non-forest ecosystems and ensure these are noted on mapping for environmental and carbon sequestration value.

Denman Island Local Trust Area

- Review zoning to ensure provisions encourage energy efficiency and the greenhouse gas emissions reduction in new construction.
- Review development permit area guidelines and incorporate provisions to promote energy conservation, water conservation and greenhouse gas emissions reduction.
- Encourage renewable energy, limit fossil fuel consumption, encourage energy-efficient and carbon-efficient building construction.

Gabriola Island Local Trust Area

Gabriola Island

- Consider new development permit area guidelines that promote low impact land uses, alternative transportation, energy conservation, water conservation, and the reduction of GHGs.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping both for their environmental values as well as carbon sequestration areas.
- Amend LUB to consider setbacks from the ocean in relation to sea level rise.

Mudge Island

- Establish climate change as a fundamental factor in land use decision making.
- Encourage on-island agriculture and sharing of local food production.
- Encourage all new construction be built at the highest possible energy-efficiency standards.
- Further policies and actions to be considered as part of a future review of the OCP.

DeCourcey Island

- Encourage on-island agriculture and the sharing of local food production.
- Encourage new construction built at highest possible standards to reduce energy needs.
- Specific policies and actions to be included in a future OCP review.

Galiano Island Local Trust Area

- Amendments to parking requirements to require alternatives to parking spaces.
- Requiring new development to utilize building technology that minimizes energy use.

Gambier Island Local Trust Area

Gambier Island

- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support protection of forest resources.
- Require water storage with every dwelling unit.

Gambier Associated Islands

- Support actions to minimize GHG emissions.
- Recognize importance of forested lands in removing carbon dioxide from the atmosphere.
- Consider potential impacts on global climate change and GHG reduction targets when considering applications.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Reduce extent of infrastructure (e.g. development of common docks).
- Zoning regulations should support small scale residential solar and wind power generation on residential lots.

Keats Island

- Promote use and development of renewable energy sources.
- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support cluster development appropriate for Keats Island.
- Encourage energy efficient buildings.
- Encourage use of alternative energy.
- Encourage water storage for every dwelling unit

Hornby Island Local Trust Area

- Develop criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.
- Encourage retention of forest cover except for the clearing of land for farming in the ALR.
- Limit size of buildings and opportunities for attached dwelling units and visitor accommodation units.
- Encourage green building techniques and alternative energy systems (solar, wind, geothermal, or water based) into residential housing.
- Encourage safe multi-use trails and bike lanes to facilitate non-motorized forms of travel.
- Encourage “climate wise” actions, including water conservation, storm water retention, the use of alternative energy sources for home use, and the use of alternative transportation methods.
- Support the local provision of services that residents presently travel off-island to access.
- Review LUB to provide for community gardens and community food processing and storage.
- Encourage local food production.

Lasqueti Island Local Trust Area

- Develop criteria for assessing OCP or zoning applications from the perspective of climate change adaptation and mitigation.
- Encourage energy conserving buildings.
- Encourage cycling and walking trails to permit non-automobile based forms of travel.
- Encourage water conservation and rainwater catchment.

Mayne Island Local Trust Area

- Permitting attached dwellings.
- DPA to manage lot layout.
- DPA for energy conservation.
- Amendments to amenity zoning and density transfer policies.

North Pender Island Local Trust Area

North Pender Island

- A review of overall development potential to consider amendments to zoning where changes could limit or reduce emissions.
- Permitting attached dwellings.
- Amending parking requirements.
- DPA to manage subdivision layout (conservation subdivision design project started but later abandoned by LTC).
- Second storey residential over commercial.
- Requiring cisterns or other water conservation measures in new development.
- Permitting community wood chipping or composting.
- Amend existing DPA to include energy conservation provisions.

North Pender Associated Islands

- Specific policies and actions to be included in a future review of the plan.

Salt Spring Island Local Trust Area

Salt Spring Island

- Calculation of carbon budget at time of rezoning or demonstrated conformity with LEED or similar.
- GHG or energy efficiency specific DPA.
- Amend fees bylaw to support energy efficient building design.
- Mapping and analysis to anticipate potential impacts of climate change on land use.
- Height relaxation for solar and wind power generation on residential lots.

Piers Island

- In progress of updating OCP for Climate Change.

Prevost Island

- No policies on climate change – bylaw requires updating

Saturna Island Local Trust Area

- Amending zoning to allow mixed use, including second storey residential in commercial designation.
- Amending parking requirements.
- Include energy conservation measures in DPA.
- Implement DPA for lot layout and tree removal.
- Permitting attached dwellings.
- Limit floor area of dwellings.

South Pender Island Local Trust Area

- Permit community gardens.

Thetis Island Local Trust Area

Thetis Island

- Develop new criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.

- Promote land use that supports local food production to reduce food transportation costs and GHGs.
- Support new forms of housing that include clustering and zero emission housing.
- Encourage local, small-scale generation of alternative non-polluting energy sources.
- Regulate the size, siting and height of wind turbines to minimize environmental impacts and safety risks.

Thetis Associated Islands

- Consider the potential impacts on climate change GHG emissions in bylaw provisions and review of development applications.
- Identify significant un-fragmented forest and wetland ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Through bylaw provisions, support residential renewable energy (e.g. micro hydro, solar, wind, waste heat, etc.) use.
- Promote the conservation of forested lands and wetlands as a cost effective and important climate change mitigation strategy.

Valdes Island

- Establish climate change as a fundamental factor in land use decision-making.
- Policies and actions with respect to climate change mitigation will be considered as part of a future review of the Rural Land Use Bylaw.