



Mayne Island Local Trust Committee Regular Meeting Agenda

Date: March 25, 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	
4.1	Commercial Land Use Review - Bylaws 174 & 175	
5.	PUBLIC HEARING	1:30 PM - 2:00 PM
5.1	Mayne Island Local Trust Committee Bylaw 174 - OCP Amendment 1, 2019 AND Mayne Island Local Trust Committee Bylaw 175 - LUB Amendment 1, 2019 Public Hearing binder under separate cover	
6.	MINUTES	2:00 PM - 2:15 PM
6.1	Local Trust Committee Minutes Dated January 28, 2019 (for Adoption)	4 - 13
6.2	Section 26 Resolutions-without-meeting Report none	
6.3	Advisory Planning Commission Draft Minutes Dated July 16, 2018 (for Receipt)	14 - 16
7.	BUSINESS ARISING FROM THE MINUTES	
7.1	Follow-up Action List Dated March 2019	17 - 18
8.	DELEGATIONS none	

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

2:15 PM - 2:40 PM

10.1 MA-DVP-2019.1 (Buzza) - Staff Report (attached) 19 - 31

10.2 MA-RZ-2018.1 (Cotton Park) - Bylaws No. 178 & 179 - Staff Report (attached) 32 - 50

11. LOCAL TRUST COMMITTEE PROJECTS

2:40 PM - 2:50 PM

11.1 Mayne Island LTC Commercial Use Review Bylaws No 174 & 175 - Staff Memo (attached) 51 - 69

for further consideration

12. REPORTS

2:50 PM - 3:15 PM

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated March 2019 70 - 70

12.1.2 Projects List Report Dated March 2019 71 - 71

12.2 Applications Report Dated March 2019 (attached) 72 - 73

12.3 Trustee and Local Expense Report Dated January 2019 (attached) 74 - 74

12.4 Adopted Policies and Standing Resolutions (attached) 75 - 76

12.5 Local Trust Committee Webpage

12.6 Chair's Report

12.7 Trustee Report

12.8 Islands Trust Conservation Report

none

13. NEW BUSINESS

3:15 PM - 3:30 PM

13.1 Mayne Island Local Trust Committee BEN Bylaw 173 - Staff Report (attached) 77 - 94

for further consideration

14. UPCOMING MEETINGS

- 14.1** **Next Regular Meeting Scheduled for May 27, 2019, at the Agricultural Hall, Mayne Island**

15. TOWN HALL

- 16. CLOSED MEETING (Distributed Under Separate Cover)** **3:30 PM - 4:00 PM**

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) (a,d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated November 26, 2018*
- *Appointment of BOV Members*

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

- 17. ADJOURNMENT** **4:00 PM - 4:00 PM**



Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: January 28, 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
 Pat Todd, Recorder

Public Present: There were approximately (30) members of the public present.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 1:00 p.m. Chair Rogers acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

Item 3. a) Delegation Mayne Island Housing Society was added.

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

a) Delegation Mayne Island Housing Society

Deborah Goldman spoke on behalf of the Mayne Island (MI) Housing Society which was incorporated April 2018 and has made application for charitable status.

Southern Gulf Islands (SGI) Housing Needs Assessment survey demonstrated that housing is an issue on all islands and a survey on MI showed 75% of respondents were paying over 30% of income on rent.

MI Housing Society has received \$10,000 Grant-in Aid from CRD and hired a Housing Consultant. The plan is to locate land on which to build cluster/mixed housing: units would be rentals.

MI Housing Society AGM will be on Feb. 16, 2019.

Trustees spoke in favour of the efforts to date and added that the Official Community Planning (OCP) and Land Use Bylaw (LUB) are well set up to support such a project.

b) Town Hall

Malcolm Ingles, representing the MI Conservancy, raised concerns regarding a November 26, 2018 Motion MA-2018-070 which spoke to consideration of a short-link ferry to Saturna from St. John Point Regional Park as part of the management plan.

The history of this park was reviewed, residents fund raised for purchase, legacy to region/Canada contracted with Capital Regional District (CRD) to govern in perpetuity.

There is a Covenant on the land which the Conservancy is responsible to monitor to ensure terms of agreement are met.

The Conservancy is concerned that the Local Trust Committee (LTC) would suggest the CRD jeopardize the property protection through establishment of a ferry terminal and the infrastructure this would involve.

The Conservancy respectfully requests that MI LTC rescind that portion of the motion.

Reiner Fassler, referred to draft document regarding Commercial Land Review.

Chair Rogers requested this be deferred to agenda item 11.1

Paula Buchholz raised concern that if there were a ferry terminal at St. John Point it would impact on her waterfront property and that she would not accept an access road.

MA-2019-001

It was Moved and Seconded,

that the Mayne Island Local Trust Committee rescind the recommendation to the Capital Regional District regarding a potential ferry terminal at St. John Point.

CARRIED

Chair Rogers reported that while a letter had been drafted, it had not been sent out so staff would amend according to Motion.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated November 26, 2019

The following amendments to the minutes were presented for consideration:

Motion MA-2018-057 pg. 5 second line –to read “request staff to repost the ...”

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-without-meeting Report

none

6.3 Advisory Planning Commission Minutes

none

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated January 2019

Planner Richardson stated that all items have either been completed or on today's agenda.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

9.1 Invitation to Community Service Event

MI LTC expressed appreciation for invitation.

9.2 Pender Island Trust Protection Society Letter Re: Watersheds, Groundwater & Ramifications of Climate Change

This is same as the event as above.

10. APPLICATIONS AND REFERRALS

10.1 MA-DVP-2018.4 (Mayenburg) - Staff Report

Trustee Maude recused himself and left the meeting room at 1:30 for the next two agenda items due to conflict of interest.

Chair Rogers stated that this item had been discussed at the November LTC meeting and requested individuals to speak only to new issues regarding application.

Planner Richardson reviewed process to date and stated that site has potential for 5 lots. Ministry of Transportation has final approval of subdivision. Any future building would have to conform to set backs, archeological review, etc.

There have been a number of letters received on application.

Chair Rogers raised three points:

1. 8.1.1 Bylaws, wells, Ministry of Transportation required to ensure compliance with a number of items. Proof of water is to be submitted to LTC.
2. Double fronted lot – Planner confirmed it complies.
3. Covenants – only apply if large remainder.

Debra Bell questioned ecological protection and protection of Douglas Fir.

Planner Richardson stated no regulations are in place at this time.

Chair Rogers spoke to the Douglas Fir Protection document coming from Trust Council however this tool is not part of consideration for this application.

Tina Famillo spoke to conflict of interest. Chair stated this is only specific to the property owner.

Malcolm Ingles referred to correspondence from MI Conservancy. Active Pass is designated ecologically significant for birds, nesting sites, etc. It's important to consider significance of impact subdivision would have on ecosystems.

Peter Askin referred to the eagles nesting on Cotton Park. Staff pointed out there is a buffer zone of 200 metres and proposed development would have to comply.

Trustee Dodds stated that property could be developed without a variance and that there are development rights attached to the site. The requested variance has a minimal impact on the lot, area and neighbourhood.

Chair Rogers, having reviewed all the information and toured the site, restated development rights attached to property – to make 5 lots- and that variance is minimal: 5:1 to 6.5:1.

MA-2019-002

It was Moved and Seconded,

that the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2018.4(Maude).

CARRIED

MA-2019-003

It was Moved and Seconded,

that the Mayne Island Local Trust Committee exempt proposed Lots A and B of subdivision MA-SUB-2018.4(Mayenburg) from the 1/10 perimeter provision of Section 512 of the Local Government Act.

CARRIED

MA-2019-004

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to include a recommendation to the Ministry of Transportation to ensure archeological sites

be noted and that Ministry of Transportation require a covenant around the eagles nest location to include the buffer zone.

CARRIED

10.2 MA-RZ-2018.1 (CRD) - Staff Report

Planner Richardson spoke to drafted bylaws to include Cotton Park into existing Park Zones.

Trustee Dodds addressed concern that sense from the community is that Cotton Park be a Passive Park and there is no definition of a Passive Park, so would suggest an addendum to application of “no further buildings”.

Peter Askin stated that currently, Parks Commission had no significant development plans for park.

Annette Witteman spoke in agreement of Passive Park as there are concerns regarding activity volume and parking limitations.

Debra Bell raised a caution as to definitions/restrictions.

Planner Richardson reported that any proposed bylaws would be referred to the Mayne Island Parks Commission for comment.

Trustee Dodds questioned Peter Askin regarding Parks Plan.

Plan needs to be updated and the Chair is now Bill Duggan.

Trustee Maude returned to the meeting room at 2:19 p.m.

10.3 North Pender Island Local Trust Committee Bylaw No. 220 Referral

MA-2019-005

It was Moved and Seconded,

that the Mayne Island Local Trust Committee interests are not affected by North Pender Island Local Trust Committee Bylaw No. 220.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Commercial Land Use Review - Staff Report

Staff reviewed the process involved in drafting document which creates a Commercial Core for Miners Bay.

Reiner Fassler requested clarification of proposed policy and indicated two lots with a line down the middle.

Staff reported division was to provide a buffer from the residential lots in the rear and while it creates split zoning, it could still rezone as a commercial lot in future.

Misha Fassler questioned sewer/water demands and if there were plans for a community water system in area.

Planner Richardson stated not at this time however may be required in the future.

Chair Rogers added that LTC does not provide service however the CRD could manage.

Trustee Dodds spoke to community well located on Felix Jack Rd.

Annette Witteman asked if there are any changes to rezoning for sites outside of core.

Staff reviewed criteria for rezoning from page 6 of document.

MA-2019-006

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Draft Bylaw 175 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2018” to be amended to allow office use, not to exceed 1000 square feet, on Lot 7, Plan 715, Section 12, Mayne Island and Lot 1 in Strata Plan V156703, Mayne Island.

CARRIED

MA-2019-007

It was Moved and Seconded,

That the Mayne Island Local Trust Committee Draft Bylaw 174 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2018” be read a first time.

CARRIED

MA-2019-008

It was Moved and Seconded,

That the Mayne Island Local Trust Committee Draft Bylaw 175 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2018” to be read a first time.

CARRIED

MA-2019-009

It was Moved and Seconded.

That a Public Hearing and Community Information Meeting be scheduled for Mayne Island Local Trust Committee Bylaw 174 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2018” and Mayne Island Local Trust Committee Bylaw 175 cited as “Mayne Island Local Trust Committee Land Use Bylaw No. 146, 2008, Amendment No. 1, 2018”.

CARRIED

MA-2019-010

It was Moved and Seconded,

That the Mayne Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 174 cited as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2018" and Bylaw No. 175 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2018" are not contrary or at variance with the Islands Trust Policy Statement.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated January 2019

Report was presented.

12.1.2 Projects List Report Dated January 2019

Report was presented. Variance application completed today.

12.2 Applications Report Dated January 2019

Received for information.

12.3 Trustee and Local Expense Report Dated November 2018

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

To be updated according to meeting information.

12.6 Chair's Report

Chair Rogers spoke of Trust Council in Nanaimo. Training has been completed. Renovations are underway at the Islands Trust (IT) office so response time may be delayed over next 2 months. Transportation Canada has started consultations on anchorages.

12.7 Trustee Report

Trustee Dodds reported a busy month. Part of recent training was a meeting with Chief of Salish Band which was very interesting. High Speed Cable will be coming to island in the future. Attended Ag Society AGM and Strategic Plan highlights objective to purchase property next to Thrift Store. The Society has received a grant to expand Native display. At Trust Council received The Indigenous People of the Mayne Island Local Trust Area (Jan. 2019) [binder], which was very informative. Emergency

Preparedness identifying issues in wake of December storm. Communication key issue as phone lines down; access limitations as roads blocked; need to prepare for 2 weeks not 3 days.

Trustee Maude said activities well covered by Trustee Dodds. There is a meeting Thursday with Hydro regarding storm – debriefing.

12.8 Islands Trust Conservation Report Dated September & November 2018

Received for information.

13. NEW BUSINESS

13.1 Protection of Coastal Douglas Fir - Staff Report & Tool Kit

Trust Planning Committee is encouraging LTC's to protect Coastal Douglas Fir. If tool kit utilized will embed protection within planning package.

Trustee Dodds stated there are small stands of Douglas Fir however main priority at this time is fallow deer.

After a brief discussion it was decided to defer this item.

13.2 Mayne Island BEN Bylaw No. 173 - Staff Report

Trustee Dodds spoke to the effectiveness of the ticket process. The largest issue is STVRs.

Trustee Maude raised concerns with the bylaw enforcement notification (BEN) process and had preference for the traditional model. Moving adjudication to Victoria should make process easier. While system still needs to be reviewed and monitored, Trustee Maude said he is prepared to move forward.

MA-2019-011

It was Moved and Seconded,

that the Mayne Island |Local Trust Committer Bylaw No. 173, cited as "Mayne Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011, Amendment No. 1, 2018" be read a first time.

CARRIED

MA-2019-012

It was Moved and Seconded,

that the Mayne Island |Local Trust Committer Bylaw No. 173, cited as "Mayne Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011, Amendment No. 1, 2018" be read a second time.

CARRIED

MA-2019-013

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Bylaw No. 173, cited as “Mayne Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011, Amendment No. 1, 2018” be read a third time.

CARRIED

MA-2019-014

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Bylaw No. 173, cited as “Mayne Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011, Amendment No. 1, 2018” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

13.3 Trust Area Services Briefing re Updated Islands Trust Climate Change Web-pages

Received for information.

13.4 Mayne Island Local Trust Committee Fees Amendment Bylaw No. 176

MA-2019-015

It was Moved and Seconded,

that the Mayne Island Local Trust Committee adopt Mayne Island Local Trust Committee Bylaw No. 176, a Bylaw to amend the Mayne Island Local Trust Committee Fees Bylaw No. 145, 2007.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for February 25, 2019, at the Agricultural Hall, Mayne Island

15. TOWN HALL

Trustee Dodds gave an update on fallow deer issue – CRD grant received to train and license First Nations hunters. Next step to identify private property owners willing to give access for hunt.

Brian Crumblehulme expressed appreciation for LTC efforts. Regarding Cotton Park and abutting lots encourages working with owners and Conservancy regarding protection issues. There are archeological sites along the coastline and human remains have been found. Suggested contacting First Nations.

Mary Crumblehulme raised question of densification.

Trustee Dodds reported this refers to Tiny Homes project – addressing the affordable housing problem on island.

16. CLOSED MEETING

none

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:25 p.m.

Dan Rogers, Chair

Certified Correct:

Pat Todd, Recorder



DRAFT



**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 Media Present: None



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

28-Jan-2019

Activity	Responsibility	Target Date	Status
Minutes of November 26, 2018 adopted as amended.	Maple Hung		Done
MA-DVP-2018.4 (Maude) - issued as drafted.	Sharon Lloyd-deRosario		Done
MA-DVP-2018.4 (Maude) - send comments to MoTI regarding eagles nest and archaeological site. - note in file that 1/10 perimeter requirement waived.	Gary Richardson		Done
MA-RZ-2018.1 (CRD) - funding request to executive - meet with new CRD Parks Commission Chair - propose amendments for LTC to consider at next mtg.	Gary Richardson		Done
North Pender LTC bylaw 220 referral - Mayne LTCs interests unaffected.	Sharon Lloyd-deRosario		Done
Commercial Land Use Review - Bylaws 174 and 175 - Bylaws to be amended (GR) - Done - updated showing 1st reading (SLD) - Done & Posted - CIM and PH to be arranged (SLD/GR) - ongoing - policy statement checklist to be updated	Gary Richardson Sharon Lloyd-deRosario		Done

Follow Up Action Report

BEN Bylaw 173 updated showing 1st, 2nd and 3rd reading and to be forwarded to the Executive Committee of the Islands Trust for approval.	Sharon Lloyd-deRosario	Done
Bylaw 176 Mayne LTC Fees Bylaw amendment - adopted (consolidation done)	Sharon Lloyd-deRosario	On Going
Cotton Park - amend bylaws to allow "no further buildings"	Gary Richardson	Done

DATE OF MEETING: March 25, 2019
TO: Mayne Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
COPY:
SUBJECT: Development Variance Permit
Applicant: Carol and David Buzza
Location: 228 Spinnaker Drive

RECOMMENDATION

1. That the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2019.1 (Buzza).

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 existing shed and a proposed garage 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 garage; the siting of the garage does not affect the views of the neighbour to the east (230 Spinnaker); the variances would minimize development impacts as the site is cleared and close to the road; the rear lot line in question is functionally an interior lot line which requires a lesser setback; 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 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: 1) an existing accessory building (woodshed) to be sited within 0.0 metres of an interior side lot line; and 2) a proposed accessory building (garage) to be sited within 0.305 metres (1 ft) of an interior side lot line and to be sited within 0.305 metres (1 ft.) of a rear lot line.

The application will allow for the construction of a new 35.7 m² (384 ft.) garage and allow for the siting of an existing shed.

A copy of the notice and draft permit (MA-DVP-2019.1) are Attachments 4 and 5.

The property currently has a principal dwelling and shed on it. Staff visited the site on January 24, 2019 (Photos – Attachment 3)

Figure 1 – Subject Property

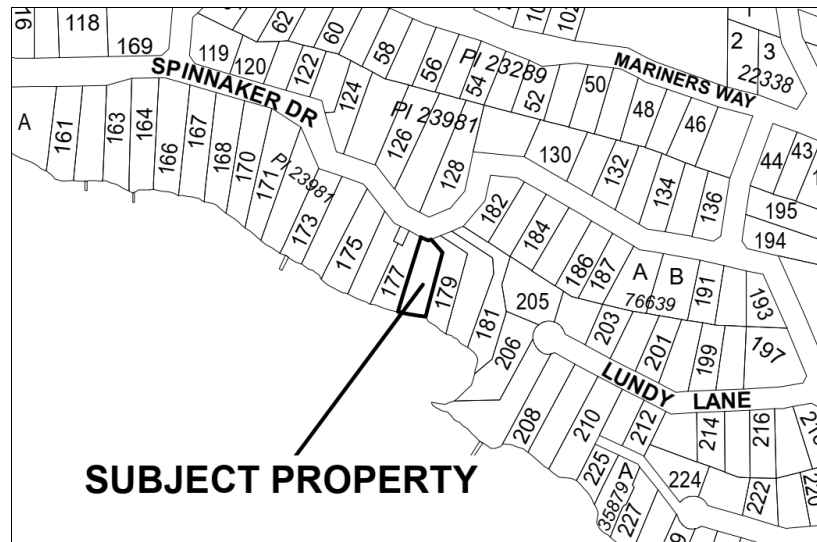
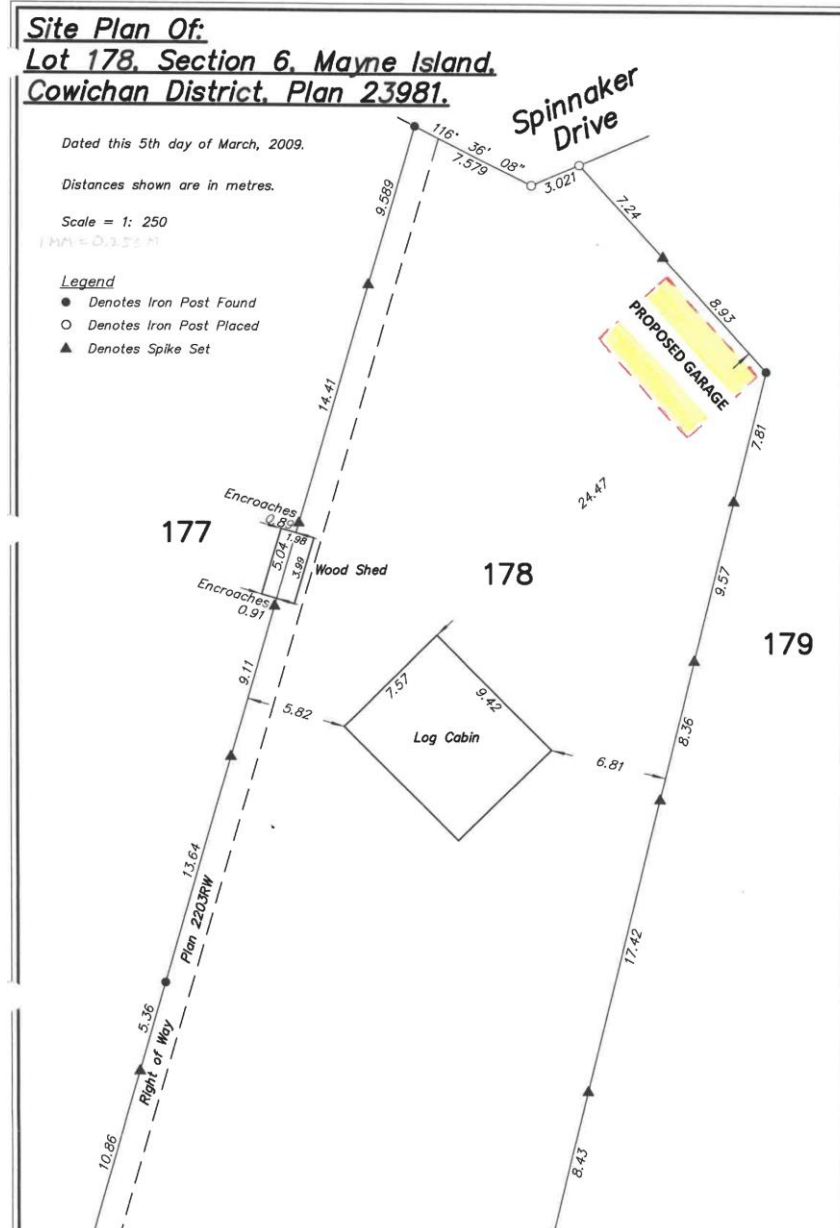


Figure 2 – Orthophoto



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:

- The lot slopes steeply to from Spinnaker Drive all the way down to the waterfront. The top of the lot is 40 metres above sea level (see map attachment 5)
- The only level buildable area is in the top corner of the lot where the proposed garage is to be sited.
- The area is squeezed in by septic tank/driveway/steep drops, property lines and Spinnaker Drive.
- Even a one-foot setback barely allows space for a single garage.

Impact on Neighbouring Properties

This proposed garage is only one foot from a lot line shared with the neighbor to the East at 230 Spinnaker. The proposed garage should have no impact on sea views from the residence at 230 Spinnaker is sited closer to the sea than the proposed garage.

The proposed garage is sited very close to the lot line shared with 230 Spinnaker and specific impacts might be brought forward by the owners of the adjacent lot.

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

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 March 22, 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 topography, siting of septic tank, driveway, and property lines this is the only appropriate location for a garage.
- The applicant's rationale is sound.
- The rear lot line effectively functions as an interior side lot line and the proposed variances would conform to an interior side yard setback.
- 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-2019.1 (Buzza).

Submitted By:	Gary Richardson, Island Planner	March 18, 2019

ATTACHMENTS

1. Site Context
2. Steep Slope Map
3. Photographs
4. Notice
5. Draft Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 178, Section 6, Mayne Island, Cowichan District, Plan 23981
PID	002-944-375
Civic Address	228 Spinnaker Drive

LAND USE

Current Land Use	Settlement residential
Surrounding Land Use	Settlement residential

HISTORICAL ACTIVITY

File No. (None)	Purpose
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POLICY/REGULATORY

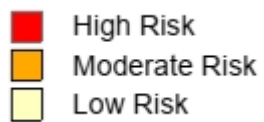
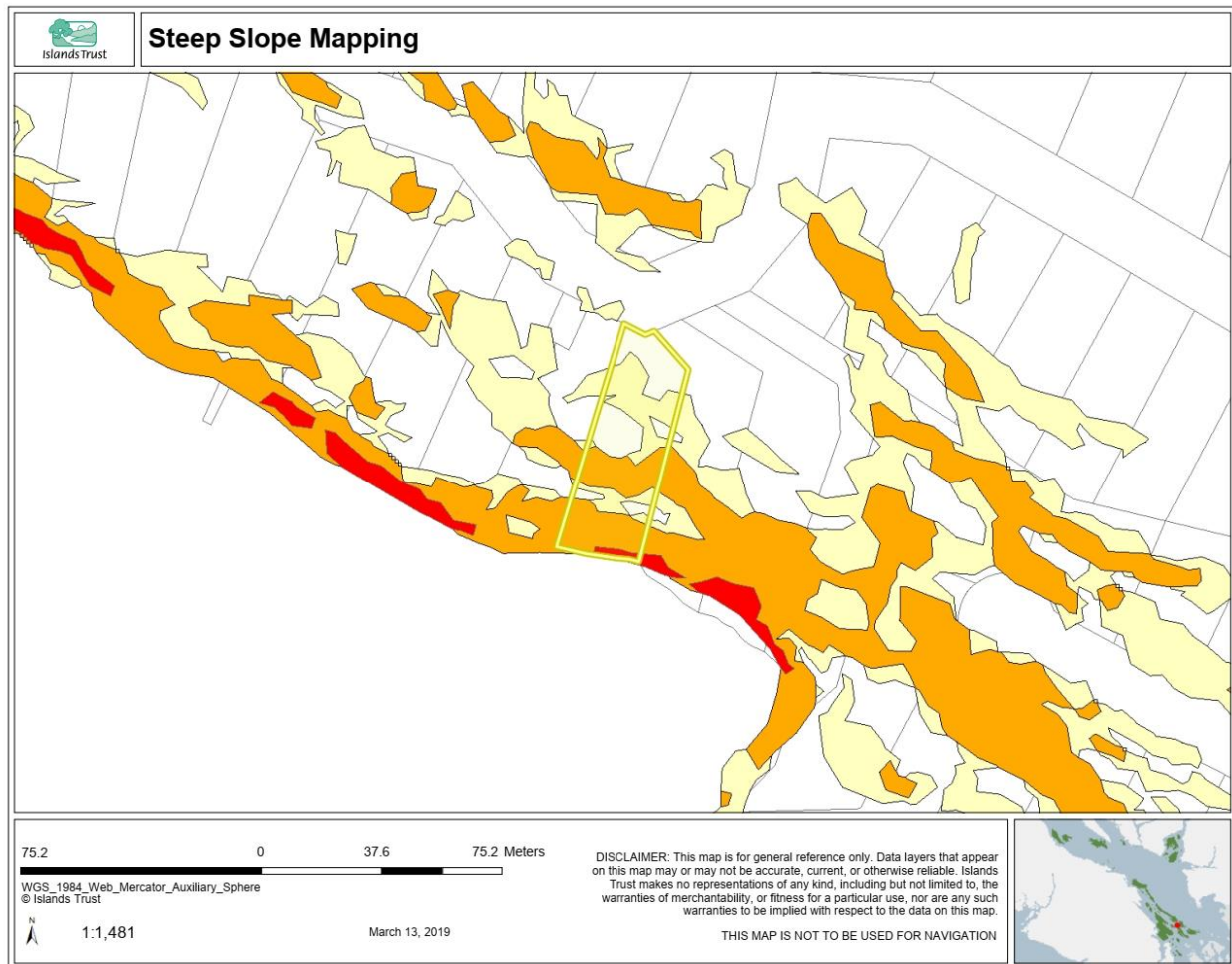
Official Community Plan Designations	The property is designated as SR – Settlement Residential in the Mayne Island Official Community Plan No. 144, 2007 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.
Land Use Bylaw	The property is in the Settlement Residential (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. There is one existing accessory building sited over a lot line.
Other Regulations	Right of Way 421440G – Drainage
Covenants	Covenant A5401 is a Building Scheme – expired March 15, 1986
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	Herbaceous shown on area close to waterfront. Nothing identified on area of proposed garage.
Hazard Areas	There are only small pockets of low risk on the property near the proposed garage. There are moderate and high risk areas closer to the waterfront. See attachment 2
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. Not

	withstanding 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 indicates that the impacts from anticipated or possible climate change induced hazards are not immediate.
Shoreline Classification	Boulder/Cobble

Attachment 2



Attachment 3 – Photos of proposed garage site





PROPOSED

**MAYNE ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
MA-DVP-2019.1**

To: David and Carol Buzza

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

Lot 178, Section 6, Mayne Island, Cowichan District, Plan 23981
(PID: 002-944-375)

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) an existing accessory building (woodshed) to be sited within 0.0 metres of an interior side lot line; and 2) a proposed accessory building (garage) to be sited within 0.305 metres of an interior side lot line and to be sited within 0.305 metres of a rear lot line.
- b) The development shall be consistent with Schedule 'A' and 'B' which are attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Mayne Island Land Use Bylaw No. 146, 2008" and 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 ##th DAY OF MONTH, YEAR.

Deputy Secretary, Islands Trust

Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF MONTH, YEAR
, THIS PERMIT AUTOMATICALLY LAPSES.**

MAYNE ISLAND LOCAL TRUST COMMITTEE

MA-DVP-2019.1

SCHEDULE 'A'

Site Plan Of:
Lot 178, Section 6, Mayne Island,
Cowichan District, Plan 23981.

Dated this 5th day of March, 2009.

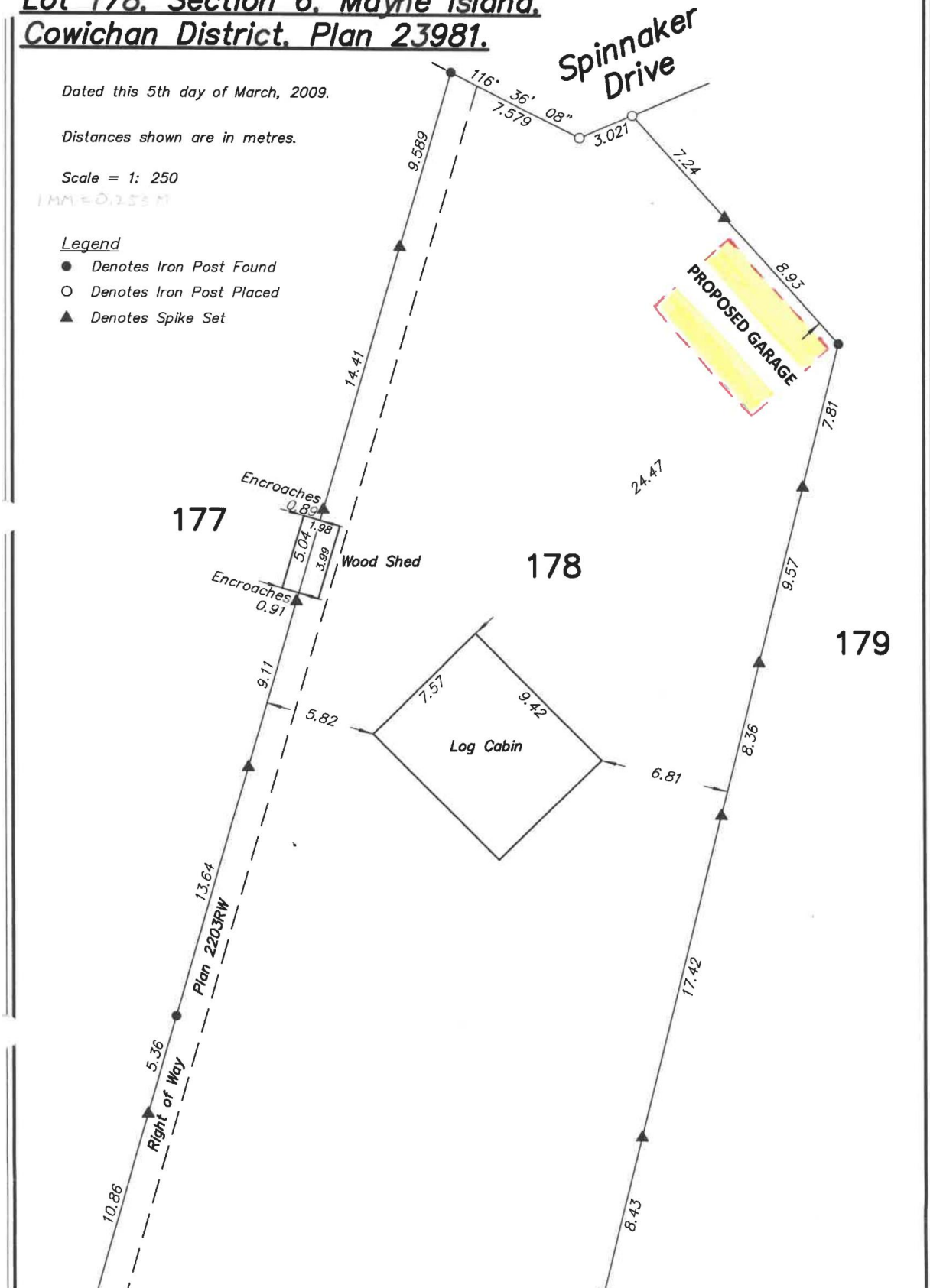
Distances shown are in metres.

Scale = 1: 250

1 MM = 0.255 M

Legend

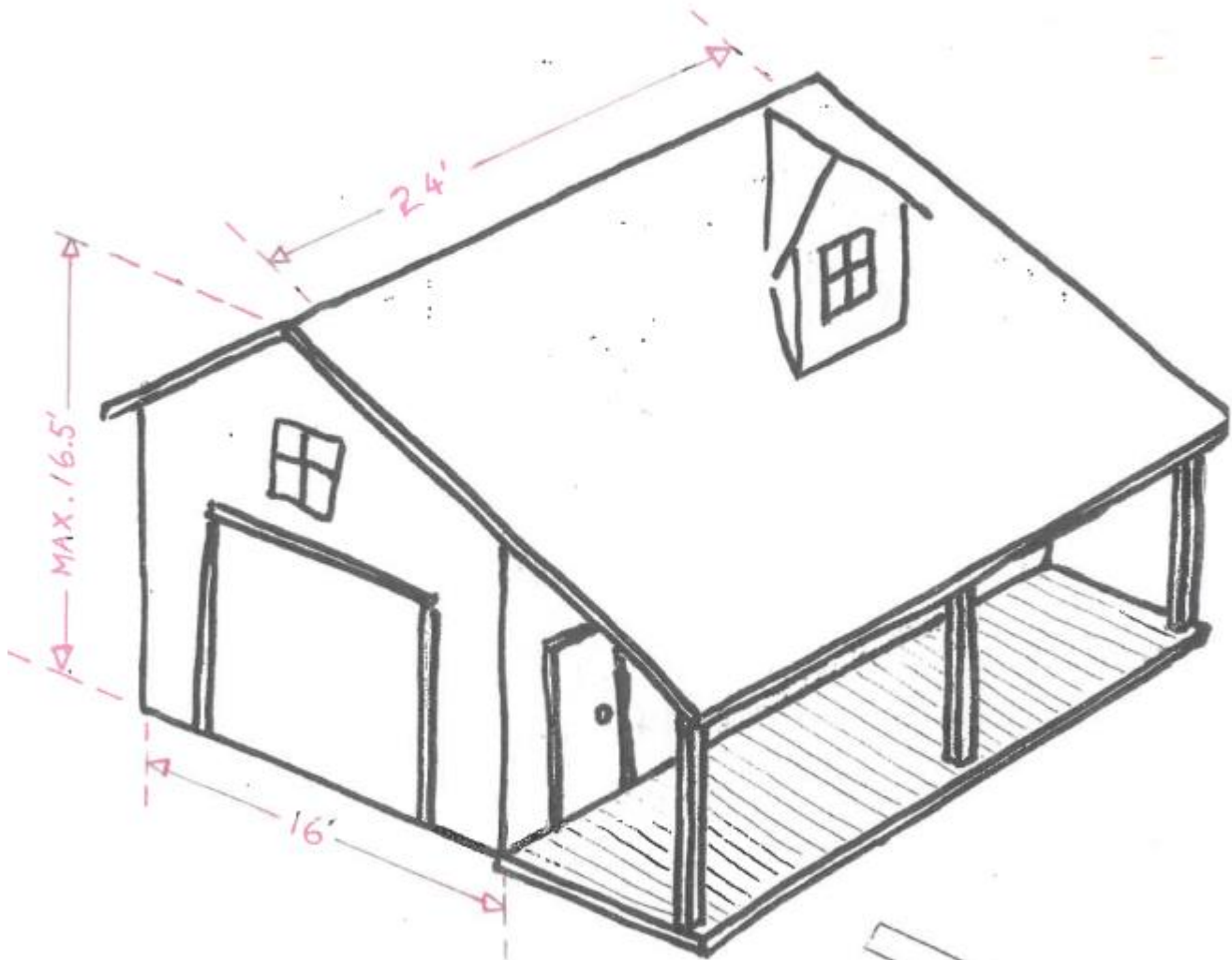
- Denotes Iron Post Found
- Denotes Iron Post Placed
- ▲ Denotes Spike Set



MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2019.1
SCHEDULE 'B'

228 SPINNAKER - SINGLE GARAGE

(WITH POSSIBLE 1/2 LOFT / DORMER / DECK
NOT



FACING 3-BDRM. LOG
CABIN DOWN BELOW.

DATE OF MEETING: March 25, 2019

TO: Mayne Island Local Trust Committee

FROM: Gary Richardson, Island Planner
Southern Team

CC: Robert Kojima, Regional Planning Manager

SUBJECT: Proposed OCP/LUB amendments of the South West ¼ of the North East ¼ of Section 14,
Mayne Island, Except Parcel G (DD89729I) from Rural to Park

Applicant: Capital Regional District (CRD)

Location: 207 Cotton Road, Mayne Island

RECOMMENDATION

1. That Mayne Island Local Trust Committee Draft Bylaw 177 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2019” be read a first time.
2. That Mayne Island Local Trust Committee Draft Bylaw 178 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019” be read a first time.
3. That the Mayne Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 177 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2019” and Bylaw No. 178 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019” are not contrary or at variance with the Islands Trust Policy Statement.

REPORT SUMMARY

Draft bylaws 177 (OCP) and 178 (LUB) have been drafted in response an application made by the CRD to amend the OCP designation and zoning on a waterfront property that has been donated for park purposes, from a residential designation/zone to a community park designation/zone.

BACKGROUND

An application to rezone a residential property was received from the CRD May 2018.

The application made is to amend the OCP designation and zoning on a property that had previously been used as a residential property to a community park designation/zone. The property was transferred to the CRD in 2015 from the previous land owners (Cotton).

There is a covenant on the property that restricts the use to park.

At its November 27, 2018 LTC meeting the LTC passed the following resolutions:

MA-2018-054

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to prepare a draft bylaw to amend Mayne Island Official Plan Bylaw No. 144, 2007 to amend the Official Community Plan designation of South West ¼ of the North East ¼ of Section 14, Mayne Island, except Parcel G (DD89729) from Rural to Community Park.

MA-2018-055

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to prepare a draft bylaw to amend Mayne Island Land Use Bylaw No. 146, 2008 to amend the zoning of South West ¼ of the North East ¼ of Section 14, Mayne Island, except Parcel G (DD89729) from Rural to Community Park.

MA-2018-056

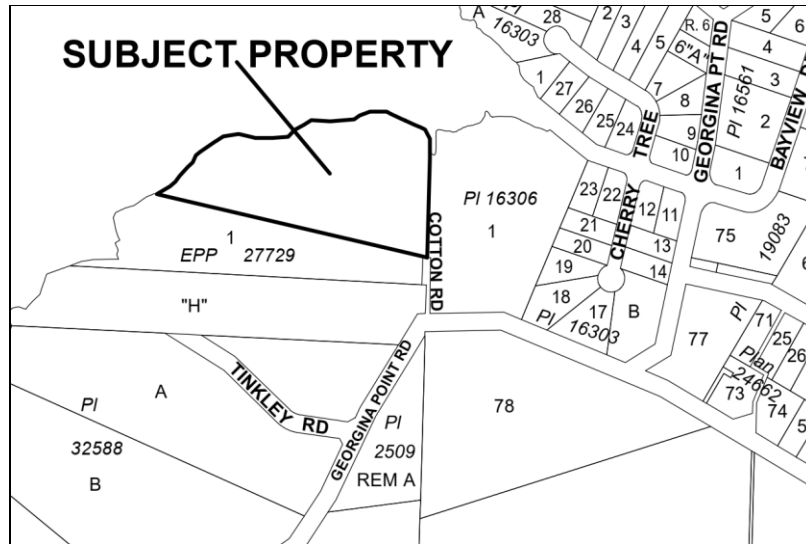
It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to contact Capital Regional District staff regarding St. John Point rezoning clarifying time line impacts.

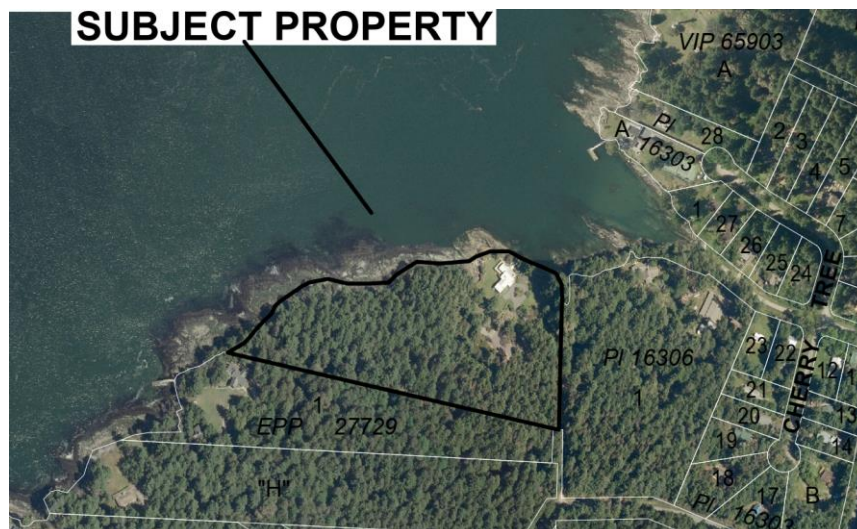
After reviewing the initial staff report and draft bylaws at the January 28, 2019 LTC meeting Trustee Dodds suggested that the bylaws be amended to allow for “no further buildings”. Staff advised that the bylaws would be amended and brought to the March 25, 2019 LTC meeting for the LTCs consideration.

The property is vacant except for a garden, parking, stairs to the beach, walking trails, garden area, signage and an accessory building. The house used by the previous owners was removed by the CRD.

PLAN 1 – SUBJECT PROPERTY



PLAN 2 – ORTHOPHOTO OF SUBJECT PROPERTY



ISSUES AND OPPORTUNITIES

1. Once the bylaws receive first reading it is recommended that they proceed to a CIM. The bylaws will also be referred to First Nations and agencies once they have received first reading. Staff will also forward the proposed bylaws to the appropriate agencies regarding the eagles nest and archaeological site(s) on the property. Once comments are received from the agencies, First Nations and the community staff will provide a further report.
2. The park is small in size and provides access to active pass for hiking and observing nature and would benefit from minimal development such as toilet facilities, signage and trails.
3. The Mayne Island Parks and Recreation Master Plan lists one of the 6 types of parkland appropriate for Mayne Island as a “Nature Appreciation Park” which development is limited and is intended to provide access for hiking and observance of the natural environment. This is a good fit with this park.
4. If the LTC determines it wants to amend the bylaws it is recommended if be amended prior to first reading.

Rational for Recommendation

- The lot is now parkland held by the CRD.
- The lot is currently designated as Rural in the OCP and zoned Rural in the LUB. These bylaws will place the lot in the appropriate park designation/zoning.
- The park best suits a nature appreciation park with limited development.

ALTERNATIVES

1. Amend the draft bylaws prior to giving them first reading

The LTC may request the bylaws be amended prior to giving them first reading.

2. Deny the application

The LTC may deny the application.

NEXT STEPS

- 1) Schedule a CIM
- 2) Refer Draft Bylaws to First Nations and Agencies

Submitted By:	Gary Richardson, Island Planner	March 15, 2019

ATTACHMENTS

1. Site Context
2. Policies
3. Draft Bylaw 177
4. Draft Bylaw 178
5. Policy Statement Checklist

ATTACHMENT 1 – SITE CONTEXT 207 COTTON ROAD

LOCATION

Legal Description	The South West ¼ of the North East ¼ of Section 14, Mayne Island, Cowichan District, Except Parcel G (DD89729I)
PID	009-629-327
Civic Address	207 Cotton Road

LAND USE

Current Land Use	Cotton Park
Surrounding Land Use	Oceanfront property with surrounded by residential lots. Rural zoned land to the West and South. Settlement Residential zoned land to the East.

HISTORICAL ACTIVITY

File No.	Purpose
No previous file activity	

POLICY/REGULATORY

Official Community Plan Designations	Rural (R) There are no Development Permit Areas designated on or near this lot.
Land Use Bylaw	Rural (R)
Other Regulations	n/a
Covenants	CA-4842322 – Agreement between the grantor (trustee) and the grantee (CRD) that the property will be used for park purposes in accordance with the covenant.
Bylaw Enforcement	none

SITE INFLUENCES

Species at Risk	None shown on mapping
Sensitive Ecosystems	No sensitive features shown for this lot on the Islands Trust Sensitive Ecosystem Mapping.
Hazard Areas	
Archaeological Sites	In reviewing the Remote Access to Archaeological Data (RAAD) information there are archaeological sites noted within the property; also the mapping shows areas of archaeological potential.
Climate Change Adaptation and Mitigation	This waterfront property may be subject to sea level rise in the future.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder
Other	An eagles nest has recently been identified on this lot.

ATTACHMENT 2 – POLICIES

ISLANDS TRUST POLICY STATEMENT

ITPS Policy	Complies	Planner Comments
Directive Policy 5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.	yes	This is a scenic property, containing archeological sites, that contributes to the overall visual quality and scenic value of the Trust Area.
Directive Policy 5.5.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address: • the identification of sites providing safe public access to beaches, • the identification and designation of areas of recreational significance...	yes	This property provides a safe access to the shoreline.

MAYNE ISLAND LTC OFFICIAL COMMUNITY PLAN BYLAW No. 70

OCP Objective/Policy	Complies	Planner Comments
2.7.2 (2) to expand the Mayne Island Trust Area community park system and public trails under the authority of the local Mayne Island Parks and Recreation Commission,	yes	This property adds a high value property to the Mayne Island Trust Area community park system.
2.7.2 (3) to encourage a system of parks including walkways, hiking easements and linear parks in residential areas.	yes	
2.7.2.2 No overnight use or camping shall be permitted in Community parks.	yes	
2.7.2.3 Only those accessory buildings or structures specified in the zone shall be permitted.	yes	
2.7.2.4 Open fire pits shall not be permitted in community parks.		

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 177**

**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, 2019".

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING

THIS _____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 177**

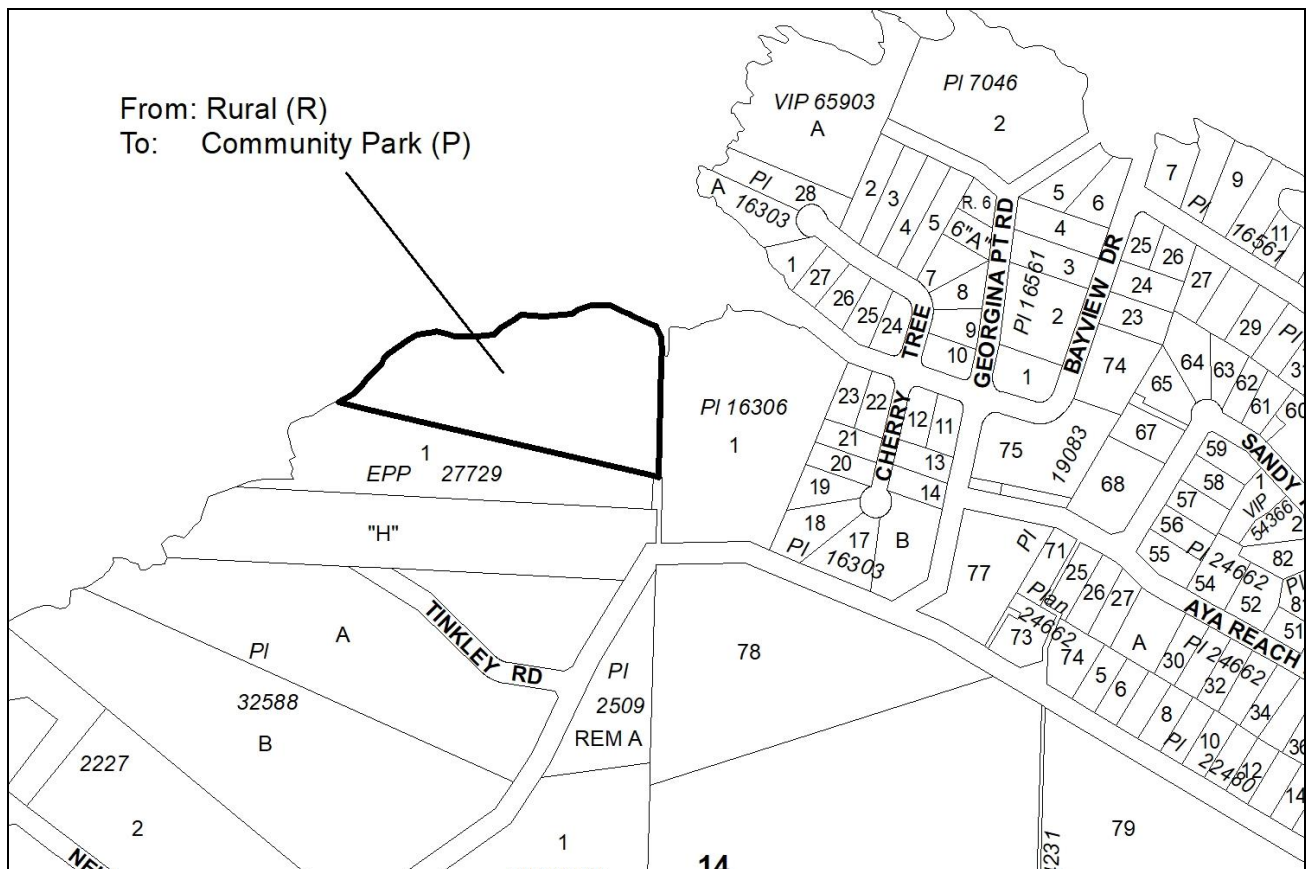
SCHEDULE 1

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

1. By amending Schedule B by changing the land use designation on the South West $\frac{1}{4}$ of the North east $\frac{1}{4}$ of Section 14, Mayne Island, Cowichan District, except Parcel G (DD89729I) from the Rural (R) land use designation to the Community Park (P) land use designation as shown on Plan No. 1, which is attached to and forms part of this bylaw.

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 177

Plan No.1



**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 178**

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, 2019”.

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

2.1 The Table listing “Site Specific Regulations” in subsection 5.17(6) is amended by adding the following immediately after Site Specific Zone P(a):

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
P(b)	South West $\frac{1}{4}$ of the North east $\frac{1}{4}$ of Section 14, Mayne Island, Cowichan District, except Parcel G (DD89729I)	In addition to the siting and size restrictions in 5.17(3) the maximum combined floor area of all buildings and structures shall not exceed 37m ² (400 ft ²).

2.2 Schedule “B” – Zoning Map, is amended by changing the zoning classification of the South West $\frac{1}{4}$ of the North east $\frac{1}{4}$ of Section 14, Mayne Island, Cowichan District, except Parcel G (DD89729I) from Rural (R) to Community and Regional Park P(b) as shown on Plan No. 1, which is attached to and forms part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 146 as are required to effect this change.

3. SEVERABILITY

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

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

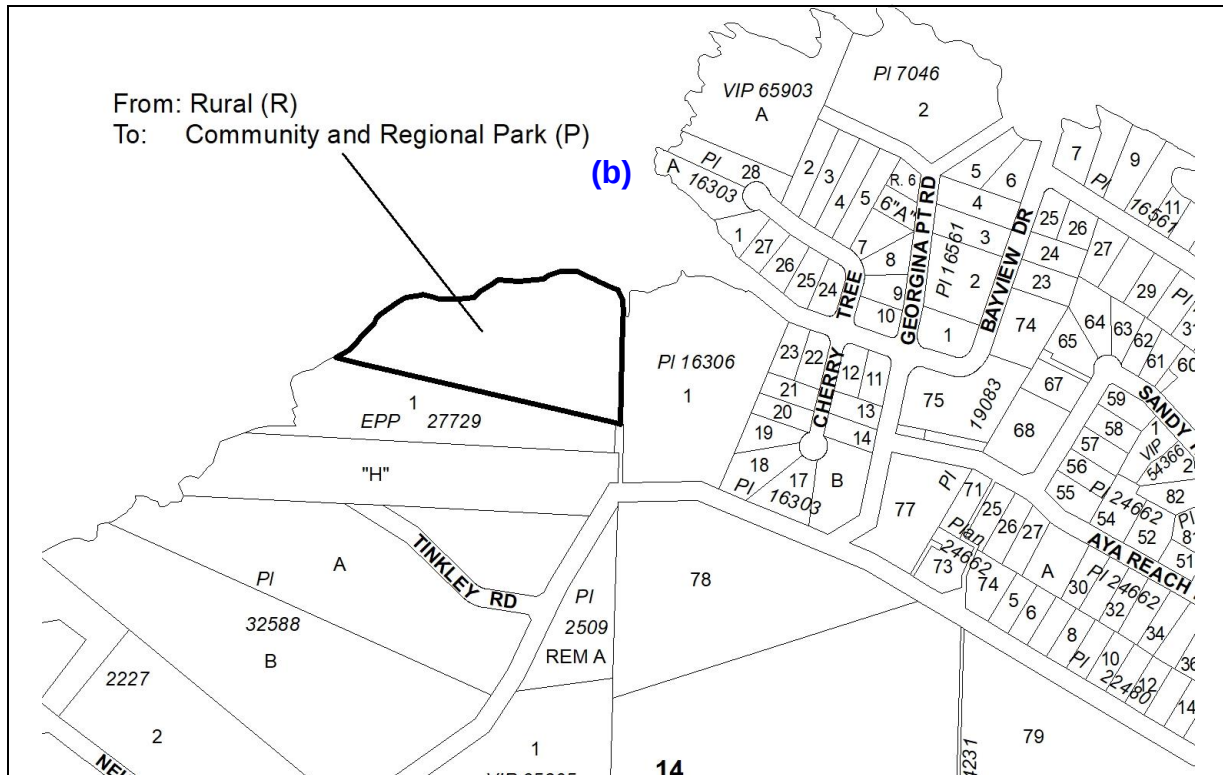
ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 178

Plan No. 1





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No: MA Bylaws 177 & 178
Cotton Park (MA-RZ-2018.1)
LTC Endorsement:**

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A** if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
n/a	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
n/a	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
n/a	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
n/a	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
n/a	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
✓	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
n/a	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
n/a	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
n/a	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
n/a	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
n/a	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
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	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
✓	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
✓	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
✓	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
✓	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
n/a	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
n/a	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY



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

DATE OF MEETING: March 25, 2019
TO: Mayne Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Victoria Office
SUBJECT: Proposed Bylaw 174 (OCP) and Proposed Bylaw 175 (LUB) – Commercial land Use
Amendments - Mayne Island Local Trust Area

Applicant: MILTC Project
Location: Mayne Island Local Trust Area

RECOMMENDATION

1. That the Mayne Island Local Trust Committee Proposed Bylaw No. 174 cited as “Mayne Island Official Community Plan Bylaw 144, 2007, Amendment No.1, 2018” be read a Second time.
2. That the Mayne Island Local Trust Committee Proposed Bylaw No. 175 cited as “Mayne Island Land Use Bylaw No.146, 2008, Amendment No.1, 2018” be read a Second time.
3. That the Mayne Island Local Trust Committee Proposed Bylaw No. 174 cited as “Mayne Island Official Community Plan Bylaw 144, 2007, Amendment No.1, 2018” be read a Third time.
4. That the Mayne Island Local Trust Committee Proposed Bylaw No. 175 cited as “Mayne Island Land Use Bylaw No.146, 2008, Amendment No.1, 2018” be read a Third time.
5. That the Mayne Island Local Trust Committee Proposed Bylaw No. 174 cited as “Mayne Island Official Community Plan Bylaw 144, 2007, Amendment No.1, 2018” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.
6. That the Mayne Island Local Trust Committee Proposed Bylaw No. 175 cited as “Mayne Island Land Use Bylaw No.146, 2008, Amendment No.1, 2018” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.
7. That the Mayne Island Local Trust Committee Proposed Bylaw No. 174 cited as “Mayne Island Official Community Plan Bylaw 144, 2007, Amendment No.1, 2018” be forwarded to the Minister of Municipal Affairs and Housing.

REPORT SUMMARY

Proposed Bylaw (174) amends the Mayne Island OCP by adding/amending policies primarily regarding commercial land use.

Proposed Bylaw 175 amends the Mayne Island Land Use Bylaw by adding/amending regulations primarily regarding commercial land use.

This report recommends steps to be taken following public hearing.

BACKGROUND

The Local Trust Committee is considering a bylaw to amend the Mayne OCP and LUB.

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 draft bylaws clarify wording and zone titles. In some cases the draft bylaws give a broader range of permitted uses for existing commercial properties 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 consistent with proposed new policies in the OCP. The amendments also: potentially allow increased residential use in the Miners Bay commercial core; permit small sampling/tasting rooms for items produced as part of a home occupation; amend and in some cases add development permit designations; and in one case removes the industrial zoning from a small portion of an otherwise commercially zoned lot.

There have been various staff reports prepared summarizing this project and the LTC's options for implementation (available on the Mayne Island LTC webpage).

Statutory notification has been carried out and no comments have been received as a result of the notification.

A public hearing is scheduled for March 25, 2019.

A public hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Forwarding to the Minister of Municipal Affairs and Housing for approval.
5. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

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	28 TH	DAY OF	JANUARY	2019
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING				
THIS	_____	DAY OF	_____	20____
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.”

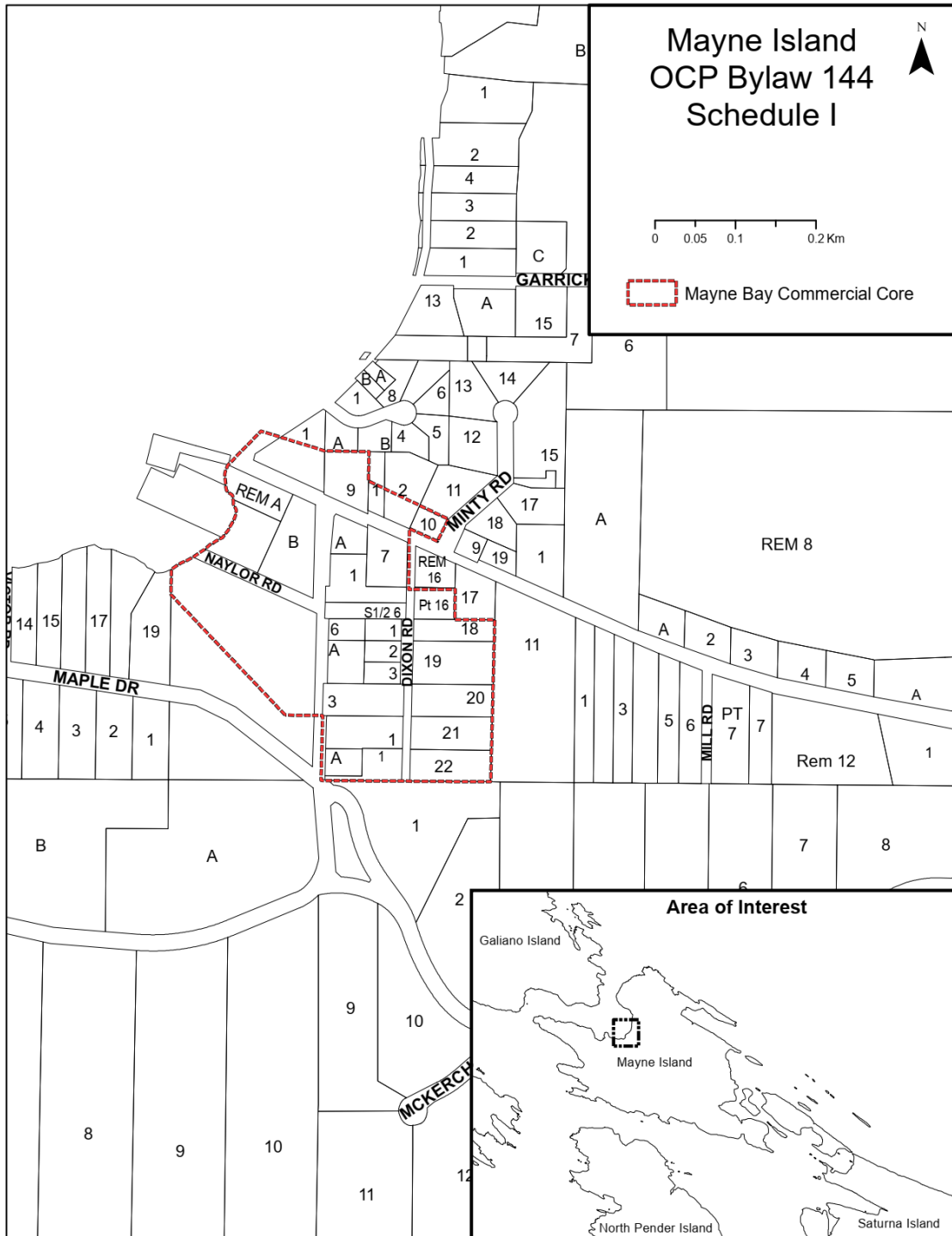
The Advocacy Policies following article 3.3.2.1 are to be renumbered accordingly.

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

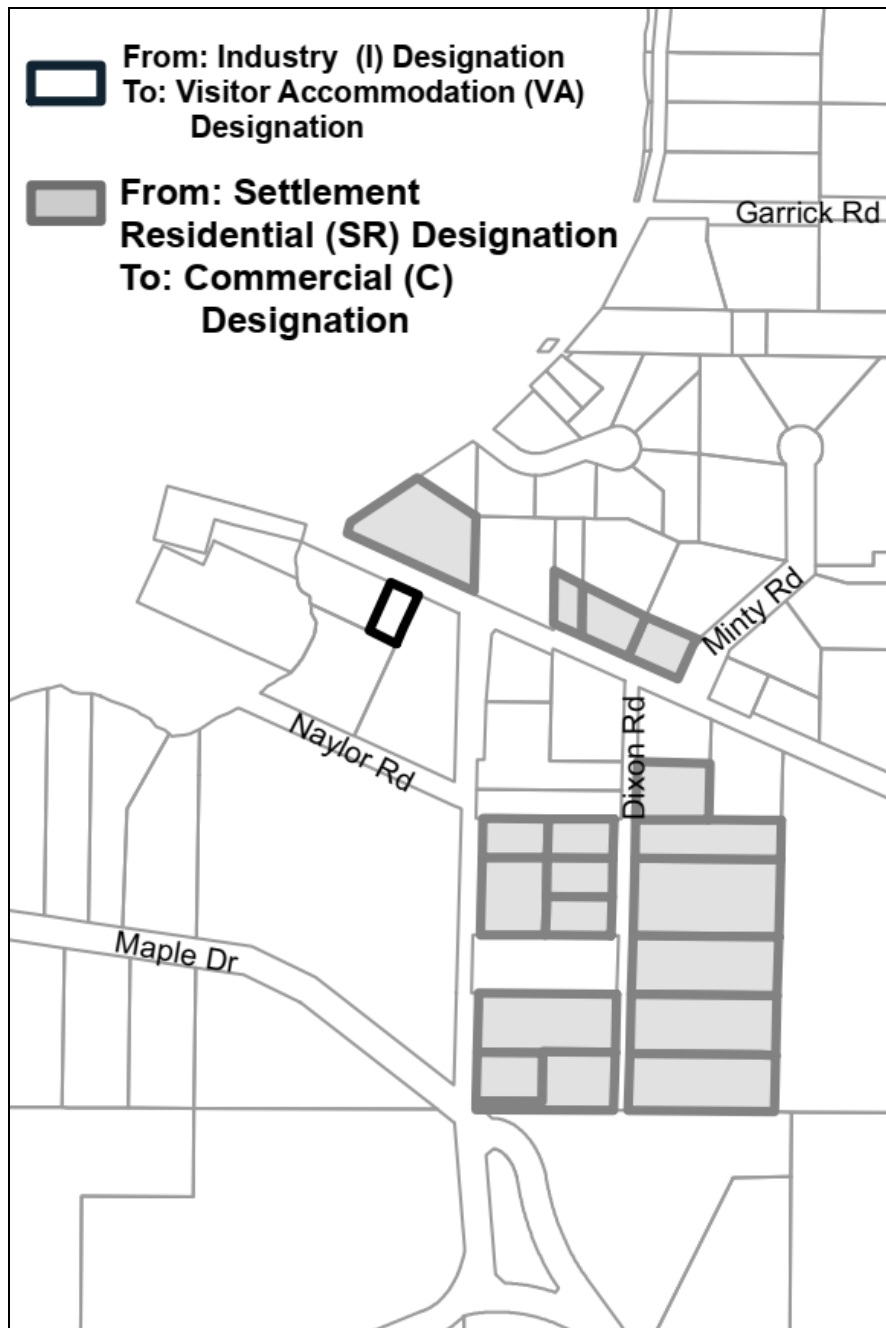
Plan No. 1



Mayne Island Local Trust Committee

Bylaw No. 174

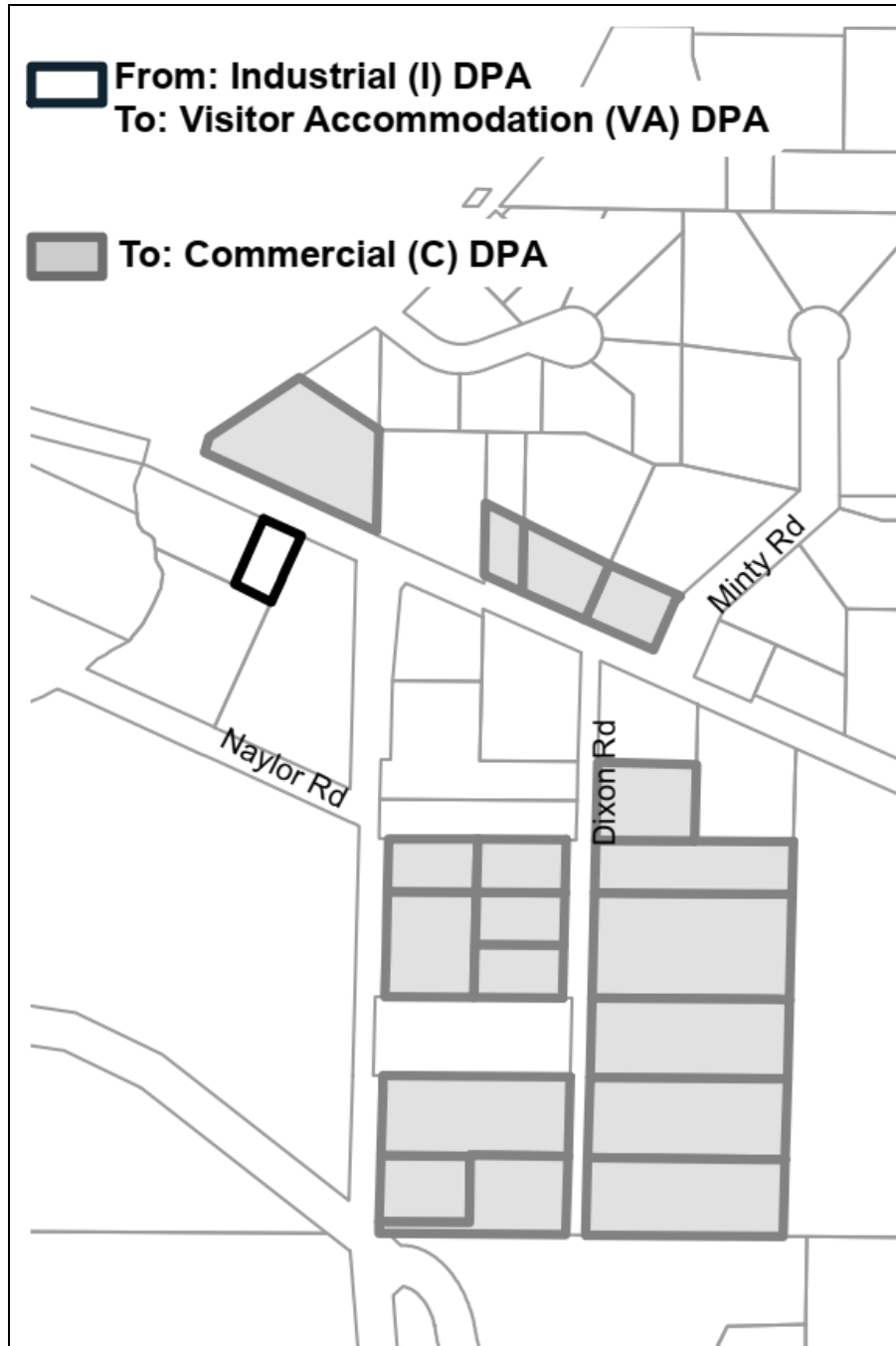
Plan No. 2



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.

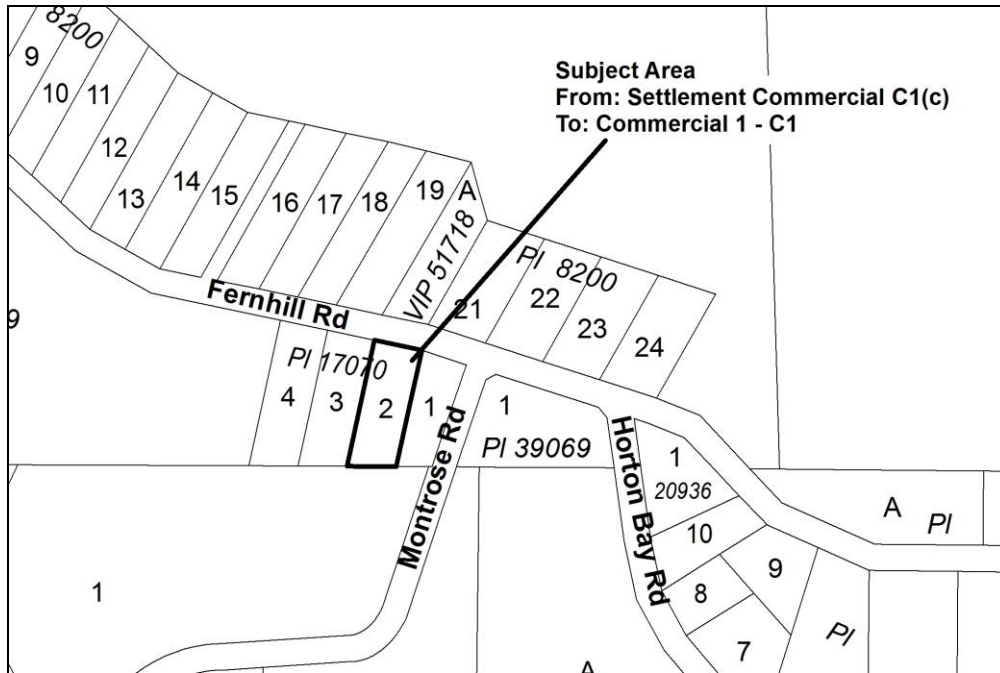
READ A FIRST TIME THIS	28 TH	DAY OF	JANUARY	2019
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____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

Chair

Secretary

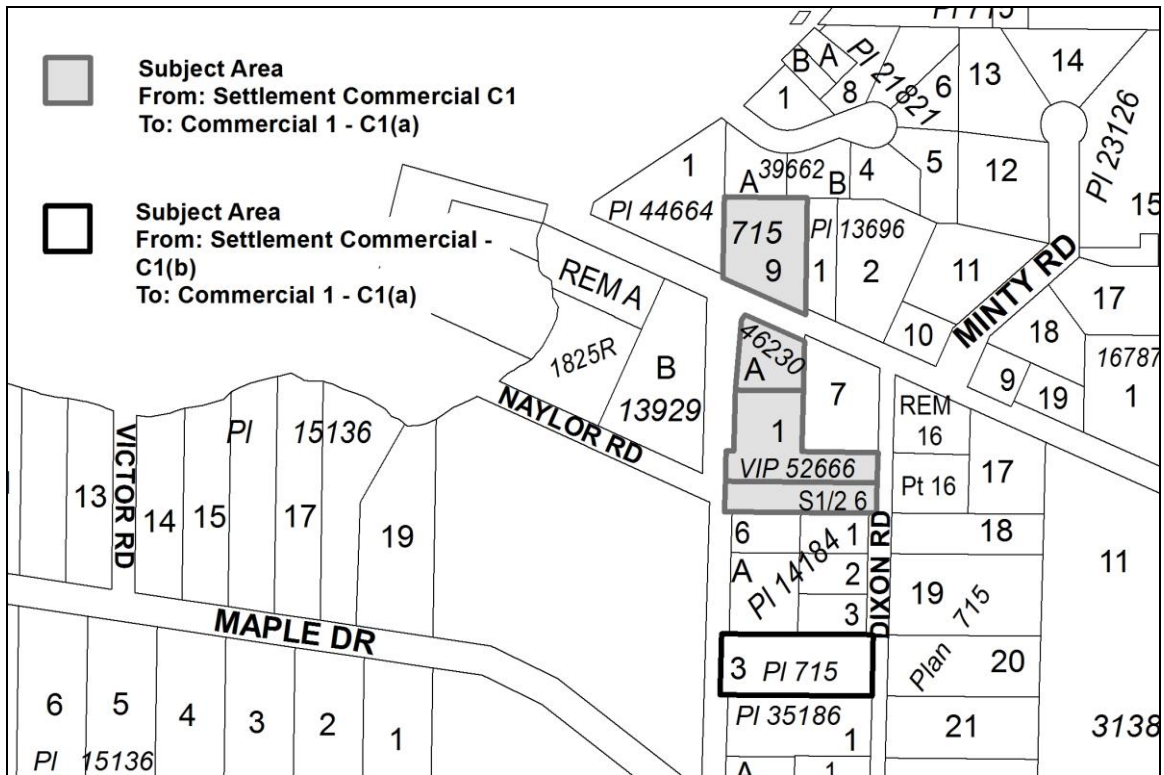
MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 175

Plan No. 1



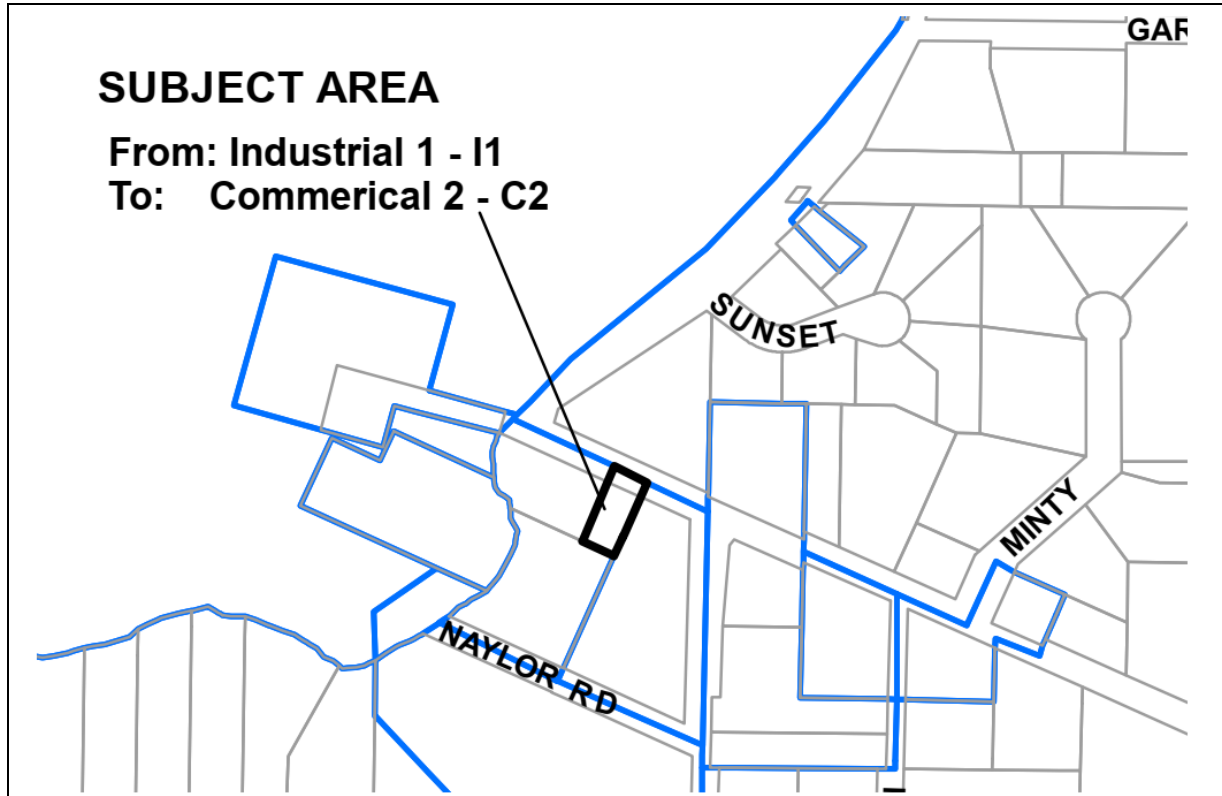
MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 175

Plan No. 3



MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 175

Plan No. 4



A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation:

- The proposed bylaws are a result of several years of review and discussion of commercial land use on Mayne Island.
- The community has had several opportunities to comment on this project and the proposed bylaws.
- First Nations and Agencies have been consulted.
- Statutory notification has been carried out and as of the date of this report no comments had been received as a result of the notification.
- A Public Hearing has been held.

NEXT STEPS

- Forward the proposed bylaw to the Executive Committee of the Islands Trust for approval.
- Forward the Bylaw to the Minister of Municipal Affairs and Housing for approval.
- Place on future LTC agenda for adoption.

Submitted By:	Gary Richardson, Island Planner	March 15, 2018

ATTACHMENTS

1. Proposed Bylaw 174
2. Proposed Bylaw 175

Top Priorities

Mayne Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Commercial Land Use Review	Public Hearing being held March 25, 2019 for bylaws 174 and 175.	27-Apr-2015	Gary Richardson	31-Oct-2018
2	Affordable Housing (tiny home initiative)		26-Nov-2018		
3	Review of Zoning for Contractors Yards	Initial staff report and project charter to be prepared.	26-Mar-2018	Gary Richardson	

Projects

Mayne Island

Description	Activity	R/Initiated
Climate Change Adaptation	Consider regulatory changes and implementation of new DPA authority	02-Mar-2009
Waste Management		31-Oct-2017
Fallow Deer		26-Mar-2018
Review permitted accessory building height		30-Jul-2018
Cannabis Production - Regulating structures		24-Sep-2018



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2019.1	Carol Buzza Planner: Gary Richardson	18-Jan-2019	building a garage
Planning Status			
Status Date: 15-Mar-2019 Staff report and draft permit on March 25, 2019 agenda for consideration of issuance.			
Status Date: 23-Jan-2019 PTA Created file, fees received, LTC notified, given to Planner			

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2018.1	Capital Regional District (MIPRC) Planner: Gary Richardson	01-Nov-2018	Rezone from Rural to Park
Planning Status			
Status Date: 15-Mar-2019 Staff report and amended bylaws on March 25, 2019 agenda for consideration.			
Status Date: 20-Jan-2019 Staff report and draft bylaws on January 28, 2019 LTC agenda for consideration.			
Status Date: 26-Nov-2018 LTC Direction to prepare draft bylaws and to contact CRD staff to discuss feasibility of including St. John Point in rezoning			

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

Applications

Planning Status

Status Date: 19-Jun-2018

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

Status Date: 07-Jun-2018

Ian contact applicant to discuss potential issues (arch. site, covenant against further sub., proof of water, frontage, etc). Waiting on reply

Status Date: 18-May-2018

A response to MoTI is being prepared.

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.3	Wey Mayenburg Land Surveying Inc	16-Oct-2018	proposed subdivision to create 2 parcels for residential use
Planner: Gary Richardson			

Planning Status

Status Date: 20-Jan-2019

Staff reponse to MoTI to be prepared by Jan 25, 2019.

Status Date: 18-Oct-2018

created file, fees processed, passed on to planner

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2019.1	Mayenburg, Brent	22-Jan-2019	parcel line adjustment subdivision (boundary adjustment)
Planner: Gary Richardson			

Planning Status

Status Date: 14-Feb-2019

PTA created file, fees received, MoTi application received, Planner to pick up application

Islands Trust
LTC EXP SUMMARY REPORT F2019
Invoices posted to Month ending January 2019

645 Mayne	Invoices posted to Month ending January 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-645	LTC "Trustee Expenses"	750.00	35.00	715.00
LTC Local				
65200-645	LTC - Local Exp - LTC Meeting Expenses	1,500.00	1,093.84	406.16
65210-645	LTC - Local Exp - APC Meeting Expenses	500.00	146.99	353.01
65220-645	LTC - Local Exp - Communications	250.00	700.00	-450.00
65230-645	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>2,750.00</u>	<u>1,940.83</u>	<u>809.17</u>
Projects				
73001-645-4059	Mayne Commercial Land Use Review	2,000.00	100.00	1,900.00
TOTAL Project Expenses		<u>2,000.00</u>	<u>100.00</u>	<u>1,900.00</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; vii) the owner of the property uses more than one property on Mayne Island as a USTVR.

No	Meeting Date	Resolution No.	Issue	Policy and Description
				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



DATE OF MEETING: March 25, 2019
TO: Mayne Island Local Trust Committee
FROM: Miles Drew Bylaw Enforcement Manager, Local Planning Services
SUBJECT: Bylaw Enforcement Notification Bylaw Amendments

RECOMMENDATION

1. That the Mayne Island Local Trust Committee Bylaw No. 173, cited as Mayne Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011, Amendment No. 1, 2018, be adopted.

REPORT SUMMARY

This report recommends that the Mayne Island Local Trust Committee amend Mayne Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 156, 2011 (BEN) so that recent changes to the Mayne Island Land Use Bylaw (LUB) are included and so that various housekeeping amendments can be made.

Background:

At the January 28 2019 meeting the Mayne Island Local Trust Committee gave three readings to Bylaw No. 173 by making the following resolutions:

1. That Mayne Island Local Trust Committee Bylaw No. 173, cited as “Mayne Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011, Amendment No. 1, 2018”, be read a first time.
2. That Mayne Island Local Trust Committee Bylaw No. 173, cited as “Mayne Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011, Amendment No. 1, 2018”, be read a second time.
3. That Mayne Island Local Trust Committee Bylaw No. 173, cited as “Mayne Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011, Amendment No. 1, 2018”, be read a third time.

At its regular business meeting on February 13, 2019, the Executive Committee approved Bylaw 173.

Rationale for Adoption

The BEN Bylaw has not been updated since March of 2017. Since that time various amendments have been made to the LUB causing the BEN Bylaw to be not synchronized with the LUB. This amendment bylaw updates the Schedule A to reflect changes in the LUB.

Also, the amending bylaw makes several housekeeping amendments and changes the name and address of the Adjudication Registry from the North Shore to the Islands Trust to reflect Trust Council’s recent decision that the Islands Trust should run its own Bylaw Notice Adjudication Registry.

Proposed Bylaw No.173 is consistent with Islands Trust Council policies and approved by the Executive Committee.

Submitted By:	Miles Drew Bylaw Enforcement Manager	February 13, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	Select Date.

ATTACHMENT

1. MA-LTC-BEN-Amendment-Bylaw-173

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.2.1	Keeping Of Non Permitted Animals	\$300.00	\$225.00	\$450.00	Yes	100%
3.2.2	Non Permitted Disposal/Storage Of Hazardous/Toxic Waste	\$300.00	\$225.00	\$450.00	Yes	100%
3.2.3	Non Permitted Rental/Sale Of Personal Watercraft	\$300.00	\$225.00	\$450.00	Yes	100%
3.2.4	Non Permitted Fin Fish Aquaculture	\$300.00	\$225.00	\$450.00	Yes	100%
3.2.5	Non Permitted Bridges/Causeways/Tunnels	\$300.00	\$225.00	\$450.00	Yes	100%
3.2.6	Non Permitted Marina Restricted To Member Of Private Club	\$300.00	\$225.00	\$450.00	Yes	100%
3.2.7	Non Permitted Retail Sale/Wholesaling Of Groundwater Extracted On Mayne Island	\$300.00	\$225.00	\$450.00	Yes	100%
3.3.2	Building/Structure Exceed Height Restriction Or Within Setbacks	\$300.00	\$225.00	\$450.00	Yes	100%
3.3.3	Non Permitted Building/Structure Within Setback To Natural Boundary Of Sea	\$300.00	\$225.00	\$450.00	Yes	100%
3.3.4	Non Permitted Building/Structure With Underside Of Floor System Lower Than 1.5 Metres Above Natural Boundary Of Sea/Natural Watercourse	\$300.00	\$225.00	\$450.00	Yes	100%
3.3.5	Non Permitted Building/Structure Within Setback To Natural Boundary Of Watercourse	\$300.00	\$225.00	\$450.00	Yes	100%
3.3.6	Non Permitted Feature Projecting Into Required Setback	\$300.00	\$225.00	\$450.00	Yes	100%
3.5.1	Building/Structure Accessory To Dwelling Used For Human Habitation	\$300.00	\$225.00	\$450.00	Yes	100%
3.5.2	Non Permitted Building/Structure On Lot Prior To Construction Of Principal Dwelling/Commencement Of Principal Residential Use	\$300.00	\$225.00	\$450.00	Yes	100%
3.6.1	Non Permitted Home Occupation	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.3	Home Occupation Not Entirely Conducted In Dwelling Unit/Permitted Accessory Building	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.4	Home Occupation Exceeds Maximum Combined Floor Area	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.5	Fail To Retain Residential Appearance On Home Occupation Premises	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.6	Home Occupation Not Operated By Person Permanently Residing In Dwelling Or Exceeds Non-Resident Employees	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.7	Inadequate Landscape Screen/Fence For Exterior Storage Of Home Occupation	\$100.00	\$75.00	\$150.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.6.8	Home-Based Guest Accommodation Exceeds Maximum Bedrooms/Guests Or Breakfast Served Or Recreational Equipment Rented To Non Guests	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.9	Area Of Home Occupation Used To Prepare/Serve Food Exceeds Floor Area Restriction	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.10	Area Of Home Occupation Used For Sales And Storage Of Goods For Sale Exceed Floor Area Restriction	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.11	Noise From Home Occupation Heard At Lot Line/Natural Boundary Of Sea	\$250.00	\$187.50	\$375.00	Yes	100%
3.6.12	Non Permitted Short Term Vacation Rental	\$300.00	\$187.50	\$450.00	Yes	100%
3.7.1	Fence Exceeds Height Restriction In Required Setback	\$300.00	\$225.00	\$450.00	Yes	100%
3.8.1	Non Permitted Landscape Screen	\$100.00	\$75.00	\$150.00	Yes	100%
3.9.1	Non Permitted Use Of Recreational Vehicles As Dwelling/Cottage	\$300.00	\$225.00	\$450.00	Yes	100%
3.12.1(a)	Exceed Floor Area For Retail Sales Ancillary To BC Licensed Winery/Cidery	\$300.00	\$225.00	\$450.00	Yes	100%
3.12.1(b)	Exceed Floor Area For Food And Beverage Service Lounge Ancillary To BC Licensed Winery/Cidery	\$300.00	\$225.00	\$450.00	Yes	100%
3.13(1)	Non Permitted Secondary Suite	\$300.00	\$225.00	\$450.00	Yes	100%
3.13(2)	Non Permitted Additional Suite	\$300.00	\$225.00	\$450.00	Yes	100%
3.13(3)	Non Permitted Secondary Suite with Cottage	\$300.00	\$225.00	\$450.00	Yes	100%
3.13(4)	Secondary Suite Outside Principal Dwelling	\$300.00	\$225.00	\$450.00	Yes	100%
3.13.5	Home Occupation in Suite	\$300.00	\$225.00	\$450.00	Yes	100%
3.13.6	No Separate Suite Entrance	\$300.00	\$225.00	\$450.00	Yes	100%
3.13.7	No Water Catchment System	\$300.00	\$225.00	\$450.00	Yes	100%
3.13.8	Suite too Large	\$300.00	\$225.00	\$450.00	Yes	100%
5.1.1	Non Permitted Use In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.1.2	Exceed Maximum Number Of Dwelling Units In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.1.3	Exceed Maximum Number Of Cottages In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.1.4	Exceed Maximum Number Of Accessory Buildings In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.1.5	Exceed Maximum Lot Coverage Restriction In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.1.6	Exceed Maximum Floor Area Restriction For Cottages In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.1.7	Encroachment Into Setbacks In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.1.8	Exceed Height Restriction For Dwelling Unit/Cottage In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.1.9	Exceed Height Restriction For Accessory Building/Structure In Settlement Residential Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.1	Non Permitted Use In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.2	Exceed Maximum Number Of Dwelling Units In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.3	Exceed Maximum Number Of Cottages In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.4	Exceed Maximum Number Of Accessory Buildings In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.5	Exceed Maximum Lot Coverage Restriction In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.6	Exceed Maximum Floor Area Restriction For Cottages In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.7	Encroachment Into Setbacks In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.8	Exceed Height Restriction For Dwelling Unit/Cottage In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.2.9	Exceed Height Restriction For Accessory Building/Structure In Rural Residential One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.3.1	Non Permitted Use In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.3.2	Exceed Maximum Number Of Dwelling Units In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.3.3	Exceed Maximum Number Of Accessory Buildings In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.3.4	Exceed Maximum Lot Coverage Restriction In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.3.6	Encroachment Into Setbacks In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.3.7	Exceed Height Restriction For Dwelling Unit In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.3.8	Exceed Height Restriction For Accessory Building/Structure In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.3.9	Exceed Maximum Floor Area Restriction For Dwelling Unit In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.3.10	Exceed Maximum Floor Area Restriction For Accessory Building In Rural Residential Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.1	Non Permitted Use In Miners Bay Rural Comprehensive Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.2	Exceed Maximum Number Of Dwelling Units In Miners Bay Rural Comprehensive Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.3	Exceed Maximum Number Of Cottages In Miners Bay	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.4	Exceed Maximum Number Of Accessory Buildings In Miners Bay	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.5	Exceed Maximum Lot Coverage Restriction In Miners Bay	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.6	Exceed Maximum Floor Area Restriction For Cottages In Miners Bay	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.7	Encroachment Into Setbacks In Miners Bay	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.8	Non Permitted Siting Of Feeding Troughs And Manure Piles	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.9	Exceed Height Restriction For Dwelling Unit/Cottage In Miners Bay	\$300.00	\$225.00	\$450.00	Yes	100%
5.4.10	Exceed Height Restriction For Accessory Building/Structure In Miners Bay	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.1	Non Permitted Use In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.2	Exceed Maximum Number Of Dwelling Units In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.3	Exceed Maximum Number Of Cottages In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.4	Exceed Maximum Number Of Accessory Buildings In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.5	Exceed Maximum Lot Coverage Restriction In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.6	Exceed Permitted Number of Secondary Suites	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.7	Exceed Maximum Floor Area Restriction For Cottages In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.8	Encroachment Into Setbacks In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.9	Non Permitted Siting Of Feeding Troughs And Manure Piles	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.10	Exceed Height Restriction For Dwelling Unit/Cottage In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.11	Exceed Height Restriction For Accessory Building/Structure In Rural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.5.14	Fail To Meet Site Specific Regulations In	\$250.00	\$187.50	\$375.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Rural Zone					
5.6.1	Non Permitted Use In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.2	Exceed Maximum Number Of Dwelling Units In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.3	Exceed Maximum Number Of Cottages In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.4	Exceed Maximum Number Of Accessory Buildings In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.5	Exceed Maximum Lot Coverage Restriction In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.6	Exceed Maximum Floor Area Restriction For Cottages In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.7	Encroachment Into Setbacks In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.8	Non Permitted Siting Of Feeding Troughs And Manure Piles	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.9	Exceed Height Restriction For Dwelling Unit/Cottage In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.6.10	Exceed Height Restriction For Accessory Building/Structure In Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.1	Non Permitted Use In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.2	Exceed Maximum Number Of Dwelling Units In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.3	Exceed Maximum Number Of Cottages In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.4	Exceed Maximum Number Of Accessory Buildings In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.5	Exceed Maximum Lot Coverage Restriction In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.6	Exceed Maximum Floor Area Restriction For Cottages In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.7	Encroachment Into Setbacks In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.8	Exceed Height Restriction For Dwelling Unit/Cottage In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.7.9	Exceed Height Restriction For Accessory Building/Structure In Agricultural Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.1	Non Permitted Use In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.2	Exceed Maximum Floor Area Ratio In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.3	Exceed Maximum Number Of Accessory Buildings In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.4	Exceed Maximum Lot Coverage Restriction	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	In Settlement Commercial Zone					
5.8.5(a)	Apartment Residential Use Not Located Within Principal Building In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.5(b)	Apartment Residential Use Exceeds Maximum Floor Area Restriction Of Building In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.5(c)	Apartment Residential Use Not Located Above Ground Floor Of Building In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.5(d)	Apartment Residential Use Not Provided With Separate Entrance From Ground Level In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.5(e)	Apartment Residential Use Does Not Meet Minimum Floor Area Requirements In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.6	Encroachment Into Setbacks In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.7	Exceed Height Restriction For Principal Building/Accessory Dwelling Unit In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.8	Exceed Height Restriction For Accessory Building/Structure In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.8.10	Inadequate Landscape Screen For Lots With Commercial Uses In Settlement Commercial Zone	\$100.00	\$75.00	\$150.00	Yes	100%
5.8.11	Fail To Meet Site Specific Regulations In Settlement Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.9.1	Non Permitted Use In Commercial Tourist Accommodation Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.9.2	Exceed Maximum Lot Coverage Restriction In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.3	Exceed Maximum Floor Area Ratio Restriction In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.4	Exceed Maximum Units And Maximum Total Floor Area In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.5	Exceed Maximum Floor Area Of Any Tourist Accommodation Unit In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.6	Exceed Maximum Floor Area Of Accessory	\$250.00	\$187.50	\$375.00	Yes	100%

Schedule A
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CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Retail Sales Uses In Commercial Tourist Accommodation Zone					
5.9.7	Exceed Maximum Accessory Employee Housing Units In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.8	Exceed Maximum Floor Area Of Accessory Employee Housing In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.9	Exceed Maximum Accessory Dwelling Units In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.10	Exceed Maximum Buildings Accessory To Tourist Accommodation Uses In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.11	Encroachment Of Building/Structure Into Setback In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.12	Exceed Maximum Height Restriction Of Building/Structure In Commercial Tourist Accommodation Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.9.14	Fail To Meet Site Specific Regulations In Commercial Tourist Accommodation Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.1	Non Permitted Use In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.2	Exceed Maximum Number Of Principal Buildings/Accessory Dwelling Units In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.3	Exceed Maximum Number Of Accessory Buildings In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.4	Exceed Maximum Floor Area Ratio Restriction In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.5	Exceed Maximum Lot Coverage Restriction In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.6	Encroachment Into Setbacks In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.7	Exceed Height Restriction For Principal Building/Accessory Dwelling Unit In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.8	Exceed Height Restriction For Accessory Building/Structure In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.10	Stored Materials Not Located Within Buildings/Enclosed Storage Areas In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%

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CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.10.11	Non Permitted Storage Of Hazardous Materials In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.10.12	Inadequate Landscape Screen For Lots With Commercial Uses In Service Commercial Zone	\$100.00	\$75.00	\$150.00	Yes	100%
5.10.13	Fail To Meet Site Specific Regulations In Service Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.1	Non Permitted Use In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.2	Exceed Maximum Number Of Principal Buildings/ Accessory Dwelling Units In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.3	Exceed Maximum Number Of Accessory Buildings In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.4	Exceed Maximum Floor Area Ratio Restriction In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.5	Exceed Maximum Lot Coverage Restriction In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.6	Encroachment Into Setbacks In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.7	Exceed Height Restriction For Principal Building/Accessory Dwelling Unit In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.8	Exceed Height Restriction For Accessory Building/Structure In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.11	Stored Materials Not Located Within Buildings/Enclosed Storage Areas In Automotive Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.11.12	Inadequate Landscape Screen For Lots With Commercial Uses In Automotive Commercial Zone	\$100.00	\$75.00	\$150.00	Yes	100%
5.12.1	Non Permitted Use In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.2	Exceed Maximum Lot Coverage Restriction In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.3	Exceed Maximum Number Of Guest Houses Permitted In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.4	Exceed Maximum Number Of Accessory Dwelling Units Permitted In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.5	Exceed Maximum Number Of Accessory Restaurants Located Within A Guest House	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	In Country Guest House Commercial Zone					
5.12.6	Exceed Maximum Number Of Accessory Buildings In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.5	Encroachment Into Setbacks In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.6	Exceed Height Restriction For Guest House/Dwelling Unit In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.7	Exceed Height Restriction For Accessory Building/Structure In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.8	Exceed Height Restriction For Accessory Building/Structure Used For Agricultural Purposes In Country Guest House Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.12.13	Inadequate Landscape Screen For Outdoor Storage Areas And Tourist Accommodation Uses In Country Guest House Commercial Zone	\$100.00	\$75.00	\$150.00	Yes	100%
5.12.14	Fail To Meet Site Specific Regulations In Country Guest House Commercial Zone	\$250.00	\$187.50	\$375.00	Yes	100%
5.13.1	Non Permitted Use In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.2	Exceed Maximum Number Of Principal Buildings Or Accessory Dwelling Units In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.3	Exceed Maximum Number Of Accessory Buildings In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.4	Exceed Maximum Floor Area Ratio Restriction In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.5	Exceed Maximum Lot Coverage Restriction In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.6	Encroachment Into Setbacks In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.7	Waste Transfer Station Uses Closer than 15 metres	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.8	Exceed Height Restriction For Principal Building/Accessory Dwelling Unit In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.9	Exceed Height Restriction For Accessory Building/Structure In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.11	Stored Parts, Machinery And Equipment Not Located Within Buildings Or Enclosed Storage Areas In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.13.12	Storage Of Toxic\ Noxious\ Explosive\ Odorous\ Radioactive Materials In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.13	Storage Of Goods, Materials And Equipment Within 7.5 Metres Of Watercourse/Wetland/Water Body	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.14	Waste Transfer on Lot less than 0.4 Hectare	\$300.00	\$225.00	\$450.00	Yes	100%
5.13.15	Fail to Screen Industrial\Warehouse\Storage\Highways Maintenance Use	\$100.00	\$75.00	\$150.00	Yes	100%
5.13.16	Fail To Meet Site Specific Regulations In Industrial One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.14.1	Non Permitted Use In Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.14.2	Exceed Maximum Lot Coverage Restriction In Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.14.3	Encroachment Into Setbacks In Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.14.4	Exceed Height Restriction For Any Principal Building/Structure In Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.14.5	Exceed Height Restriction for Accessory Building	\$300.00	\$225.00	\$450.00	Yes	100%
5.14.7	Fail To Meet Site Specific Regulations In Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.15.1	Non Permitted Use In Local Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.15.2	Exceed Maximum Lot Coverage Restriction In Local Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.15.3	Encroachment Into Setbacks In Local Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.15.4	Exceed Height Restriction For Any Principal Building/Structure In Local Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.15.6	Exceed Height Restriction for Accessory Building	\$300.00	\$225.00	\$450.00	Yes	100%
5.15.7	Fail To Meet Site Specific Regulations In Local Community Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.16.1	Non Permitted Use In Transportation Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.16.2	Exceed Maximum Lot Coverage Restriction In Transportation Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.16.3	Encroachment Into Setbacks In Transportation Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.16.4	Exceed Height Restriction For Any Principal Building/Structure In Transportation Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.16.5	Exceed Maximum Combined Floor Area Restriction For All Accessory Commercial Uses In Transportation Service Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.16.6	Exceed Height Restriction for Accessory Building	\$300.00	\$225.00	\$450.00	Yes	100%
5.17.1	Non Permitted Use In Community And Regional Park Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.17.2	Exceed Maximum Lot Coverage Restriction In Community And Regional Park Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.17.3	Encroachment Into Setbacks In Community And Regional Park Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.17.4	Exceed Height Restriction For Any Building/Structure In Community And Regional Park Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.17.6	Fail To Meet Site Specific Regulations In Community And Regional Park Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.19.1	Non Permitted Use In Resource Conservation Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.19.2	Exceed Maximum Lot Coverage Restriction In Resource Conservation Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.20.1	Non Permitted Use In Water Protection Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.21.1	Non Permitted Use In Water Moorage Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.21.2	Exceed Height Restriction For Any Structure In Water Moorage Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.21.3	Fail To Meet Site Specific Regulations in Water Moorage Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.22.1	Non Permitted Use In Water Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.22.2	More Than One Building/Building Exceeds Maximum Floor Area Restriction In Water Commercial Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.22.3	Exceed Height Restriction For Any Structure In Water Moorage Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.22.4	Fail To Provide Off-street Parking Or Parking Not Located On Adjacent Upland Lot In Water Moorage Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.23.1	Non Permitted Use In Community Wharf Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.23.2	Exceed Height Restriction For Any Building/Structure Constructed On Dock In	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Community Wharf Zone					
5.23.3	Building/Structure Exceeds Maximum Floor Area Restriction In Community Wharf Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.23.4	Fail To Provide Off-street Parking Or Parking Not Located On Adjacent Upland Lot In Community Wharf Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.23.5	Fail to Meet Site Specific Regulations in the Community Wharf Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.1	Non Permitted Use In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.2	Exceed Maximum Number Of Permitted Duplexes In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.3	Exceed Maximum Floor Area Restriction Of Dwelling Unit In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.4	Exceed Maximum Number/Floor Area Of Attached Carports Per Dwelling Unit In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.5	Exceed Maximum Combined Floor Area Of All Accessory Buildings In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.6	Permitted Accessory Uses Sited In More Than One Building In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.7	Encroachment Of Building/Structure Into Setbacks In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.8	Exceed Maximum Height Restriction Of Dwelling Unit In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.9	Exceed Maximum Height Restriction Of Any Accessory Building/Structure In Senior Citizens Housing Comprehensive Development One Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.25.11	Inadequate Landscape Screen For Accessory Buildings And Structures And Parking Areas In Senior Citizens Housing Comprehensive Development One Zone	\$100.00	\$75.00	\$150.00	Yes	100%
5.26.1	Non Permitted Use In Comprehensive	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Development Two Zone					
5.26.2	Exceed Maximum Lot Coverage Restriction In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.3	Exceed Maximum Floor Area Restriction In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.4(a)	Exceed Maximum Floor Area Restriction Of Tourist Accommodation Uses In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.4(b)	Exceed Maximum Floor Area Restriction Of Residential Uses In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.4(c)	Exceed Maximum Floor Area Restriction Of Retail Sales Uses In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.4(d)	Exceed Maximum Floor Area Restriction Of Combined Restaurant, Office, Personal Service, Medical And Dental Clinic Uses In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.5	Exceed Maximum Floor Area Restriction Of Any Tourist Accommodation Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.6	Exceed Maximum Number Of Tourist Accommodation Units In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.7	Exceed Maximum Number Of Residential Dwelling Units In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.8	Exceed Maximum Floor Area Of Any Residential Dwelling Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.9	Exceed Maximum Number Of Accessory Employee Housing Units In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.10	Exceed Maximum Floor Area Of Any Accessory Employee Housing Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.11	Exceed Maximum Number Of Accessory Dwelling Units In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.12	Exceed Maximum Floor Area Of Any Accessory Dwelling Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.13	Encroachment Of Building/Structure Into Setbacks In Comprehensive Development	\$300.00	\$225.00	\$450.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Two Zone					
5.26.14	Exceed Maximum Height Restriction Of Building Containing Tourist Accommodation Units/Accessory Dwelling Unit/Restaurant In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.15	Exceed Maximum Height Restriction Of Residential Dwelling Unit In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.16	Exceed Maximum Height Restriction Of Any Accessory Building/Structure In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.17	Non Permitted Use In Area A On Schedule 5.26(a) In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.18	Non Permitted Use In Area B On Schedule 5.26(a) In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.20	Inadequate Parking For Residential Use In Comprehensive Development Two Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.27.1	Non Permitted Use in Community Wharf Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.27.2	Exceed Maximum Lot Coverage Restriction in Community Wharf Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.27.3	Encroach into Setbacks in Community Wharf Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.27.4	Exceed Maximum Height Restriction for Any Building/Structure in Community Wharf Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
5.26.6	Fail to Provide Minimum Parking Spaces Within Area Restrictions in Community Wharf Upland Zone	\$300.00	\$225.00	\$450.00	Yes	100%
6.2.1	Non Permitted Animated/Flashing/Noise-Making Sign	\$250.00	\$175.00	\$375.00	Yes	100%
6.2.2	Non Permitted Third Party Sign	\$250.00	\$175.00	\$375.00	Yes	100%
6.3.2	Sign Pertaining To Lease/Sale/Status Of Lot/Building/Name Of Owner/Address Exceeds One Square Metre In Area	\$250.00	\$175.00	\$375.00	Yes	100%
6.3.3	Election Candidate Sign Not Removed Within 48 Hours Of Date Of Election	\$250.00	\$175.00	\$375.00	Yes	100%
6.5.1	Non Permitted Number/Area Of Signs	\$250.00	\$175.00	\$375.00	Yes	100%
6.5	Obsolete Sign Not Removed From Premises Within Thirty Days Of Becoming Obsolete	\$250.00	\$175.00	\$375.00	Yes	100%
7.1.1	Fail To Provide Off-road Parking On Lot	\$250.00	\$187.50	\$375.00	Yes	100%

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

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
7.1.2	Restrictive Covenant Not Registered For Off-road Parking Near Lot On Which Use/Building/Structure Being Served Is Located	\$250.00	\$187.50	\$375.00	Yes	100%
7.2.1	Manoeuvring Aisle Does Not Meet Size Requirements	\$250.00	\$187.50	\$375.00	Yes	100%
7.2.2	Parking Space Does Not Meet Size Requirements	\$250.00	\$187.50	\$375.00	Yes	100%
7.4	Fail To Provide Minimum Parking Spaces	\$250.00	\$187.50	\$375.00	Yes	100%