



MAYNE ISLAND LOCAL TRUST COMMITTEE

BUSINESS MEETING AGENDA TO COMMENCE AT 1:00 P.M., WEDNESDAY, JUNE 27, 2012 AT THE MAYNE ISLAND AGRICULTURAL HALL 430 FERNHILL ROAD, MAYNE ISLAND, B.C.

***Approximate** time is provided for the convenience of the public only and is subject to change without notice. There will be a 15 minute break prior to item 10 of this agenda, as indicated

	Page #	*Time Approx
1. CALL TO ORDER		
2. APPROVAL OF AGENDA		1:00 pm
2.1 Additions/Deletions		
2.2 Questions from public on Agenda Items		
3. COMMUNITY INFORMATION MEETING - none		
4. PUBLIC HEARING		1:10 pm
4.1 Proposed Bylaw No. 157 (MA-RZ-2010.2 – McDougall)		
5. PREVIOUS MEETINGS		2:00 pm
5.1 Local Trust Committee Minutes for Adoption		
5.1.1 Mayne Island Local Trust Committee Business Meeting Minutes of May 30, 2012 (attached)	Pg.1	
5.2 Public Hearing Records and Community Information Meeting Notes		
5.2.2 Mayne Island Community Information Meeting Notes of May 30, 2012 (attached)	Pg.11	
5.3 Section 26 Resolutions-without-meeting - none		
5.4 Advisory Planning Commission Minutes - none		
6. BUSINESS ARISING FROM THE MINUTES		
6.1 Follow-up Action Report (attached)	Pg. 13	
7. DELEGATIONS – none		

8. **CORRESPONDENCE** - none
[correspondence received concerning applications and/or projects is considered with the application]
9. **APPLICATIONS, PERMITS, BYLAWS AND REFERRALS** 2:30 pm
- 9.1 **Proposed Bylaw No. 157 for further consideration** (attached) **Pg. 15**
- 9.2 **Referral of Galiano Island Bylaws No. 235 and 236** (attached) **Pg. 17**
- **BREAK (15 minutes)** -----
10. **LOCAL TRUST COMMITTEE PROJECTS** - none 3:00 pm
11. **REPORTS**
- 11.1 **Work Program Reports**
- 11.1.1 **Mayne Island Local Trust Committee Work Program - Report dated June, 2012** (attached) **Pg. 23**
- 11.2 **Applications Report**
- 11.2.1 **Mayne Island Applications Report dated June, 2012** (attached) **Pg. 25**
- 11.3 **Expense/Budget Reports** – for information
- 11.3.1 **Trustee and Local Expenses** - none
- 11.4 **Bylaw Enforcement** - none
- 11.5 **Adopted Policies and Standing Resolutions** – for information (attached) **Pg. 29**
- 11.6 **Mayne Island LTC Web Page** (attached) **Pg. 33**
- 11.7 **Chair’s Report**
- 11.8 **Trustee Report**
12. **OTHER BUSINESS**
- 12.1 **Upcoming Meetings**
- 12.1.1 **Next Business Meeting** – Wednesday, July 25, 2012 at 1:00 pm., at the Mayne Island Agricultural Hall
- 12.2 **Local Trust Committee to Meet with First Nations** – Discussion
13. **TOWN HALL MEETING**

14. MOTION TO CLOSE MEETING

THAT, pursuant to Section 90(1)(a) of the Community Charter, the Mayne Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting Mayne Island Local Trust Committee In Camera Minutes of March 21, 2012 and to consider appointments to the Board of Variance; and further that Islands Trust Staff and Recording Secretary Pat Todd remain present.(distributed under separate cover)

15. RECALL TO ORDER

15.1 Rise and Report from Closed Meeting

16. ADJOURNMENT

4:30 pm

**MINUTES OF THE MAYNE ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON WEDNESDAY MAY 30, 2012 AT 1:00 P.M.
AT THE MAYNE ISLAND AGRICULTURAL HALL, MAYNE ISLAND, BC.**

<u>PRESENT:</u>	Peter Luckham	Chair
	Jeanine Dodds	Local Trustee
	Brian Crumblehulme	Local Trustee
	Gary Richardson	Island Planner
	Miles Drew	Bylaw Enforcement Coordinator
	Pat Todd	Recording Secretary

There were approximately nineteen (19) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 1:00 pm and introduced himself, the Local Trustees and Islands Trust Staff.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

None

2.2 Questions from Public on Agenda Items

Chair Luckham asked the members of the public if there were any questions regarding the agenda items; it was asked if the public can question the Mayne Island Commercial Land Use Task Force Report. This was agreed to.

Chair Luckham announced there would be a coffee break at 2:30 pm.

The agenda as amended was approved by consensus.

3. COMMUNITY INFORMATION MEETING

3.1 MA-TUP-2012.2 (Bennett)

Note – see separate Community Information Notes of the same date.

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for Adoption

5.1.1 Mayne Island Local Trust Committee Business Meeting Minutes of April 25, 2012.

Chair Luckham asked the Trustees for any comments and the following amendments were made:

- Page 4, Resolution MA-LTC-09-12: change Galiano Island Local Trust to read Mayne Island Local Trust Committee...
- Page 4, last sentence before Resolution MA-LTC-09-12: to read "He spoke to the decision..."
- Page 5 Item 9.3: first sentence: remove word "perceived"
- Page 6, item 11.4.2, second paragraph: last sentence: delete everything after word "time"
- Page 7; item 11.5: strike sentence "Chair Luckham..."
- Page 7; Chair's Report: first sentence to read: Chair Luckham reported that he participated in a meeting of the Association of Vancouver Island Coastal Communities...; Islands Trust continues to be active in advocating on oil spill preparedness and seeking solutions to derelict vessels; A working group is looking at how Islands Trust ..."
- Page 8; Trustee Report: third paragraph, first sentence; to read "Trustee Crumblehulme reported that he and Trustee Dodds held..."

The Mayne Island Local Trust Committee meeting minutes of April 25, 2012, as amended, were Adopted by consensus.

5.2 Public Hearing Records and Community Information Meeting Notes

5.2.2 Mayne Island Community Information Meeting notes of April 25, 2012

- Page 2; Item 3.2; Note – Trustee Dodds...remove "perceived"

5.3 Section 26 Resolutions without meeting

None

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

None

6. **BUSINESS ARISING FROM THE MINUTES**

6.1 Follow-up Action Report

Planner Richardson advised that item 1, is now done. All other items have been completed except for item 7, which has to go back to the Ministry of Transportation and Infrastructure.

7. **DELEGATIONS**

None

8. **CORRESPONDENCE**

8.1 M. Cooper, Chair MIIWSS letter dated April 17, 2012 re: Purchase of 2011 SFU Well Testing Report from MIIWSS

Trustee Dodds spoke in favour of the purchase of the report. There will be a further test in the fall. It was felt that the report would be a valuable tool. Traditionally LTC supports the MIIWSS with a \$500.00 grant which was not requested last year.

Mary Cooper reported that 30 wells, spanning the island, had been tested and some areas have salt water intrusion. There was a copy of the report for Planner Richardson. There will be a septic assessment for new installations in July.

Trustee Crumblehulme spoke in agreement with Trustee Dodds and while there is some concern regarding the cost it was felt to be money well spent.

Chair Luckham expressed concern regarding costs and questioned the authority of the LTC to award a contract for work in excess of \$500.00. This is a significant expenditure that may impact on activities over the next ten months. It was suggested in future there be advance notice to allow for consideration in budget planning. Staff was asked for clarification.

Resolution MA-LTC-19-12

It was Moved and Seconded that Mayne Island Local Trust Committee purchase from the Mayne Island Integrated Water Systems Society the 2011 SFU well testing report subject to confirmation of the Local Trust Committee authority to spend \$2,000.00.

CARRIED

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

- 9.1 Referral of Proposed North Pender Bylaw No. 191, Land Use Bylaw Amendment No.2, 2012 (Geothermal)

Planner Richardson spoke briefly to the Bylaw amendment and advised that Mayne Island interests are not affected.

Resolution MA-LTC-20-12

It was Moved and Seconded that Mayne Island Local Trust Committee advise North Pender Island Local Trust Committee that Bylaw No.191 does not affect the interests of Mayne Island.

CARRIED

- 9.2 Referral of Proposed Salt Spring Bylaw No. 460

Planner Richardson reviewed the referral.

Resolution MA-LTC-21-12

It was Moved and Seconded that Mayne Island Local Trust Committee advise Salt Spring Island Local Trust Committee that Bylaw No. 460 does not affect the interests of Mayne Island.

CARRIED

- 9.3 MA-TUP-2012.2 (Bennett)

Planner Richardson summarized the application which is to operate a solid waste transfer station. The LTC options are to receive the application, decide to deny or decide to withhold the application. The application could also be referred to the Advisory Planning Commission.

Trustee Crumblehulme spoke to a number of issues however people are currently using the service and he encouraged co-operation with the Mayne Island Improvement District (MIID).

Trustee Dodds suggested that the TUP be drafted for the next meeting and be circulated to Recycle Society, APC and MIID.

Planner Richardson stated that a draft bylaw should be reviewed by the LTC prior to extending the referral to other groups and that he would work with the applicant to draft the bylaw.

Resolution MA-LTC-22-12

It was Moved and Seconded that staff be directed to draft a Temporary Use Permit MA-TUP-2012.2 and prepare a Staff Report incorporating comments received from the Community Information Meeting of May 30, 2012.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Mayne Island Commercial Land Use Report

There were 3 members of the Task force present and it was clarified that there are actually three reports.

Trustee Dodds stated that there had been 10 members on the Task Force; original Terms of Reference called for 9; and the Task Force is now dissolved.

Planner Richardson's report, and recommendations, has brought forward the main resolutions identified and staff are waiting for further direction from the LTC.

Chair Luckham expressed appreciation for the efforts of the Task Force members.

Shanti McDougall spoke to the Planner not including any items from the secondary report and feels the Staff Report fails to take into account other opinions.

Planner Richardson stated that it is the responsibility of the LTC to consider all opinions before deciding on actions/directions to be taken.

Trustee Crumblehulme spoke to the importance of economic stimulation and development. He reviewed the historical development of Miners Bay. Potential development requires consensus of the island population and there is a need for discussion and Open House meetings.

Trustee Dodds stated that there is much to be considered within the 3 reports and it is important to clarify economic development vs. commercial land use. It is felt that this item should be put on the work program.

Chair Luckham also identified the distinction between economic development and commercial land use. This material could blend into the OCP which acts as a guiding document for the LTC. The LTC (of the day) could use discretion and decide outside of the OCP.

His recommendation would be to maintain this item on the Work Program and that all 3 reports be given consideration in conjunction with community consultation.

Don McDougall read comments by Glenda Johnson from the July 5, 2010 LTC minutes.

Shanti McDougall stated that the formation of the Task Force as an additional APC caused problems for the function of the group.

Resolution MA-LTC-23-12

It was Moved and Seconded that the Mayne Island Local Trust Committee maintain the commercial land use review as a work program priority and that staff review the 3 reports and report back to the LTC at a future date.

CARRIED

11. REPORTS

11.1 Work Program Reports

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

Planner Richardson reviewed the Work Program report.

Trustee Crumblehulme questioned what can be expected regarding Riparian Rights.

Planner Richardson reported that a legal opinion is being drafted and he will be submitting a report for the next meeting.

Ian Dow reviewed the history and dissatisfaction with the situation.

Barry Wilks reported the failure of a project to restock salmon.

11.2 Applications Report

11.2.1 Mayne Island Applications Report dated May 2012

Planner Richardson advised that there are 4 applications in process.

11.3 Expense/Budget Reports

11.3.1 Trustee and Local Expenses

Received for information.

11.4 Bylaw Enforcement

11.4.1 Notice Enforcement Bylaw No. 156

Miles Drew, Bylaw Enforcement Coordinator spoke to the bylaw which was approved by the Executive Committee. It is for minor issues when unable to get voluntary compliance. The current system is complaint driven. This bylaw avoids having to go through court processes in cases of noncompliance.

Trustee Dodds has received two letters citing concerns with the bylaw. There is concern that MILTC did not refer the bylaw to the APC while other islands did and subsequently there was more dialogue. It is felt that there was insufficient consultation and therefore she is not able to support the bylaw.

Trustee Crumblehulme spoke to the criticism received by the LTC regarding lack of bylaw enforcement. Bylaw No. 156 addresses the process of dealing with infractions and simplifies the system.

Trustee Dodds questioned the volume of bylaw infractions on the island and feels there was a missed opportunity for community feedback.

Chair Luckham questioned the expectations if referred to the APC. Bylaw No. 156 is an administrative bylaw. He suggested that BEC Drew present the bylaw information to the APC.

Jon Hoff spoke to importance of historical perspective; importance of going slower; the impact on the community.

Chair Luckham asked if historical information is available and would this form of a bylaw have made things easier/less costly.

BEC Drew is unsure of availability of such details and spoke strongly in favour of the bylaw.

Ian Dow (MI Residents and Ratepayers Association): feedback has been "how will system work?" concern that people may be penalized for unclear/outdated bylaws

David Maude stated there are concerns on Saturna Island and that 2 islands have turned the bylaw down.

Resolution MA-LTC-24-12

It was Moved and Seconded that Mayne Island Local Trust Committee refer Bylaw No. 156 to the Advisory Planning Commission with direction that they request further information from the Bylaw Enforcement Coordinator.

CARRIED

11.4.2 Notice Enforcement Bylaw No. 156 Policy

Deferred as referred to APC

11.5 Adopted Policies and Standing Resolutions

Planner Richardson informed the members that the resolution term for Short Term Vacation Rentals (STVR) has expired. Enforcement on STVR was; through a Standing Resolution with direction to not enforce unless the property was being advertised; there was use of a third party manager; property being used for commercial revenue. The options now are: renew Standing Resolution; or renew with a date to prioritize issue and review bylaw, or not renew and direct Bylaw Enforcement to enforce all STVR infractions

Resolution MA-LTC-25-12

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to come back with a report regarding bylaw enforcement for Short Term Vacation Rentals.

CARRIED

11.6 Mayne Island LTC Web Page

Chair Luckham asked the trustees if they had any suggestions regarding the web page; the following changes were made:

- Remove Bennetts and add 2 new items for next meeting
- Remove April minutes
- Remove October 10 items
- Remove Active Pass TUP staff report
- Add 3 reports from Commercial Land Use Task Force; remove expressions of interest; leave Terms of Reference
- Add bylaw for rezoning McDougall and Public Hearing Notice

11.7 Chair's Report

Chair Luckham reported attending the National Marine Conservation Area meeting. There is continued interest and support in determining if this is an appropriate designation for the entire Gulf Islands area. Looking at consultation with local governments and seeking direction in how best to approach local governments. Target is to complete consultations the end of 2012; management plan 2013 and Park to be finalized 2014/15.

Preparations are underway for the Trust Council meeting on North Pender June 11/12/13 and all are invited. Information is on the web site regarding the Federation.

Strategic Plan is in the final stages and will be including public consultation for the first time – there will be a mail out.

11.8 Trustee Report

Trustee Dodds reported feeling that the Council is becoming more focused.

Trustee Crumblehulme reported that better internet service is coming along slowly. There will be a letter drafted to MLAs and Shaw. Approval has been given for the CRD Economic Commission and he is awaiting notification from David Howe.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Next Business Meeting – Wednesday June 27, 2012 at 1:00 pm. at the Mayne Island Agricultural Hall.

12.2 Water District Referrals

Discussed under Work Program

13. TOWN HALL MEETING

Chair Luckham invited comments from the public.

Shanti McDougall spoke to concerns regarding lack of bylaw enforcement that were raised while she sat on the Commercial Land Use Task Force. She also suggested that the change of use to the Bennett property through the TUP may necessitate a referral to the Ministry of Transportation.

Planner Richardson reported that would happen.

Barry Wilks spoke to the issue of internet access. He is concerned with Shaw eroding the customer base for Beacon Wireless which currently serves a "pocket" of residents who don't have other sources.

14. **ADJOURNMENT**

Chair Luckham declared the meeting adjourned at 4:00 pm.

RECORDER

CHAIR

DRAFT

**NOTES OF THE MAYNE ISLAND
LOCAL TRUST COMMITTEE
COMMUNITY INFORMATION MEETING
HELD ON WEDNESDAY MAY 30, 2012 AT 1:00 P.M.
AT THE MAYNE ISLAND AGRICULTURAL HALL, MAYNE ISLAND, BC.**

<u>PRESENT:</u>	Peter Luckham Jeanine Dodds Brian Crumblehulme Gary Richardson Miles Drew Pat Todd	Chair Local Trustee Local Trustee Planner Bylaw Enforcement Coordinator Recording-Secretary
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There were approximately nineteen (19) members of the public in attendance.

The Chair called the Community Information meeting to order at 1:15 p.m. and welcomed all the participants. He stated the purpose of the meeting: to provide an outline of the MA-TUP-2012.2 application by Fred and Rose Bennett to provide Mayne Island residents, businesses and contractors a site to discard, store and process solid waste materials; answer questions, and to receive community comments before the Local Trust Committee (LTC) considers changes to its bylaws.

Planner Richardson reviewed the Staff Report. Property is currently zoned Industrial; TUP could be approved for up to 3 years; there are currently no other designated sites on island; reviewed items for the Trustees to consider; and advised that the applicants had held a community "open house" earlier in the month.

The following comments were put forward by various property owners:

Nick and Janet Cook (neighbours): Raised concerns regarding; security of household organic garbage – raccoons and rats being able to get into garbage; request TUP be withdrawn if this becomes a problem – until such time as rectified; and noise of operation.

Planner Richardson stated that conditions would be written into the TUP to address some of these concerns.

Applicant reported that garbage is currently held in an enclosed collection truck with no access for animals and there is no question of leakage and/or ground water contamination.

Shanti McDougall: Has concerns regarding ground water and toxic waste materials as they operate an organic farm in the immediate area and purity of water is critical.

Applicant stated they will not be taking hazardous waste.

Tracy DeRousie: If problem does arise, who deals with it?

Planner Richardson again referred to the conditions that would be placed on the TUP and should there be a violation it would be handled by Islands Trust Bylaw Enforcement.

Mary Cooper: Will there be a contract between Mayne Island Improvement District (MIID) (authority responsible for waste collection) and the applicant?

It was clarified that Islands Trust only sets conditions regarding use of land and this concern would have to be dealt with by the applicant and MIID.

Ian Dow: There is currently no facility and something has to be done to deal with the issue of garbage.

David Maude (Chair of MIID): The applicants have received endorsement from the MIID to operate TUP from the site.

Tracy DeRousie: Clarified Letters Patent of MIID: must ensure service is available – not provide actual service and the MIID and applicant are trying to work together.

Chair Luckham confirmed that how MIID provides the service is not under IT prevue and that a contract could be allotted to anyone.

Janet Cook: Will there be metal crushing?

Applicant informed the group that they are only allowed to crush the roofs of cars and other crushing is done off island.

Shanti McDougall: Will any garbage be buried?

Applicant replied no.

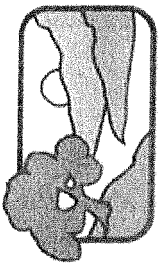
Trustee Dodds: Would the TUP specify details/process of crushing cars, etc?

Applicant stated that Ministry of Transportation only allows partial squashing of cars due to possible oil leakage.

The Community Information Meeting was adjourned at approximately 2:00 pm.

RECORDER

DATE



Islands Trust

Follow Up Action Report w/ Target Date

Mayne Island Apr-25-2012

No.	Activity	Responsibility	Target Date	Status
1	Staff to write to MoTI inviting a representative from MoTI to update the LTC on road maintenance	Gary Richardson	May-25-2012	Done

May-30-2012

No.	Activity	Responsibility	Target Date	Status
2	Minutes of April 25, 2012 adopted as amended.	Sharon Lloyd-deRosario		Done
3	Mayne LTC to purchase SFU well testing report for \$2000.00.	Gary Richardson		On Going
4	Advise that North Pender LTC Bylaw 191 does not affect the interests of Mayne Island.	Gary Richardson		Done
5	Advise that Salt Spring LTC bylaw 460 does not affect the interests of Mayne Island.	Gary Richardson		Done
6	MA-TUP-2012.2 (Bennett) - TUP to be drafted incorporating CIM comments.			On Going
7	Commercial Land Use review - keep as priority and staff to review 3 rpts. and report back to LTC at future date.	Gary Richardson		Done
8	RAR - staff to report back on stus of legal opinion release.			On Going
9	Bylaw 156 (BEN) to be forwarded to APC for comment and that the Bylaw Enforcement Officer attend the next APC mtg.	Miles Drew Stephanie Somers		On Going
10	Staff to bring report back to LTC regarding bylaw enforcement for STVRs.	Miles Drew Stephanie Somers		On Going

11 Amend webpage - see minutes

Kathy Jones

Done

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 157

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

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

- A. Schedule A of Bylaw No. 146, cited as "Mayne Island Land Use Bylaw No 146, 2008" is amended as follows:

1. Section 5.8 is amended by adding the following to 5.8(11):

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
C1(c)	Lot 2, Section 8, Mayne Island, Cowichan District, Plan 17070 568 Fernhill Road	(1) Despite 5.8(1), the only uses permitted in this location are those permitted in 5.8(1)(b), l and m. (2) The total combined floor area used for retail sales use cannot exceed 279 square metres

2. Section 5.10 is amended by removing the following from 5.10(13) Column 2: "Lot 2, Section 8, Mayne Island, Cowichan District, Plan 17070", "Fernhill Road" and "And".

- B. Schedule B of Bylaw No. 146, cited as "Mayne Island Land Use Bylaw No 146, 2008" is amended by changing the zoning of the lands legally described as Lot 2, Section 8, Mayne Island, Cowichan District, Plan 17070 from the Service Commercial C3(a) Zone to the Settlement Commercial C1(c) Zone, as shown on Plan No. 1 which is attached to and forms part of this bylaw.

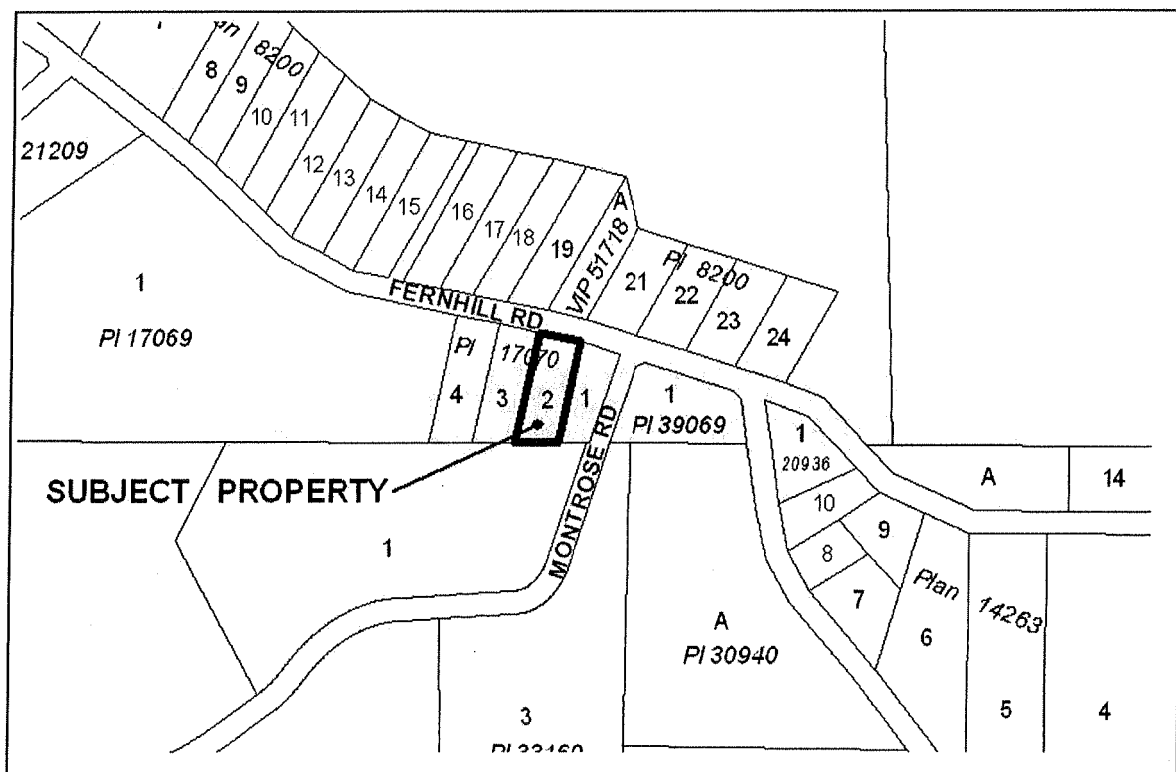
- C. This bylaw may be cited for all purposes as the "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2012".

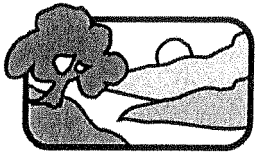
READ A FIRST TIME THIS	25th	DAY OF	April	20 12
PUBLIC HEARING HELD THIS		DAY OF		20
READ A SECOND TIME THIS		DAY OF		20
READ A THIRD TIME THIS		DAY OF		20
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS		DAY OF		20
ADOPTED THIS		DAY OF		20

DEPUTY SECRETARY

CHAIRPERSON

Plan No. 1





Islands Trust

BYLAW REFERRAL FORM

200-1627 Fort Street
Victoria, BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Galiano Island Trust Area Bylaw No.: 235 Date: June 12, 2012

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Winmark Capital Inc. (Richard Dewinetz), 402-15050 Prospect Ave, White Rock, BC, V4B 2B4

PURPOSE OF BYLAW:

Official Community Plan mapping amendment to re-designate six Forestry (F) properties to Nature Protection (NP) and Rural Residential (RR), as well as re-designate the abutting Marine (M) designated area as Marine Protection (MP).

GENERAL LOCATION:

North Galiano Island

LEGAL DESCRIPTION:

Lot 20, DL 69 and 71, Galiano Island, Cowichan District, Plan VIP61020
Lot 21, DL 69, Galiano Island, Cowichan District, Plan VIP61020
Lot 24, DL 69, Galiano Island, Cowichan District, Plan VIP61020
Lot 25, DL 69, Galiano Island, Cowichan District, Plan VIP61020
Lot 32, DL 65 and 68, Galiano Island, Cowichan District, Plan VIP61030
Lot 68, Galiano Island, Cowichan District except that part in plan VIP61030

SIZE OF PROPERTY AFFECTED:

89.59 Hectares

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

F- Forestry & M- Marine

OTHER INFORMATION:

As a condition of the rezoning, the applicant will be transferring the land zoned as NP to BC Parks, thus expanding Bodega Ridge Provincial Park. The Galiano Island Official Community Plan states that a Marine Protection zone shall be designated for marine areas fronting Nature Protection areas. Please note that additional background information on this application can be found on the Islands Trust website under <http://www.islandstrust.bc.ca/itc/gl/default.cfm>

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

(Signature)

Name: Kaitlin Kazmierowski

Email: kkazmierowski@islandstrust.bc.ca
Title: Island Planner

This referral has been sent to the following agencies:

Federal Agencies

N/A

Provincial Agencies

BC Parks
Ministry of Transportation and Infrastructure
Vancouver Island Health Authority

Regional Agencies

Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee

PLEASE TURN OVER →

Non-Agency Referrals

Galiano Island Advisory Planning Commission
Galiano Island Parks and Recreation Commission
Islands Trust Fund

First Nations

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

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Not Recommended Due to Reason Outlined Below

Galiano Island Trust Area
(Island)

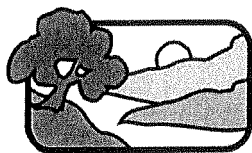
(Signature)

(Date)

235
(Bylaw Number)

(Title)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

200-1627 Fort Street
Victoria, BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Galiano Island Trust Area Bylaw No.: 236 Date: June 13, 2012

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Winmark Capital Inc. (Richard Dewinetz), 402-15050 Prospect Ave, White Rock, BC, V4B 2B4

PURPOSE OF BYLAW:

Land Use Bylaw mapping amendment to rezone six Forest 1 (F1) properties to Nature Protection (NP) and Rural Residential b) (RR(b)), as well as rezone the abutting Marine (M) designated area as Marine Protection (MP). Section 5.4 of the Land Use Bylaw would be amended to create a new zone variant RR(b), and a new Plan 4 would be added to Schedule D of the Land Use Bylaw.

GENERAL LOCATION:

North Galiano Island

LEGAL DESCRIPTION:

Lot 20, DL 69 and 71, Galiano Island, Cowichan District, Plan VIP61020
Lot 21, DL 69, Galiano Island, Cowichan District, Plan VIP61020
Lot 24, DL 69, Galiano Island, Cowichan District, Plan VIP61020
Lot 25, DL 69, Galiano Island, Cowichan District, Plan VIP61020
Lot 32, DL 65 and 68, Galiano Island, Cowichan District, Plan VIP61030
Lot 68, Galiano Island, Cowichan District except that part in plan VIP61030

SIZE OF PROPERTY AFFECTED:

89.59 Hectares

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

F- Forestry & M- Marine

OTHER INFORMATION:

As a condition of the rezoning, the applicant will be transferring the land zoned as NP to BC Parks, thus expanding Bodega Ridge Provincial Park. The RR(b) zoned land will have the potential for a 12 Lot subdivision, with the funds from the sale of Lot 12 transferred to the Galiano Island Housing Society for Community Housing purposes. The Galiano Island Official Community Plan states that a Marine Protection zone shall be designated for marine areas fronting Nature Protection areas.
Please note that additional background information on this application can be found on the Islands Trust website under <http://www.islandstrust.bc.ca/lc/gl/default.cfm>

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

(Signature)

Name: Kaitlin Kazmierowski

Email: kkazmierowski@islandstrust.bc.ca
Title: Island Planner

This referral has been sent to the following agencies:

Federal Agencies

N/A

Provincial Agencies

BC Parks
Ministry of Transportation and Infrastructure
Vancouver Island Health Authority

Regional Agencies

Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee

PLEASE TURN OVER →

Non-Agency Referrals

Galiano Island Advisory Planning Commission
Galiano Island Parks and Recreation Commission
Islands Trust Fund

First Nations

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

BYLAW REFERRAL FORM RESPONSE SUMMARY

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

Galiano Island Trust Area
(Island)

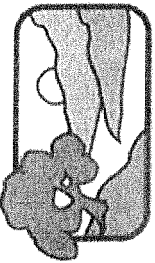
(Signature)

(Date)

236
(Bylaw Number)

(Title)

(Agency)



Islands Trust

Print Date: Jun-19-2012

Top Priorities

Mayne Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Housing Options	Staff report on options and next steps to be prepared. - include consideration of STVRs in secondary suites	Jul-04-2011	Gary Richardson	Jul-18-2012	On Going
2	Commercial Land Use Review	Provide background report - COMPLETED draft terms of reference for a potential task force - COMPLETED forward staff report to Task Force - COMPLETED review task force report and provide comments/options to the LTC.	May-02-2011	Gary Richardson	May-30-2012	On Going
3	OCF Follow-up: 1. Implementation of Riparian Areas Regulation	1. Determine applicability of RAR to Mayne watercourses - - status of two watercourses to be determined - potential changes to Campbell Bay/Horton Bay/Hunt Brook watersheds on Montrose Road	Jun-09-2010	Robert Kojima	Mar-31-2012	On Going

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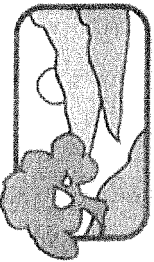


Islands Trust

Projects

Mayne Island

No.	Description	Activity	Received/Initiated	Status
1	Climate Change Adaptation	Consider regulatory changes and implementation of new DPA authority	Mar-02-2009	On Going
2	Agricultural Building riparian setbacks	Review LUB to consider potential amendments to setbacks for agricultural buildings from watercourses, consistent with Ministry guidelines	Oct-03-2011	On Going
3	Review LUB requirements for proof of water for boundary adjustment subdivisions			On Going



Islands Trust

Print Date: Jun-19-2012

Applications w/ Status - Mayne Island Status: Open

Applications

Board of Variance

File Number	Applicant Name	Date Received	Purpose
MA-BOV-2012.1	Paul Beeson Planner: Gary Richardson	Jun-15-2012	238 CALLAGHAN CRES To vary the setback to allow for the existing deck.

Planning Status

Status Date: Jun-19-2012

Staff to arrange hearing

Status Date: Jun-18-2012

Sent letter of acknowledgement of receipt of application form and fees to applicant. Copied to trustees and forwarded to Planner.

Status Date: Jun-18-2012

Staff to arrange hearing

Rezoning

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

Planning Status

Status Date: Jun-19-2012

Public Hearing to be held June 27, 2012

Status Date: Mar-13-2012

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

Status Date: Jan-18-2012

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

Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2011.1	Richard Wey & Associates Land Surveying Inc Planner: Gary Richardson	Mar-10-2011	HORTON BAY RD Boundary Adjustment

Planning Status

Status Date: Mar-13-2012

Staff reviewing report regarding potable water.

Status Date: Jan-19-2012

Proof of potable water still required, planner discussing options with property owner.

Status Date: Dec-05-2011

Applicant now has potable water approval. Will send to planner for review.

Temporary and Industrial Use Permit

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

Planning Status

Status Date: Jun-19-2012

Permit to be prepared for LTCs consideration.

Status Date: May-19-2012

Staff to attend applicant's CIM

Status Date: May-16-2012

Report written for May 30th agenda

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2012.3	Erick Nordquist Planner: Gary Richardson	May-14-2012	517 ARBUTUS DR Short Term Vacation Rental

Planning Status

Status Date: Jun-19-2012

Satff to prepare for CIM July 25, 2012

Status Date: May-17-2012

Sent letter of acknowledgment of receipt of fees to applicant. Copied to trustees and forwarded to Planner.

Mayne Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: March 2012

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

No	Meeting Date	Resolution No.	Issue	Policy and Description
3.	May 2, 2011	MA-LTC-44-11	Options for adopting In Camera Minutes	It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to only include in-camera minutes on agendas where there are other reasons to close the meeting to the public
4.	February 1, 2012		Special Occasion Liquor License referrals	That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.

*Attach to Agenda with the Standing Policies Report
only when there is a request for financial support*

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

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

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

BACKGROUND:

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

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

CONSIDERATIONS:

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

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

GUIDELINES

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

These guidelines are:

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

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

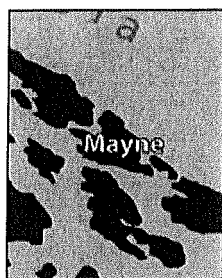
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Islands Trust

Preserving island communities, culture and environment.

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Population (2011):
Approximately 1,071

Size:
2,334 hectares (5,767 acres)

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

Mayne Island Local Trust Committee

Latest News

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

June 2012

- [Mayne Island Public Hearing to be held on June 27, 2012 re: Proposed Bylaw No. 157](#)

July 2011

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

Committee Links

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

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

[^ top](#)

Planner Office Hours on Mayne Island

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

Mayne Island Local Trust Committee Projects

General

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

Commercial Land Use Review

- [Task Force Terms of Reference](#)
- [Mayne Island Commercial Inventory Staff Report - September 19, 2011](#)
- [Mayne Island Commercial Land Use Task Force Report- April 9, 2012](#)
- [Mayne Island Commercial Land Use Task Force Report - April 15, 2012](#)
- [Mayne Island Commercial Land Use Task Force Report - April 16, 2012](#)

[^ top](#)

Sensitive Ecosystem Mapping

Maps and Fact Sheets

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

Other Important Ecosystems

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

Background Information

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

[^ top](#)

Riparian Area Regulations

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

Mayne Island Housing Options Task Force

Report

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

Application(s)

MA-RZ-2010.2 (McDougall)

- [Public Hearing Notice - June 27, 2012 | Proposed Bylaw No. 157](#)

[^ top](#)