



Mayne Island Local Trust Committee

Regular Meeting Agenda

Date: October 30, 2013
Time: 1:00 pm
Location: Mayne Island Agricultural Hall
430 Fernhill Road
Mayne Island, BC
V0N 2J0

		Pages
1.	Call to Order	1:00 PM - 1:10 PM
2.	Approval of Agenda	
2.1	Additions/Deletions	
2.2	Quesitons from the public on Agenda items	
3.	Community Information Meeting	
	none	
4.	Public Hearing	
	none	
5.	Previous Meetings	1:10 PM - 1:20 PM
5.1	Local Trust Committee Minutes for Consideration	
5.1.1	Mayne Island Local Trust Committee Meeting Minutes of September 4, 2013 (attached)	4 - 11
5.2	Public Hearing Records and Community Information Meeting Notes for Consideration	
5.2.1	Mayne Island Local Trust Committee Special Meeting Notes of September 28, 2013 (attached)	12 - 14
5.3	Section 26 Resolutions-without-meeting	
5.3.1	RWM Report dated October 2013 (attached)	15 - 15
5.4	Advisory Planning Commission and/or Mayne Island Commercial Land Use Task Force Minutes	

none

- | | | | |
|--------|---|-------------------|---------|
| 6. | Business Arising from the Minutes | 1:20 PM - 1:25 PM | |
| 6.1 | Follow-up Action List (attached) | | 16 - 17 |
| 7. | Delegations | | |
| | none | | |
| 8. | Correspondence | 1:25 PM - 1:40 PM | |
| 8.1 | Letter Dated Oct. 2 13 From I. Cocker, Mayne Island Holdings re Bylaw 146 Clarification, of Zoning of Dinner Pt Property (attached) | | 18 - 19 |
| 9. | Applications, Permits, Bylaws and Referrals | 1:40 PM - 2:15 PM | |
| 9.1 | 2013 - 10 04 Islands Trust Council Referral of Strategic Plan to LTC (attached) | | 20 - 36 |
| 9.2 | Referral - Galiano Bylaw No. 241(attached) | | 37 - 37 |
| 9.3 | Referral - Salt Spring Island LTC Bylaw No. 470 (attached) | | 38 - 39 |
| 10. | Local Trust Committee Projects | 2:15 PM - 3:00 PM | |
| 10.1 | Secondary Suites Report & Draft Bylaws No 159 & 160 (attached) | | 40 - 49 |
| 10.2 | Riparian Area Regulation Memo (attached) | | 50 - 56 |
| 11. | Reports | 3:00 PM - 3:40 PM | |
| 11.1 | Work Program Reports | | |
| 11.1.1 | Work Program Report dated October 2013 (attached) | | 57 - 58 |
| 11.2 | Applications Report | | |
| 11.2.1 | Applications Report dated October 2013 (attached) | | 59 - 60 |
| 11.3 | Expense/Budget Reports | | |
| 11.3.1 | LTC Expense Report Sept. 2013 (attached) | | 61 - 61 |
| 11.4 | Bylaw Enforcement | | |
| 11.4.1 | Memo RE: STVR Files (attached) | | 62 - 63 |
| 11.5 | Adopted Policies and Standing Resolutions (attached) | | 64 - 67 |
| | For Information | | |
| 11.6 | Mayne Island LTC Web Page | | |
| | Mayne Island Home Page can be found at: | | |

www.islandstrust.bc.ca/islands/local-trust-areas/mayne

11.7 Chair's Report

11.8 Trustee Report

12. Other Business 3:40 PM - 4:25 PM

12.1 Memo from R. Kojima re Emmett (attached) 68 - 73

12.2 Proposed 2014 Mayne Island LTC Meeting Schedule (attached) 74 - 75

12.3 Deer Management

12.4 Upcoming Meetings

The next Mayne Island Local Trust Committee meeting will be held November 27, 2013, at 11:00 pm at the Mayne Island Agricultural Hall.

13. Town Hall Meeting

14. Adjournment 4:25 PM - 4:25 PM

**MINUTES OF THE MAYNE ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON WEDNESDAY SEPTEMBER 4, 2013, AT 1:00 P.M.
AT THE MAYNE ISLAND COMMUNITY CENTRE**

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

There were approximately ten (10) members of the public in attendance.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

9.1 MA-RZ-2012.1 (Rosengren) – moved to prior to Item 3

8.1 Correspondence: add letter from Troy Tyrell

12.2 add article re: Riparian Areas Regulation

12.3 add Short Term Vacation Rentals Complaints

2.2 Questions from Public on Agenda Items

None

The agenda as amended, by consensus, was adopted.

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes

5.1.1 Draft Minutes of July 31, 2013, Local Trust Committee Meeting

Additions and/or deletions to the minutes were as follows:

Pg. 5 Second paragraph: to read – South Pender requested that the Capital Regional District co-ordinate a study, which has been approved, for the Southern Gulf Islands as a Food and Agricultural Project.

Pg. 3 Section 9.2 second last line: “Referendum” to change to “Resolution”

Pg. 6 just after Break first sentence: “Chair Luckham... change “present” to “presented”.

Pg. 6 second last paragraph: to read – Chair Luckham suggested speaking with the Ministry to find a resolution.

The Mayne Island Local Trust Committee Business Meeting Minutes of July 31, 2013, as amended, by consensus, were adopted.

5.2 Public Hearing Records and Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

None

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

5.4.1 Mayne APC draft Minutes of July 8, 2013

Received for information.

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action List

Planner Richardson stated that there has been no response from the Capital Regional District (CRD) regarding a request for a liaison to the Economic Development Commission (as per direction of Resolution MA-LTC-35-13).

All other items have been completed except - # 8 Emmett Jetty. The jetty is part of Strata Lot 2. Planner Richardson will contact Crown Lands as to options and report back to the LTC.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Correspondence from Troy Tyrell

Mr. Tyrell has concerns regarding water being redirected via ditching in the Dinner Bay Road area.

Ian Cocker, President of Mayne Island Holdings – the property cited - spoke to the concerns raised, and outlined the steps that have been taken over the past 70 years to protect the trees, etc.

The LTC has no jurisdiction over water and will respond to Mr. Tyrell.

Resolution MA-LTC-36-13

It was Moved and Seconded that the Mayne Island Local Trust Committee direct Planner Richardson to respond to Troy Tyrell correspondence of August 12, 2013, in answer to the water redirection and water conservation policies related to Mayne Island Holdings Limited.

CARRIED

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 MA-RZ-2012.1 (Rosengren)

Planner Richardson received two proposals for the needs assessment. The candidate from Mayne Island, Carol Monro, has been accepted and Planner Richardson will meet with her in the next few days.

10. **LOCAL TRUST COMMITTEE PROJECTS**

10.1 Secondary Suites

Planner Richardson reported that consultation has been completed. The following comments were received:

Advisory Planning Commission (APC) – bylaw should note a minimum and maximum size, 3000-gallon water cistern is too large, property to have either a cottage (if allowed) or a secondary suite but not both and decision to allow secondary suite should be a LTC decision – not a decision of the water district.

Mayne Island Integrated Water Systems - concern that water district may be at maximum and 3000 gallon tank is insufficient.

Vancouver Island Health Authority (VIHA) – no concerns although septic system may need to be increased.

Ministry of Transportation – no objections except to ensure off-street parking.

Capital Regional District (CRD) – concern as to water quality with cross connections.

Fire Department – secondary suite to have separate address.

Some of the water districts responded – some support bylaw/some to be excluded.

Planner Richardson has drafted the bylaw and can revise as to items discussed. Draft Bylaw will be brought back to the LTC October meeting for first reading.

Resolution MA-LTC-37-13

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to amend Draft Bylaw 159 and Draft Bylaw 160 to include recommendation #4 from the Advisory Planning Commission, to exclude water districts that have requested to be excluded and to include wording around operation of a Bed and Breakfast and Home Occupation as discussed.

CARRIED

11. REPORTS

11.1 Work Program Reports – June 2013

No changes

11.2 Applications Report

Planner Richardson reported that there are two applications coming forward.

11.3 Expense/Budget Reports

11.3.1 LTC Expense/Budget Report

11.3.1.1 2014-15 Budget Requests

Resolution MA-LTC-38-13

It was Moved and Seconded that the Mayne Island Local Trust Committee approve and forward the draft 2014-15 Local Trust Committee Project Budget submission to Financial Planning Committee as presented.

CARRIED

11.4 Bylaw Enforcement

None

11.5 Adopted Policies and Standing Resolutions

11.5.1 Adopted Policies and Standing Resolutions Table

Received for information.

11.6 Mayne Island LTC Web Page

www.islandstrust.bc.ca/islands/local-trust-areas/mayne

11.7 Chair's Report

Chair Luckham informed the LTC that preparations are underway for next year's budget and next week Trust Council is meeting on Lasqueti Island.

11.8 Trustee Report

Trustee Dodds informed the LTC that official notice has been received from Canada Post as to the addition of "Island" so effective September 16, 2013, mailing address is now Mayne Island.

Trustee Crumblehulme reported that Broadband is meeting with Network BC next week. Island bus is operating and reports are very positive. The Capital Regional District (CRD) and BC Transit are interested in the bus system and will be completing surveys. The Southern Gulf Islands Harbours Commission has formally supported Experience the Gulf Islands. Ministry of Transportation has painted lines on roads and it was suggested that a letter of appreciation be sent to Main Roads with a copy to the Ministry of Transportation.

Resolution MA-LTC-39-13

It was Moved and Seconded that the Mayne Island Local Trust Committee direct Trustee Crumblehulme to draft a letter of thanks for recent road line painting.

CARRIED

12. OTHER BUSINESS

12.1 Upcoming Meetings

Next Business Meeting – Wednesday October 30, 2013, at 1:00 pm. at the Mayne Island Agricultural Hall.

12.2 B.C. Ombudsperson Investigating Riparian Areas Regulation Administrative Fairness

Trustee Dodds stated that Gabriola Island is just starting a complaint regarding Riparian Areas Regulation (RAR).

Ian Dow spoke to the issue on behalf of the Landowners Coalition: RAR only addresses fish – not habitat and there are no fish on the island. The Coalition funded two studies, showing no fish, and reports were forwarded to the Ministry of the Environment. RAR deals with the habitat and Mayne Island has been classified as a RAR. The Federal Government has removed seasonal streams; however, the Provincial Government has not therefore there is a conflict with Federal regulations.

The LTC did recommend reduction of setback regulations.

Chair Luckham stated that legislation is about habitat protection and there is a need to assess Mayne Island's current status.

Planner Richardson will update the LTC at next meeting as to what still needs to be done for Mayne Island.

12.3 Short Term Vacation Rentals (STVR's) Complaints

Correspondence has been received from Bill Borges.

Trustee Dodds reported that the complainant lives next door to a property being used as a STVR, without a Temporary Use Permit (TUP). There have been three complaints this summer as to property advertising on the Internet. Complainants have been directed to follow the Bylaw Enforcement process.

Resolution MA-LTC-40-13

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to look into the recent Short Term Vacation Rental complaints and report to the Local Trust Committee.

CARRIED

13. **TOWN HALL MEETING**

Chair Luckham invited comments from the public.

Mary Cooper stated that an applicant for a Short Term Vacation Rental (STVR) Temporary Use Permit (TUP), which was turned down by LTC, is still operating. It was also stated that a number of STVR's in the Bennett Bay area are advertising on the Internet. It was restated that complaints should be directed to Bylaw Enforcement; however, there is concern as to follow-up.

Ian Dow reported the bus has been very successful. BC Transit is interested and survey information should be back in October. There may be some funding from BC Transit.

Bill Warning spoke to secondary suites – water that is provided to more than one household requires an operator. Planner Richardson will check with Vancouver Island Health Authority (VIHA).

Mary Cooper spoke again, concerned as to pressures on water systems if secondary suites are permitted.

There was a reminder for the Community Information Meeting on September 28, 2013, at the Community Centre from 3 to 5 p.m., regarding the Conservancy Shoreline report. There have been 518 notifications sent out to waterfront property owners and agencies.

14. **ADJOURNMENT**

Chair Luckham declared the meeting adjourned at 2:47 p.m.

RECORDER

CHAIR

**NOTES OF THE MAYNE ISLAND
LOCAL TRUST COMMITTEE
COMMUNITY INFORMATION MEETING
HELD ON SATURDAY, SEPTEMBER 28, 2013, AT 3:00 PM
AT THE MAYNE ISLAND AGRICULTURAL HALL**

PRESENT: Brian Crumblehulme Acting Chair
Jeanine Dodds Local Trustee
Gary Richardson Island Planner
Pat Todd Recording Secretary

REGRETS: Peter Luckham Chair

There were approximately thirty-one (31) members of the public in attendance.

1. CALL TO ORDER

Acting Chair Crumblehulme called the meeting to order at 3:03 pm, introduced Trustee Dodds, Planner Richardson, and welcomed everyone.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus.

3. COMMUNITY INFORMATION MEETING

Mayne Island Shoreline Atlas Report

Acting Chair Crumblehulme introduced Leanna Boyer from the Mayne Island Conservancy Society.

Leanna Boyer introduced an exercise for the participants – to create an ideal waterfront property with a budget of one million dollars. After 10 minutes, she continued with the presentation.

Leanna Boyer stated there has been a growing concern regarding the oceans and factors impacting on the ocean, shoreline, and marine life. Major concerns include near shore development, agricultural practices, and climate change. She spoke to the importance of eelgrass, which is home to over 1000 species, and is impacted by docks and Canada geese. Bull kelp shelters hundreds of species and over the past four years has shown a decline in the Georgina Point area. Other threats are storm surges, water temperature, and acidity.

Leanna Boyer continued with the presentation and then spoke on the following points:

Marine Riparian Functions: Trees and bushes stabilize banks with impact on water quality, wild life, bank stabilization, and erosion control.

The Green Shores Program has four principles:

1. Preserve integrity of coastal processes
2. Maintain or enhance habitat diversity and function
3. Minimize or reduce pollutants
4. Reduce cumulative impacts to coastal environment

Important shoreline processes: The most critical energy that modifies shorelines comes from waves that create currents and move sediment. Change in wave force occurs seasonally or episodically.

Soft shores can be fortified by adding material to the beach, such as gravel, a berm, or anchored logs for waves to “work” on, and vegetation further up embankment.

Leanna Boyer had participants review their shoreline drawings.

Note – The meeting recessed for a break at 4:05 p.m.

Note – The meeting reconvened at 4:30 p.m.

Leanna Boyer continued with the presentation and spoke on the following:

The Mayne Island Shoreline Atlas Project – funding for this project was provided by Environment Canada. Areas of exclusion included the Tsarlip Reserve, Gulf Islands National Parks Reserve and Curlew Island. There was an inventory made of shoreline modifications, wildlife sites, polluting features, and concerns. An Ecological Rating System was developed based on intertidal features, habitat, wildlife features, sensitive ecosystems and presence of key species. The Atlas can be used to identify ecologically sensitive areas, areas for remedial improvements, help determine appropriate structures near the shoreline based on ecological values, and can be integrated with Sea Level Rise mapping.

The Mayne Island Shoreline Atlas Project can be a factor in:

- assessing potential impacts of proposed shoreline development
- establishing a baseline for monitoring shoreline modifications and changes in the near shore character of Mayne Island
- raising awareness of ecologically sensitive areas and the values of the marine near shore environment among members of the public, businesses, government, and visitors.

There was then an opportunity for some discussion, questions, and comments from participants.

4. **ADJOURNMENT**

The meeting was adjourned at 5:00 pm.

RECORDER

CHAIR



Islands Trust

Print Date: Oct-23-2013

RWM From: September 04, 2013 To: October 23, 2013

Mayne Island

Resolution #	Action	Resolution Description	Resolution Date
2013-02	In Favour	THAT the Mayne Island Local Trust Committee instructs staff to enter into a cost recovery agreement with 0747825 BC LTD / Bruce Rosengren c/o Murray Rosengren to cover the costs relating to a needs assessment, relative to their rezoning application: MA-RZ-2012.1 (Rosengren).	Oct 10, 2013



Islands Trust

Follow Up Action Report w/ Target Date

Print Date: Oct-23-2013

Mayne Island Jul-31-2013

No.	Activity	Responsibility	Target Date	Status
1	Prepare factual rpt on Emmett Jetty.	Gary Richardson	Oct-23-2013	Done

Sep-04-2013

No.	Activity	Responsibility	Target Date	Status
2	Staff to prepare a brief summary of meeting for posting on Mayne Webpage	Gary Richardson		Done

3	LTC Meeting Minutes of July 31, 2013 adopted as amended.	Lori Foster		Done
---	--	-------------	--	------

4	Staff to review STVR bylaw complaints and report back to LTC at Oct 30 Mtg.	Geoff Kinnear Gary Richardson		Done
---	---	----------------------------------	--	------

5	Secondary Suites - staff to amend draft bylaws as per LTC direction and bring amended bylaws to October 30 LTC meeting for consideration of 1st reading.	Gary Richardson		Done
---	--	-----------------	--	------

6	Advise appropriate staff that LTC passed resolution agreeing to proposed 2014-2015 budget.	Gary Richardson		Done
---	--	-----------------	--	------

7	Staff to respond to letter from Troy Tyrell, giving contact info for MOE and advising that issue is not an LTC matter.	Gary Richardson		On Going
---	--	-----------------	--	----------

8	Web Page - put water district map on web page.	Gary Richardson		Done
---	--	-----------------	--	------

9	Draft letter to MOTI thanking them for yellow lines. Send contact to BC.	Gary Richardson		Done
---	--	-----------------	--	------

9	Staff to contact VIHA regarding secondary suites - do they count as a second residence being supplied with water.	Gary Richardson		Done
---	---	-----------------	--	------

10 Place RAR update on October 30 agenda.

Gary Richardson

Done

Mayne Island Holdings Limited
 663 Dinner Bay Road,
 Mayne Island, B.C.
 VON 2J2

Trustee Jeanine Dodds
 Trustee Brian Crumblehulme
 Gary Richardson, Islands Trust Planner

October 2, 2013

Re: Clarification required on Mayne Island Land Use Bylaw No. 146 (adopted 2008) in relation to the zoning of the Dinner Point property (FRACTIONAL SEC 5 & FRACTIONAL W ½ OF SEC 6 EXC PL 20790 AND THAT PART LYING NORTHERLY OF BAY & FRACTIONAL S ½ OF SE ¼ OF SEC 6).

History of the Dinner Point property in relation to Mayne Island Holdings Limited

- The property was purchased in the 1940s by five families.
- During the 1950's and 60's five cottages were constructed.
- After 1970, the Ten Acre Land Freeze was implemented and the Agriculture Land Reserve was created.
- We found ourselves to be legal but nonconforming as we had five houses and only 47.4 acres; in addition, some of the land was zoned ALR.
- In 1992 we asked the Islands Trust to create a zoning that would allow our property and residences to be legally conforming.
- A zoning classification called Rural Residential was created.
- We were asked to sign a covenant created in compliance with the zoning of the day as specified on the last page of the covenant.
- (A copy of the covenant has been mailed to each of the two Mayne Island Trustees)
- Recently one of the five families applied for a building permit to construct a garage. This led to our discovery that our RR zoning had been altered by the Trust in 2008.
- In the original Trust Zoning of RR we were permitted four accessory buildings per dwelling. Now in **RR1 (2008)** we are permitted only four for the whole property as one lot. In addition,

we noticed that in **R (2008) under Density 4 (d) Unlimited on lots with an area greater than 4.0 hectares (10 acres).**

Possibly this was an oversight on the part of the Islands Trust and something similar should have been included in the **RR1 Zone.**

- Our property is only one lot with a split Zoning, 39.9 acres of RR 1 and 7.5 acres of A.
- Under the original **ALR Zoning and covenant we were permitted an unrestricted number of non-residential buildings used exclusively for the purpose of agriculture and public utilities.** (Covenant, last page.)
- **However, in the new A Zoning we are permitted one dwelling per Lot (As well as a cottage and accessory buildings). Has this classification changed for us – in other words are we still permitted what is outlined in the new Bylaw even though we have a split Zoning?**
- Included in the last paragraph of the covenant is the statement: “this Restrictive Covenant shall be alterable, and such restrictions may be amended by the filing of a modification of the Restrictive Covenant which shall conform with any amendments to the applicable By-Laws covering the subject matter hereof from time to time.”

While we understand from this statement that the Covenant can be altered, we were dismayed to learn that our zoning was effectively changed without any notification to or consultation with the owners of the property in question.

The five families involved in Mayne Island Holdings Limited respectfully ask that the Islands Trust include a **Density 4(d) in Rural Residential 1 similar to the Density 4(d) in the Rural Zone.**

We would also like clarification on our split zoning. Are we entitled to what is included under **Bylaw No. 146 5.7 Agricultural (A) Zone** or are we permitted what is recorded in our **Covenant?**

Thank you for attending to this matter.

Yours truly,
Ian Cocker,
President, Mayne Island Holdings



BRIEFING

To: Local Trust Committees
From: Linda Adams
 Chief Administrative Officer

For the Meeting of: (LTC meetings in Oct. and Nov.)
Date prepared: October 3, 2013

File No.: Strategic Plan

SUBJECT: ISLANDS TRUST COUNCIL STRATEGIC PLAN – LTC INPUT

DESCRIPTION OF ISSUE:

Local Trust Committee input to Islands Trust Council Strategic Plan

BACKGROUND:

At its meeting in September 2013, the Islands Trust Council endorsed the Objectives, Strategies, Activities and Phases (columns 1-3) illustrated in the August 27, 2013 version of its Strategic Plan for 2011-2014 (Attachment 1).

Trust Council also requested Council Committees, Local Trust Committees and the Trust Fund Board to provide recommendations to the Financial Planning Committee and the Executive Committee in November, regarding:

- a. Their projected ability to complete Strategic Plan items on target
- b. Identification of any Strategic Plan items they recommend for amendment, removal or delay
- c. Identification of any items that should be added to the Strategic Plan
- d. Recommendations regarding any new resources that should be included in the annual budget in order to complete Strategic Plan items on target

Trust Council has requested the Financial Planning Committee to use the August 27, 2013 version of the Strategic Plan for the purposes of budget development, after considering recommendations of other Council committees, local trust committees and the Trust Fund Board. It has also requested the Executive Committee to make recommendations in December 2013 regarding amendments to the Strategic Plan for 2011-2014.

The August 27, 2013 version of Trust Council's Strategic Plan is being circulated to Council Committees, local trust committees and the Trust Fund Board as requested.

The Financial Planning Committee will meet on October 30 and November 13 to discuss a first draft of the 2014/2014 annual budget for Trust Council's review in December 2013. Following public consultation in February 2014, Trust Council would then adopt a budget in March 2014 and amend its Strategic Plan, as necessary, in response to the budget it has adopted.

ATTACHMENT(S):

- Attachment 1 - Islands Trust Council Strategic Plan – August 27, 2013
- The Request for Decision material considered by Trust Council's in September 2013 is available in Trust Council's September 2013 Agenda Package (see Item 3.4) at:
<http://www.islandstrust.bc.ca/uploads/meetings/2013/9/93/package/Sept%202013%20Trust%20Council%20Decision%20and%20Information%20Items%20Agenda%20Package.pdf>

AVAILABLE OPTIONS:

Each local trust committee may wish to provide advice to the Financial Planning Committee and the Executive Committee in regards to any items on the Strategic Plan that relate to its operations, specifically:

- a. The local trust committee's projected ability to complete Strategic Plan items on target
- b. Identification of any Strategic Plan items that a local trust committee recommends for amendment, removal or delay
- c. Identification of any items that a local trust committee indicates should be added to the Strategic Plan
- d. Recommendations regarding any new resources that a local trust committee indicates should be included in the annual budget in order to complete Strategic Plan items on target

FOLLOW-UP:

LTCs to consider providing advice to the Executive Committee and the Financial Planning Committee, by resolution, as indicated.

While early advice regarding Strategic Plan items that relate to LTC work would be most helpful, LTCs could also undertake further review and provide input after the December 2013 meeting of Trust Council.

Prepared By: Linda Adams, Chief Administrative Officer

Reviewed By/Date: David Marlor, Director – Local Planning Services – October 4, 2013

G:\EXEC\Council\Strategic Planning\2013\2013 10 04 Referral of Strategic Plan to LTCs.docx



Islands Trust

Preserving Island
communities, culture
and environment

Our Provincial Mandate

“to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia”

– Islands Trust Act

Islands Trust Council — Strategic Plan 2011-2014

Adopted September 12, 2012 – updated to September 12, 2013

The Trust Area

The Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island, including Howe Sound and as far north as Comox. This is a unique and special place composed of 13 major islands and more than 450 smaller islands covering approximately 5200 square kilometres.

The beauty, tranquility, and sometimes fragile natural environment of the islands in the Strait of Georgia and Howe Sound, characterized by an exceptional variety of species, have given the area national recognition.

The islands support strong communities characterized by a mix of lifestyles, livelihoods and individuals. Island residents bring unique skills, viewpoints and sense of place together to sustain a tradition of community involvement.

Our Council

The Islands Trust Council has a unique mandate from the province to preserve and protect the amenities and environment of the Islands Trust Area, for the benefit of residents and all British Columbians. It meets quarterly to make decisions about the Islands Trust’s overall policy, advocacy positions, staff resources and budget. Trust Council is made up of the 26 locally-elected trustees who also sit on 12 local trust committees and one island municipality. There they have responsibilities for land use planning and regulatory decisions that are separate from their role at the Islands Trust Council. The current Council was elected for a 3-year term during BC Local General Elections in November 2011. Trustee terms will end in November 2014.

A Strategic Plan for the 2011-2014 term

The Islands Trust Policy Statement is partially implemented through Council’s strategic plan. By identifying goals and developing a plan to achieve them, Council focuses finite resources and measures progress. After extensive review and public input, Trust Council has confirmed the following focus areas for its 2011-2014 term:

Goal A - Ecosystem Preservation and Protection

The Islands Trust will work to protect the natural environment of islands by:

- Encouraging and enabling islanders in voluntary stewardship actions that protect special areas, including the shoreline
- Working to protect fish habitat under BC’s Riparian Areas Regulation
- Protecting special ecosystems, managing shoreline areas and reducing greenhouse gas emissions when land use decisions are made
- Advocating for new approaches to oil spill preparedness, derelict vessels, industrial developments, aquaculture, marine sewage and national marine conservation

Goal B – Stewardship of Island Resources

The Islands Trust will focus on good management of island water resources by:

- Encouraging voluntary stewardship, advocating for legislative reform and exploring creative solutions for watershed management
- Using land use planning tools and decisions to protect the quality and quantity of water resources

Goal C – Sustain Island Character and Healthy Communities

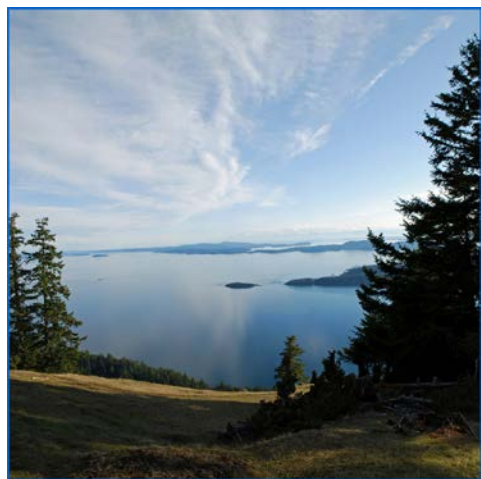
The Islands Trust will work to enhance the economic sustainability and security of island communities by:

- Creating linkages between islanders and regional districts to share effective economic development models
- Continuing to advocate for sustainable, affordable and appropriate ferry services
- Using land use planning tools and decisions to positively affect housing affordability, food security and farmland protection

Goal D – In Cooperation with Others

The Islands Trust will work with others by:

- Strengthening relations with the many First Nations who have interests in island land use decisions
- Continually working to improve our organizational effectiveness



Shaded text=activities primarily achieved in prior fiscal years or proposed for future fiscal years and subject to future budget decisions;
Italics=changes since last Trust Council meeting

NOTE: Status column has now been colour coded to provide a quick visual indicator, as follows:

	Not due to start or awaiting actions of others
	Completed
	In Progress – On Target
	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind Target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target

Policy Statement Goal A: Ecosystem Preservation and Protection...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
1 PROTECT the natural environment of islands	1.1 Encourage voluntary stewardship of natural environment	<u>FY 2011/12- 2014/15</u> 1.1.1 Promote community participation in conservation through information sharing and education about private land stewardship options	TFB	Subject to funding in annual budgets or grant funding	By whether the Islands Trust Fund is actively promoting its conservation programs at community events, in publications and online	Ongoing
		<u>FY 2012/13 – 2013/14</u> 1.1.2 Share information about best practices for covenants and NAPTEP with all planning staff	TFB	Funded by base budget	By whether planners have been provided with covenant education opportunities and whether information is available through the Islands Trust Fund website	Website information complete ITF presentation to LPS not started
		<u>FY 2012/13 – 2014/15</u> 1.1.3 Improve and update mapping of natural and modified environments, including terrestrial ecosystem mapping, protected area networks, nearshore mapping and areas under sustainable forestry or sustainable agricultural use.	TFB	Funded by program budget in 2013/14 \$22K for eelgrass mapping; \$10K for forage fish mapping Further work subject to 2014/15 budget \$22K for eelgrass mapping; 10K for forage fish mapping	By whether maps of natural and modified environments are available to LTC's and BIM, RDs, local conservancies and other partners	Draft Protected Area Network mapping available; eelgrass mapping completed for Gambier, Thetis, Thetis associated islands (except Valdes) Lasqueti, North Pender, South Pender and Mayne and forage fish habitat mapping completed for North and South Pender; additional eelgrass mapping in progress
		<u>FY 2013/14</u> 1.1.4 Research and develop a pilot landowner contact program in collaboration with a local conservancy	TFB	Subject to external funding	By whether a landowner contact pilot program is implemented	Planning in progress

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
		<u>FY 2011/12 - 2014/15</u> 1.1.5 Support island-based land trusts with partnerships, funding and capacity building opportunities	TFB		Funded by base budget and donations	By whether the Opportunity Fund grows by at least 10% per year and by the amount of grants issued	Recent grants awarded to Pender Island Conservancy (\$5,000) and Salt Spring Island Conservancy (\$5,000)
		<u>FY 2013/14</u> 1.1.6 Council workshop regarding invasive species	TFB		Funded by base budget	By whether a Trust Council workshop has been held	Scheduled for Dec/13 Trust Council meeting
		<u>FY 2013/14 - 2014/15</u> 1.1.7 Share information with the public about managing invasive species	TFB		Subject to funding in 2014/15 program budget	By whether information has been shared with the public	In progress. Invasive species control information shared through ITF website and e-newsletter
	1.2 Expand Natural Areas Protection Tax Exemption Program (NAPTEP) program to entire Islands Trust Area	<u>FY 2012/13</u> 1.2.1 Present NAPTEP program to BIM Council for consideration	TFB	BIM***	Funded by base budget	By whether or not BIM has considered participating in the NAPTEP program	Complete. BIM declined for current term
		<u>FY 2013/14</u> 1.2.2 Seek support from Metro Vancouver RD for NAPTEP.	TFB		Funded by base budget	By whether support from Metro Vancouver RD (MVRD) has been sought	Complete
		<u>FY 2013/14 - 2014/15</u> 1.2.3 Launch NAPTEP on the islands in MVRDRD (subject to BIM and MVRD approval)	TFB		Funded by base budget	By whether NAPTEP has been launched on the islands within the MVRD	Complete. Program launched on Gambier LTC islands. BIM declined for current term.
	1.3 Protect fish habitat by implementing Riparian Areas Regulation	<u>PHASE 1 - Identify watersheds</u> <u>FY 2014/15</u> 1.3.1 Identify RAR watersheds on Gambier and Lasqueti	LTCs**		Subject to budget	By whether all RAR watersheds on Gambier and Lasqueti have been identified	Not due Not started
		<u>PHASE 2 - Improve mapping</u> <u>FY 2012/13</u> 1.3.2 Improve mapping of some riparian areas on SSI	LTCs**		Funded by 2012/13 program budget	By whether new mapping of priority riparian areas is complete	Complete
		<u>FY 2013/14</u> 1.3.3 Improve mapping of additional riparian areas on Denman, Hornby and Salt Spring islands	LTCs**		Funded in 2013/14 program budget \$71,000 RAR budget \$30,000 Sci/Tech budget	By whether new mapping of riparian areas is complete	Project planning underway
		<u>FY 2014/15</u> 1.3.4 Improve mapping of additional riparian areas on Gambier, Lasqueti and Salt Spring islands	LTCs**		Subject to budget	By whether new mapping of riparian areas is complete	Not due Not started
		<u>PHASE 3 - Adopt bylaws</u> <u>FY 2012/13 - 2013/14</u> 1.3.5 Adopt new bylaws to implement RAR on selected	LTCs**		Funded by 2013/14 program budget	By whether Gabriola, Mayne and Saturna are RAR compliant through bylaw development	Saturna complete Gabriola, Mayne & Thetis in progress

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
		islands (Gabriola, Mayne, Saturna, Thetis)					
		<u>FY 2014/15</u> 1.3.6 Adopt new bylaws to implement RAR on all islands where still required (Ballenas/Winchelsea, Denman, Hornby, and one Salt Spring watershed)	LTCs**		Subject to budget	By whether Ballenas/Winchelsea, Denman, Hornby and one Salt Spring watershed are compliant with RAR through bylaw development	Not due Not started
		<u>FY 2015/16 - ?</u> 1.3.7 Adopt new bylaws to implement RAR on all Lasqueti, Gambier and remainder of Salt Spring)	LTCs**		Subject to budget	By whether all Gambier, Lasqueti and Salt Spring watersheds are compliant with RAR through bylaw development	Not due Not started
	1.4 Establish reliable, adequate and sustainable funding for the Islands Trust Fund	<u>FY 2012/13 – 2013/14</u> 1.4.1 Seek legislative change regarding TFB corporate structure and name	EC	TFB	Funded by base budget	By whether legislative change has been requested	Chair correspondence sent Nov/12. Initial response received Feb/13
		<u>FY 2011/12 – 2014/15</u> 1.4.2 Engage in outreach to expand donor base, develop legacy giving program and secure acquisition funds	TFB*		Partially funded through 2012/13 program budget	By whether the TFB has implemented outreach regarding funding needs and legacy gifts	Information package prepared re Planned Giving
		<u>FY 2014/15</u> 1.4.3 Develop and implement strategy re changes to corporate structure and name	TFB		Subject to 2014/15 program budget	By whether TFB corporate status and name change has been implemented	Not started. Not due unless province makes legislative changes
		<u>FY 2015/16</u> 1.4.4 Review and launch long-term funding strategy	TFB		Subject to 2015/16 program budget	By whether the long-term funding strategy has been reviewed and launched	Not started. Not due unless province makes legislative changes
	1.5 Establish core conservation areas to protect biodiversity priorities	<u>FY 2011/12- 2012/13</u> 1.5.1 Map and prioritize high biodiversity areas and develop a strategy for protection	TFB		Funded by base budget	By whether the TFB has a prioritized high biodiversity areas, and developed a strategy including a funding needs assessment)	Mapping of high priority areas underway
		<u>FY 2011/12 – 2014/15</u> 1.5.2 Protect land with high biodiversity, through acquisition, donation, or conservation covenant	TFB*		Partial funding through base budget; acquisitions funded by donations and external grants	By whether the TFB has protected at least 500 hectares of high biodiversity land in the timeframe of the Regional Conservation Plan 2011-2015	144 hectares protected since 2011
	1.6 Use land use planning tools and decisions to increase protection of special areas	<u>FY 2013/14</u> 1.6.1 Explore model land use planning tools that protect species and ecosystems at risk	LPC		Funded by base budget	By whether a staff report on model land use planning tools has been completed	Not started. Pending provincial working group recommendations. Staff participating on prov. working group.

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
		1.6.2 Trustee workshop about protection of special areas	TFB	Funded by base budget	By whether a trustee workshop has been held	Complete
		FY 2011/12 – 2014/15 1.6.3 Develop policy, OCP and LUB amendments that include protective measures for biodiversity	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether OCPs and LUBs have been amended to address improved protection of biodiversity	Some reviews underway (details to be confirmed)
	1.7 Reduce greenhouse gas emissions	FY 2012/13 – 2013/14 1.7.1 Include GHG emission reduction targets, policies and actions in all OCPs, as required by LGA	LTCs	Funded by program budget	By whether all OCPs comply with LGA re GHG emissions	18 of 19 comply. Outstanding OCP (Piers Island) on work program for 2013, but work not started
		FY 2012/13 – 2014/15 1.7.2 Use new planning tools (Bill 27) to reduce greenhouse gas emissions to implement OCP policies LTCs adopted last term (e.g. as illustrated in Council toolkit Reducing Greenhouse Gases in the Islands Trust Area)	LTCs**/BIM***	Funded in 2013/14 annual budget	By whether LTCs/BIM have used new planning tools to foster reduced GHG emissions from development	Gabriola working on regulations to implement OCP policies
		FY 2012/13 – 2013/14 1.7.3 Develop policy regarding carbon-neutral operations and purchase of carbon credits to balance GHG emissions that cannot be eliminated	FPC	Funded by base budget	By whether Trust Council has adopted a policy	Complete
2. PROTECT coastal and marine ecosystems	2.1 Encourage understanding of shoreline processes and voluntary stewardship of coastal and marine ecosystems	FY 2012/13 2.1.1 Develop integrated shoreline and watershed protection mapping for major islands	LPC	Funded by external grants	By whether integrated shoreline and watershed protection mapping has been developed for major islands	Complete
		FY 2013/14 2.1.2 Identify and post updated website links regarding existing shoreline stewardship information	TAS	Funded by base budget	By whether website links have been updated	Complete
		FY 2014/15 2.1.3. Pilot a Green Shores for Homes credit rating incentive system in one LTA	LTCs**	Subject to successful grant application	By whether an LTC has piloted a Green Shores for Homes credit rating incentive system	Not started. Funding not recommended by LPC. Dependent upon grant application. LPC to reconsider in Nov/13
	2.2 Use land use planning tools and decisions to improve protection of coastal areas	FY 2013/14 – 2014/15 2.2.1 Adopt regulatory bylaws with respect to integrated shoreline and watershed protection mapping	LTCs**	Subject to funding in future program budgets	By whether LTCs have adopted regulatory bylaws	Reviewed by Thetis LTC. Educational program being considered/developed by N Pender, S Pender, Thetis

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?			IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
	2.3 Participate in planning for National Marine Conservation Area Reserve	2.2.2 Develop mechanisms for proactive bylaw enforcement of illegal structures on the foreshore	LPC/LTCs**			Funded in 2013/14 program budget (\$2000)	By whether mechanisms have been developed	LPC recommends educational approach, not proactive enforcement
		FY 2011/12 – 2014/15 2.3.1 Advocate for implementation of the NMCA reserve	EC			Funded by base budget	By whether the EC has continued to actively advocate for implementation of the NMCA reserve	Resolution supported by TC in Dec 2012 Feb 2013 Chair letters to Ministers Lake & Kent
		2.3.2 Participate in NMCA workshops and consultation opportunities	LTCs**	TAS	EC	May require additional funds	By level of participation in NMCA workshops and consultation opportunities	Workshops attended in Aug and Oct No funding proposed in 2013/14 budget. LTCs commenting on boundary details
		Future fiscal years (TBD) 2.3.3 Respond to NMCA implementation steps with complementary activities, as required	LTCs**			May require additional funds	TBD	Not due Not started
		FY 2011/12 – 2014/15 2.4.1 Chair correspondence regarding oil spill prevention and response	EC			Funded by base budget	By whether the Chair has sent correspondence to advocate for oil spill prevention and response	2011: 7 letters sent 2012: 1 letters sent 2013: 3 letters sent Related resolutions passed at UBCM 2012 and AVICC 2013 conventions
	2.4 Advocate for protection of the Salish Sea and Howe Sound from oil spills, derelict vessels and industrial activities	2.4.2 Chair participation in hearings related to tanker traffic increases	EC			Funded by base budget	By whether the Chair has participated in hearings related to tanker traffic increase	NEB hearing presentation Aug 2012
		2.4.3 Host local government workshops to raise awareness of gaps in oil spill prevention and response capacity	EC			Funded by base budget	By whether workshops have been held	One workshop held at AVICC. Jan 2013 Chair presentation to Regional District Nanaimo Board. 2013: Chair presentation at San Juan County marine managers workshop
		2.4.4 Participate in mock oil spill exercises to understand gaps in oil spill response capacity	EC			Funded by base budget	By whether participation has taken place	Participation in two exercises in 2012
		FY 2011/12 – 2014/15 2.4.5 Continue to advocate for senior government solutions to derelict vessels	EC			Funded by base budget	By whether the Islands Trust has continued to advocate for derelict vessel solutions	Islands Trust participation on derelict vessel working group is on-going Mar/13 Letter to minister seeking

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS **
						action on Transport Canada report Organized resolution, clinic and meeting with Minister at UBCM
		<u>FY 2011/12 – 2013/14</u> 2.4.6 Advocate regarding potential impacts of the proposed Raven Coal Mine upon Baynes Sound	EC	Funded by base budget	By whether the Executive Committee has advocated regarding the proposed Raven Coal Mine	Complete May/13 BC EAO rejected proposal as submitted
		<u>FY 2012/13 – 2014/15</u> 2.4.7 Advocate regarding potential impacts of the proposed Burnco Gravel Mine upon Howe Sound	EC	Funded by base budget	By whether the Executive Committee has advocated regarding the proposed Burnco Gravel Mine	Not started
		<u>FY 2013/14 – 2014/15</u> 2.4.8 Clarify jurisdictional issues related to Islands Trust Area boundary	EC	Funded by base budget	By whether a method to clarify jurisdictional issues has been implemented	Preliminary discussion with ministry staff Initial briefing prepared for EC
	2.5 Advocate for appropriate regulation of aquaculture	<u>FY 2013/14 – 2014/15</u> 2.5.1 Collaborate with Department of Fisheries and Oceans regarding shellfish regulations through local government advisory committee as a pilot project for one LTC (Denman)	LTCs**	Funded in 2013/14 program budget (\$1000)	By whether the Denman Island LTC has collaborated with DFO on a pilot project	Not3.3.Impl started (Denman unsuccessfully sought representation on DFO committee)
	2.6 Advocate for effective regulation of marine sewage	<u>FY 2011/12 – 2014/15</u> 2.6.1 Chair correspondence regarding marine sewage regulation	EC	Funded by base budget	By whether the Chair has written to advocate for regulation of marine sewage	Research and mapping in progress
		2.6.2 Amend OCP policies to require sewage pump-outs as a condition of new/expanded marinas (i.e. during rezoning applications)	LTCs**/BIM***	Funded by base budget	By whether OCP policies require sewage pump-outs as a condition of marina development/expansion	No new OCP amendments since adoption of Strategic Plan

NOTE: Status column has now been colour coded to provide a quick visual indicator, as follows

	Not due to start or awaiting actions of others
	Completed
	In Progress – On Target
	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind Target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target

Policy Statement Goal B: Stewardship of Island Resources...

TC	STRATEGIES	ACTIVITES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
3. PROTECT quality and quantity of water resources	3.1 Encourage understanding and voluntary stewardship of water resources	<u>FY 2013/14</u> 3.1.1 Compile educational materials about water resources done by local groups and identify gaps	TPC	Funded by base budget	By whether the need for new educational materials had been defined.	Complete
		3.1.2 Fill identified gaps with new educational materials about water resources	TPC	Funded by base budget	By whether new educational materials have been created	Not started
		<u>FY 2014/15</u> 3.1.3. Develop an on-going water stewardship program	TPC	Subject to 2014/15 program budget	By whether an on-going water stewardship program has been funded and launched	Not due Not started
	3.2 Advocate for provincial Water Act reform	<u>FY 2011/12 – 2014/15</u> 3.2.1 Continue to participate in Water Act reform consultations	EC	Funded by base budget	By whether participation in Water Act reform has taken place	Not started Pending provincial action
	3.3 Use land use planning tools and decisions to protect water quality and quantity	<u>FY 2013/14</u> 3.3.1 Develop toolkit for use by LTCs/BIM that illustrates options for using planning tools to protect water quality and quantity	LPC	Funded by 2013/14 program budget (\$2500)	By whether a toolkit has been developed	Project charter approved by LPC; Report underway
		<u>FY 2013/14 – 2014/15</u> 3.3.2 Amend OCPs to include new policies for water resource protection	LTCs**/BIM***	Funded in 2013/14 program budget	By whether OCPs have been amended to include new policies about water resource protection	Galiano DAI bylaw adopted - addresses water protection
		3.3.3 Amend LUBs to include new regulations aimed at protection of water quality and quantity	LTCs**/BIM***	Funded in 2013/14 program budget	By whether LUBs have been amended to include new regulations aimed at protection of water quality and quantity	No LUB work begun
		<u>FY 2013/14</u> 3.3.4 Develop model Development Permit Areas that LTCs and BIM may consider in regards to water conservation	LPC	Funded in 2013/14 program budget (\$2500)	By whether model Development Permit Areas have been developed	Not started

TC	STRATEGIES	ACTIVITES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
		<u>FY 2014/15</u> 3.3.5 Adopt new Development Permit Areas to enhance water conservation	LTCs**/BIM***	Subject to funding in 2014/15 program budget	By whether LTCs/BIM have adopted new Development Permit Areas to enhance water conservation	Not due Not started
	3.4 Explore alternative tools for improving watershed management	<u>FY 2012-13</u> 3.4.1. Identify options within the Islands Trust Act for coordination of watershed protection	EC	Funded by base budget	By whether options have been identified	Complete
		<u>FY 2013-14</u> 3.4.2 Consider pilot project for coordination of watershed protection within one LTA	LTCs**	Partially funded by base budget.	By whether a pilot project has been considered	Complete St. Mary Lake Watershed Working Group formed on SSI. June/13 - TC adopted bylaw to delegate some TC coordination and advocacy powers to SSILTC.

NOTE: Status column has now been colour coded to provide a quick visual indicator, as follows:

	Not due to start or awaiting actions of others
	Completed
	In Progress – On Target
	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind Target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target

Policy Statement Goal C: Sustain Island Character and Healthy Communities...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
4. ENHANCE community economic sustainability and security	4.1 Create linkages between islands and Regional Districts to share effective and appropriate economic sustainability models	<u>FY 2013/14</u> 4.1.1 Half day session on Trust Area economic sustainability at Dec 2013 Council in Victoria, inviting all EA reps	TPC	Funded by base budget	By whether a joint session has occurred	Sept/12 RD discussion at UBCM breakfast Aug/13 TPC approved project charter
	4.2 Advocate for sustainable, affordable and appropriate ferry	<u>FY 2013/14</u> 4.2.1 Develop and implement research program in support of advocacy program	TPC	Funded in 2013/14 program budget (\$20,000)	By whether a research program has been developed and implemented	Aug/13 TPC approved research program

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
	service	<u>FY 2011/12 – 2014/15</u> 4.2.2 Continue advocacy program regarding ferry fares and service.	EC	Funded by base budget	By whether advocacy actions have been taken in regards to ferry fares and service	Submission sent to Minister Polak Chair meetings with Minister Polak, opposition critics and ferry commissioner
	4.3 Use land use planning tools and decisions to improve the availability of affordable, accessible, appropriate housing (as described in Trust Council's toolkit, Community Housing Toolkit)	<u>FY 2011/12 – 2014/15</u> 4.3.1 Amend OCPs to include affordable housing policies	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether OCPs have been amended to include new affordable housing policies	Some OCP reviews underway. Hornby considering OCP amendments to allow secondary suites.
		4.3.2 Amend LUBs to improve availability of affordable housing	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether LUBs have been amended to improve availability of affordable housing	SSI LUB amended to legalize secondary suites in some locations.
	4.4 Use land use planning tools and decisions to increase local food security and farmland protection (as described in Trust Council's 2010 report, Exploring Food Security in the Trust Area)	<u>FY 2012/13 – 2014/15</u> 4.4.1 Amend OCPs to include food security and farmland protection policies	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether OCPs have been amended to address food security and farmland protection	Included in Gabriola OCP reviews (details to be confirmed)
		4.4.2 Amend LUBs to improve food security	LTCs**/BIM***	Funded in 2013/14 program budgets	By whether LUBs have been amended to improve food security	Included in Gabriola LUB review (details to be confirmed)

NOTE: Status column has now been colour coded to provide a quick visual indicator, as follows

	Not due to start or awaiting actions of others
	Completed
	In Progress – On Target
	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind Target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target

Goal D: In cooperation with others...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS ⁺⁺
5. STRENGTHEN relations with First Nations	5.1 Improve consultation / engagement with First Nations during land use referrals	FY 2011/12 – 2014/15 5.1.1 Adopt First Nations Consultation Strategy	TAS	LPS	Funded by 2011/12 program budget	By whether Trust Council has adopted a First Nations Consultation Strategy	First draft to TC Jun/12. Final draft pending LPS capacity to consider financial and staffing implications
		5.1.2 Trustee workshop on working with aboriginal peoples	EC		Funded by 2012/13 program budget	By whether a trustee workshop has been held	Complete
		FY 2012/13 – 2014/15 5.1.3 Implement 'essential' and 'quick start' improvements to land use referral system that do not require additional resources, as identified in FN Consultation Strategy	LPS	TAS	Funded by base budget	By whether all 'essential' and 'quick start' improvements that do not require additional resources have been implemented	2 of 2 'essential' improvements in progress 3 of 8 'quick start' improvements in progress
		FY 2013/14 5.1.4 Identify resource needs for improved FN consultation and engagement	EC		Funded by base budget	By whether the resource needs for improved consultation and engagement has been identified	Not started. Pending completion of First Nations Consultation Strategy
		FY 2014/15 5.1.5 Implement improvements identified in the FN Consultation Strategy as longer term or requiring additional resources	LPS	TAS	Subject to increase in future base budget to support an additional LPS position	By whether all improvements identified in the FN Consultation Strategy as longer term or requiring additional resources have been implemented	Not started Not due
	5.2 Improve consultation / engagement with First Nations during Trust Council's marine and terrestrial protection work	FY 2014/15 5.2.1 Improve consultation and engagement re free Crown grant program	TAS		Subject to increase in base budget	By whether consultation and engagement has been improved	Not started. Not due. Pending increased staff capacity
		FY 2012/13 – 2014/15 5.2.2 Improve communication and coordination during marine protection advocacy	EC		Subject to increase in base budget	By whether consultation and engagement has been improved	Not started. Pending staff capacity
6. IMPROVE organizational	6.1 Confirm a fair distribution of Islands	FY 2012/13 6.1.1 Review and amend	FPC		Funded by base budget	By whether Policy 7.2.vi has been amended	Complete

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
cost and operational effectiveness	Trust Services to Bowen Island Municipality	Policy 7.2.vi (Municipal Requisition Cost Allocations)					
		FY 2012/13 – 2014/15 6.1.2 Identify Bowen Island Municipality needs for services provided by Trust Area Services unit	TAS		Funded by base budget	By whether BIM needs for TAS services have been identified	Initial discussion held Sep/12. Chair follow up sent Oct/12 and Jan/13 Awaiting BIM response
		6.1.3 Identify improved opportunities for BIM to access services provided through Trust Area Services unit	TAS		Funded by base budget	By whether opportunities for BIM to access TAS services have been identified	Pending requests from BIM Staff follow up e-mail to CAO sent Jan/13 Awaiting BIM response
		6.1.4 Review budget lines to ensure accurate allocation of costs	FPC		Funded by base budget	By whether budget lines have been reviewed	Staff review of line items underway. Initial discussion at FPC complete. BIM staff contacted for discussion.
		FY 2013/14 6.1.5 Provide additional TAS services to BIM	TAS		Funded by base budget	By whether BIM is accessing additional TAS services as identified	Improved notice of IT items to BIM. Pending requests from BIM. BIM staff invited to training opportunities.
	6.2 Improve cost-recovery from development application fees	FY 2013/14 6.2.1 Develop model fees bylaw for consideration by LTCs	LPC	FPC	Subject to annual program budget	By whether a model bylaw has been developed	TC referred to LPC/FPC before bylaw drafting begins. Not funded in 2013/14 program budget. LPC and FPC recommend 10% fee increase
		FY 2013/14 6.2.2 Consider adoption of amended fees bylaws.	LPC/LTCs**		Funded by base budget	By whether LTCs have adopted amended fees bylaws that improve cost recovery	Not started
	6.3 Prepare Island Trust organization to adapt to the potential incorporation of Salt Spring Island (if province advances a	FY 2013/14 6.3.1 Provide input into provincial study that assesses impact on Islands Trust of the potential incorporation of Salt Spring Island and identifies	EC		Funded and managed by province	By whether input has been provided	In progress. Input into study terms of reference complete. Response to initial info requests from

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS**
	provincial restructure study for SSI)	alternative adaptation strategies					consultant complete.
		<u>FY 2014/15</u> 6.3.2 Consider options and adopt an adaptation strategy, for Islands Trust to implement in the event of municipal incorporation of Salt Spring Island	FPC	EC	Subject to future budgets	By whether options for an adaptation strategy have been considered and a preferred strategy adopted by Trust Council.	Not started. Not due unless a SSI restructure study is launched and is nearing completion
		<u>FY 2014/15(?) - ?</u> 6.3.3 Implement adopted adaptation strategy	EC		Subject to future budgets	By whether an strategy has been implemented to adapt to incorporation of SSI	Not started Not due unless SSI community passes a referendum to incorporate as a municipality
		<u>FY 2014/15(?)</u> 6.3.4 Review existing IT-MCSCD protocol agreement regarding incorporation of municipalities in the Islands Trust Area	EC		Funded by base budget	By whether the protocol agreement with the ministry has been reviewed and amended	Not started Not due unless a SSI restructure study is launched
	6.4 Review service delivery regarding application processing	<u>FY 2013/14</u> 6.4.1 Consider development and use of a quality management system pilot on Salt Spring Island for processing of development applications	LTC**		Funded in 2013/14 program budget	By whether a quality management system has been considered by the SSILTC for one type of application process	Not started

* subject to decisions of Trust Fund Board

**subject to decisions of local trust committees

***subject to decisions of Bowen Island Municipality

Abbreviations:

AVICC – Assoc. of Vancouver Island Coastal Communities
 BIM – Bowen Island Municipality
 EC – Executive Committee
 FN – First Nations
 FPC – Financial Planning Committee
 FY – Fiscal Year
 IT – Islands Trust
 ITF – Islands Trust Fund
 ITPS – Islands Trust Policy Statement
 LGA – Local Government Act
 LPC – Local Planning Committee

LPS – Local Planning Services
 LTA – Local Trust Area
 LTC – Local Trust Committee
 LUB – Land Use Bylaw
 MCSCD – Ministry of Community, Sport and Cultural Development
 MVRD – Metro Vancouver Regional District
 NA – Not Applicable
 NEB – National Energy Board
 NAPTEP – Natural Area Protection Tax Exemption Program
 NMCA – National Marine Conservation Area

OCP – Official Community Plan
 ProD – Professional Development
 RAR – Riparian Areas Regulation
 RD – Regional District
 RFD – Request for Decision
 SSI – Salt Spring Island
 TAS – Trust Area Services
 TBD – To Be Determined
 TC – Trust Council
 TFB – Trust Fund Board
 TPC – Trust Programs Committee
 UBCM – Union of BC Municipalities

For more information, contact:

Sheila Malcolmson, Chair,
 Islands Trust Council
 email smalcolmson@islandstrust.bc.ca
 telephone 250.247.8078

Linda Adams, Chief Administrative Officer,
 Islands Trust
 email ladams@islandstrust.bc.ca
 telephone 250.405.5151

Visit our website at:
www.islandstrust.bc.ca

Colour Key for Middle Column:

Colour	Potential committee / unit / body taking lead for a potential strategy
	Local Planning (through Local Planning Committee, Local Planning Services staff, Local Trust Committees or Bowen Island Municipality)
	Trust Programs Committee or Trust Area Services staff
	Executive Committee
	Trust Fund Board or Islands Trust Fund staff
	Financial Planning Committee

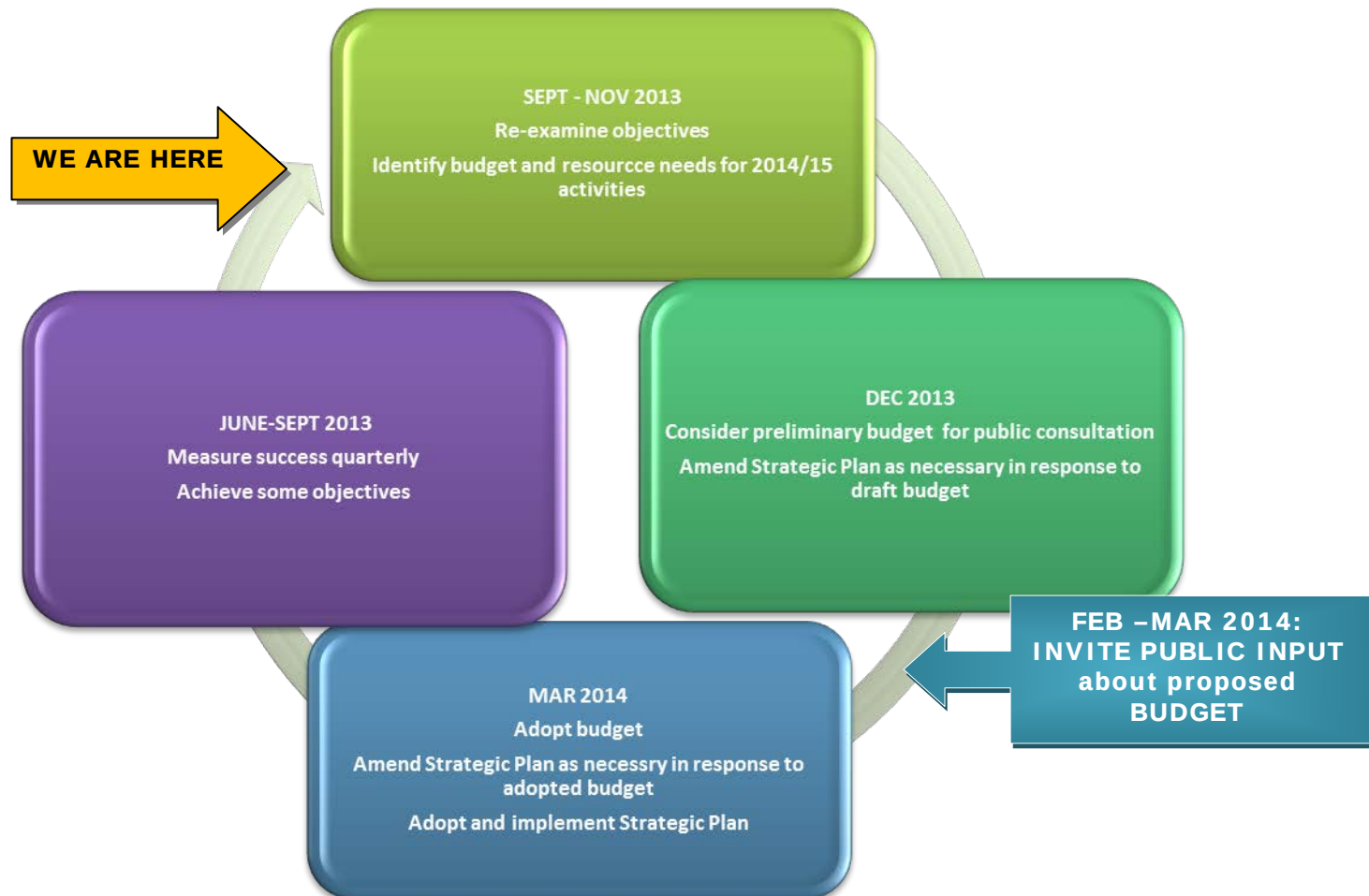
**** Colour Key for Status Column:**

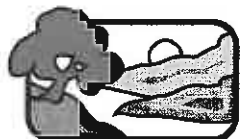
Colour	Status Description
	Not due to start or awaiting actions of others
	Completed
	In Progress – On Target
	Partially In Progress – Partially On Target (i.e. on target, by one or few LTCs)
	In progress - Behind target (e.g. not funded, delayed by other priorities, etc.)
	Not started – Behind target



Islands Trust

Strategic Planning Process (2013-2014)





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 Nos.: 241 Date: September 12, 2013

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:

Local Trust Committee Initiated

PURPOSE OF BYLAW:

Proposed Bylaw No. 241 is to amend two (2) subject areas within the Land Use Bylaw. The areas are:
1. Inclusion of Contractor Yards within the Home Occupation Regulations
2. Change in definition of sawmilling (residential).
(See Attachment 1 for staff report & Attachment 2 for Bylaw 241 at First Reading)

GENERAL LOCATION:

Galiano Island

LEGAL DESCRIPTION:

n/a

SIZE OF PROPERTY AFFECTED:

n/a

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

n/a

OTHER INFORMATION:

Please note that additional background information on this bylaw can be found on the Islands Trust website under <http://www.islandstrust.bc.ca/tc/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: Kris Nichols

Email: knichols@islandstrust.bc.ca

Title: Island Planner

This referral has been sent to the following agencies:

Federal Agencies

N/A

Regional Agencies

Building Inspection, CRD

Provincial Agencies

Ministry of Transportation & Infrastructure
Vancouver Island Health Authority

Adjacent Local Trust Committees and Municipalities

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

Non-Agency Referrals

Bylaw Enforcement, Islands Trust
Galiano Advisory Planning Commission
Galiano Island Chamber of Commerce
North Galiano Fire Department
South Galiano Fire Department

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
Tsawwassen First Nation

PLEASE TURN OVER →



Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring **Bylaw No.:** 470 **Date:** October 17, 2013

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. For your information a Public Hearing to consider the Bylaw will be held in the near future.

APPLICANTS NAME / ADDRESS:

Polaris Land Surveying.

PURPOSE OF BYLAW:

To amend Land Use Bylaw No. 355 to rezone a portion of the waters fronting Lot 1, Section 2, Range 2 West, North Salt Spring Island, Plan 29481 from Shoreline 7 (S7) to Shoreline 6 (S6) to permit a private wharf or dock (s) associated with upland residential use.

GENERAL LOCATION:

250 Collins Road, west coast of Salt Spring Island.

LEGAL DESCRIPTION:

Lot 1, Section 2, Range 2 West, North Salt Spring Island, Cowichan District, Plan 29481.

SIZE OF PROPERTY AFFECTED:

7.7 ha.

ALR STATUS:

No

OFFICIAL COMMUNITY PLAN DESIGNATION:

Shoreline Recreation

OTHER INFORMATION:

See attached staff report. Upland residential may be a future strata, propose a maximum 70 square meter dock.

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: Leah Hartley

Title: Regional Planning Manager

This referral has been sent to the following agencies:

Federal Agencies

Fisheries and Oceans, Canada
Coast Guard

Provincial Agencies

Ministry of Environment
Ministry of Forests, Lands and Natural Resource Operations

First Nations

Cowichan Tribes
Halalt First Nation
Hul'qumi'num Treaty Group
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe
Stzuminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

Regional Agencies

CRD Building Inspection
CRD Parks and Recreation Commission
SSI Fire-Rescue
Trust Fund Board

Adjacent Local Trust Committees and Municipalities

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

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Local Trust Area

(Island)

470

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



STAFF REPORT

Date: October 17, 2013

File No.: 6500-20- secondary suite review

To: Mayne Island Local Trust Committee
For the meeting of October 30, 2013

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Housing Options – Secondary Suites

Supplementary Report

Purpose

This report contains two bylaws 159 (OCP) and 160 (LUB) that have been prepared as a result of direction given by the LTC at previous meetings.

The two bylaws that have been drafted to permit secondary suites in some locations on Mayne Island and the report provides a summary of the bylaws and recommendations regarding next steps.

Project Objectives

The objective of this project is to amend the Mayne Island OCP and LUB to permit secondary suites in all appropriate residential zones on Mayne Island.

Project Background

This project is presently is one of the LTCs top work program priorities. A timeline was prepared in March of 2013 outlining a process that would when complete allow the LTC to consider adopting bylaws that would amend the Mayne Island OCP and LUB to allow secondary suites in some residential areas. Many of the steps in the timeline have been completed. At this stage the LTC is to consider the draft bylaws for 1st reading.

Direction given at the previous LTC meeting on September 4, 2013 was as follows:

That the Mayne Island Local Trust Committee direct staff to amend Draft Bylaw 159 and Draft Bylaw 160 to include recommendation #4 from the Advisory Planning Commission, to exclude water

districts that have requested to be excluded and to include wording around operation of a Bed and Breakfast and Home Occupation as discussed.

Analysis

Draft Bylaw 159

Draft bylaw 159 amends the OCP by placing an enabling comment in the policy sections of the Settlement Residential, Rural, Upland, and Agriculture land use designations.

Principal dwellings containing secondary suites will also be required to contain works to provide for the harvesting and storage of rainwater to offset the increased use brought on by the suite. The water would not be required to be potable as it will be left up to the individual property owners as to the level of treatment they will provide and the use the water will be put to. Following consultation and analysis, staff believe that the cost of installing a water harvesting system that produced potable water would be cost prohibitive and an obstacle to land owners constructing secondary suites.

Bylaw 159 does not apply to the Rural Residential designation as it is a land use designation that was applied to acknowledge historical situations of multiple land owners. The bylaw also does not apply to the Comprehensive Development zones as those zones contains a comprehensive mix of uses that have been drafted for specific parcels.

Staff is recommending that the LTC consider giving draft bylaw 159 1st reading as presented.

Draft Bylaw 160

Draft Bylaw 160 amends the LUB by permitting secondary suites in the Settlement Residential, Rural, Upland and Agricultural zones.

The bylaw contains the following restrictions:

- Only applies to the Settlement Residential, Rural Upland and Agricultural zones.
- Only one suite is permitted per lot.
- No suite is permitted on lots where a cottage is permitted.
- The suite must be contained completely within the walls of the principal dwelling.
- The suite must have its own outside access.
- The dwelling containing the suite must have a water catchment and storage system with 3000 gallons storage capacity.
- The suite must not be subdivided from the principal dwelling.
- The floor area of the suite will be restricted to the size of a cottage which is 60 square metres. It will also not be permitted to exceed 40 percent of the floor area of the principal dwelling.

- Home occupations including Bed and Breakfasts cannot be carried out in the suite.

The zoning amendment would also require one additional parking space per suite and would attach a new map schedule 'D' which would specify the portions of the four zones where secondary suites would be permitted, excluding the community water systems.

The suites are meant to be small and subordinate to the primary residence however the OCP wording will allow future LTCs to consider amendments to the LUB to allow for larger suites and/or varied types of suites.

Next Steps

Should the bylaws receive 1st reading at the October 30, 2013 LTC meeting the next step would be to refer the draft bylaws to agencies for comment. The LTC could also consider sending the draft bylaws back to the APC at this time.

Once comment is received staff will report back to the LTC with suggested amendments if required. If no amendments are required or if the amendments are agreed to by the LTC staff would recommend a public hearing be scheduled.

Summary of Planning Recommendations

The proposed bylaws are a result of several months of community, stakeholder and LTC review. Where possible, concerns and recommendations have been addressed and the bylaws are now in a form for consideration of 1st reading.

Staff is supportive of this initiative as secondary suites will provide for a varied mix of housing providing Mayne Islanders with more housing choices which is consistent with the broad community objectives in the OCP.

Staff has prepared bylaws that reflect the LTCs direction and recommend that the LTC consider 1st reading.

RECOMMENDATIONS:

1. That the Mayne Island Local Trust Committee give first reading to draft bylaw No. 159, cited as "Mayne Island Official Community Plan Bylaw No.144, 2007, Amendment No.1, 2013".
2. That the Mayne Island Local Trust Committee give first reading to draft bylaw No. 160, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.2, 2013".
3. That the Mayne Island Local Trust Committee forward proposed bylaw: No. 159, cited as "Mayne Island Official Community Plan Bylaw No.144, 2007, Amendment No.1, 2013"; and No. 160, cited as "Mayne Island Land Use Bylaw

No. 146, 2008, Amendment No.2, 2013” to the Advisory Planning Commission for review.

Prepared and Submitted by:

Gary Richardson

Gary Richardson, Island Planner

Name, Title

October 18, 2013

Date

Concurred in by:

Robert Kojima, RPM

Name, Title

October 21, 2013

Date

Attachments: Draft Bylaws 159 and 160

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW No. 159

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

WHEREAS the Mayne Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Mayne Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Mayne Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Mayne Island Local Trust Committee wishes to amend the Mayne Island Official Community Plan Bylaw No. 144, 2007;

AND WHEREAS the Mayne Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2013."

2. SCHEDULES

- a. Schedule A (Policy Document) of Mayne Island Official Community Plan No. 144, 2007 is amended as shown on Schedule 1, attached to and forming part of this amending bylaw.

3. SEVERABILITY

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

READ A FIRST TIME this day of

PUBLIC HEARING HELD this day of

READ A SECOND TIME this day of

READ A THIRD TIME this day of

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this

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

ADOPTED this

DEPUTY SECRETARY

CHAIR

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO.159

SCHEDULE 1

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

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

“2.1.1.10 One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. A secondary suite shall not be permitted on a parcel on which a cottage is constructed and a cottage shall not be permitted on a parcel on which a secondary suite is constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite.”

- b) Inserting the following as new policy 2.1.4.12:

“2.1.4.12 One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. A secondary suite shall not be permitted on a parcel on which a cottage is constructed and a cottage shall not be permitted on a parcel on which a secondary suite is constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite.”

- c) Inserting the following as new policy 2.1.5.10:

“2.1.5.10 One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. A secondary suite shall not be permitted on a parcel on which a cottage is constructed and a cottage shall not be permitted on a parcel on which a secondary suite is constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite.”

- d) Inserting the following as new policy 2.2.1.10:

“2.2.1.10 One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. A secondary suite shall not be permitted on a parcel on which a cottage is constructed and a cottage shall not be permitted on a parcel on which a secondary suite is constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite.”

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 160

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

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

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

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

“3.13 Secondary Suites

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

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

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

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

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

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

and renumbering the following subsections accordingly.

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

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

and renumbering the following subsections accordingly.

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

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

9. A new schedule “Schedule D” is to be inserted immediately following schedule C. The new schedule D is attached to this bylaw as Plan No. 1.
- B. This bylaw may be cited for all purposes as the “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.2, 2013”.

READ A FIRST TIME THIS	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

DEPUTY SECRETARY

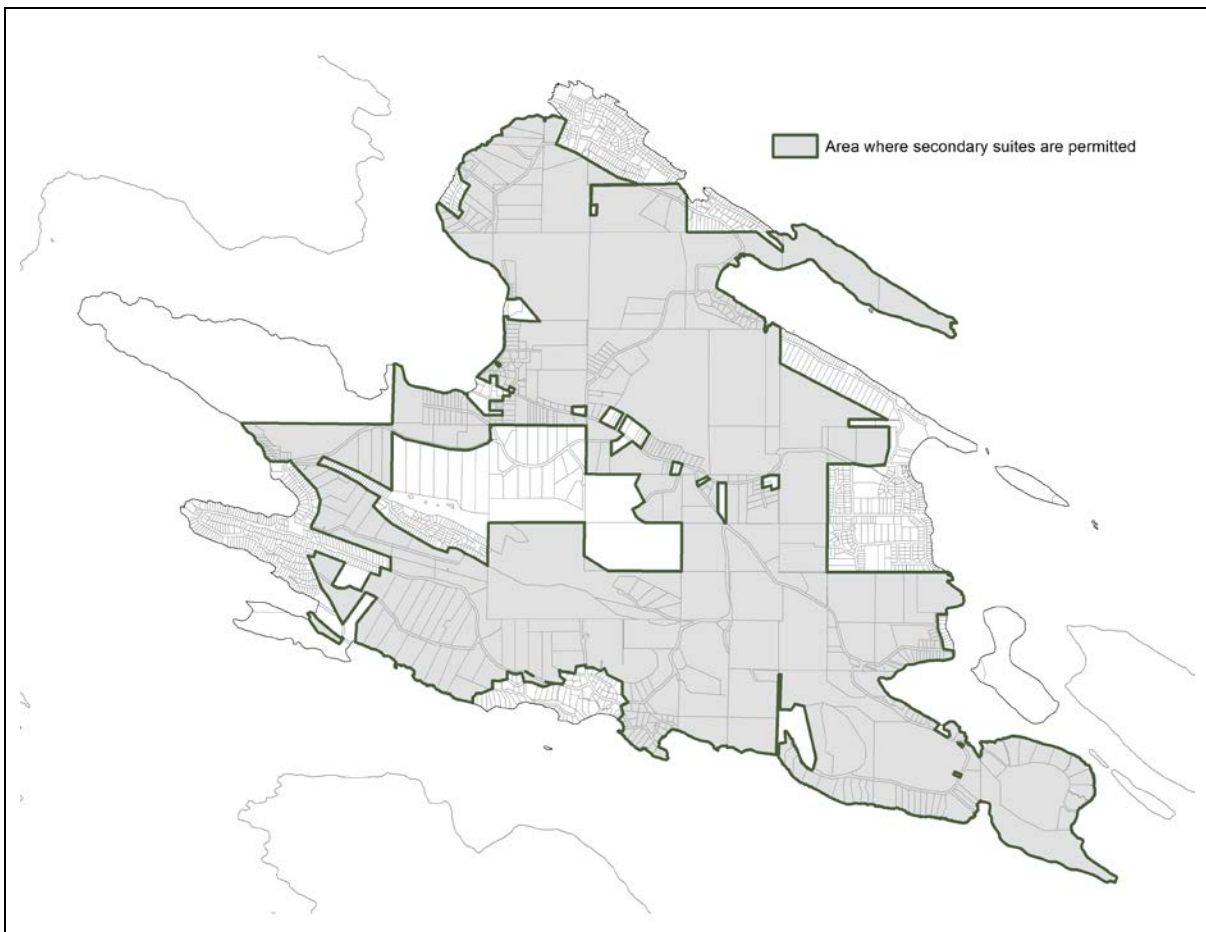
CHAIRPERSON

Mayne Island Local Trust Committee

Bylaw NO. 160

Plan No. 1

SCHEDULE D (Secondary Suite Map)





Memorandum

Date October 22, 2013 File Number 6500-20 (Mayne RAR)

To Mayne Island Local Trust Committee

From Gary Richardson, Island Planner

Re Riparian Area Regulation Implementation

The LTC has had implementation of RAR as a work program priority since 2009. Various staff reports have been provided summarizing the RAR and the LTC's options for implementation.

The LTC contracted two separate QEPs to provide reports on RAR applicable streams, both of which identified three streams as subject to the RAR. The Mayne Island Landowners Coalition also contracted two reports from a QEP to determine fish absence in two streams.

A legal opinion was obtained in January of 2012 which clarified several questions regarding the RAR. The legal opinion is attached for reference. Two of the answers provided in the legal opinion are summarized as follows:

- *The presence of fish in the streams is irrelevant to whether or not the LTC must amend its bylaws to protect riparian areas.*
- *The question of fish presence is relevant to the determination of the width of the Streamside Protection and Enhancement Area (SPEA), not to whether or not a stream is subject to RAR.*

The Riparian Areas Regulation, enacted under Section 12 of the Fish Protection Act in July 2004, requires local governments to protect riparian areas during residential, commercial and industrial development by ensuring that proposed activities are subject to a science based assessment conducted by a Qualified Environmental Professional (QEP).

The LTC gave direction at its October 24, 2012 meeting for staff to pursue compliance with the RAR through an option that could be implemented through a simple assessment method. In this approach a Development Permit Area (DPA) is established that may be less than the 30 metre Riparian Assessment Area (RAA) otherwise required. Undeveloped areas would likely retain a 30m SPEA and areas with a stream along the roadside or that are already heavily developed would likely have a smaller SPEA.

Staff calculated the upper influence of tides on the three streams subject the RAR during a high tide in January of 2013. This calculation further reduced land at the mouth of the streams that is subject to RAR.

Staff is proposing to utilize existing QEP reports to determine the distances and measures required on various stream sections and incorporate them into a DP area. Where there are information gaps or further information is required staff may require the services of a QEP. The cost of the services that may be required are not

known at this time; however the LTC has \$2800 in this fiscal year, and an additional \$2000 requested in 2014/15 to fund the completion of this project.

Recently through media and community groups it has been suggested that LTCs do not need to comply with the RAR due to perceived flaws in the legislation and the Implementation Guidebook or an Ombudsman's office review. Those with objections to provincial legislation should communicate their concerns to provincial representatives. The Ombudsman's report being prepared on the RAR is related to provincial management of the RAR and relieving local governments for their responsibilities under RAR is not within the scope of that review.

The Riparian Areas Regulation (RAR), enacted under Section 12 of the Fish Protection Act, requires local governments to protect riparian areas during residential, commercial, and industrial development by ensuring that proposed activities are subject to a science based assessment conducted by a Qualified Environmental Professional (QEP). Staff cannot recommend that the LTC not comply with legal requirements under provincial law.

Based on the above staff recommends proceeding with implementing the RAR on Mayne Island through a simple assessment of the SPEA, and that the LTC confirm that it supports this approach.

Pc Robert Kojima, RPM



Islands Trust

ISLANDS TRUST LEGAL OPINION: MAYNE ISLAND RIPARIAN AREAS REGULATION IMPLEMENTATION

Due to uncertainty concerning the applicability of the provincial Riparian Areas Regulation to several watercourses on Mayne Island, the Islands Trust has obtained an opinion from Young, Anderson, its legal counsel. The Executive Committee of Islands Trust has authorized the release of this legal opinion. The following points provide a summary of Islands Trust's understanding of the applicability of the RAR based on this legal advice:

- The presence or absence of fish alone is not relevant to whether or not a local government must amend its bylaws to protect riparian areas.
- The RAR requires local governments to implement measures on streams where fish may not be present: the legislation has as its object both the protection of streams where fish are present and the restoration of riparian habitat that potentially supports fish life.
- The question of fish-presence is relevant to the determination of the width of the Streamside Protection and Enhancement Area (SPEA) (i.e. the "setback"), not to whether a stream is subject to the RAR.
- The first report obtained by the LTC (the 'Reimer' report) provided the necessary information for the LTC to proceed with amending its bylaws to implement the RAR. The second report (the 'Swell' report) concurred with this conclusion.
- The *Fish Protection Act* and the RAR do not provide Ministry staff with administrative discretion to determine whether or not a watercourse is a "stream" as defined in the RAR.
- Concerns of landowners regarding the application of the RAR to streams without fish present are an issue with the provincial legislation and regulation.
- The *Fish Protection Act* requires that the LTC amend its bylaws to implement Riparian Area protection measures on the streams.

REPLY TO: VANCOUVER OFFICE

VIA EMAIL: rkojima@islandstrust.bc.ca

January 30, 2012

Robert Kojima
Regional Planning Manager
Islands Trust
200 - 1627 Fort Street
Victoria, BC V8R 1H8

Dear Mr. Kojima:

**Re: Mayne Island RAR Implementation
Our File No. 0002 -0172**

You have requested that we review various reports and correspondence that the Islands Trust has received regarding the presence of fish-bearing or potentially fish-bearing streams on Mayne Island, as part of the local trust committee's consideration of bylaw amendments required to comply with s. 12 of the *Fish Protection Act*.

In summary, the Islands Trust has received two separate reports by qualified environmental professionals (QEPs) as defined in the Riparian Areas Regulation, to the effect that there are three streams on Mayne Island that fall within the scope of s. 12 of the *Fish Protection Act* and the Riparian Areas Regulation. It has also received reports prepared by QEPs on behalf of the Mayne Island Landowners Coalition to the effect that there is no evidence of fish presence in any of the three streams. Finally, it has received a June 3, 2011 letter from the Ministry of Environment purporting to determine that Campbell Creek, one of the three streams, is not subject to s. 12 or the RAR, and a copy of a November 18, 2011 e-mail from the Minister of Environment to Murray Coell, MLA for Saanich North and the Islands, commenting on and confirming the conclusions set out in the MOE letter.

1. Relevance of the Presence of Fish

In our view, the presence of fish in these streams is not relevant to the question of whether the local trust committee has an obligation to enact riparian area protection measures under s. 12 of the *Fish Protection Act* in relation to them. It is clear from the Riparian Areas Regulation that "streams" that require local government measures under s. 12 include streams in which fish are

WWW.YOUNGANDERSON.CA

1616 - 808 Nelson Street Box 12147 Nelson Square Vancouver BC V6Z 2H2 | tel: 604 689 7400 | fax: 604 689 3444 | toll free: 1 800 665 3540
201 - 1456 St. Paul Street Kelowna BC V1Y 2E6 | tel: 250 712 1130 | fax: 250 712 1180

not present. For example, s. 6(2) of the RAR in describing the width of streamside protection and enhancement areas includes a methodology for determining SPEA width in relation to non-fish-bearing streams as well as for fish-bearing streams. (This is likely the reason that the Assessment Methods published by MOE for the use of QEPs contains a methodology for determining the presence of fish.) Section 6(1) of the RAR directs that the identification of SPEAs take into account both existing and potential vegetation, and companion amendments to the *Local Government Act* in 1997 enabled local governments to impose development permit conditions for riparian areas that deal with the restoration and enhancement of degraded riparian habitat, as distinct from the protection of intact riparian habitat. Thus it seems clear that the *Fish Protection Act* and the RAR have as their object both the protection of riparian habitat that presently supports fish life, and the restoration and enhancement of riparian habitat that potentially supports fish life, and it is in that context that we conclude that the local trust committee's duties under s. 12 don't depend on the initial presence of fish in a stream.

Because of the conclusion we have reached on this point, we will not comment on whether the reports prepared for the Landowners Coalition correctly applied the MOE's suggested methods for determining the presence of fish.

2. Reimer Report

It is our view that the 2007 Reimer report provided a sufficient basis for the local trust committee to proceed with the implementation of riparian area protection measures. Neither of the Landowners Coalition reports detracts from that basis, because the presence of fish is not necessary to qualify a watercourse for protection under the *Fish Protection Act*. If the Islands Trust had received one or more reports indicating that none of the topographical features on Mayne Island constituted a "stream" as defined in the RAR, there would have been an issue as to whether s. 12 of the *Fish Protection Act* had any application on Mayne Island, but the Landowners Coalition reports do not address that issue. The authors of the Swell Environmental Consulting Ltd. report dated February 16, 2010, which essentially confirms the conclusions in the Reimer report of 2007, concluded the report by suggesting that the Mayne Island landowners commission another QEP report on the topic of fish absence, perhaps implying that the results of such a study could be relevant to the question of whether any of the watercourses on Mayne Island are streams requiring protection under the RAR. We don't believe such a suggestion to be correct; under the RAR, the presence or absence of fish is only relevant to the width of streamside protection and enhancement areas for watercourses that are subject to the Regulation.

3. MOE Correspondence

As for the June 3, 2011 correspondence from Marlene Caskey, indicating a consensus among Ms. Caskey, Dave Clough (one of the QEPs who had been retained by the Landowners Coalition) and other government fisheries biologists that Campbell Creek be "identified" as "non-fish-

bearing” due to the presence of a natural barrier near its mouth, and therefore not an “RAR stream”, the letter is in our view misconceived to the extent that it was intended to suggest that riparian area protection measures are not required on Campbell Creek. There is no room in the application of s. 12 of the *Fish Protection Act* for the exercise of discretion by Ministry of Environment officials as to whether a particular watercourse is a “stream” as defined in the RAR. At most, this letter could be taken as some kind of representation by the Province that it will not assert in future that the Mayne Island Local Trust Committee is in contravention of s. 12 of the *Fish Protection Act* by virtue of not having undertaken riparian area protection measures in respect of this watercourse. The wording of s. 12 and the “policy directive” that the Province has issued (in the form of the Riparian Areas Regulation) determine, of their own force, what streams in the Mayne Island local trust area require protection by the local trust committee, leaving no room for administrative-level interpretations by MOE staff. In this regard, it seems to us that the June 3, 2011 letter represents another aspect of the problem with the administration of the RAR that the Court of Appeal identified in *Yanke v. Salmon Arm (District)*, 2011 BCCA 309, which dealt with the MOE/DFO “letter of advice” routine in relation to construction of buildings within identified SPEAS. The Court of Appeal referred to “dissonance between the statutory provisions and the regulatory framework that is actually applied”, in finding the Ministry’s “letter of advice” procedure to be without any basis in law. In the present circumstances, while they may certainly provide information in a resource capacity, we don’t think that MOE staff members have any statutorily mandated role to play in determining whether or not any particular watercourse requires protection under the *Fish Protection Act* and the RAR.

For completeness, we will also note that the Minister of Environment’s November 18, 2011 e-mail message adds nothing to the legal validity or significance of Ms. Caskey’s purported determination that there is no need for the local trust committee to implement riparian area protection measures in respect of Campbell Creek. The message merely adds another layer of defence that the Islands Trust and the local trust committee may raise in the event that they are alleged to be out of compliance with s. 12 of the *Fish Protection Act* by having failed to implement such measures for Campbell Creek. As far as we can tell from the information provided in all four of the reports we have reviewed, Campbell Creek is a “stream” in respect of which a “riparian assessment area” can be identified. According to s. 4 of the RAR the local trust committee cannot lawfully approve or allow development to proceed in respect of the riparian assessment area of Campbell Creek unless the development is authorized by permit under s. 35 of the *Fisheries Act* (Canada) or the requisite QEP report has been provided to the MOE and DFO and the local trust committee has been so notified.

4. Conclusion

It may be that local landowners do not consider it worthwhile to enact riparian protection or restoration requirements, in relation to watercourses that do not currently provide fish habitat. That is a value-based position that may quite legitimately be taken in a policy discussion as to

whether s. 12 of the *Fish Protection Act* should apply to the Mayne Island local trust area, or whether riparian assessment areas *should* be so broadly defined in the RAR as to include areas adjacent to non-fish-bearing streams. Since neither of those policy matters is within the local trust committee's jurisdiction, the local trust committee may wish to suggest to the Landowners Coalition that it direct its advocacy efforts to legislators at the provincial level. In the meantime, s. 12 requires the local trust committee to implement riparian area protection measures, in our view in respect of all three watercourses identified in the Reimer report of 2007.

Sincerely,

YOUNG ANDERSON



Bill Buholzer

buholzer@younganderson.ca

BB/mw



Islands Trust

Print Date: Oct-23-2013

Top Priorities

Mayne Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Implementation of Riparian Areas Regulation	Staff memo on recommended process on October 30, 2013 LTC agenda for LTC direction.	Jul-31-2013	Gary Richardson	Jun-30-2014	On Going
2	Housing Options - Secondary suites	Draft Bylaws 159 (OCP) and 160 (LUB) prepared for consideration of 1st reading at October 30, 2013 LTC meeting	Jul-31-2013	Gary Richardson		On Going
3	OCP and LUB amendments	Review OCP and LUB as per APC report dated February 2013. Review appropriateness of allowing public service uses in all zones as they may not be compatible with surrounding residential use. Review setbacks for agricultural buildings from water courses, consistent with Ministry guidelines.	Jul-31-2013	Gary Richardson		On Going



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	Commercial Land Use Review	review task force reports and provide options/recomendations to the LTC	Oct-24-2012	On Going
3	First Nations Communication - deer		Jun-27-2012	On Going
4	Density provisions on large remainder lots		Jul-27-2012	On Going
5	Road issues		Jun-27-2012	On Going
6	Review TUP policies		Sep-19-2012	On Going
7	STVR Review		Sep-19-2012	On Going
8	Geo-exchange review		Nov-28-2012	On Going



Applications w/ Status - Mayne Island Status: Open

Applications

Rezoning

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

Planning Status

Status Date: Jul-21-2013

Needs study proposal to be received by July 31, 2013

Status Date: Jun-18-2013

Needs study being designed with the assistance of contractor.

Status Date: May-29-2013

LTC requested needs study to be done.

Temporary and Industrial Use Permit

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

Planning Status

Status Date: Sep-30-2013

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

Status Date: Sep-30-2013

Emailed application package to LTC

Status Date: Sep-27-2013

Fees received

Sharon Lloyd-deRosario

From: Anna Olson
Sent: September-26-13 2:31 PM
To: Brian Crumblehulme; Gary Richardson; Jeanine Dodds; Peter Luckham; Robert Kojima; Sharon Lloyd-deRosario; Lori Foster
Cc: Nancy Roggers
Subject: Mayne Expense Report- SEPT/13

Islands Trust LTC EXP SUMMARY REPORT F2014 Invoices posted to September 30, 2013				
645 Mayne	Invoices posted to September 30, 2013	Budget	Spent	Balance
65000 645	LTC "Trustee Expenses"	1,100.00	419.21	680.79
65200 645	LTC Local Exp LTC Meeting Expenses	2,500.00	856.08	1,643.92
65210 645	LTC Local Exp APC Meeting Expenses	1,000.00	185.85	814.15
65220 645	LTC Local Exp Communications	500.00	509.90	(9.90)
65230 645	LTC Local Exp Special Projects	2,000.00	-	2,000.00
65240 645	LTC Local Exp Miscellaneous	250.00	-	250.00
TOTAL LTC Local Expense		6,250.00	1,551.83	4,698.17
73001 645 2005	Mayne OCP/LUB	4,000.00	1,113.30	2,886.70
73001 645 4013	Mayne housing options	3,000.00	-	3,000.00
TOTAL Project Expense		7,000.00	1,113.30	5,886.70

Anna Olson
 Finance Clerk

Islands Trust
 #200 1627 Fort Street
 Victoria, B.C. V8R 1H8
 Phone: (250) 405-5152
 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving island communities, culture and environment

Please consider the environment before printing this email.



Memorandum

Date October 18, 2013

To Mayne Island Local Trust Committee and Gary Richardson, Island Planner

From Geoff Kinnear Bylaw Enforcement Officer

Re **Request for information on Enforcement Files / Mayne Island Short Term Vacation Rentals (STVRs)**

At its September 4, 2013 meeting the LTC passed the following resolution:

Resolution MA-LTC-40-13

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to look into the recent Short Term Vacation Rental complaints and report to the Local Trust Committee.

This memo explains some of the recent history regarding enforcement of STVRs on Mayne Island and the present state of STVR files.

Background: In November 2009 the Mayne Island Local Trust Committee adopted an STVR Enforcement Policy which outlined the factors which would initiate enforcement on STVRs.

On February 7, 2011 the Local Trust Committee adopted MA-LTC-13-11 which reads:

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 units 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.

A number of STVR files were closed during 2011 and 2012 due to enforcement action and as a result of the above policy.

Number of STVR files: As of October 21, 2013 there are 8 open enforcement files on Mayne Island and 3 of those are STVR files.

Location of STVRs: One is located on the Southern side of of Mayne Island, while the other two are located in the vicinity of Bennet Bay.

Short term enforcement plan: Each file will be reviewed by the Bylaw Enforcement Team before the end of October. During that review a determination will be made to either conclude the file or pursue all available enforcement options, including legal action.

Long term enforcement plan: The Bylaw Enforcement Team will consider all options for enforcement in keeping with the Mayne Island Local Trust Committee's STVR Enforcement Policy.

Respectfully submitted,

Geoff Kinnear
Bylaw Enforcement Officer

Pc Robert Kojima, RPM

Mayne Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: July 25, 2012

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

No	Meeting Date	Resolution No.	Issue	Policy and Description
3.	May 2, 2011	MA-LTC-44-11	Options for adopting In Camera Minutes	It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to only include in-camera minutes on agendas where there are other reasons to close the meeting to the public .
4.	February 1, 2012		Special Occasion Liquor License referrals	That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
5.	July 25, 2012	MA-LTC-34-12 x-ref #2 above	STVR Bylaw enforcement policy	That Mayne Island Local Trust Committee resolves to extend the current Short Term Vacation Rental bylaw enforcement policy, as written in Staff Report dated June 26, 2012 until the project to review use of second dwellings for Short Term Vacation Rentals is complete.

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

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

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

BACKGROUND:

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

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

CONSIDERATIONS:

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

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

GUIDELINES

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

These guidelines are:

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

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



Memorandum

Date October 22, 2013 File Number

To Mayne Island Local Trust Committee

From Robert Kojima
Regional Planning Manager

Re Horton Bay Jetty – VIS6510

At the July meeting, the LTC requested staff provide background on the jetty located on or adjacent to Strata Lot 2, VIS6510. Strata Lot 2 is owned by the Emmetts ('the owners') and jetty fronts onto Horton Bay.

The issue emerged when the owners recently applied to renew the licence of occupation for the jetty; the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) has reclassified the structure such that the annual fee is higher than for the past decade. As a result the owners approached the LTC and staff seeking options to the current license of occupation.

Background:

- The jetty dates to early part of the 20th century and was constructed by the Kadonagas (the original owners), apparently using a cut and fill method.
- The owners applied for a subdivision of the parent parcel (Lot A, Plan 2501) in 2000.
- Because of several issues, including access, ALR, and split-zoning, the owners initially received a non-approval from MoTI.
- Application was made to the ALC in 2002 and a rezoning application was made in 2003.
- The preliminary subdivision plan delineated a portion of the jetty as a "filled area" (please see attached plan).
- The fact that the jetty did not have a license of occupation was identified by the planning staff during the review and obtaining a license of occupation for the portion of the jetty over crown land was one of a number of conditions of rezoning.
- The owners applied for and obtained a license of occupation from Land and Water BC (as it was then) at the end of 2003.
- The rezoning was approved in 2004, subdivision registered in 2008.
- A reference plan registered in March 2008 (VIP84615, see attached), established the natural boundary of the sea and the portion of the jetty over the foreshore was identified on the registered plan as "filled foreshore".
- The registered strata plan (VIS6510, see attached) included the upland portion of the jetty as being on Strata Lot 2 and other portion as being filled foreshore (ie on crown land).

Islands Trust staff spoke with Ministry staff recently concerning options the owners may have; FLNRO staff advised us that the annual fee is the minimum amount they can charge for the reclassified structure and that the owners could purchase it, but an archaeological assessment would be required. In terms of other options,

U:\LOCAL TRUST COMMITTEES\Mayne\Memorandum\2013\Memo - Emmett jetty.docx

staff advised the owners that so long as the registered plan delineates a portion of structure as fill on the foreshore, then tenure from the crown would be required to use it. We also have advised the owners that as the portion of the structure located on the upland falls within strata lot 2, a boundary adjustment subdivision application could be made to include that portion of the structure in the adjacent common property if that's the desire of the strata.

pc Gary Richardson, Island Planner

Attachments: Preliminary layout plan
VIP84615
VIS6510 (detail)

BAY

Plan 35260

ORTON BAY ROAD

Plan 35261

Rem S.E. 1/4

Common property

CP

Cabin

Guest Cottage

Shed

S.L. 3 2.32 ha.

S.L. 4 2.35 ha.

Plan VIP63170

Hydro & Tel right of way

Tractor shed

ACCESS ROAD

Shed/carport

pump house

Cabin

CP

Fill area

Barn

CP

Pt. S.L. 1 0.58 ha.

Dwelling

Pt. S.L. 1 0.58 ha.

ole way portions 10 m width

Pt. S.L. 1 1.49 ha.

total area = 2.65 ha.

Shed

Travelled surface

Plan VIP64588

Hydro & Tel right of way

BEECHWOOD DRIVE

70

70



Memorandum

200 - 1627 Fort Street Victoria BC V8R 1H8

Telephone **(250) 405-5151** FAX: (250) 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

information@islandstrust.bc.ca www.islandstrust.bc.ca

Date For the meeting of October 30, 2013

To Mayne Island Local Trust Committee

From Lori Foster
Planning Secretary

Re Proposed Mayne Island LTC 2014 Meeting Schedule

Attached is the proposed Mayne Island Local Trust Committee 2014 Meeting Schedule.

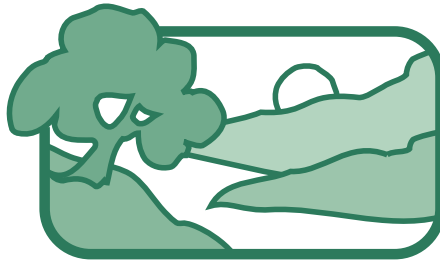
It is proposed that LTC meet on the preferred Wednesday, preceding the North Pender monthly meeting, (with the exceptions of January, August, September (UBCM), October (FPC) and December) at 1:00 PM at the Mayne Agricultural Hall as follows: February 26, March 26, April 23, May 28, June 25, July 30, September 3, October 22, and November 26.

If at this meeting the LTC is in agreement with this proposed schedule the LTC may adopt the following resolution:

“THAT the Mayne Island Local Trust Committee adopts the 2014 meeting schedule as presented.”

If the LTC requests revisions to the schedule, then the LTC may adopt the amended schedule at the next meeting or by RWM.

pc Robert Kojima



Islands Trust

MAYNE ISLAND LOCAL TRUST COMMITTEE

**WILL MEET ON A WEDNESDAY
OF EACH MONTH @ 1:00 P.M.**

(* UNLESS OTHERWISE NOTED) AS FOLLOWS:

FEBRUARY 26, 2014

MARCH 26, 2014

APRIL 23, 2014

MAY 28, 2014

JUNE 25, 2014

JULY 30, 2014

***SEPTEMBER 3, 2014**

***OCTOBER 22, 2014**

NOVEMBER 26, 2014

LOCATION:

MAYNE ISLAND AGRICULTURAL HALL

These are regular business meetings of the Local Trust Committee, where they will consider items such as bylaws, applications and correspondence.

ALL MEETINGS ARE OPEN TO THE PUBLIC