



# Mayne Island Local Trust Committee

## Regular Meeting Agenda

Date: February 26, 2018  
Time: 1:00 pm  
Location: Mayne Island Agricultural Hall  
430 Fernhill Road, Mayne Island, BC

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	<b>Pages</b>
<b>1. CALL TO ORDER</b>	1:00 PM - 1:10 PM
<b>2. APPROVAL OF AGENDA</b>	
<b>3. TOWN HALL AND QUESTIONS</b>	
<b>4. COMMUNITY INFORMATION MEETING</b>	
none	
<b>5. PUBLIC HEARING</b>	
none	
<b>6. MINUTES</b>	
<b>6.1 Local Trust Committee Minutes Dated January 29, 2018 (for Adoption/Receipt/Information)</b>	4 - 11
<b>6.2 Section 26 Resolutions-without-meeting Report</b>	
none	
<b>6.3 Advisory Planning Commission Minutes</b>	
none	
<b>7. BUSINESS ARISING FROM THE MINUTES</b>	1:10 PM - 1:20 PM
<b>7.1 Follow-up Action List Dated February 2017</b>	12 - 13
<b>8. DELEGATIONS</b>	
none	

**9. CORRESPONDENCE**

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

none

**10. APPLICATIONS AND REFERRALS**

1:20 PM - 1:50 PM

**10.1 MA-DVP-2018.1 (Lazar) - Staff Report (attached)** 14 - 28

**10.2 MA-SUB-2017.1 (Percy) - Staff Memo (attached)** 29 - 39

**10.3 North Pender Island Local Trust Committee Bylaws No. 216 & 217 Referral (attached)** 40 - 42

for response

**11. LOCAL TRUST COMMITTEE PROJECTS**

none

**12. REPORTS**

1:50 PM - 2:15 PM

**12.1 Work Program Reports (attached)**

12.1.1 Top Priorities Report Dated February 2017 43 - 43

12.1.2 Projects List Report Dated February 2017 44 - 44

**12.2 Applications Report Dated February 2017 (attached)** 45 - 47

**12.3 Trustee and Local Expense Report Dated December 2017 (attached)** 48 - 48

**12.4 Adopted Policies and Standing Resolutions (attached)**

**12.5 Local Trust Committee Webpage**

**12.6 Chair's Report**

**12.7 Trustee Report**

**12.8 Trust Fund Board Report**

none

**13. NEW BUSINESS**

2:15 PM - 2:30 PM

**13.1 Executive Committee re: Farm Industry Review Board and Aquaculture - Staff Memo & attachment (attached)** 49 - 50

for information

**13.2 Fuel Leak at Minors Bay Dock - Discussion**

**14. UPCOMING MEETINGS**

**14.1** Next Regular Meeting Scheduled for March 26, 2018, at the, at the Agricultural Hall, Mayne Island

**14.2** Special Local Trust Committee to be held on March 5, 2018, at Mary Winspear Centre in Sidney, BC

More information to be posted to the web site soon

**15. TOWN HALL**

**16. CLOSED MEETING (Distributed Under Separate Cover)** 2:30 PM - 2:45 PM

**16.1 Motion to Close Meeting**

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

- *Adoption of In-Camera Meeting Minutes Dated January 29, 2018*
- *Appointment of APC Members*

*AND that the recorder and staff attend the meeting.*

**16.2 Recall to Order**

**16.3 Rise and Report**

**17. ADJOURNMENT** 2:45 PM - 2:45 PM

**DRAFT**



## Mayne Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** January 29, 2018  
**Location:** Mayne Island Agricultural Hall  
430 Fernhill Road, Mayne Island, BC

**Members Present:** George Grams, Chair  
Jeanine Dodds, Local Trustee  
Brian Crumblehulme, Local Trustee

**Staff Present:** Gary Richardson, Island Planner  
Pat Todd, Recorder

**Members of the Public Present:** There were approximately six (6) members of the public in attendance.

#### 1. CALL TO ORDER

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

#### 2. APPROVAL OF AGENDA

For consideration, proposed additions to the agenda:

- 13.2 Montrose Road Ditch
- 13.3 Derelict Boats
- 13.4 Debris end of Wood Dale
- 13.5 Working Session Commercial Land Use Review

**By general consent**, the agenda as amended was Adopted.

#### 3. TOWN HALL AND QUESTIONS

Glenda Johnson wished to speak regarding Riparian Rights. This will be addressed later in the agenda.

#### 4. COMMUNITY INFORMATION MEETING

none

#### 5. PUBLIC HEARING

none

#### 6. MINUTES

##### 6.1 Local Trust Committee Adopted Minutes Dated October 30, 2017

For information.

**6.2 Section 26 Resolutions-without-meeting Report Dated January 2018**

For information.

**6.3 Advisory Planning Commission Minutes**

none

**7. BUSINESS ARISING FROM THE MINUTES**

**7.1 Follow-up Action List Dated January 2018**

Planner Richardson reported that Items have been completed except for Commercial Land Use Review which is ongoing.

**8. DELEGATIONS**

none

**9. CORRESPONDENCE**

none

**10. APPLICATIONS AND REFERRALS**

**10.1 MA-RZ-2017.1 (Reef Bay Holdings) - Staff Report - Bylaw 172**

Planner Richardson reviewed the application noting that land coverage has been set at 20%.

Trustee Dodds informed the LTC that she no longer has a pecuniary conflict of interest, having recently sold her commercial property.

Trustee Crumblehulme spoke in favour of usages except for “clubs and halls” and “freight depots”.

Trustee Dodds supported these two exemptions.

**MA-2018-001**

**It was Moved and Seconded;**

That the Mayne Island Local Trust Committee Draft Bylaw No. 172 cited as “Mayne Island Land Use Bylaw 146, 2008, Amendment No. 1, 2017” be read for a First time as amended.

**CARRIED**

**MA-2018-002**

**It was Moved and Seconded;**

That the Mayne Island Local Trust Committee directs staff to schedule a Public Hearing for Bylaw No. 172, cited as “Mayne Island Land Use Bylaw 146, 2008, Amendment No. 1, 2017”.

**CARRIED**

**MA-2018-003**

**It was Moved and Seconded;**

That the Mayne Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 172, cited as "Mayne Island Land Use Bylaw 146, 2008 Amendment No. 1, 2017", is not contrary or at variance with the Islands Trust Policy Statement.

**CARRIED**

**10.2 Japanese Canadian Historic Places Project - Briefing**

Trustee Dodds informed the LTC that Kadonaga Bay is within the conservation protection area, as is Dinner Bay.

Trustee Crumblehulme, who had been involved in this project earlier, reported that there were some concerns with historical versus archeological sites. It is felt there are significant indigenous sites which should be recognized.

**10.3 Salt Spring Island Local Trust Committee Bylaws No. 504 & 505**

**MA-32018-004**

**It was Moved and Seconded;**

That Mayne Island Local Trust Committee interests are unaffected by Salt Spring Island Local Trust Committee Bylaws No. 504 and 505.

**CARRIED**

**10.4 Salt Spring Island Local Trust Committee Bylaw No.508**

**MA-32018-005**

**It was Moved and Seconded;**

That Mayne Island Local Trust Committee interests are unaffected by Salt Spring Island Local Trust Committee Bylaw No. 508.

**CARRIED**

**10.5 Salt Spring Island Local Trust Committee Bylaw No.509**

**MA-32018-006**

**It was Moved and Seconded;**

That Mayne Island Local Trust Committee interests are unaffected by Salt Spring Island Local Trust Committee Bylaws No. 509.

**CARRIED**

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Riparian Area Regulations (RAR) - Staff Report - Bylaw 171**

Planner Richardson reviewed the staff report and stated that Montrose ditch has now been mapped.

Trustee Crumblehulme questioned if ditch was working and if Highways had had permission prior to diverting stream.

Planner Richardson stated it is presumed permission was acquired.

Trustee Dodds spoke to Streamside Protection Enforcement Area (SPEA) and buffers.

Planner Richardson reported that SPEA and set back distances will be noted on map.

**Glenda Johnson** questioned inclusion of the ditch. She also raised the issue of the ditch collapsing (significant rain volume). There is very little shoulder and the intersection has been compromised.

Trustee Dodds addressed the need to complete RAR and that the LTC has attempted to minimize impact on land owners.

**Ian Birtwell** suggested clarification of the definition of a “farmer” and cited that earlier report noted buffers as optional.

Planner Richardson confirmed that Madrone Report had recommended buffers to protect SPEA.

Trustee Dodds questioned who enforces regulations and suggested buffers be removed prior to Public Hearing.

Staff stated that regulations are more directed to large developments.

**MA-2018-007**

**It was Moved and Seconded;**

That Mayne Island Local Trust Committee direct staff to remove the buffer area around the Streamside Protection Enforcement Area.

**CARRIED**

**MA-2018-008**

**It was Moved and Seconded;**

That the Mayne Island Local Trust Committee Bylaw No. 171 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2017” be read a First time as amended.

**CARRIED**

**MA-2018-009**

**It was Moved and Seconded;**

That the Mayne Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 171 cited as “Mayne Island Official Community Plan Bylaw NO. 144, 2007, Amendment No.1, 2017”.

**CARRIED**

**MA-2018-010**

**It was Moved and Seconded;**

That he Mayne Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 171, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2017”, is not contrary or at variance with the Islands Trust Policy Statement.

**CARRIED**

## 12. REPORTS

### 12.1 Work Program Reports

#### 12.1.1 Top Priorities Report Dated January 2018

Planner Richardson reported that there have been many ideas and options presented for the Commercial Land Use Review. The preference would be to meet with the Trustees in a working session to review progress to date. Staff will arrange a working session, likely in Sidney.

#### 12.1.2 Projects List Report Dated January 2018

Planner Richardson spoke to options regarding waste management.

Trustee Crumblehulme stated there have been many letters, pro and con to current the garbage pickup arrangements.

Staff were asked to write a letter to MIID regarding meeting with the LTC informing the committee of future plans.

Trustee Crumblehulme questioned status of meeting with First Nations.

Planner Richardson reported having spoken with Senior Intergovernmental Policy Advisor (SIPA) MacRaild but is unsure of present status of project. He will speak with SIPA MacRaild and ask her to contact Trustee Crumblehulme.

### 12.2 Applications Report Dated January 2018

Staff reported that the draft permit for the Campbell Valley music festival (MA-TUP-2017.1) will be on the agenda for March.

### 12.3 Trustee and Local Expense Report Dated November 2017

Received for information.

### 12.4 Adopted Policies and Standing Resolutions

Received for information.

### 12.5 Local Trust Committee Webpage

Will be updated as needed.

### 12.6 Chair's Report

Chair Grams reported that Trust Council had identified two priorities: potential changes to the *Islands Trust Act* and initiatives to empower the Executive and Trust Program Committees to explore interagency governance. There was a meeting with the Minister of Municipal Affairs and Housing and there are no options to modifying the *Islands Trust Act* however the \$125,000 grant, that would have been allocated to Islands Trust if Salt Spring Island became incorporated, will still be forthcoming.

## **12.7 Trustee Report**

Trustee Dodds spoke of attending a session with Member of Parliament (MP) Elizabeth May. One issue raised was disappointment with Parks Canada regarding their management and co-ordination with communities. The Ministry is proposing Mayne Island be designated as an open hunting area; however there was no consultation with LTC, the Fallow Deer Committee or the community.

### **MA-2018-011**

#### **It was Moved and Seconded;**

That the Mayne Island Local Trust Committee send a letter on behalf of the Committee with regard to fallow deer to Sean Pendergast, Ministry of Forest Lands, Resource Operations and Rural Development.

**CARRIED**

Trustee Dodds will draft a letter.

Chair Grams suggested getting permission from Islands Trust Council to co-ordinate management of issues with various agencies.

Trustee Crumblehulme reported on the recent Housing Forum with Church personnel that there is renewed interest in Seniors Housing. The Trust Programmes Committee is looking at ways to improve services to the islands. The Financial Planning Committee will be recommending a 2% increase which is the first increase in 5 years. At the meeting with MP Elizabeth May the issue of broadband was brought forth. A provincial plan for rural areas did not have Galiano or Mayne islands identified. MP May informed him that this is being reviewed. The LTC was informed that Islands Trust staff have been invited to Ottawa regarding the issue of derelict vessels. It is felt this speaks to the credibility of Islands Trust.

## **12.8 Electoral Area Director's Report**

none

## **12.9 Trust Fund Board Report Dated November 2017**

Received for information.

## **13. NEW BUSINESS**

### **13.1 Housing Agreement Administration – Briefing**

Planner Richardson spoke to the focus of the Local Planning Committee on Seniors and Affordable Housing. The LTC is being looked at to hold housing agreements.

### **13.2 Montrose Road Ditch**

After discussion staff were asked to write a letter to Ministry of Transportation and Infrastructure to address concerns and safety issues.

### **13.3 Derelict Boats**

Trustee Dodds raised the issue of two sunken vessels – one in Horton Bay and one in Miners Bay. Staff were asked who to contact and whether Islands Trust can facilitate removal.

Trustee Crumblehulme queried involvement by the Harbours Commission.

**Dave Maude** informed LTC that Harbours Commission does not currently have authority however there is an initiative to expand authority of Commission.

**13.4 Debris end of Wood Dale**

Staff was asked to contact the CRD to determine when the debris on a lot at the end of Wood Dale Drive, resulting from a house fire, will be removed.

**13.5 Working Session for Community Land Use Review**

Discussed under item 12.1.1.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for February 26, 2018, at the Agricultural Hall, Mayne Island**

**15. TOWN HALL**

**Glenda Johnson** expressed appreciation to the members of the LTC for listening to her frustrations regarding the RAR bylaw.

**16. CLOSED MEETING (Distributed Under Separate Cover)**

**16.1 Motion to Close Meeting**

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

- *Adoption of In-Camera Meeting Minutes Dated January 30, 2017*
- *APC Membership Terms*

*AND that the recorder and staff attend the meeting.*

**16.2 Recall to Order**

The meeting was recalled to order at 2:35 pm.

**16.3 Rise and Report**

none

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 2:36 p.m.

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George Grams, Chair

Certified Correct:

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Pat Todd, Recorder



## Follow Up Action Report

### Mayne Island

#### 29-Jan-2018

Activity	Responsibility	Target Date	Status
MA-RZ-2017.1 (Reef Bay Holdings) - Proposed Bylaw 172 - amend Bylaw (GR) - DONE - update policy statement checklist showing the date of LTC resolution accepting checklist.(SLD) -DONE - show bylaw as receiving first reading(SLD) - DONE - arrange public hearing for March 26, 2018(GR and SLD) - Put updated bylaw and January 29, 2018 staff report on LTC webpage (LF) DONE	Gary Richardson Sharon Lloyd-deRosario Lori Foster		Done
Salt Spring LTC Bylaws 504, 505, 508, and 509 - respond that MILTCs interests unaffected.	Sharon Lloyd-deRosario		Done
Riparian Area Regulations - Proposed Bylaw 171 - amend bylaw (GR) - Done - show bylaw as receiving 1st reading (SLD) - Done - refer to First Nations and Agencies (SLD) - show DP distances on Map (GR) Put updated bylaw and Jan 29 staff report on LTC webpage (LF) - arrange public hearing for March 26, 2018 (GR and SLD)	Gary Richardson Sharon Lloyd-deRosario Lori Foster		Done
Arrange a working session (Special LTC Mtg.) to review Commercial Land Use review options. Mary Winspear. March 5 12:45 PM	Lori Foster		Done
Letter to be sent from staff to Mayne Island Improvement District requesting their plans for addressing Garbage	Gary Richardson		Done
Staff to send letter to Shaun Pendergast, Senior Wildlife Biologist, FLNR, regarding the recent survey regarding hunting on Mayne Island.	Gary Richardson		On Going



## Follow Up Action Report

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Place Contractors Work Yards as new item on March 29, 2018 LTC agenda for discussion of adding it to the work program priorities	Sharon Lloyd-deRosario	Done
Contact MoTI reading the LTCs safety concerns regarding the new ditching along Montrose Road and Fernhill Road.	Gary Richardson	Done
Advise Fiona MacRaild that Trustee Crumblehume is the LTC contact regarding possible future initiative regarding a First Nations event on Mayne Island.	Gary Richardson	Done
Existing APC members to be contacted to determine if they want to be re-appointed for a 3 year term.	Sharon Lloyd-deRosario	Done

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File No.: MA-DVP-2018.1 (Lazar)

(Cross Ref: MA-BP-2017.26)

DATE OF MEETING: February 26, 2018

TO: Mayne Island Local Trust Committee

FROM: Gary Richardson, Island Planner  
Southern Team

SUBJECT: Development Variance Permit

Applicant: Daniel Lazar

Location: 686 Wilkes Road, Mayne Island

## RECOMMENDATION

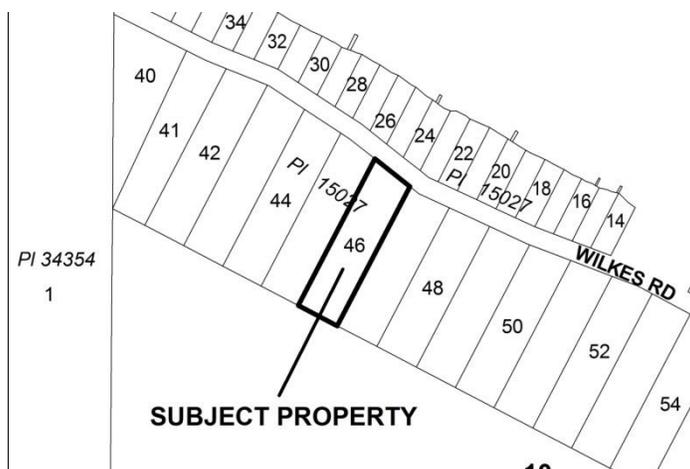
1. That the Mayne Island Local Trust Committee not approve issuance of Development Variance Permit MA-DVP-2018.1 (Lazar)

## REPORT SUMMARY

The purpose of the report is to consider a Development Variance Permit (DVP).

In summary, the above recommendation for the issuance of the DVP is not supported as: there are no compelling reasons given to support the variance request and there are reasonable alternatives to construct the building in compliance with the regulations contained in the Mayne Island Land Use Bylaw.

**Figure 1: Subject Property**



## BACKGROUND

The proposal is to vary the maximum height of an accessory building (garage) at **686 Wilkes Road**. The variance will permit construction that is the subject of a Building Permit referral received on November 23, 2017 (MA-BP-2017.26). The variance is to permit the construction of an accessory building having a maximum height of 7.1 metres (23 feet 2.5 inches) on the subject property.

The immediate, proposed use is to house vintage vehicles the property owner builds as a hobby. The loft is required to store car parts for long periods of time until they are needed. The applicant states that to increase the main floor to store the car parts would require a significant increase in the size of the building and in its cost.

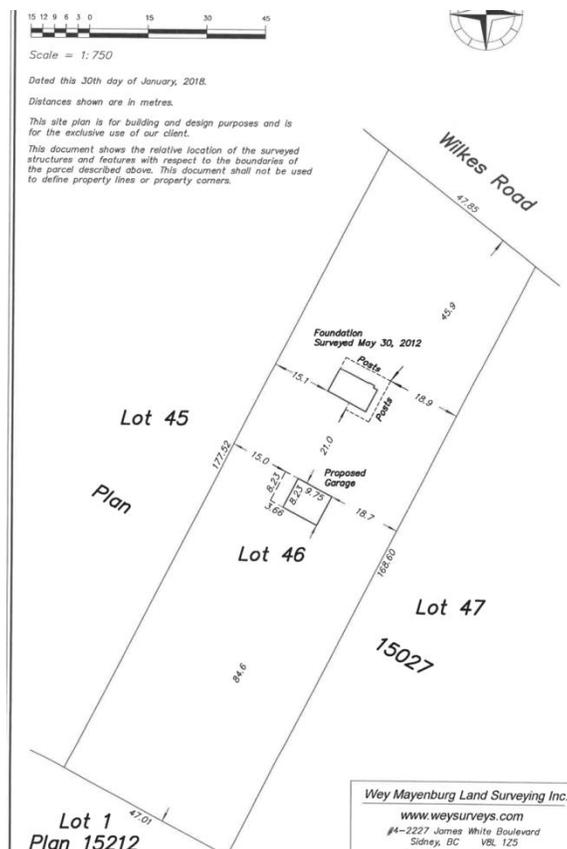
Specifically, the proposed variance will allow for a variance for the following:

- Subsection 5.1 (10) which states that the maximum height for any accessory building is 5 metres (16.5 feet) is varied to permit the construction of an accessory building (garage) having a maximum height of 7.1 metres (23 feet 2.5 inches).

There is currently a dwelling and two small accessory buildings on the subject property.

A copy of the Notice is **Attachment 2** and the Proposed MA-DVP-2018.1 Permit is **Attachment 3**. Staff visited the property on December 6, 2017. Photos of the site visit are attached as **Attachment 4**. The photos show the area that has been excavated for the proposed building.

**Figure 2 – Site Plan**



## ANALYSIS

### Policy/Regulatory

#### ***Islands Trust Policy Statement:***

There are no relevant policies for this application.

#### ***Official Community Plan:***

The property is designated as **SR –Settlement Residential** in the Mayne Island Official Community Plan Bylaw No. 144, 2007

There are no Development Permit Areas designated on the subject property.

#### ***Land Use Bylaw:***

The subject property is zoned as **Settlement Residential (SR)** in the Mayne Island Land Use Bylaw No. 146, 2008.

#### ***Islands Trust Fund:***

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

### Issues and Opportunities

#### ***Rationale for the Variance***

The applicant's rationale for the proposed variance, in summary, is as follows:

- The intended use of the garage is to house vintage vehicles that are built as a hobby.
- The loft is required to store car parts for long periods of time until they are needed.
- To increase the main floor to store the car parts would require a significant increase in the size of the building and in its cost.
- There are no buildings overlooking the site.
- The proposed building will be sited behind the existing house and would not be visible from the road.
- The back of the property ends in a cliff.
- There is a buffer of trees between the subject property and neighbours on either side.

#### ***The Overall Intent of the Regulation (s) being Varied***

The overall purpose of the height regulation is to minimize impacts on adjacent property related to:

- Limiting the visual impact of development on adjacent properties.
- Establishing a consistent development pattern within a local area.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.

### **Potential Impacts of Granting the Variance**

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation each application should be evaluated on its own merits.

### **Circulation/Consultation**

DVP Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m. on February 23, 2018. To date one response has been received from a neighbor at 682 Wilkes Road who supports the issuance of the variance.

Any submissions received prior to the LTC meeting will be forwarded to Trustees and reported on at the meeting.

### **Rationale for Recommendation**

Staff is recommending that the variance not be supported for the following reasons:

- there are no compelling reasons given to support the variance request.
- there are reasonable alternatives to construct the building in compliance with the regulations contained in the Mayne Island Land Use Bylaw. There is sufficient room on the subject lot to increase the main floor area of the proposed accessory building to make up for the loss of a 2<sup>nd</sup> floor/loft while still complying with setbacks.
- Building the accessory building within the regulations contained in the Mayne Island Land Use Bylaw will limit the visual impact of the accessory building and help establish a consistent development pattern in the neighbourhood.

### **ALTERNATIVES**

#### **1. Request further information**

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

Recommended wording for the resolution is as follows:

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

#### **2. Approve the application**

The LTC may issue the variance.

Recommended wording for the resolution is as follows:

*That the Mayne Island Local Trust Committee approve issuance of development variance permit MA-DVP-2018.1 (Lazar).*

Submitted By:	Gary Richardson, Island Planner	February 13, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	February 14, 2018

**ATTACHMENTS**

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

## ATTACHMENT 1 – SITE CONTEXT

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### LOCATION

Legal Description	Lot 46, Section 10, Mayne Island, Cowichan District, Plan 15027
PID	004-169-191
Civic Address	686 Wilkes Road
Lot size	

### LAND USE

Current Land Use	Settlement Residential
Surrounding Land Use	Rural and Settlement Residential

### HISTORICAL ACTIVITY

File No.	Purpose
MA-BP-2017.26	To construct an accessory building (garage). Review deemed proposed building to be over height which resulted in this variance application.

### POLICY/REGULATORY

Official Community Plan Designations	<b>SR – Settlement Residential</b> in the Mayne Island Official Community Plan Bylaw No. 144, 2007. There are no DPAs designated on the property.
Land Use Bylaw	The subject property is zoned as in the Mayne Island Land Use Bylaw No. 146, 2008.
Other Regulations	N/A
Covenants	None
Bylaw Enforcement	N/A

### SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Fund.
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	No species at risk identified with mapping
Sensitive Ecosystems	No sensitive ecosystems and/or sensitive features shown on provincial or Islands Trust mapping.
Hazard Areas	None
Archaeological Sites	There are no know archaeological sites identified by the provincial RAAD system for the property; however there is archeological potential shown on a neighboring property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is

	encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The application is for an accessory building of a modest in size. The elevation of the property and general location minimizes potential impacts of climate change.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable



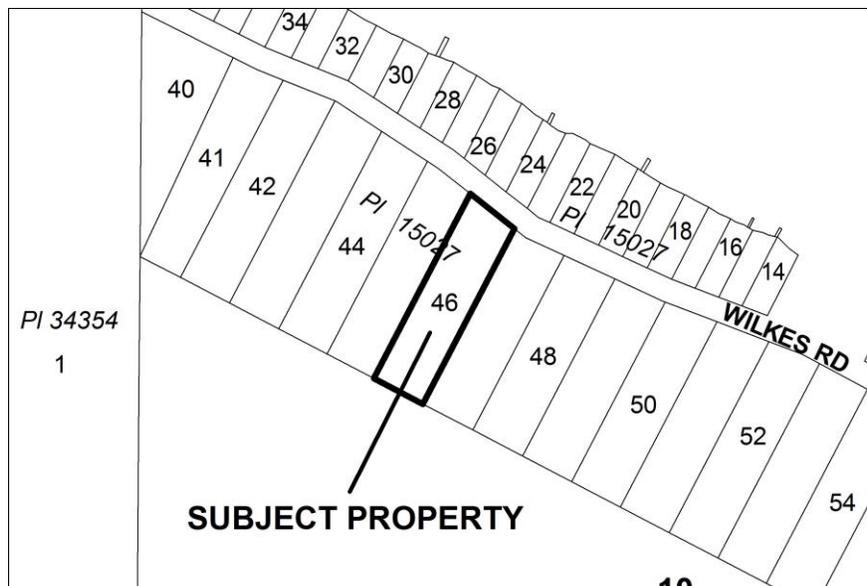
**NOTICE  
MAYNE ISLAND LOCAL TRUST COMMITTEE  
MA-DVP-2018.1**

**NOTICE** is hereby given that the Mayne Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit pursuant to Section 499 of the *Local Government Act*. The proposed permit would vary the Mayne Island Land Use Bylaw No.146, 2008, by varying:

- a) Subsection 5.1(10) which states that the maximum height for any accessory building is 5 metres (16.5 feet) is varied to permit the construction of an accessory building (garage) having a maximum height of 7.1 metres (23 feet 2.5 inches).

The property is located at 686 Wilkes Road and is legally described as Lot 46, Section 10, Mayne Island, Cowichan District, Plan 15027. PID: 004-169-191.

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



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C., V8R 1H8, between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday inclusive, excluding Statutory Holidays, commencing **February 9, 2018** and up to and including **February 23, 2018**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Mayne Island, B.C., commencing **February 9, 2018**.

Enquiries or comments should be directed to Gary Richardson, Island Planner at (250) 405-5157, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: [information@islandstrust.bc.ca](mailto:information@islandstrust.bc.ca), before **February 23, 2018**. The Mayne Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **1:00 pm., February 26, 2018**, at the Mayne Island Agricultural Hall, 430 Fernhill Road, Mayne Island, BC.

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

Sharon Lloyd-deRosario  
Deputy Secretary



Islands Trust

# PROPOSED

**MAYNE ISLAND LOCAL TRUST COMMITTEE  
DEVELOPMENT VARIANCE PERMIT  
MA-DVP-2018.1**

To: Daniel Lazar

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

Lot 46, Section 10, Mayne Island, Cowichan District, Plan 15027  
(PID: 004-169-191)

2. Mayne Island Land Use Bylaw 146, 2008 is varied as follows:

- a) Subsection 5.1(10) which states that the maximum height for any accessory building is 5 metres (16.5 feet) is varied to permit the construction of an accessory building (garage) having a maximum height of 7.1 metres(23 feet 2.5 inches) .
- b) The development shall be consistent with Schedules 'A', 'B', 'C', 'D', and 'E' which are attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Mayne Island Land Use Bylaw No. 146, 2008" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District and Ministry of Transportation and Infrastructure.

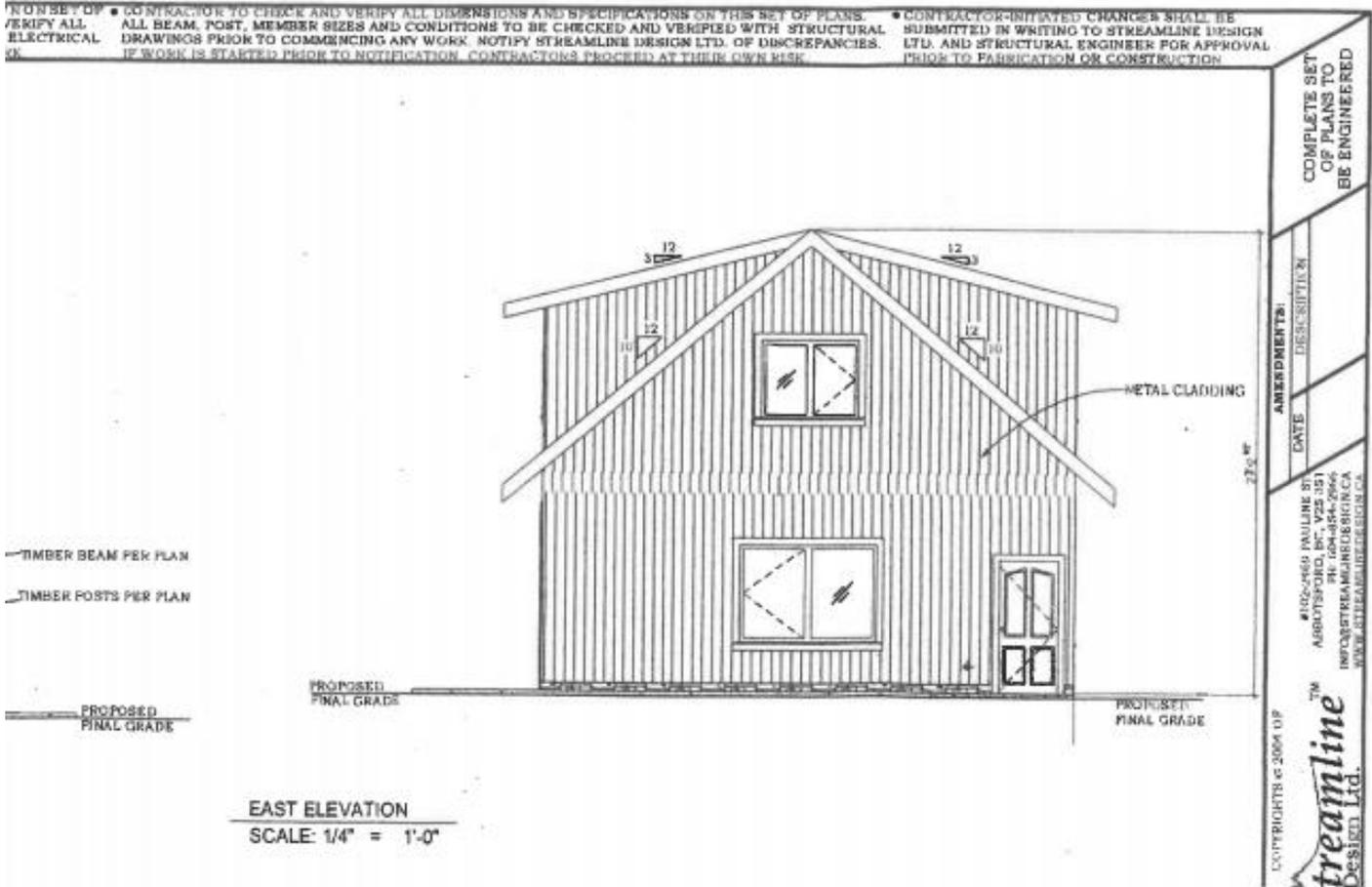
**AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE THIS ##th DAY OF MONTH, YEAR.**

\_\_\_\_\_  
Deputy Secretary, Islands Trust

\_\_\_\_\_  
Date of Issuance

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

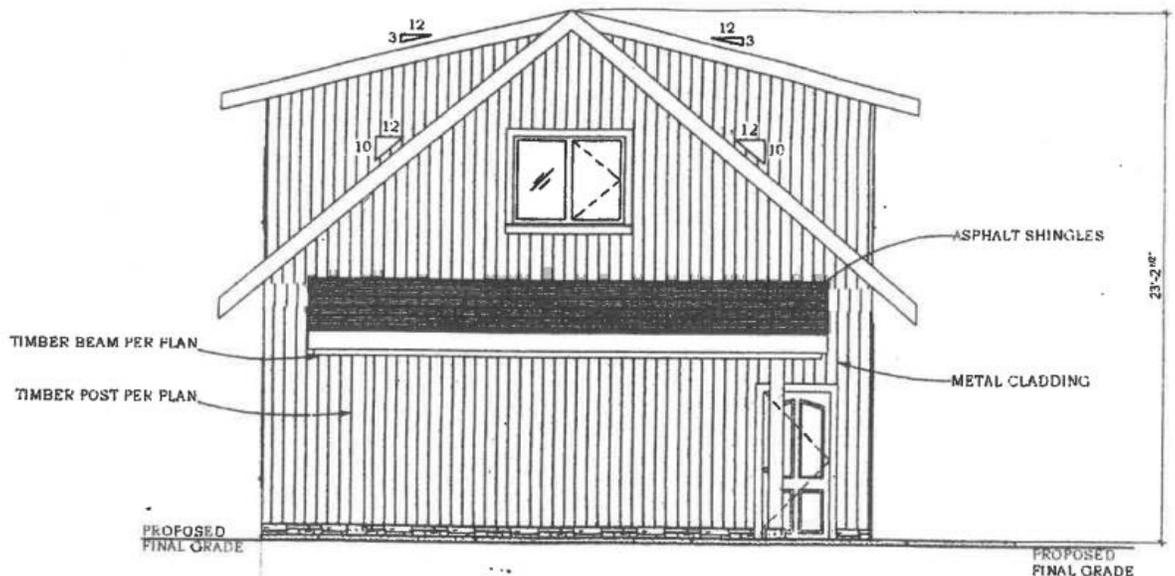
MAYNE ISLAND LOCAL TRUST COMMITTEE  
 MA-DVP-2018.1  
 SCHEDULE 'A'



**MAYNE ISLAND LOCAL TRUST COMMITTEE**

**MA-DVP-2018.1**

**SCHEDULE 'B'**



~~PROPOSED~~  
FINAL GRADE

**WEST ELEVATION**  
SCALE: 1/4" = 1'-0"

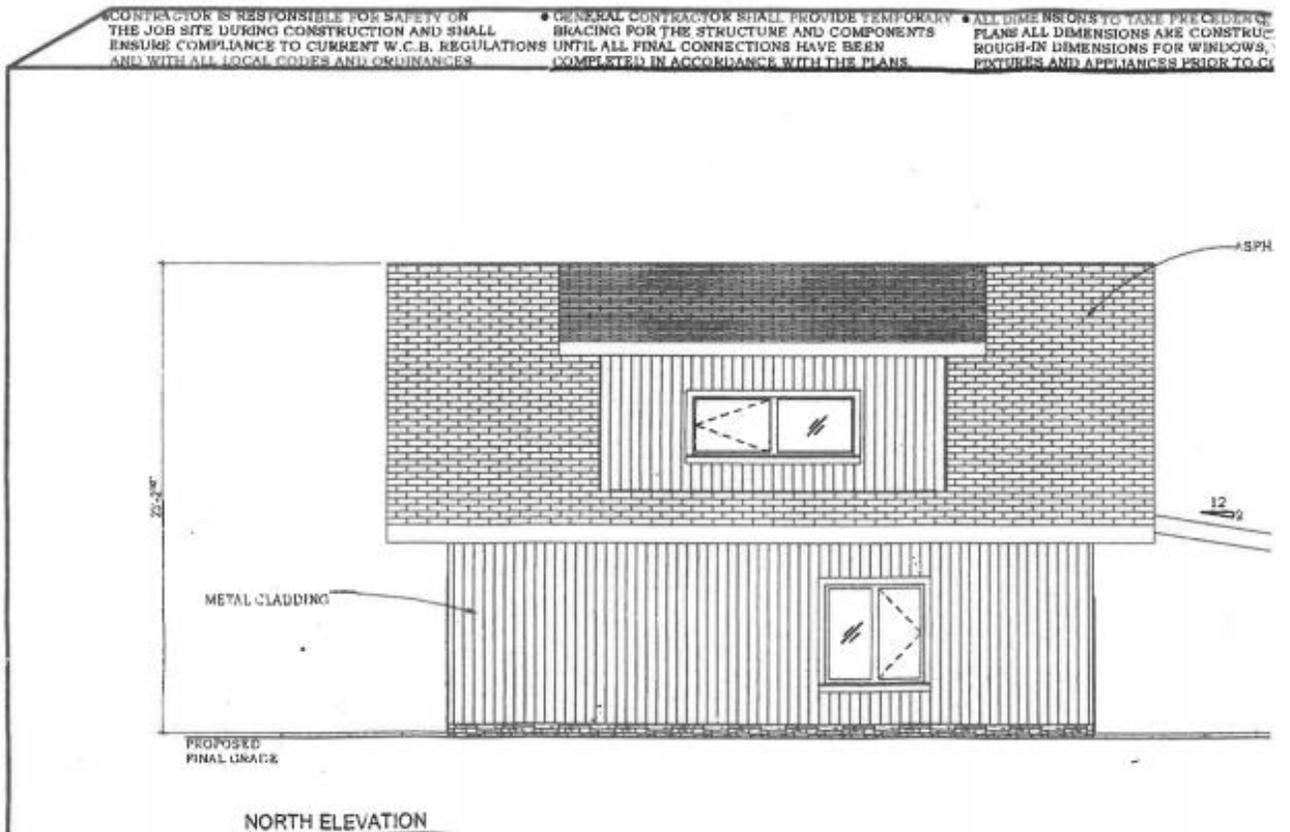
686 Wilks Rd  
Mayne Island  
38063843  
**RECEIVED**  
NOV 21 2017  
CAPITAL REGIONAL DISTRICT  
Building Inspection Department

PROJECT: RAY & HOLLY BUTTERFIELD  
SCALE: 1/4" = 1' U.N.C.  
SILVERHILL AVENUE  
DATE: 13/10/2017  
MISSION, BC  
TECHNICIAN: B. CAHUNIA  
PAGE: 02 OF 6

**MAYNE ISLAND LOCAL TRUST COMMITTEE**

**MA-DVP-2018.1**

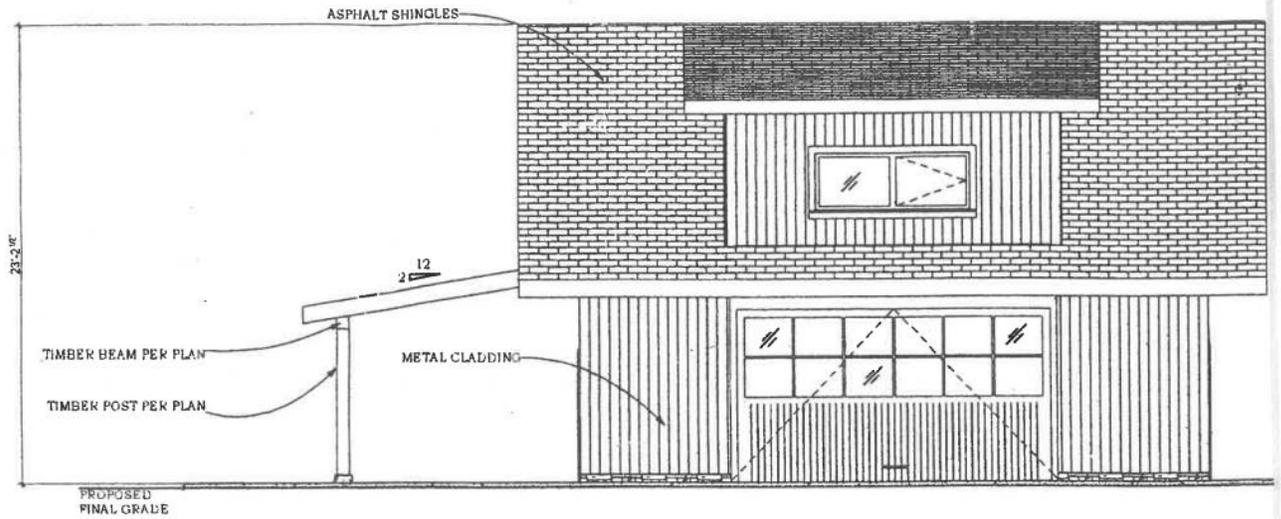
**SCHEDULE 'C'**



**MAYNE ISLAND LOCAL TRUST COMMITTEE**

**MA-DVP-2018.1**

**SCHEDULE 'D'**

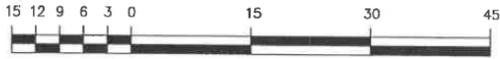


SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

**MAYNE ISLAND LOCAL TRUST COMMITTEE**

**MA-DVP-2018.1**

**SCHEDULE 'E'**



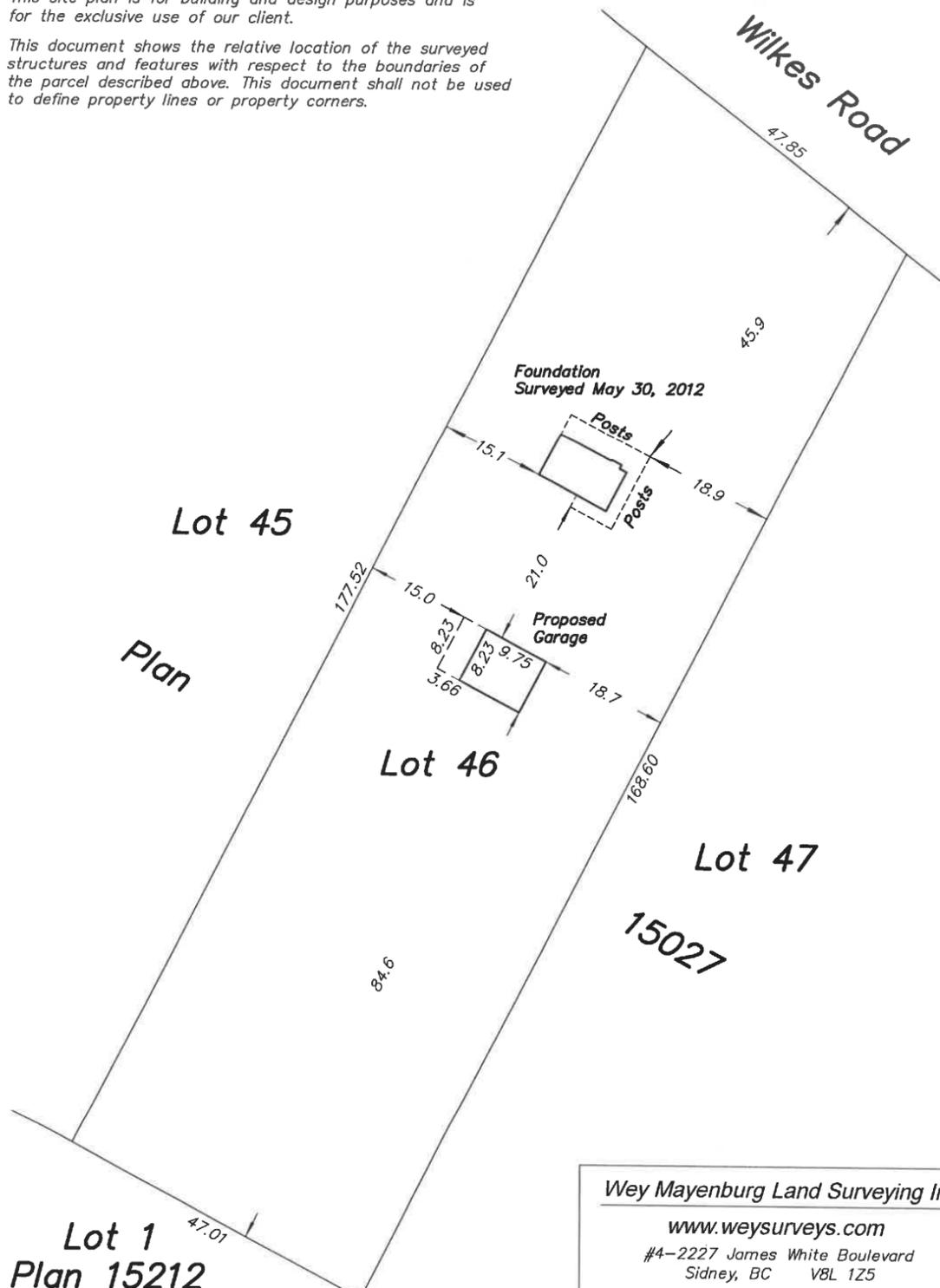
Scale = 1:750

Dated this 30th day of January, 2018.

Distances shown are in metres.

This site plan is for building and design purposes and is for the exclusive use of our client.

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.



Wey Mayenburg Land Surveying Inc.

[www.weysurveys.com](http://www.weysurveys.com)

#4-2227 James White Boulevard  
Sidney, BC V8L 1Z5

Attachment 4 - Photos





# Memorandum

Date February 14, 2018 File Number MA-SUB-2017.1 (Percy)  
To Mayne Island Local Trust Committee  
From Gary Richardson, Island Planner  
Re Waiver of 10% Frontage Requirement – *Local Government Act* Section 512

**Owners:** Lot 6 - Diana Percy and Quentin Cronk  
Lot 7 - Double Dot Investment Group, LTD.  
**Applicant:** Diana Percy  
**Descriptions:** Lot 6, Sections 7 and 8, Mayne Island, Cowichan District, Plan VIP88920  
Lot 7, Sections 7 and 8, Mayne Island, Cowichan District, Plan VIP88920  
**PIDs:** Lot 6 – 028-601-491 Lot 7 – 028-601-505  
**Civic Address:** Lot 6 – 540 Glen Echo Road Lot 7 – Wood Dale Drive

## PROPOSAL

To waive the road frontage requirement for two parcels with having a road frontage of less than 10% of their perimeters.

## BACKGROUND:

Section 512 of the *Local Government Act* establishes that the minimum frontage on a highway must be the greater than of 10% of the perimeter of the lot.

Proposed Lot A (former Lot 7) has a frontage of 200 metres and a perimeter of 4967 metres (approximate measures). As such it does not meet the minimum requirements.

Proposed Lot B (former Lot 6) has a frontage of 136 metres and a perimeter of 3635 metres (approximate measures). As such it does not meet the minimum requirements.

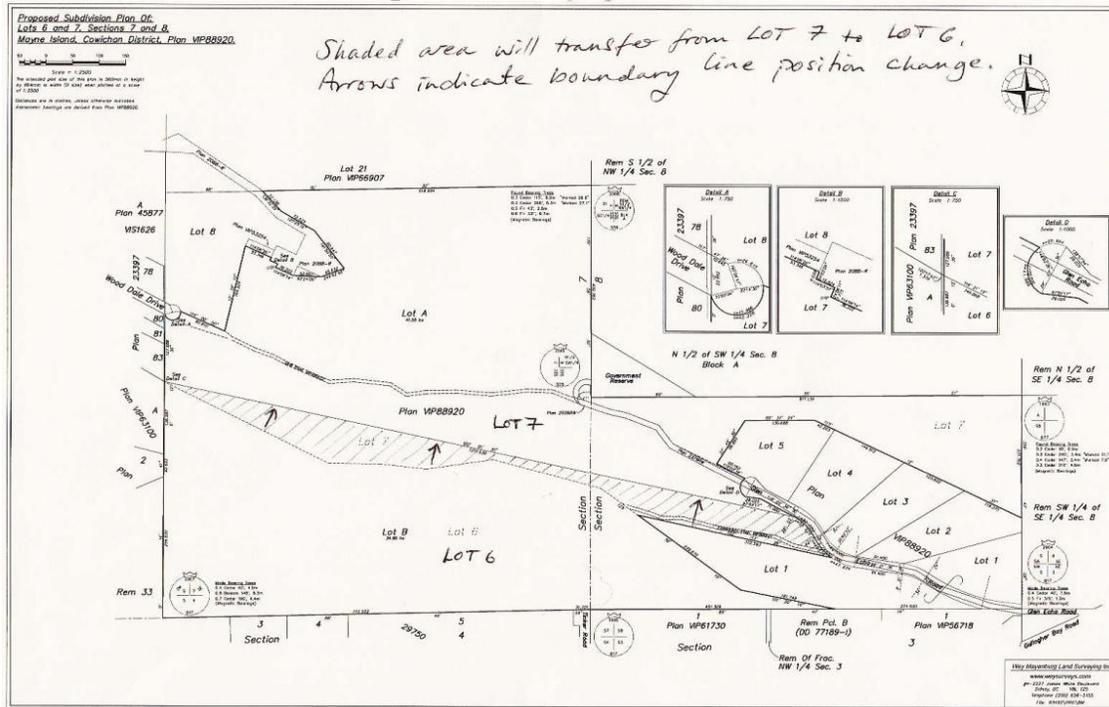
The *Local Government Act* (sec. 512[2]) permits the Local Trust Committee to exempt (waive) a parcel from the statutory or bylaw minimum frontage by resolution.

The purpose of the subdivision between these two properties is to adjust a boundary between Lot 6 and Lot 7.

The full referral report for the subdivision sent to the Ministry of Transportation and Infrastructure is attached.

Staff is recommending that Proposed Lot A and Proposed Lot B be exempted from the frontage requirement of the *Local Government Act* as this is a minor re-subdivision (boundary adjustment) of a recent subdivision that was approved with similar road frontage.

**Figure One: Subdivision Plan**



**RECOMMENDATIONS:**

**THAT proposed Lot A and proposed Lot B** of subdivision MA-SUB-2017.1 **BE EXEMPT** from the requirements of Section 512 of the *Local Government Act*.

Submitted By:	Gary Richardson, Island Planner	February 16, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	February 16, 2018

Pc: Diana Percy and Quentin Cronk  
Double Dot Investment Group, LTD.



# SUBDIVISION REFERRAL REPORT

200 1627 Fort St.  
Victoria, B. C., V8R 1H8  
Phone: (250) 405-5151  
Fax: (25) 405-5155  
E-mail: [info@islandstrust.bc.ca](mailto:info@islandstrust.bc.ca)  
WWW: <http://www.islandstrust.bc.ca>

## Islands Trust

---

**Date: November 28, 2017**

**To: Grace Sherratt**  
District Development Technician

**MOT File #: 2017-05489**  
**IT File #: MA-SUB-2017.1**

**MOT District Office:**

**Vancouver Island District**  
**240-4460 Chatterton Way**  
**Victoria, BC V8X5J2**

**From: Gary Richardson, Island Planner**

**Re: Proposed Boundary Adjustment Between Lots 6 and 7, Sections 7 and 8, Mayne Island, Cowichan District, Plan VIP88920**

---

**Referral Response Summary:**

Islands Trust recommends that the following be made conditions precedent of any Preliminary Layout Approval, based on Mayne Island Land Use Bylaw (LUB) No. 146, 2008

1. No non-conformity may be created with respect to the use, siting or density of any existing building or structure as a result of the subdivision.
2. Obtain a 10% road frontage waiver (sec 512 LGA) for proposed Lots A and B.

Prior to final approval, the applicant must obtain written confirmation from the Islands Trust that the proposed subdivision meets the above conditions and conforms to all Mayne Island Local Trust Committee Bylaws.

This referral response is based upon the attached subdivision layout plan. Details of the application's compliance or non-compliance with specific bylaw regulations are provided on the attached pages.



# SUBDIVISION REFERRAL REPORT

## 1. General Information:

Applicant:	Diana Percy
Land Owner:	Lot 6 – Diana Percy and Quentin Cronk Lot 7 – Double Dot Investment Group, LTD.
Legal Description:	Lot 6, Sections 7 and 8, Mayne Island, Cowichan District, Plan VIP88920  Lot 7, Sections 7 and 8, Mayne Island, Cowichan District, Plan VIP88920
Area:	Lot 6 – 29.1 ha Lot 7 – 47.8 ha
Details of Proposal:	Boundary Adjustment Subdivision between Lot 6 and 7. Increasing the area of Lot 6 and reducing the area of Lot 7. Lot 6 will increase in area from 29.1 ha to 34.96 ha.

## 2. Property Title Information: LTC Covenant/Easement/Right-of-Way/Permits

Legal Notations Lot 6:	<ol style="list-style-type: none"> <li>1) FB230560 - MA-DVP-2008.2 – allowed for subdivision to be created that allowed Lot 6 to be in two zones to maintain existing structures.</li> <li>2) Easement FB415521</li> <li>3) Right of Way 299313G – BC Hydro</li> <li>4) Right of Way EN70765 – BC Hydro</li> <li>5) Right of Way FB372607 – BC Hydro</li> <li>6) Right of Way FB372608 – Telus Communications</li> </ol>
Legal Notations Lot 7:	<ol style="list-style-type: none"> <li>1) FB230560 - MA-DVP-2008.2 – allowed for subdivision to be created that allowed Lot 6 to be in two zones to maintain existing structures.</li> <li>2) Easement FB415531</li> <li>3) Right of Way 299313G – BC Hydro</li> <li>4) Right of Way H56426 – Prov. Of BC</li> <li>5) Right of Way H68366 – Prov. Of BC</li> <li>6) Right of Way EN70765 – BC Hydro</li> <li>7) Right of Way FB372607 – BC Hydro</li> <li>8) Right of Way FB372608 – Telus Communications</li> <li>9) Easement FB415521 – appurtenant to Lot 6</li> <li>10) Right of Way FB415523 – Mayne Island Improvement District</li> </ol>



# SUBDIVISION REFERRAL REPORT

- 11) Covenant FB415525 – CRD and Mayne Island Local Trust Committee – water treatment required for Lot 7
- 12) Covenant FB415529 - CRD and MoTI – geotechnical report required prior to construction.

### 3. OCP Information:

OCP Designation:	Agriculture (AG) Upland (UP)
Development Permit Area:	no
Development Permit Required:	
Comments:	

### 4. Zoning Information:

Zone Classification:	Agriculture (A) Upland (UP)
Average lot area:	Upland – 10 ha
Minimum lot area:	Agriculture - 8 ha Upland – 1 ha
Comments:	

### 5. Lot Sizes and Density:

Proposed lot areas:	Lot 6 – 34.96 ha Lot 7 – 41.94 ha
Comments:	Boundary adjustment subdivision

### 6. Section 946, Subdivision for a Relative:

<i>Local Government Act</i> requirements:	n/a
---	-----



# SUBDIVISION REFERRAL REPORT

200 1627 Fort St.  
Victoria, B. C., V8R 1H8  
Phone: (250) 405-5151  
Fax: (25) 405-5155  
E-mail: [info@islandstrust.bc.ca](mailto:info@islandstrust.bc.ca)  
WWW: <http://www.islandstrust.bc.ca>

## Islands Trust

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### 7. Depth/Width Ratio:

Depth/width ratios of new lots: | complies

Comments: |

### 8. Park Dedication:

Park dedication required: | none required

If Yes, Amount required: |

Comments: |

### 9. Ten Percent Waiver:

Lots Requiring Exemption: | Lots 6 and 7 require waiver

Comments: | Islands Trust will request a waiver from the Mayne Island  
Local Trust Committee

### 10. Agricultural Land Reserve:

Proposed Lots within ALR: | Portions of both Lots are within the ALR

Comments: | From proposed map provided with the application the  
portions within the ALR do not appear to be impacted by  
this boundary adjustment.

### 11. Servicing Requirements:

Proof of Potable Water: | Proof of water was carried out for previous subdivision  
that created VIP88920.

Sewage Disposal: |

Comments: | Covenant FB415525 requires water treatment on Lot 7.  
Well on Lot 6 does not appear to be impacted by  
boundary adjustment.



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WWW: <http://www.islandstrust.bc.ca>

## Islands Trust

---

### 12. Road Standards:

Roads to be Constructed:	None to be constructed.
Road Classification:	
Heritage Designated Road in vicinity:	no
Comments:	

### 13. Buildings and Structures:

Does subdivision create non-conformity with Bylaws:	Require proof prior to final approval that this subdivision does not create any non-conformity with bylaws.
Existing non-conforming buildings or structures	
Comments:	

### 14. Environmental Features, Islands Trust Ecosystem Mapping:

Sensitive ecosystems identified:	none in vicinity of boundary being adjusted.
Raptor/Heron Nests identified:	none in vicinity of boundary being adjusted.
Watercourses:	
Riparian Areas Regulation – applicable stream or watershed:	RAR stream on Lot 6 is not in the vicinity of the boundary being adjusted.

### 15. Steep Slope, Islands Trust Mapping:

Steep Slope Hazard Classification:	Steep slopes shown on mapping.
Comments:	See attachment 2 for steep slope map.



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WWW: <http://www.islandstrust.bc.ca>

## Islands Trust

---

### 16. Intrinsic Groundwater Susceptibility Mapping:

Susceptibility:	n/a
Comments:	

### 17. Cultural Features:

Archaeological Sites Identified:	No sites shown on provincial RAAD system; however mapping shows potential for archaeological value.
Comments:	Planning staff will provide applicant with link to website of BC Archaeological Branch and recommend that they familiarize themselves with responsibilities under BC arch laws.

### 18. OCP Policies:

OCP Advocacy Policies:	complies
Comments:	

### 19. Boundary Adjustments Only:

Complies with regulations:	complies
Comments:	

### 20. Panhandle Lots Only:

Complies with regulations:	n/a
Comments:	

### 21. Split (Hooked) Lots Only:

Complies with regulations:	n/a
Comments:	



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WWW: <http://www.islandstrust.bc.ca>

## Islands Trust

---

Name: Gary Richardson

Title: Island Planner

Signature: 

Date: November 28, 2017

cc: Mayne Island Local Trust Committee  
Diana Percy



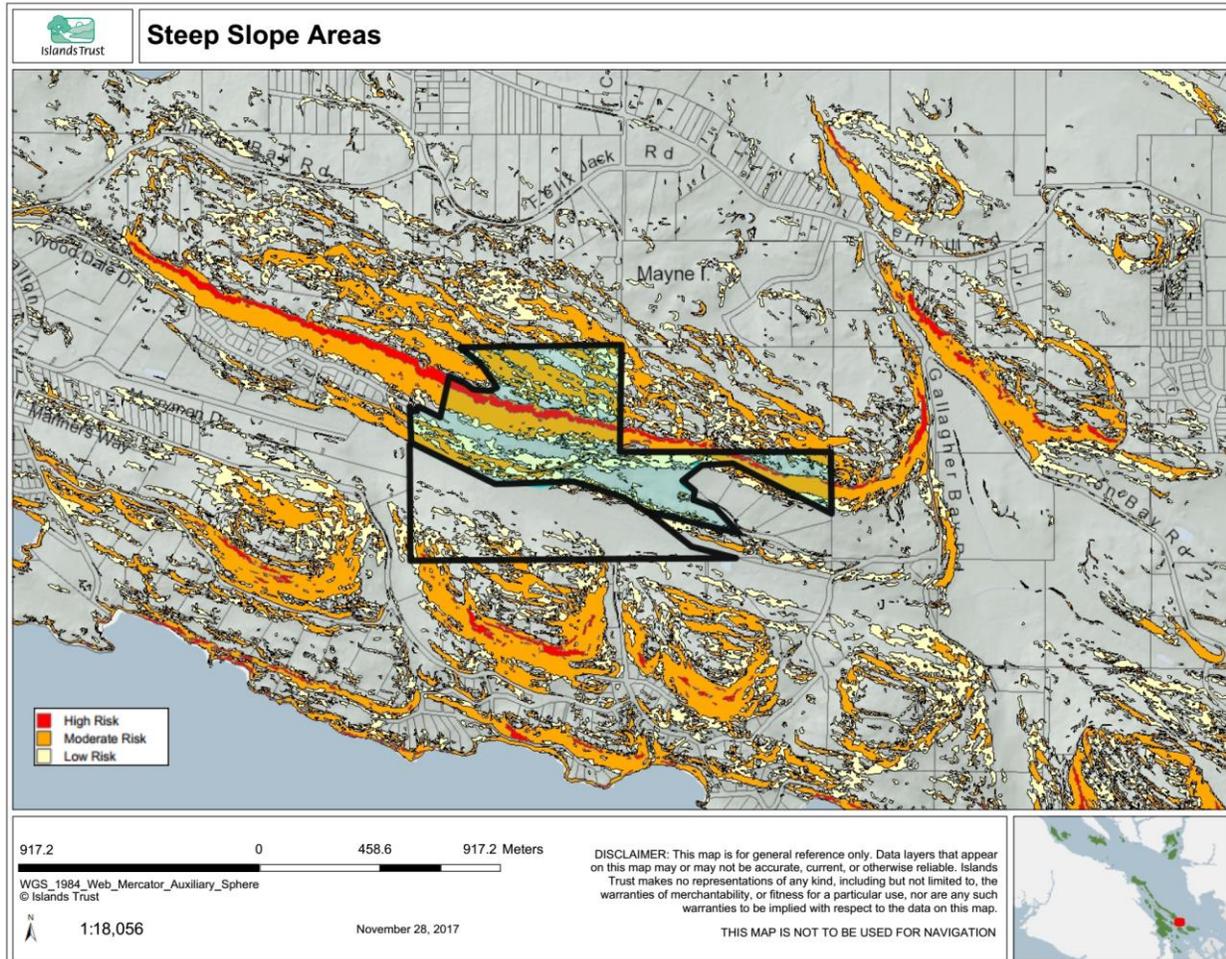


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WWW: <http://www.islandstrust.bc.ca>

## Islands Trust

### Attachment 2: Steep Slope Mapping





Islands Trust

# BYLAW REFERRAL FORM

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

Island: North Pender Island Local Trust Area Bylaws No.: 216 & 217 Date: February 8, 2018

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:**

N/A

**PURPOSE OF BYLAW:**

The purpose of the bylaws are to allow and regulate secondary suites as accessory residential uses in the Rural, Rural Residential, and Agriculture zones on North Pender Island. Please see the attached bylaws and staff report.

Background information and staff reports are available on the North Pender island webpage:

[www.islandstrust.bc.ca/npender/suites](http://www.islandstrust.bc.ca/npender/suites)

**GENERAL LOCATION:**

North Pender Island Local Trust Area

**LEGAL DESCRIPTION:**

N/A

**SIZE OF PROPERTY AFFECTED:**

N/A

**ALR STATUS:**

N/A

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

N/A

**OTHER INFORMATION:**

Additional information is attached. For more background visit [www.islandstrust.bc.ca/npender/suites](http://www.islandstrust.bc.ca/npender/suites)

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.

Name: Justine Starke

\_\_\_\_\_  
(Signature)

Title: Island Planner  
Contact Info: Tel: 250-405-5189  
Email: jstarke@islandstrust.bc.ca

PLEASE TURN OVER 

This referral has been sent to the following agencies:

**Federal Agencies**

N/A

**Provincial Agencies**

Agricultural Land Commission  
BC Assessment Authority  
Ministry of Forest, Lands & Natural Resource Operations  
- Water Protection

**Non-Agency Referrals**

North Pender Island Advisory Planning Commission  
Islands Trust – Bylaw Enforcement  
Gulf Islands School District No. 64  
Outer Gulf Islands RCMP  
Razor Point Improvement District  
Trincomali Water Improvement District  
Island Health

**Regional Agencies**

Capital Regional District – Electoral Area Director  
Capital Regional District – Building Inspection  
Capital Regional District – Infrastructure Engineering (Integrated Water Services)  
Magic Lake Water and Sewer Commission  
North Pender Island Fire Rescue

**Adjacent Local Trust Committees and Municipalities**

Galiano Island Local Trust Committee  
Mayne Island Local Trust Committee  
Saturna Island Local Trust Committee  
South Pender Island Local Trust Committee  
Salt Spring Island Local Trust Committee  
Thetis Island Local Trust Committee

**First Nations**

Cowichan Tribes  
Halalt First Nation  
Lake Cowichan First Nation  
Lyackson First Nation  
Malahat First Nation - TE'Mexs Treaty Association  
Pauquachin First Nation  
Penelakut Tribe  
Semiahmoo First Nation  
Stz'uminus First Nation  
Tsartlip First Nation  
Tsawout First Nation  
Tsawwassen First Nation  
Tseycum First Nation

# BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

\_\_\_\_\_  
(Island)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

216 & 217

\_\_\_\_\_  
(Bylaw Number)

\_\_\_\_\_  
(Name and Title)

\_\_\_\_\_  
(Agency)



Mayne Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Commercial Land Use Review	Staff to prepare report with recommendations for the LTC to consider. Working Session (LTC Special Mtg.) arranged for March 5, 2018 at Mary Windspear Center	27-Apr-2015	Gary Richardson Jason Youmans	31-Oct-2018
2	Fallow Deer Eradication		26-Jan-2015		
3	Riparian Area Regulation Implementation	Draft Bylaw Prepared. Will be presented to LTC at January 29, 2018 LTC meeting for consideration of 1st reading and direction to schedule public hearing. Bylaw 171 given 1st reading as amended. Will now be forwarded to First Nations and Agencies for comment. Public Hearing being scheduled for March 26, 2018.	25-Apr-2016	Gary Richardson	31-Mar-2018



## Projects

### Mayne Island

Description	Activity	R/Initiated
Climate Change Adaptation	Consider regulatory changes and implementation of new DPA authority	02-Mar-2009
Waste Management		31-Oct-2017
Road issues		27-Jun-2012
Density on large lot remainders	to review covenants on remainder lots and review zoning to density of dwellings and cottages	30-Sep-2015



**Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2018.1	DANIEL G LAZAR <b>Planner:</b> Gary Richardson	12-Jan-2018	To vary the allowable height of a garage.
<b>Planning Status</b>			
<b>Status Date:</b> 31-Jan-2018 Notice is being mailed and delivered. Staff report and draft permit will be on February 26, 2018 LTC agenda fro LTCs consideration.			
<b>Status Date:</b> 23-Jan-2018 Staff to notify surrounding property owners and prepare a draft permit for the LTCs consideration at its February 26, 2018 LTC Mtg.			
<b>Status Date:</b> 12-Jan-2018 opened file, notified LTC, gave to planner, requested map and mailing list.			

**Liquor Control Branch**

File Number	Applicant Name	Date Received	Purpose
MA-LCB-2018.1	Leo Shields <b>Planner:</b> Phil Testemale	25-Jan-2018	Liquor Primary - structural change application.
<b>Planning Status</b>			
<b>Status Date:</b> 05-Feb-2018 Preliminary response sent to LCLB via applicant (no issues). Community Information Meeting to be scheduled for Public Input.			
<b>Status Date:</b> 25-Jan-2018 opened file, processed fee, notified LTC.			

**Rezoning**

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2017.1	REEF BAY HOLDINGS LTD	12-Jun-2017	Rezone from C1(A) to C1.



**Planner:** Gary Richardson

**Planning Status**

---

**Status Date:** 16-Feb-2018

Public Hearing being arranged for March 26, 2018

**Status Date:** 23-Jan-2018

Staff report and draft bylaw prepared for Jan 29, 2018 LTC meeting for consideration of first reading.

**Status Date:** 29-Nov-2017

Staff preparing draft bylaw for agency referral

**Subdivision**

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2017.1	DIANA PERCY QUENTIN CRONK	27-Sep-2017	Boundary Adjustment between two parcels

**Planner:** Gary Richardson

**Planning Status**

---

**Status Date:** 23-Jan-2018

10% road frontage waiver request to be placed on February 26, 2018 LTC agenda.

**Status Date:** 29-Nov-2017

Referral response forwarded to MoTI and applicant Nov 28, 2017

**Status Date:** 11-Oct-2017

notified LTC, planner assigned

**Temporary and Industrial Use Permit**

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2017.1	MEG IREDALE-GRAY c/o KARA RESOURCES LTD	15-Mar-2017	306 CAMPBELL BAY RD Temporary permit for commercial use (3 day music festival) on rural residential property.

**Planner:** Gary Richardson

**Planning Status**

---



## Applications

**Status Date:** 23-Jan-2018

Staff report and draft permit to be prepared for March 26, 2018 LTC agenda.

**Status Date:** 29-Nov-2017

Staff to meet with applicant to discuss applicant proposed amendments to application.

**Status Date:** 26-Jul-2017

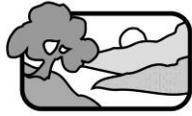
Amendments to proposed permit to be made and notification and consideration for Nov 27 LTC

# Islands Trust

LTC EXP SUMMARY REPORT F2018

Invoices posted to Month ending December 2017

645 Mayne	Invoices posted to Month ending December 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-645	LTC "Trustee Expenses"	750.00	4.56	745.44
<b>LTC Local</b>				
65200-645	LTC - Local Exp - LTC Meeting Expenses	1,500.00	1,053.12	446.88
65210-645	LTC - Local Exp - APC Meeting Expenses	500.00	55.16	444.84
65220-645	LTC - Local Exp - Communications	1,000.00	700.00	300.00
65230-645	LTC - Local Exp - Special Projects	500.00	0.00	500.00
<b>TOTAL LTC Local Expense</b>		<u>3,500.00</u>	<u>1,808.28</u>	<u>1,691.72</u>
<b>Projects</b>				
73001-645-2005	Mayne OCP/LUB	5,000.00	0.00	5,000.00
73001-645-3005	Mayne RAR	5,000.00	0.00	5,000.00
73001-645-4059	Mayne Commercial Land Use Review	4,500.00	96.00	4,404.00
<b>TOTAL Project Expenses</b>		<u>14,500.00</u>	<u>96.00</u>	<u>14,404.00</u>



# MEMORANDUM

File No.:  
(File Name or Cross Ref. No.)

DATE OF MEETING: February 26, 2018  
 TO: Mayne Island Local Trust Committee  
 FROM: David Marlor, Director of Local Planning Services  
 Local Planning Services  
 COPY:  
 SUBJECT: Farm Industry Review Board and Aquaculture

## PURPOSE

At its business meeting on January 17, 2018, the Executive Committee passed the following resolution:

*that the Islands Trust Executive Committee requests that the information about the BC Farm Industry Review Board be distributed to the Local Trust Committees and enquiries are to be directed to the Regional Planning Manager.*

The attached news release advises under the *Fish and Seafood Act* that came into force on January 1, 2017 that the BC Farm Industry Review Board had jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the Farm Practices Protection (Right to Farm) Act.

## NEXT STEPS

None

Submitted By:	David Marlor, Director of Local Planning Services	February 2, 2018
Concurrence:	[Managing Staff Name, Credentials Title]	Select Date.

## ATTACHMENTS

*Reorder/add/delete/modify attachments as needed:*

1. Attachment 1 – March 2017 News Release – Aquaculture and the Farm Practices Protection (Right to Farm) Act.



## **AQUACULTURE AND THE *FARM PRACTICES PROTECTION (RIGHT TO FARM) ACT***

As of January 1, 2017 the BC Farm Industry Review Board (BCFIRB) has jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the *Farm Practices Protection (Right to Farm) Act (FPPA)*

Agriculture and aquaculture are important BC industries. Under the *Farm Practices Protection (Right to Farm) Act (FPPA)*, farmers using “normal farm practices” are protected from certain bylaw enforcement, court injunctions and lawsuits related to nuisance complaints. The *FPPA* balances community interests by both protecting farmers from disturbance complaints, and by giving neighbours of a specific farm the right to formal conflict resolution through BCFIRB. Both non-farming and farming neighbours have the right to file a complaint.

While normal farm practices are protected under legislation, BCFIRB encourages farmers and their neighbours to work together to resolve disputes in the first instance.

Although there are many options for resolving disputes between farmers and neighbours, in some situations, enforcement regarding use of a farm practice which is causing a disturbance may be called for.

### **Expanded Jurisdiction**

The *Fish and Seafood Act* came into force by regulation on January 1, 2017. Concurrently consequential amendments to the *FPPA* came into force. These amendments bring fin and shellfish aquaculture back into the scope of nuisance complaints heard by BCFIRB under the *FPPA*. The types of aquaculture covered by the amendments are broad and include marine finfish, shellfish and freshwater (or land-based) operations as well as aquatic plants.

### **For more information contact**

**Case Manager**  
**250-356-8945**

---

**British Columbia**  
**Farm Industry Review Board**

**Mailing Address:**  
PO Box 9129 Stn Prov Govt  
Victoria BC V8W 9B5  
Telephone: 250 356-8945  
Facsimile: 250 356-5131

**Location:**  
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