



Mayne Island Local Trust Committee

Regular Meeting Agenda

Date: November 28, 2016
Time: 1:00 pm
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

	Pages
1. CALL TO ORDER	1:00 PM - 2:30 PM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	
4. COMMUNITY INFORMATION MEETING	
4.1 Short Term Vacation Rentals	
4.2 Affordable Housing	
5. PUBLIC HEARING	
none	
6. MINUTES	2:30 PM - 2:40 PM
6.1 Local Trust Committee Minutes Dated November 7, 2016 (for Adoption)	4 - 11
6.1.1 <u>Public Hearing Record Dated November 7, 2016 (for Receipt)</u>	12 - 13
6.2 Section 26 Resolutions-without-meeting Report	
none	
6.3 Advisory Planning Commission Minutes	
none	
7. BUSINESS ARISING FROM THE MINUTES	
7.1 Follow-up Action List Dated November 2016	14 - 15
8. DELEGATIONS	
none	

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

2:40 PM - 3:00 PM

- | | | |
|------|---|---------|
| 10.1 | MA-RZ-2015.2 (Mayne Is. Resort) - Staff Memo - Bylaw 170
(for further consideration) | 16 - 18 |
| 10.2 | MA-RZ-2015.1 (CRD) - Staff Memo - Bylaws 168 & 169
(for further consideration) | 19 - 30 |
| 10.3 | Salt Spring Island Local Trust Committee Bylaw No. 497 Referral
(for response) | 31 - 32 |

11. LOCAL TRUST COMMITTEE PROJECTS

- | | | |
|------|---|---------|
| 11.1 | Short Term Vacation Rental of Cottages - Staff Memo - Bylaws 165 & 166
(for further consideration) | 33 - 39 |
|------|---|---------|

12. REPORTS

3:00 PM - 3:30 PM

- | | | |
|--------|--|---------|
| 12.1 | Work Program Reports (attached) | |
| 12.1.1 | <u>Top Priorities Report Dated November 2016</u> | 40 - 40 |
| 12.1.2 | <u>Projects List Report Dated November 2016</u> | 41 - 41 |
| 12.2 | Applications Report Dated November 2016 (attached) | 42 - 43 |
| 12.3 | Trustee and Local Expense Report
none | |
| 12.4 | Adopted Policies and Standing Resolutions (attached) | 44 - 45 |
| 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

none

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for January 30, 2017, at 1:00 pm, at the Agricultural Hall, Mayne Island

14.2 Resolution to Reschedule May 23, 2017 Meeting Date

THAT Mayne Island Local Trust Committee regular meeting dated May 23, 2017, be rescheduled to May 15, 2017.

15. TOWN HALL 3:30 PM - 3:45 PM

16. CLOSED MEETING

none

17. ADJOURNMENT 3:45 PM - 3:45 PM



DRAFT

Mayne Island Local Trust Committee Minutes of Regular Meeting

Date: November 7, 2016
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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

Add Items: 3.1 Road closure
13.3 First Nations
16 In Camera

The agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

A question regarding Salt Spring Island (SSI) incorporation was raised. Chair Grams will provide an update on this in his report later in the agenda.

There was a question regarding the Bylaw Amendment for the Mayne Island Resort. This item will be addressed at the Public Hearing Item 5.

Paula Buchholz asked who monitors bylaw infractions and the collection of fines.

Staff commented the bylaw complaint processes. The process is available on the Islands Trust website and complaints can be made online.

3.1 Road Closure

Planner Richardson reviewed the request of a property owner to close an unused road which abuts property.

The owner described the geography of the site as being very steep.

Trustee Crumblehulme suggested that the LTC no provide comment until further responses are received, and that the owner, the Parks and Recreation Commission and Mayne Island Pathways and Trails get together to review the site and provide comment.

Trustee Dodds spoke in support of a review of site.

4. COMMUNITY INFORMATION MEETING

4.1 Mayne Island Local Trust Committee Bylaw No. 170

Planner Richardson spoke to the amendment which would allow for some tourist accommodation units to be used as residential/employee. The proposed bylaw also adds some retail space. There has been one response received supporting the application.

A member of the public questioned housing staff/families and what would happen should person's employment be terminated.

Staff detailed that this would be part of the rental agreement and that the Residential Tenancy Act would be applicable.

There was a question as to the increase of retail space bringing more boats to the location and thus increasing contamination/possibility of oil spills.

Trustee Dodds clarified that the TUP for the dock only allows for three boats and that retail traffic is more likely to be local residents.

Chris Rhoerig asked if there is a difference between residential and employee housing.

Staff stated that they are both residential use.

5. PUBLIC HEARING

5.1 Recess for Public Hearing

5.1.1 Mayne Island Local Trust Committee Bylaw No. 170

Chair Grams closed the regular meeting at 1:26 pm. for the purposes of the Public Hearing. See separate Public Hearing (PH) record dated November 7, 2016.

5.2 Recall to Order

Chair Grams recalled the regular business meeting at 1:31 pm.

6. MINUTES

6.1 Local Trust Committee Minutes Dated September 12, 2016 (for Adoption)

The following amendments to the minutes were presented for consideration:

Page 5 second paragraph Trustee Report: delete last sentence "On September..."

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-without-meeting Report Dated October 2016

Received for information

6.3 Advisory Planning Commission Draft Minutes Dated September 12, 2016 & Adopted Minutes Dated May 9, 2016 (for Receipt)

Received for information

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated October 2016

The LTC expressed appreciation to staff for the completion of items.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 MA-RZ-2015.2 (Rosengren) - Mayne Island Resort)- Staff Memo - Bylaw 170

Planner Richardson stated that now the Public Hearing for proposed bylaw 170 has closed the proposed bylaw could be considered for 2nd and 3rd reading and could be forwarded to the Islands Trust Executive Committee for consideration.

MA-2016-062

It was MOVED and SECONDED

that the Mayne Island Local Trust Committee proposed Bylaw No. 170, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2016" be read a Second time.

CARRIED

MA-2016-063

It was MOVED and SECONDED

that the Mayne Island Local Trust Committee proposed Bylaw No. 170, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2016" be read a Third time.

CARRIED

MA-2016-064

It was MOVED and SECONDED

that the Mayne Island Local Trust Committee proposed Bylaw No. 170, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2016" be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

Trustee Dodds spoke to the need to be more flexible with zoning.

10.2 MA-TUP-2016.2 (Lane) - Staff Report

Planner Richardson reported speaking with the applicants and has informed them of the APC recommendation not to approve this TUP application.

Trustee Dodds spoke to the discussion at the APC meeting and accepts the recommendation not to proceed with application.

Trustee Crumblehulme is in agreement and feels current operation is more of a commercial use.

MA-2016-065

It was MOVED and SECONDED

that the MA-TUP-2016.2 (Lane) application not be approved.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

none

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated October 2016

Received for information

12.1.2 Projects List Report Dated October 2016

Received for information

12.2 Applications Report Dated October 2016 (attached)

Staff informed the LTC that there is one new application coming forward, likely in January.

12.3 Trustee and Local Expense Report Dated September 2016 (attached)

Received for information

12.4 Adopted Policies and Standing Resolutions (attached)

12.4.1 New Policy - Purchasing Procedure (attached)

Planner Richardson reviewed the procedure and has added the standing resolution regarding advertising in the MayneLiner.

MA-2016-066

It was MOVED and SECONDED

that the Mayne Island Local Trust Committee direct staff to remove Resolution MA-LTC-70-07.

CARRIED

12.5 Local Trust Committee Webpage

Will be updated at conclusion of meeting.

12.6 Chair's Report

Chair Grams reported having met with the Ministry of Transportation recently and informed them of the deficiencies on Mayne Island however there was no indication of action. The Trust Council has been advocating for these issues as well. There was also a meeting with the Agricultural Land Commission to discuss the uniqueness of agricultural land within the Trust areas. To date a disproportionate number of applications to the ALC by from the islands have been refused. The study regarding SSI incorporation is almost complete and plans are for 3 Open Houses to explain the Executive Summary. The final decision will rest with the residents. If SSI incorporates it will still be part of Islands Trust.

12.7 Trustee Report

Trustee Dodds spoke to the information session sponsored by the Conservancy regarding Oil Spill Concerns. There was a presentation of the San Juan Islands response programme and Western Canada Marine Response Corporation was represented. Options are being explored for a local response team. This was a very informative and interesting educational opportunity.

Trustee Crumblehulme also attended the session and agreed with Trustee Dodds comments. There will be a meeting with Fiona MacRaid, Senior Intergovernmental Policy Advisor. In speaking with her Trustee Crumblehulme learned that Mayne Island in Salish is S'Ktak. The Community Economic Sustainability Commission (CESC) met last week and there was a motion for CRD to extend an invitation to First Nations to join the Commission. Efforts are underway to co-ordinate island educational resources – EcoTourism. The Food and Agriculture Strategy report is now available. An application has been submitted to Provincial Food Initiative. There will be a meeting the end of November regarding interisland transport.

12.8 Trust Fund Board Report Dated September 2016 (attached)

Received for information

13. NEW BUSINESS

13.1 Cotton Park – Update

Staff provided an update on Cotton Park.

13.2 Japanese Historic Places

Trustee Crumblehulme informed the LTC that he was in receipt of a letter asking for communities to identify Japanese Historic Sites. Mayne Island has significant history regarding Japanese settlers. Trustee Crumblehulme and Trustee Dodds will submit a letter outlining Mayne Island sites.

13.3 Fiona MacRaid - Senior Intergovernmental Policy Advisor

Trustee Crumblehulme reported having spoken with Fiona MacRaid, who has been hired by Islands Trust to advise on First Nations interests. He suggested inviting her to the island for an introduction/presentation.

It was recommended that this be a Top Priority with the request being directed through the Planning Manager.

To date there have been no issues requiring a dialogue with First Nations on Mayne Island however it would be beneficial to have a plan in place for the future.

Planner Richardson will speak with the Planning Manager.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for November 28, 2016, at 1:00 pm, at the Agricultural Hall, Mayne Island

14.2 Proposed 2017 Annual LTC Meeting Schedule - Staff Memo

The proposed 2017 schedule was reviewed. Meeting scheduled for May 23, 2017 is not convenient for Trustee Dodds.

MA-2016-067

It was MOVED AND SECONDED

that the proposed 2017 Annual Local Trust Committee Meeting Schedule be adopted as presented.

CARRIED

15. TOWN HALL

Ian Dow reported meeting with Gary Holman, MLA, regarding fallow deer issue and the condition of Miners Bay Dock. There was provincial intervention in another area to eradicate fallow deer and the question is why not on Mayne Island. Mr. Holman will pursue this issue. The avenue of a class action suit against the government is still being explored.

Dave Maude raised concerns regarding the abandoned fuel lines at Miners Bay Dock and the possibility of leakage. Shoreline communities are increasing becoming more concerned as to oil spills and if designing a marine response Mayne Island would be an ideal location for a response vessel.

This issue is an ongoing project for Trust Council.

It was suggested that a letter be sent to the CRD Harbours Commission and the Ministry of the Environment to express concerns regarding pipe lines.

MA-2016-068

It was MOVED AND SECONDED

that staff be directed to write to Ted Robbins, Capital Regional District Harbours Commission, expressing concern regarding condition of oil pipelines existent on Miners Bay Dock with a copies to David Howe and Ministry of the Environment.

CARRIED

Paula Buchholz stated she had not received a response to letter submitted to the Islands Trust in July or October. addressing concerns.

Requested was noted and staff will review.

16. CLOSED MEETING

16.1 In Camera

The meeting was closed at 2:34 pm.

MA-2016-069

It was MOVED AND SECONDED

that the meeting be closed to the public in accordance with Community Charter Part IV Division 3s)90(1)9F) for the purpose of considering legal advice

AND that the recorder and staff attend the meeting.

CARRIED

The regular meeting was reopened at 2:47 pm.

There was nothing to rise and report.

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:52 pm.

George Grams, Chair

Certified Correct:

Pat Todd, Recorder

**Mayne Island Local Trust Committee
Record of a Public Hearing
Proposed Bylaw No. 170**

Date: Nov, 7, 2016
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

Others Present: There were [17] seventeen members of the public present

See separate business meeting minutes dated November 7, 2016.

5. PUBLIC HEARING

5.1. Recess for Public Hearing

At 1:26 pm. Chair Grams opened the Public Hearing and read a statement detailing the process and procedures of the Public Hearing as per Section 892 of the Local Government Act.

5.1.1. Bylaw No. 170

Planner Richardson summarized proposed Bylaw No. 170. The proposed Bylaw would allow for expansion of retail space and would permit rental of some units as staff housing and/or residential housing. The hearing notice was sent to applicable agencies. Island Health is to be contacted regarding approval of food facilities and all other agencies felt interests were not affected by proposed changes.

There were no questions or comments from those present.

See separate business meeting minutes item 10.1 dated November 7, 2016

Chair Grams called three times for further comments.

6.2. Recall to Order

There being no further comments from the Public, the Public Hearing was declared closed by Chari Grams at 1:31 p.m.

**I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF
REPRESENTATIONS RESPECTING THE MEETING HELD**

George Grams, Chair

Certified Correct:

Pat Todd, Recorder

Follow Up Action Report

Mayne Island

07-Nov-2016

Activity	Responsibility	Target Date	Status
Minutes of September 12, 2016 adopted as amended.	Regina Robinson		Done
MA-RZ-2015.2 (Mayne Is. Resort Ltd.) Bylaw 170: 1) update showing read a second time - Done 2) update showing read a third time - Done 3) forward to the Executive of the Islands Trust	Gary Richardson Sharon Lloyd-deRosario		Done
MA-TUP-2016.2 (Lane) - application to proceed no further - TUP denied. Planner will advise applicant. Enforcement to follow up if required.	Gary Richardson Warren Dingman Regina Robinson		Done
Further to Resolution MA-LTC-07-07 (Guidelines for Mayne Island LTC to use when Considering Funding for reports) - Guidelines are to be removed from LTC Policies and Standing Resolutions.	Gary Richardson Sharon Lloyd-deRosario		Done
Road Closure Request from the Ministry of Transportation and Infrastructure - advise MOTI that the LTC has asked the applicant to walk the road with the LTC, MIPRC and MIPATA. Once comments are received from MIPRC and MIPATA staff is to prepare RWM for the LTC to provide comment to MOTI.	Gary Richardson		On Going
Cotton Park Advise CRD building inspection that any application proposed structures should be forwarded to Islands Trust planning staff for confirmation. Bring topic of Cotton Park rezoning to Nov 29 LTC meeting for possible inclusion in work program priorities.	Gary Richardson		Done
2017 annual meeting schedule adopted as drafted. Change May 23 to Monday or Wednesday if possible as its difficult for Trustee Dodds to attend that day.	Regina Robinson		Done



Follow Up Action Report

Japanese Historic Places - Trustee Crumblehulme to follow up.		On Going
Invite Fiona to next LTC meeting to do presentation on role and expertise that she can provide with respect to First Nations on Mayne Island.	Gary Richardson	Done
Determine how Paula Buchholtz letters of July 19, 2016 and reminder of October 10, 2016 has been responded to.	Gary Richardson	On Going
Write Letter to CRD (Ted Robbins) and cc Director Howe and Ministry regarding fuel lines to/on miners bay dock.	Gary Richardson	On Going



File No.: MA-RZ-2015.2 (Mayne Island Resort Ltd.)

DATE OF MEETING: November 28, 2016
TO: Mayne Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Victoria Office
SUBJECT: Mayne Island Resort Ltd. Rezoning Application MA-RZ-2015.2 – Strata Lots 13-20, Section 9, Mayne Island, Strata Plan VIS6703
Applicant: Mayne Island Resort Ltd.

RECOMMENDATION

1. THAT the Mayne Island Local Trust Committee proposed Bylaw No. 170, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2016” be adopted.

REPORT SUMMARY

The general purpose of proposed bylaw 168 is as follows:

The first amendment being requested is that the Commercial Tourist Accommodation C2(b) zoning for strata lots 13-20 be amended by adding residential use, including employee housing use as permitted uses.

The second amendment being requested is that the C2(b) zone be amended to allow additional commercial retail space to allow for kayak and sporting equipment rental, groceries and sundries for guests and neighboring residents.

BACKGROUND

First reading of proposed bylaw 170 was given May 30, 2016 at a Mayne Island LTC business meeting. The Islands Trust Policy Statement checklist for both bylaws was endorsed by the LTC at its meeting of March 21 2016. A public hearing was held on November 7, 2016. Second and third reading was given immediately following the public hearing. The Islands Trust Executive Committee will consider approval of proposed bylaw 170 on November 23, 2016.

Rationale for Recommendation:

If the Islands Trust Executive Committee approves proposed bylaw 170 on November 23, 2016 staff is recommending adoption.

NEXT STEPS

If proposed bylaw 170 is adopted it will be consolidated with Mayne Island Land Use Bylaw No. 146, 2008 (LUB). Consolidated copies of the OCP and LUB will be forwarded to the LTC, staff and agencies for reference.

Submitted By:	Gary Richardson, Island Planner	November 22, 2016

ATTACHMENTS

1. Proposed Bylaw 170

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 170

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

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2016”.

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

2.1 Section 5.9 –Commercial Tourist Accommodation (C2) Zone, Subsection (14) - Site Specific Regulations, Table 5.1, C2(b), column three is amended by deleting the following: “1. Despite 5.9(1) above, the only uses permitted in this location are those permitted by 5.9(1)(a), (b), (c), (d), and (f).” and renumbering the table accordingly.

2.2 Section 5.9 –Commercial Tourist Accommodation (C2) Zone, Subsection (14) - Site Specific Regulations, Table 5.1, C2(b), column three is amended by adding the following:

“4. Despite 5.9(6) the maximum floor area for accessory retail sales is 40 m² (430 ft²).

5. Despite 5.9(1)(e) and 5.9(8) the tourist accommodation units permitted on strata lots 13, 14, 15, 16, 17, 18, 19 and 20, Strata Plan VIS6703 can be used for accessory employee housing.

6. In addition to the uses permitted in 5.9(1) the tourist accommodation units permitted on strata lots 13, 14, 15, 16, 17, 18, 19 and 20, Strata Plan VIS6703 can be used for residential use.”

READ A FIRST TIME THIS 30th DAY OF MAY 2016

PUBLIC HEARING HELD THIS 7th DAY OF NOVEMBER 2016

READ A SECOND TIME THIS 7th DAY OF NOVEMBER 2016

READ A THIRD TIME THIS 7th DAY OF NOVEMBER 2016

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

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary



File No.: MA-RZ-2015.1 (CRD)

DATE OF MEETING: November 28, 2016
TO: Mayne Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Victoria Office
SUBJECT: Proposed Bylaw 168 (OCP) and 169 (LUB) – Anson Road Community Dock
Applicant: Capital Regional District

RECOMMENDATION

1. That the Mayne Island Local Trust Committee proposed Bylaw No. 168, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2016” be adopted.
2. THAT the Mayne Island Local Trust Committee proposed Bylaw No. 169, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2016” be adopted.

REPORT SUMMARY

The general purpose of proposed bylaw 168 is to amend the Mayne Island Official Community Plan to allow for a community moorage facility on a portion of Horton Bay (DL 2070); and allow accessory uses on the upland which is a mostly undeveloped double width road access to the sea (Anson Road).

Proposed bylaw 168: 1) adds a Development Permit Area (DPA) for the Protection of the (Marine) Natural Environment over the water portion of the moorage facility; 2) places the area of the proposed community moorage facility (DL 2070) fronting Anson Road in the new DPA; and 3) amends the land use designation on the upland portion of the proposed community moorage facility (Anson Road) from Settlement Residential to Public Service to accommodate the proposed new land use.

The general purpose of proposed bylaw 169 is to amend the zoning on the upland (Anson Road) and the adjacent Water Lot (DL 2070) to allow for a community moorage facility to be constructed.

Proposed Bylaw 169: 1) adds a new Community Wharf Upland (CWU) zone to the LUB; 2) amends the zoning on the upland portion of the proposed community moorage facility (Anson Road) from Settlement Residential to the new CWU zone to accommodate the proposed new land use, and 3) amends the zoning on the area of the proposed community moorage facility from Water Moorage to Community Wharf W4(b).

BACKGROUND

First reading of proposed bylaw 168 and 169 was given March 21, 2016 at a Mayne Island LTC business meeting. The Islands Trust Policy Statement checklist for both bylaws was endorsed by the LTC at its meeting of March 21 2016. Second reading was given to both bylaws May 30, 2016. A public hearing was held on June 27, 2016. Third reading was given to both bylaws immediately following the public hearing. The Islands Trust Executive Committee approved proposed bylaws 168 and 169 on July 27, 2016.

The Ministry of Community, Sport and Cultural Development approved proposed bylaw 168 on November 17, 2016 (approval is not required for LUB amendments).

Rationale for Recommendation:

As Island Trust Executive Committee and Ministerial approval has been given, staff recommends that the LTC give fourth and final reading to Proposed Bylaws 168 and 169.

NEXT STEPS

If proposed bylaws 168 and 169 are adopted, bylaw 168 will be consolidated with Mayne Island Official Community Plan Bylaw No. 144, 2007 (OCP) and 169 will be consolidated with Mayne Island Land Use Bylaw No. 146, 2008 (LUB).

Consolidated copies of the OCP and LUB will be forwarded to the LTC, staff and agencies for reference.

Submitted By:	Gary Richardson, Island Planner	November 21, 2016

ATTACHMENTS

1. Proposed Bylaw 168
2. Proposed Bylaw 169

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 168

A BYLAW TO AMEND THE 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 14, except sections 570 and 507 to 508, 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, 2016".

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME this 21st day of March , 2016.
READ A SECOND TIME this 30th day of May , 2016.
PUBLIC HEARING HELD this 27th day of June , 2016.
READ A THIRD TIME this 27th day of June , 2016.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
27th day of July , 2016.
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this 17th day of November , 2016.
ADOPTED this day of , 20.

DEPUTY SECRETARY

CHAIR

Mayne ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 168
SCHEDULE 1

A. Bylaw No. 144, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007” is amended as follows:

1. Section 2.8 Development Permit Areas is amended by adding two new Subsections, 2.8.5 and 2.8.6, which are to be inserted immediately following Subsection 2.8.4 as follows:

“2.8.5 Development Permits for the Protection of the Natural Environment

Designation

This development permit area applies to all areas designated as Marine Development Permit Area on Schedule C.

Authority

This development permit area is established, pursuant to Section 488(1)(a) of the *Local Government Act*, for the purpose of protecting the natural environment, its ecosystems and biological diversity.

Objectives

The objectives of the development permit area are:

1. To plan and regulate new development in a manner that preserves and protects the long-term physical integrity and ecological values of marine areas.
2. To manage development to minimize disruption of natural processes and to retain, wherever possible, natural vegetation and natural features.
3. To balance development opportunities with the ecological conservation of the marine environment.
4. To maintain the public's use and access to these important recreation areas in a way that does not compromise the ecological integrity of the shoreline or put users at undue risk.
5. To adapt to the anticipated effects of climate change.

General Applicability

A development permit is required for the construction of, addition to, or alteration of a building or structure, or the alteration of land, except where such activities are specifically exempt.

Work Not Requiring a Permit (Exemptions)

The following activities are exempt from any requirement for a development permit:

- a) Repair, maintenance, alteration or reconstruction of existing lawful buildings, structures or utilities, including those that are lawfully non-conforming, provided there is no alteration of undisturbed land or vegetation (a building permit may still be required).
- b) Removal of invasive plants on a small scale within the Development Permit Area.
- c) emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property including:
 - Forest fire, flood and erosion protection works;
 - Protection, repair or replacement of public facilities;
 - Clearing of an obstruction from a culvert, dock wharf or stream.
- d) The installation of mooring buoys.

2.8.6 Guidelines

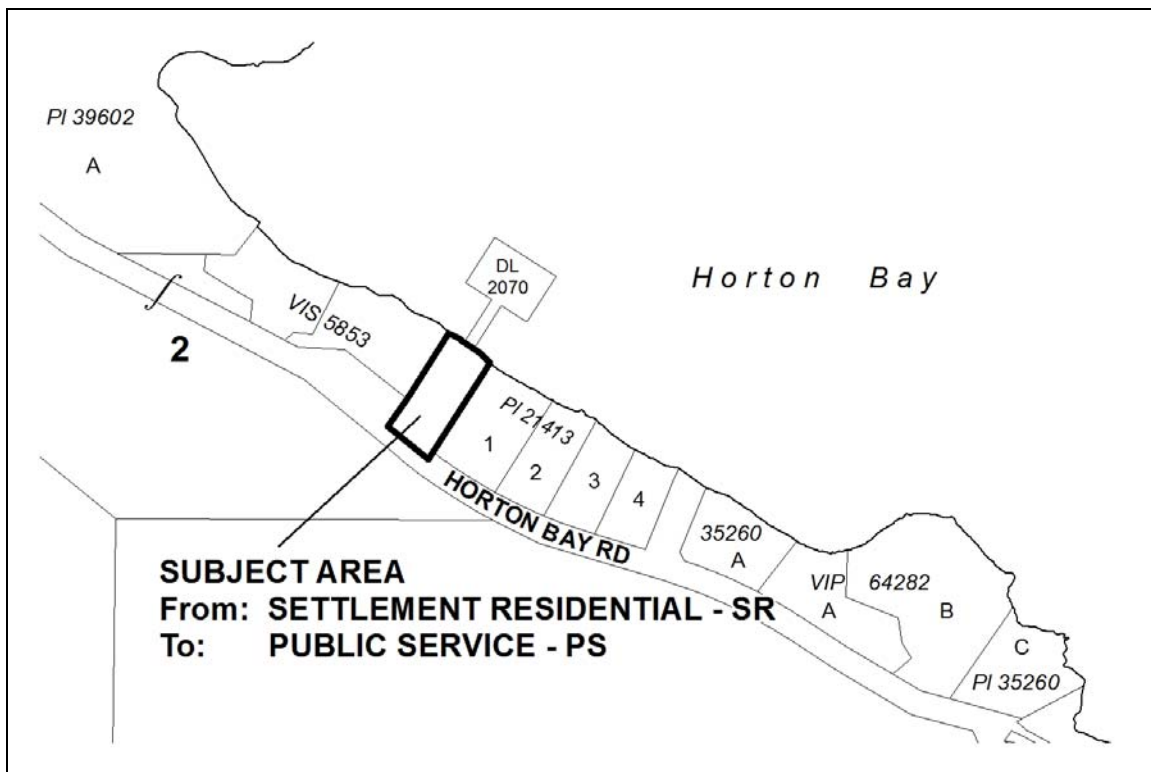
1. Docks and wharves should be designed to ensure that public access along the shore is maintained except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.
2. Docks and wharves should be sited to minimize impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift.
3. Docks should be constructed in a manner that permits the free flow of water beneath. Supports should be located on a hard substrate.
4. Docks should be constructed in a manner that minimizes shading of the seabed.
5. Floating docks should not rest on the sea bed at any time and a minimal, moveable ramp rather than a fixed wharf or pier should be utilized to connect the dock with the shore.
6. Piers and pilings and floating docks are preferred over solid-core piers.
7. Docks should not use unenclosed plastic foam or other non-biodegradable materials that have the potential to degrade over time. Docks should be constructed of stable materials that will not degrade water quality. The use of creosote-treated pilings is discouraged.

8. Boat launch ramps are the least desirable of all water access structures and should be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes.
2. Amending Mayne Island Official Community Plan Map, Schedule “B” Land Use Designations by changing the designation of a portion of Mayne Island, Cowichan District from the “Settlement Residential (SR)” designation to the “Public Service (PS)” designation as shown on Plan No. 1, which is attached to and forms part of this bylaw.
3. Amending Mayne Island Official Community Plan Map, Schedule “C” Development Permit Areas by:
 - a. Designating the area described as District Lot 2070 as a Marine Development Permit Area, as shown on Plan No. 2, which is attached to and forms part of this bylaw; and
 - b. Adding to the legend that lists types of Development Permit areas a new “Marine (M)” development permit area.

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 168

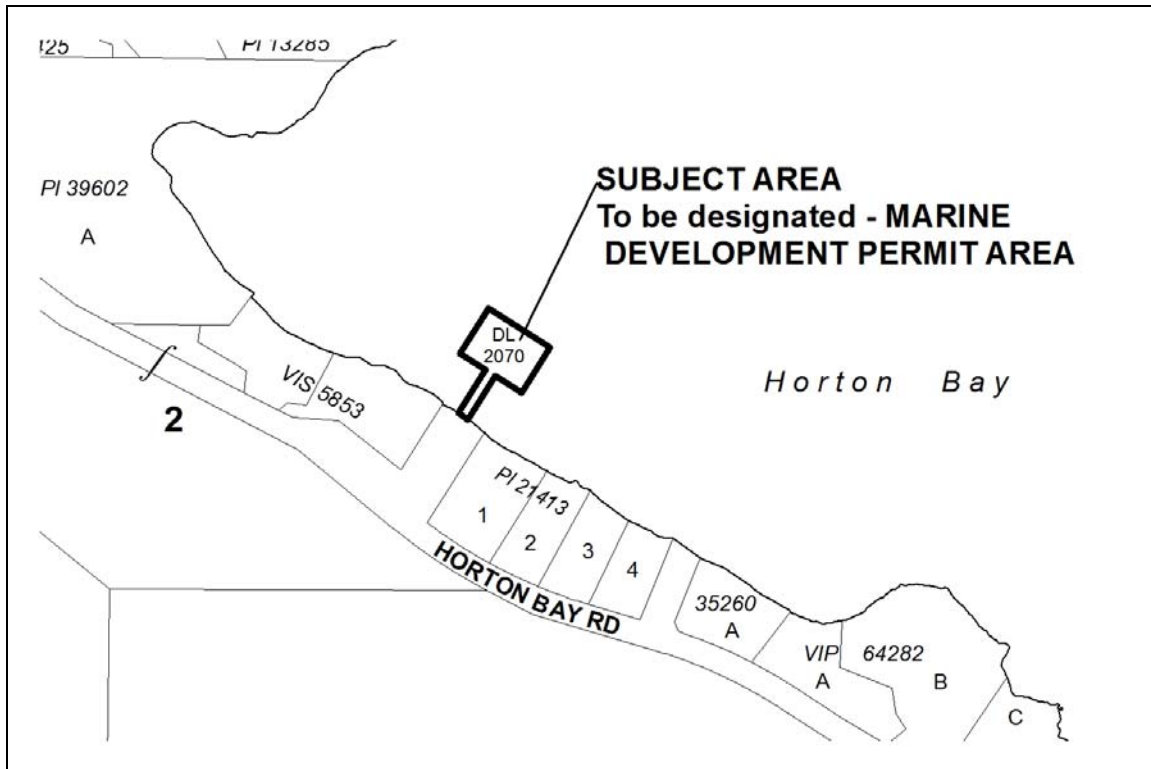
PLAN NO.1



MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 168

PLAN NO.2



PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 169

A BYLAW TO AMEND MAYNE ISLAND LAND USE BYLAW, 146, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw, 146, 2008, Amendment No. 1, 2016”.

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

2.1 Schedule “A” – Land Use Bylaw text is amended by adding “Community Wharf Upland CWU” in Section 4.1 after “Comprehensive Development Two CD2”.

2.2 Schedule “A” – Land Use Bylaw text is amended by adding the following to Section 5.23 Community Wharf (W4) Zone, Subsection (5) Site Specific Regulations as follows:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
W4(b)	Water Lot DL 2070, Cowichan District	(1) Buildings are not permitted in this location.

2.3 Schedule “A” – Land Use Bylaw text is amended by adding the following immediately after Section 5.26:

“5.27 Community Wharf Upland (CWU) Zone

The purpose of the Community Wharf Upland Zone is to provide for and regulate upland uses required to support adjacent *Community Wharf*.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

- (a) Parking for adjacent community wharf;
- (b) Washroom facilities;
- (c) Sewage pump out facilities;
- (d) Accessory uses, buildings and structures.

Density

- (2) The maximum lot coverage is 35%.

Siting and Size

- (3) The minimum setback for any building or structure is:
- (a) 8 metres (26 feet) from any front, rear, or exterior side lot line;
 - (b) 5 metres (16.4 feet) from any interior side lot line;
- (4) The maximum height for any structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

- (5) The minimum lot area is 0.4 hectares (1 acre).

Parking

- (6) Despite the parking requirements specified in Section 7.4 a minimum of 15 parking spaces are required to be provided within 125 metres of an adjacent *community wharf* facility. The required parking spaces can be located on a public highway; however, they must be sited within the Community Wharf Upland zoning that is adjacent to the *community wharf*."
- 2.4 Schedule "B" – Zoning Map, is amended by changing the zoning classification of area described as DL 2070 from Water Moorage (W2) to Community Wharf (W4), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" to Bylaw No. 146 as are required to effect this change.
- 2.5 Schedule "B" – Zoning Map, is amended by changing the zoning classification of a portion of Mayne Island, Cowichan District, from Settlement Residential (SR) to Community Wharf Upland (CWU), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" to Bylaw No. 146 as are required to effect this change.

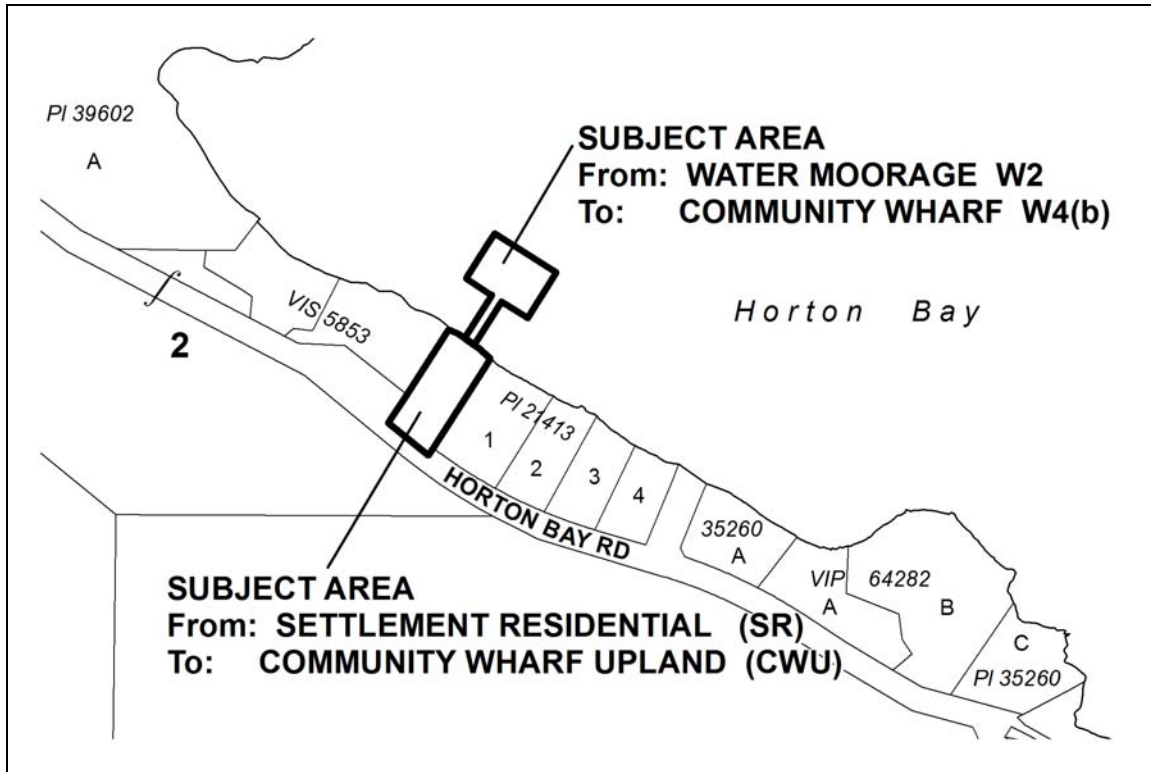
READ A FIRST TIME THIS	21 st	DAY OF	March	, 2016
READ A SECOND TIME THIS	30 th	DAY OF	May	, 2016
PUBLIC HEARING HELD THIS	27 th	DAY OF	June	, 2016
READ A THIRD TIME THIS	27 th	DAY OF	June	, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	27 th	DAY OF	July	, 2016
ADOPTED THIS	_____	DAY OF	_____	, 20__

Chair

Secretary

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 169**

Plan No. 1





Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area Bylaw No.: 497 Date: November 15, 2016

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response by December 31, 2016. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Mr. Leonard Brown, Wisteria Guest House Ltd.

PURPOSE OF BYLAW:

To rezone the subject property from Commercial Accommodation 4 (CA4) to Residential 6 (R6).

GENERAL LOCATION:

Lot 15 Park Drive, Salt Spring Island, BC, V8K 2S1

LEGAL DESCRIPTION:

PID 003-766-390, LOT 15, SECTIONS 2 AND 3, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 18728

SIZE OF PROPERTY AFFECTED:

0.19ha (0.46 acre)

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

Ganges Village Upper (GVU)

OTHER INFORMATION:

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.

Shelley Miller
(Signature)

Name:

Shelley Miller

Title:

Planner 1

This referral has been sent to the following agencies:

Regional Agencies CRD – All Referrals & K. Campbell CRD – SSI Economic Development Commission CRD – SSI Senior Manager CRD – SSI Building Inspection CRD – SSI Director CRD – SSI Transportation Commission CRD – Environmental Eng. Division CRD – Ganges Water & Sewer Commission CRD – SSI Liquid Waste Disposal Local Service Commission	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 Cowichan Valley Regional District
Provincial Agencies Ministry of Transportation & Infrastructure Ministry of Natural Resource Operations – Archaeology Branch Ministry of Forest Lands & Natural Resource Operations – Environment Ministry of Forest Lands & Natural Resource Operations – Front Counter BC	First Nations Cowichan Tribes Halalt First Nation Lake Cowichan First Nation Lyackson First Nation Penelakut Tribe Stz'uminus First Nation
Non-Agency Referrals North Salt Spring Waterworks District SSI Fire-Rescue SSI Salmon Enhancement Society	Malahat First Nation Pauquachin First Nation Tsartlip First Nation Tsaywout First Nation Tseycum First Nation Semiahmoo First Nation Tsawwassen First Nation Hul'qumi'num Treaty Group (for information only) Te'Mexw Treaty Association (for information only)

PLEASE TURN OVER ➔

**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 Trust Area
(Island)

(Signature)

(Date)

497
(Bylaw Number)

(Title)

(Agency)



File No.: 6500-20-STVR-Cottage

DATE OF MEETING: November 28, 2016
TO: Mayne Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Victoria Office
SUBJECT: Proposed Bylaws 165 (OCP) and 166 (LUB) – STVR Use of Cottages
Applicant: Mayne Island Local Trust Committee

RECOMMENDATION

1. That the Mayne Island Local Trust Committee proposed Bylaw No. 165, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2015” be adopted.
2. THAT the Mayne Island Local Trust Committee proposed Bylaw No. 166, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2015” be adopted.

REPORT SUMMARY

The general purpose of proposed bylaw 165 is to amend the Mayne Island Official Community Plan Bylaw No. 144, 2007 (OCP) by adding a policy to the home occupation section that allows for the rental of a cottage as a commercial vacation rental provided its carried out as a home occupation.

The general purpose of proposed bylaw 166 is to amend the Mayne Island Land Use Bylaw 146, 2008 by adding wording to the home occupation section that allows for the rental of up to one cottage per lot as a short term vacation rental. The proposed bylaw also contains a definition of “short term vacation rental”.

BACKGROUND

First reading of proposed bylaw 165 and 166 was given February 22, 2016 at a Mayne Island LTC business meeting. The Islands Trust Policy Statement checklist for both bylaws was endorsed by the LTC at its meeting of February 22, 2016. A public hearing was held on June 27, 2016. Second and third readings were given immediately following the public hearing. The Islands Trust Executive Committee approved proposed bylaws 165 and 166 on July 27, 2016.

The Ministry of Community, Sport and Cultural Development approved proposed bylaw 165 on November 17, 2016 (approval is not required for LUB amendments).

Rationale for Recommendation:

As Island Trust Executive Committee and Ministerial approval has been given, staff recommends that the LTC give fourth and final reading to Proposed Bylaws 165 and 166.

NEXT STEPS

If proposed bylaws 165 and 166 are adopted bylaw 165 will be consolidated with Mayne Island Official Community Plan Bylaw No. 144, 2007 (OCP) and 166 will be consolidated with Mayne Island Land Use Bylaw No. 146, 2008 (LUB).

Consolidated copies of the OCP and LUB will be forwarded to the LTC, staff and agencies for reference.

Submitted By:	Gary Richardson, Island Planner	November 21, 2016

ATTACHMENTS

1. Proposed Bylaw 165
2. Proposed Bylaw 166

**A BYLAW TO AMEND THE 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, 2015".

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME this 22nd day of February , 2016.

PUBLIC HEARING HELD this 27th day of June , 2016.

READ A SECOND TIME this 27th day of June , 2016.

READ A THIRD TIME this 27th day of June , 2016.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
27th day of July , 2016.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this 17th day of November , 2016.

ADOPTED this day of , 20.

DEPUTY SECRETARY

CHAIR

Mayne ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 165
SCHEDULE 1

- A. Bylaw No. 144, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007” is amended as follows:
1. Amending Subsection 2.3 (Home Occupation) by inserting the following immediately after policy 2.3.1.6:

“ 2.3.1.7 The rental of a cottage as a commercial vacation rental shall be permitted as a home occupation.”

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 166

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

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw, No. 146, 2008, Amendment No.2, 2015”.

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

2.1 Section 3.6 Home Occupation Regulations, is amended by adding a new Article immediately following Article (g) as follows:

“(h) short term commercial rental of a *cottage*,” and reordering the remaining articles alphabetically.

2.2 Section 3.6 Home Occupation Regulations, is amended by adding a new Subsection immediately following Subsection 11 as follows:

“12 No more than one *cottage* per lot may be used as a *short term vacation rental* at any one time.”

2.3 Section 1.1 Definitions is amended by adding the following definition in alphabetical order:

“Short term vacation rental” means the use of a *cottage* as a temporary commercial accommodation for a period of less than one month at a time by persons, other than the owner or permanent occupier. For this purpose, a cottage used as a *short term vacation rental* shall be considered as a home occupation subject to the regulations established in section 3.6.”

READ A FIRST TIME THIS	22 ND	DAY OF	FEBRUARY	2016
PUBLIC HEARING HELD THIS	27 TH	DAY OF	JUNE	2016
READ A SECOND TIME THIS	27 TH	DAY OF	JUNE	2016
READ A THIRD TIME THIS	27 TH	DAY OF	JUNE	2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
27TH DAY OF JULY 2016

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary



Top Priorities

Mayne Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Commercial Land Use Review	Project charter approved at May 30, 2016 LTC meeting. Work on project to commence September 2016.	27-Apr-2015	Gary Richardson	
2	STVR Review	Proposed Bylaws 165, 166, 168 and 169 on November 28, 2016 LTC agenda for final approval. Proposed 167 TUP guidelines for STVRs) further direction required	23-Feb-2015	Gary Richardson	
3	Fallow Deer Eradication		26-Jan-2015	Gary Richardson	
4	Riparian Area Regulation Implementation	Project charter approved at May 30, 2016 LTC meeting. Work on project to commence September 2016 In process of engaging QEP (Nov 2016)	25-Apr-2016	Gary Richardson	

Projects

Mayne Island

Description	Activity	R/Initiated
Climate Change Adaptation	Consider regulatory changes and implementation of new DPA authority	02-Mar-2009
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-2016.1	CROCKER, JOHN Planner: Gary Richardson	29-Aug-2016	619 EDITH POINT RD\nVariance to 5.5M setback to construct an upper deck.
Planning Status			
Status Date: 21-Nov-2016 Target date for LTC to consider issuance of permit January 30, 2017 LTC Mtg.			
Status Date: 07-Oct-2016 Site plan not adequate. Applicant advised to provide accurate site plan.			
Status Date: 31-Aug-2016 File opened and forwarded to planner and LTC.			

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2015.1	CAPITAL REGIONAL DISTRICT Integrated Water Services Planner: Gary Richardson	21-Jul-2015	REZONING WATER LEASE No. 112548 District Lot 2070 /ANSON RD\n\n\n
Planning Status			
Status Date: 21-Nov-2016 Minister approved bylaw, placed on November 28, 2016 LTC agenda for consideration of adoption.			
Status Date: 31-Aug-2016 Bylaws approved by Executive forwarded to Minister for approval.			
Status Date: 13-Jul-2016 Proposed bylaws given third reading on June 27 and will be forwarded to the Executive Committee for consideration on July 27, 2016.			

File Number	Applicant Name	Date Received	Purpose
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Applications

MA-RZ-2015.2 Mayne Island Resort 20-Nov-2015 494 ARBUTUS DR\n\nRezone SL 1 to allow some retail. SL 17 - 20 to allow mixed use.

Planner: Gary Richardson

Planning Status

Status Date: 21-Nov-2016

approved by Executive Committee placed on November 28, 2016 LTC agenda for adoption.

Status Date: 31-Oct-2016

Public hearing Nov 7, 2016

Status Date: 24-May-2016

Staff report and Draft Bylaw prepared for May 30, 2016 LTC Mtg.

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2016.3	c/o ACTIVE PASS AUTO AND MARINE LTD	08-Nov-2016	424 Fernhill Rd. TUP to add new use to property - office space.

Planner: Gary Richardson

Planning Status

Status Date: 21-Nov-2016

Target Date for LTC to consider issuance of permit January 30, 2017 LTC Mtg.

Status Date: 09-Nov-2016

File opened and forwarded to planner and LTC.

Mayne Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: October 31, 2016

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	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
2.	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 .
3.	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.
4.	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.
5.	June 27, 2016	MA-LTC-2016-055	Statutory Public Notice Advertising	That the Mayne Island Local Trust Committee direct staff to create a policy to advertise all statutory public notices in the Mayne Liner