



Mayne Island Local Trust Committee Regular Meeting Agenda

Date: May 25, 2020
Time: 1:00 pm
Location: Electronic Meeting

	Pages
1. CALL TO ORDER	1:00 PM - 1:05 PM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	1:05 PM - 1:20 PM
4. COMMUNITY INFORMATION MEETING	
None	
5. PUBLIC HEARING	
None	
6. MINUTES	
6.1 Local Trust Committee Minutes Dated February 24, 2020 (for information)	4 - 10
6.2 Section 26 Resolutions-without-meeting Report Dated May 2020	11 - 11
6.3 Advisory Planning Commission Minutes	
None	
7. BUSINESS ARISING FROM THE MINUTES	1:20 PM - 1:30 PM
7.1 Follow-up Action List Dated May 2020	12 - 13
8. DELEGATIONS	
None	
9. CORRESPONDENCE	1:30 PM - 1:40 PM
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
9.1 Larisa Hutcheson, CRD re St. John Point Regional Park	14 - 16

10.	APPLICATIONS AND REFERRALS	1:40 PM - 2:30 PM	
10.1	MA-DVP-2019.6 (Els) - Staff Report (attached)		17 - 27
10.2	MA-DVP-2020.3 (Buzza) - Staff Report (attached)		28 - 41
10.3	MA-RZ-2018.1 (Cotton Park) - Staff Report (Attached)		42 - 53
10.4	Salt Spring Island Local Trust Committee Bylaw No. 520 Referral (Attached)		54 - 58
11.	LOCAL TRUST COMMITTEE PROJECTS	2:30 PM - 3:10 PM	
11.1	Land Use Bylaw Technical Review - Staff Report (Attached)		59 - 67
11.2	Groundwater Sustainability Project – Verbal Update (William Shulba)		
12.	REPORTS	3:10 PM - 3:30 PM	
12.1	Work Program Reports (attached)		
12.1.1	<u>Top Priorities Report Dated May 2020</u>		68 - 68
12.1.2	<u>Projects List Report Dated May 2020</u>		69 - 69
12.2	Applications Report Dated May, 2020 (attached)		70 - 73
12.3	Trustee and Local Expense Report Dated February 2020 (attached)		74 - 74
12.4	Adopted Policies and Standing Resolutions (attached)		75 - 78
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Report		
12.8	Islands Trust Conservancy Report Dated February 2020		79 - 80
13.	NEW BUSINESS	3:30 PM - 4:00 PM	
13.1	Mayne Island LTC Meeting Procedure Amendment Bylaw No. 179 (for further consideration)		81 - 89
13.2	Annual Report - Request for Decision (Attached)		90 - 92
13.3	News Release re Trust Council Reduces 2020/21 Budget		93 - 94
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for June 29, 2020 - Electronic Meeting		
15.	TOWN HALL	4:00 PM - 4:15 PM	

16. CLOSED MEETING

None

17. ADJOURNMENT

4:15 PM - 4:15 PM

ADOPTED



Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: February 24, 2020
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

Members Present: Dan Rogers, Chair
Jeanine Dodds, Local Trustee
David Maude, Local Trustee

Staff Present: Gary Richardson, Island Planner
Narissa Chadwick, Planner
Pat Todd, Recorder

Public: There were approximately four (4) members of the public.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 1:05 p.m. Chair Rogers acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following amendments to the agenda were presented for consideration:

To add:

- 9.1 Youth Leadership
- 13.3 Personnel

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

A member of the public raised a question on Island Trust's position on UNDRIP (United Nations Declaration on the Rights of Indigenous Persons).

Chair Rogers stated UNDRIP has been adopted as part of the Reconciliation Project and more information is available on the Islands Trust website.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated January 27, 2020 (for Adoption)

The following amendments to the minutes were presented for consideration:

- Motions MA-2020- 001, 002, 014, 015 and 017: to change “direct” to “request”.
- Motion MA-2020-011 to change “carried” to “deferred”.

By general consent the minutes were adopted as amended.

MA-2020-018

It was Moved and Seconded,

that Mayne Island Local Trust Committee motions be recorded to read “request staff” where appropriate.

CARRIED

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 February 2020

Planner Richardson reviewed report.

Trustees requested that Item 12 also include meeting with Ministry of Transportation and that Items 7 and 13 be referred to APC.

8. DELEGATIONS

None

9. CORRESPONDENCE

9.1 Youth Leadership

Trustee Maude addressed correspondence from Paul Petrie regarding Trustees nominating participants for a week long seminar to be held on Pender.

Discussion focused on appropriateness of request and short notice as seminar is first week of March.

The LTC identified that if there are names to be put forth this could be done through Resolution-Without-Meeting.

10. APPLICATIONS AND REFERRALS

10.1 MA-DVP-2020.2 (Nadeau)

Planner Richardson presented the application which is for a set back variance. There were no replies to public notice.

MA-2020-019

It was Moved and Seconded,

that the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2020.2 (Nadeau).

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Land Use Bylaw – Technical Review

Planner Richardson spoke to the suggested clarifications/definitions for the Land Use Bylaw.

After discussion it was agreed there were a number of items requiring further refinement and research.

MA-2020-020

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to a) remove definition for concrete; b) amend definition of Hall changing Regional District to Local Government; c) refer definitions of Tiny Home, Mobile Home and Recreational Vehicle and sections on cottages in Rural Zones to the Tiny Homes Project; d) amend the mapping for Secondary Suites in water districts to exclude Mt. Parke; and e) address hazardous materials in commercial zones.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated February 2020

Received for information.

Chair Rogers reported that the Groundwater Sustainability Project is unlikely to be completed until next fiscal year.

12.1.2 Projects List Report Dated February 2020

Received for information.

12.2 Applications Report Dated February 2020

Planner Richardson reported there will be a number of applications coming forward at the March Local Trust Committee meeting.

12.3 Trustee and Local Expense Report Dated December 2019

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

To be updated upon completion of meeting.

12.6 Chair's Report

Chair Rogers reported on the following:

- Final preparation is underway for the Trust Council, Mar. 10-12, on Salt Spring Island;
- There is a draft budget for 2020/21 at a 2% tax increase;
- There were over 700 responses to the on-line budget consultation survey with a significant number from Mayne Island;
- A large percentage of responders were supportive of the tax level or even of a slightly greater increase;
- There will be an on-line educational opportunity starting Friday regarding water;
- Informed the LTC that he is a contact for the Coast Guard and work is underway to develop plans for oil spill responses; and
- There is a question about how to involve islands and work with Regional District.

MA-2020-021

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to ensure there are no barriers within the Land Use Bylaw for an Oil Spill Marine Response Facility in Miners Bay.

CARRIED

12.7 Trustee Report

Trustees agreed that the past month has been quiet. Trustee Maude spoke of the recent Mayne Island Housing Society Annual General Meeting. The group is enthusiastic and moving forward.

12.8 Islands Trust Conservancy Report

None

13. NEW BUSINESS

13.1 First Nations Standing Resolutions - Staff Report

Motion MA-2020-11 is replaced by the following motion.

MA-2020-022

It was Moved and Seconded,

that the Mayne Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:

Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.

CARRIED

13.2 Live Streaming of Local Trust Committee Meetings - RFD

Discussion addressed the question of needing live streaming, interest and cost.

MA-2020-023

It was Moved and Seconded,

that the Mayne Island Local Trust Committee communicate to Trust Council its lack of interest in filming and streaming its public meetings at this time.

CARRIED

13.3 Personnel

Trustee Dodds informed those in attendance that Planner Richardson will be retiring after 32 years of service with the Islands Trust. Appreciation was given to Planner Richardson for his efforts over the years. His last meeting on Mayne Island will be at the March Local Trust Committee meeting.

MA-2020-024

It was Moved and Seconded,

that the Mayne Island Local Trust Committee urge the Trust to consider contracting with Gary Richardson, post retirement, if contract opportunities arise.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for March 30, 2020 at the Agricultural Hall, Mayne Island

15. TOWN HALL

The question was raised as to Local Trust Committee efforts regarding climate change, which has been included on Projects List since 2009.

There was discussion as to density, tiny homes, use of Development Permit Areas, water districts/management and mapping of water as factors that affect island's carbon footprint. As a planning organization (not a service provider) there have been a number of "low visibility" projects through the Local Trust Committee e.g. Shoreline Protection Zoning. A significant factor is fallow deer and the destruction of seedlings/new growth.

16. CLOSED MEETING

16.1 Motion to Close the Meeting

MA-2020-025

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1)(d)(f)(i) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated October 28, 2019
- Legal Advice

AND that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

The Regular Meeting of the LTC was recalled to order at 3:40 p.m.

16.3 Rise and Report

None

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:41 p.m.

Dan Rogers, Chair

Certified Correct:

Pat Todd, Recorder

Resolutions Without Meetings Log

Mayne Island

Resolution Number	Action	Date
2020-005	In Favour	24-Apr-2020
That the Mayne Island Local Trust Committee provide the following statement to the Mayne Island Improvement District for public use, namely "In November of 2019 the Mayne Island Local Trust Committee requested that the Mayne Island Improvement District attempt to establish a garbage service for Mayne Island, as per its mandate, when it was publicly announced that the existing service was ceasing to operate as of January 1, 2020. The Mayne Island Local Trust Committee commends the Mayne Island Improvement District on its efforts in that regard and supports the establishment of a service by the Mayne Island Improvement District that utilizes property on the island that is zoned for waste transfer".		
2020-004	In Favour	01-Apr-2020
That the Mayne Island Local Trust Committee business meeting minutes of February 24, 2020, be adopted as presented.		
2020-003	In Favour	30-Mar-2020
That the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2020.1 (Freigang).		
2020-002	In Favour	25-Mar-2020
THAT Mayne Island Local Trust Committee direct staff to prepare an amendment to the Meeting Procedure Bylaw No. 126 that would permit electronic meetings and that once drafted to schedule a special meeting solely to consider readings of the bylaw when feasible.		
2020-001	In Favour	17-Mar-2020
THAT the Mayne Island Local Trust Committee, March 30, 2020, regular scheduled business meeting be cancelled.		

Follow Up Action Report

Mayne Island

27-Jan-2020

Activity	Responsibility	Dates	Status
1 Model Radio Antenna Strategy - forward to APC for review and comment.	Gary Richardson	Target: 14-Feb-2020	Completed
2 Arrange meeting with CRD building inspection and Southern LTCs - DEFERRED	Robert Kojima		In Progress
3 Housing Review Project - finalize discussion paper with build-out maps/data and refer to APC for comment - also include Jan 27 project staff memo in referral	Brad Smith	Target: 28-Feb-2020	Completed

24-Feb-2020

Activity	Responsibility	Dates	Status
1 Minutes of January 27, 2020 adopted as amended.	Maple Hung	Target: 06-Mar-2020	Completed
2 Meeting to be arranged with the Ministry of Transportation and Infrastructure. - DEFERRED	Narrisa Chadwick	Target: 30-May-2020	In Progress
3 MA-DVP-2020.2 (Nadeau) - permit issued as drafted.	Jas Chonk	Target: 02-Mar-2020	Completed
4 Land Use Bylaw Technical Review - staff to prepare further report as a result of LTC direction.	Gary Richardson	Target: 30-Mar-2020	Completed

Follow Up Action Report

Mayne Island

24-Feb-2020

Activity	Responsibility	Dates	Status
5 Staff to review LUB to determine if there are any barriers for an oil spill response facility in Miners Bay.	Gary Richardson Narrisa Chadwick	Target: 30-Mar-2020	In Progress
6 First Nations Standing Resolution - endorsed as amended.	Gary Richardson Maple Hung	Target: 03-Mar-2020	Completed
7 Advise Director Marlor that the LTC is not interested in filming or streaming its public meetings at this time.			Completed

March 10, 2020

File: 6130-40
St. John Point

Chair Dan Rogers
Mayne Island Local Trust Committee
via email: MayneIslandLocalTrustCommittee@islandstrust.bc.ca

Dear Chair Rogers:

RE: MAYNE ISLAND – ST. JOHN POINT REGIONAL PARK

Thank you for your February 26, 2020 letter to Director Howe regarding St. John Point Regional Park. I have been asked to respond to the concerns of the Mayne Island Local Trust Committee (LTC).

Capital Regional District (CRD) staff are aware that the current zoning on the St. John Point land is “rural” and that passive recreation parks are permitted within this zone. Given the July 31, 2019 letter from the LTC, the CRD ensured that the management goals, management statements and permitted uses in the management plan for St. John Point Regional Park were consistent with passive recreation, as well as in line with protecting the significant ecological values in the park (e.g., focusing on low-impact, day use activities such as walking and viewing scenery).

Given that Horton Bay Road does not have space for roadside parking, it was considered paramount to develop parking facilities onsite for the public coming to the regional park so as not to increase safety hazards along the roadway. Further, given the need to limit impact to both the Agricultural Land Reserve (ALR) (2 ha) and the ecological sensitive values in the park, the management plan consolidates the main visitor facilities (e.g., parking, toilet, information kiosk) in the area where the former owner’s residence and outbuildings existed, as it has already been disturbed.

Through the park management planning process, CRD staff were in touch with staff of Islands Trust, (Robert Kojima and Gary Richardson), the Agricultural Land Commission (Gordon Bednard and Amiee McGowen), and the Ecological Gifts Program at Environment and Climate Change Canada (David Cunningham and Blair Hammond) to ensure key aspects of each level of government’s jurisdiction and interests were considered and addressed. Specific wording was added to the management plan based on input received, including a notation that Agricultural Land Commission approval of non-farm facilities in the ALR is required before development and an action to request that the LTC change the zoning from “rural” to “park” when it undertakes a comprehensive or administrative zoning update (requested through a letter sent January 29, 2020).

I trust the above information will allay any concerns the LTC may have that CRD staff were unaware of the ALR designation and will confirm the CRD's intent to work with key government agencies as implementation of the management plan moves forward.

Sincerely,



Larisa Hutcheson, P.Eng.
General Manager
Parks & Environmental Services

cc: Maple Hung, Planning Team Assistant, Islands Trust maple.hung@islandstrust.bc.ca
Mayne Planner, Islands Trust mayneplanner@islandstrust.bc.ca
Gordon Bednard, Regional Planner, Agricultural Land Commission Gordon.bednard@gov.bc.ca
Aimee McGowan, Land Use Planner, Agriculture Land Commission Aimee.mcgowen@gov.bc.ca
Director Dave Howe, Southern Gulf Islands Directorsqi@crd.bc.ca
Robert Lapham, Chief Administrative Officer, CRD rlapham@crd.bc.ca
Carolyn Stewart, Planner, PRMD, Regional Parks, CRD cstewart@crd.bc.ca



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July 31, 2019

File Number: 3026-01 MA LTC Correspondence

Electoral Area Director Howe
Via email: directorsgi@crd.bc.ca

Dear Director Howe,

RE: Mayne Island – St. John Point

I'm writing on behalf of the Mayne Island Local Trust Committee (LTC) regarding the current zoning that applies to St. John Point Park. As you likely know, the LTC supported the acquisition of St. John Point due to its high ecological significance, its regional significance, and its waterfront location. The property is mainly undeveloped and contains sensitive ecosystems, including: Mature Forest, Herbaceous and Woodland Ecosystems

The LTC would like to ensure you are aware that while the park is presently zoned Rural and Agriculture, the Mayne Island Land Use Bylaw (LUB) allows "passive recreation parks" in all zones. As a result, the LUB restricts the use of St. John Point Park to a passive recreation park. Passive recreation parks are to be retained in a natural state other than for walking and hiking trails and signage.

I have been asked to convey to you the view of the Local Trust Committee that St. John Point should be maintained as a protected area in its present natural state to ensure future generations can have an opportunity to experience this stellar example of Southern Gulf Island environment.

Sincerely,



Dan Rogers, Chair
Mayne Island Local Trust Committee

CC: Mayne Island Local Trust Committee
CC: Carolyn Stewart, CRD Park/Trail Planner

DATE OF MEETING: March 30, 2020
TO: Mayne Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
COPY:
SUBJECT: Development Variance Permit
Applicant: Neville and Marcelle Els
Location: 560 Dinner Bay Road

RECOMMENDATION

1. That the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2019.6 (Els).

REPORT SUMMARY

The purpose of this report is to consider a Development Variance Permit (DVP) for the interior side lot line of the subject property to allow for the siting of dwelling.

The above recommendation is supported as: the siting issue arose from a siting error; the variance for the siting of the dwelling is minor and should not affect the neighbours; notification to date has generated no concerns/objections; and, the variance does not impact the intent of the bylaw regulation.

BACKGROUND

The proposal is to vary the interior side lot line setback regulation in the Mayne Island Land Use Bylaw 146, 2008 (LUB). Specifically:

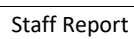
- a) Article 5.1(8)(b) is varied to permit: 1) a dwelling to be sited within 2.5 metres of an interior side lot line.

The application will allow for the construction of a new dwelling.

A copy of the notice and draft permit (MA-DVP-2019.6) are Attachments 2 and 3.

Staff have not visited the site.

Islands Trust



Islands Trust



Islands Trust



Policy/Regulatory

Islands Trust Policy Statement:

There are no relevant policies for this application.

Official Community Plan:

The property is designated as **SR – Settlement Residential** in the Mayne Island Official Community Plan No. 144, 2007 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.

Land Use Bylaw:

The property is in the **Settlement Residential (SR) Zone** in the LUB.

Islands Trust Conservancy:

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

Issues and Opportunities

Rationale for the Variance

The applicant's rationale for the variance:

- Siting/survey error.

Impact on Neighbouring Properties

This dwelling is proposed to be 2.5 metres from the interior side lot line to the North. The variance request is minor and should have little impact on surrounding properties.

The Overall Intent of the Regulation being Varied

The overall purpose of the setback regulation is to minimize impacts on adjacent properties related to:

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

Potential Impacts of Granting the Variance

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

Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m. on March 19, 2020.

At the time of writing, staff have received no submissions containing concerns regarding the proposed variance and one submission in support. Any submissions received prior to the LTC considering this variance will be forwarded to the LTC.

Rationale for Recommendation

The recommendation on Page 1 is supported as:

- The proposed variance request is modest.
- The applicant's rationale is sound.
- Notification to date has not generated any negative responses.
- The variance does not impact the intent of the bylaw regulation.

ALTERNATIVES

- **Request further information**

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

Recommended wording for the resolution is as follows:

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

- **Deny the application**

The LTC may deny the application.

Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee deny application MA-DVP-2019.6 (EIs).

Submitted By:	Gary Richardson, Island Planner	March 20, 2020
	Robert Kojima, Regional Planning Manager	March 20, 2020

ATTACHMENTS

1. Site Context
2. Notice
3. Draft Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 195, Section 6, Mayne Island, Cowichan District, Plan 23981
PID	002-021-253
Civic Address	560 Dinner Bay Road

LAND USE

Current Land Use	Settlement residential
Surrounding Land Use	Settlement residential and Rural

HISTORICAL ACTIVITY

File No. (None)	Purpose
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POLICY/REGULATORY

Official Community Plan Designations	The property is designated as SR – Settlement Residential in the Mayne Island Official Community Plan No. 144, 2007 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.
Land Use Bylaw	The property is in the Settlement Residential (SR) Zone in the Mayne Island Land Use Bylaw No. 146, 2008. The existing residential use complies with use and density provisions for the zone on the property. There is one existing accessory building sited over a lot line.
Covenants	Covenant A89528 (1972)
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Fund
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	N/A
Sensitive Ecosystems	None shown on LPS Sensitive Ecosystem Mapping
Hazard Areas	None shown
Archaeological Sites	There are no archaeological sites listed in the Remote Access to Archaeological Data (RAAD) within the property or within 100 metres; however, nor is any archaeological potential shown on the subject 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 elevation indicates that the impacts from anticipated or possible climate change induced hazards are not immediate.
Shoreline Classification	N/A



Islands Trust

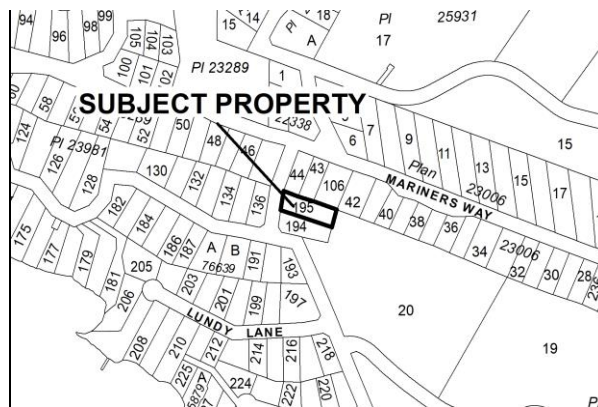
**NOTICE
MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2019.6**

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:

1. Article 5.1(8)(b) which states that the minimum setback for any building or structure is 3.0 metres from any interior side lot line is varied to permit a proposed dwelling to be sited as close as 2.5 metres of an interior side lot line.

The property is located at 560 Dinner Bay Road and is legally described as Lot 195, Section 6, Mayne Island, Cowichan District, Plan 23981. PID: 000-021-253

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 **March 9, 2020** and up to and including **March 19, 2020**.

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 **March 9, 2020**.

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, before **4:30 p.m., March 19, 2020**. 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 p.m., March 30, 2020**, at the Mayne Island Agricultural Hall, 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.

Jas Chonk
Deputy Secretary



Islands Trust

PROPOSED

**MAYNE ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
MA-DVP-2019.6**

To: Neville and Marcelle Els
Natasha Lesueur

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

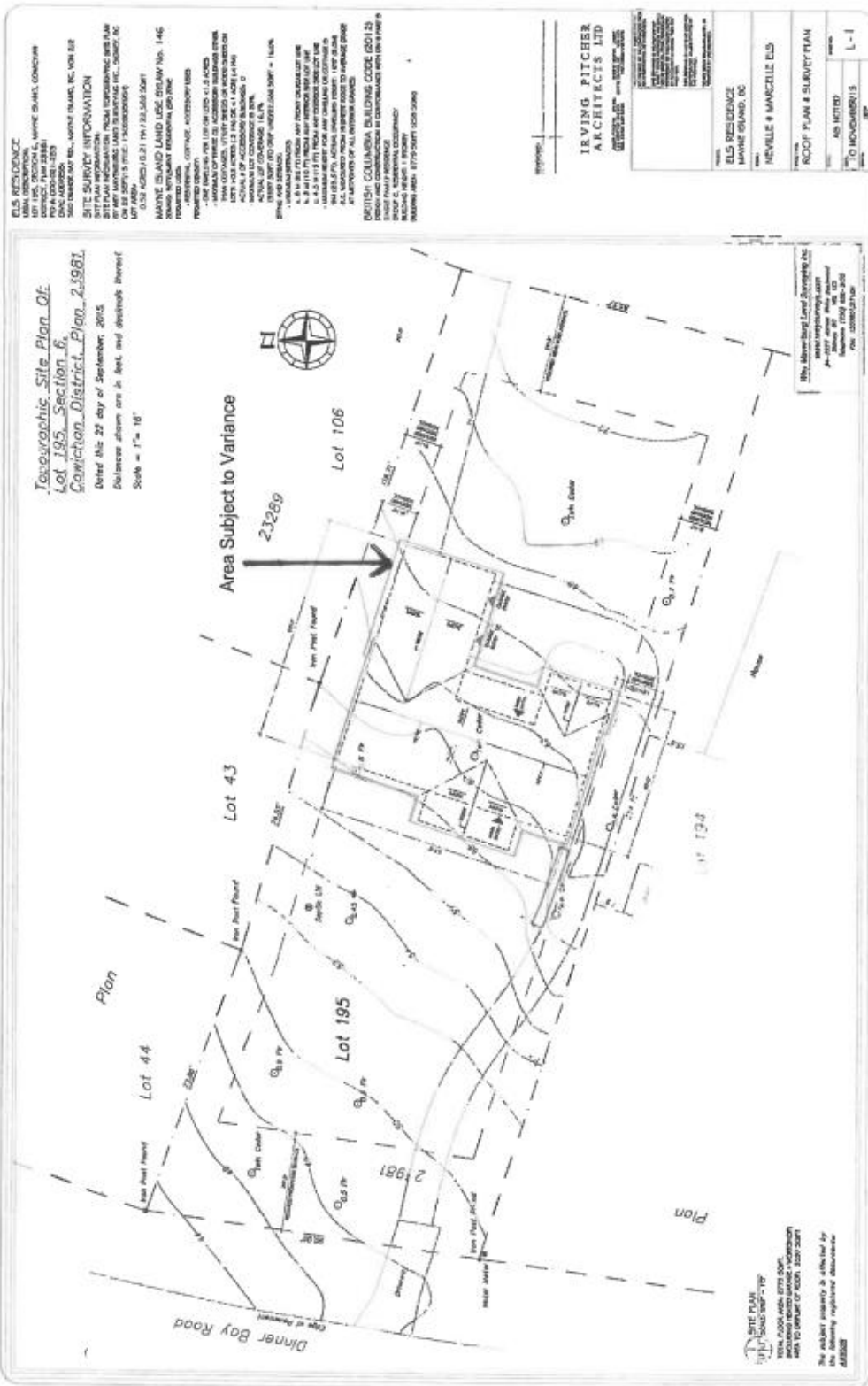
Lot 195, Section 6, Mayne Island, Cowichan District, Plan 23981
(PID: 002-021-253)
2. Mayne Island Land Use Bylaw 146, 2008 is varied as follows:
 - a) Article 5.1(8)(b) is varied to permit a dwelling to be sited within 2.5 metres of an interior side lot line.
 - b) The development shall be consistent with Schedules "A" and "B" which are attached to and form a 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 XX DAY OF XX, 2020.

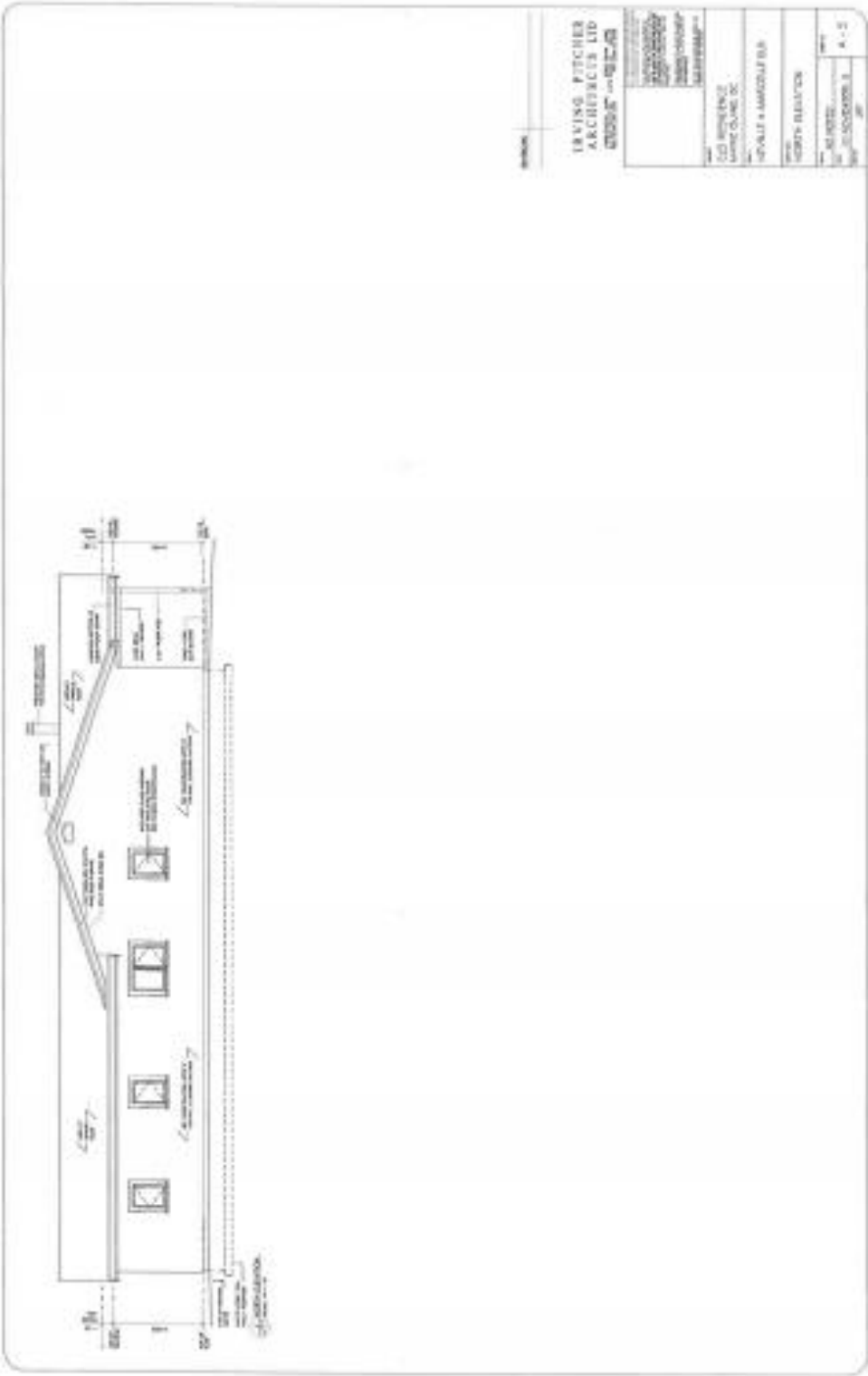
Deputy Secretary, Islands Trust

Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XX DAY OF XX, THIS PERMIT
AUTOMATICALLY LAPSES.**



MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2019.6
SCHEDULE 'B'



File No.: MA-DVP-2020.3 (Buzza)

x-ref MA-DVP-2019.1

DATE OF MEETING: March 30, 2020
TO: Mayne Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
COPY:
SUBJECT: Development Variance Permit
Applicant: Carol and David Buzza
Location: 228 Spinnaker Drive

RECOMMENDATION

1. **That the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2020.3 (Buzza).**

REPORT SUMMARY

The purpose of this report is to consider a Development Variance Permit (DVP) for the front lot line and height for the siting of an existing garage on the subject property.

The above recommendation is supported as: the new building is modest; the applicant's rationale is sound as there is no other reasonable location to site the garage; the siting allows a large tree to remain; the siting of the garage does not affect the views of the neighbour to the east (230 Spinnaker); the variances would minimize development impacts as the site is cleared and close to the road; notification to date has generated no concerns/objections; and, the variances do not impact the intent of the bylaw regulation.

BACKGROUND

A previous variance for an accessory building on this lot was granted in 2019. A survey was conducted Dec. 5 2019 that showed the siting of the building did not comply with the siting permitted in the variance permit. Also it was determined that the building was going to be over height.

This variance application is based on the Dec 5 survey. The application also requests a height of 5.5 metres be permitted. The building is constructed (see photo attach 3).

The proposal is to vary the front lot line and height regulations in the Mayne Island Land Use Bylaw 146, 2008 (LUB). Specifically:

- a) Article 5.1(8)(a); and Subsection 5.1(10) are varied to permit: 1) an existing accessory building (garage) to be sited within 7.37 metres of a front lot line; and 2) an existing accessory building (garage) to have a maximum height of 5.5 metres.

A copy of the notice and draft permit (MA-DVP-2020.3) are Attachments 4 and 5.

The property currently has a principal dwelling and shed on it. Staff visited the site on January 16, 2020 (Photo – Attachment 3).

Figure 1 – Subject Property

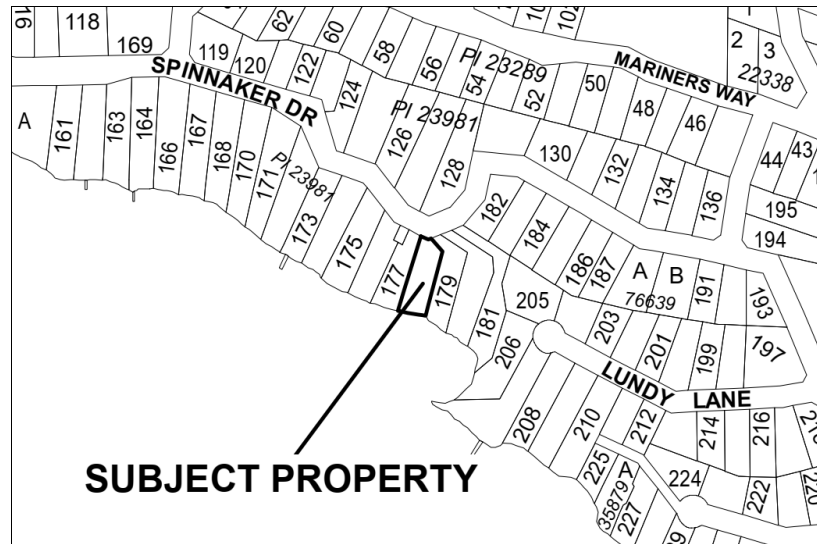
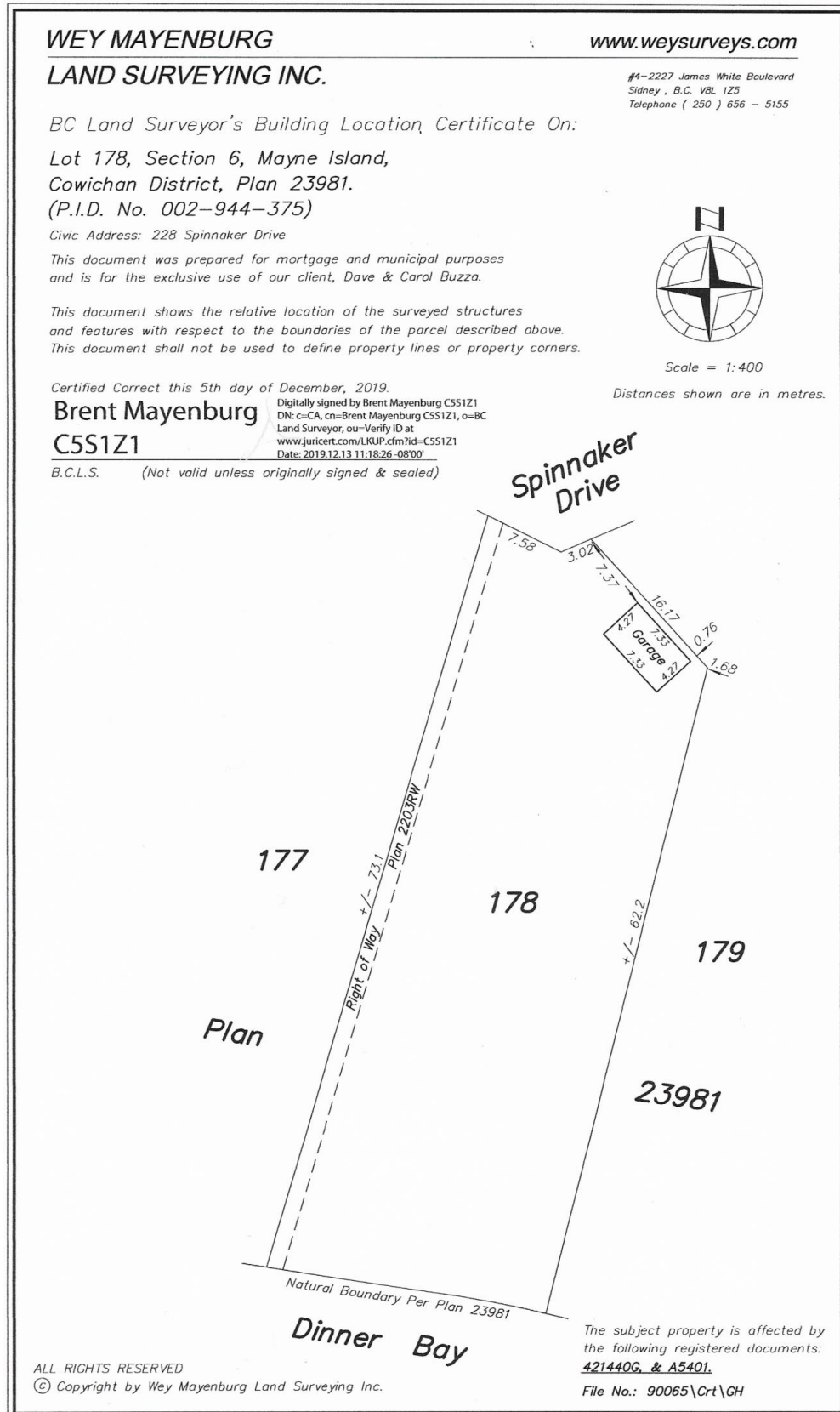


Figure 2 – Orthophoto



Figure 3 – Site Plan



Policy/Regulatory

Islands Trust Policy Statement:

There are no relevant policies for this application.

Official Community Plan:

The property is designated as **SR – Settlement Residential** in the Mayne Island Official Community Plan No. 144, 2007 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.

Land Use Bylaw:

The property is in the **Settlement Residential (SR) Zone** in the LUB.

The existing residential use complies with use and density provisions for the zone on the property.

Islands Trust Fund:

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

Issues and Opportunities

Rationale for the Variance

The applicant's rationale for the variance:

- The lot slopes steeply from Spinnaker Drive all the way down to the waterfront. The top of the lot is 40 metres above sea level (see map attachment 5)
- The only level buildable area is in the top corner of the lot where the proposed garage is to be sited.
- The area is squeezed in by septic tank/driveway/steep drops, property lines and Spinnaker Drive.
- This amended siting is a result of a large fir tree between the subject lot and 230 Spinnaker. An arborist recommend that the accessory building be moved further away from the tree.
- Increased building code requirements required the construction of the building to have a finished height higher than the bylaw permits.

Impact on Neighbouring Properties

The garage is sited closer to the road than in the previous variance application in 2019 which moves it further away from adjacent property which should reduce its impact on that neighbor. Maintaining the large tree will also maintain screening between the subject lot and 230 Spinnaker. The increased height of the building is minimal and should have no impact on surrounding properties.

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

The Overall Intent of the Regulation being Varied

The overall purpose of the setback regulation is to minimize impacts on adjacent properties related to:

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

Potential Impacts of Granting the Variance

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

Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period ended at 4:30 p.m. on March 19, 2020.

At the time of writing, staff have received no written comments. Any comments received prior to the LTC considering issuance of the variance permit will be forwarded to the LTC.

Rationale for Recommendation

The recommendation on Page 1 is supported as:

- The building is modest.
- Height increase is minimal.
- Revised siting maintains a tree for screening and moves building further from 230 Spinnaker.
- Due to topography, siting of septic tank, driveway, and property lines this is the only appropriate location for a garage.
- The applicant's rationale is sound.
- Notification to date has not generated any responses.
- The variance does not impact the intent of the bylaw regulation.

ALTERNATIVES

- **Request further information**

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

Recommended wording for the resolution is as follows:

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

- **Deny the application**

The LTC may deny the application.

Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee deny application MA-DVP-2020.3 (Buzza).

Submitted By:	Gary Richardson, Island Planner	March 20, 2020
	Robert Kojima, Regional Planning Manager	March 20, 2020

ATTACHMENTS

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

ATTACHMENT 1 – SITE CONTEXT

LOCATION

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

LAND USE

Current Land Use	Settlement residential
Surrounding Land Use	Settlement residential

HISTORICAL ACTIVITY

File No. (None)	Purpose
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POLICY/REGULATORY

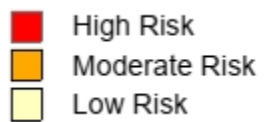
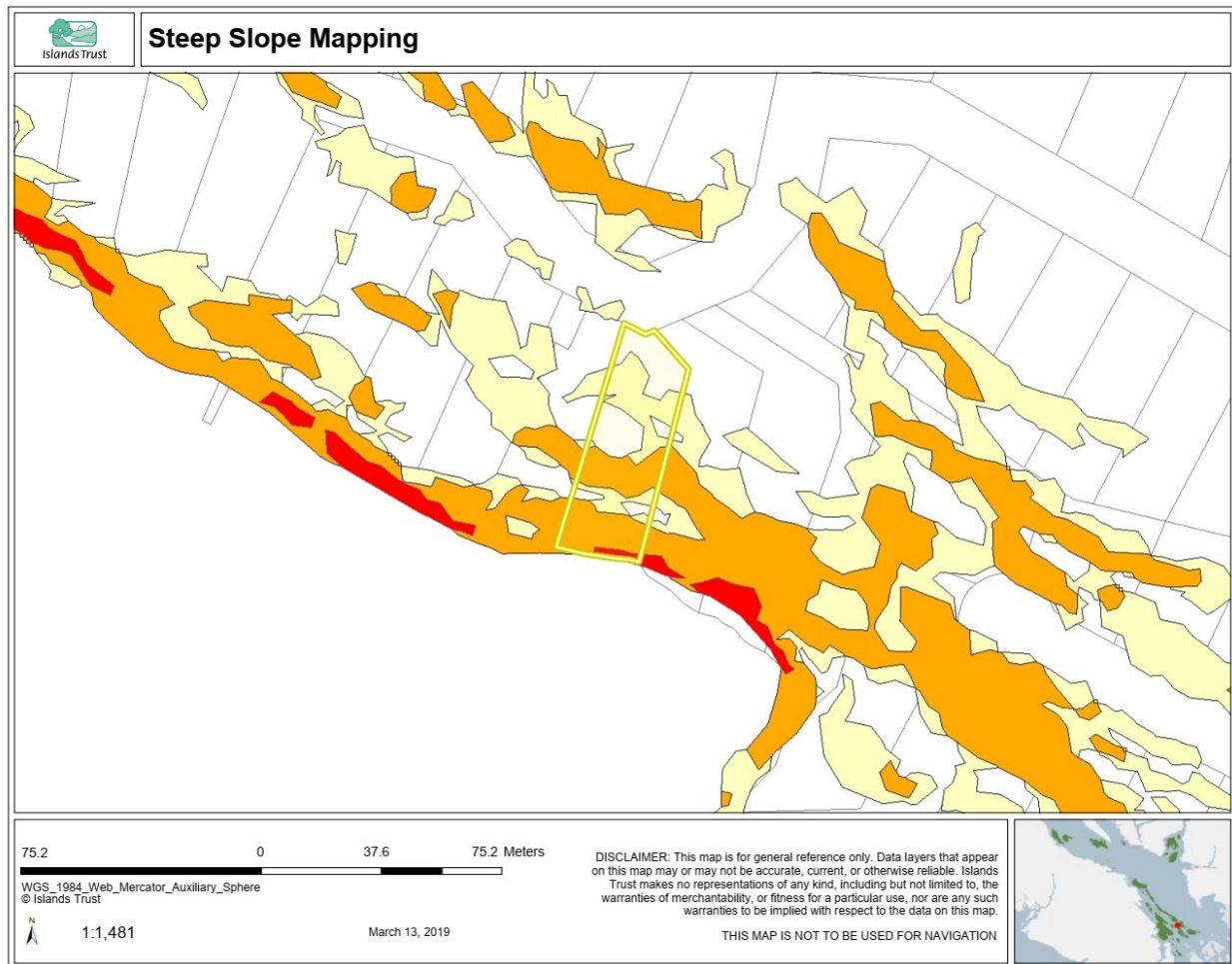
Official Community Plan Designations	The property is designated as SR – Settlement Residential in the Mayne Island Official Community Plan No. 144, 2007 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.
Land Use Bylaw	The property is in the Settlement Residential (SR) Zone in the Mayne Island Land Use Bylaw No. 146, 2008. The existing residential use complies with use and density provisions for the zone on the property. There is one existing accessory building sited over a lot line.
Other Regulations	Right of Way 421440G – Drainage
Covenants	Covenant A5401 is a Building Scheme – expired March 15, 1986
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Fund
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	N/A
Sensitive Ecosystems	Herbaceous shown on area close to waterfront. Nothing identified on area of proposed garage.
Hazard Areas	There are only small pockets of low risk on the property near the proposed garage. There are moderate and high risk areas closer to the waterfront. See attachment 2
Archaeological Sites	There are no archaeological sites listed in the Remote Access to Archaeological Data (RAAD) within the property or within 100 metres; however, the area is shown as having archaeological potential. Not

	withstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The elevation indicates that the impacts from anticipated or possible climate change induced hazards are not immediate.
Shoreline Classification	Boulder/Cobble

Attachment 2



Attachment 3 – Photo of garage as constructed



Taken January 16, 2020



Islands Trust

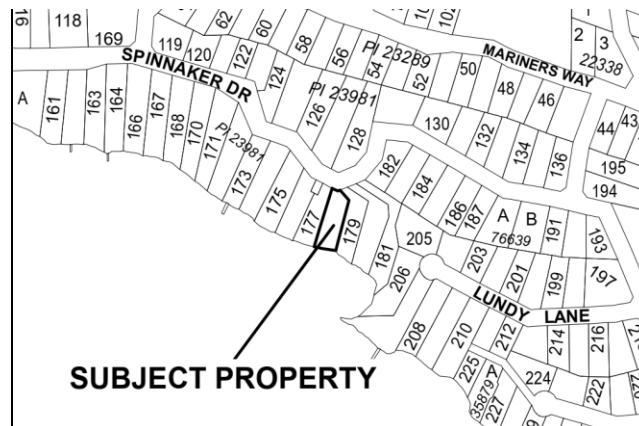
**NOTICE
MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2020.3**

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:

1. Article 5.1(8)(a) which states that the minimum setback for any building or structure is 8.0 metres from any front lot line, and Subsection 5.1(10) which states that the maximum height for any accessory building or structure is 5.0 metres, are varied to permit: 1) an existing accessory building (garage) to be sited within 7.37 metres of a front lot line; and 2) an existing accessory building (garage) to have a maximum height of 5.5 metres.

The property is located at 228 Spinnaker Drive and is legally described as Lot 178, Section 6, Mayne Island, Cowichan District, Plan 23981. PID: 002-944-375

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 **March 9, 2020** and up to and including **March 19, 2020**.

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 **March 9, 2020**.

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, before **4:30 p.m., March 19, 2020**. 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 p.m., March 30, 2020**, at the Mayne Island Agricultural Hall, 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.

Jas Chonk
Deputy Secretary



PROPOSED

**MAYNE ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
MA-DVP-2020.3**

To: David and Carol Buzza

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

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

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

- a) Article 5.1(8)(a) and Subsection 5.1(10) are varied to permit: 1) an existing accessory building (garage) to be sited within 7.37 metres of a front lot line; and 2) an existing accessory building (garage) to have a maximum height of 5.5 metres.
- b) The development shall be consistent with Schedule 'A' and 'B' which are attached to and form part of this permit.

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

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

Deputy Secretary, Islands Trust

Date of Issuance

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

MAYNE ISLAND LOCAL TRUST COMMITTEE

MA-DVP-2020.3

SCHEDULE 'A'

WEY MAYENBURG

www.weysurveys.com

LAND SURVEYING INC.

#4-2227 James White Boulevard
Sidney, B.C. V8L 1Z5
Telephone (250) 656-5155

BC Land Surveyor's Building Location Certificate On:

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

(P.I.D. No. 002-944-375)

Civic Address: 228 Spinnaker Drive

This document was prepared for mortgage and municipal purposes
and is for the exclusive use of our client, Dave & Carol Buzza.

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.



Scale = 1:400

Certified Correct this 5th day of December, 2019.

Brent Mayenburg
C5S1Z1

Digitally signed by Brent Mayenburg C5S1Z1
DN: c=CA, cn=Brent Mayenburg C5S1Z1, o=BC
Land Surveyor, ou=Verify ID at
www.juricert.com/LKUP.cfm?id=C5S1Z1
Date: 2019.12.13 11:18:26 -08'00'

Distances shown are in metres.

B.C.L.S. (Not valid unless originally signed & sealed)

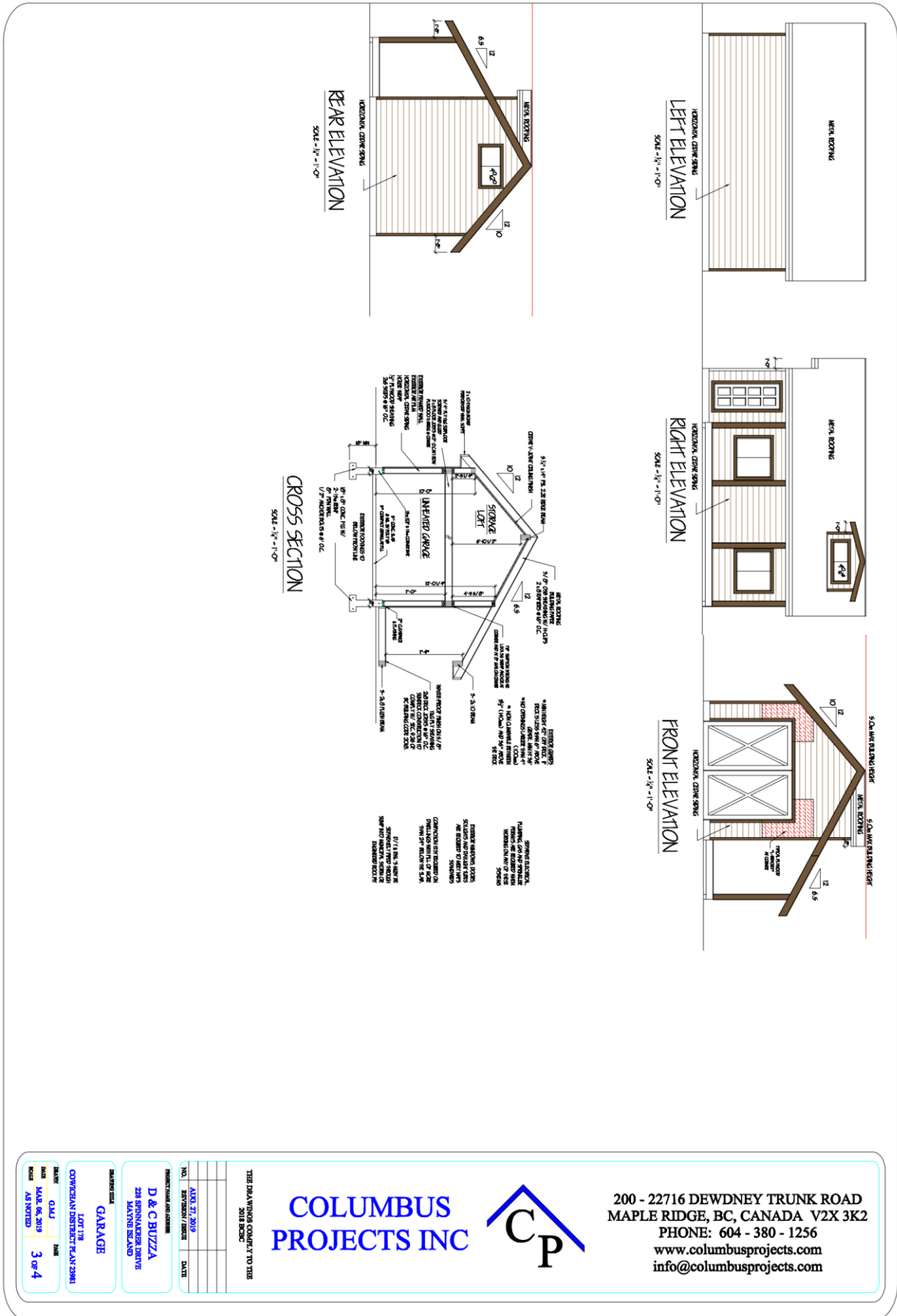


ALL RIGHTS RESERVED
© Copyright by Wey Mayenburg Land Surveying Inc.

The subject property is affected by
the following registered documents:
421440G, & A5401.

File No.: 90065\Crt\GH

MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2020.3
SCHEDULE 'B'



COLUMBUS
PROJECTS INC



200 - 22716 DEWDNEY TRUNK ROAD
MAPLE RIDGE, BC, CANADA V2X 3K2
PHONE: 604 - 380 - 1256
www.columbusprojects.com
info@columbusprojects.com

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DATE OF MEETING: May 25, 2020

TO: Mayne Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner
Southern Team

CC: Robert Kojima, Regional Planning Manager

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

Applicant: Capital Regional District (CRD)

Location: 207 Cotton Road, Mayne Island

RECOMMENDATION

1. That a public hearing be scheduled for Mayne Island Local Trust Committee Draft Bylaw 177 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2019” and Mayne Island Local Trust Committee Draft Bylaw 178 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019”.

REPORT SUMMARY

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

BACKGROUND

An application to rezone the residential property was submitted by the CRD May 2018. The application proposed to amend the OCP designation and zoning on the property, which had previously been used as a residential property, to a community park designation/zone. The property was transferred to the CRD in 2015 from the previous owners (Cotton). There is a covenant on the property that restricts the use to park.

Previous staff reports are posted on the webpage: [Current Application Documents - Islands Trust](#)

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

MA-2018-054

It was Moved and Seconded,

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

MA-2018-055

It was Moved and Seconded,

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

After reviewing the initial staff report and draft bylaws at the January 28, 2019 LTC meeting, the LTC amended the bylaws to allow for “no further buildings”.

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

At its March 25, 2019 LTC meeting the LTC passed the following resolutions:

MA-2019-017

It was Moved and Seconded,

that Mayne Island Local Trust Committee amend draft Bylaw 178 to reduce structures to a total of 200 square feet.

MA-2019-018

It was Moved and Seconded,

that Mayne Island Local Trust Committee Draft Bylaw 177 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2019” be read a first time.

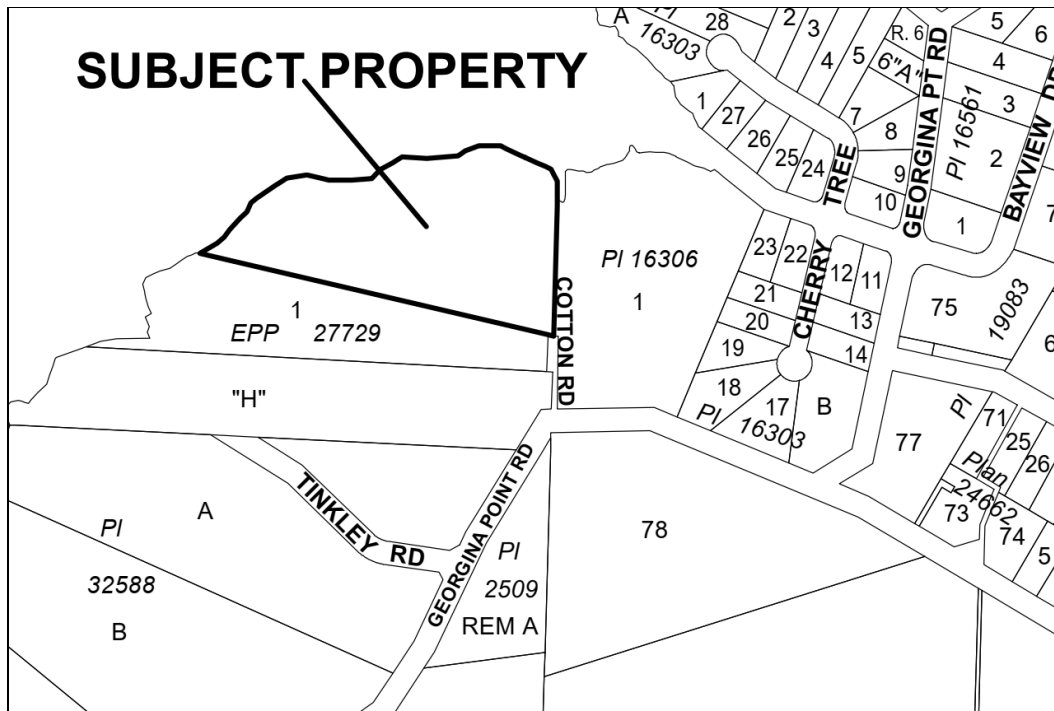
MA-2019-019

It was Moved and Seconded,

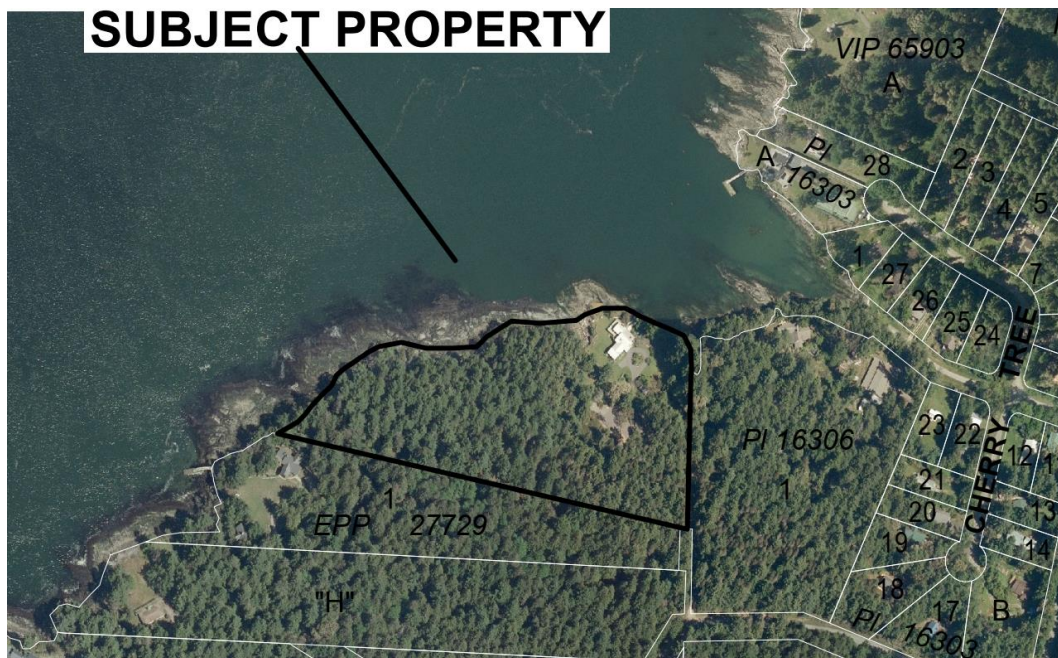
that Mayne Island Local Trust Committee Draft Bylaw 178 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2019, be read a first time.

At the March 25, 2019 LTC meeting staff was also requested to forward the draft bylaws to First Nations for review and comment prior to referral to other agencies. Staff sent letters to the relevant First Nations inviting comment or asking if further consultation was needed. However, at this point no comments have been received from First Nations.

PLAN 1 – SUBJECT PROPERTY



PLAN 2 – ORTHOPHOTO OF SUBJECT PROPERTY



ISSUES AND OPPORTUNITIES

1. The bylaws have received first reading. Staff is recommending that the bylaws now be forwarded to all appropriate agencies for review and comment. This would include First Nations again, despite no responses from the previous consultation effort.
2. It's also recommended that the LTC direct staff to arrange a public hearing for the bylaws, to be scheduled following the referral process.
3. Staff are supporting proceeding to public hearing, subject to completion of the referral process - the park is small in size and provides access to active pass and would have minimal development such as toilet facilities, signage and trails.
4. The Mayne Island Parks and Recreation Master Plan lists one of the 6 types of parkland appropriate for Mayne Island as a "Nature Appreciation Park" in which development is limited and is intended to provide access for hiking and observance of the natural environment.
5. If the LTC determines it wants to further amend the bylaws, it is recommended that amendments be made prior to referrals being prepared.
6. The LTC may want to send the bylaws to the APC for review and comment.

Rational for Recommendation

Recommendation:

That a public hearing be scheduled for Mayne Island Local Trust Committee Draft Bylaw 177 cited as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2019" and Mayne Island Local Trust Committee Draft Bylaw 178 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019".

Rationale:

- The lot is parkland held by the CRD.
- There has been no response from First Nations following preliminary consultation.
- The bylaws have been amended by the LTC to reduce building size and have received first reading.
- The lot is currently designated as Rural in the OCP and zoned Rural in the LUB. These bylaws will place the lot in the appropriate park designation/zoning.
- The park is well suited to a nature appreciation park with limited development.
- The LTC now has the ability to hold an electronic public hearing

CONSULTATION

In accordance with statutory requirements, a public hearing is required. It is common practice to hold a Community Information Meeting (CIM) prior to the public hearing. In this circumstance, staff is recommending scheduling a

CIM in conjunction with the public hearing. This will be scheduled once the proposed bylaw referrals are complete and the Local Trust Committee gives direction to hold a public hearing.

The public hearing notice will be posted in the newspaper, mailed and hand delivered to surrounding property owners, and posted on notice boards as per statutory requirements in advance of the public hearing.

Given the need to adhere to COVID-19 protocol the LTC has both the legal and technical ability to conduct a public hearing electronically should the public hearing be scheduled while social distancing requirements are in place. The LTC may choose to wait to set the public hearing date for a time when the public health authority allows social gatherings of numbers reflective of the potential size of a public hearing on Mayne Island.

The agencies and First Nations listed below have been identified for referral of bylaws; the LTC may also direct staff to include other agencies not listed. Additionally, the LTC may choose to refer the proposal to the advisory planning commission.

Galiano Island LTC	Penelakut Tribe
Saturna Island LTC	Semiahmoo First Nation
North Pender Island LTC	Tsartlip First Nation
Ministry of Transportation and Infrastructure	Tsawout First Nation
Cowichan Tribes	Tsawwassen First Nation
Halalt First Nation	Tseycum First Nation
Lake Cowichan First Nation	CRD
Lyackson First Nation	Mayne Island Parks Commission
Pauquachin First Nation	

ALTERNATIVES

1. Amend the proposed bylaws.

The LTC may amend the bylaws.

2. Deny the application

The LTC may deny the application.

NEXT STEPS

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

Submitted By:	Narissa Chadwick, Island Planner	May 12, 2020
Reviewed By:	Robert Kojima, Regional Planning Manager	May 13, 2020

ATTACHMENTS

1. Proposed Bylaw 177
2. Proposed Bylaw 178

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 177

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

The Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2019”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	25 TH	DAY OF	MARCH	2019
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING				
THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

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

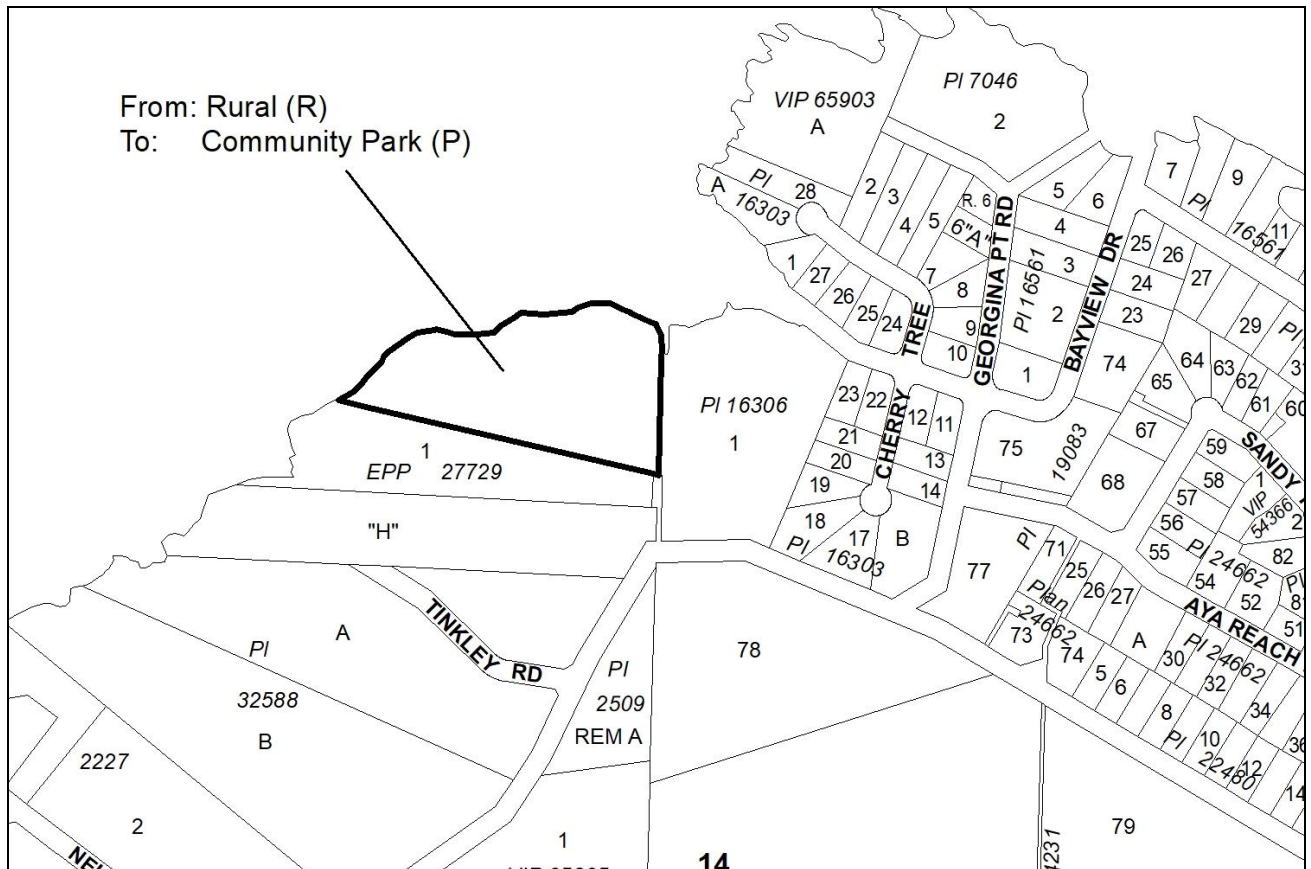
SCHEDULE 1

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

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

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

Plan No.1



PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 178

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

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2019”.

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

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

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
P(b)	South West $\frac{1}{4}$ of the North east $\frac{1}{4}$ of Section 14, Mayne Island, Cowichan District, except Parcel G (DD89729I)	In addition to the siting and size restrictions in 5.17(3) the maximum combined floor area of all buildings and structures shall not exceed 18.5 m ² (200 ft ²).

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	25 TH	DAY OF	MARCH	2019
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary



BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area Bylaw No.: 520 Date: April 16, 2020

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held at a later date.

APPLICANTS NAME / ADDRESS:

Lightdance Design Inc. / 2199 North End Road, Salt Spring Island, BC

PURPOSE OF BYLAW:

To permit a private medical clinic and six (6) associated commercial guest accommodation units

GENERAL LOCATION:

377 Seymour Heights, Salt Spring Island, BC

LEGAL DESCRIPTION:

Lot 1, Section 79, South Salt Spring Island, Cowichan District, Plan 42461

SIZE OF PROPERTY AFFECTED:

28.6772 hectares (70.863 acres)

ALR STATUS:

Non-ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Upland

OTHER INFORMATION:

The proposed clinic is a naturopathic cancer treatment clinic; guest accommodation units are only permitted as a secondary use to the clinic, and would not be permitted to operate without the establishment of a clinic. For the staff report and more information on application SS-RZ-2018.3, please go to: <http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/>

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

(Signature)

Name: Georgie Gordon

Title: Planner 2

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout 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)

Regional Agencies

CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Transportation Commission
Vancouver Island Health Authority

Non-Agency Referrals

BC Ambulance Service
RCMP
SSI Fire-Rescue

Provincial Agencies

BC Assessment Authority
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural Development – Front Counter BC
Front Counter BC

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

**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)

520
(Bylaw Number)

(Title)

(Agency)

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 520

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2019.”

2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as “Salt Spring Island Land Use Bylaw, 1999,” is amended as follows:

2.1 By inserting the following as Article 9.10.4(29), after Article 9.10.4(28):

“Zone Variation – RU1(f):

(29) The following additional *uses* are permitted within the same building as a single-family dwelling:

- (a) Medical Clinic not exceeding 150sq.m of *floor area*;
- (b) *Commercial Guest Accommodation Units*, only where a Medical Clinic use is established. The maximum number of *commercial guest accommodation units* is six (6).”

2.2 By changing the zoning classification of Lot 1, Section 79, South Salt Spring Island, Cowichan District, Plan 42461 from Rural Uplands 1 (RU1) to Rural Uplands 1 (RU1(f)), as shown on Plan No. 1, attached to and forming part of this bylaw, and by making such alterations to Schedule “A” to Bylaw No. 355 as are required to effect this change.

2.3 This bylaw is further amended by making such consequential numbering alterations to effect all changes.

PROPOSED

READ A FIRST TIME THIS 18TH DAY OF FEBRUARY 2020

READ A SECOND TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

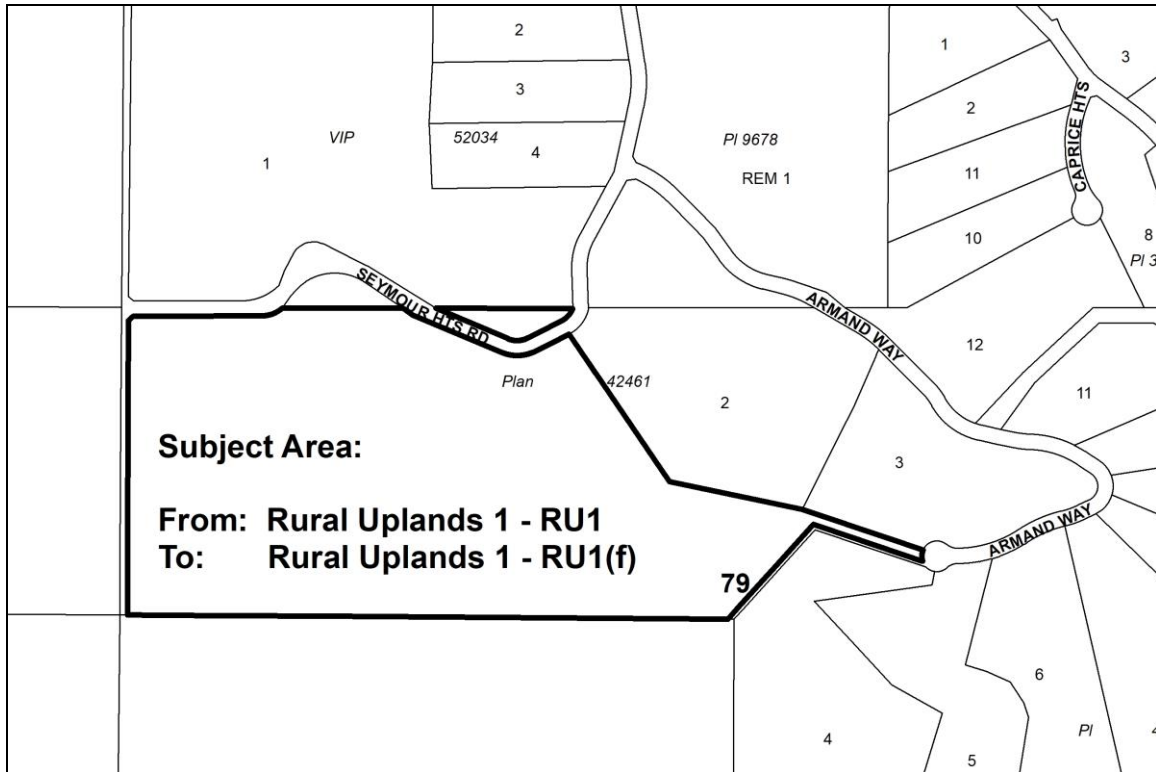
Chair

Secretary

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 520

Plan No. 1



File No.: MA-6500-20
(Land Use Bylaw Technical
Review)

DATE OF MEETING: May 25, 2020
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Robert Kojima, RPM
Southern Team
SUBJECT: Mayne Island Land Use Bylaw Technical Review

RECOMMENDATION

1. That the Mayne Island Local Trust Committee request staff to prepare a bylaw to implement the recommended amendments to Mayne Island Land Use Bylaw No.146, 2008.

REPORT SUMMARY

The purpose of this report is to seek direction from the Mayne Island Local Trust Committee (LTC) on proceeding with potential technical amendments to the Mayne Island Land Use Bylaw No.146, 2008 (LUB).

BACKGROUND

At the September 30, 2019 LTC meeting the LTC identified updating the LUB as a priority. The LUB update was to include: reviewing certain definitions; amending erroneous cross-references; correcting typographical errors; and addressing unclear wording and outdated references.

A previous review of the LUB was carried out in 2012 and implemented by bylaw 162, which was adopted November 30, 2015.

The LTC reviewed a list of potential amendments at the February meeting and gave direction on a number of changes. The following “LUB Proposed Amendment Chart” contains a list of potential amendments, including:

1. Those the LTC has previously considered and given direction. However, there are two items that staff would like the LTC to re-visit to provide further direction:
 - a. Excluding human habitation in the definition of accessory – the exclusion is already in the general regulations for buildings accessory to a dwelling, and cottages and dwellings for owners, operators or employees in commercial zones are accessory dwellings.
 - b. “wharfage” and “moorage” are both already defined in the LUB, with “moorage” having been reviewed and amended by Bylaw 162.

2. Additional changes the LTC raised at the last meeting – with staff comments
3. Finally, several further minor amendments staff have identified since the previous meeting for the LTC to consider.

LUB Proposed Amendment Chart

	LAND USE BYLAW DEFINITION/SECTIONS	COMMENTS	STAFF RECOMMENDATION	DIRECTION GIVEN AT FEBRUARY 24/20 LTC MEETING
	DEFINITIONS			
1.	"Accessory" in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure, expressly permitted by this bylaw on the same lot or, where the accessory use is located on the common property in bare land strata plan, on a strata lot in the same strata plan.	This definition is in other SGI LUBs, recommended in the LUB template, and there are no known issues with its use.	No Amendment - prohibition on human habitation is in general regulations and there are exceptions to habitation of accessory buildings (i.e. commercial accessory dwelling).	No amendment recommended.
2.	"Berth" means a space at a marina, wharf or dock for the wharfage of a boat.	Concerns about the word wharfage was raised. The term 'berth' is only used in the LUB to establish parking requirements for marinas. Wharfage is tying up to a structure (i.e. a dock). Moorage includes wharfage as well as tying up to buoys.	Amend - use "moorage".	Amend - use "moorage".

	LAND USE BYLAW DEFINITION/SECTIONS	COMMENTS	STAFF RECOMMENDATION	DIRECTION GIVEN AT FEBRUARY 24/20 LTC MEETING
3.	“Community Wharf” means boat mooring facilities which are operated and administered by a regional district and its bodies, are used for the provision of small craft moorage spaces for area residents, and for which user fees may be charged.	Concerns about the word moorage was raised. It is consistent with recommended wording in LUB template. Moorage includes buoys, wharfage is tying to a fixed structure. Should be consistent.	Further direction needed	
4.	“Concrete” means all products manufactured from Portland Cement, sand and gravel including ready mix”.	There are no know issues with this definition. One option is to not have a definition in the LUB at all and use the common dictionary definition. There is no recommended wording in the LUB template.	Do not amend.	Remove definition of “concrete”.
5.	“Dock” means a marine-based structure, or set of structures, generally consisting of a pier, ramp, float, and supporting structures, which is used for the non-commercial wharfage of vessels in association with the permitted use of the adjacent upland.	Wharfage is tying to a fixed structure, moorage includes use of buoys.	Do not Amend	Amend - use “moorage” – LTC should re-visit
6.	“Float” means a floating non-roofed structure that is used as a landing or wharfage place for	Concerns about the word “wharfage” was raised. The LUB defines both	Do not Amend	Amend - use “moorage” – LTC should re-visit

	LAND USE BYLAW DEFINITION/SECTIONS	COMMENTS	STAFF RECOMMENDATION	DIRECTION GIVEN AT FEBRUARY 24/20 LTC MEETING
	watercraft and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea floor.	"moorage" and "wharfage". Moorage includes use of buoys.		
7.	"Hall" means a public assembly building used for recreational, social, charitable, educational, entertainment, and cultural activities, open to the public, and owned or operated by a non-profit group or Regional District for the benefit of the community generally.	Concerns about the word "Regional District" was raised. This definition is consistent with the LUB template. LTCs can't hold land.	Do not amend.	Amend put "local government" in place of "regional district".
11.	"Marina" means the use of a water area for the temporary storage of boats and includes the installation of floats, wharves, piers, ramps and walkways and the provision of wharfage services to the boating public.	Concerns about the word "moorage" was raised. The LUB template varies; however in this case it uses the word "moorage" not "wharfage".	Amend - use "moorage".	Amend – use "moorage"
13.	"Park, passive recreation" means a park which is retained in its natural state other than for walking and hiking trails and signage.	This definition requires some clarification so that limits of what may be permitted in a "passive recreation park" are very clear. Clear limits need to be put on the type of use that may be permitted, number of parking spaces (if	Amend.	Prepare an amendment for the LTCs consideration.

	LAND USE BYLAWDEFINITION/SECTIONS	COMMENTS	STAFF RECOMMENDATION	DIRECTION GIVEN AT FEBRUARY 24/20 LTC MEETING
		any), roads, size and type of structures, signs and trails.		
19.	"Wharfage" means the tying of a boat or seaplane to a wharf, float or dock that is in turn connected to an upland lot by a ramp or walkway.	Concerns about the word "wharfage". "Moorage" is defined distinctly in the LUB to include tying up to buoys.	Do not amend	Amend – LTC should revisit
20.	Specific LUB Sections	Typo – definition of school – "doe" should be "does".	Amend.	Amend.
	GENERAL REGULATIONS			
21.	3.1 Permitted in All Zones	Does not include facilities for water districts – pump houses, storage tanks etc. Could allow as an outright use in all zones or alternatively locate in new zone.	Amend – allow as outright use in all zones.	Amend – allow as outright use in all zones.
22.	5.9(5) The maximum floor area of accessory retail sales uses is 20m ² (87ft ²).	Metric conversion is incorrect.	Amend.	Amend.
23.	3.7.2 Fences	3.7.2 Allows overheight fences for deer netting, and landscape screening. 3.8((1)(c) allows landscape screens to	Amend.	Amend.

	LAND USE BYLAW DEFINITION/SECTIONS	COMMENTS	STAFF RECOMMENDATION	DIRECTION GIVEN AT FEBRUARY 24/20 LTC MEETING
		include solid wood fence or stone wall. 3.7(2) should be amended to exclude 3.8(1)(c) so that deer fences can not be a solid wood fence or stone wall.		
25.	8.2(d) Exemptions from Average and Minimum Lot Area Requirements (Boundary Adjustments)	Boundary adjustment provisions should be amended to specify that if a boundary adjustment subdivision is carried out that no parcel is increased in area such that it may be further subdivided and/or may not result in additional density.	Amend.	Amend.
26.	Split zoned lots and lot coverage	Where different portions of a lot are in different zones with different lot coverage consider adding a provision to the general regulations addressing lots in more than one zone. Each zone would be calculated as a separate lot for purposes of lot coverage.	Amend.	Amend.

	LAND USE BYLAW DEFINITION/SECTIONS	COMMENTS	STAFF RECOMMENDATION	DIRECTION GIVEN AT FEBRUARY 24/20 LTC MEETING
27.	List of Schedules	Add Schedule D (Secondary Suite Map)	Amend.	Amend.
28.	3.2 Prohibited in All Zones (1) In all zones except the R and A zones, the keeping on a lot having an area of less than 2000m ² (0.5 acres) of cattle, sheep, goats, pigs, donkeys, llamas, ostriches, emus and more than one horse;	This could be amended to exclude the keeping of livestock or farm animals on lots less than 2000 m ² . Livestock and/or farm animals could be defined. One horse could be maintained.	Do not amend – livestock or farm animals may not be specific enough	Review further and provide recommendation.
29.	Local Government Act	Several outdated local government act sections are referenced they should be changed using current references.	Amend.	Amend.

NEW AMENDMENTS

These amendments were added at the February 24th LTC meeting.

	LAND USE BYLAW DEFINITION/SECTIONS	COMMENTS	STAFF RECOMMENDATION	LTC DIRECTION
30.	Mayne Island Resort Dock	Presently a TUP allowing use of dock. Expires in June Dock of limited size should be permitted outright in zoning.	Amend.	
31.	Mount Parke water district	Allow secondary suites on the area identified as Mount Parke water district as the mapping inaccurately includes as a water system.	Amend	
32.	3.2(2) the disposal or storage of hazardous or toxic waste.	There was a concern raised that this would prevent the building centre from storing and selling toxic substances.	Do not amend - The prohibition is specific to 'waste', unlikely that a business would be storing waste for sale and should not be storing hazardous or toxic waste for any length of time.	
OTHER POTENTIAL AMENDMENTS				
33.	5.5(7)(a) / 5.6(7)(a) - In Rural and Upland Zone the Density for cottages is written so that only a lot with exactly 1 ha would be restricted to a 60 m ² cottage (siting and size).	An unintended consequence of wording – was previously on list of amendments LTC direction unclear	Amend	
34	3.6(2) – Prohibited home occupations. Wording in Section 3.6(2) may cause confusion when read together with 3.6(1). Section 3.6(2) states that:	Pointed out by legal counsel, deleting “without limiting the generality of	Amend	

	LAND USE BYLAW DEFINITION/SECTIONS	COMMENTS	STAFF RECOMMENDATION	LTC DIRECTION
	"Without limiting the generality of subsection 3.6(1), the following activities are specifically not permitted as a home occupation: ..." This section suggests that 3.6(1) operates to also prohibit certain home occupations.	subsection 3.6(1)" would address the concern		

ALTERNATIVES

1. Request further information

That the Mayne Island Local Trust Committee request that the planner provide further information on the following LUB sections... prior to giving direction.

NEXT STEPS

Staff will prepare, for LTC review at the June 29, 2020 LTC meeting, a bylaw to implement the LTCs direction.

Submitted By:	Narissa Chadwick, Island Planner	May 12, 2020
Reviewed By:	Robert Kojima, Regional Planning Manager	May 13, 2020

Top Priorities Report

Mayne Island

1. Land Use Bylaw Technical Amendments

Staff report to be prepared for February 24, 2020 LTC agenda.

Responsible

Narrisa Chadwick

Dates

Rec'd: 23-Sep-2019

2. Housing Regulations and Policy Review (tiny home initiative)

Initial staff report prepared for Oct 28, 2019 LTC meeting

Further staff report prepared for January 27, 2020 LTC Meeting

Responsible

Brad Smith

Dates

Rec'd: 26-Nov-2018

3. Groundwater Sustainability Project

Initial staff report and project charter to be prepared.

Update LTC with status of project at February 24, 2020 LTC Meeting.

Responsible

Narrisa Chadwick

William Shulba

Dates

Rec'd: 27-May-2019

Projects Report

Mayne Island

1. *Climate Change Adaptation*

Responsible

Date Received

Consider regulatory changes and implementation of new DPA authority

02-Mar-2009

2. *Waste Management*

Responsible

Date Received

31-Oct-2017

3. *Fallow Deer*

Responsible

Date Received

26-Mar-2018

4. *Cannabis Production - Regulating structures*

Responsible

Date Received

24-Sep-2018

5. *Review of Contractors Yards*

Responsible

Date Received

27-May-2019



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2019.6	Els, Marcelle & Neville	05-Dec-2019	Application for a variance for siting in a setback.

Planner: Narrisa Chadwick

Planning Status

Status Date: 12-May-2020

Staff report with recommended options prepared for May LTC meeting

Status Date: 24-Apr-2020

Requested questions have been asked of applicant and CRD building inspection.

Status Date: 02-Apr-2020

LTC deferred consideration until next LTC meeting and requested further information.

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.3	BUZZA, David & Carol	24-Jan-2020	Application for a variance siting in a setback and for height for garage.

Planner: Narrisa Chadwick

Planning Status

Status Date: 14-May-2020

Staff report with recommendations has been prepared for May LTC meeting

Status Date: 24-Apr-2020

Requested questions have been asked of CRD building inspection.

Status Date: 02-Apr-2020

LTC deferred consideration until next LTC meeting and requested further information.



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.4	Iredale Architecture	24-Jan-2020	deck renovation and expansion

Planner: Narrisa Chadwick

Planning Status

Status Date: 11-May-2020

Staff report in process

Status Date: 31-Mar-2020

Awaiting information from property owner confirming date of original building permit.

Status Date: 06-Feb-2020

Fees received, LTC notified, given to Planner

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.5	Flowers, Alex	01-Apr-2020	174 Spinnaker Drive - Variance for an accessory building in a set back.

Planner: Phil Testemale

Planning Status

Status Date: 13-May-2020

Fees paid, LTC notified, file given to planner.

Status Date: 28-Apr-2020

PTA created file, Applicant is missing second page of application, title & fees. PTA sent a follow-up email once again.\n\n

Status Date: 30-Apr-2019

Applicant sent in a copy of their title. Waiting on fees.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2018.1	Capital Regional District (MIPRC) Planner: Narrisa Chadwick	01-Nov-2018	Application to amend the OCP and LUB to rezone from Rural to Park
Planning Status			
Status Date: 25-Apr-2020 Staff report to be prepared for May LTC meeting giving LTC options on how to proceed.			
Status Date: 20-Jan-2020 First Nations have been contacted. Staff to follow-up and obtain First Nations comments.			
Status Date: 18-Oct-2019 Staff to design initiate First Nations review of proposal.			

Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.1	Brent Mayenburg (Maude) Planner: Narrisa Chadwick	09-Apr-2018	Referral of a subdivision for 3 lots
Planning Status			
Status Date: 22-Apr-2020 Extension of the PLA has been requested			
Status Date: 18-Sep-2019 Waiting for applicant to work through PLA conditions.			
Status Date: 16-May-2019 PLA received from MoTI April 25, 2019.			



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.3	Wey Mayenburg Land Surveying Inc (Peace)	16-Oct-2018	Referral of a subdivision to create 2 lots
Planner: Narrisa Chadwick			
Planning Status			
Status Date: 12-May-2020			
Issues with respect to hydro geologist report require updated report before approval can be considered			
Status Date: 08-May-2020			
Applicant requested an extension to the PLA			
Status Date: 20-Jan-2020			
10% road frontage waiver request on Jan 27, 2020 LTC agenda.			

Islands Trust
LTC EXP SUMMARY REPORT F2020
Invoices posted to Month ending February 2020

645 Mayne	Invoices posted to Month ending February 2020	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-645	LTC "Trustee Expenses"	665.00	0.00	665.00
LTC Local				
65200-645	LTC - Local Exp - LTC Meeting Expenses	1,446.00	1,532.91	-86.91
65210-645	LTC - Local Exp - APC Meeting Expenses	411.00	52.10	358.90
65220-645	LTC - Local Exp - Communications	250.00	809.00	-559.00
65230-645	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>2,401.00</u>	<u>2,394.01</u>	<u>6.99</u>
Projects				
73001-645-4100	Mayne Island Housing	4,000.00	0.00	4,000.00
TOTAL Project Expenses		<u>4,000.00</u>	<u>0.00</u>	<u>4,000.00</u>

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2020-022 (Standing)	In Favour	24-Feb-2020
that the Mayne Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.		



Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2018-049 (Standing)	In Favour	24-Sep-2018
- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms - o The location of the proposed establishment and the subject site - o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - o How public comments may be submitted to the local trust committee		



Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2017-028 (Standing)	In Favour	26-Jun-2017
That the Mayne Island Local Trust Committee adopts the following resolution in regards to Bylaw Enforcement of Unlawful Short Term Vacation Rentals (USTVR): a) Given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Unlawful Short Term Vacation Rentals that have one or more of the following characteristics will be subject to proactive enforcement: i) they are advertised on the internet, newspapers or other media; ii) they are not managed by an owner of the USTVR property who lives on Mayne Island; iii) more than one dwelling on the lot is simultaneously made available for USTVR; iv) while the property is used as a USTVR, persons are permitted to stay in tents or trailers; v) there are issues related to health and safety on the property; vi) there is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the USTVR; vii) the owner of the property uses more than one property on Mayne Island as a USTVR. b) Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.		
2017-027 (Standing)	In Favour	26-Jun-2017
That the Mayne Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists: 1.1. There is a complaint from an immediate neighbor; or, 1.2. There is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. 2. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.		
2016-055 (Standing)	In Favour	27-Jun-2016
that the Mayne Island Local Trust Committee direct staff to create a policy to advertise all statutory public notices in the Mayne Liner.		

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2012-000 (Standing)	In Favour	01-Feb-2012
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.		
2011-044 (Standing)	In Favour	02-May-2011
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.		



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality February 2020

Islands Trust Conservancy Board News

Please join us in welcoming Trustee Donald Clarke who has been appointed to the Conservancy Board for a two-year term. Trustee Clarke brings a wealth of professional knowledge and experience from his 25 years working in over 50 First Nations communities in political advising, negotiations administration, education, capacity building, strategic planning, Treaty rights, and in strengthening of local, social, economic and cultural development.

Islands Trust Conservancy Elections

Islands Trust Conservancy Board elected by acclamation the following:

Board Chair: Kate-Louise Stamford

Vice Chair: Sue Ellen Fast

ITC Representative to the Financial Planning Committee: Kate-Louise Stamford

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work the Islands Trust Conservancy (ITC). The ITC continues to work towards four long-term goals and 25 objectives that further conservation in the entire Trust Area. For more information, visit www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

Salish Sea Ecosystem Conference: Chair Stamford, Trustee Fenton and Trustee Hannon, as well as some staff, will be attending the Salish Sea Ecosystem Conference in Vancouver.

Mapping and Studies: The ITC is assisting Local Planning Services with mapping contiguous forests in the Islands Trust Area. The mapping will cover the whole of the region. The ITC has also contracted research to assist with property management issues arising from climate change.

Goal 2 – Strong relationships with First Nations

Islands Trust Conservancy Board directed staff to bring the Board recommendations regarding revision of the Vision Statement to be inclusive of Indigenous Peoples.

Goal 3 – Protection of core conservation areas

Property Management

Salish View Nature Reserve Management Plan: Islands Trust Conservancy Board approved the first Salish View Nature Reserve Management Plan dated January 17, 2020.

Land Acquisition and Covenants

The ITC continues to work on seven conservation covenants and two land acquisitions. Notable updates are found below in “activities by local trust area /island municipality.”

Goal 4 – A strong voice for nature conservation

Outreach: The ITC has reached out to landowners who have contacted us in the past about land conservation via twenty-eight letters, sent to nine local trust areas. The ITC is working with Trust Area Services and Local Planning Services to conduct outreach regarding mature and old forests and their importance and expects to send outreach letters to focus landowners in March 2020.

Fund Development Plan: The ITC Board approved a fund development plan for work that is not routinely funded by Trust Council.

Activities by Local Trust Area/Island Municipality

Denman – The ITC completed three community engagement processes for nature reserves on Denman. The ITC Board consented to change the location of the proposed wildlife viewing platform at the Settlement Lands Covenant, Denman Island, from the area proposed in the Covenant Agreement to the pollinator demonstration garden.

Gambier – The ITC is reviewing a transfer agreement with the Convention of Baptist Churches for the transfer of Sandy Beach on Keats. There are several charges on the land title that need to be resolved before the transfer.

Lasqueti – The ITC approved the first Salish View Nature Reserve Management Plan dated January 17, 2020. The Management Plan will be posted on the website at <http://www.islandstrustconservancy.ca/protected-places/places-protected-in-the-islands/all/lasqueti-island/salish-view-nature-reserve/>

Thetis – The ITC, in collaboration with the Thetis Island Nature Conservancy, completed trail building on Fairyslipper Forest Nature Reserve. The ITC is now working to provide a safe public access to the nature reserve.

Salt Spring – The ITC approved an Opportunity Fund Grant of \$3,500 to be awarded to the Salt Spring Island Conservancy. The ITC is continuing to negotiate a covenant for 200 Collins Road.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

DATE OF MEETING: May 25, 2020 File No: 3034-20 LTC Open Meetings –
General & X-ref 3900-03

TO: Mayne Island Local Trust Committee

FROM: Jas Chonk, Legislative Clerk

SUBJECT: **Bylaw No. 179 – Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004, Amendment No. 1, 2020**

RECOMMENDATION

1. That Mayne Island Local Trust Committee Bylaw No. 179, cited as “Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004, Amendment No. 1, 2020”, be read a first time.
2. That Mayne Island Local Trust Committee Bylaw No. 179, cited as “Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004, Amendment No. 1, 2020”, be read a second time.
3. That Mayne Island Local Trust Committee Bylaw No. 179, cited as “Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004, Amendment No. 1, 2020”, be read a third time.
4. That Mayne Island Local Trust Committee Bylaw No. 179, cited as “Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004, Amendment No. 1, 2020”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

The Mayne Island Local Trust Committee (LTC) is asked to consider giving readings to Bylaw No. 179, cited as “Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004, Amendment No. 1, 2020”, and subsequently to forward the bylaw to the Executive Committee for approval, prior to consideration of adoption.

BACKGROUND

By Resolution Without Meeting on March 25, 2020, the LTC directed staff to prepare a draft electronic meeting bylaw based upon the Lasqueti model for the review and discussion of the LTC.

Draft Bylaw No. 179 is included as Attachment 1, and for comparison, current Meeting Procedure Bylaw No. 126 is included as Attachment 2. In accordance with the Islands Trust Electronic Meetings Regulation, provisions in the proposed amendment bylaw include:

1. The ability of all LTC members to participate electronically at a special meeting (s. 17);
2. The ability of not more than one member of the LTC to participate electronically at a regular meeting; *note that this member could be the Chair* (s. 19);
3. An individual member of the LTC cannot participate by electronic means in two consecutive regular LTC meetings (s. 20);

4. The restrictions regarding 1) the number of LTC members that may participate electronically at a regular meeting, and 2) participation in two consecutive regular meetings, may be waived by unanimous resolution of the LTC (s. 21);
5. Where any LTC member is participating in an open meeting through electronic communication facilities, the facilities must enable all meeting participants and the public to hear, or watch and hear, all meeting participants and must provide notice when participants join or leave the meeting (s. 25 and 26);
6. During an electronic meeting that is open to the public, a designated staff member must physically attend at the meeting location specified in the notice of meeting (s. 26); for clarification “a designated staff member” could be the contract minute taker; and
7. Notice of a special electronic meeting must include notice of the way in which the meeting is to be conducted and the place where the public may attend to hear, or watch and hear the proceedings.

The draft bylaw also clarifies who can chair a meeting, including an electronic meeting. There is currently no mention in the procedure bylaw about the alternate chair. Advice was received that section 10 of Bylaw 126 (and all LTC procedure bylaws) should cover all possibilities and amendment was recommended to clarify who can chair and what happens when both the chair and alternate chair are absent.

ANALYSIS

Policy/Regulatory

1. ISLANDS TRUST ELECTRONIC MEETINGS REGULATION

The Regulation confirms that:

- a) a "trust body" includes a local trust committee;
- b) a special meeting of a local trust committee may be conducted entirely by means of electronic or other communication facilities, or
a member of a local trust committee who is unable to attend at a meeting may participate in the meeting by means of electronic or other communication facilities;
- c) members of a local trust committee who are participating in a meeting conducted in accordance with the Regulation are deemed to be present at the meeting; and
- d) amendment of the LTC procedure bylaw is required to authorize electronic meetings or electronic participation in meetings.

2. LOCAL GOVERNMENT ACT

Sections 225 (1) and (2) establish general requirements for what must be included in procedure bylaws and states that at least 5 days' notice in advance of a meeting must be given to trustees where a procedure bylaw amendment is being introduced.

3. COMMUNITY CHARTER

Section 127(2) sets out how notice of special meeting must be given and applies to notice of special *electronic* meetings as well. Sections 6 and 7 of Bylaw No. 126 provide details on how such notice must be given and a sample notice of electronic meeting is included as Attachment 3.

Issues and Opportunities

Adoption of a meeting procedure bylaw amendment provides the Mayne Island Local Trustees the opportunity to participate in committee meetings electronically and clarifies who can chair an LTC meeting in the event that the Chair is not present.

Statutory Requirements

LTC administrative bylaws are required to be approved by the Executive Committee prior to adoption. No public hearing is required.

Rationale for Recommendation

Staff is of the opinion that Bylaw No. 179 will provide the LTC with flexibility to conduct business electronically when deemed necessary. The staff recommendation is outlined on page 1 of the report.

NEXT STEPS

Assuming concurrence with the recommended resolutions, Bylaw No. 179 would be forwarded to the Executive Committee for consideration. Once approved by the Executive Committee, staff would recommend that Bylaw No. 179 be adopted at the following LTC Meeting.

Submitted By:	Jas Chonk, Legislative Clerk	April 1, 2020
Concurred By:	Robert Kojima, Regional Planning Manager	April 3, 2020

ATTACHMENTS:

1. Draft Bylaw No. 179
2. Current Meeting Procedure Bylaw No. 126
3. Sample Notice of Special Electronic Meeting

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 179**

**A Bylaw to Amend the Mayne Island Local Trust Committee
Meeting Procedure Bylaw**

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

1. Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004, is amended as follows:

1.1 By deleting section 10 in its entirety and replacing it with the following:

"10. In the event that neither the Chairperson nor the alternate member of the Local Trust Committee appointed by the Chair of the Trust Council is present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services, or his or her designate, shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson."

1.2 By adding the following new sections after section 16, and by renumbering section 17 and section 18 to become section 30 and section 31 respectively:

"ELECTRONIC MEETINGS

17. A special meeting of the Local Trust Committee to deal with urgent new business may be conducted entirely by means of audio or audio and visual electronic communication facilities if a majority of the members of the Local Trust Committee have agreed by resolution that the meeting may be conducted in this way and provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.

18. An individual Local Trust Committee member who is not at the physical location of a special Local Trust Committee meeting or a regular Local Trust Committee meeting may choose to participate by means of audio or audio and visual electronic communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.

19. At a regular Local Trust Committee meeting, not more than one Local Trust Committee member may participate by means of electronic communication facilities.

20. An individual member of the Local Trust Committee may not participate by means of electronic communication facilities in two consecutive regular meetings of the Local Trust Committee nor more than three regular meetings in any calendar year.

21. The Local Trust Committee may waive the restrictions in sections 19 and 20 by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.

22. Local Trust Committee members who use electronic communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
23. A member of the Local Trust Committee may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
24. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
25. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at the place specified in the meeting notice, unless the meeting has been properly closed to the public.
26. For the duration of an electronic meeting that is open to the public, a designated staff member must attend at the place specified in the meeting notice for the public to hear, or watch and hear, the participants.
27. Cell phone or satellite connections may be used for open Local Trust Committee meetings.
28. If communication is lost to one or more electronic participants during a meeting:
 - 28.1 the participant affected will attempt to reestablish the link and, in the interim, will be deemed to have left the meeting and this will be recorded in the minutes;
 - 28.2 if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and
 - 28.3 if, after 15 minutes, a link cannot be reestablished and there is not a quorum of Local Trust Committee members, the meeting will be deemed adjourned and the item under discussion at the time of loss of communication will be added to the next agenda.
29. Any costs of electronic participation in a Local Trust Committee meeting will be borne by the Mayne Island Local Trust Committee."

2. This bylaw may be cited as “Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004, Amendment No. 1, 2020”.

READ A FIRST TIME THIS DAY OF , 20

READ A SECOND TIME THIS DAY OF , 20

READ A THIRD TIME THIS DAY OF , 20

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF , 20

ADOPTED THIS DAY OF , 20

CHAIRPERSON

SECRETARY

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 126, 2004**

A bylaw to establish procedures for meetings of the Local Trust Committee

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

SHORT TITLE

1. This bylaw may be cited as "Mayne Island Local Trust Committee Meeting Procedure Bylaw No. 126, 2004".

MEETINGS AND NOTICE OF MEETINGS

2. The first regular meeting of the Local Trust Committee shall be held on a date to be determined by the Chair of the Local Trust Committee following a general local election, unless a special meeting is first held in accordance with Section 6 of this bylaw, in which case the requirements of Section 3 of this bylaw shall apply for the purposes of establishing a schedule.
3. At the first regular meeting and at the last regular meeting of the first and second year following a general election, or by Resolution Without Meeting, the Local Trust Committee shall establish a schedule of the date, time and place of regular Local Trust Committee meetings for the following calendar year, of which there shall be at least two, and the schedule shall be posted on a bulletin board on island that is accessible to the public and in the Victoria Office of the Islands Trust.
4. Public notice of the availability of the regular meeting schedule at the place specified in Section 3 shall be given at least once a year by publication in a newspaper circulating in the local trust area.
5. Each local trustee shall provide to the Secretary of the Islands Trust a telephone number and mailing address for the purpose of receiving notices of Local Trust Committee meetings, and notice shall be deemed to have been sufficiently given to the local trustee if the notice is delivered to the trustee's mailing address or given to the trustee in person.
6. Any two members of the Local Trust Committee may call a special meeting by giving notice of the day, time, place and purpose of the meeting to the third member of the Committee by telephone or written notice delivered to the trustee at least 48 hours before the time of the meeting, and by posting the notice at the place specified in Section 3, except that notice to Local Trust Committee members may be waived by unanimous vote.
7. If the Chairperson is not one of the members calling the special meeting, the members calling the special meeting shall, prior to doing so, advise the Chairperson of the calling of the meeting and consider the Chairperson's representations, if any, regarding the calling of the meeting.
8. Regular and special meetings of the Local Trust Committee shall be open to the public, except where the Committee has stated by resolution in open meeting that the meeting or portion of the meeting is to be closed to the public, and has stated the statutory basis on which it is to be closed.
9. A quorum of the Local Trust Committee is two members.
10. In the event that the Chairperson is not present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services or his or her

designate shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson.

MINUTES

11. The Director of Local Planning Services or his or her designate shall legibly record the minutes of the meetings of the Local Trust Committee, and shall record any resolutions without meeting. After the minutes of a meeting have been adopted, the Director or his or her designate shall certify the minutes as correct and the Chairperson or other trustee who presided at the meeting shall sign the minutes.
12. The minutes shall record every resolution of the Committee including every resolution closing a meeting to the public, the reading and adoption of every bylaw, and every declaration made in relation to a conflict of interest.

MEETING PROCEDURE, RESOLUTIONS AND BYLAWS

13. Any question of meeting procedure that is not provided for in this Bylaw, the *Islands Trust Act*, the *Local Government Act*, the *Community Charter*, or regulations under either of those statutes, shall be resolved in accordance with the most current edition of *Robert's Rules of Order*.
14. Resolutions may be in writing, may be moved by any member of the Local Trust Committee, and need only be seconded if requested by the Chair.
15. Bylaws shall be in writing, may be read by title only, provided that each member of the Local Trust Committee is in possession of a complete copy of the proposed bylaw at the meeting, and may be adopted on a motion to that effect at a regular or special meeting. Bylaws may be read a first time, and may be adopted, by resolution without meeting.
16. The Chairperson of the Local Trust Committee or other trustee who presided at the meeting at which it was adopted, and the Secretary of the Islands Trust shall sign every bylaw adopted by the Local Trust Committee, and the Secretary shall keep a certified copy of the bylaw at the principal office of the Islands Trust.

EXECUTION OF DOCUMENTS

17. The Chairperson, or any other member of the Local Trust Committee, as designated by resolution may execute any document on behalf of the Local Trust Committee once the Local Trust Committee has authorized the execution of the document.

18. "Mayne Local Trust Committee Meeting Procedures Bylaw No. 99, 1997" is repealed.

READ A FIRST TIME THIS	27TH	DAY OF	MARCH	, 2004.
READ A SECOND TIME THIS	27TH	DAY OF	MARCH	, 2004.
READ A THIRD TIME THIS	27TH	DAY OF	MARCH	, 2004.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	19TH	DAY OF	APRIL	, 2004
ADOPTED THIS	23RD	DAY OF	APRIL	, 2004.

CHAIRPERSON

SECRETARY

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S A M P L E

Mayne Island Local Trust Committee Notice of Special Electronic Meeting [Insert Title of Agenda Item]

Notice is hereby given that the Mayne Island Local Trust Committee will hold a special electronic meeting to consider [insert title of agenda item].

Members of the Mayne Island Local Trust Committee will participate in the meeting by means of a teleconference call which will occur on [insert day, date and time of meeting].

Members of the public who wish to listen to the electronic committee meeting may do so by attending the [insert address of physical meeting location] at the time noted above.

For further information on the meeting, please contact _____ at [insert phone no.].

Signed by the Chair or Deputy Secretary

REQUEST FOR DECISION

To: Mayne Island Local Trust
Committee

For the Meeting of: May 25, 2020

From: Clare Frater, Director, TAS

Date Prepared: May 13, 2020

SUBJECT: 2019-20 ANNUAL REPORT – APPROVAL OF MAYNE ISLAND LOCAL TRUST COMMITTEE
SECTION

RECOMMENDATION:

That Mayne Island Local Trust Committee approve the attached text as presented for inclusion in the 2019-2020 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs & Housing.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: N/A

1 PURPOSE:

Approval of annual report sections by committees so that Trust Council is able to easily approve its annual report in June 2020 without further editing from staff or trustees at the Trust Council meeting.

2 BACKGROUND:

Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services communications staff, reporting to Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.i](#).

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None. Timely approval of committee text will ensure smooth delivery of the Islands Trust annual report, in compliance with the *Islands Trust Act*, Section 19.

FINANCIAL: No implications for existing policy

POLICY: No implications for existing policy

IMPLEMENTATION/COMMUNICATIONS: The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by Executive Committee and consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs and Housing and circulate it as indicated in Trust Council's policy.

FIRST NATIONS: None.

OTHER: N/A

- 4 **RELEVANT POLICY(S):** This approach complies with Section 19 of the *Islands Trust Act and* Trust Council's [Annual Report Policy 6.10.i](#).
- 5 **ATTACHMENT:** Mayne Island Local Trust Committee input to Annual Report (draft)

RESPONSE OPTIONS

Recommendation: That Mayne Island Local Trust Committee approve the attached text as presented for inclusion in the 2019-2020 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs & Housing.

Alternative: None

Prepared By: Clare Frater, Director, Trust Area Services

Mayne Island Local Trust Committee

The Mayne Island Local Trust Committee (MA LTC) held 6 regular business meetings in the 2019/20 fiscal year.

Work for this period focused on advancing the MA LTC priorities to address commercial land uses and groundwater sustainability.

The MA LTC also initiated a key project to consider amendments to policies and regulations to permit alternative forms of housing.

The Mayne Island Local Trust Committee received and considered applications for five development variance permits, one development permit and one rezoning application. Staff also reviewed twenty-six building permit and crown referrals, and one subdivision referral.

The MA LTC also adopted a standing resolution stating its intent engage in reconciliation by honouring the Truth and Reconciliation Commission Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples as well as its intent to work with First Nations governments on implementing actions that support reconciliation and maintain relationships based on respect and recognition.

April 22, 2020

2020-10-IT

Trust Council Reduces 2020/21 Budget

Lekwungen, METULIYE/Victoria, BC—In response to the impact of the COVID-19 pandemic on islanders and island communities, the Islands Trust Council held its first-ever electronic meeting to re-consider its 2020/21 budget.

"The COVID-19 pandemic has created personal and financial challenges for many islanders," shared Peter Luckham, Chair of the Islands Trust Council, "The world has changed dramatically since we first approved a 2020/21 budget in mid-March. Trustees wanted to help, so we held a special Trust Council meeting to discuss how we could reduce taxes. After debating options, Trust Council voted to approve a reduced budget that means an 8.1% decrease in the tax requisition to Bowen Island Municipality and an average 0% general property tax increase for property owners in local trust areas."

The budget is now \$8.2 million. It was amended by reducing meeting expenses, staff and trustee travel and training, and choosing to not hire a co-op student this year due to our current work at home measures.

Budget reductions have not changed Trust Council's commitment to climate action. During the pandemic, staff have been working from home. Staff continue to process development applications and referrals, manage the Islands Trust Conservancy's protected areas and develop Strategic Plan projects, including:

- Creation of a regional freshwater strategy.
- Review of foreshore policies and bylaws, and development of a model policy.
- Development of climate change, demographic, and environmental indicator data sets.
- Continuation of Coastal Douglas-fir protection work by select local trust committees.
- Development and implementation of a climate change-focused stewardship education program.
- Mapping the extent of eelgrass throughout the Trust Area.
- Continuation of the Policy Statement Amendment Project, which includes consideration of climate change-related policies.

In 2020/21, the Islands Trust budget will be funded by:

- Property tax revenue from local trust areas: \$6,783,140.
- Property tax revenues from Bowen Island Municipality: \$303,021.
- A draw from accumulated surplus funds: \$501,150.
- A Salt Spring Island Local Trust Area special property tax requisition of \$75,500 to fund continued coordination of watershed management in that Local Trust Area.

Details of the approved 2020/21 budget are available on the Islands Trust website.

At the same meeting, due to the current circumstances related to COVID-19, Trust Council voted to cancel its June 2020 in-person meeting on Hornby Island.

"We look forward to meeting on Hornby Island at a later date when things stabilize and we have the ability to plan with confidence," shared Peter Luckham. "During the interim, we are working to have electronic meetings open to the public."

– 30 –

The Islands Trust works to preserve and protect over 450 islands in the Salish Sea through land use planning, the Islands Trust Conservancy, and Trust Council programs and services. The Trust Area, located within Coast Salish territory, is the homeland of over 28,000 Coast Salish Peoples who have called this Area home since time immemorial. Covering 5,200 square kilometres between the British Columbia mainland and southern Vancouver Island, the Trust Area has 26,000 residents and 10,000 non-resident property owners. The region features many Indigenous archaeological and culturally significant sites, and some of the world's most endangered ecosystems.

Contact: Peter Luckham, Chair, Islands Trust Council 250.210.2553
Julia Mobbs, Director, Administrative Services, 250.405.5150