



# Mayne Island Local Trust Committee

## Regular Meeting Agenda

Date: November 25, 2024  
Time: 1:30 pm  
Location: Mayne Island Agricultural Hall  
430 Fernhill Road, Mayne Island, BC

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	<b>Pages</b>
1. CALL TO ORDER	1:30 PM - 1:30 PM
2. TERRITORIAL ACKNOWLEDGEMENT	1:30 PM - 1:35 PM
3. APPROVAL OF AGENDA	1:35 PM - 1:40 PM
4. TOWN HALL AND QUESTIONS	1:40 PM - 1:55 PM
5. COMMUNITY INFORMATION MEETING - None	
6. PUBLIC HEARING - None	
7. MINUTES	1:55 PM - 2:05 PM
7.1 Local Trust Committee Minutes Dated October 7, 2024 (for Adoption)	4 - 9
7.2 Local Trust Committee Minutes Dated October 28, 2024 (for Adoption)	10 - 13
7.3 Section 26 Resolutions-without-meeting Report - None	
7.4 Advisory Planning Commission Minutes - None	
8. BUSINESS ARISING FROM THE MINUTES	
8.1 Follow-up Action List Dated Nov 2024	14 - 15
9. DELEGATIONS	
10. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
11. APPLICATIONS AND REFERRALS	2:05 PM - 3:00 PM
11.1 MA-PLDVP20240220 (Scott) - Staff Report (attached)	16 - 34

11.2	MA-PLDVP20240221 (Redsell) - Staff Report (attached)	35 - 51
11.3	Salt Spring Island Local Trust Committee Proposed Bylaws 538 and 539 Referral - For Response	52 - 54
12.	LOCAL TRUST COMMITTEE PROJECTS	
12.1	Housing Projects - Verbal Update	
13.	REPORTS	3:00 PM - 3:10 PM
13.1	Work Program Reports (attached)	
13.1.1	<u>Active Projects Report Dated Nov 2024</u>	55 - 55
13.1.2	<u>Future Project List Report Dated Nov 2024</u>	56 - 56
13.2	Applications Report - Verbal Report	
13.3	Trustee and Local Expense Report Dated Sept 2024 (attached)	57 - 57
13.4	Adopted Policies and Standing Resolutions (attached)	58 - 62
13.5	Local Trust Committee Webpage	
13.6	Chair's Report	
13.7	Trustee Report	
13.8	Electoral Area Director's Report	
13.9	Islands Trust Conservancy Report - None	
14.	NEW BUSINESS	3:10 PM - 3:40 PM
14.1	Phase 4 Community Engagement Options - Policy Statement Amendment Project (PSAP) - Staff Report (attached)	63 - 67
14.2	Local Trust Committee Compliance and Enforcement Policy - Staff Report (attached)	68 - 79
15.	UPCOMING MEETINGS	3:40 PM - 3:50 PM
15.1	Draft 2025-2026 LTC Meeting Schedule - Request for Decision (attached) (for Adoption)	80 - 82
	THAT Mayne Island Local Trust Committee approve their January, 2025 to March, 2026 Meeting Schedule.	
16.	TOWN HALL	3:50 PM - 4:05 PM
17.	CLOSED MEETING - None	

18. ADJOURNMENT

4:05 PM - 4:05 PM

## Mayne Island Local Trust Committee Minutes of Regular Meeting

**Date:** October 7, 2024  
**Location:** Electronic Meeting

**Members Present:** Tobi Elliott, Chair  
David Maude, Local Trustee  
Jeanine Dodds, Local Trustee

**Staff Present:** Narissa Chadwick, Island Planner  
Phil Testemale, Planner 2  
Warren Dingman, Bylaw Compliance & Enforcement Manager  
David Worthington, Bylaw Compliance & Enforcement Officer  
Lisa Millard, Meeting Administrator/Recorder

**Others Present:** There were fourteen (14) members of the public present.

### 1. CALL TO ORDER

Chair Elliott called the meeting to order at 1:30 p.m. She acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

13.2 Fallow Deer Letter

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

### 3. TOWN HALL AND QUESTIONS

- A member of the public spoke to the continued illegal operation of a short-term vacation rental despite numerous bylaw contravention complaints and ongoing concerns about noise and excessive water use. The speaker noted they have been informed additional enforcement actions are forthcoming and asked what residents can do to help stem short-term vacation rental operations.
  - Bylaw Compliance and Enforcement Manager Dingman replied as follows:
    - Enforcement at the property has been ongoing since 2020
    - Fines have been paid and additional penalties issued
    - The property owner recently signed a compliance agreement to cease operation
    - Community members can continue to submit bylaw complaints about short-term vacation rentals directly to Bylaw Compliance and Enforcement through the website or to the Local Trust Committee

- A member of the public asked if Provincial Bill 44 would levy stricter penalties for illegal operation of short-term vacation rentals
  - Bylaw Enforcement and Compliance Manger Dingman noted that if the Province chose to conduct enforcement on the Gulf Islands the Province could issue fines in excess of local penalties
- A member of the public asked how short-term vacation rentals affect the rental housing shortage
  - Island Planner Chadwick indicated impacts are difficult to measure

**4. COMMUNITY INFORMATION MEETING - None**

**5. PUBLIC HEARING - None**

**6. MINUTES**

**6.1 Local Trust Committee Minutes Dated July 29, 2024 (for Adoption)**

**By general consent** the Mayne Island Local Trust Committee meeting minutes of July 29, 2024 were adopted.

**6.2 Section 26 Resolutions-without-meeting Report Dated Sept 2024**

Received for information.

**6.3 Advisory Planning Commission Minutes - None**

**7. BUSINESS ARISING FROM THE MINUTES**

**7.1 Follow-up Action List Dated Sept 2024**

Received for information.

**8. DELEGATIONS - None**

**9. CORRESPONDENCE**

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

**10. APPLICATIONS AND REFERRALS**

**10.1 MA-DVP-2023.7 (Seymour) - Staff Report**

Island Planner Chadwick summarized the staff report and highlighted the following:

- Development Variance Permit is for construction of two retaining walls and reconstruction of stairs within property line setbacks
- Designs have been approved by Ministry of Transportation and Infrastructure
- Bank stabilization work being done prior to winter rains is a factor for consideration

Applicant was in attendance and spoke to the application.

Discussion ensued and the following comments were noted:

- Slope has become a public safety issue therefore Trustees feel there are limited options but to approve the variance
- Initial work was undertaken without permits
- Trustees asked if there will also be retaining walls built on the opposite side of the road as early signs of destabilisation, due to removal of all vegetation and trees, is evident
  - Geotechnical professional responsible for the stabilization of the slope on the water side of the road indicated the bank on the opposite side of the road was left in its current condition by Ministry of Transportation and Infrastructure several years ago however they will provide an update on concerns raised about the opposite bank with the owner and contractor.

**MA-2024-053**

**It was MOVED and SECONDED**

That Mayne Island Local Trust Committee approve issuance of MA-DVP-2023.7 (Seymour).

**CARRIED**

**10.2 MA-DVP-2024.3 (Bacchus) - Staff Report**

Planner Testemale summarized the staff report and highlighted the following:

- Development Variance Permit is for a boulder seawall built within the setback to the natural boundary of the sea for the purpose of preventing further erosion
- Fill and grass planting has been put in place behind the seawall
- Applicant stated they were unaware of necessity to obtain a permit

Discussion ensued and the following comments were noted:

- Work done by the applicant was to repair seawall built many years ago by a previous property owner
- Letters of support have been received from neighbours
- Repairing the seawall will be ongoing and professional advice should be obtained to determine if the seawall will achieve its intended purpose over the long term

Applicant was in attendance and apologized for not realizing a permit was required to reinforce existing structure, noted the fill and grass were added to remedy damage done by erosion and equipment, and stated a biologist from the Mayne Island Conservancy would be attending the property later in the week to assess suitable options for the entire property.

**MA-2024-054**

**It was MOVED and SECONDED**

That Mayne Island Local Trust Committee approve application MA-DVP-2024.3 (Bacchus)

**CARRIED**

The meeting was recessed for a break at 2:35 p.m. and reconvened at 2:45 p.m.

## 11. LOCAL TRUST COMMITTEE PROJECTS

### 11.1 Housing Project - Verbal Update

Island Planner Chadwick provided a verbal update and highlighted the following:

- Organizing October 28, 2024 community workshop on housing
- Workshop will identify elements that contribute to affordable housing, inform what the Local Trust Committee can accomplish through the Official Community Plan and Land Use Bylaw, and describe what the housing action plan for Mayne Island is
- Potential partners, stakeholders, community members, and other levels of government will be invited to participate

#### **MA-2024-055**

#### **It was MOVED and SECONDED**

That Mayne Island Local Trust Committee cancel it's regularly scheduled business meeting of October 28, 2024 and reschedule it as a community workshop on housing options.

**CARRIED**

## 12. REPORTS

### 12.1 Work Program Reports

#### 12.1.1 Active Projects Report Dated Sept 2024

Received for information.

#### 12.1.2 Future Project List Report Dated Sept 2024

Received for information.

### 12.2 Applications Report - Verbal Update

No update provided.

### 12.3 Trustee and Local Expense Report Dated July 2024

Received for information.

### 12.4 Adopted Policies and Standing Resolutions

Received for information.

### 12.5 Local Trust Committee Webpage

No updates at this time.

### 12.6 Chair's Report

Chair Elliott reported the following:

- Attended Union of BC Municipalities conference and highlighted community to community forum on intergovernmental dialogue and reconciliation, and meeting with Ministry of Municipal Affairs staff regarding Islands Trust governance review
- Attended Trust Council
- Advancing work of reducing barriers to tiny homes

## 12.7 Trustee Reports

Trustee Dodds reported the following:

- Attended Trust Council
- Attended Committee of the Whole meeting to continue draft Policy Statement work
- Met with Capital Regional Manager and Director to discuss fallow deer

Trustee Maude reported the following:

- Attended Union of BC Municipalities conference
- Attended Trust Council
- Noted several community events that took place throughout the summer months

## 12.8 Electoral Area Director's Report - None

## 12.9 Islands Trust Conservancy Report Date July 2024

Received for information.

## 13. NEW BUSINESS

### 13.1 Dark Sky Principles Adoption Advocacy Briefing

Received for information

### 13.2 Fallow Deer Letter

**MA-2024-056**

**It was MOVED and SECONDED**

That Mayne Island Local Trust Committee authorize Trustee Dodds to write a letter to Capital Regional District Board Director Paul Brent regarding advocacy on the fallow deer issue.

**CARRIED**

## 14. UPCOMING MEETINGS

### 14.1 Next Regular Meeting Scheduled for October 28, 2024 at the Agricultural Hall, Mayne Island

## 15. TOWN HALL - none

## 16. CLOSED MEETING

### 16.1 Motion to Close Meeting

**MA-2024-057**

**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)(f) for the purpose of considering:

- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment

AND that the recorder and staff attend the meeting

**CARRIED**

The meeting was recessed at 3:20 p.m.

**16.2 Recall to Order**

The meeting was recalled to order at 3:36 p.m.

**16.3 Rise and Report**

Chair Elliott rose and reported that bylaw enforcement files were reviewed and short term vacation rental files discussed.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 3:37 p.m.

\_\_\_\_\_  
Tobi Elliott, Chair

Certified Correct:

\_\_\_\_\_  
Lisa Millard, Recorder



# DRAFT

## Mayne Island Local Trust Committee Minutes of Community Housing Workshop

**Date:** October 28, 2024  
**Location:** Mayne Island Agricultural Hall  
430 Fernhill Road, Mayne Island, BC

**Members Present:** Tobi Elliott, Chair  
David Maude, Local Trustee  
Jeanine Dodds, Local Trustee

**Staff Present:** Narissa Chadwick, Island Planner  
Lisa Millard, Meeting Administrator/Recorder (electronic)

**Others Present:** Justine Starke, Manager of Southern Gulf Islands Service Delivery for the Capital Regional District

There were approximately thirteen (13) members of the public present

### 1. WELCOME

Chair Elliott opened the workshop at 1:30 p.m. She acknowledged that the gathering was held in territory of the Coast Salish First Nations and welcomed attendees and speakers.

### 2. COMMUNITY WORKSHOP ON HOUSING OPTIONS

Island Planner Chadwick provided a presentation and highlighted the following:

- Elements of affordable housing within the Local Trust Area include permitted land uses, funding, ownership models, governmental regulations, and community housing groups
- Local Trust Committee looks at Official Community Plan policies to align with zoning that can support housing
- The Housing Action Plan looks at expanding flexible housing options, adapting zoning to allow housing in areas that currently don't allow it, increasing areas where secondary suites are allowed, permitting additional dwelling units on smaller lots, expanding permissions to rezone non-market housing, allowing rezoning for modular home villages and increasing opportunities for non-profit housing societies
- Suitable land analysis mapping takes into consideration environmentally sensitive areas, water availability, and steep slopes
- Islands Trust regulates land use and works in collaboration with other agencies and governments that have authorities around housing development and regulations
- Zoning amendments can be made to support a variety of approaches to housing including cooperative housing, collective ownership, and strata ownership

Justine Starke, Manager of Southern Gulf Islands Service Delivery for the Capital Regional District provided a presentation and spoke to the following:

- Community Economic Sustainability Commission has identified the need for affordable housing as one of the biggest obstacles to the economic future of the Gulf Islands and is working to develop a housing strategy for Southern Gulf Islands
- There is a shortage of housing for the diversity of the population and the demographic makeup of the community
- Bringing in tradespeople and supplies and having to build water and sewer systems creates higher building costs
- Capital Regional District has created a rural housing program
- It is necessary to work across jurisdictions to bring a whole government approach to solutions. This involves advocacy to the province to elevate the interests of small rural communities
- Need to support non-profit sector's efforts to build affordable housing subsidized with government funding, controlled by a housing agreement, with rent tied to the income of the residents
- Capital Regional District Rural Housing Program, in partnership with the Southern Gulf Islands Tourism, has provided funding for a coordinator to support groups that are trying to deliver housing to navigate the different government agencies and administer the deliverables of the program
- Capital Regional District is developing an accessory dwelling unit incentive program that would be combined with the provincial government's secondary suite incentive program
- Capital Regional District will be providing funding for pre-development and infrastructure costs to the non-profit housing sector
- Each government can go further by working within their own authority and then moving the work to the next level of authority

The following comments were noted:

- Bare land strata consists of individually owned dwellings on one property with a shared strata ownership of the land
- There has been no uptake on building additional units or secondary suites due to increased costs associated with new building code standards, provincial incentives require a five-year rental period at below market rental rates, and the requirement to complete an owner builder course to build a dwelling yourself
- Pre-fabricated and modular homes can be considered a viable alternative until changes to legislation allow tiny homes or different standards of alternative dwelling units
- Building code should have a standardized affordable cottage in a simple design
- Regional exceptions to the building code can be requested and local governments can advocate for these exceptions
- Many seniors want to downsize to small homes and stay on the island
- Amenity zoning could be created in suitable areas to allow communities of smaller homes and the process is to first amend the Official Community Plan to support the zoning and then an applicant would apply to rezone a parcel of land
- Suitability for increased density would be based on water and septic capacity and consideration of other environmental factors

- If zoning allows a greater number of units those units might not be specifically designated for one demographic, such as seniors, so that the zoning does not need to be changed for other demographics in the future
- Many people would consider selling their existing home to move to smaller, single level housing and this would create more housing stock
- A growth threshold analysis was completed and factors to consider regarding growth are demographic shifts and potential loss of community unless ways to support housing for service workers is found
- Suitable land analysis gathers data showing areas that are more suited for higher density as well as areas that are less suitable

Habitat for Humanity Director of Land Development and Safety & Facilities Coordinator David Gregory provided a presentation and highlighted the following:

- Habitat for Humanity is a not-for-profit organization offering home ownership held by two mortgages with payment amounts set at maximum of 30% of resident's income
- Ownership allows families to build home equity
- Mortgage qualification criteria includes citizenship or permanent residency, ability to make payments, and provision of up to five-hundred hours of work
- Challenges include raising funds, lack of government support, and land donations
- Land donors receive a tax receipt
- Have had discussions with a barging company about potential to bring homes onto the Gulf Islands but require zoning and property for said homes
- Zoning and property are both necessary in order to bring a Habitat for Humanity project to the Gulf Islands

Mayne Island School Parent Advisory Council (PAC) Members Lauren Underhill and Jackie Peterson spoke to the success of a project undertaken to provide housing for teachers and highlighted the following:

- Capital Regional District owned an old building on the school property and the School District allowed rental housing in the building
- To renovate the building the PAC received a grant-in-aid from the Regional District, hired a project manager, and undertook a fundraising campaign while local builders, architects, and building supply companies contributed expertise and materials
- Regional District owns the building and holds the rental funds for maintenance and upgrades
- Successes of the project include cooperation between the School and Regional Districts, infrastructure was already in place, land did not need to be acquired, and the community was committed and involved

Deborah Goldman of the Mayne Island Housing Society provided a presentation and highlighted the following:

- A group of community members began talking about housing needs and formed a society which subsequently attained charitable status
- Society was offered a donation of three acres of land that was originally part of a ten acre parcel and the other six acres were retained by the property owner
- A covenant and housing agreement providing affordable rental housing was developed and it is attached to the land in perpetuity

- Covenants also speak to protecting ecological aspects of the property
- Applied to rezone the land for multifamily use for ten dwelling units
- Funding for affordable non market-rental housing is dependant on governmental and other agency grants, pre-development funding, and reduced mortgage rates
- Society has explored ways to keep costs low including use of modular construction
- Not-for-profit society does not need to build profit margins into budget
- Rental rates will depend on the rental model of the organization that provides the capital funding
- There will be an income maximum limit to qualify for rent geared to income which will change annually and income limits for units rented at market rates
- Building model will be cluster housing featuring duplexes and triplexes
- The Mayne Island Housing Society has hired a Housing Navigator and the role will focus on:
  - encouraging owners of vacant homes to rent their homes
  - encouraging home owners to create additional housing units
  - keeping current on funding programs and availability
  - familiarity with land use bylaws and processes that can help landowner navigate process of rezoning to build additional dwelling units
  - developing web based information portal for residents
  - providing rental property management services and property checks
  - management of tenant relations and dispute resolution

**3. CLOSING**

The community workshop ended at 4:00 p.m.

\_\_\_\_\_  
Tobi Elliott, Chair

Certified Correct:

\_\_\_\_\_  
Lisa Millard, Meeting Administrator/Recorder

## Follow Up Action Report

### Mayne Island

26-Feb-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 9.1 Trustee Dodds to draft letter to BC Ferries regarding community use of their property (possible dog park)	Emily Bryant Narissa Chadwick	Target: 15-Mar-2024	In Progress

29-Jul-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 11.3 Housing - Staff to organize meeting with PAC to explore opportunity for rezoning properties to accommodate housing	Narissa Chadwick	Target: 05-Sep-2024	In Progress
0%	2 11.3 Staff to connect with the Mayne Land Conservancy to talk about potential Land Trust for housing	Narissa Chadwick	Target: 29-Jul-2024	In Progress

## Follow Up Action Report

### Mayne Island

07-Oct-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 6.1 Minutes approved		Target: 11-Oct-2024	Completed
0%	2 10.1 MA-DVP-2023.7 (Seymour) - Issue DVP		Target: 18-Oct-2024	Completed
0%	3 10.2 MA-DVP-2024.3 (Bacchus) - Issue DVP		Target: 18-Oct-2024	Completed
0%	4 13.2 Trustee Dodds to write letter to CRD Director Paul Brent regarding fallow deer		Target: 08-Nov-2024	In Progress
0%	5 14.1 October 28, 2024 regular LTC meeting cancelled and replaced by community workshop on housing options: change needed on website		Target: 09-Oct-2024	Completed



File No.: PLDVP20240220 (Scott)

MA-BP-2024.6

DATE OF MEETING: November 25, 2024

TO: Mayne Island Local Trust Committee

FROM: Phil Testemale, Planner 2  
Southern Team

COPY: Narissa Chadwick, Island Planner

SUBJECT: Development Variance Permit Application  
Applicant: David Scott, Scott and Scott Architects  
Location: 373 Campbell Bay Road

## RECOMMENDATION

1. That the Mayne Island Local Trust Committee approve issuance of Development Variance Permit PLDVP20240220 (Scott).

## REPORT SUMMARY

The purpose of the report is to consider a Development Variance Permit for the height of a proposed accessory building.

## RATIONALE FOR VARIANCE

Granting the variance will allow the construction of an artist’s studio with specific workspace requirements on a portion of the property that is least impactful to neighbouring properties and the environment.

## BACKGROUND

The application is the result of a Preliminary Plan Review (PPR) for the proposed construction of an artist’s studio. The specific variance is to the height provisions of the **Upland (UP) Zone** in the Mayne Land Use Bylaw No. 119, 2018 (LUB) as follows:

- a) Subsection 5.6 (11) which states that the maximum height for any accessory building or structure is 5 metres (16.5 feet) is varied to permit an accessory building (artist’s studio) with a maximum height of 7.6 metres (25.1 feet).

The subject property is located at **373 Campbell Bay Road** and is 51.77 ha (128 ac) in size and is split zoned **Upland (UP)** and **Rural (R)** (Attachment 1). The subject building would be located at the height of a knoll formation in the northwest corner of the property in an area that has been previously cleared shown in Figures

2 and 3. If the building was located on the portion the property that is zoned Rural, the maximum height permitted would be 9.0 m, and a variance would not be required. However, the building site was selected based on the artist's specific requirements for natural light access, proximity to the property's dwelling and to minimize the need for further clearing.

The design of the building is consistent with the architecture of the dwelling and incorporates a 4:12 pitched (18.5 deg.) roof which allows for required skylights and rainwater collection (Attachment 2.1).

The property is well forested with a shallow valley that runs east-west between a hill formation to the north and a lower rise at the southwest corner of the property. Clearing for the site of the dwelling and the subject accessory building is limited and occurred between 2017 and 2021 (Figures 2, 3 and Attachment 1).

The applicant has submitted a letter explaining the rationale for the variances which is Attachment 3.

If the application is denied, the owners could apply to the Board of Variance.

A copy of the Notice and proposed permit PLDVP20240220 (Scott) are Attachments 5 & 6.

Staff visited the property on November 15, 2024. Unfortunately, due to the time of day with the visit, no usable photos were obtained.

**Figure 1 – Subject Property**

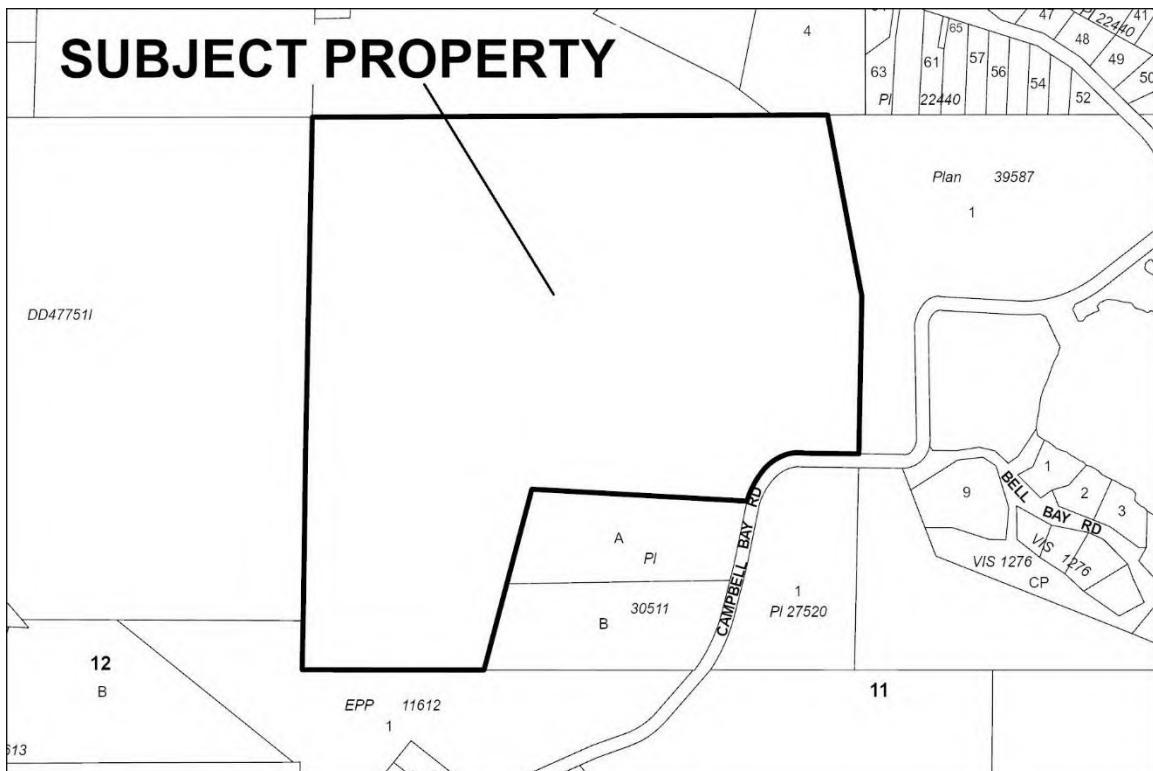
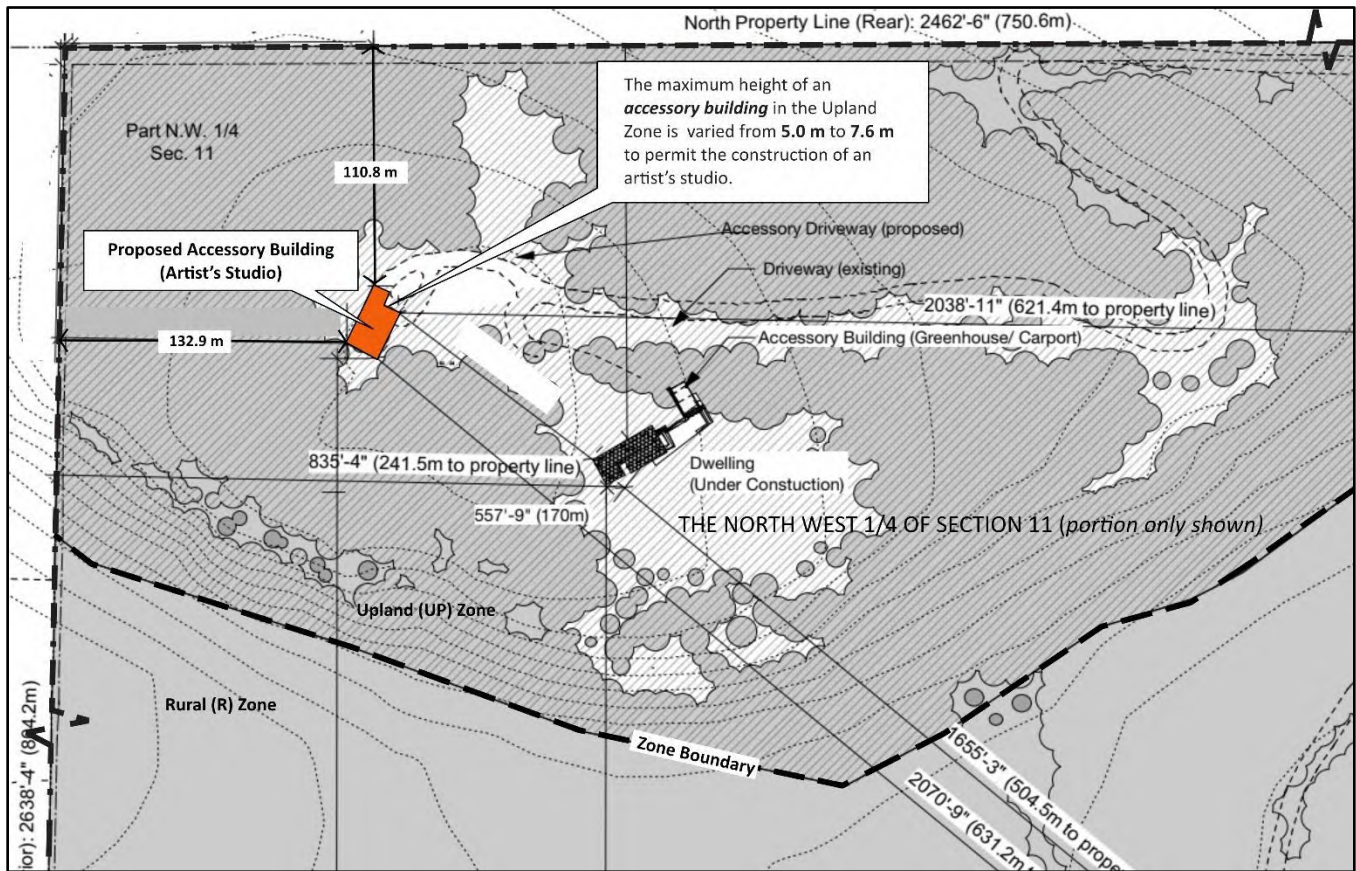


Figure 2 – Site Plan



**ANALYSIS**

**Policy/Regulatory**

**Official Community Plan:**

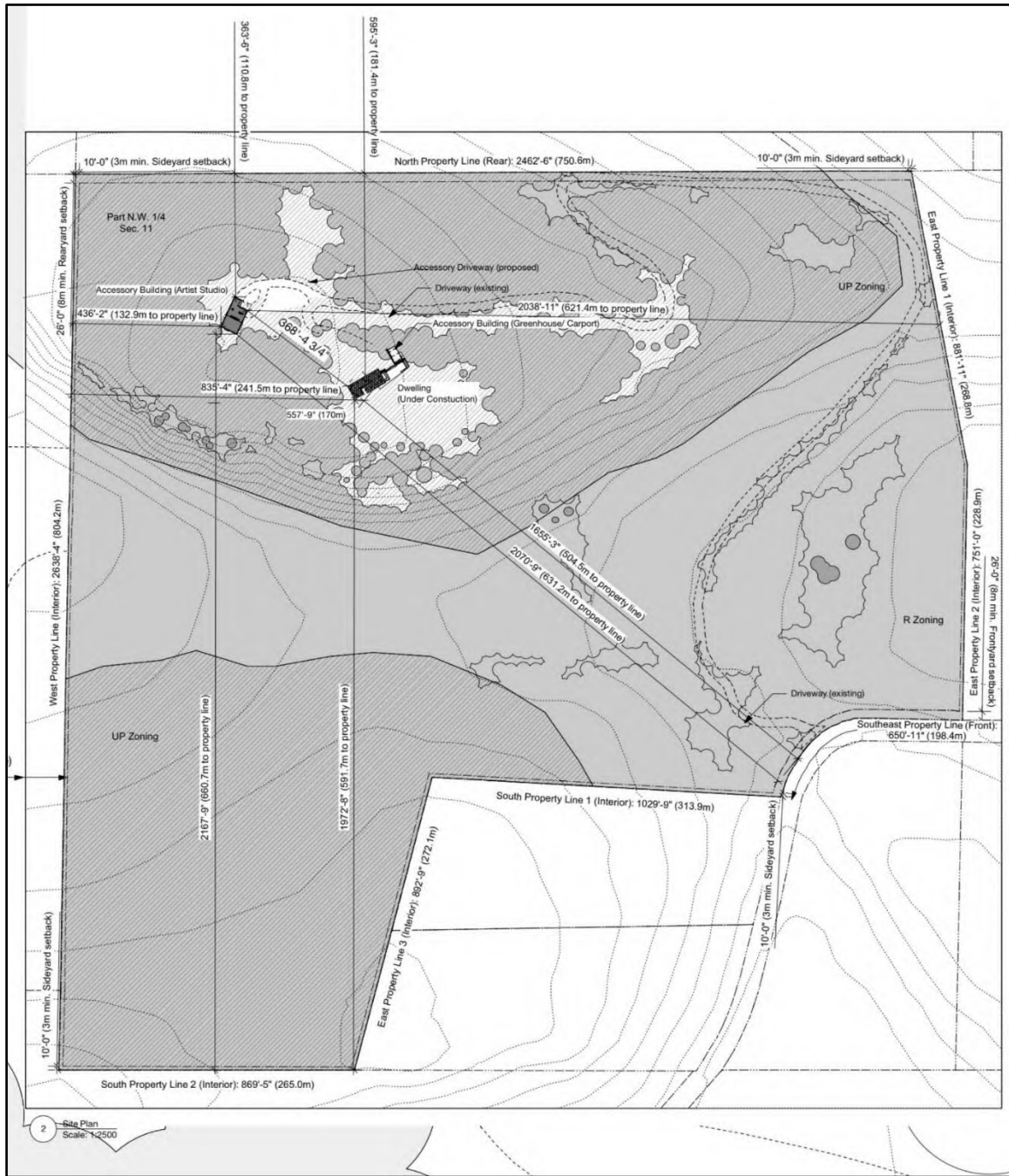
The property is designated as **UP—Upland** and **R-Rural** in the Mayne Island Official Community Plan No. 144, 2007 (OCP – Attachment 1).

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

**Land Use Bylaw:**

The property is split zoned **Upland (UP)** and **Rural (R)** in the Mayne Island Land Use Bylaw No. 146, 2008 (LUB – Attachment 1). The proposed use of the accessory building complies with the LUB.

Figure 3 – Overall Site Plan



## Issues and Opportunities

### Impact on Neighbouring Properties

The location of the building is 110 metres distant from the closest property line and the most impacted neighbour by the proposed variance would be the property directly north which is vacant. The distance to any dwelling on a neighbouring property is over 600 metres. Assessing those separation distances relative to the proposed height variance, the impacts on neighbouring properties with approval would be negligible.

### ***The Intent of the Regulation being Varied***

The overall purpose of siting regulations are 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 development by maintaining consistent height and 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 November 15, 2024.

One letter of support from direct neighbour was submitted which was circulated to the LTC and is Attachment 4. Any further submissions received prior to the LTC Meeting will be forwarded to the LTC and reported at the meeting.

### ***First Nations***

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the DVP application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff will forward the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on *Heritage Act* directly to the applicants.

### **Rationale for Recommendation**

Staff is recommending that the resolution on page 1 be supported for the following reasons:

- The rationale for the variance is reasonable.
- Impacts on neighbouring properties and uses from approval of the variance would be negligible.
- The proposed variance does not challenge the intent of the regulation.
- At the time of writing, there has been no response to the notification.

**ALTERNATIVES**

**1. Request further information**

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

Recommended wording for the resolution is as follows:

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

**2. Deny the application**

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial.

Recommended wording for the resolution is as follows:

*That the Mayne Island Local Trust Committee deny application MA-PLDVP20240220 (Scott) for the follows reasons\_\_\_\_\_.*

Submitted By:	Phil Testemale, Planner 2	November 14, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 15, 2024

**ATTACHMENTS**

- 1. Site Context
- 2. Plans and Photographs
- 3. Rationale from applicant
- 4. Correspondence
- 5. Notice
- 6. Draft Development Variance Permit MA-PLDVP20240220 (Scott)

# ATTACHMENT 1 – SITE CONTEXT

## LOCATION

Legal Description	THE NORTH WEST 1/4 OF SECTION 11, MAYNE ISLAND, COWICHAN DISTRICT, EXCEPT PARTS IN PLANS 27520, 30511 AND 39587
PID	PID: 009-628-967
Civic Address	373 Campbell Bay Road
Lot Size	51.77 ha (128 ac)

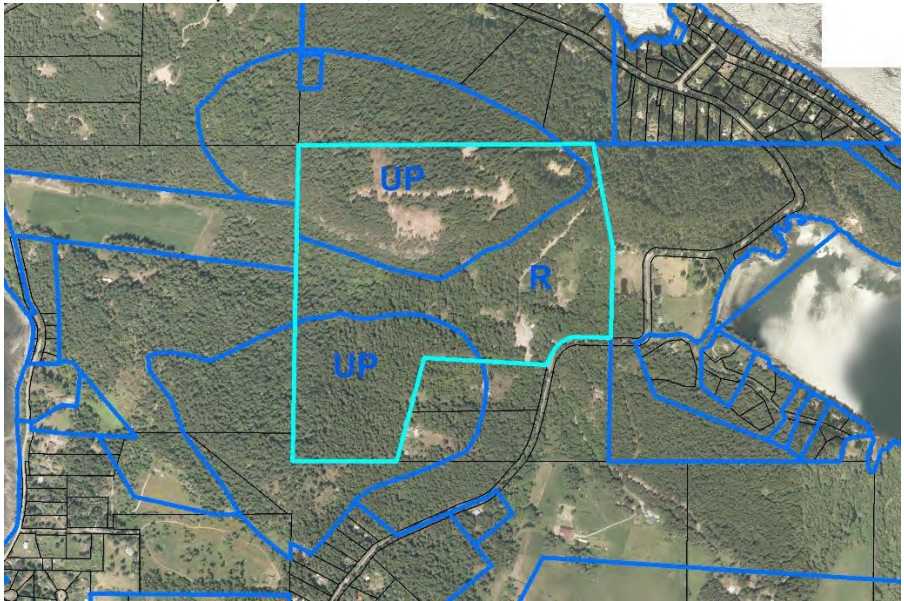
## LAND USE

Current Land Use	Vacant (Dwelling under construction)
Surrounding Land Use	Upland and Rural

## HISTORICAL ACTIVITY

File No.	Purpose
MA-BP-2024.6	Accessory Building and Retaining Wall (under construction)
MA-BP-2023.6	Dwelling (under construction)

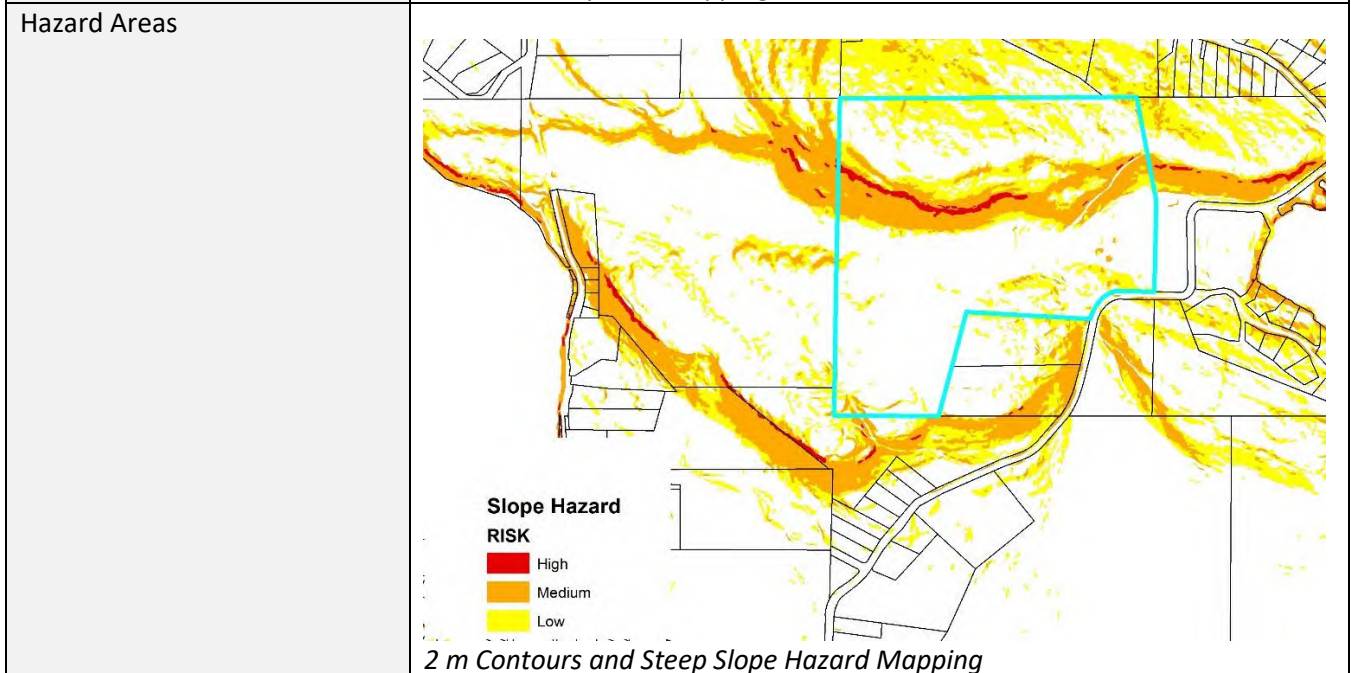
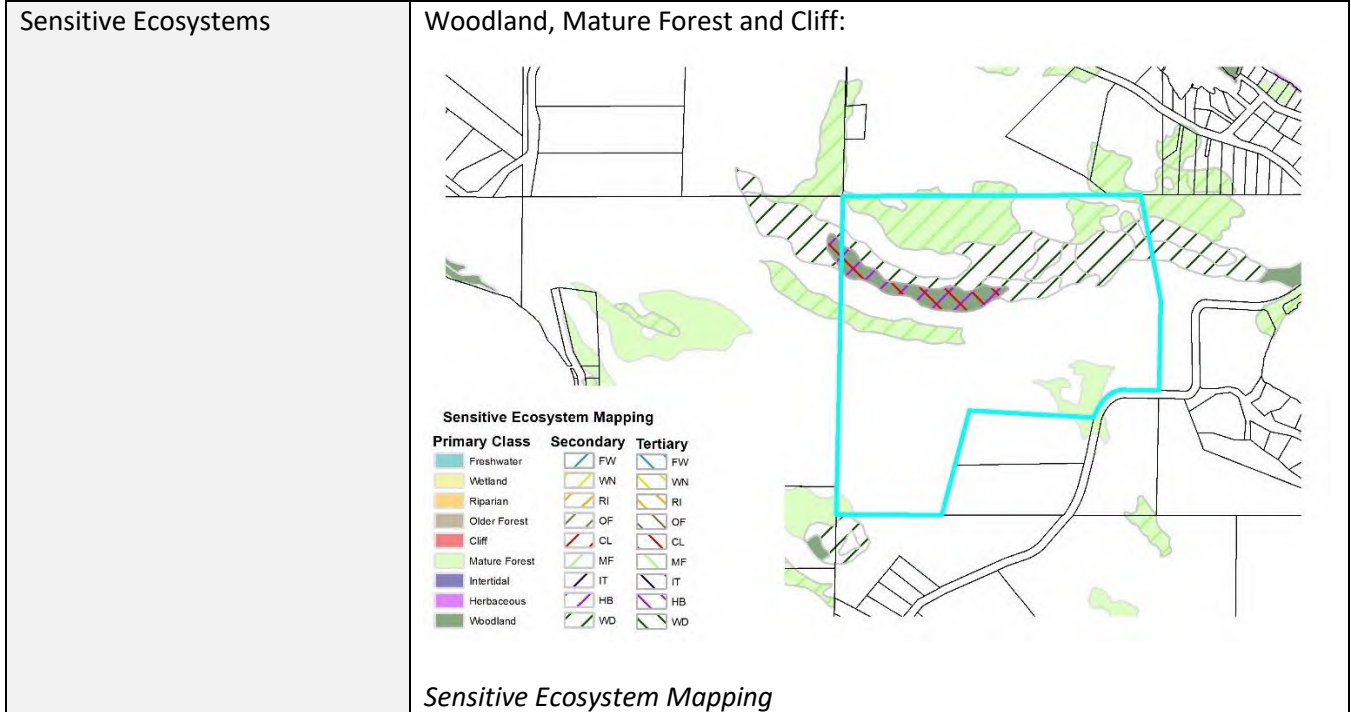
## POLICY/REGULATORY

Official Community Plan Designations	The property is designated <b>U - Upland and R - Rural</b> in in the Mayne Island Official Community Plan No. 144, 2007 There are no Development Permit Areas designated on the subject property
Land Use Bylaw	The property is spilt zoned as <b>Upland (U) and Rural (R) Zone</b> in the Mayne Island Land Use Bylaw No. 144, 2008.  <p><i>Ortho/Zoning Map</i></p>

Other Regulations	N/A
Covenants	SROs (Hydro and Telus)
Bylaw Enforcement	N/A

**SITE INFLUENCES**

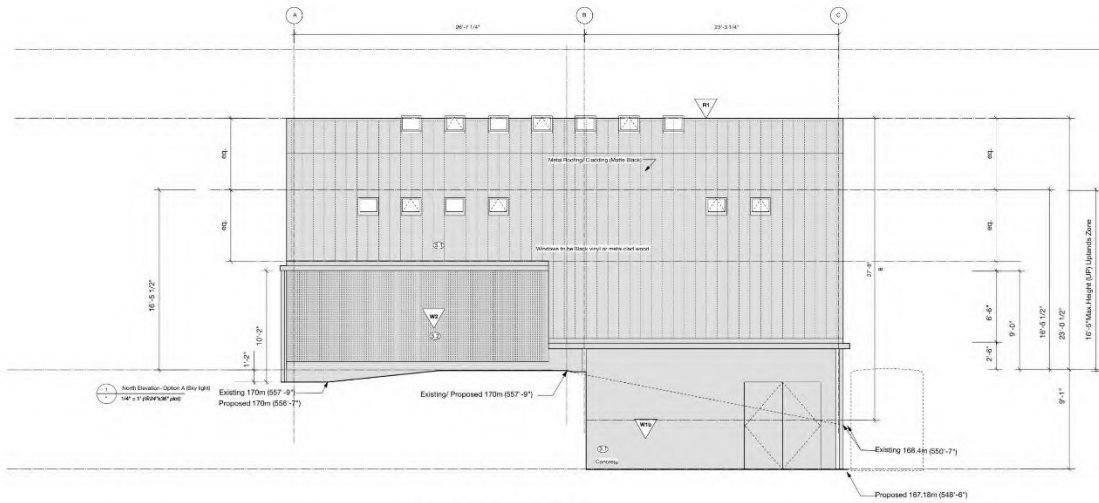
Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	None



Archaeological Sites	Archaeological potential identified on property (See report under 'First Nations')
Climate Change Adaptation and Mitigation	GHG emission changes are linked to allowable density on the property and will not change with approval of the DVP.

# ATTACHMENT 2 – PLANS

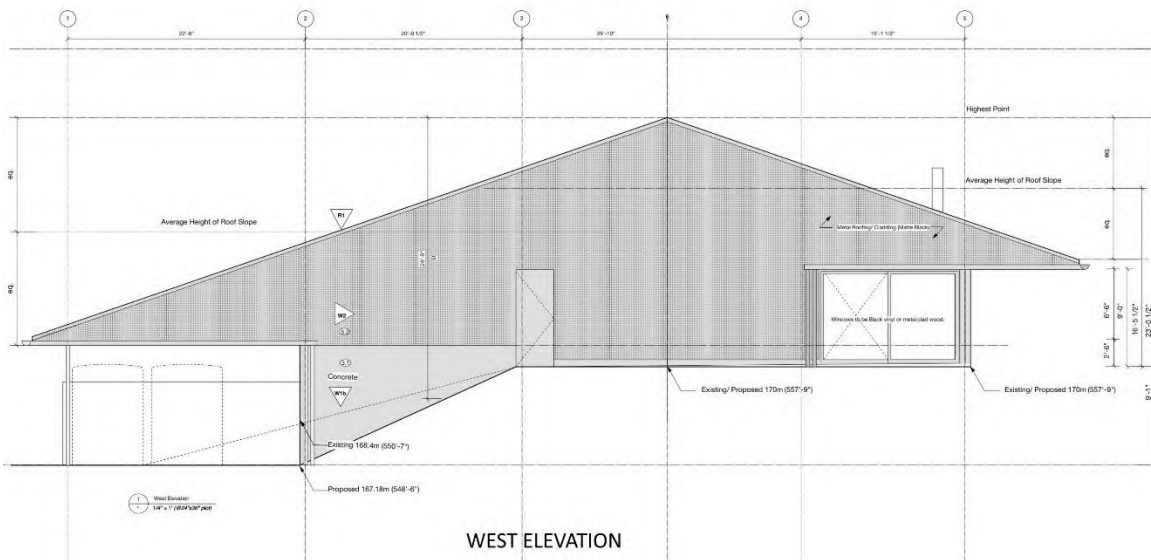
## 2.1 ELEVATION PLANS



NORTH ELEVATION

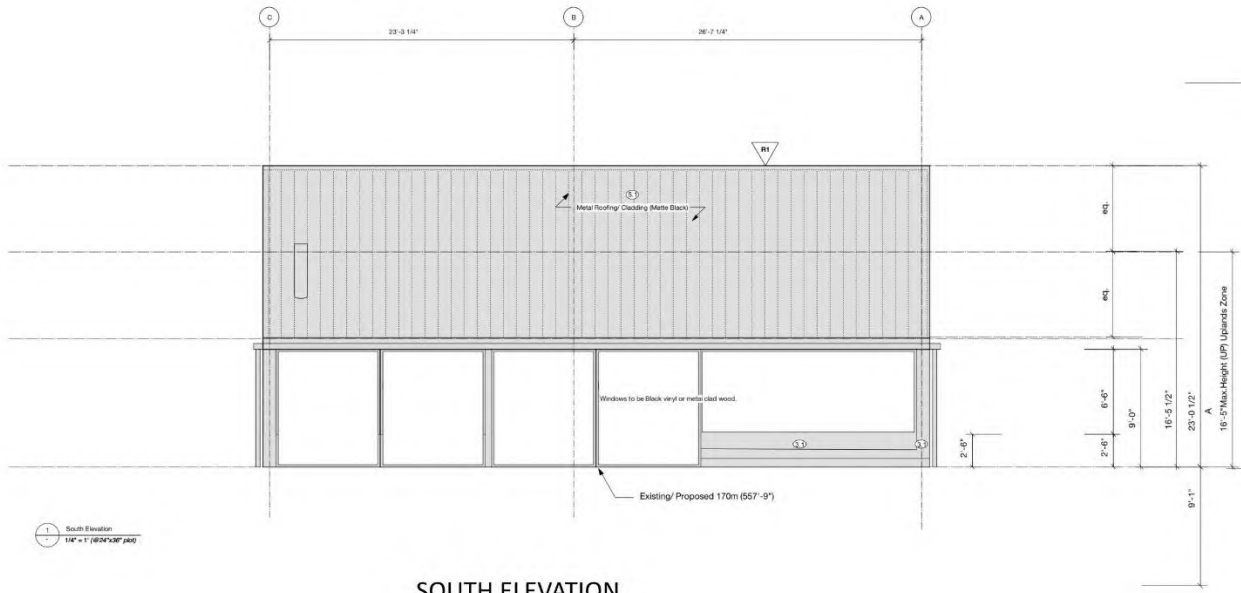
Height Calculation

<b>A</b>	23'-1/2"
<b>B</b>	27'-8"
<b>C</b>	23'-7"
<b>D</b>	26'-0"
/4	
	<b>25'-1" (7.6m)</b>



WEST ELEVATION

## 2.12 ELEVATION PLANS (CONT'D)

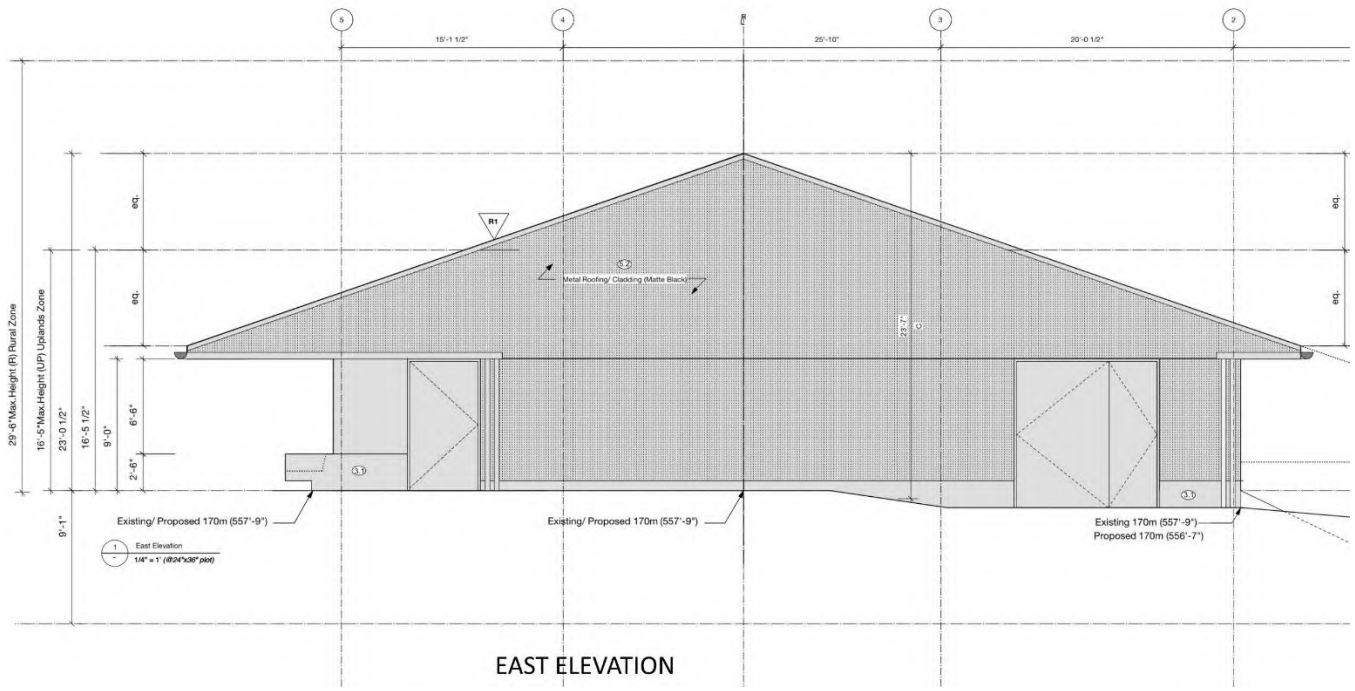


SOUTH ELEVATION

Height Calculations  
**A** 23'-1 1/2"  
**B** 27'-8"  
**C** 23'-7"  
**D** 26'-0"

Height Calculation

<b>A</b>	23'-1 1/2"
<b>B</b>	27'-8"
<b>C</b>	23'-7"
<b>D</b>	26'-0"
<b>/4</b>	<b>25'-1" (7.6m)</b>



EAST ELEVATION



**SCOTT & SCOTT ARCHITECTS LTD**

299 EAST 19TH AVENUE

VANCOUVER BC

V5V 1J3

17 September 2024

**PROJECT NARRATIVE FOR DVP APPLICATION**

373 Campbell Bay Road, Mayne Island BC

We are applying for a Development Variance Permit for an Accessory Building design that exceeds the maximum allowable height for Accessory Buildings in the Upland Zone.

The project site is a 125 acre property with areas of Rural and Upland zoning. A dwelling is currently under construction in the northern Upland Zone portion of the property. The proposed Accessory Building is a purpose built artist's studio, designed with specific requirements to enhance the artist's workspace and ensure minimal impact on neighbouring properties.

**1. Design Requirements for Artist's Studio:**

- **Wall heights:** The studio requires 15 ft walls to support the scale of the artist's work.
- **Lighting and Ventilation:** Natural light from skylights on an angled roof to provide natural diffused northern daylight that is optimal for producing artwork. Skylights will be operable for passive ventilation.
- **Rainwater Capture:** The roof gathers and contributes rainwater to storage cisterns.

**2. Proposed Building Form and Conflict with Upland Zoning Maximum Height Limit:**

- **Sloped Roof Design:** A sloping roof is essential to capture rainwater and orient the skylights to be facing north. The studio's 4:12 sloping gable roof reaches a peak of 23.3 ft which exceeds the 16.5 ft height limit for accessory buildings in Upland Zoning where the accessory building is proposed. However, the 23.3 ft height is allowable in the surrounding rural zoning areas of the property directly adjacent to neighbouring properties on Campbell Bay Road, where an accessory building can have a 29.5 ft maximum flat roof height.

Despite the roof peak height, the sloping roof form enables an overall building mass that is 10% smaller than the maximum allowable volume under Upland Zone regulations. Furthermore, if the building were situated in the rural zoned area, it would be 50% smaller than would be allowable in close proximity to the street and neighbours.

**3. Rationale for Proposed Siting in northern Upland Zone:**

The proposed studio is sited near the main dwelling to share existing services and minimize impact on the untouched forested areas of the property. This location:

- **Makes use of a natural clear area.** The site is an existing natural clear and level area currently being used for staging during the construction of the dwelling. Using this area reduces the need for additional site disturbance and tree removal.

- **In close proximity to dwelling and far from neighbouring properties.** We minimize the visual and physical impact on adjacent lots and on the island road, maintaining the existing natural landscape where visible. While the Rural Zone area permits the proposed height and beyond, it is separated by a steep slope from the main dwelling in the northern Upland Zone area and would require extensive tree removal and leveling to maintain pedestrian and service line access to the dwelling.

The proposed artist's studio accessory building is designed with a focus on meeting the owner's needs for wall height, lighting and rainwater capture, while carefully considering its placement on the property to reduce the impact on its surroundings. The proposed height is important to achieve these goals, and we are seeking the board's approval for a height variance as it aligns with our commitment to responsible site development.

Attachment 4

November 15, 2024

Local Trust Committee | Mayne Island  
200-1627 Fort Street  
Victoria, BC  
V8R 1H8

RE: 373 Campbell Bay Rd, Mayne Island BC V0N 2J0  
Development Variance Permit MA-DVP20240220

Local Trust Committee | Mayne Island

I am the current homeowner of the property located at  
[REDACTED]. I have reviewed the drawings for our  
neighbour's proposed height variance and am in full support of the design as shown.

Regards,

[REDACTED]

NOV 15<sup>TH</sup> 2024

Homeowner (signature)  
(Date)

DAW HARTING

[REDACTED]

Homeowner (print)  
(Phone)



**MAYNE ISLAND LOCAL TRUST COMMITTEE  
DEVELOPMENT VARIANCE PERMIT  
MA-PLDVP20240220**

To: Steven Shearer  
c/o David Scott

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

THE NORTH WEST 1/4 OF SECTION 11, MAYNE ISLAND, COWICHAN DISTRICT, EXCEPT PARTS IN PLANS 27520, 30511 AND 39587 (PID: 009-628-967)

2. Mayne Island Land Use Bylaw No. 146, 2008 is varied as follows:

- a) Subsection 5.6 (11) which states that the maximum height for any accessory building or structure is 5 metres (16.5 feet) is varied to permit an accessory building (artist's studio) with a maximum height of 7.6 metres (25.1 feet).

The development shall be consistent with Schedules 'A', 'B' and 'C' 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 \_\_\_<sup>TH</sup> DAY OF MONTH, 2024.**

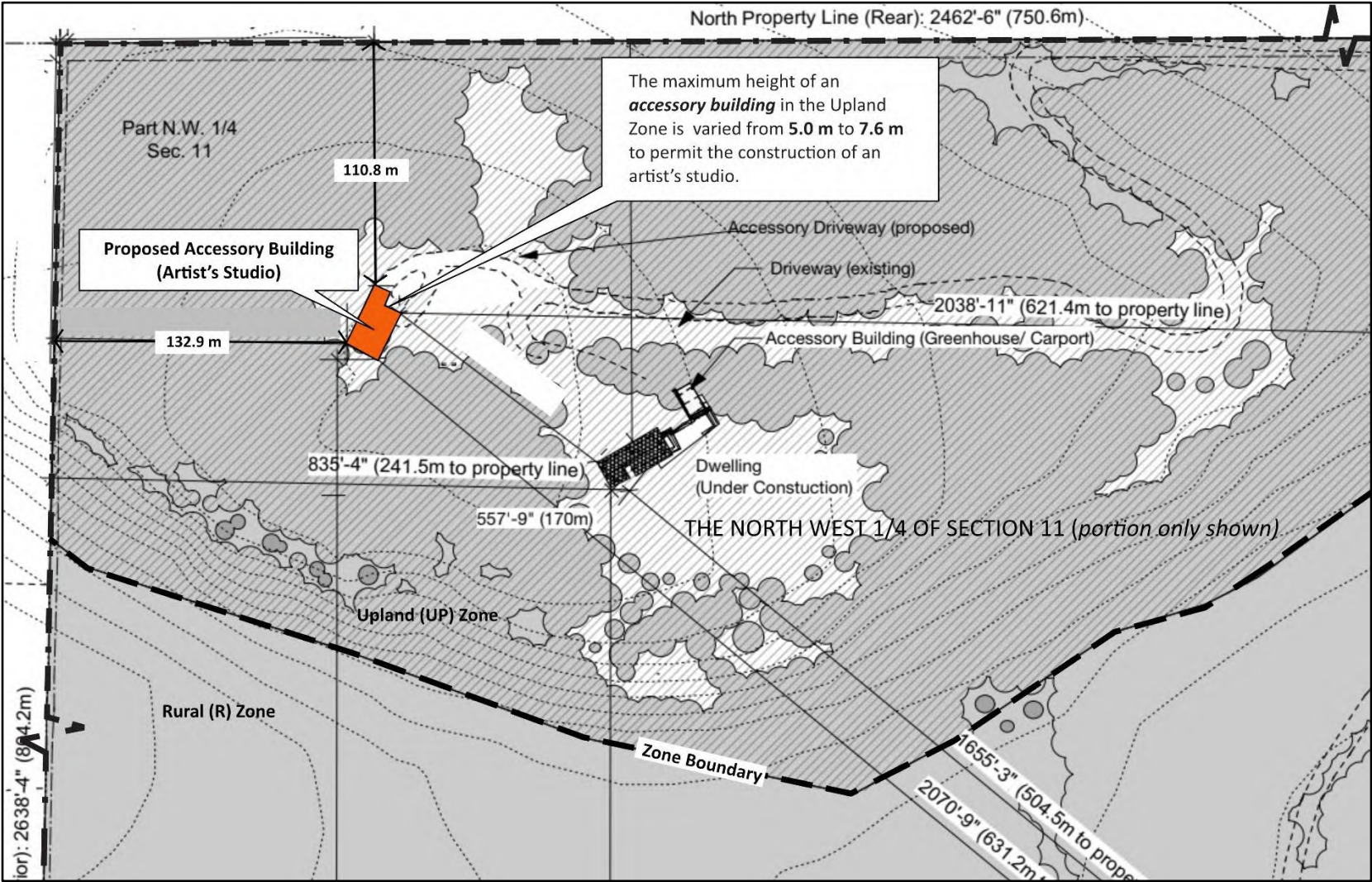
\_\_\_\_\_  
Deputy Secretary, Islands Trust

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

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE \_\_\_<sup>TH</sup> DAY OF MONTH, 2026 THIS PERMIT AUTOMATICALLY LAPSES.**

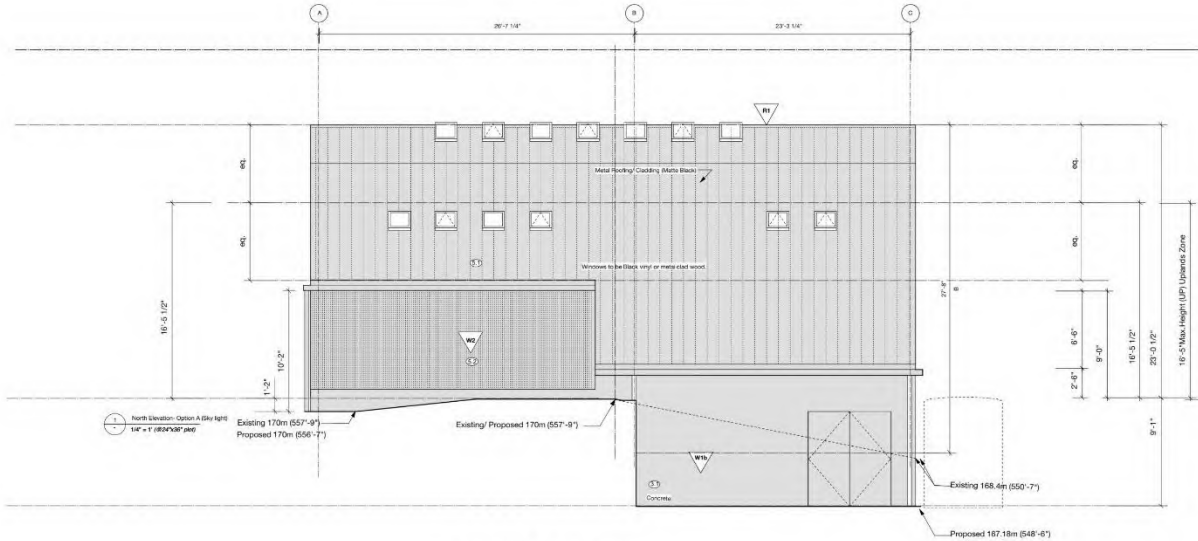
**MAYNE ISLAND LOCAL TRUST COMMITTEE**  
**MA-PLDVP20240220**

**SCHEDULE 'A'**



**MAYNE ISLAND LOCAL TRUST COMMITTEE  
MA-PLDVP20240220**

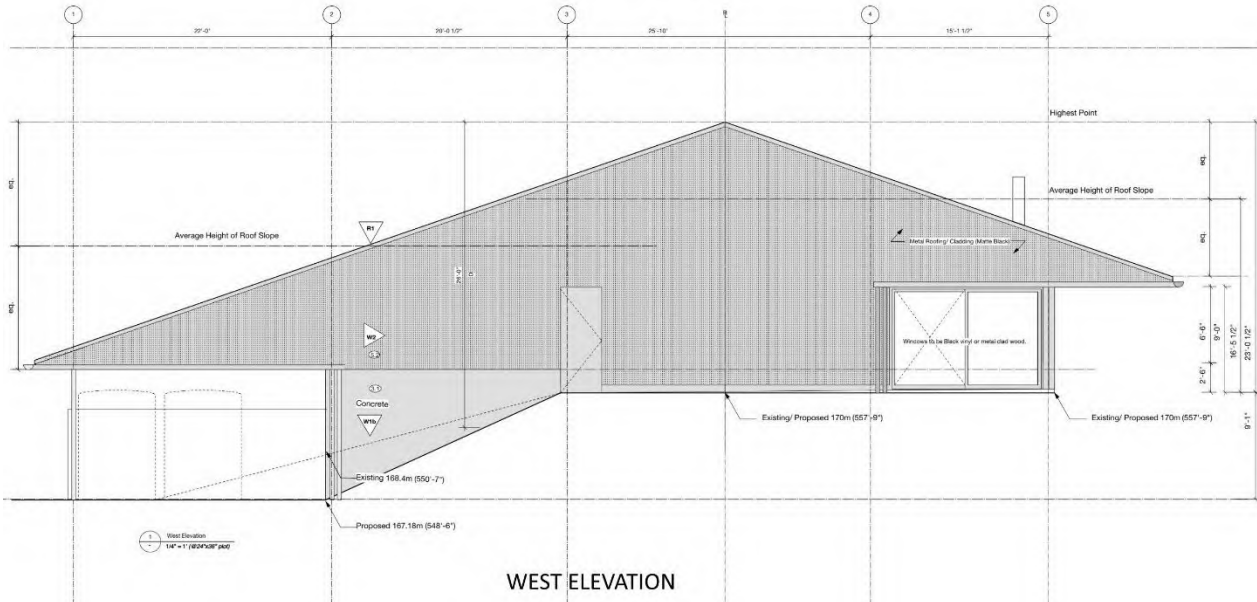
**SCHEDULE 'B'  
(Elevations)**



**NORTH ELEVATION**

**Height Calculation**

<b>A</b>	23'-1/2"
<b>B</b>	27'-8"
<b>C</b>	23'-7"
<b>D</b>	26'-0"
/4	
	<b>25'-1" (7.6m)</b>



**WEST ELEVATION**





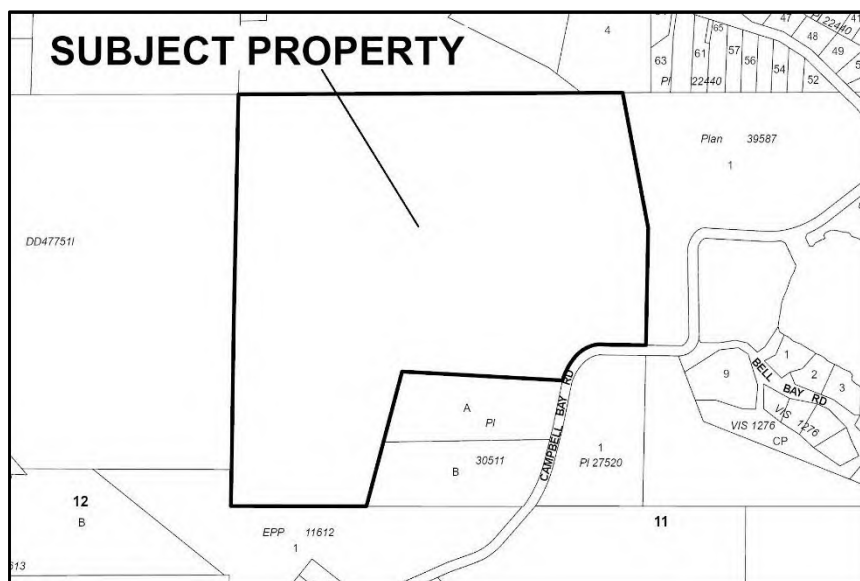
**NOTICE**  
**MA-PLDVP20240220**  
**MAYNE ISLAND LOCAL TRUST COMMITTEE**

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

Varying the maximum height regulation for a proposed accessory building (artist studio).

The property is located at **373 Campbell Bay Road** and is legally described as THE NORTH WEST 1/4 OF SECTION 11, MAYNE ISLAND, COWICHAN DISTRICT, EXCEPT PARTS IN PLANS 27520, 30511 AND 39587 (PID: 009-628-967).

The general location of the subject property is shown on 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. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **November 4, 2024** and continuing up to and including **November 15, 2024**.

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.

Enquiries or comments should be directed to Phil Testemale, Planner 2 at (250) 405-5170, 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: [southinfo@islandstrust.bc.ca](mailto:southinfo@islandstrust.bc.ca) before 4:30 pm, **November 15, 2024**.

The Mayne Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **1:30 p.m., November 25, 2024** at **430 Fernhill Road, Mayne Island**.

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

Jas Chonk, Deputy Secretary



DATE OF MEETING: November 25, 2024

TO: Mayne Island Local Trust Committee

FROM: Phil Testemale, Planner 2  
Southern Team

COPY: Narissa Chadwick, Island Planner

SUBJECT: Development Variance Permit Application  
Applicant: Chris Redsell  
Location: 209 Mariners Way

## RECOMMENDATION

1. That the Mayne Island Local Trust Committee approve issuance of Development Variance Permit PLDVP20240221 (Redsell)

## REPORT SUMMARY

The purpose of the report is to consider a Development Variance Permit for the siting and number of existing accessory buildings on the subject property.

## RATIONALE FOR VARIANCE

Granting the variance will bring the property in conformity with the Land Use Bylaw and permit a Building Permit to be issued for the shelter.

## BACKGROUND

The purpose of the application is to bring the property into compliance with the Land Use Bylaw (LUB) by legalizing the siting of three (3) existing accessory buildings as well as varying the maximum number of accessory buildings permitted on the property. The specific variances are to the **General Regulations** and those for the **Settlement Residential (SR) Zone** in the Mayne Land Use Bylaw No. 119, 2018 (LUB) as shown in Figure 2 and as follows:

- a) Subsection 3.3 (3) which states that no building or structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (25 feet) of the natural boundary of the sea is varied to permit a building (shed) within 2.9 metres (9.5 feet) from the natural boundary of the sea;
- b) Article 5.1 (4) (a) which states that the maximum number of accessory buildings is two on lots having an area of 0.2 ha (0.5 acres) and less is varied to permit three (3) accessory buildings on the lot;

- c) Article 5.1 (8) (a) which states that minimum setback for any building or structure is 8 metres (26 feet) from any front or rear lot line is varied to permit a building (shelter) within 6.17 metres (20.2 feet) from the front lot line, and a building (shed) within 2.9 metres (9.5 feet) from the rear lot line; and,
- d) Article 5.1 (8) (b) which states that minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line is varied to permit a building (attached carport) within 0.9 metres (3.0 feet) from an interior side lot line.

With regard to the number of accessory buildings, density is interpreted as the number of number of dwellings and/or lot size (with subdivision). As such, the number of accessory buildings can be varied with this application.

The application is the result of a Preliminary Plan Review and CRD Building Permit for the repair of the roof of the 'Shelter' building that is currently on hold pending this application. Other variances have been added by the applicant at the recommendation of staff to address all siting and accessory building contraventions. The only new development proposed with this application is the repair of the shelter's roof.

The subject property is located at 209 Mariners Way and is 0.18 ha (0.44 ac) in size. The property slopes downward from the roadway north towards Village Bay (Attachment 1 and 2.2). There are some mature trees along the shoreline, the western boundary with the neighboring property and the front lot line.

The property contains a principal dwelling with attached decks and stairs, an accessory building labelled 'Cabin' with an attached carport, a shelter building, a shed, a woodshed and numerous decks and stairs, and a private dock on the adjacent water area (Attachment 2.2). Woodsheds are exempt from the maximum number of accessory building (Article 5.1 (4) (a) – above)

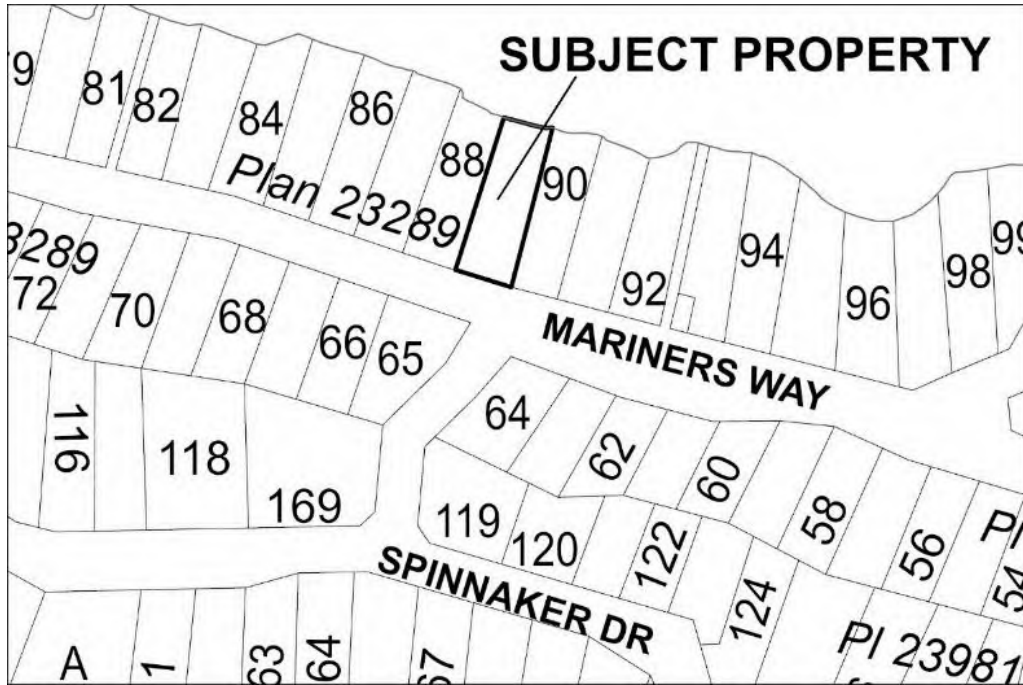
With respect to the 'Cabin': the applicant is aware that the property size does not permit a cottage under zoning, and therefore any use of a building other than the principal dwelling for human habitation would be in contravention of the Land Use Bylaw and potentially subject to enforcement.

If the application is denied, the owners could apply to the Board of Variance.

A copy of the Notice and proposed permit MA-PLDVP20240221 (Redsell) are Attachments 3 & 4.

Staff visited the property on Friday, November 15 (Attachment 2.2)

Figure 1 – Subject Property



## ANALYSIS

### Policy/Regulatory

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

The property is designated **SR – Settlement Residential** in the Mayne Island Official Community Plan No. 144, 2007 (OCP – Attachment 1).

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

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

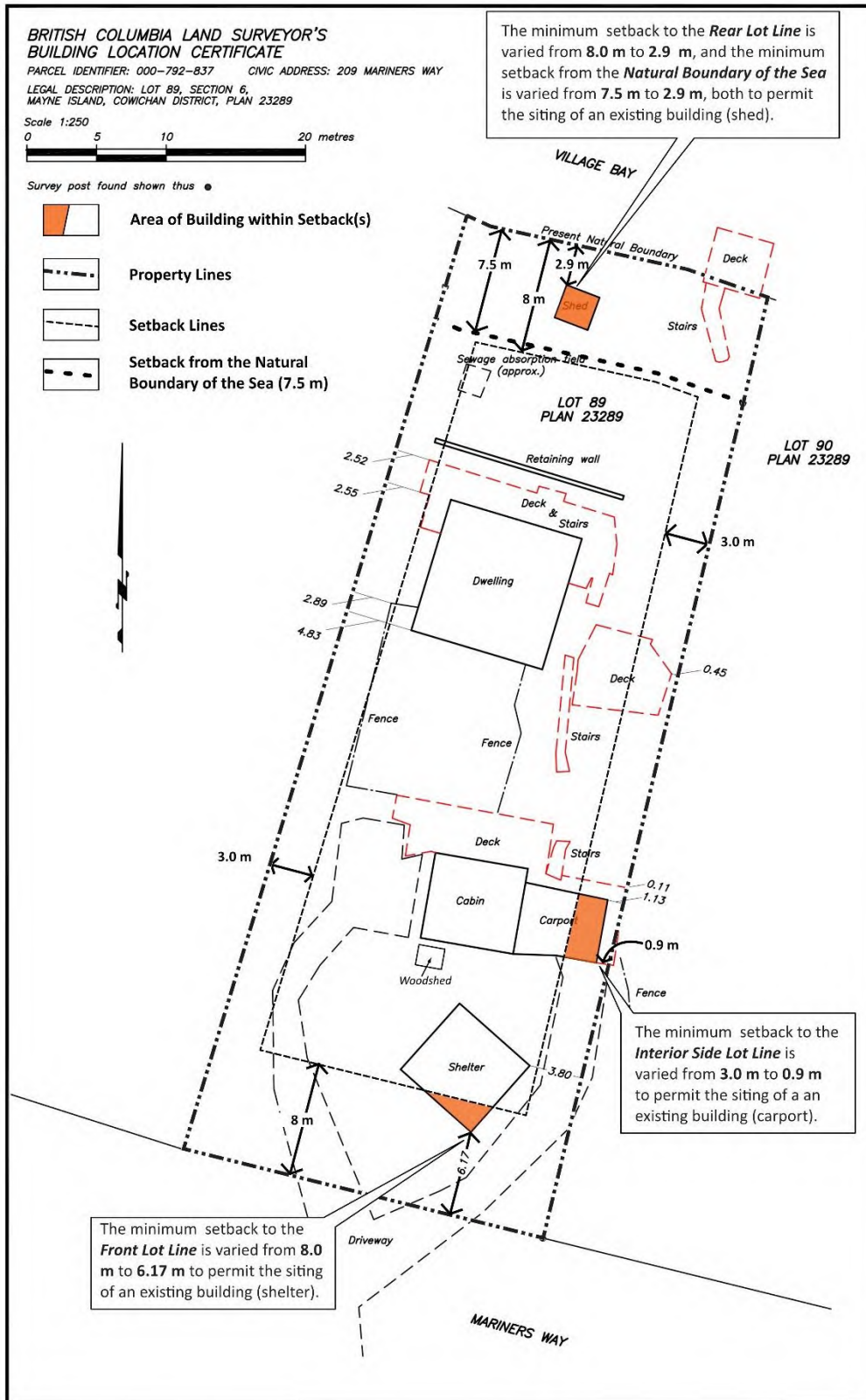
The property is zoned **Settlement Residential (SR)** in the Mayne Island Land Use Bylaw No. 146, 2008 (LUB – Attachment 1). If approved, the variances will bring the property into compliance with the LUB with the exception of the use of the cottage.

### Issues and Opportunities

#### **Impact on Neighbouring Properties**

All of the subject buildings are existing. The most impacted neighbour by the proposed variances would be the adjacent properties. More particularly the neighbour to the east is impacted by the attached carport with its location being 0.9 m from the property line and approximately 9 metres from the dwelling on that lot. The impacts of the shelter from the roadway are minor given the small variance of less than 2 metres and the slope of the lot. The impacts of the shed siting within the rear setback and that from the NBS are minor given its small size.

Figure 2 – Site Plan



### ***The Intent of the Regulation being Varied***

The overall purpose of setback from the natural boundary of the sea are to:

- Protect the natural environment, and more specifically sensitive shorelines.
- Align LUB regulations with those for Crown Lands.

The overall purpose of siting regulations are 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 development by maintaining consistent height and 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 November 15, 2024.

At the time of writing, staff have received no submissions in response to notification. Staff did receive a phone call from one neighbour who expressed concerns about the number of buildings on the property.

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

### ***First Nations***

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. There is no new development proposed with this application. As reviewed, the DVP application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff will forward the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on *Heritage Act* directly to the applicants.

### **Rationale for Recommendation**

Staff is recommending that the resolution on page 1 be supported for the following reasons:

- The variances will bring the property into conformity with the LUB.
- Impacts on neighbouring properties and uses from approval of the variances are reduced given that they have been in place for a period of time.

- The proposed variances do not challenge the intent of the regulation.
- At the time of writing, there has been no written responses to the notification.

**ALTERNATIVES**

**1. Request further information**

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

Recommended wording for the resolution is as follows:

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

**2. Deny the application**

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial.

Recommended wording for the resolution is as follows:

*That the Mayne Island Local Trust Committee deny application PLDVP20240221 (Redsell) for the follows reasons\_\_\_\_\_.*

Submitted By:	Phil Testemale, Planner 2	November 14, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 15, 2024

**ATTACHMENTS**

1. Site Context
2. Maps and Photographs
3. Notice
4. Draft Development Variance Permit PLDVP20240221 (REDELL)

## ATTACHMENT 1 – SITE CONTEXT

---

### LOCATION

Legal Description	LOT 89, SECTION 6, MAYNE ISLAND, COWICHAN DISTRICT, PLAN 23289
PID	PID: 000-792-837
Civic Address	209 Mariners Way
Lot Size	0.18 ha (0.44 ac)

### LAND USE

Current Land Use	Settlement Residential
Surrounding Land Use	Settlement Residential

### HISTORICAL ACTIVITY

File No.	Purpose
MA-BP-2024.21	Repairs to roof of shelter building - subject application

### POLICY/REGULATORY

Official Community Plan Designations	The property is designated <b>SR - Settlement Residential</b> in in the Mayne Island Official Community Plan No. 144, 2007 There are no <b>Development Permit Areas</b> designated on the subject property
--------------------------------------	---

Land Use Bylaw	<p>The property is zoned as <b>Settlement Residential (SR) Zone</b> in the Mayne Island Land Use Bylaw No. 144, 2008. The water area abutting the property is in the <b>Water 1 (W1) Zone</b>.</p>  <p style="text-align: right;"> <span style="color: red;">▭</span> 209 Mariners Way  <span style="color: blue;">▭</span> Land Use Bylaw </p> <p style="text-align: center;"><i>Ortho/Zoning Map</i></p>
----------------	--

Other Regulations	N/A
Covenants	Building Scheme – no application
Bylaw Enforcement	MA-BE-2016.2 – STVR Use
	MA-BE-2024.4 – STVR Use

**SITE INFLUENCES**

Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	None
Sensitive Ecosystems	None identified on property
Hazard Areas	There are areas of Moderate and Low Steep Slope Hazard:



Shoreline Type  
 — Rock with Gravel Beach  
 — Sand and Gravel Flat  
 — 2m Contour Lines

Slope Risk  
 Low  
 Medium

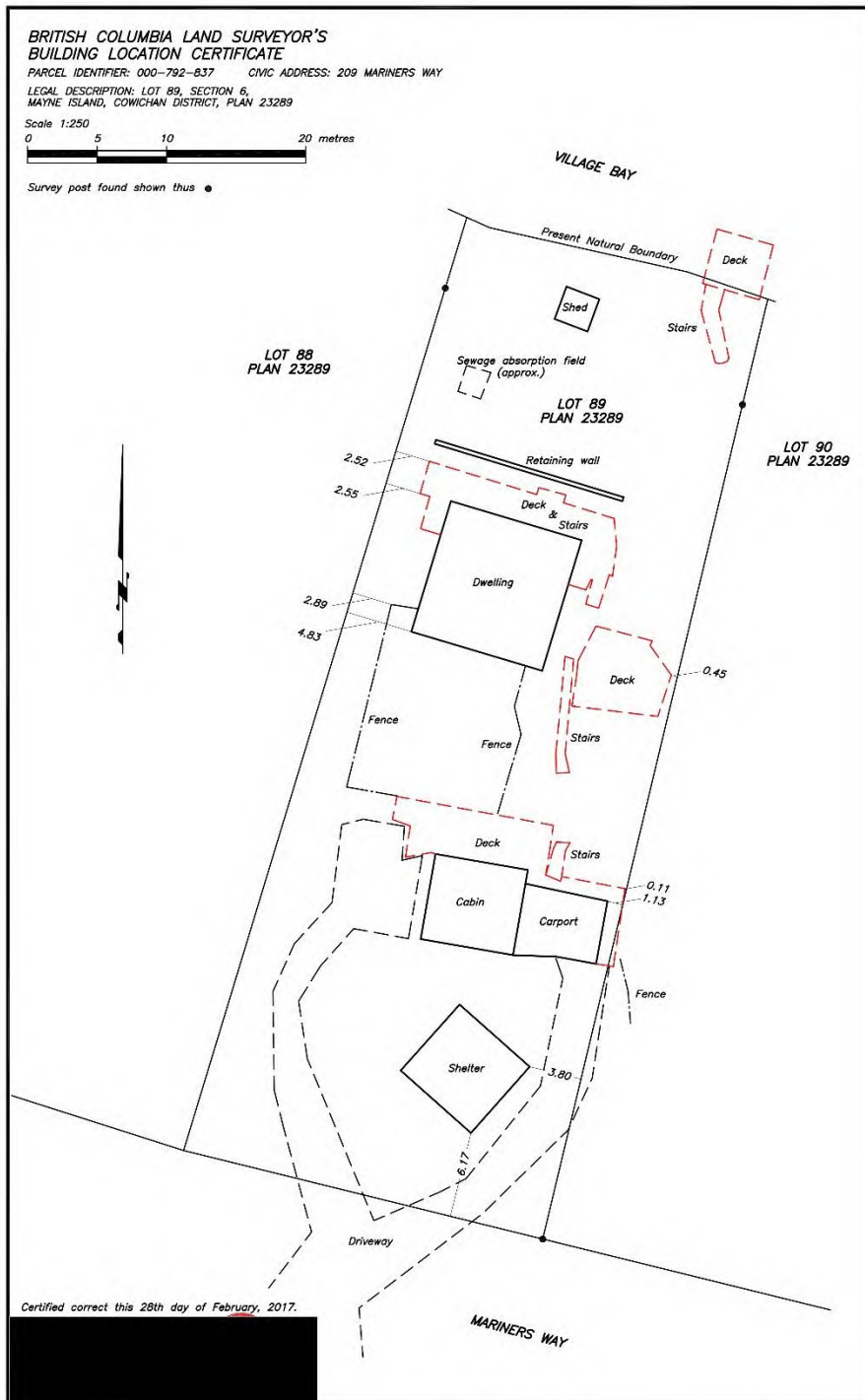
209 Mariners Way

*2 m Contours and Steep Slope Hazard Mapping*

Archaeological Sites	Archaeological potential on property (See report under 'First Nations')
Climate Change Adaptation and Mitigation	GHG emission changes are linked to allowable density on the property and will not change with approval of the DVP.
Shoreline Classification	Low Rock/Boulder

# ATTACHMENT 2 – PLANS & PHOTOGRAPHS

## 2.1 SURVEY PLAN



## 2.2 PHOTOGRAPHS



Front of Shelter from Road



Southeast Facing Side of Shelter



Shelter



Rear of Shelter (Northwest facing)

## 2.2 PHOTOGRAPHS (CONT'D)



Carport (Attached to Cabin)



Dwelling (Looking to Miners Bay)



Shed



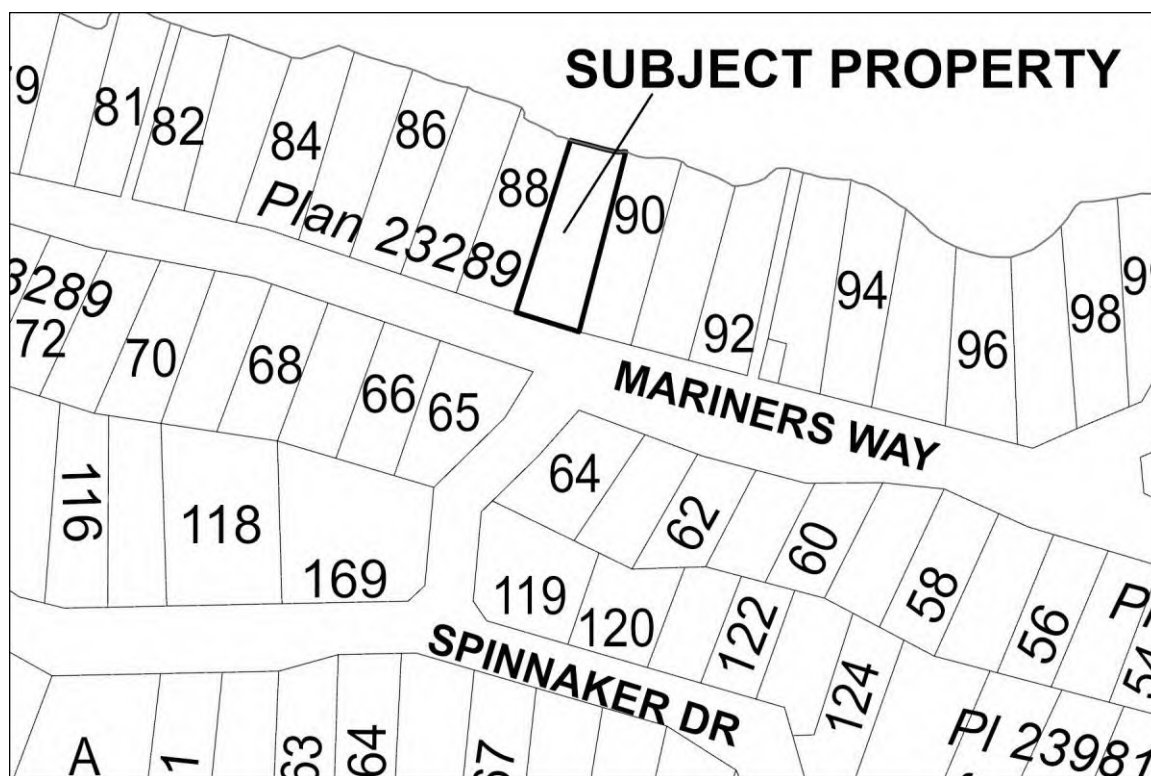
**NOTICE**  
**MA-PLDVP20240221**  
**MAYNE ISLAND LOCAL TRUST COMMITTEE**

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

Varying the maximum allowable number of accessory buildings to three (3) in addition to various setback regulations for the same buildings.

The property is located at **209 Mariners Way** and is legally described as Lot 89, Section 6, Mayne Island, Cowichan District, Plan 23289 (PID: 000-792-837).

The general location of the subject property is shown on 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. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **November 4, 2024** and continuing up to and including **November 15, 2024**.

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.

Enquiries or comments should be directed to Phil Testemale, Planner 2 at (250) 405-5170, 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: [southinfo@islandstrust.bc.ca](mailto:southinfo@islandstrust.bc.ca) before 4:30 pm, **November 15, 2024**.

The Mayne Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **1:30 p.m., November 25, 2024** at **430 Fernhill Road, Mayne Island**.

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



**MAYNE ISLAND LOCAL TRUST COMMITTEE  
DEVELOPMENT VARIANCE PERMIT  
MA-PLDVP20240221**

To: Christopher Redsell and Donna Dubock

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

Lot 89, Section 6, Mayne Island, Cowichan District, Plan 23289  
(PID: 000-792-837)

2. Mayne Island Land Use Bylaw No. 146, 2008 is varied as follows:

- a) Subsection 3.3 (3) which states that no building or structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (25 feet) of the natural boundary of the sea is varied to permit a building (shed) within 2.9 metres (9.5 feet) from the natural boundary of the sea;
- b) Article 5.1 (4) (a) which states that the maximum number of accessory buildings is two on lots having an area of 0.2 ha (0.5 acres) and less is varied to permit three (3) accessory buildings on the lot;
- c) Article 5.1 (8) (a) which states that minimum setback for any building or structure is 8 metres (26 feet) from any front or rear lot line is varied to permit a building (shelter) within 6.17 metres (20.2 feet) from the front lot line, and a building (shed) within 2.9 metres (9.5 feet) from the rear lot line; and,
- d) Article 5.1 (8) (b) which states that minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line is varied to permit a building (attached carport) within 0.9 metres (3.0 feet) from an interior side lot line.

The development shall be consistent with Schedules 'A' and 'B', 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 \_\_\_<sup>TH</sup> DAY OF MONTH, 2024.**

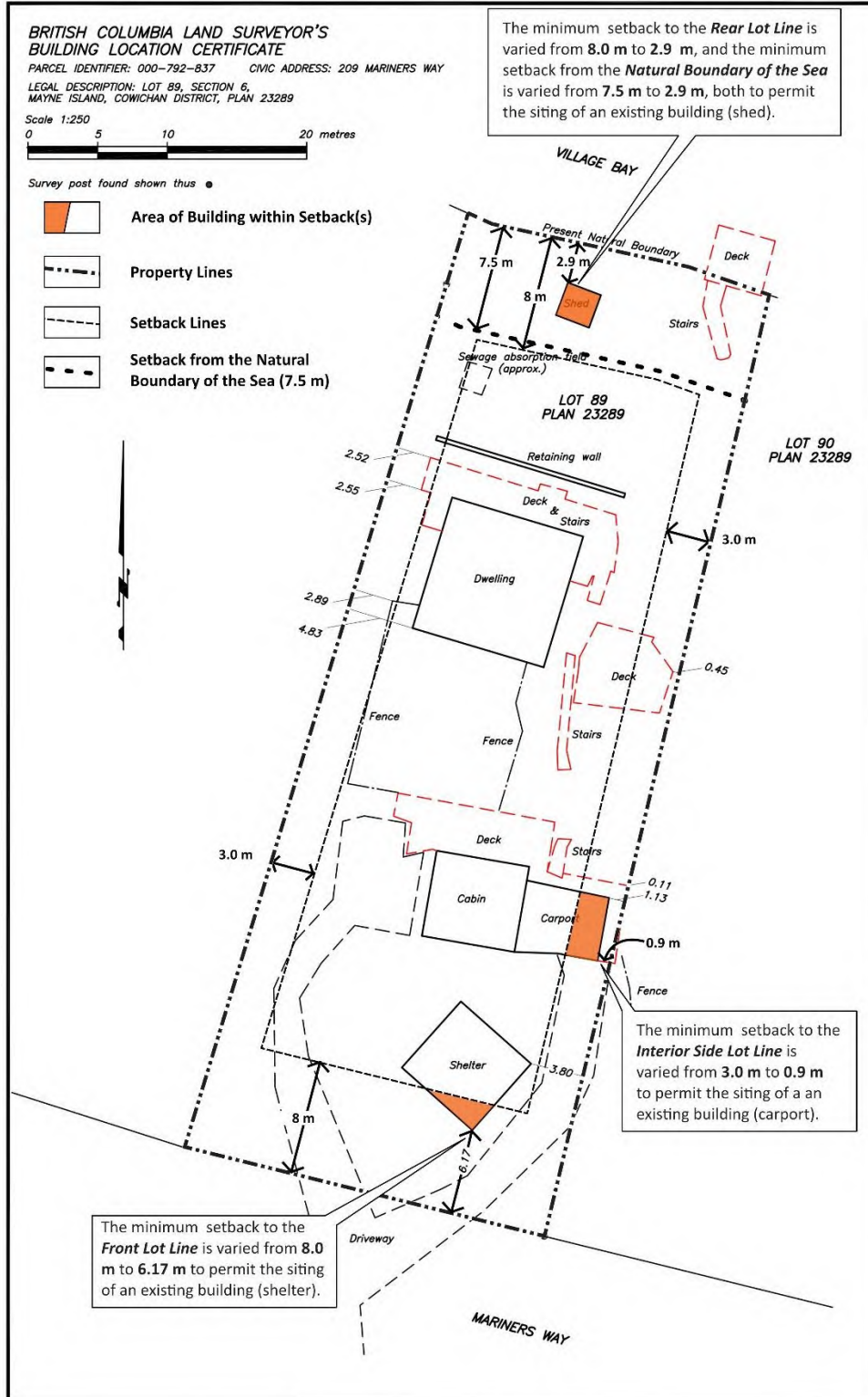
\_\_\_\_\_  
Deputy Secretary, Islands Trust

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

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE \_\_\_<sup>TH</sup> DAY OF MONTH, 2026 THIS PERMIT AUTOMATICALLY LAPSES.**

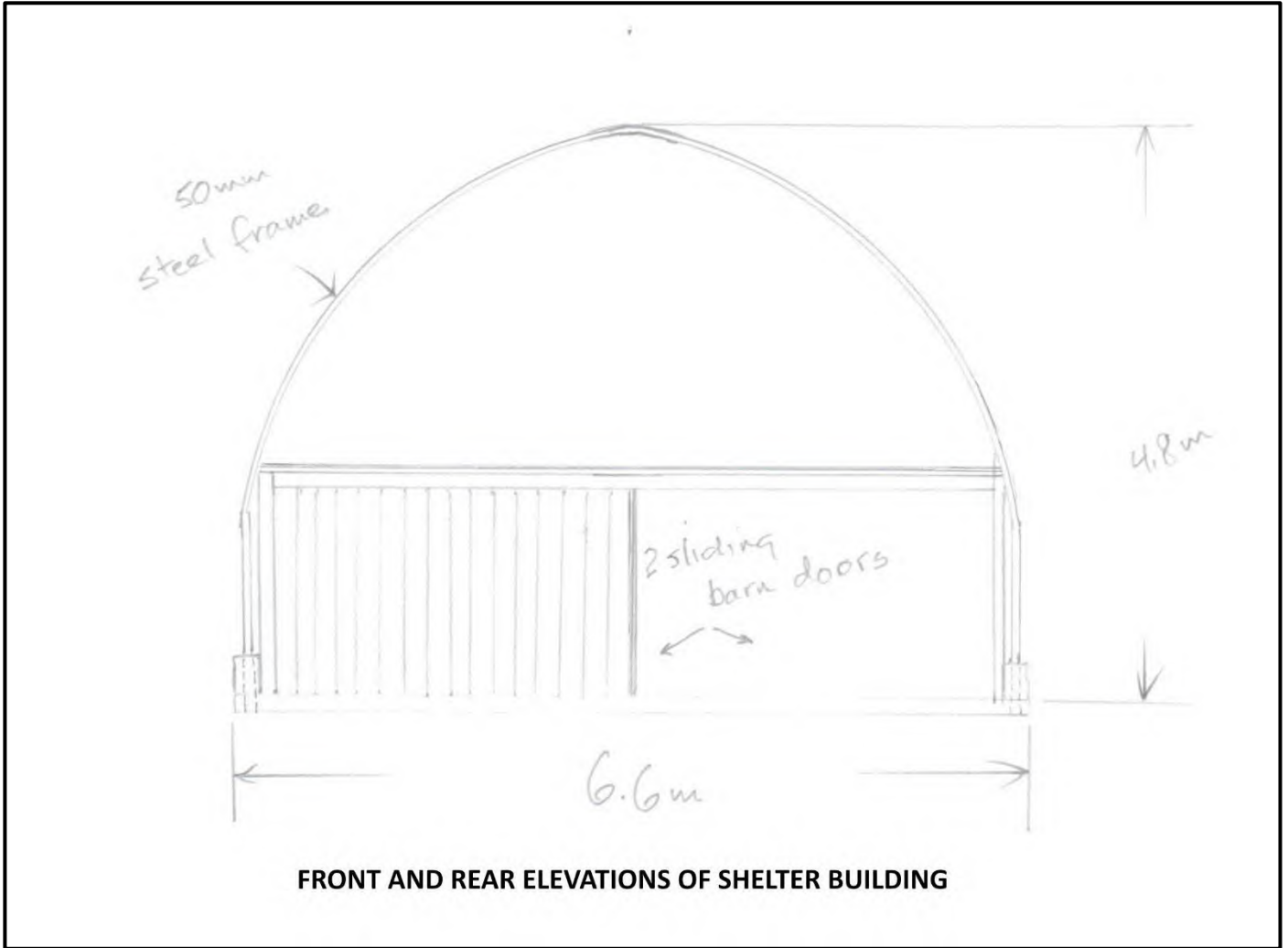
**MAYNE ISLAND LOCAL TRUST COMMITTEE  
MA-PLDVP20240221**

**SCHEDULE 'A'**



**MAYNE ISLAND LOCAL TRUST COMMITTEE**  
**MA-PLDVP20240221**

**SCHEDULE 'B'**  
**(Elevations)**



**FRONT AND REAR ELEVATIONS OF SHELTER BUILDING**

**From:** Rob Pingle  
**Sent:** Friday, October 18, 2024 2:52 PM  
**To:** 'cathie.mcintyre@bcassessment.ca'; 'Breysen, Tara MOTI:EX';  
'vss@bcassessment.ca'; 'cali.melnechenko@gov.bc.ca';  
'realestate@crd.bc.ca'; 'gateway\_office@islandhealth.ca';  
'info@islandpathways.ca'; 'mtippett@cvr.bc.ca'; Jas Chonk; Nadine Mourao  
**Cc:** Chris Buchan  
**Subject:** Salt Spring Island Local Trust Committee Proposed Bylaw Nos 538 & 539  
Referral - For Response  
**Attachments:** SS-LTC\_2024-10-18\_SS-BL-538-539\_ReferralFRM.pdf

Dear Referral Coordinators,

We are contacting you in regards to a referral of Bylaw Nos. 538 and 539 (attached), which propose to amend the Official Community Plan and Land Use Bylaw to permit the redevelopment of the existing ferry terminal area and wharf. Our planner is available to discuss this referral with you if you would like to ensure that your concerns or comments are considered by our elected officials.

The purpose of the bylaw amendments are to amend the Land Use Bylaw (LUB) to legalize the existing terminal use, while expanding the water lot Official Community Plan (OCP) designation Shoreline Development and Shoreline 3 LUB zoning to permit a redevelopment of the existing ferry loading trestle. The applicant satisfies policy within the OCP related to transportation policy and objectives, while working towards providing further environmental reports to satisfy Development Permit Area environmental protection objectives in the OCP. The proposal will allow for offshore redevelopment, while legalizing onshore use.

Staff reports and other materials related to the proposed bylaw can be viewed on our website at: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/> as SS-RZ-2024.1.

A reply is respectfully requested by **November 15, 2024**.

Should you have any questions, or require further information on the Proposed Bylaw, please contact Island Planner Chris Buchan at (250) 538-5601 or [cbuchan@islandstrust.bc.ca](mailto:cbuchan@islandstrust.bc.ca) and she would be happy to answer any questions you may have.

Referral responses should be addressed to myself at [rpingle@islandstrust.bc.ca](mailto:rpingle@islandstrust.bc.ca).

Thank you for your time and attention to this referral,

**Rob Pingle**

Legislative Clerk | Deputy Secretary

Islands Trust

1-500 Lower Ganges Road | Salt Spring Island, BC V8K 2N8

Phone: 250-538-5600 | [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421



# 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 Nos.: 538 & 539

Date: October 18, 2024

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 60 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

**APPLICANTS NAME / ADDRESS:**

Floridor Oprea British Columbia Ferry Corporation Inc. Suite 500 – 1321 Blanshard Street Victoria BC V8W 0B6

**PURPOSE OF BYLAW:**

To Permit BC Ferries Terminal Re-development / To Legalize pre-existing uses.

**GENERAL LOCATION:**

Terminus of Vesuvius Bay Road (BC Ferries Terminal)

**LEGAL DESCRIPTION:**

1. District Lot 600, Cowichan District, Plan 27TU1028; and
2. Lot 2, Section 9, Range 2 West And Section 10, Range 3 West, North Salt Spring Island, Cowichan District Plan 43894
3. LOT 1, SECTION 10, RANGE 3 WEST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 23440

**SIZE OF PROPERTY AFFECTED:**

Water lot – 0.94 Ha, Parcel 1 – 0.24 ha,  
Parcel 2 – 0.39 ha

**ALR STATUS:**

Not in ALR

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

Residential (R)/ Shoreline Development (SD)

**OTHER INFORMATION:**

The applicant is seeking an amendment to the Land Use Bylaw (LUB) to legalize the existing terminal use, while expanding the water lot Official Community Plan (OCP) designation Shoreline Development and Shoreline 3 LUB zoning to permit a redevelopment of the existing ferry loading trestle. The applicant satisfies policy within the OCP related to transportation policy and objectives, while working towards providing further environmental reports to satisfy Development Permit Area environmental protection objectives in the OCP. The proposal will allow for offshore redevelopment, while legalizing onshore use.

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.

*Cbuchan*

(Signature)

Name: Chris Buchan

Title: Acting Island Planner

**This referral has been sent to the following agencies:**

**First Nations**

- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Malahat First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tsecum First Nation
- Ts'uubaa-Asatx First Nation
- Salt Spring Island Coast Salish Society

**Provincial Agencies**

- BC Assessment Authority
- Ministry of Transportation & Infrastructure
- Ministry of Water, Land & Resource Stewardship
- Front Counter BC

**Regional Agencies**

- Capital Regional District
- Vancouver Island Health Authority
- SSI Advisory Planning Commission

**Non-Agency Referrals**

- Island Pathways

**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)

\_\_\_\_\_  
538 & 539  
(Bylaw Numbers)

\_\_\_\_\_  
(Title)

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

## Active Projects Report

### Mayne Island

#### 1. Major Project - Housing Options Project - Phase 2

#### Responsible

#### Dates

**Activity:**

Continuation of Housing Options Project

- To define scope of project through community consultation, LTC deliberation
- Business case to be developed for submission by September 2023

Narissa Chadwick

Rec'd: 30-Jan-2023

Target: 31-Mar-2025

## Future Projects Report

### Mayne Island

#### 1. *Foreshore Education and Marine zoning*

Responsible

Date Received

To provide education on foreshore uses and climate change adaptation and review policy and zoning regulations for foreshore and marine uses

24-Jun-2024

#### 2. *Groundwater Implementation*

Responsible

Date Received

To review after housing project implementaton

# Islands Trust

LTC EXP SUMMARY REPORT F2025

Invoices posted to Month ending September 2024

645 Mayne	Invoices posted to Month ending September 2024	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65200-645	LTC - Local Exp - LTC Meeting Expenses	1,820.00	348.14	1,471.86
65210-645	LTC - Local Exp - APC Meeting Expenses	300.00	0.00	300.00
65220-645	LTC - Local Exp - Communications	1,000.00	686.00	314.00
TOTAL LTC Local Expense		<u>3,120.00</u>	<u>1,034.14</u>	<u>2,085.86</u>
Projects				
73001-645-4100	Mayne Island Housing	10,000.00	0.00	10,000.00
73001-645-4130	Mayne LUB Minor Amendments	2,000.00	1,241.18	758.82
TOTAL Project Expenses		<u>12,000.00</u>	<u>1,241.18</u>	<u>10,758.82</u>



## Standing Resolutions Log

### Mayne Island

Resolution Number	Action	Date
<b>2022-012 (Standing)</b>  <b>5.4 Outhouses</b>  that the Mayne Island Local Trust Committee direct Bylaw staff to suspend enforcement on outhouses and that the Bylaw Enforcement Manager be invited to attend a future Local Trust Committee meeting.	<b>Carried</b>	<b>14-Nov-2022</b>
<b>2021-011 (Standing)</b>  <b>Advisory Planning Commission - Re-appointments and Expression of Interest Advertisement</b>  that the Mayne Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be re-appointed and also advertise for expressions of interest for new commissioners	<b>Carried</b>	<b>25-Jan-2021</b>

**Standing Resolutions Log**

**Mayne Island**

Resolution Number	Action	Date
<b>2020-022 (Standing)</b>	<b>Carried</b>	<b>24-Feb-2020</b>

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.

**Mayne Island**

Resolution Number	Action	Date
<p><b>2018-049 (Standing)</b></p> <p><b>Cannabis Retail Referrals</b></p> <ul style="list-style-type: none"> <li>- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee.</li> <li>- 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.</li> <li>- The public consultation process shall be determined by the local trust committee after initial review of the proposal.</li> <li>- 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:               <ul style="list-style-type: none"> <li>o Name of the applicant and a description of the proposal in general terms</li> <li>o The location of the proposed establishment and the subject site</li> <li>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.</li> <li>o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application</li> <li>o How public comments may be submitted to the local trust committee</li> </ul> </li> </ul>	<p><b>Carried</b></p>	<p><b>24-Sep-2018</b></p>

**Standing Resolutions Log**

**Mayne Island**

Resolution Number	Action	Date
<p><b>2017-028 (Standing)</b></p> <p><b>13.3 Short Term Vacation Rentals (STVR) Enforcement Policy - Staff Report</b></p> <p>That the Mayne Island Local Trust Committee adopts the following resolution in regards to Bylaw Enforcement of Unlawful Short Term Vacation Rentals (USTVR):</p> <p>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:</p> <ul style="list-style-type: none"> <li>i) they are advertised on the internet, newspapers or other media;</li> <li>ii) they are not managed by an owner of the USTVR property who lives on Mayne Island;</li> <li>iii) more than one dwelling on the lot is simultaneously made available for USTVR;</li> <li>iv) while the property is used as a USTVR, persons are permitted to stay in tents or trailers;</li> <li>v) there are issues related to health and safety on the property;</li> <li>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;</li> <li>vii) the owner of the property uses more than one property on Mayne Island as a USTVR.</li> </ul> <p>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.</p>	<p><b>Carried</b></p>	<p><b>26-Jun-2017</b></p>
<p><b>2017-027 (Standing)</b></p> <p><b>13.2 Bylaw Enforcement Policy, Unlawful Dwelling - Staff Report</b></p> <p>That the Mayne Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists:</p> <ul style="list-style-type: none"> <li>1.1. There is a complaint from an immediate neighbor; or,</li> <li>1.2. There is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement.</li> </ul> <p>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.</p>	<p><b>Carried</b></p>	<p><b>26-Jun-2017</b></p>

## Standing Resolutions Log

### Mayne Island

Resolution Number	Action	Date
<p><b>2016-055 (Standing)</b></p> <p><b>12.4 Adopted Policies and Standing Resolutions (attached)</b></p> <p>that the Mayne Island Local Trust Committee direct staff to create a policy to advertise all statutory public notices in the Mayne Liner.</p>	Carried	27-Jun-2016
<p><b>2012-000 (Standing)</b></p> <p><b>Special Occasion Liquor License Referrals</b></p> <p>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.</p>	Carried	01-Feb-2012
<p><b>2011-044 (Standing)</b></p> <p><b>Options for adopting In Camera Minutes</b></p> <p>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.</p>	Carried	02-May-2011



DATE OF MEETING: Fall 2024

TO: Local Trust Committees  
Bowen Island Municipality

FROM: Trust Area Services

SUBJECT: Phase 4 Community Engagement Options - Policy Statement Amendment Project (PSAP)

## RECOMMENDATION

1. That [*name of LTC/Bowen Island Municipality*] select Engagement Option(s) [*Insert option #s here*] for Phase 4 community engagement about the new draft Islands Trust Policy Statement.

## REPORT SUMMARY

The purpose of this report is to provide local trust committees (LTCs) and Bowen Island Municipality (BIM) with the opportunity to advise Trust Council which, if any, local public engagement activities the LTC/BIM would prefer used to seek community input to inform the LTC's/BIM's referral response to Trust Council about the draft new Policy Statement. Trust Council will refer the new Policy Statement to LTCs and Bowen Island Municipality for comment once Trust Council has provided approval in principle.

The project work plan anticipates that virtual and on-island engagement will take place between May and October 2025.

## BACKGROUND

Through approval of the Policy Statement Amendment Project Charter, Islands Trust Council has confirmed its intent to support a six-month local engagement window once Trust Council grants the draft Policy Statement approval in principle.

The project charter for the Policy Statement Amendment Project envisions Phase 4 engagement taking place simultaneously at the federation-wide and local trust area/Bowen Island levels. At the federation-wide level, the following engagement activities are planned:

- A survey<sup>1</sup>, available both online and in hard copy that can be picked up at key locations on the islands; and
- An online workshop open to all that wish to attend.

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<sup>1</sup> There will be an opportunity for people to phone in their answers to the survey as well.

Options for on-island engagement are laid out in the table below.

This will be the fourth time that local communities have been engaged as part of the Policy Statement Amendment Project. Information about previous engagement phases is available in the “Project Library” on the [Islands 2050 webpage](#).

**ANALYSIS**

**On-Island Engagement Options**

Option Number	Option Type	Option Description	Trust Area Services Staff Participation	Option Cost (from PSAP budget)
1.	No formal on-Island engagement	LTC/BIM receives the draft policy statement and develops a referral response based on their own perspectives or information gathered informally in the community <sup>2</sup>	N	\$0
2.	Town Hall during regular LTC/BIM meeting(s)	LTC/BIM allocates time within one or more regular LTC meetings to hear views of community members	N	\$0
3.	LTC/BIM-led Community Information Meeting prior to regular LTC meeting	LTC/BIM requests and advertises Community Information Meeting to be held on regular LTC/BIM meeting day specific to the draft new Policy Statement	N	\$XXX (advertising) \$XXX (engagement materials)
4.	Staff-led Community Information Meeting prior to regular LTC/BIM meeting	LTC/BIM requests and advertises for Community Information meeting to be held on regular LTC/BIM meeting day specific to the Policy Statement	Y	\$XXX (advertising) \$XXX (engagement materials)
5.	Staff-led Community Information Meeting outside of regular LTC/BIM meeting <sup>3</sup>	LTC requests and advertises for special meeting to be held specific to the Policy Statement	Y	\$XXX (advertising) \$XXX (engagement materials) \$XXX (hall rental + catering) \$XXX (minute taker)

<sup>2</sup> Trustees are welcome to convene informal gatherings at their own cost, but use of project funds requires a more formal structure (minute taker/recorder etc).

<sup>3</sup> On-Island engagement events that involve TAS staff will likely involve total overtime, travel, and potentially accommodation costs in the order of between \$250 and \$1,000.

6.	Staff-run info booth	Staff set up a booth at a popular community hub to share information about the PSAP and gather feedback for presentation to LTC/BIM	Y	\$XXX (advertising)  \$XXX (engagement materials)
7.	Staff-run info booth on the ferry	Staff set up a booth on the ferry to share information about the PSAP and gather feedback for presentation to LTC/BIM	Y	\$XXX (advertising)  \$XXX (engagement materials)

## Issues and Opportunities

### *Need for Local Engagement*

LTCs/BIM considering Phase 4 local engagement for the Policy Statement Amendment Project should consider the nature of the information they hope to receive to inform their referral response. LTCs/BIM are under no obligation to pursue on-island engagement if they are satisfied they can comment on the draft Policy Statement without it. A survey option will be available to on-island residents regardless of an LTC's/BIM's on-island engagement selection.

### *Project Budget*

Subject to Trust Council approval, the anticipated budget for Phase 4 on-island community engagement is \$20,000. This is not sufficient for staff-supported engagement on all 13 large islands or associated islands. Once all LTCs/BIM have submitted their engagement requests, staff will review the nature of each request, and if it does not seem feasible to deliver the type of engagement requested with the existing budget, staff will advise Executive Committee and propose options and alternatives.

## Rationale for Recommendation

The purpose of this report is to solicit LTC/BIM direction so Trust Area Services staff can prepare appropriate opportunities and materials in support of local trust committee engagement on the Policy Statement. The content of any recommendations is at the LTC's/BIM's discretion.

## ALTERNATIVES

### 1. Request alternative approach to engagement

The LTC/BIM may have ideas for local engagement that staff have not included above. If this is the case, and provided such ideas are feasible within both project budget and timeline, then LTC/BIM may request this approach. If this is the case, the following resolution is appropriate :

*That the [name of LTC/Bowen Island Municipality] requests the following form of local engagement for Phase 4 community engagement about the new draft Policy Statement . . . .*

**NEXT STEPS**

Staff will collate the on-island engagement requests of all LTCs/BIM and assess them for feasibility relative to project budget and staff resources. Depending on the results of that assessment, staff will draft a public engagement plan and schedule for Trust Council approval and/or seek direction from Executive Committee if LTC/BIM requests exceed budget or resourcing limits.

Submitted By:	Jason Youmans, Senior Policy Advisor	September 26, 2024
Concurrence:	Clare Frater, Director, Trust Area Services	October 2, 2024

**ATTACHMENTS**

- 1. Policy Statement Amendment Project Charter V9

# Policy Statement Amendment Project - Project Charter V9

**Purpose** To support Trust Council’s update of the Islands Trust Policy Statement bylaw, incorporating feedback from Indigenous Governing Bodies, the public, and referral agencies, and approval by the Minister of Municipal Affairs.

**Background** Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement through the lenses of reconciliation, climate change, and affordable housing, and to undertake early engagement with Indigenous Governing Bodies (IGBs) and the public in the process.

## Objectives

- To adopt an updated Policy Statement bylaw that supports Trust Council’s commitments to reconciliation, climate change, and affordable housing, and reflects feedback from the public, IGBs, and partner agencies.

## In Scope

- Amendment drafting of V1 as directed by TC resolutions, communications, legal review, and implementation planning
- IGB engagement, public engagement, and agency referrals
- Four readings/Ministerial approval

## Out of Scope

- Treaty or territorial negotiations or accommodation
- Consequential amendments to official community plans and land use bylaws

## Workplan Overview

Major Deliverable/Milestone	Dates
<p><b>Past Years (FY 2019-20, 2021-22, 2022-23, 2023-24)</b></p> <ul style="list-style-type: none"> <li>-IGB early engagement Phases 1 (2019-2021), 2 (2021-2022), and 3 (2023)</li> <li>-Public engagement Phases 1 (2019-2020), 2 (2021), and 3 (2022)</li> <li>-Policy review and analysis by Trust Council’s committees/working groups and staff (2020-22)</li> <li>-Amendment drafting and legal review Phase 1 (Apr-Jun 2021), Phase 2 (Dec 2022-Mar 2023)</li> <li>- IGB Early engagement Phase 3</li> </ul>	2019-2024
<p><b>Present (FY 2024-25)</b></p> <ul style="list-style-type: none"> <li>- Review and revision of draft Policy Statement by Committee of the Whole</li> </ul>	May - December 2024
<p><b>Proposed Next Steps (FY 2024-25)</b></p> <ul style="list-style-type: none"> <li>-<b>Approval in principle by Trust Council</b></li> <li>-Six month public engagement (referrals to local trust committees and Island Municipalities for local engagement; Trust-wide survey; and virtual community workshop)</li> <li>- Amendments and <b>First Reading</b></li> <li>- Bylaw referral to IGBs, regional districts, Conservancy Board and others</li> </ul>	Jan 2025 May– October 2025 Nov- Dec 2025 Dec 2025 - March 2026
<p><b>Final Adoption (FY 2025-26/2026-27)</b></p> <ul style="list-style-type: none"> <li>-Trust Council receives referral responses and passes resolutions on further revisions required</li> <li>-Amendment drafting and amendment/<b>Second</b> and <b>Third</b> Reading by Trust Council</li> <li>-Refer proposed bylaw to Minister with final FN engagement report; allow six months for review</li> <li>- <b>Ministerial Approval</b> (estimated—no statutory timeline), and <b>Adoption</b></li> <li>-Final graphic design and distribution, celebration event, implementation planning</li> </ul>	April 2026 May 2026 May2026 Dec 2026 Dec 2026—Jan 2027

## Project Team

Executive Committee Trust Programs Committee Director, TAS	Project Champion Policy Content Advisors Project Director
Sr. Policy Advisor	Project Manager & Policy Writer
Program Coordinator	Public Engagement Coordinator
Communications Specialist	Communications Coordinator

## Budget

Item	FY 24-25	FY25-26	FY26-27
Communications	\$10,000	\$26,000	\$10,000
Public Engagement	\$0	\$60,000	\$0
Legal Review	\$25,000	\$5,000	\$5,000
Capacity Funding	\$4,000	\$0	\$0
<b>Total Activity Costs:</b>	<b>\$39,000</b>	<b>\$91,000</b>	<b>\$15,000</b>

## Approved by:

Clare Frater, Director, TAS

## Endorsement: TC

Date: TC-2024-077, Sept, 25, 2024

\*Timeline assumes Trust Council schedules special meetings between regular quarterly meetings.



DATE OF MEETING: November 25, 2024  
TO: Mayne Island Local Trust Committee  
FROM: Warren Dingman, Manager of Bylaw Compliance and Enforcement  
Southern Team  
SUBJECT: Bylaw Compliance and Enforcement Policy

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## RECOMMENDATION

- 1. That the Mayne Island Local Trust Committee direct staff to amend the proposed Bylaw Compliance and Enforcement Policy as directed and bring it forward for future consideration.**

## REPORT SUMMARY

The purpose of this report is to present a Bylaw Enforcement Policy document for review and consideration by the Local Trust Committee. The proposal is to incorporate all current standing resolutions for compliance and enforcement into a single document and to provide clarity on current policies.

## BACKGROUND

There have been concerns expressed about the conduct of bylaw staff and the manner in which properties are accessed for inspection and how requests for compliance are proceeding. Currently, bylaw staff follow adopted Trust Council policies for compliance and enforcement, and they receive direction from Local Trust Committees in the form of standing resolutions regarding specific bylaw contraventions where the Local Trust Committee wants either proactive enforcement or deferral of enforcement.

These policies are not combined and there is no public facing document that can be easily accessed by either residents of Mayne Island or staff. This has led to a lack of understanding of how bylaw staff conduct themselves or why they follow certain procedures.

## TRUST COUNCIL POLICY

Trust Council Policy 5.5.1, which is attached, provides direction to staff and Local Trust Committees on when compliance and enforcement investigations will be commenced and closed; the priority of investigation; the role of Local Trust Committees in bylaw enforcement; use of mediation; when legal action should be commenced; and the confidentiality of complainants.

However, it does not contain policies for the following:

1. Notice of Site inspections
2. Time to Comply

3. Frivolous or vexatious complaints
4. Definition of minor contraventions
5. Use of discretion

Trust Council policy states that Local Trust Committees can close files and adopt policies to address specific issues regarding compliance and enforcement, and the proposed policy document is an opportunity to ensure that those issues are addressed in an open and transparent manner, and to allow the Local Trust Committee the opportunity to provide additional direction to staff on how to conduct bylaw enforcement.

**PROPOSED POLICIES**

The proposed policy contains the current policies adopted by standing resolution and it also provides additional policies on when site inspections are to occur, or not occur, when files should be closed at the discretion of staff. It also includes consideration on whether or not those subject to compliant should face enforcement or penalties if they are financially unable to comply.

**RATIONALE FOR RECOMMENDATION**

Local governments throughout British Columbia have bylaw enforcement policy documents that provide direction to staff regarding how bylaw compliance will be sought and how enforcement will be conducted. Within the Islands Trust, Local Trust Committees have been establishing such policies piecemeal and for individual issues through the adoption of standing resolutions. Establishing the policies into one document that can be readily accessed by staff and the general public should ensure a more efficient and open and transparent access to information and policies, and a better understanding of how bylaw enforcement is conducted.

**ALTERNATIVES**

1. That the Mayne Island Local Trust Committee adopt the proposed Bylaw Compliance and Enforcement Policy as presented.
2. That the Mayne Island Local Trust Committee direct staff to proceed no further with work on the policy document.

Submitted By:	Warren Dingman, Manager of Bylaw Compliance and Enforcement	November 15, 2024
Reviewed By:	Robert Kojima, Regional Planning Manager	November 15, 2024

Attachments

1. Proposed Mayne Island Bylaw Compliance and Enforcement Policy
2. Trust Council Policy 5.5.1

# PROPOSED

## Mayne Island Local Trust Committee Bylaw Compliance & Enforcement Policy

Bylaw Compliance & Enforcement Policy No. 1, effective \_\_\_\_XXX\_\_\_\_\_, 2024

### Version No. 1

#### Purpose

To establish policies and procedures for bylaw compliance and enforcement in the Local Trust Area in accordance with the adopted Trust Council Policies contained in Policy 5.5.1., and that are within the authority of the Local Trust Committee to enforce, and to ensure that policies and procedures are efficient, transparent, reasonable, and consistent with local community standards.

### PART A

#### 1.0 Application

*This policy will apply to the Mayne Island Local Trust Area and the enforcement of all applicable regulatory bylaws.*

#### 2.0 Definitions & Abbreviations

*BEN – Bylaw Enforcement Notice*

*LUB – Land Use Bylaw*

*LTC – Local Trust Committee*

*Minor structure – any structure that does not require a building permit, and that is not located in a development permit area or located within any other environmentally sensitive area*

*Respondent – a property owner whose property is subject to a bylaw enforcement complaint*

*Health & Safety concerns – fire, unsafe construction, hazards relating to steep slopes or cliffs, or the dumping of sewage*

*Vexatious - complaints that are made in bad faith or for retaliatory purposes or that are considered frivolous, may be considered vexatious; or repeated complaints that form a part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process*

#### 3.0 References

***Islands Trust Act section 28:***

*Enforcement of bylaws*

28 (1) For the purposes of enforcing its bylaws and section 32 of this Act, a local trust committee has all the power and authority of a regional district board.

### **Mayne Island Land Use Bylaw No. 146 Section 2.3**

(1) The Islands Trust Bylaw Enforcement Officer or any other person designated by the Islands Trust to administer this Bylaw is authorized to enter, at any reasonable time, upon any property that is subject to regulation under this Bylaw, for the purpose of inspecting and determining whether the regulations, prohibitions and requirements are being met.

### **Trust Council Policy 5.5.1**

*Policies adopted by the Islands Trust Council to support the object of the Islands Trust to preserve and protect the trust area and its unique amenities and environment for the benefit of residents of the trust area and of the province generally by ensuring compliance with Local Trust Committees' Bylaws.*

## **4.0 Priorities**

**4.1** The Islands Trust Act grants the LTC the power and authority to enforce its bylaws and the LTC also has discretion to adopt priorities for enforcement or to defer enforcement.

**4.2** There will be no enforcement against unlawful short term vacation rentals (STVR) except in the following circumstances:

4.2.1 There is no resident owner or operator on the property;

4.2.2 There are non-permitted dwellings used for the STVR without a resident owner being present on the property;

4.2.3 There is a complaint made by a representative of an improvement district and it concerns overuse of water;

4.2.4 There is a written complaint by owners or residents in the immediate neighbourhood about bona fide nuisance issues such as noise or parking congestion related to the STVR.

4.2.5 There is evidence that the STVR is causing an overuse of the septic system.

**4.3** There will be no enforcement against unlawful dwellings unless one of the following circumstances exists:

4.3.1 There is a complaint from an immediate neighbour;

4.3.2 Or there is a referral from an agency responsible for health and safety issues.

**4.4** There will be deferred enforcement on any non-permitted or unlawfully sited outhouses.

## **5.0 Inspection**

**5.1** At the start of any investigation, Bylaw Enforcement Officers will determine if entry is necessary to investigate the alleged contravention or if the investigation can be conducted from a public road or other lands.

**5.2** Bylaw Enforcement Officers will request mutually agreeable times to arrange site inspections and provide minimum of 14 days notice despite section 2.3 of the LUB.

- 5.3** Investigations into health and safety issues and matters that may cause adverse environmental impact and result in irreversible damage are a priority and may be investigated without notice pursuant to section 2.3 of the LUB.
- 5.4** Holders of temporary use permits will be held accountable for any violations of their Permit. Bylaw Enforcement Officers may enter properties between the hours of 9:00 am and 5:00 pm, on any day, without prior consultation with the holder of a Temporary Use Permit for the purpose of investigating a complaint.
- 5.5** If a respondent has indicated that they will work towards compliance, and have agreed on a time to comply, a site inspection will only be conducted to confirm compliance.
- 5.6** If a respondent provides photographic evidence, a survey, or a professional report that confirms compliance, a site inspection is not required.

## **6.0 Enforcement Procedures**

- 6.1** If a bylaw contravention is confirmed, and there is no agreement on a deadline for compliance, there will be notice in writing, and Respondents will be given a minimum of 90 days to comply. Notice may also be given that enforcement action will be escalated if there is no compliance at the deadline, and this may include the use of the BEN system or a request for legal action.
- 6.2** Bylaw Enforcement Officers can use their discretion to consider any reasonable request for time to comply from Respondents, but the term cannot be for more than one year.
- 6.3** If there are contraventions in environmentally sensitive areas, or development permit areas, or if there is a risk to health and safety, there will be a demand for the Respondent to cease the use or activity immediately.
- 6.4** Respondents will be given a Bylaw Warning Notice with a minimum of 45 days to comply before a Bylaw Violation Notice is issued, unless there are health and safety concerns, or contraventions in environmentally sensitive areas.
- 6.5** Bylaw Violation Notices will not be issued more than once per week unless authorized by the Manager of Bylaw Compliance and Enforcement.

## **7.0 Closing Files**

- 7.1** If the identity of a complainant cannot be confirmed during the course of an investigation, or if a complainant used a false name, the file will be closed.
- 7.2** If the contravention is for a minor structure that has only received one written complaint, the file can be closed.
- 7.3** If it is unreasonable for a Respondent to comply, whether due to specific circumstances or finances, Bylaw Enforcement Officers or the Manager of Bylaw Compliance and Enforcement can use their discretion to close the file.
- 7.4** If a contravention has been identified that is subject to deferred enforcement by the LTC, the file can be closed unless there are contraventions that exist in environmentally sensitive areas or there are concerns about health and safety.
- 7.5** If it is determined during an investigation that the complaint was frivolous, repeat, or vexatious in nature, the Manager of Bylaw Compliance and Enforcement can use their

discretion to close the file unless there is work in a development permit area, or work in an environmentally sensitive area, or there are health and safety concerns.

### **8.0 Frivolous, Repeat or Vexatious Complaints**

- 8.1** If a decision is made to not act upon a complaint that is considered frivolous, repeat, or vexatious, the complainant will be advised of the decision, the reason for it, and may be advised of the circumstances under which it may be reconsidered.

### **9.0 Communications**

- 9.1** When a file is opened and an investigation commenced, respondents will be advised of the Trust Council Policy that authorized the opening of the file and that an investigation has commenced.
- 9.2** Respondents will receive as much information about complaints against their properties as possible without revealing the identity of the complainant.
- 9.3** If there are questions or concerns regarding individual files, Trustees or the LTC will communicate with the Manager of Bylaw Compliance and Enforcement.
- 9.4** The Manager of Bylaw Compliance and Enforcement will arrange public information and education sessions regarding bylaw enforcement when appropriate and time permitting.

### **10.0 Reporting**

- 10.1** The LTC will receive regular reporting on open files where investigations have been completed, and the reporting will state whether or not enforcement or legal action of any kind is recommended.
- 10.2** The Manager of Compliance and Enforcement will report to the LTC any concerns, trends, or issues with enforcement that they believe the LTC needs to be aware of.
- 10.3** The Manager of Compliance and Enforcement will maintain the Bylaw Enforcement Policy and will report to the LTC if amendments are recommended or required.

## **PART B**

### **Bylaw Enforcement Notice Bylaw Screening Officer's Powers and Duties Policy**

#### **Appointment of Screening Officers**

Pursuant to section 7.2 of the Mayne Local Trust Committee Bylaw Enforcement Notification Bylaw No. 156, 2011 the persons holding the following positions are appointed as screening officers:

- 1) Regional Planning Manager;
- 2) Bylaw Enforcement Coordinator; and
- 3) Bylaw Enforcement Assistant

#### **Screening Officer Powers and Duties**

The powers and duties of the screening officer are contained in section 7.3 of the bylaw. However, it is the direction of the Local Trust Committee that these powers and duties only are carried out in respect to each of the above positions as follows:

- 1) **Regional Planning Manager.** In respect to Bylaw Violation Notices issued by the Bylaw Enforcement Coordinator only the Regional Planning Manager, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of Bylaw No. 156, 2011;
- 2) **Bylaw Enforcement Coordinator.** In respect to Bylaw Violation Notices issued by Bylaw Enforcement Officers only the Bylaw Enforcement Coordinator, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of Bylaw No. 156, 2011;
- 3) **Bylaw Enforcement Assistant.** In respect to Bylaw Violation Notices issued by the Bylaw Enforcement Coordinator and Bylaw Enforcement Officers the Bylaw Enforcement Assistant, acting as Screening Officer, may exercise only those powers and duties in Section 7.3(1) and 7.3(2) of Bylaw No. 156, 2011.

#### **Authorized Reasons to Cancel Bylaw Violation Notices**

The Screening Officer may cancel a Bylaw Violation Notice if satisfied that one or more of the following reasons exist:

1. The contravention did not occur as alleged.
2. The contravention no longer exists.
3. The Bylaw Violation Notice was issued to the wrong person.
4. The Bylaw Violation Notice was not completed properly.
5. The issuance of the Bylaw Violation Notice did not adhere to established Trust Council or LTC policies.

6. It is unreasonable for the person to pay the penalty.
7. An exception specified in the bylaw or related enactment or LTC Standing Resolution exists.
8. A permit exists or has been obtained that authorises the alleged contravention.
9. There is poor likelihood of success at adjudication for the Local Trust Committee the following reasons:
  - a. The evidence is inadequate to show a contravention;
  - b. Incorrect information was relied upon in issuing the Bylaw Violation Notice;
  - c. The disputant intends to challenge the bylaw with a legal argument that is ill suited to the adjudication process or the legal arguments are too complicated to be decided by an adjudicator.
  
10. It is not in the public interest to proceed to adjudication for one of the following reasons:
  - a. The bylaw has changed since the Bylaw Violation Notice was issued and now authorizes the contravention;
  - b. An LTC resolution has deferred enforcement on the specific contravention;
  - c. The LTC has closed the file;
  - d. The offence occurred because of a circumstance that made it unreasonable for the person to comply with the bylaw.



<b>Policy:</b>	5.5.1
<b>Approved By:</b>	Trust Council
<b>Approval Date:</b>	March 11, 1995
<b>Amendment Date(s):</b>	June 6, 1997; June 6, 1998; June 13, 2003; December 5, 2003; December 10, 2004; June 17, 2005; March 10, 2006; March 13, 2019, December 2, 2021
<b>Policy Holder:</b>	Director of Local Planning Services

## BYLAW COMPLIANCE AND ENFORCEMENT

### Purpose

The purpose of the bylaw compliance and enforcement program is to support the object of the Islands Trust to preserve and protect the trust area and its unique amenities and environment for the benefit of residents of the trust area and of the province generally by ensuring compliance with Local Trust Committees' Bylaws.

### A. Definitions

1. "Long-form information" means a complaint sworn before a Provincial Court judge by a bylaw compliance and enforcement officer

### B. Policy

#### 1. COMPLIANCE

- 1.1 Compliance is sought through a combination of education, mediation and enforcement techniques. Bylaw compliance is primarily sought through an attempt to achieve voluntary compliance. Voluntary compliance is indicated by a commitment to corrective action as soon as reasonably possible and the cessation of unlawful activity.

#### 2. BEST PRACTICES MANUAL

- 2.1 The Bylaw Compliance and Enforcement Manager will maintain a best practices operating manual in accordance with the administrative fairness principles outlined in the BC Ombudsperson's report "[Bylaw Enforcement: Best Practices Guide for Local Governments](#)", March, 2016.

#### 3. COMMENCING INVESTIGATIONS

- 3.1 Bylaw investigations may be commenced and an investigation file opened in one or more of the following circumstances:
  - 3.1.1 in response to written complaints of an alleged contravention made by any person;
  - 3.1.2 bylaw contraventions appear to occur in setbacks from water bodies or in development permit areas;
  - 3.1.3 bylaw contraventions appear to cause health and safety issues;
  - 3.1.4 bylaw contraventions appear to occur as part of a building permit process or other permitting process administered by a local government or the

- Islands Trust;
- 3.1.5 a referral is received from a permitting agency that identifies alleged land use bylaw contraventions associated with the permit request;
- 3.1.6 advertisements exist for apparently unlawful uses;
- 3.1.7 a Local Trust Committee directs staff to commence an investigation.

#### **4. CLOSING INVESTIGATIONS**

- 4.1 Bylaw investigation files can be closed in one or more of the following circumstances:
  - 4.1.1 if no contravention existed;
  - 4.1.2 if compliance has been achieved;
  - 4.1.3 on direction of a Local Trust Committee;
  - 4.1.4 if the Director of Local Planning Services concurs with the Bylaw Compliance and Enforcement Manager that the contravention is of a minor character and does not suit the public interest to enforce.

#### **5. PRIORITY OF INVESTIGATION**

- 5.1 The workload for bylaw investigations will be prioritized as follows:
  - 5.1.1 by specific direction of a Local Trust Committee;
  - 5.1.2 health and safety issues;
  - 5.1.3 adverse environmental impact that could result in irreversible damage if not prevented in a timely fashion;
  - 5.1.4 contraventions of land use bylaws and other bylaws.

#### **6. MEDIATION**

- 6.1 Bylaw investigation efforts to gain compliance should be conducted using the principles and techniques employed in mediation.
- 6.2 Persons alleged to have committed contraventions and complainants may be invited to participate in a process designed to:
  - 6.2.1 provide full information and exchange of information;
  - 6.2.2 confirm facts;
  - 6.2.3 explore opportunities for compliance;
  - 6.2.4 negotiate a timeline for compliance;
  - 6.2.5 reach a compliance solution.

#### **7. LEGAL ACTION**

- 7.1 If unlawful activity does not cease or if compliance is not achieved, a bylaw enforcement officer may:
  - 7.1.1 issue a bylaw violation notice; or
  - 7.1.2 make recommendations to the Local Trust Committee on how to proceed, including taking civil action or closing the investigation without compliance.
- 7.2 Immediate legal action may be recommended to Local Trust Committees or bylaw violation notices issued if impacts of unlawful activity risk serious harm to persons or the environment.
- 7.3 Offence Act prosecutions may be recommended to the Local Trust Committees under

the following conditions:

- 7.3.1 Offence Act prosecutions are to be used only for serious land use permit contraventions.
- 7.3.2 A long-form information may be sworn only after approval by a local trust committee; and
- 7.3.3 Executive Committee has approved legal funding for the prosecution; and
- 7.3.4 The long-form information has been reviewed and prepared by legal counsel.

## **8. BYLAW NOTICE DEBT**

- 8.1 Debts incurred as the result of default on bylaw notices may be cancelled if the Director of Local Planning Services and the Bylaw Compliance and Enforcement Manager concur that contraventions on the subject property no longer exist, and it is not in the interest of Islands Trust to pursue the debt.

## **9. CONFIDENTIALITY**

- 9.1 Information in regards to a complainant is kept confidential. However, confidentiality cannot be guaranteed should litigation proceed against the violator or where a request for information is received under the *Freedom of Information and Protection of Privacy Act*.

## **10. LOCAL TRUST COMMITTEES, TRUST COUNCIL, AND TRUSTEES**

- 10.1 Trustees will be immediately advised when a bylaw investigation file is opened indicating the type and area where the contravention is alleged to occur but names and addresses of the complainant and alleged violator will not be communicated.
- 10.2 Trustees may make a written complaint alleging a bylaw contravention.
- 10.3 Local Trust Committees and trustees are not to be involved in the investigation of a complaint or the preparation of bylaw enforcement reports.
- 10.4 Local Trust Committees may make bylaw enforcement policies to direct compliance and enforcement in regards to specific issues.
- 10.5 Local Trust Committees may request reports about specific investigations or about general enforcement activity in the Local Trust Area.
- 10.6 Trust Council will be informed of the volume and type of bylaw enforcement files bi-annually.

## **C. Legislated References**

- 1. [Islands Trust Act](#)
- 2. [Offence Act](#)

## **D. Attachments/Links to Supporting Forms, Documents, Websites, Related Policies and Procedures**

- [BC Ombudsperson's report "Bylaw Enforcement: Best Practices Guide for Local Governments", March, 2016](#)
- [BC Local Government Bylaws>Bylaw Enforcement](#)



## REQUEST FOR DECISION

**To:** Mayne Island Local Trust Committee  
**For the Meeting of:** November 25, 2024

**From:** Meeting Administrator  
**Date Prepared:** October 17, 2024

**SUBJECT:** Draft 2025/26 Mayne Island Local Trust Committee Annual Meeting Schedule

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**RECOMMENDATION:** THAT Mayne Island Local Trust Committee approve their January, 2025 to March, 2026 Meeting Schedule.

**DIRECTOR COMMENTS:** The work of developing the proposed 2025 committee schedule has been centralized thereby allowing the Executive Coordinator and Meeting Administrator to consider, at length, the many factors involved in creating an effective schedule that meets the requirements of each committee, the chairpersons, and committee members. The proposed schedule allows decisions made by local trust committees to move onto the relevant standing committee's agenda to Executive Committee in a timely manner allowing for increased efficiency. Adoption of the proposed meeting schedule will increase productivity by allowing a seamless process in completing the work required to organize and publish the meetings without need for significant re-ordering of the schedule.

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**1 PURPOSE:**

To approve the Mayne Island Local Trust Committee Business Meeting Schedule from January 1, 2025 to March 31, 2026

**2 BACKGROUND:**

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular annual business meeting schedule for 2025/26. Pending Trust Council's decision at its December meeting, Trust Council Bylaw No. 197, 2024 Section 5 proposes that local trust committee meetings be scheduled for the fiscal year instead of the calendar year. Therefore, if Bylaw No. 197, 2024 is adopted the local trust committee meetings will be scheduled from January 1, 2025 through March 31, 2026 and then April 1 through March 31 thereafter.

As part of this endorsement, the LTC will need to designate which meeting dates are anticipated to be electronic or in-person. This would allow staff to plan further in advance to accommodate meeting logistics, enable staff to book venues for the year and anticipate cancelling the bookings if the meetings get changed to electronic-only at a later date.

Factors that have been considered when putting together the schedule are as follows:

- LTC's preferred meeting days and times;
- Number of meetings held per year;
- Anticipated project commitments and application volumes;
- Chair and trustee availability and conflicts with Executive Committee and Trust Council Standing Committee meeting dates;
- Chair travel;
- Trust Council meeting dates;

- Trust Council Standing Committees including: Executive, Financial Planning and Audit Committee, Governance, Regional Planning, Trust Programs
- Flow of work from LTCs through standing committees to Financial Planning Committee to Executive Committee and then to Trust Council;
- Islands Trust Conservancy Board meetings, Bowen Island Municipality meetings, Union of BC Municipalities, Association of Vancouver Island and Coastal Communities, and other conferences;
- Other local trust committee meeting dates;
- Statutory holidays including Christmas closures;
- Preference to hold as few meetings in August as possible;
- Available staff and financial resources; and
- Ferry and travel schedules.

### 3 IMPLICATIONS OF RECOMMENDATION:

**ORGANIZATIONAL:** If Mayne Island LTC makes significant amendments to the schedule there will be a substantial re-ordering of LTC and Council Committee meeting dates as a result.

**FINANCIAL:** LTCs decisions whether to hold electronic meetings or in-person meetings will affect budgets. Electronic meetings do not incur venue costs or travel status costs from trustees or staff.

**POLICY:**

Trust Council Bylaw No. 197 (Proposed).  
LTC Meeting Procedure Bylaws.

**IMPLEMENTATION/COMMUNICATIONS:** Dates and locations of meetings will be posted immediately following adoption and as per LTC Meeting Procedures Bylaws.

**FIRST NATIONS RELATIONS:** None.

**OTHER:** Adoption of an April to March fiscal LTC meeting schedule will provide each LTC with advance notice of meeting dates for the following year as Trust Council and local trust committees will continue to adopt the schedule in November or December of the previous year.

### 4 RELEVANT POLICY(S):

Trust Council Bylaw No. 197 (Proposed).  
LTC Meeting Procedure Bylaws.

### 5 ATTACHMENT(S):

1. [MA-LTC 2025 MAR2026 BusinessMtg SCH DRAFT.pdf](#)

### RESPONSE OPTIONS

**Recommendation:** As provided.

**Alternative:** *THAT Mayne Island Local Trust Committee approve their January 1, 2025 to December 31, 2025 Business Meeting Schedule.*

**Prepared By:** Lisa Millard, Meeting Administrator

**Reviewed By/Date:** Stefan Cermak, Director, Planning Services / October 25, 2024



# Islands Trust

## DRAFT

### Mayne Island Local Trust Committee January, 2025 – March, 2026 Regular Meetings

The Mayne Island Local Trust Committee will be meeting to consider land use applications, bylaws, correspondence, and various community planning topics.

	DATE	TIME	MEETING TYPE	LOCATION
Monday	January 27, 2025	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	February 24, 2025	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	April 28, 2025	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	May 26, 2025	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	July 28, 2025	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	September 29, 2025	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	October 27, 2025	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	November 24, 2025	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	January 26, 2026	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)
Monday	February 23, 2026	1:30 p.m.	Regular	Mayne Island Agricultural Hall 430 Fernhill Rd (or Electronic)

The proposed meeting agenda is generally available one week prior to the meeting and may be obtained at the Islands Trust office or on our website.

Please note that correspondence received from the public may become part of a meeting agenda that is published online.

**VISIT OUR WEBSITE:** <https://islandstrust.bc.ca/location/mayne/>

**CONTACT US AT 250-405-5151 OR:** [southinfo@islandstrust.bc.ca](mailto:southinfo@islandstrust.bc.ca)