



Mayne Island Local Trust Committee

Regular Meeting Agenda

Date: September 29, 2025
Time: 1:30 pm
Location: Mayne Island Agricultural Hall
430 Fernhill Road, Mayne Island, BC

			Pages
1.	CALL TO ORDER	1:30 PM - 1:30 PM	
“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”			
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 - 2:15 PM	
4.1	Policy Statement - Local Engagement		4 - 41
5.	COMMUNITY INFORMATION MEETING	2:15 PM - 2:45 PM	
5.1	MA-RZ-2023.2 (CRD) - Proposed Bylaws 194 and 195		
6.	PUBLIC HEARING	2:45 PM - 3:30 PM	
6.1	MA-RZ-2023.2 (CRD) - Proposed Bylaws 194 and 195		
6.1.1	<u>Recess for Public Hearing</u>		
6.1.2	<u>Recall to Order</u>		
7.	MINUTES	3:30 PM - 3:40 PM	
7.1	Local Trust Committee Minutes Dated July 28, 2025 (for Adoption)		42 - 53
7.2	Section 26 Resolutions-without-meeting Report Dated Sept 2025		54 - 54
7.3	Advisory Planning Commission Minutes - None		
8.	BUSINESS ARISING FROM THE MINUTES		
8.1	Follow-up Action List Dated Sept 2025		55 - 56

9.	DELEGATIONS	
10.	CORRESPONDENCE	3:40 PM - 3:45 PM
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
10.1	Safety Concern on Mayne Island	57 - 59
11.	APPLICATIONS AND REFERRALS	3:45 PM - 4:45 PM
11.1	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw 546 (for Response) (attached)	60 - 63
11.2	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw 549 (for Response) (attached)	64 - 67
11.3	Trust Council Bylaw No. 183 Policy Statement Bylaw Referral - For Response	68 - 74
11.4	MA-RZ-2023.2 (CRD) - Proposed Bylaws 194 and 195 - Staff Report (attached)	75 - 83
11.5	MA-PL-TUP-2025-0060 (Mayne Island Construction) - Staff Report (attached)	84 - 100
11.6	MA-PL-RZ-2025-0305 (BC Ferries) – Rezoning Preliminary Staff Report (attached)	101 - 126
11.7	Housing Agreement Release (CB735141) – Staff Memo to LTC (attached)	127 - 147
12.	LOCAL TRUST COMMITTEE PROJECTS	4:45 PM - 5:15 PM
12.1	Mayne Island Housing Project - First Reading – Staff Report (attached)	148 - 171
12.2	Mayne Island Housing Project - Introduction of Build Out Map – Discussion	
13.	REPORTS	5:15 PM - 5:25 PM
13.1	Work Program Reports (attached)	
13.1.1	<u>Active Projects Report Dated Sept 2025</u>	172 - 172
13.1.2	<u>Future Project List Report Dated Sept 2025</u>	173 - 173
13.2	Applications Report Dated Sept 2025 (attached)	174 - 175
13.3	Trustee and Local Expense Report Dated July 2025 (attached)	176 - 176
13.4	Adopted Policies and Standing Resolutions (attached)	177 - 181
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

15. UPCOMING MEETINGS

**15.1 Next Regular Meeting Scheduled for October 27, 2025 at the Mayne Island
Agricultural Hall, Mayne Island**

16. TOWN HALL 5:25 PM - 5:40 PM

17. CLOSED MEETING (Distributed Under Separate Cover)

17.1 Motion to Close Meeting

That the meeting be closed to the public in accordance with the Community Charter,
Part 4, Division 3, s. 90(1)(f):

(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.

17.2 Recall to Order

17.3 Rise and Report

18. ADJOURNMENT 5:40 PM - 5:40 PM

ISLANDS TRUST COUNCIL

BYLAW NO. 183

A BYLAW TO ADOPT A POLICY STATEMENT FOR THE TRUST AREA

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act* S.B.C. 1996 c.239, enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as “Islands Trust Policy Statement Bylaw, 2025”.

APPLICATION

2. This Bylaw applies to the Trust Area, as defined in Schedule A of the *Islands Trust Act* S.B.C. 1996 c.239.

ORGANIZATION

3. Schedule A (Islands Trust Policy Statement) attached to and forming part of the bylaw is hereby adopted as the trust policy statement pursuant to S.15(1) of the *Islands Trust Act*.

SEVERABILITY

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

REPEAL

5. “Islands Trust Policy Statement, 1993” is hereby repealed upon adoption of this bylaw.

READINGS

READ A FIRST TIME THIS 29TH DAY OF JULY, 2025

READ A SECOND TIME THIS DAY OF ,2025

READ A THIRD TIME THIS DAY OF ,2025

APPROVED BY THE MINISTER OF HOUSING AND MUNICIPAL AFFAIRS PURSUANT TO SECTION 15(2)(c) OF THE ISLANDS TRUST ACT THIS DAY OF ,2025

RECONSIDERED AND FINALLY ADOPTED THIS DAY OF ,2025

Secretary

Chairperson



Islands Trust

Islands Trust Policy Statement

Acknowledgement

Islands Trust Council respectfully acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous Peoples since time immemorial and that their relationship to these lands and waters continues to this day. Islands Trust Council acknowledges that residential schools, forced removal, and colonial laws and restrictions on Indigenous governance and cultural practices have displaced and dispossessed Coast Salish peoples and disrupted their relationships with the islands and waters of the Salish Sea. Islands Trust Council acknowledges that a healthy environment is essential for Indigenous Peoples to be able to exercise their inherent and treaty rights. Islands Trust Council is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

The Islands Trust Area is located within Coast Salish Territory, in the treaty lands and territories of:

BOKÉĆEN (Pauquachin) First Nation

Da'naxda'xw/Awaetlala First Nation

K'ómoks (Comox) First Nation

Lhaq'temish (Lummi) Nation

MÁLEXEŁ (Malahat) First Nation

Mamalilikulla First Nation

Qualicum First Nation

Quw'utsun Nation (comprised of **Cowichan Tribes**, **Xeláltxw** (Halalt) First Nation, **Lyackson** First Nation, **Spune'luxutth'** (Penelakut Tribe) and **Stz'uminus** (Chemainus) First Nation)

scəwəθən (Tsawwassen) First Nation

səlilwətał (Tsleil-Waututh) First Nation

SEMYOME (Semiahmoo) First Nation

shíshálh (Sechelt) Nation

Skwxwú7mesh (Squamish) First Nation

Snaw-naw-as (Nanoose) First Nation

Snuneymuxw (Nanaimo) First Nation

Songhees First Nation

STÁUTW (Tsawout) First Nation

łəʔəmen (Tla'amin) First Nation

Tlowitsis Nation

Ts'uubaa-asatx (Lake Cowichan) First Nation

Wei Wai Kum (Campbell River) First Nation

We Wai Kai (Cape Mudge) First Nation

WJOLÉLP (Tsartlip) First Nation

WSIKEM (Tseycum) First Nation

Xwémalhkwa (Homalco) First Nation

Xwsepsum (Esquimalt) First Nation

xʷməθkʷəy̓əm (Musqueam) First Nation

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28 Glossary of Terms

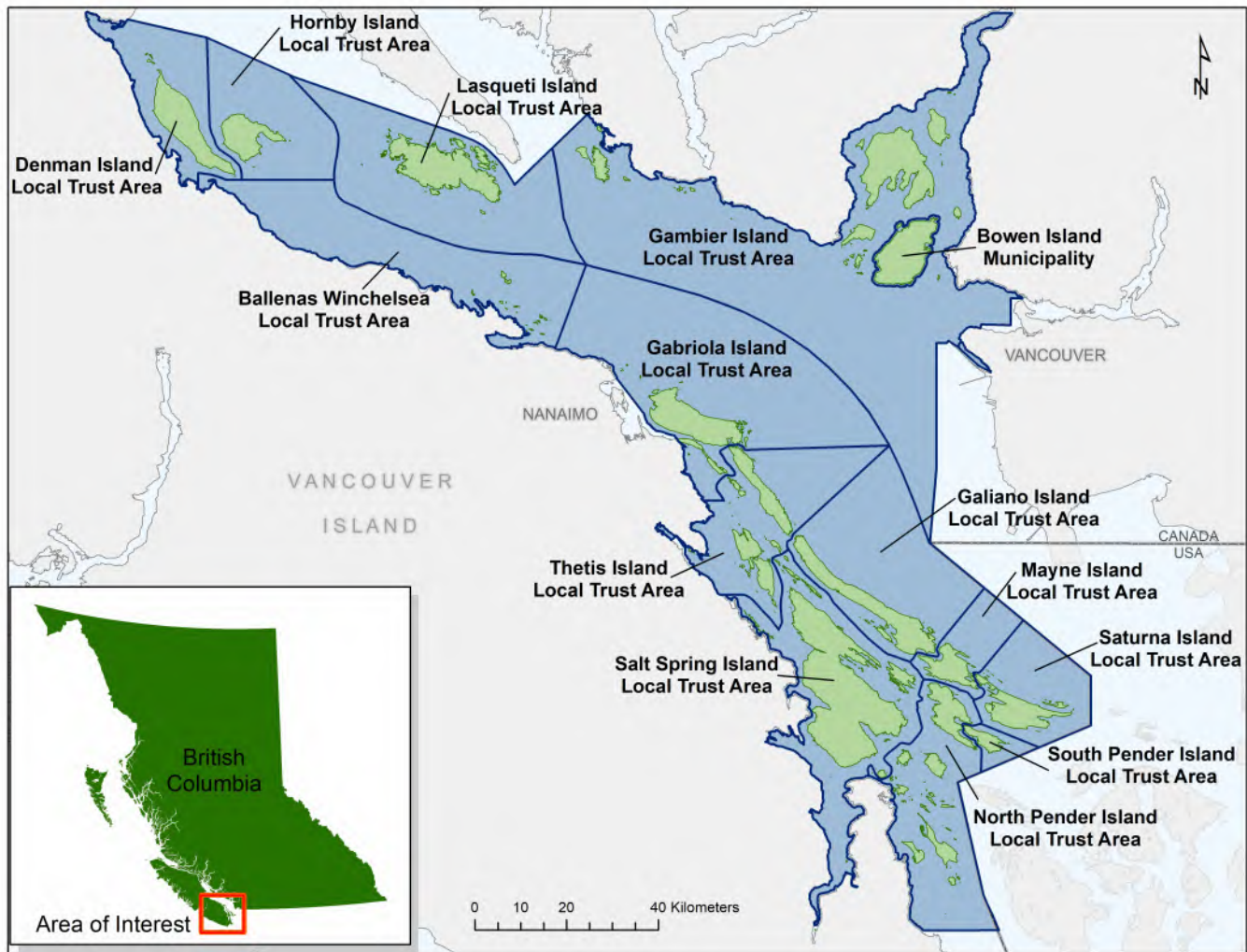
Part 1: The *Islands Trust Act*

In 1974, the Government of British Columbia established the *Islands Trust Act* to preserve and protect the Islands Trust Area and its unique amenities and environment against unrestrained growth and development. Islands Trust is a federated body responsible for the Trust Area, comprised of 13 major islands and more than 450 smaller islands and the surrounding waters in the Strait of Georgia and Howe Sound. Islands Trust regulates local land use, works with other levels of government, and, through the Islands Trust Conservancy, protects places of natural or cultural significance. This unique governmental mandate is defined in Section 3 of the *Islands Trust Act* and is commonly referred to as the “Islands Trust Object.”

1.1 — The Islands Trust Object

“**The object of the trust** is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.” (Section 3, *Islands Trust Act*)

1.2 – Map of the Islands Trust Area



1.3 – Indigenous Inherent Rights Acknowledgment

Islands Trust Council respectfully acknowledges Indigenous inherent rights as protected under section 35 of the *Constitution Act, 1982*. Islands Trust Council respectfully acknowledges Indigenous rights to self-governance and the expressed interest of Indigenous Governing Bodies in working toward co-governance of the Islands Trust Area. Islands Trust Council is committed to advancing reconciliation with Indigenous Governing Bodies through ongoing discussion and recognition of these rights.

Given the *Declaration on the Rights of Indigenous Peoples Act* and the evolving legislative landscape in British Columbia, the Policy Statement serves as a starting point for improved cooperation with Indigenous Governing Bodies. Islands Trust Council commits to an ongoing effort to co-develop planning and land use management processes with Indigenous Governing Bodies within the Islands Trust Area and acknowledges that this document does not serve as an endpoint. Islands Trust Council will be informed by the United Nations Declaration on the Rights of Indigenous Peoples as a framework for its approach to reconciliation.

1.4 – Purpose and Structure of the Policy Statement

Section 15 of the *Islands Trust Act* states that Trust Council must adopt, by bylaw, a Trust Policy Statement that applies to the Islands Trust Area as a whole. The *Islands Trust Act* specifies that the Policy Statement must be a general statement of the policies of Trust Council to carry out the Islands Trust Object, that it may establish different policies for different parts of the Islands Trust Area, and that it must be approved by the provincial Minister responsible for Islands Trust prior to adoption.

Islands Trust Council is responsible for establishing and amending the Policy Statement, which in turn guides the development of more specific official community plans and regulatory bylaws by local trust committees and island municipalities across the region. The *Act* stipulates that official community plans and bylaws required to be submitted to Executive Committee or Trust Council under the *Act* must not be approved if they are contrary to or at variance with the Policy Statement. This ensures that the Islands Trust Object is at the core of all planning and land use management decision-making in the Islands Trust Area.

The Policy Statement represents Trust Council’s vision for the preservation and protection of the Islands Trust Area and its unique amenities and environment. It aspires to reflect the values and interests of island communities, Indigenous Governing Bodies and Indigenous Peoples, partner agencies, and all British Columbians, as well as the silent voices of island ecosystems, species at risk, and future generations.

Three Types of Policies in the Policy Statement:

Guiding Principles

(Part 2 of the Policy Statement) establish general commitments of Trust Council that centre the Islands Trust Object in all daily decision-making across the Islands Trust Area by Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities.

Directive Policies

(Part 3 of the Policy Statement) are integral to carrying out the Islands Trust Object. They are policies with which official community plans and regulatory bylaws of a local trust committee or island municipality should be consistent to avoid rejection or objection when presented by the local trust committee or island municipality for consideration or approval by Executive Committee or Trust Council. They are also policies that should be directly addressed, where possible, in all official community plans and bylaws of a local trust committee or island municipality.

Advisory Policies

(also in Part 3 of the Policy Statement) are policies expressing select objectives of Trust Council, that local trust committees and island municipalities are advised to consider in the development of official community plans, bylaws, and in discretionary land use decisions. Advisory policies are not intended to constitute a basis for Executive Committee or Trust Council review of local trust committee or island municipality bylaws, or for potential rejection of such bylaws.

Part 2: Guiding Principles

2.1 – General Guiding Principles

In its efforts to carry out the Islands Trust Object, Islands Trust Council commits to the following set of shared principles to guide daily planning and decision making by Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities:

Trust Council's Guiding Principles	
2.1.1	Acknowledge and Respect Indigenous Rights To grow understanding of the history and legacy of colonialism in the Islands Trust Area, to acknowledge and respect the rights of Indigenous Peoples, and to work together with Indigenous Governing Bodies and Indigenous Knowledge Holders to preserve and protect culturally significant areas, sites, and species.
2.1.2	Prioritize Environmental and Indigenous Cultural Heritage Protection To place priority on preserving, protecting and restoring the environment, and preserving, protecting, and supporting restoration of Indigenous cultural heritage in all decision making.
2.1.3	Limit the Rate and Scale of Development To define and maintain appropriate limits for the rate and scale of development in order to preserve and protect the Trust Area and its unique amenities and environment.
2.1.4	Foster Sustainable, Inclusive, and Resilient Communities To support planning and land use management decisions that foster sustainable, inclusive, and resilient communities, acknowledging the interdependencies between healthy communities and healthy ecosystems.
2.1.5	Take Guidance from the Precautionary Principle To be guided by the precautionary principle in all decision making to safeguard the environment and cultural heritage where there is uncertainty over the potential for serious or irreversible damage from development.
2.1.6	Account for Cumulative Effects To strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, culturally sensitive areas and cultural heritage sites, and species and their habitats.
2.1.7	Foster Informed and Balanced Decision Making To be informed by a broad range of sources in its decision-making processes, including Indigenous Knowledge, institutional knowledge, local community knowledge, and science.

2.2 – Reconciliation Principles

Islands Trust Council has declared its commitment to reconciliation with Indigenous Peoples of the Islands Trust Area, with the understanding that this commitment is a long-term relationship-building process and is a commitment to be informed by these reconciliation principles to the extent that they engage the object of the trust.

Trust Council's Reconciliation Principles	
2.2.1	Guidance from <u>Truth and Reconciliation Commission</u> Be informed by the 10 principles established by the Truth and Reconciliation Commission of Canada (TRC).
2.2.2	Guidance from <u>United Nations Declaration on the Rights of Indigenous Peoples</u> Be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
2.2.3	Guidance from <u>Missing and Murdered Indigenous Women and Girls Calls for Justice</u> Be informed by the Principles for Change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls.
2.2.4	Guidance from <u>Indigenous Governing Bodies</u> Be informed by guidance from Indigenous Governing Bodies and Indigenous Knowledge Holders.

2.3 – Cooperation Principles

While Trust Council must provide the necessary leadership to carry out the Islands Trust Object, its mandate requires cooperation with partners who each have unique roles to play in preserving and protecting the region. Trust Council commits to be guided by the following principles in its cooperation efforts to advance the Islands Trust Object:

Trust Council's Cooperation Principles	
2.3.1	Collaborate with the Islands Trust Conservancy Board To collaborate closely with, and be informed by, the Islands Trust Conservancy Board, particularly in the areas of science-based conservation planning, ecosystem mapping, identification of core conservation areas and protected area networks, and protection of species and ecosystems at risk.
2.3.2	Collaborate with Island Municipalities To collaborate with island municipalities, particularly in the areas of conservation planning, communications and engagement, the Policy Statement, and other areas supporting the Islands Trust Object.
2.3.3	Work Towards Collaborative Governance with Indigenous Governing Bodies Develop strong relationships with Indigenous Governing Bodies and work toward building foundations for collaborative governance with Indigenous Governing Bodies, including through the development of shared decision-making agreements under the <i>Declaration on the Rights of Indigenous Peoples Act</i> .
2.3.4	Work Towards Strategic Inter-Agency Coordination To work towards establishing effective inter-agency coordination mechanisms with different levels of government, academic institutions and organizations who have important roles to play in supporting the Islands Trust Object.
2.3.5	Work Towards Accessible and Inclusive Public Communications and Engagement To work towards accessible and inclusive public communications and engagement strategies that engage a wide range of residents, communities, local organizations, and British Columbians.
2.3.6	Provide Public Education Opportunities To provide education opportunities to residents, communities, local organizations, and visitors, highlighting tangible ways they can contribute to preserving and protecting the Trust Area and its unique amenities and environment, while respecting the confidentiality interests of Indigenous Knowledge Holders and Indigenous Governing Bodies.

Part 3: Goals and Policies

Goal 1: Advance Reconciliation

Islands Trust Council is committed to reconciliation and to long-term relationship building with Indigenous Governing Bodies and Indigenous Peoples across the region. The policies in this section aim to acknowledge the history, legacy and continuing relationships of Indigenous Peoples to the area since time immemorial, to recognize and respect the interests of Indigenous Governing Bodies regarding planning and land use management decisions that impact their territories, and to build foundations for collaborative governance and shared decision making.

Directive Policies – Reconciliation

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.1.1 Engage with Indigenous Governing Bodies

Engage with Indigenous Governing Bodies and provide a record of the engagement at time of bylaw submission.

Advisory Policies – Reconciliation

Local trust committees and island municipalities should...

3.1.2 Engage with Indigenous Governing Bodies

Engage with Indigenous Governing Bodies on discretionary planning and land use management decisions.

3.1.3 Land Back

Through engagement with Indigenous Governing Bodies, support opportunities to direct land to Indigenous Governing Bodies, including, but not limited to, as amenity contributions in applications seeking additional development potential.

3.1.4 Information Sharing

Support and develop methods for regular and timely sharing of information with Indigenous Governing Bodies.

3.1.5 Respect Indigenous Protocols for Information and Data Provided

Respect Indigenous Governing Bodies' and Indigenous Knowledge Holders' protocols about how their data and information should be collected, protected, used and shared.

Goal 2: Preserve and Protect Indigenous Cultural Heritage and Culturally Significant Areas, Sites, and Species

Islands Trust Council recognizes Indigenous cultural heritage as a unique amenity in the Islands Trust Area that must be preserved, protected, and where possible, restored. The Islands Trust Area is home to many culturally significant areas, sites and species, including places that are the resting places of ancestors, which are of importance to present and future generations of Indigenous Peoples. This section lays out general types of Indigenous cultural heritage and culturally significant areas, sites, and species that should be identified and protected in each local planning area; this should be guided by Indigenous Peoples, Indigenous Governing Bodies and Indigenous Knowledge Holders and undertaken in a culturally sensitive manner that respects confidentiality protocols around the sharing of Indigenous Knowledge.

Directive Policies — Indigenous Cultural Heritage & Culturally Significant Areas, Sites and Species

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.2.1	Indigenous Cultural Heritage Sites Minimize potential adverse impacts to Indigenous cultural heritage sites including, but not limited to, identified village sites, burial sites, camp sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, pictographs, and registered, unregistered, or newly-discovered archaeological sites.
3.2.2	Indigenous Marine Harvesting Areas Minimize potential adverse impacts to marine harvesting areas used by Indigenous Peoples, including, but not limited to, fish weirs and clam gardens.
3.2.3	Indigenous Harvesting and Hunting Areas Minimize potential adverse impacts to land-based harvesting and hunting areas used by Indigenous Peoples.

Advisory Policies – Indigenous Cultural Heritage & Culturally Significant Areas, Sites and Species

Local trust committees and island municipalities should...

3.2.4	Indigenous Cultural Heritage Sites Through engagement with Indigenous Governing Bodies, identify and prioritize protection of Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, camp sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, and pictographs, and registered, unregistered, or newly discovered archaeological sites.
3.2.5	Indigenous Harvesting Areas Through engagement with Indigenous Governing Bodies, identify and prioritize protection of Indigenous harvesting areas on land and marine foreshores including, but not limited to, fish weirs, clam gardens, camas meadows, and other areas used for Indigenous hunting, fishing, trapping, and gathering of plants and medicines.
3.2.6	Indigenous Harvesting and Hunting Area Access Through engagement with Indigenous Governing Bodies, identify and pursue opportunities to improve access by Indigenous Peoples to marine and land-based harvesting and hunting areas.
3.2.7	Other Culturally Significant Areas for Indigenous Peoples Through engagement with Indigenous Governing Bodies, identify and prioritize protection of areas of importance for Indigenous cultural and spiritual practices.
3.2.8	Culturally Significant Species and Medicinal Plants Through engagement with Indigenous Governing Bodies, identify, prioritize protection, and support restoration of culturally significant species and medicinal plants and ochre.
3.2.9	Cultural Monitors Through engagement with Indigenous Governing Bodies, support opportunities for cultural monitors to be present for ground-disturbing activities.

Goal 3: Preserve and Protect Healthy and Biodiverse Ecosystems

Islands Trust Council acknowledges that preserving and protecting the ecological integrity of the Islands Trust Area is essential to the Islands Trust Object and to supporting community well-being across the region. The policies in this section aim to identify and protect key ecosystem types and characteristics that safeguard biodiversity and promote resilience to climate change.

Directive Policies – Ecosystem Integrity

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.3.1	Protected Area Networks Identify, establish, and sustain a network of protected areas of sufficient size and distribution to preserve the environmental integrity of ecosystems in their planning area.
3.3.2	Sensitive Ecosystems Identify and prioritize the preservation, protection, and restoration of sensitive ecosystems in the Islands Trust Area, classified as the following ecosystem types: cliff; freshwater; herbaceous; old and mature forest; riparian; wetland; and woodland.
3.3.3	Forest Ecosystems Identify forest ecosystems and prioritize the preservation, protection, and restoration of unfragmented forests, with a particular focus on the maintenance and restoration of their ecological integrity.
3.3.4	Coastal Oak and Prairie Ecosystems Identify and prioritize the preservation and protection of coastal oak and prairie ecosystems, with a particular focus on the maintenance, restoration and management of their ecological integrity.
3.3.5	Watershed Ecosystems Identify and prioritize the preservation, protection, and restoration of watershed ecosystems, freshwater sources, and groundwater recharge areas.
3.3.6	Marine Shorelines and Nearshore Areas Identify and prioritize the preservation, protection, and restoration of eelgrass meadows, kelp forests, forage fish spawning areas, clam beds, estuaries, tidal salt marshes, mud flats, and coastal wetlands.
3.3.7	Critical Habitat for Species at Risk Identify and prioritize the preservation, protection, and restoration of critical habitat for species at risk.
3.3.8	Islets and Small Islands Identify and prioritize the preservation, protection, and restoration of islets and small islands.
3.3.9	Light Pollution Minimize light pollution through the application of dark sky principles.

Advisory Policies – Ecosystem Integrity

Local trust committees and island municipalities should...

3.3.10	Indigenous Ecosystem Management Through engagement with Indigenous Governing Bodies, support opportunities for Indigenous-led ecosystem management.
3.3.11	Indigenous Protected and Conserved Areas Support Indigenous Governing Bodies in the establishment of Indigenous Protected and Conserved Areas.

Goal 4: Foster Sustainable, Inclusive, and Resilient Communities

Islands Trust Council recognizes that the Islands Trust Object is for the benefit of residents of the Islands Trust Area and all British Columbians, who in turn have a role in preserving and protecting this region. The policies in this section support the preservation and protection of unique island character and aim to foster sustainable, inclusive, rural, and resilient island communities.

Directive Policies – Managing Growth and Development

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.1	Sustainable Development Consider site capabilities, environmental and protected areas, and existing development patterns when determining the land use designation and appropriate locations and intensities of various uses of the land.
3.4.2	Growth Management Manage community growth and its associated impacts by directing residential, commercial and industrial development into suitable locations, to prevent sprawl, minimize fragmentation of forest lands, and avoid adverse impacts to Indigenous cultural heritage, harvesting and hunting areas.
3.4.3	Impacts of Development Consider the aesthetic, environmental, and social impacts of development.
3.4.4	Community Facilities and Services Ensure that each community's, and local Indigenous communities', current and projected long-term needs for educational, institutional, community, health, cultural, recreational facilities and services, and outdoor recreation are considered and planned for.
3.4.5	Climate Change Mitigation and Adaptation Implement planning and land use management strategies, and consider nature-based solutions, to minimize greenhouse gas emissions, and adapt to climate change-related vulnerabilities.
3.4.6	Hazardous Areas Identify areas at elevated risk of natural and climate change-related hazards and restrict development within these areas including, but not limited to, areas subject to flooding, sea-level rise, erosion, slope instability and wildfire.
3.4.7	Economic Activities Support sustainable economic activities that are compatible with the preservation and protection of the Trust Area and its unique amenities, environment, community well-being, and that consider transportation and infrastructure capacity.
3.4.8	Community Heritage Sites Identify, preserve, protect, and support the restoration of community heritage sites.

Advisory Policies – Managing Growth and Development

Local trust committees and island municipalities should...

3.4.9	Existing Development Potential Identify land where current zoning or other land use regulations allow development that could be inconsistent with the object of the trust, and consider policy and/or regulatory options to reduce development potential or minimize the impacts of future development.
3.4.10	Economic Development Opportunities for Indigenous Communities Through engagement with Indigenous Governing Bodies, support economic development opportunities for Indigenous communities.

Directive Policies – Housing

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.11	Suitable Locations for Additional Housing Identify suitable locations that could support increased density for the development of safe, secure, diverse, and attainable housing.
3.4.12	Housing Diversity Support a range of housing types and tenures to help meet the identified housing needs of the island community and local Indigenous communities.
3.4.13	Clustered Small Dwelling Units Support alternatives to conventional single-detached dwellings by establishing policies to permit clusters of small dwelling units in suitable areas.
3.4.14	Floor Area and Lot Coverage Limits Set floor area and lot coverage limits for residential development to minimize negative environmental impacts, including on land used for agricultural purposes.
3.4.15	Affordable and Special Needs Housing Prioritize the processing of rezoning applications from non-profit housing providers and public agencies, and the processing of housing agreement bylaws for affordable and special needs housing.
3.4.16	Short-Term Rentals Identify and assess the impacts of short-term rental of dwellings on the availability of safe, secure and affordable housing and, where necessary, regulate and limit the number of short-term rentals accordingly.

Advisory Policies – Housing

Local trust committees and island municipalities should...

3.4.17	Housing for Indigenous People Through engagement with Indigenous Governing Bodies, support housing opportunities for Indigenous people in the Islands Trust Area.
3.4.18	Multi-Unit Residential Implement land use regulations for affordable and special needs housing and other multi-unit residential development that permit a range of potential site configurations, and control form and character through development permit areas.
3.4.19	Natural Building Materials and Techniques Encourage construction of buildings and structures using local natural building materials and techniques, and minimize barriers to their use.

Directive Policies – Transportation

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.20	Public and Active Transportation Networks Identify and establish appropriately-situated, safe, comfortable, and equitable transportation networks that reduce dependency on private automobile use, encourage zero emission modes of transportation, and support increased use of trail systems, public transportation, and active transportation.
3.4.21	Rural Roadways Identify and protect rural roadways, including scenic and/or heritage roads.

Advisory Policies – Transportation

Local trust committees and island municipalities should...

3.4.22	Road Systems Ensure that road location, design, construction, and road systems are compatible with the preservation and protection of the Trust Area and its unique amenities and environment.
3.4.23	Transportation Network Vulnerabilities Cooperate with relevant agencies to identify parts of the local transportation network at risk of damage or deterioration and participate in planning to address mitigation or infrastructure relocation where necessary.

Directive Policies – Waste, Emissions and Pollutants

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.24	Pollutants to Air, Land and Water Regulate land use and development to reduce detrimental pollutants to air, land and water.
3.4.25	Disposal of Waste Where required, identify appropriate locations for waste transfer stations for the removal of waste from the Islands Trust Area.
3.4.26	Wastewater Disposal Systems Establish requirements for the location and siting of new wastewater disposal systems to mitigate adverse impacts on the Trust Area and its unique amenities and environment, with a focus on Indigenous Peoples' cultural heritage sites and marine harvesting areas.

Directive Policies – Recreation

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.27	Preservation of Natural Heritage Identify, preserve, protect, and support the restoration of natural heritage sites.
3.4.28	Location and Types of Recreational Facilities Identify appropriate locations for, types of, and access to, facilities for low-impact and active recreational activities, and discourage activities that may adversely impact the preservation and protection of the Trust Area and its unique amenities and environment.
3.4.29	Access to Community Marinas, Boat Launches, and Docks Identify and support safe public access and routes to community marinas, boat launches, and docks.
3.4.30	Access to Anchorages Identify appropriate and safe small-craft anchorage public-access locations.
3.4.31	Trail Systems Identify appropriate locations for, types of, and safe public access to public pedestrian, equestrian and bicycle trail systems to support active recreation that is compatible with preservation and protection of the Trust Area and its unique amenities and environment.
3.4.32	Public Shoreline Access Identify new, protect existing, and support the acquisition and protection of, safe public access to marine shorelines and along marine shorelines that are appropriate for low-impact, public recreational use and do not adversely impact the Trust Area and its unique amenities and environment, including Indigenous Peoples' identified cultural heritage sites and marine harvesting areas.
3.4.33	Public Access to Public/Crown Land Identify and support the acquisition and protection of public access and routes to publicly-owned lands.
3.4.34	Destination Gaming Facilities Prohibit destination gaming facilities such as casinos and commercial bingo halls.

Goal 5: Foster Sustainable Stewardship of Lands and Waters

Islands Trust Council recognizes that sustainable use of lands and waters in the Islands Trust Area is important to the long-term well-being and resilience of ecosystems in the Islands Trust Area and the communities that depend on them. This section lays out policies for sustainable land and water use that support the long-term health of ecosystems and sustainability of freshwater.

Directive Policies – Freshwater

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.1	Freshwater Sustainability Ensure that neither the density, nor intensity, of land use is increased in watersheds where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable.
3.5.2	Freshwater Demand and Supply Projections Ensure that existing, anticipated, and seasonal water demand and water availability are considered.
3.5.3	Freshwater Self-Sufficiency Ensure that islands are self-sufficient in their supply of freshwater.
3.5.4	Saltwater Intrusion Identify areas at elevated risk of saltwater intrusion and restrict development serviced by groundwater within these areas.

Advisory Policies – Freshwater

Local trust committees and island municipalities should...

3.5.5	Freshwater Quality Ensure that freshwater quality is maintained or remediated.
3.5.6	Freshwater Uses Strive to ensure that water quality in lakes, streams and wetlands is maintained, and that freshwater use is not to the detriment of other uses of the waterway such as fish and amphibian habitat uses, Indigenous cultural and spiritual uses, and aesthetic and recreational uses.
3.5.7	Freshwater Storage Encourage freshwater storage in groundwater regions where the quality or quantity of groundwater is likely to be inadequate or unsustainable.

Directive Policies – Forest Lands

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.8	Forest Lands for Sustainable Management Maintain large land holdings and parcel sizes to support sustainable forest management practices that are compatible with preservation and protection of the Trust Area and its unique amenities and environment.
3.5.9	Forest Lands and Road Systems Consider siting of roads and utility corridors to minimize the fragmentation of forest lands.
3.5.10	Forest Lands and Wildfire Risk Management Identify planning and land use management strategies that mitigate wildfire risk and that are appropriate to the unique biogeoclimatic zones and settlement patterns of each local planning area.

Directive Policies – Agricultural Lands

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.11	Protection of Agricultural Lands Identify and protect agricultural lands within the Agricultural Land Reserve for current and future use consistent with the <i>Agricultural Land Commission Act</i> and its regulations, while considering down-stream impacts, wildlife habitat, and adjacent properties.
3.5.12	Agriculture and Adjacent Properties Minimize any adverse impacts of land uses from properties adjacent to agricultural lands.
3.5.13	Agriculture and Road Systems Consider siting of roads and utility corridors to minimize fragmentation of agricultural lands.
3.5.14	Economic Viability of Farms Consider land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land or adversely impacting the Trust Area and its unique amenities and environment.

Advisory Policies – Agricultural Lands

Local trust committees and island municipalities should...

3.5.15	Sustainable Agriculture Preserve, protect, and encourage sustainable farming and the sustainability of farming.
3.5.16	Food Security and Food Sovereignty Support initiatives that advance food security and Indigenous food sovereignty.

Directive Policies – Soil and Fill

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.17	Soil Removal and Deposit Foster the preservation, protection, and restoration of soils in the Islands Trust Area.
3.5.18	Soil and Fill from Middens and Foreshore Areas of Cultural Significance Prohibit alteration, removal or excavation of soil or fill from all identified archaeological sites, including middens or foreshore areas identified as culturally significant areas.

Directive Policies – Marine Shorelands

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.19	Aquaculture Tenures Direct commercial aquaculture tenures to appropriate locations that will not adversely impact areas identified as culturally significant by Indigenous Governing Bodies, that provide critical habitat for species at risk, are of recreational significance or established or designated upland land uses, anchorages or moorages.
3.5.20	Setbacks from the Sea Incorporate current and anticipated impacts of sea level rise and storm surge, and determine appropriate shoreline buffers and setbacks from the sea, taking into account best practices recommended by the federal and provincial governments.
3.5.21	Soft Shoreline Protections Prioritize and foster soft shoreline approaches, such as those identified by the “Green Shores” program, to set requirements for shoreline preservation, and to mitigate erosion of shoreline and foreshore cultural heritage sites.
3.5.22	Vessel Moorage Prohibit the moorage of vessels in sensitive marine areas, including, but not limited to, eelgrass meadows, kelp forests, forage fish spawning areas, estuaries and mud flats.
3.5.23	Marinas Identify requirements for the location, size, and nature of marinas that are compatible with the preservation and protection of the Trust Area and its unique amenities and environment.
3.5.24	Sharing of Coastal Facilities Identify opportunities for the sharing of coastal facilities such as docks, wharves, floats, jetties, boat houses, board walks, and causeways.
3.5.25	Marine Docks Consider the cumulative effects of docks, and limit or prohibit new docks in areas identified as culturally significant by Indigenous Governing Bodies, in areas that provide critical habitat for species at risk, and in areas of recreational significance.
3.5.26	Marine Structures Limit or prohibit the construction or installation of breakwaters, groynes, rock weirs and jetties in marine areas that are not zoned for group wharfage, marine commercial or industrial use, or ferry terminals.

Part 4: Implementation

4.1 — Policy Statement Implementation

Organizational Policy Alignment

Section 15 of the *Islands Trust Act* requires Islands Trust Council to adopt, by bylaw, a trust policy statement that applies to the Islands Trust Area. The Policy Statement must be a general statement of the policies of Islands Trust Council to carry out the object of the Trust.

Section 4(1) of the *Islands Trust Act* confirms that the Trust Council, Executive Committee, local trust committees and Islands Trust Conservancy are continued for the purpose of carrying out the object of the Trust.

Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities are expected to take general policy direction from the Policy Statement to ensure that decisions and activities of the organization are for the purpose of carrying out the Islands Trust Object. The Policy Statement should form the basis of Islands Trust Council's strategic planning process. To ensure consistency between the Policy Statement and the activities of Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities, staff should reference the Policy Statement and its relevant sections in meetings, staff reports, work programs, inter-governmental agreements (including protocols, letters of understanding and memoranda of understanding) and responses to referrals from other agencies. All inter-governmental coordination agreements, external communications, and advocacy should be consistent with the principles and policies set out in the Policy Statement.

Statutory Bylaw Approval Process

The main mechanism for implementing the Policy Statement in local planning and land use management decisions is the bylaw referral process under the *Islands Trust Act* and any referral process under the letters patent of an island municipality.

Executive Committee Approval: Under Section 15(4) of the *Islands Trust Act*, bylaws submitted to the Islands Trust Executive Committee must not be approved by the Executive Committee, or Trust Council, if they are contrary to or at variance with the Islands Trust Policy Statement.

Local Trust Committees: Under Section 27 (1) of the *Islands Trust Act*, a local trust committee must submit its bylaws to Islands Trust Executive Committee for approval before adoption. If Islands Trust Executive Committee returns a bylaw with requested changes or refuses to approve a bylaw, the local trust committee may refer the bylaw to Islands Trust Council for approval. A bylaw has no effect until it is approved by Islands Trust Executive Committee or Islands Trust Council. A bylaw adopting or amending an official community plan has no effect until it is approved by the Minister responsible for Islands Trust.

Island Municipalities: Under Section 38 (1) of the *Islands Trust Act*, the council of a municipality, all or part of which is in the Islands Trust Area, must submit official community plan bylaws to Islands Trust Executive Committee for approval before adoption. If Islands Trust Executive Committee returns an official community plan bylaw with requested changes or refuses to approve an official community plan bylaw, the municipality may refer it to Islands Trust Council for approval. If Islands Trust Council returns or refuses to approve a bylaw, the municipality may submit it to the Minister for approval. These bylaws have no effect until they are approved by Islands Trust Executive Committee, Islands Trust Council, or the Minister responsible for Islands Trust. Although not required under the *Islands Trust Act*, the letters patent for Bowen Island also require referral of bylaws other than official community plan bylaws.

Implementing Reconciliation

The main mechanism by which Islands Trust Council's commitment to Reconciliation will be implemented through the Policy Statement is the requirement for local trust committees and island municipalities to engage Indigenous Governing Bodies on official community plan and land use bylaw amendments set out in Directive Policy 3.1.1.

Additionally, the Policy Statement advises local trust committees and island municipalities to engage with Indigenous Governing Bodies on discretionary planning and land use management decisions, and on topics that need engagement with Indigenous Governing Bodies in order to be effectively addressed.

Policy Statement Implementation Plan

Prior to, or following the adoption of, a new Policy Statement, or amendments to it, Islands Trust Council should develop a plan to implement the Policy Statement. Execution of the Implementation Plan may inform the content of, or revisions to, the following documents:

- The Islands Trust Council Strategic Plan
- The Islands Trust Council Annual Budget
- The Policy Statement Implementation Policy
- Local trust committee and island municipality workplans
- Other documents as applicable

The Policy Statement Implementation Plan may guide the development of:

- A timeline to bring official community plans and land use bylaws into alignment with the Policy Statement
- A revised assessment tool that Islands Trust Executive Committee and Islands Trust Council can use to assess whether local trust committee and island municipality bylaws are contrary to or at variance with the Policy Statement
- Targets and indicators with which Islands Trust Council can monitor and evaluate implementation of the Policy Statement
- Annual monitoring and reporting activities
- Changes to existing Islands Trust Council policies, or new policies, to implement the Policy Statement
- Changes to existing Islands Trust Council agreements, or new agreements, with other levels of government, agencies, and Indigenous Governing Bodies, to implement the Policy Statement
- Communications regarding Policy Statement implementation
- Other implementation actions as applicable

4.2 – Policy Statement Amendments

Policy Statement Amendment Projects

At the beginning of each term, in conjunction with its strategic planning process, Islands Trust Council can identify any Policy Statement amendment tasks to be undertaken that term. Newly elected Islands Trust Councils will likely wish to engage with Indigenous Governing Bodies, and may wish to engage with other key partners and interested and affected parties across the Islands Trust Area to define priorities for Policy Statement amendments that term. Any topics that cannot be addressed in a particular term could be noted on a “Policy Statement Amendment Topic Review Inventory” for consideration by Islands Trust Council at a later date. Once an amendment project is initiated, Islands Trust Council could assign the Executive Committee or a council committee the task of leading and coordinating the Policy Statement review and amendment project, with the support of other committees as appropriate. As part of its annual budget cycle, Islands Trust Council should consider allocating resources required for a Policy Statement amendment project, including for any related communications and engagement.

Communications, Engagement, and Referrals

As soon as practicable after the initiation of a Policy Statement amendment process, Islands Trust Council should adopt a communications and engagement plan appropriate to the scope and scale of the amendment project.

Proposed Policy Statement amendments must be referred to regional district boards in the Islands Trust Area and should be referred to Indigenous Governing Bodies.

While there are no statutory requirements for public engagement or public hearings related to the Policy Statement, in cases where major amendments are being considered, Trust Council should inform and consult members of the public and relevant partner agencies. Engagement and referral partners could include, but would not be limited to: local trust committees and island municipalities; the Islands Trust Conservancy Board; residents and non-resident property owners in the Islands Trust Area; other residents of British Columbia; municipal councils, improvement district boards operating within the Islands Trust Area; relevant provincial government agencies; and other persons and organizations that would be interested and affected by the proposed Policy Statement amendments.

Legislative Process

Adoption of a Policy Statement amendment bylaw occurs only after Trust Council has undertaken four readings of the proposed Policy Statement bylaw and received approval by the Minister responsible for Islands Trust. Policy Statement amendment bylaws become effective upon date of adoption and are not retroactive.

Glossary of Terms

Active Recreation

Active recreation means recreation that is of a formal nature, often performed with specific people or teams, requires specialized equipment or prescribed places, sites or fields, but excludes recreation that primarily involves the use of a power-driven conveyance.

Archaeological Sites

Archaeological sites consist of the physical remains of past human activity.

All archaeological sites in British Columbia are protected under the [Heritage Conservation Act](#). This applies whether sites are located on public or private land, and whether the site is known or unknown. Protected archaeological sites may not be altered or changed in any manner without a permit. There are over 60,000 archaeological sites recorded in BC's Provincial Heritage Register including the remains of village and other habitation sites, as well as resource procurement activities such as fishing weirs and culturally modified trees. These sites may date anywhere from recent times to 14,000+ years ago, and studies continue to uncover new information. (Source: BC Archaeology Branch)

Biodiversity

Biodiversity (biological diversity) is the variety of living things, including diversity within species (genetic diversity), diversity between species, and diversity of ecosystems. When biodiversity characteristics are assessed for any location or region, three attributes are considered:

- composition (describes the parts of each biodiversity component in that area — e.g. habitat types, species present, genetic diversity within species);
- structure (refers to the physical characteristics supporting that composition — e.g. size of habitats, forest canopy structure, etc.);
- function (means the ecological and evolutionary processes affecting life within that structure — e.g. pollination, natural disturbances, predator-prey relationships). (Source: Biodiversity BC)

Colonialism

Colonizers are groups of people or countries that come to a new place or country and steal the land and resources from Indigenous peoples, and develop a set of laws and public processes that are designed to violate the human rights of the Indigenous peoples, violently suppress the governance, legal, social, and cultural structures of Indigenous peoples, and force Indigenous peoples to conform to the structures of the colonial state. Historical and ongoing colonialism, including the dispossession of lands, has a deep and devastating impact on Indigenous people and communities. (Source: BC Addressing Racism Working Glossary; BC Office of the Human Rights Commissioner)

Community Heritage Site

A community heritage site is real property that is considered to be heritage property. (Source: Local Government Act)

Conservation	Actions, legislation, or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or areas of heritage value or character.
Critical Habitat	Under the federal <i>Species at Risk Act</i> , critical habitat is the habitat that is necessary for the survival or recovery of listed extirpated, endangered, or threatened species, and that is identified as critical habitat in a recovery strategy or action plan. Extirpated species means a wildlife species that no longer exists in the wild in Canada, but exists elsewhere in the wild. Endangered species means a wildlife species that is facing imminent extirpation or extinction. Threatened species means a wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction. (Source: <i>Species at Risk Act</i>)
Land Use Density and Intensity	Density is regulated through zoning. Density may be defined by the number of units per given area of land. Density may also be measured by dividing the built area including all floor area, by the total area of the lot, e.g., floor area ratio (FAR). Intensity of use refers to the impacts of different types of land uses, e.g., certain types of commercial or industrial uses could be more intense with more impacts than residential or vice versa. Of note, density and intensity of use can combine to increase cumulative impacts of the land use.
Ecosystem	An ecosystem is a collection of communities of both living and non-living things that are connected. The biotic elements in an ecosystem include living things such as plants and animals. The abiotic elements found in an ecosystem include non-living things like land forms or climate. Healthy ecosystems provide important “services,” like clean air and water, healthy forests and farms, and habitat for plants and animals. (Source: Government of BC)
Ecosystem Integrity	Ecosystems have integrity when their native components, such as native species, biological communities, natural landscapes and ecological functions, are intact and are likely to persist. (Source: Government of Canada)
Equity / Equitable	Equity refers to achieving parity in policy, process and outcomes for historically and/or currently underrepresented and/or marginalized people and groups while accounting for diversity. It considers power, access, opportunities, treatment, impacts and outcomes. (Source: Equity & Inclusion Glossary, UBC)

First Nations	First Nations is not a legal term but came into common use in the 1970s to replace Indian, which some people found offensive. Many communities have also replaced “band” with “First Nation” in their names. Symbolically, the term elevates First Nations to the status of “first among equals” alongside the English and French founding nations of Canada. It also reflects the sovereign nature of many communities, and the ongoing quest for self-determination and self-government. First Nations people may live on or off reserve, they may or may not have legal status under the <i>Indian Act</i> , and they may or may not be registered members of a community or nation. “First Nations” should be used exclusively as a general term as community members are more likely to define themselves as members of specific nations or communities within those nations. (Source: Assembly of First Nations)
Groundwater Recharge Areas	Groundwater recharge areas are terrain that inherently provide geographical and ecological conditions for the infiltration of water from the land surface to the subsurface through soils, sediments, and fractured bedrock to replenish groundwater sources. Groundwater recharge areas can be <i>diffuse</i> where widespread precipitation on the landscape infiltrates into groundwater sources or <i>localized</i> where discrete surface water sources such as streams, lakes, septic fields, and/or irrigation fields infiltrate into groundwater sources. Groundwater recharge areas that have a significant groundwater recharging effect for drinking water sources or groundwater dependent ecosystems in the Islands Trust Area are defined as <i>Critical Aquifer Recharge Areas</i>.
Groundwater Region	A groundwater region is a defined geographic area characterized by shared groundwater recharge, flow patterns, usage, and hydrogeological features, and that has clusters of wells that draw from common recharge zones. Analogous to surface-water watersheds – which are delineated based on drainage to a common outlet – groundwater regions are mapped to support the sustainable assessment, protection, and management of subsurface freshwater resources. Unlike surface watersheds, groundwater regions may span multiple watershed boundaries due to the complex movement of groundwater. These regions serve as practical planning units to guide evidence-based decisions regarding land use, water allocation, and ecosystem protection.
Heritage Site	Heritage site means, whether designated or not, land, including land covered by water, that has heritage value to British Columbia, a community or an aboriginal people. (Source: BC Heritage Conservation Act)
Housing Diversity	Housing diversity refers to the range of housing types and tenures in a community that allow people to find appropriate housing as their needs change over time, and at all stages of life.
Inclusive / Inclusion	Inclusion is an active, intentional, and continuous process to address inequities in power and privilege, and build a respectful and diverse community that ensures welcoming spaces and opportunities to flourish for all. (Source: Equity & Inclusion Glossary, UBC)

Indigenous Cultural Heritage

Indigenous Peoples understand and describe cultural heritage according to their distinct perspectives, traditions, and languages. For Indigenous Peoples, cultural heritage refers to ideas, experiences, objects, artistic expressions, practices, knowledge, and places that are valued because they are culturally meaningful, connected to shared memory, or linked to collective identity. Indigenous cultural heritage cannot be separated from either Indigenous identity or Indigenous life. Indigenous cultural heritage can be inherited from ancestors or it can be created by people today as a legacy for future generations. Indigenous Peoples have a right to identify their own cultural heritage, interpret its meaning, and safeguard its value. (Source: Indigenous Heritage Circle)

Indigenous Governing Body

Indigenous Governing Body means an entity that is authorized to act on behalf of Indigenous peoples that hold rights recognized and affirmed by section 35 of the *Constitution Act, 1982*.

Indigenous Knowledge / Knowledge Holders

There is no single definition of Indigenous Knowledge. For the purposes of this document, "Indigenous Knowledge" refers to a set of complex knowledge systems based on the worldviews of Indigenous peoples. Indigenous Knowledge reflects the unique cultures, languages, values, histories, governance and legal systems of Indigenous Peoples. It is place-based, cumulative and dynamic. Indigenous Knowledge systems involve living well with, and being in relationship with, the natural world. Indigenous Knowledge systems build upon the experiences of earlier generations, inform the practice of current generations, and evolve in the context of contemporary society. Different First Nations, Inuit and Métis communities each have distinct ways of describing their knowledge. Knowledge Holders are the only people who can truly define Indigenous Knowledge for their communities. It is important to note that some Indigenous communities are struggling to maintain their Indigenous Knowledge due to ongoing impacts of colonialism. (Source: Impact Assessment Agency of Canada)

Indigenous Peoples

Indigenous Peoples has the same meaning as aboriginal peoples in section 35 of the *Constitution Act, 1982*. The Assembly of First Nations also states: There is no official definition of Indigenous Peoples. In part, Indigenous communities, peoples and nations can be described as those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories. Other terms include Aboriginal Peoples, Native Peoples, Original Peoples, or First Peoples. (Source: Assembly of First Nations)

Indigenous Rights

The term 'Indigenous Rights' is to be interpreted in accordance with the Province of British Columbia's Distinctions-Based Approach Primer, December 2023.

Middens

Midden, or 'shell midden' archaeological sites are indicative of past First Nations settlement activity. Formed by the accumulation of stratified cultural deposits over thousands of years, shell midden sites represent some of the most complex archaeological sites in the world. (Source: McLay et al (2008) *A'lhut tu tet Sul'hweentst Respecting the Ancestors*)

Note: A midden may be an archaeological indicator of village and burial sites, and may contain ancestral remains.

Natural Heritage Sites

Natural heritage sites are natural areas that:

- Furnish outstanding examples of Earth's record of life or its geologic processes;
- Provide excellent examples of ongoing ecological and biological evolutionary processes;
- Contain natural phenomena that are rare, unique, superlative, or of outstanding beauty; or
- Furnish habitats for rare or endangered animals or plants or are sites of exceptional biodiversity.

Nature-based solutions

Nature-based solutions are actions to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges effectively and adaptively, simultaneously benefiting people and nature.

Nature-based Solutions address societal challenges through the protection, sustainable management and restoration of both natural and modified ecosystems, benefiting both biodiversity and human well-being. Nature-based Solutions are underpinned by benefits that flow from healthy ecosystems. They target major challenges like climate change, disaster risk reduction, food and water security, biodiversity loss and human health, and are critical to sustainable economic development. (Source: International Union for Conservation of Nature (IUCN))

Precautionary Principle

Principle 15 of the Rio Declaration, known as the precautionary principle, states: "In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation." Four central components of the precautionary principle include: taking preventive action in the face of uncertainty; shifting the burden of proof to the proponents of an activity; exploring a wide range of alternatives to possibly harmful actions; and increasing public participation in decision making. (Source: *The Precautionary Principle in Environmental Science*, Kriebel et al., 2001)

Preservation

To maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.

Protection	To maintain over the long term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.
Reconciliation	Reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behavior. (Source: Truth & Reconciliation Commission)
Restrict	To confine, bound or limit, not necessarily prohibit.
Sensitive Ecosystems	Sensitive ecosystems are classified as 'sensitive' because of their rarity and vulnerability to disturbances such as human impacts and climate change. The BC Sensitive Ecosystems Inventory identifies sensitive ecosystem types, which have been adapted by the Islands Trust Conservancy to identify sensitive ecosystems commonly found in the Islands Trust Area, including: • Cliff: Steep slopes, often with exposed bedrock. Very little soil accumulation, and only exceptionally hardy trees and plants. Cliffs are important vegetation refugia because they are often inaccessible to deer browsing or livestock grazing and can be important nesting habitat for birds. • Freshwater: all freshwater networks including but not limited to streams, lakes, wetlands, groundwater sources, springs, and precipitation. • Herbaceous: Shallow soils characteristic of herbaceous ecosystems support low-growing vegetation, such as grasses, forbs (low, broad-leaved plants), wildflowers, mosses and lichens. Few trees and shrubs survive on these sites due to the fast-drying and often shallow nature of the exposed soils. • Old and Mature Forest: Dry to moist forests dominated by conifer or deciduous tree species with a canopy cover of over 30%. Old forests have a stand age of over 250 years.; Mature forests have a stand age of 80–250 years. • Riparian: Located adjacent to lakes, streams and rivers and characterized by plant communities and soils dependent on increased moisture. Influenced by erosion, sedimentation, flooding and seepage. • Wetland: Feature moisture-dependent plants that thrive in an environment where water remains at or above the surface of the soil during most of the year. A wetland can be bog, fen, marsh, swamp, shallow water, wet meadow or a mixture of these types. • Woodland: Dry and open forests dominated by a mix of broadleaf and coniferous tree species with canopy coverage of 10–30%. Generally restricted to south-facing slopes and ridges with shallow soils and bedrock outcroppings. (Source: BC Sensitive Ecosystems Inventory, as adapted in Islands Trust Conservancy Regional Conservation Plan 2018–2027)

Species At Risk	An extirpated, endangered, threatened species, or a species of special concern. Extirpated species means a wildlife species that no longer exists in the wild in Canada, but exists elsewhere in the wild. Endangered species means a wildlife species that is facing imminent extirpation or extinction. Threatened species means a wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction. Species of special concern means a wildlife species that may become a threatened or an endangered species because of a combination of biological characteristics and identified threats. (Source: Federal <i>Species at Risk Act</i>)
Stewardship	Voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities in the Islands Trust Area. For Indigenous Peoples, stewardship may be mandatory under Indigenous law.
Sustainable	Capable of being maintained indefinitely; capable of meeting the environmental, economic, and social needs of current generations without compromising the ability of future generations to meet their needs.
Treaties / Treaty Nations	Treaties are constitutionally protected, government-to-government agreements that identify, define and implement a range of rights and obligations, creating long-term, mutually binding commitments. Treaties negotiated through the BC treaty negotiations process are tripartite agreements between the governments of Canada, British Columbia, and a First Nation. The goal of treaties is reconciliation. Treaties signed with First Nations in Canada between 1701 and 1923 are commonly referred to as historic treaties. In BC, there are Douglas treaties, signed with First Nations on Vancouver Island, and Treaty 8 covering a portion of northeastern BC. Treaties signed today are called modern treaties, and cover where there are no historic treaties, and can also deal with matters not addressed in historic treaties. (Source: BC Treaty Commission)
Watershed	A watershed is a topographically-defined area where all precipitation – rainfall and snowmelt – flows downslope via surface or subsurface pathways to a common receiving water body such as a stream, wetland, lake, or the ocean. Due to the islands' high shoreline-to-area ratio, many watersheds in the Islands Trust Area are non-basin watersheds the ephemeral flows and no defined channels or permanent receiving water bodies.

Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: July 28, 2025
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
Emily Bryant, Meeting Administrator
Katherine Vogt, Meeting Recorder

Others Present: Kevin Webber, Park Planner, Capital Regional District (CRD)
There were approximately sixteen (16) members of the public present.

1. CALL TO ORDER

Chair Elliott called the meeting to order at 1:31 p.m. She introduced trustees and staff and welcomed members of the public.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Elliott acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. TOWN HALL AND QUESTIONS

Chair Elliott clarified that the Town Hall portion of the current meeting was to provide for any comments or questions from the public regarding any issue outside of the Mayne Island Housing Project.

There were no questions or comments from members of the public.

5. COMMUNITY INFORMATION MEETING

5.1 Mayne Island Housing Project

Island Planner Chadwick reviewed the staff report titled Mayne Island Housing Options Project (Phase 2) Draft Bylaws, dated July 28, 2025. She offered that the Community Information Meeting (CIM) provided an opportunity for members of the public to provide input on any of the proposed changes to the Mayne Island Official

Community Plan (OCP) or Land Use Bylaw (LUB); in particular, that trustees were seeking community input on proposed expansion of areas for flexible housing.

The chair clarified that the CIM allowed members of the public to comment on the draft bylaws prior to their going to First Reading.

Members of the public had the following comments or questions:

- Any new dwelling should be contingent on water collected from rainwater or brought in from off-island so that no new wells are dug and there is no sharing of wells, to protect existing aquifers and water table levels
- The regulation of 3000 gallons per dwelling unit should be increased to ensure sufficient water through the dry season
 - A trustee responded that the current 20% building lot coverage permission is being significantly reduced by the proposed amendments; that increased density is not being proposed for the water district areas; and that some groundwater studies have been done, though more needs to be known
- Future water changes should be considered, as huge changes in surface and groundwater patterns are occurring on the island including saltwater intrusion of wells
- Loss of flowing water of 1000 gallons a day that used to last until August at the Japanese Memorial Gardens is now drying up in May
- In some of the parks, deer trails are shifting the flow of water away from traditional areas while increased browsing of the understory by the deer are reducing adjacent soil water retention
 - The planner clarified for the chair that it is currently not an exclusive requirement that cisterns be the sole source of water for a dwelling, and that there is some hesitancy towards this option due to the unpredictability of water
- A member of the public noted they were using 1200 gallons of water a month for two people in the summer dry period, so, a 3000-gallon cistern would not last through the entire dry period; therefore, the gallon requirement should be increased
- It was cheaper to install 20,000 gallons of water storage than to dig a well
 - The chair noted that excessive trucking of water in summer due to low storage infrastructure contradicts the ecological benefits of rainwater collection
 - A trustee offered that the current 3000-gallon requirement allowed for affordability and accessibility for those homeowners that may be able and willing to develop an affordable extra dwelling or suite on properties that already contained a primary residence and existing well
 - The planner clarified that the 3000 gallons number was in the original Mayne Island bylaws associated with secondary suites; and that on other islands, an 18,000 litre (4755 gallons) cistern capacity was being requested after some study of what cistern sizes were readily available and some study of subsistence use water needs through a two-month dry period; though in reality, water usage rates are highly variable

- A trustee offered that they have a lot of flexibility to revisit water requirements in the future, should conditions change
- It would be beneficial to create reservoirs from existing high-water areas on private properties for the benefit of bringing new people on the island who are necessary to sustain all other vital services and infrastructures
- Are the proposed dwellings big enough to sustain new families?
 - A trustee noted that allowable extra dwelling units are based on a combined floor area of all dwellings formula
 - A secondary suite is a maximum of 1000 square feet
 - In the Flex-zone area, the size of one's principal dwelling will dictate the allowable size of additional dwellings
 - The chair provided an example, on lots that are 3 acres or greater but not exceeding 5 hectares, 3 dwellings and a cottage are permitted if total combined floor area of all cottages and dwellings does not exceed 436 meters squared or almost 5000 square feet
 - The planner noted that one could have one 3000 square foot home and three 500 square foot dwellings
 - A trustee added that these proposed options allow property owners flexibility for building a primary family residence plus providing for extra family members or worker housing, while reducing total building coverage which is currently permitted up to 20%
- Regarding the draft map in the agenda package: Exploring Flexible Housing Zoning Expansion on Mayne Island, what do the grey and blue colors signify?
 - The planner clarified that the grey areas of the map showed what was currently in the bylaw for the flex housing pilot, while the colored blue areas were those being considered for flex housing expansion, and the circles represent distance to amenities
- Why were other areas not considered for flex housing?
 - A trustee responded that areas were chosen for their proximity to amenities such as the school, grocery stores, and transport; and already heavily densified small lot areas were not considered for secondary suites or dwellings due to longstanding pushback from the water districts
 - A trustee offered that if a landowner wished to increase density on a lot outside of the flex zone that they could apply for a Temporary Use Permit (TUP)
- Density per dwelling unit, and not just square footage, needs to be considered when modeling water usage
- How does the community prevent extra dwellings from becoming short-term rentals?
 - The planner responded that this was prohibited in the bylaw; and that periodic scans for illegal activity can be requested by the Local Trust Committee
- Is it possible to put a covenant on affordable housing dwellings that could rescind their permit if they are ever used as short-term rentals, because currently there is not enough control over short-term rentals that do not use public platforms like Airbnb?

- The planner responded that resources currently do not exist for such a covenant; and that the Capital Regional District would need to be involved
 - A trustee noted that the new provincial legislation around short-term vacation rentals (STVR)s was very serious with \$60,000 fines for infractions
- How does increasing the housing stock on Mayne Island fit in with the Islands Trust mandate?
 - A trustee responded that shrinking the allowable built footprint on a property and encouraging smaller, more numerous dwellings rather than huge homes is a better more environmentally sustainable housing solution than subdivision
 - A trustee noted that in the first Islands Trust Policy statement of 1975, it was explicitly stated that the welfare of the existing community of people and those that came after them must be a primary concern of the Trust; currently, there are many people on the island who do not have safe, secure housing and may be forced to leave
- What if we cannot fill these cisterns with rain, due to extended dry periods or if the impacts of greater density become untenable?
 - The planner noted that there is flexibility in the Local Government Act to allow local governments to change their zoning to address unexpected future situations
 - A trustee added that the flex areas were not being proposed for already dense areas of Mayne Island; also, that all the water used on a dwelling site is recharged into the land through the septic system; that much of Mayne Islands rainwater after November flows out into the ocean; and that desalination is another option
 - The chair noted that critical groundwater recharge area mapping for future protection has been done by Senior Freshwater Specialist William Shulba; and that rainwater catchment does not deprive groundwater in most areas
- The reality is that most landowners do not have the funds to create housing
- Current water usage impacts should be looked at more broadly
 - A trustee acknowledged that there was huge water demand in the driest time of the year with some water districts struggling with lack of storage and broken lines; a future water workshop and continued dialogue would be very helpful
- What is allowable on Mayne Island for trailers?
 - The planner responded that Mayne Island has traditionally allowed people to live in trailers indefinitely if they were connected to approved water and septic systems; but that this is proposed to change in the new bylaw to needing a Temporary Use Permit (TUP)

The chair recognized that Mayne Island was leading the way in allowing for clustered small unit housing in their Official Community Plan (OCP) under Section 2.1.6.4; and spoke on exciting new developments in developing building permit legal standards for tiny homes.

By general consent the meeting was recessed at 3:01 p.m. and reconvened at 3:08 p.m.

6. PUBLIC HEARING - None

7. MINUTES

7.1 Local Trust Committee Minutes Dated May 26, 2025 (for Adoption)

By general consent the Mayne Island Local Trust Committee meeting minutes of May 26, 2025 were adopted.

7.2 Section 26 Resolutions-without-meeting Report - None

7.3 Advisory Planning Commission Minutes - None

8. BUSINESS ARISING FROM THE MINUTES

8.1 Follow-up Action List Dated July 2025

Island Planner Chadwick clarified for trustees that Activity Item 6 regarding residence requirements for contractors' yards had been moved to another list.

9. DELEGATIONS

9.1 Stephen Cropper - Miners Bay Farmers Market Society

Stephen Cropper, President of the Miners Bay Farmers Market Society, spoke on his recent email to the Mayne Island Local Trust Committee (LTC), dated July 16, 2025, that requests that the LTC make a minor adjustment to zoning to allow for vendor sales at village fair-style events to be held at the Miners Bay Community Park.

Trustees discussed previous parks issues on Mayne Island and possibilities for future parks activities.

MA-2025-035

It was Moved and Seconded,

that Mayne Island Local Trust Committee requests staff forward the letter from Stephen Cropper, as President of the Mayne Island Miners Bay Farmers Market Society, to the Mayne Island Parks Commission and the Capital Regional District for consideration.

CARRIED

10. CORRESPONDENCE

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

11. APPLICATIONS AND REFERRALS

11.1 MA-RZ-2023.2 (CRD) - Staff Report

The chair thanked Kevin Webber, Capital Regional District Park Planner for his attendance at the meeting.

Island Planner Chadwick presented the staff report, dated July 28, 2025, on the application initiated by the Capital Regional District to rezone their recently acquired 27-hectare St. John Point Park property to accommodate the existing non-farm infrastructure in the park hub which includes an entrance sign, parking area, pump out toilet building and bicycle rack.

Island Planner Chadwick updated that the Agricultural Land Commission had requested that the Park Hub A(a) zone only be applied to that specific portion of the Agriculture Land Reserve (ALR) property that was approved for non-farm use rather than to the entire ALR portion of the property, and that an information note to this effect be added to the bylaw.

- A trustee expressed concern that the ALR portion of the park property was not reflected in the map in the staff report; and expressed preference for having a third zone on the park to reference the non-farm Park Hub site rather than an information note, for future clarity

MA-2025-036

It was Moved and Seconded,

that Mayne Island Local Trust Committee moves that the zoning on proposed Bylaw No. 195 be amended to identify (A) (a) as the portion of the lot that has been approved by the Agriculture Land Commission for non-farm use.

CARRIED

MA-2025-037

It was Moved and Seconded,

that Mayne Island Local Trust Committee Draft Bylaw 194 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2024” be read a second time.

CARRIED

MA-2025-038

It was Moved and Seconded,

that Mayne Island Local Trust Committee Draft Bylaw 195, as amended, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2024” be read for a second time.

CARRIED

MA-2025-039

It was Moved and Seconded,

that an information note referencing the Agricultural Land Commission’s Resolution #457/2024 be included in Mayne Islands Local Trust Committee Draft Bylaw 195, as amended, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2024” upon consolidation.

CARRIED

MA-2025-040

It was Moved and Seconded,

that Mayne Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw 194 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2024”, and Bylaw 195 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2024” are not contrary or at variance with the Islands Trust Policy Statement.

CARRIED

MA-2025-041

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff to schedule a Public Hearing for Draft Bylaw 194 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2024”, and Draft Bylaw 195, as amended, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2024”.

CARRIED

By general consent the meeting was recessed at 3:39 pm and reconvened at 3:41 pm

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Mayne Island Housing Project - Staff Report

Island Planner Chadwick referenced the staff report titled Mayne Island Housing Options Project (Phase 2) Draft Bylaws, dated July 28, 2025, noting the following:

- The proposed bylaw amendments were nearing readiness for First Reading; but there were still a few outstanding items highlighted in Attachment 1 for trustee direction
- There is an updated Housing Needs Assessment that will be completed before Second Reading of the bylaws
- A definition of Accessory Residential Unit has been added which is a unit accessory to a non-residential use such as the teachery, for example, and the definition “cottage” has been revised for consistency across the Trust area
- There has been limited feedback from First Nations

Island Planner Chadwick requested trustee feedback for the following items in the Attachment 1 bylaw amendments summary table:

- Require worker housing for significant commercial rezonings
 - Trustees expressed support for this proposal
- Increase flexibility for residential use in commercial areas
 - Trustees had no additional comments or questions for this proposal
- Expand secondary suites permission in suitable areas
 - A trustee noted that currently the water district areas are excluded for extra density; the proposed amendment will now include these areas; and future conversations with water districts would be necessary
 - Trustees requested that this item be removed for now and put on a future Land Use Bylaw Review Work Project

- Permitting additional dwelling units (ADU)s (cottages) on smaller lots was discussed
 - The planner noted that the term “cottage” would be used for the first additional dwelling unit; and the term “accessory dwelling unit” (ADU) would be used for the next ADU; and that the “cottage” language needed to be retained due to existing language in covenants
- Expand flexible housing regulations
 - Island Planner Chadwick referenced the map on page 52 of the agenda package that showed existing flexible housing in grey and proposed expansion area in blue
 - A trustee noted that there did not seem to be any negative feedback from the public at the Community information Meeting for expanding flexible housing
 - The chair suggested improving the language in Policy 2.1.1.3 e) areas of freshwater recharge, to “critical aquifer recharge areas”
- Allowing rezoning for nonmarket housing in more land use designations (school properties, parks, community service) was discussed
 - Island Planner Chadwick noted that this proposal was particularly geared towards community service designations, which include the ambulance station, health centre, and firehall
 - A trustee noted that Mayne Island has a low number of parks
- Review clustered small housing criteria and create a clustered small housing OCP designation/draft model zone for clustered small unit housing
- Develop TUP guidelines for tiny homes/RVs as temporary dwellings
 - Island Planner Chadwick spoke on the ability to rezone up to 10 units with a cluster housing zone designation or a tiny home zone designation
 - A trustee expressed appreciation that these new zone designations were very progressive
 - The planner noted that TUPs would be required for tiny homes or RVs, whereas previously, RVs did not need a TUP
 - The chair noted an inconsistency in minimum cistern capacity requirements which the planner offered to correct
 - A trustee noted that variances for increasing floor area maximums for dwelling units were an option for people with a need for larger homes
 - The planner clarified that any additional dwelling unit above 1 cottage was not permitted for vacation home rental
 - The chair suggested that a chart of housing permissions for various land sizes would be helpful

MA-2025-042

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff update Bylaw No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025” and Bylaw No. 197 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025” as directed at the July 28th, 2025 LTC meeting.

CARRIED

MA-2025-043

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff return Bylaw No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025” and Bylaw No. 197 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025” to the LTC for consideration of first reading.

CARRIED

13. REPORTS

13.1 Work Program Reports

13.1.1 Active Projects Report Dated July 2025

Received for information.

13.1.2 Future Project List Report Dated July 2025

Received for information.

13.2 Applications Report Dated July 2025

Received for information.

13.3 Trustee and Local Expense Report Dated May 2025

Received for information.

13.4 Adopted Policies and Standing Resolutions

13.5 Local Trust Committee Webpage

13.6 Chair's Report

Chair Elliott reported the following:

- The Trust Council is meeting tomorrow for a 7-hour special meeting to consider First Reading of the Islands Trust Policy Statement
- The Islands Trust Conservancy executive committee met on July 22, 2025; at which meeting a resolution was made to request that Trust Council prioritize the updating of mapping resources
- The Programs Committee meets on July 30, 2025

13.7 Trustee Report

Trustee Maude reported the following:

- There has been concern over the lack of grass mowing on the shoulders of Mayne Island roads
- The contractor's tractor broke down
- This is creating hazards for small fawns who pop out last minute from the tall grass, people cannot walk on the shoulder, and there is fire risk
- Trustee Boland of Saturna Island is coordinating an upcoming meeting of all the trustees to work with Emcon and the Ministry of Transportation and Transit to hopefully improve road maintenance services for next year

Trustee Dodd reported the following:

- Recent attendance at the wonderful ceremonial unveiling of information plaques being installed at the Georgina Point Lighthouse as part of the Whales Trail project
- Recent attendance at a presentation on clam gardens given by Carl Olsen which revealed that Oyster Bay on the Georgina Point side was a clam garden
- The recently published book "Two Tricksters Find Friendship" by Elder Johnny Aitken and Jess Willows, of Mayne Island, is a highly recommended story based on a friendship between two grade four students

13.8 Electoral Area Director's Report

None

13.9 Islands Trust Conservancy Report Date June 2025

Chair Elliott reported that the Islands Trust Conservancy will be receiving a CRM Software system to improve their database.

14. NEW BUSINESS

14.1 Mayne Island LTC Meeting Procedures Repeal Bylaw No. 198 - Request for Decision

MA-2025-044

It was Moved and Seconded,

that Mayne Island Local Trust Committee give Bylaw No. 198, cited as "Mayne Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 198, 2025", First Reading.

CARRIED

MA-2025-045

It was Moved and Seconded,

that Mayne Island Local Trust Committee give Bylaw No. 198, cited as "Mayne Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 198, 2025", Second Reading.

CARRIED

MA-2025-046

It was Moved and Seconded,

that Mayne Island Local Trust Committee give Bylaw No. 198, cited as “Mayne Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 198, 2025”, Third Reading.

CARRIED

MA-2025-047

It was Moved and Seconded,

that Mayne Island Local Trust Committee give Bylaw No. 198, cited as “Mayne Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 198, 2025” to the Islands Trust Executive Committee for consideration of approval.

CARRIED

14.2 Mayne Island LTC Public Notification Bylaw No. 199 - Request for Decision

The chair clarified for members of the public that Bylaws No. 198 and No. 199 allows for electronic notice of public meetings; and for notice to be given in unapproved publications.

MA-2025-048

It was Moved and Seconded,

that Mayne Island Local Trust Committee give Bylaw No. 199, cited as “Mayne Island Local Trust Committee Public Notification Bylaw No. 199, 2025”, First Reading.

CARRIED

MA-2025-049

It was Moved and Seconded,

that Mayne Island Local Trust Committee give Bylaw No. 199, cited as “Mayne Island Local Trust Committee Public Notification Bylaw No. 199, 2025”, Second Reading.

CARRIED

MA-2025-050

It was Moved and Seconded,

that Mayne Island Local Trust Committee give Bylaw No. 199, cited as “Mayne Island Local Trust Committee Public Notification Bylaw No. 199, 2025”, Third Reading.

CARRIED

MA-2025-051

It was Moved and Seconded,

that Mayne Island Local Trust Committee give Bylaw No. 199, cited as “Mayne Island Local Trust Committee Public Notification Bylaw No. 199, 2025”, to the Islands Trust Executive Committee for consideration of approval.

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for September 29, 2025 at the Agricultural Hall, Mayne Island

16. TOWN HALL

None

17. CLOSED MEETING - None

18. ADJOURNMENT

By general consent the meeting was adjourned at 4:39 p.m.

Tobi Elliott, Chair

Certified Correct:

Katherine Vogt, Recorder



Resolutions Without Meetings Log

Mayne Island

Resolution Number	Action	Date
2025-002 To adopt Public Notification Bylaw No. 199 That Mayne Island Local Trust Committee adopt Bylaw No. 199, cited as "Mayne Island Local Trust Committee Public Notification Bylaw No. 199, 2025".	Carried	12-Aug-2025
2025-001 To adopt Meeting Procedures Repeal Bylaw No. 198 That Mayne Island Local Trust Committee adopt Bylaw No. 198, cited as "Mayne Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 198, 2025".	Carried	12-Aug-2025

Follow Up Action Report

Mayne Island

26-May-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 13.1 Housing Review: - Update and publish Mayneliner Article (to include map of flex housing expansion) - DONE - Develop land use designation for Clustered Small Unit Housing and model zone - DONE - Refer staff reports and meeting minutes related to housing review to the APC. - DONE	Bruce Belcher Emily Bryant Jas Chonk Narissa Chadwick Robert Kojima	Target: 20-Jun-2025	Completed

28-Jul-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 7.1 May 26, 2025 minutes approved	Emily Bryant	Target: 01-Aug-2025	Completed
100%	2 11.1 MA-RZ-2023.2 (CRD) - read for second time as amended (amendment = add A(a) as a third zone + note) - Schedule public hearing	Jas Chonk Narissa Chadwick	Target: 01-Aug-2025	Completed
100%	3 12.1 Mayne Island Housing Project - staff return bylaws 196 and 197 for LTC's consideration of 1st Reading (amendments = remove expansion of secondary suites, consistency re: 18,00ltrs, update small unit housing language re: critical aquifer areas)	Bruce Belcher Emily Bryant Jas Chonk Narissa Chadwick Robert Kojima	Target: 22-Aug-2025	Completed
100%	4 14.1 Mtg Procedures Repeal Bylaw No. 198 - given 1, 2, 3 reading and directed to send to EC for approval	Jas Chonk	Target: 01-Aug-2025	Completed

Follow Up Action Report

Mayne Island

28-Jul-2025

Progress	Activity		Responsibility	Dates	Status
100%	5	14.2 Public Notification Bylaw No. 199 - given 1, 2, 3 reading and directed to send to EC for approval.	Jas Chonk	Target: 01-Aug-2025	Completed

From: Todd Shannon <[REDACTED]>

Sent: Wednesday, August 20, 2025 10:07 AM

To: Jody Waldie; [REDACTED] Paul Brent; Justine Starke; Jean-Daniel Cusin; Sean Burkholder; Stephen Henderson; Jeanine Dodds

Subject: RE: Safety Concern on Mayne Island

Deer M. Waldie,

Thanks for your email regarding the illegal access into Mount Parke regional Park at Glen Echo rd..

We do have signs and a gate on the Wood Dale Drive access. As you indicated, we do also have a gate on the Glen Echo rd. side which does prevent vehicle access (including motorcycle) on to the closed road/trail. I though we had installed a sign at this location in the past that had either disappeared or it may have slipped through the cracks and not been installed. I will have staff install a regulatory and trail use signs at the Glen Echo side and check on the signs at Wood Dale Drive next week. I will also check out this area myself over the next couple of weeks to see if we have options for further closing off any illegal access in this area with our equipment. I will also be coordinating closely with the Ministry of Transportation and Infrastructure and Emergency Services on this to ensure that they are aware of any changes and that they have continued access to this trail/roadway as part of the existing easements in place.

The CRD does manage an extremely busy regional park and regional trail system, including 34 regional parks and 100km of regional trails with an annual visitation of nearly 9 million users. Consequently, it may take some time before we can invest the resources into restoring newer purchased properties to natural park settings and may require some interim management to address issues or improve awareness about the permitted uses.

The CRD has been focusing on several priority projects on Mayne Island over the last couple of years and will continue over the next year. These priorities include: construction of the new regional trail; completing signage and trail updates on the main park property at Mount Parke; and working with Islands Trust, the Agricultural Land Conservancy and local First nations to move forward with installing parking, toilet, and kiosk at St. John Point. We do have a stewardship agreement with the Mayne Conservancy for invasive species management and restoration work at both Mount Parke and St. John Point Regional Parks. The Mayne Conservancy has expressed interest in working together on invasive species management for specific species and longer-term site restoration at this newer property at the south end of Mount Parke.

I will be looking closely at some interim solutions to help with the illegal access at Glen Echo rd. and looking at a longer-term strategy for restoring some of the impacted areas on the newer property between Glen Echo rd. and Wood Dale Drive, working with Mayne Conservancy.

Please feel free to contact me directly by telephone at (250) 360-3349 or via this email if you further information or have additional feedback.

Sincerely,

Todd Shannon, B.Sc.

Operations Supervisor | Regional Parks

T: [REDACTED]

[Facebook](#) | [Instagram](#) | [LinkedIn](#) | www.crd.ca



Capital Regional District
625 Fisgard Street
Victoria, BC V8W 1R7

Respectfully acknowledging the First Nations in whose Territories the CRD operates. I am grateful for the opportunity to live and work here and am committed to ongoing learning and reconciliation.

From: Jody Waldie <[REDACTED]>

Sent: Monday, August 18, 2025 7:25 PM

To: [REDACTED]; Todd Shannon <[REDACTED]>; Paul Brent <[REDACTED]>; Justine Starke <[REDACTED]>; Jean-Daniel Cusin <[REDACTED]>; Sean Burkholder <[REDACTED]>; Stephen Henderson <[REDACTED]>; jdodds@islandstrust.bc.ca

Subject: Safety Concern on Mayne Island

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Please accept this email as my written concern and complaint about an ongoing safety issue on Mayne Island.

I speak as a ten-year resident [REDACTED] and someone who appreciates walking the lower portion of Mt. Parke Park connecting Glen Echo Rd. to Wooddale Rd...

Use of this path by motor vehicles has been an ongoing problem. The installed gates have successfully curbed most cut throughs although some vehicles continue to drive around the gate on the Glen Echo side. The gates have not stopped the use of this trail by unlicensed motor bikes which cut through and go on to drive unlicensed on our roads.

This activity has become particularly concerning during the 2025 summer months. On multiple occasions and at several times of day or evening single or paired drivers have ripped through the park while I have been walking either alone or with others. Because of the twists in the path the vehicles cannot be heard until they are often closer than 100 feet of walkers giving little time to react.

The park path is one of the few on Mayne that is fairly wide, flat and smooth, making it accessible to those with mobility issues, young families with children in strollers or on bikes and the many dog walkers who enjoy the peace and deserve to be safe in the park.

There is no signage to indicate the area is indeed a park and this would at least take away the excuse that these motor bike users are giving. Today after many attempts to stop drivers one of them did stop so we could warn him there was an elderly couple walking ahead on the trail. His response to our

concerns about him riding through was that this is not a registered park and is in fact a fire road that we are not allowed to be walking on.

I am requesting that the CRD attend to this dangerous situation by taking measures to deal with the safety issue before someone is seriously injured. As a minimum signage is required at both ends of the park to educate people using the trail.

We appreciate that the RCMP officers have increased their presence on the island and have taken and responded to calls. There is an open file for the concerns of the unlicensed motor bikes.

This issue has been brought to the CRD by my neighbour with no response or action.

Respectfully, residents at least deserve a response. Our concern is for the safety of ourselves and others as well as the teen (and older) motor bike drivers for whom hitting someone would be life altering.

I look forward to a response with a plan for action.

Sincerely,

Jody Waldie

██████████

This message is intended only for the use of the individual or entity named above, and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you are not the intended recipient or their employee or agent responsible for receiving the message on their behalf your receipt of this message is in error and not meant to waive privilege in this message. Please notify us immediately, and delete the message and any attachments without reading the attachments. Any dissemination, distribution or copying of this communication by anyone other than the intended recipient is strictly prohibited. Thank you. Please consider the environment before printing this email.

MEMORANDUM

DATE OF MEETING:	September 29, 2025	File No.: SS-BL-546 (SS-PL-RZ-2024-0021)
TO:	Mayne Island Local Trust Committee	
FROM:	Jas Chonk, Legislative Clerk, Southern Team	
SUBJECT:	Referral: Proposed Bylaw No. 546	

PURPOSE

The Salt Spring Island Local Trust Committee has referred proposed Bylaw No. 546 (cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025") to the Mayne Island Local Trust Committee.

BACKGROUND

Islands Trust [Policy 4.1.9](#) Inter-Local Trust Committee Community Planning Bylaw Referral delineates how a local trust committee will implement a local trust committee referral process for community planning bylaws affecting another local trust committee or island municipality.

Additional information regarding this application including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Salt Spring Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the Mayne Island Local Trust Committee respond to the Salt Spring Island Local Trust Committee that interests are unaffected by proposed Bylaw No. 546.
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the Mayne Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 546 proceed for the following reasons:
 - *[list reasons] ...*
3. **If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the Mayne Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 546 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
4. **If the LTC wishes to recommend not proceeding with the bylaw:**
That the Mayne Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 546 not proceed for the following reasons:
 - *[list reasons] ...*

Submitted By:	Jas Chonk, Legislative Clerk	September 16, 2025
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ATTACHMENTS

1. BYLAW REFERRAL FORM

From: Rob Pingle
Sent: Wednesday, July 23, 2025 11:39 AM
To: 'mtippett@cvrd.bc.ca'; Jas Chonk; Nadine Mourao;
'realestate@crd.bc.ca'; 'amanda.vanderkloof@bcas.ca';
'cathie.mcintyre@bcassessment.ca'; 'FrontCounterBC@gov.bc.ca';
'saltspring@rcmp-grc.gc.ca'; 'jholmes@saltspringfire.com';
'alc.referrals@gov.bc.ca'
Cc: Oluwashogo Garuba
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw Nos 546 - For Response
Attachments: SS-BL-546_2025-07-24_ReferralForm.pdf; SS-BL-546_LUB_AMD_Draft.pdf

Dear Referral Coordinators,

We are contacting you in regards to a referral of Bylaw No. 546 (attached), which proposes to amend the Land Use Bylaw (LUB) to bring existing use into compliance at the expiration of existing Land Use Contract Bylaw 195 on the property at 355 Blackburn Road, Salt Spring Island.

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 PLRZ20240021.

A reply is respectfully requested by **September 23, 2025**.

Should you have any questions, or require further information on the Proposed Bylaw, please contact Islands Trust Planner Oluwashogo Garuba at (250) 538-5603 or

ogaruba@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.

Thank you for your time and attention to this referral,

Rob Pingle

Legislative Clerk | Deputy Secretary

Islands Trust | Salt Spring Island

Phone: 250-538-5600 | www.islandstrust.bc.ca

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

The new Islands Trust office at 121 McPhillips Avenue, Salt Spring Island is not open to the public at this time. Staff will continue to provide services by phone and e-mail until the new office space opens

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOŖÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scəwəθən, səlilwətaŁ, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune 'luxutth', SŦÁUTW, Stz'uminus, Ła?əmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁELP, WSIKEM, XeláŁtxw, Xwémalhkwu, Xwsepsum, and x'wəŁθk'əy'əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.



BYLAW REFERRAL FORM

4-121 McPhillips Avenue
Salt Spring Island, BC V8K 2T6
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 546 Date: July 24, 2025

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:

Darryl Janyk

PURPOSE OF BYLAW:

Land Use Bylaw amendment to bring existing use into compliance at the expiration of existing Land Use Contract Bylaw 195

GENERAL LOCATION:

355 Blackburn Road, Salt Spring Island

LEGAL DESCRIPTION:

THE NORTH EAST 1/4 OF SECTION 85, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT EXCEPT THAT PART IN PLAN 35855

SIZE OF PROPERTY AFFECTED:

26.8 ha (66.23 ac)

ALR STATUS:

ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Watershed Agriculture (WA)

OTHER INFORMATION:

Staff reports and other information is available at <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/> under PLR20240021 the application number for this rezoning bylaw

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

(Signature)

Name: Oluwashogo Garuba

Title: A/Planner 2

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Semiahmoo First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Ts'uubaa-Asatx (Lake Cowichan) First Nation

Salt Spring Island Coast Salish Society

Provincial Agencies

Agricultural Land Commission
BC Assessment Authority
Front Counter BC

Regional Agencies

CRD – All Referrals
SSI Advisory Planning Commission
SSI Agricultural Advisory Planning Commission

Non-Agency Referrals

BC Ambulance Service
RCMP
SSI Fire-Rescue

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

Please note: items in **BLUE** are mandatory in each bylaw referral.

Items in **GREEN** are in relation to OCP policy B.4.4.2.4:

The Local Trust Committee will continue to ask emergency response organizations to comment on emergency access and safety issues when the Committee is considering rezoning applications and applications for development permits or subdivision.

**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)

546
(Bylaw Number)

(Title)

(Agency)

MEMORANDUM

DATE OF MEETING:	September 29, 2025	File No.: SS-BL-549 (SS-PL-RZ-2025-0220)
TO:	Mayne Island Local Trust Committee	
FROM:	Jas Chonk, Legislative Clerk, Southern Team	
SUBJECT:	Referral: Proposed Bylaw No. 549	

PURPOSE

The Salt Spring Island Local Trust Committee has referred proposed Bylaw No. 549 (cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 5, 2025") to the Mayne Island Local Trust Committee.

BACKGROUND

Islands Trust [Policy 4.1.9](#) Inter-Local Trust Committee Community Planning Bylaw Referral delineates how a local trust committee will implement a local trust committee referral process for community planning bylaws affecting another local trust committee or island municipality.

Additional information regarding this application including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Salt Spring Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the Mayne Island Local Trust Committee respond to the Salt Spring Island Local Trust Committee that interests are unaffected by proposed Bylaw No. 549.
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the Mayne Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 549 proceed for the following reasons:
 - *[list reasons] ...*
3. **If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the Mayne Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 549 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
4. **If the LTC wishes to recommend not proceeding with the bylaw:**
That the Mayne Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 549 not proceed for the following reasons:
 - *[list reasons] ...*

Submitted By:	Jas Chonk, Legislative Clerk	September 16, 2025
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ATTACHMENTS

1. BYLAW REFERRAL FORM

From: Rob Pingle
Sent: Wednesday, July 23, 2025 4:05 PM
To: 'mtippett@cvrd.bc.ca'; Jas Chonk; Nadine Mourao;
'realestate@crd.bc.ca'; 'amanda.vanderkloof@bcas.ca';
'cathie.mcintyre@bcassessment.ca'; 'FrontCounterBC@gov.bc.ca';
'saltspring@rcmp-grc.gc.ca'; 'jholmes@saltspringfire.com';
'alc.referrals@gov.bc.ca'; 'Reed.Bailey@gov.bc.ca';
'Jeffrey.Weightman@gov.bc.ca'; 'HBE@islandhealth.ca'
Cc: Oluwashogo Garuba
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw No 549 - For Response
Attachments: SS-BL-549_2025-07-24_ReferralForm.pdf; SS-BL-549_LUB_AMD_Draft.pdf

Dear Referral Coordinators,

We are contacting you in regards to a referral of Bylaw No. 549 (attached), which proposes to amend the Land Use Bylaw to change the zoning from Residential 12 variant A (R12(a)) to Residential 13 to permit the development of 50 units of affordable housing, general offices, child day care centre and reduced minimum lot size for potential subdivision of the property at 154 Kings Lane, Salt Spring Island.

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 PLRZ20250220.

A reply is respectfully requested by **September 23, 2025**.

Should you have any questions, or require further information on the Proposed Bylaw, please contact Islands Trust Planner Oluwashogo Garuba at (250) 538-5603 or

ogaruba@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.

Thank you for your time and attention to this referral,

Rob Pingle

Legislative Clerk | Deputy Secretary

Islands Trust | Salt Spring Island

Phone: 250-538-5600 | www.islandstrust.bc.ca

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

The new Islands Trust office at 121 McPhillips Avenue, Salt Spring Island is not open to the public at this time. Staff will continue to provide services by phone and e-mail until the new office space opens

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOŦEĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEĒ, Qualicum, scəwəθən, səliwətəŦ, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SŦÁUTW, Stz'uminus, ƛəʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁEŁP, WSIKEM, Xeláltxw, Xwémalhkwx, Xwsepsum, and xʷməθkʷəy̓əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.



BYLAW REFERRAL FORM

4-121 McPhillips Ave
Salt Spring Island, BC V8K 2T6
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 549 Date: July 24, 2025

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:

Janis Gauthier

PURPOSE OF BYLAW:

To change subject property zoning from Residential 12 variant A (R12(a)) to Residential 13 to permit the development of 50 units of affordable housing, general offices, child day care centre and reduced minimum lot size for potential subdivision.

GENERAL LOCATION:

154 Kings Lane Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT 2, SECTION 4, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 23507

SIZE OF PROPERTY AFFECTED:

1.44 ha (3.55 ac)

ALR STATUS:

NOT IN ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Ganges Village Upper (GVU)

OTHER INFORMATION:

Staff reports and other information is available at <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/> under PLR20250220 the application number for this rezoning bylaw

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

(Signature)

Name: Oluwashogo Garuba

Title: A/Planner 2

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Semiahmoo First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Ts'uubaa-Asatx (Lake Cowichan) First Nation

Salt Spring Island Coast Salish Society

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Transportation & Infrastructure
Front Counter BC

Regional Agencies

CRD – All Referrals
CRD – SSI Building Inspection
CRD – Ganges Sewer Commission
Vancouver Island Health Authority
SSI Advisory Planning Commission
SSI Agricultural Advisory Planning Commission

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
SSI Fire-Rescue

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

Please note: items in **BLUE** are mandatory in each bylaw referral.

Items in **GREEN** are in relation to OCP policy B.4.4.2.4:

The Local Trust Committee will continue to ask emergency response organizations to comment on emergency access and safety issues when the Committee is considering rezoning applications and applications for development permits or subdivision.

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)

549

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)

MEMORANDUM

DATE OF MEETING:	September 29, 2025	File No.: TC-BL-183 (Policy Statement)
TO:	Mayne Island Local Trust Committee	
FROM:	Jas Chonk, Legislative Clerk, Southern Team	
SUBJECT:	Referral: Proposed Bylaw No. 183	

PURPOSE

The Islands Trust Council has referred proposed Bylaw No. 183 (cited as "Islands Trust Policy Statement Bylaw, 2025") to the Mayne Island Local Trust Committee.

BACKGROUND

Islands Trust [Policy 4.1.9](#) Inter-Local Trust Committee Community Planning Bylaw Referral delineates how a local trust committee will implement a local trust committee referral process for community planning bylaws affecting another local trust committee or island municipality.

Additional information regarding this project including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Islands 2050 webpage: <https://islandstrust.bc.ca/programs/islands-2050/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the Mayne Island Local Trust Committee respond to the Islands Trust Council that interests are unaffected by proposed Bylaw No. 183.
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the Mayne Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 proceed for the following reasons:
 - *[list reasons] ...*
3. **If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the Mayne Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
4. **If the LTC wishes to recommend not proceeding with the bylaw:**
That the Mayne Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 not proceed for the following reasons:
 - *[list reasons] ...*

Submitted By:	Jas Chonk, Legislative Clerk	September 16, 2025
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ATTACHMENTS

1. BYLAW REFERRAL FORM

BRIEFING

To: Local Trust Committees and Islands Trust Conservancy **For the Meeting of:** Varies

From: Trust Area Services **Date Prepared:** August 15, 2025

SUBJECT: Bylaw Referral – Policy Statement Bylaw No. 183

PURPOSE: The purpose of this briefing is to update local trust committees (LTCs) and Islands Trust Conservancy that Trust Council expects to receive referral responses from LTCs and Islands Trust Conservancy no later than February 6, 2026, not October 10, 2025 as stated in the original referral package sent out on August 7, 2025.

BACKGROUND: The original bylaw referral package sent to LTCs and Islands Trust Conservancy in August stated that referral responses must be received by October 10, 2025. However, this date did not take into account that the local engagement events requested by LTCs are spread out between September and late November, and so some LTCs may not want to respond to the referral until those events have been held.

It is appreciated by staff if LTCs could submit their referral response as soon as practicable following local engagement events.

ATTACHMENT(S): None

FOLLOW-UP: TAS staff will follow up with individual LTCs and Islands Trust Conservancy as needed.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/August 20, 2025

From: Islands2050
Sent: Friday, August 8, 2025 10:33 AM
To: Nadine Mourao; Jason Youmans
Subject: Bylaw Referral - Trust Council Bylaw 183 Policy Statement - For Response by October 10, 2025
Attachments: 2025_TC_BL183-FRM-Agency-Referral.pdf; TC_2025-07-29
_BL183PolicyStatement_Schedule-A_First-Reading.pdf

Dear Referral Coordinator(s),

We are reaching out to seek feedback from provincial and federal government agencies, Indigenous Governing Bodies, local trust committees and Bowen Island Municipality, school districts, regional districts, and improvement districts on the proposed Islands Trust Policy Statement, which was given first reading by Islands Trust Council on July 29, 2025.

The Islands Trust Policy Statement is a document required by Provincial legislation to be a general statement of the policies of the Islands Trust Council to carry out the [object](#) (mandate) of the Islands Trust. The proposed Policy Statement sets out Islands Trust Council's proposed principles and policy framework for planning and land use management within the lands and waters of the Island Trust Area. The Policy Statement guides the development of the official community plans and land use bylaws of local trust committees and Bowen Island Municipality, and the development of Trust Council's Strategic Plan. It is not a set of regulations that apply to land in the Islands Trust Area.

First reading of the Policy Statement bylaw followed a year of meetings by Islands Trust Council's Committee of the Whole and Trust Programs Committee, where the draft bylaw was reviewed and revised to address feedback received from Indigenous Governing Bodies, island residents, Islands Trust staff, legal counsel, and government agencies over the course of the project. Work on a new Islands Trust Policy Statement has been ongoing since 2019.

Please visit the Islands [2050 project webpage](#) for full project background information, including frequently asked questions.

Your organization may have provided a response when a previous draft of the new Policy Statement was referred out for comment in 2021. Since then, the document has been substantially revised and is now being referred out anew. If you would like to review a copy of your organization's response to the 2021 referral, please see the agency referral section of the project library on the [Islands 2050 project webpage](#).

Your informed response is important to this process and will support the Islands Trust Council in delivering the Islands Trust's provincially-mandated object "to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia."

Agencies Information Session Webinars

Islands Trust will host two Zoom webinars for referral agencies to provide information about the proposed Policy Statement bylaw and to offer an opportunity for questions and answers.

Please register in advance for one of the two sessions:

- **Friday, September 5, 2025**, from 9:30 a.m. to 10:30 a.m. – [Register here](#)
- **Monday, September 8, 2025**, from 1:30 p.m. to 2:30 p.m. – [Register here](#)

After registering, you will receive a confirmation email with details on how to join the webinar.

Your response to this referral is respectfully requested:

Attached to this email is a bylaw referral package that includes our referral form and the proposed Policy Statement bylaw. Project information can be found on our website here:

<https://islandstrust.bc.ca/programs/islands-2050/>.

We understand that there are numerous demands on your time, however, we genuinely welcome any comments you may have. Your referral response to this proposed bylaw is respectfully requested by **October 10, 2025**. Referral responses will be provided to Islands Trust Council for its consideration, and publicly posted to the project webpage.

Should you have any questions or require further information, please contact Jason Youmans at jyoumans@islandstrust.bc.ca or at 250-405-5177.

Please direct referral responses to islands2050@islandstrust.bc.ca

or by mail to:

Islands Trust - Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8

Thank you for your time and attention to this matter.

Respectfully,

Nadine Mourao

Legislative Clerk / Deputy Secretary (she, her, hers)

Islands Trust

700 North Road | Gabriola BC V0R 1X3

T 250-247-2206 | www.islandstrust.bc.ca

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

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKEĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səlilwətał, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune 'luxutth', STAUTW, Stz'uminus, łaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁP, WSIKEM, Xeláltxw, Xwémalkwu, Xwsepsum, and xʷməθkʷəy̓əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.



ISLANDS TRUST POLICY STATEMENT BYLAW REFERRAL FORM

Islands Trust – Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8
islands2050@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Islands Trust Area Bylaw No.: TC 183 Date: August 6, 2025

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.

PURPOSE OF BYLAW:

The Islands Trust Act requires that Islands Trust Council adopt a Policy Statement. The current Policy Statement has not been substantively updated in over 30 years. The purpose of this bylaw is to update the Policy Statement through the lenses of reconciliation, climate change, and affordable housing.

GENERAL LOCATION:

The Islands Trust Policy Statement is a general policy that applies to all of the Islands Trust Area, including Bowen Island. For a map of the Islands Trust Area, please visit: <https://islandstrust.bc.ca/mapping-resources/mapping/>

YOUR RESPONSE IS RESPECTFULLY REQUESTED:

Your response to this referral will help to ensure that the Policy Statement advances the mandate of the Islands Trust, in cooperation with the Province, other agencies and Indigenous Governing Bodies. The Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs and Housing if it is to be used by Islands Trust Executive Committee and Trust Council to evaluate and approve bylaws submitted by local trust committees and island municipalities.

The proposed new Policy Statement contains policies that may affect your agency's interests. We would encourage you to review the [Islands 2050 project webpage](#) for additional information about the Policy Statement Amendment Project, including an FAQ. Please return the response form to islands2050@islandstrust.bc.ca

OTHER INFORMATION:

For more information on the Islands 2050 Policy Statement Amendment Project, including the draft Policy Statement: <https://islandstrust.bc.ca/programs/islands-2050/>

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 response and, if necessary, outline any conditions related to that response. Please note any legislation or official government policy that would affect our consideration of this Bylaw.

(Signature)

Name: David Marlor

Title: Secretary, Islands Trust

This referral has been sent to the following agencies:

Federal Agencies

Environment and Climate Change Canada
Fisheries & Oceans, Canada (Fish Protection and Aquaculture - Pacific Region)
Transport Canada
Parks Canada

Regional Agencies

Capital Regional District
Comox Valley Regional District
Cowichan Valley Regional District
Metro Vancouver Regional District
Nanaimo Regional District
qathet Regional District
Sunshine Coast Regional District

School District Boards

School District No. 45 (West Vancouver – Gambier)
School District No. 46 (Gambier)
School District No. 64 (Gulf Islands: Galiano, Mayne, North Pender, South Pender, Salt Spring, Saturna)
School District No. 68 (Gabriola/Ballenas Winchelsea)
School District No. 69 (Lasqueti/Ballenas Winchelsea)
School District No. 71 (Denman/Hornby)
School District No. 79 (Thetis)

Improvement District Boards

Gabriola Fire Protection District
Graham Lake Improvement District
Schmidt Improvement District
Galiano Estates Improvement District
Gossip Island Improvement District
Montague Improvement District
Spanish Hills Improvement District
Wise Island Improvement District
Bennett Bay Waterworks District
Campbell-Bennett Bay Improvement District
Lighthouse Point Waterworks District
Mayne Island Improvement District
Village Point Improvement District
Georgina Improvement District
Razor Point Improvement District
Trincomali Improvement District
Harbour View Improvement District
Mount Belcher Improvement District
North Salt Spring Waterworks District
Piers Island Improvement District
Salt Spring Island Fire Protection District
Scott Point Waterworks District
Saturna Shores Improvement District
Thetis Island Improvement District
Vaucroft Improvement District

Adjacent Local Trust Committees and Municipalities

Ballenas-Winchelsea Islands Local Trust Committee
Bowen Island Municipality
Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Islands Trust Conservancy Board

Provincial Agencies

Agricultural Land Commission
Attorney General (Housing Policy Branch)
BC Ferries
Ministry of Agriculture and Food
Ministry of Energy and Climate Solutions
Ministry of Energy and Climate Solutions (Climate Action Secretariat)
Ministry of Mining and Critical Minerals
Ministry of Environment and Parks
Ministry of Environment and Parks (BC Parks and Conservation Officer Service Division)
Ministry of Forests
Ministry of Water, Land and Resource Stewardship (South Coast Office, Crown Lands, Water Licensing (Watershed Stewardship & Security Branch, Ecosystems, Archaeology)
Ministry of Health
Ministry of Indigenous Relations and Reconciliation (West Coast Office; South Coast Office)
Ministry of Housing and Municipal Affairs (Governance and Structure Branch and Land Use Planning and Regional Impacts Branch)
Ministry of Transportation and Transit on Vancouver Island and South Coast (via electronic Development Approvals System)

**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

Islands Trust Area (Islands 2050)

(Island)

(Signature)

(Date)

TC 183

(Bylaw Number)

(Printed Name and Title)

(Agency)

DATE OF MEETING: September 29, 2025

TO: Mayne Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: MA-RZ-2023.2 (CRD)
Applicant: Capital Regional District
Location: St. John Point Park

RECOMMENDATION

1. That Mayne Island Local Trust Committee Draft Bylaw 194 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2024” be read a third time.
2. That the Mayne Islands Local Trust Committee Draft Bylaw 195 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2024” be read for a third time.
3. That the Mayne Island Local Trust Committee Bylaw No.194 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2022” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
4. That the Mayne Island Local Trust Committee Bylaw No.195 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2022” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
5. That the Mayne Island Local Trust Committee Bylaw No.194 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2022” be forwarded to the Ministry of Municipal Affairs for approval.

REPORT SUMMARY

This report, to be presented after Public Hearing, provides an overview of bylaws No. 194 and 195 and recommends consideration of third reading.

BACKGROUND

Bylaws 194 (OCP) and 195 (LUB) have been drafted in response to an application made by the CRD. For details related to this application see the [preliminary staff report](#).

The Capital Regional District (CRD) acquired the 27-hectare St. John Point property in 2017 in partnership with the Mayne Island Conservancy Society. Following a comprehensive management planning process from 2018 to

2019—including ecological studies and public engagement—the CRD developed the St. John Point Regional Park Management Plan, which will guide park management for the next 15 years.

The property is currently split zoned Agricultural and Rural with the Agricultural portion being in the Agricultural Land Reserve. In order to develop the Park Entrance Hub in the northwest corner of the property - a 0.07 ha area currently zoned Agricultural and previously disturbed having been the location of a dwelling - featuring a park entrance sign, visitor kiosk, expanded 20-vehicle parking lot, bicycle rack, and pump-out toilet, the CRD sought and received approval from the Agricultural Land Commission (ALC) for non-farm use before proceeding with rezoning.

Bylaw 195 includes site specific zoning for the portion of the lot that is in the Agricultural land reserve from A to A(a) in order to accommodate the park hub. Feedback from the ALC indicated that “As the Commission's approval was specific to a 0.07 ha area of the ALR portion of the Subject Property, ALC staff object to the redesignation of the entire ALR portion of the Subject Property to the A(a) zone”. ALC staff requested that the A(a) zone only be applied to the portion of the Subject Property that was approved for non-farm use.

Following conversation between ALC and Islands Trust staff the decision was made to rather than create a 3-way split zoned property, a note could be added to the bylaw to ensure that the location of the entrance sign, parking area, pump out toilet building and bicycle rack are confined to the area approved by the ALC for non-farm use. The wording for the notation as provided by ALC staff is as follows:

The uses permitted in A(a) are permitted over 0.07 ha of the property in accordance with the conditional Agricultural Land Commission approval (ALC Resolution #457/2024).

At their July 28th regular meeting, the LTC identified preference for a 3-way split zoned property to ensure that that the park hub remain in the areas approved by the ALC for non-farm use.

It was Moved and Seconded,
that Mayne Island Local Trust Committee moves that the zoning on proposed Bylaw No. 195 be amended to identify (A) (a) as the portion of the lot that has been approved by the Agriculture Land Commission for nonfarm use.

The LTC also requested that the notation referencing the ALC Resolution be retained.

It was Moved and Seconded,
that an information note referencing the Agricultural Land Commission's Resolution #457/2024 be included in Mayne Islands Local Trust Committee Draft Bylaw 195, as amended, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2024” upon consolidation.

Following the close of the public hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing. A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

Rationale for Recommendation

Since its acquisition by the CRD in 2017, the property has been actively used as a park attracting both on and off island users. The rezoning will bring into compliance the existing parking lot and supports the expansion of parking that CRD considers much needed (as indicated in previous letters of support, the lack of parking has led to visitors parking on the road which potentially impedes emergency response) as well as the building of a toilet building, bike parking and a park sign.

The only concerns coming out of the referral of the bylaws to agencies and First Nations were those of the ALC. This has been addressed by creating a site specific zone for the portion of the lot approved by the ALC for the non-farm use.

The WASANC Leadership Council has responded to the referral sent to them by the CRD. They are not opposed to the rezoning, however they have expressed interest in working with the CRD to monitor the development of the “park entrance hub” and play an oversight role related to other work being undertaken in the park.

ALTERNATIVES

1. Do not proceed with the application

The LTC could choose not to proceed with the application.

2. Amend the bylaw

Prior to third reading, the LTC could choose to make amendments to the bylaws that do not alter the use density, or the intent of the bylaws.

NEXT STEPS

If the recommendations are supported:

- Bylaws will be referred to EC for approval
- The OCP amendment will be forwarded to the Minister of Housing and Municipal Affairs for approval
- Bylaws will be returned to the LTC for consideration of final adoption

Submitted By:	Narissa Chadwick RPP MCIP, Island Planner	September 17, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	September 17, 2025

ATTACHMENTS

- 1. Bylaw 194 (OCP)
- 2. Bylaw 195 (LUB)

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 194

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

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

1. CITATION

This Bylaw may be cited for all purposes as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2024”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	28 TH	DAY OF	APRIL	2025.
READ A SECOND TIME THIS	28 TH	DAY OF	JULY	2025.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 194**

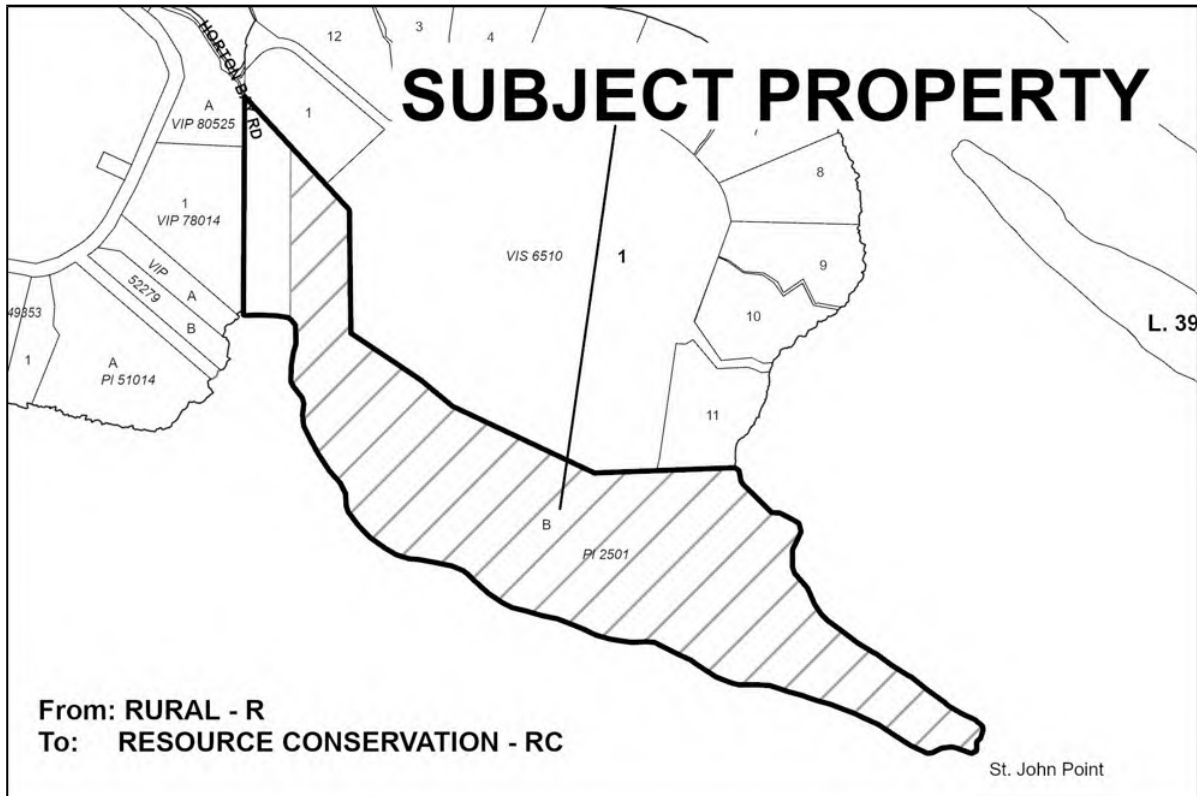
SCHEDULE 1

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

1. By amending Schedule B by changing a portion of the land use designation on the Lot B, Section 1, Mayne Island, Cowichan District, Plan 2501 from Rural (R) to Resource Conservation (RC) land designation as shown on Plan No 1, which is attached to and forms part of this bylaw.

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 194

Plan No.1



PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 195

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

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2024”.

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

2.1 5.7 Agricultural (A) Zone is amended by inserting the title “Site Specific Regulations” followed by “(12) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:”

2.2 The following table is added to “5.7 (12)”:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulation
A (a)	Lot B, Section 1, Mayne Island, Cowichan District, Plan 2501 St. John Point Park	In addition to the uses permitted in 5.7 (1) the following uses are permitted: - resource conservation use - 1 entrance sign - parking area for 20 vehicles - 1 pump out toilet building - 1 bicycle rack - 1 visitor information kiosk

Information note: The uses permitted in A(a) are permitted over 0.07 ha of the property in accordance with the conditional Agricultural Land Commission approval (ALC Resolution 457/2024).

2.3 Schedule “B” – Zoning Map, is amended by changing a portion of the zoning classification of Lot B, Section 1, Mayne Island, Cowichan District, Plan 2501 from Rural (R) to Resource Conservation (RC) and from Agricultural (A) to Agricultural (A (a)) as shown on the Plan No.1, which is attached to and forms part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 146 as are required to effect this change.

3. SEVERABILITY

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

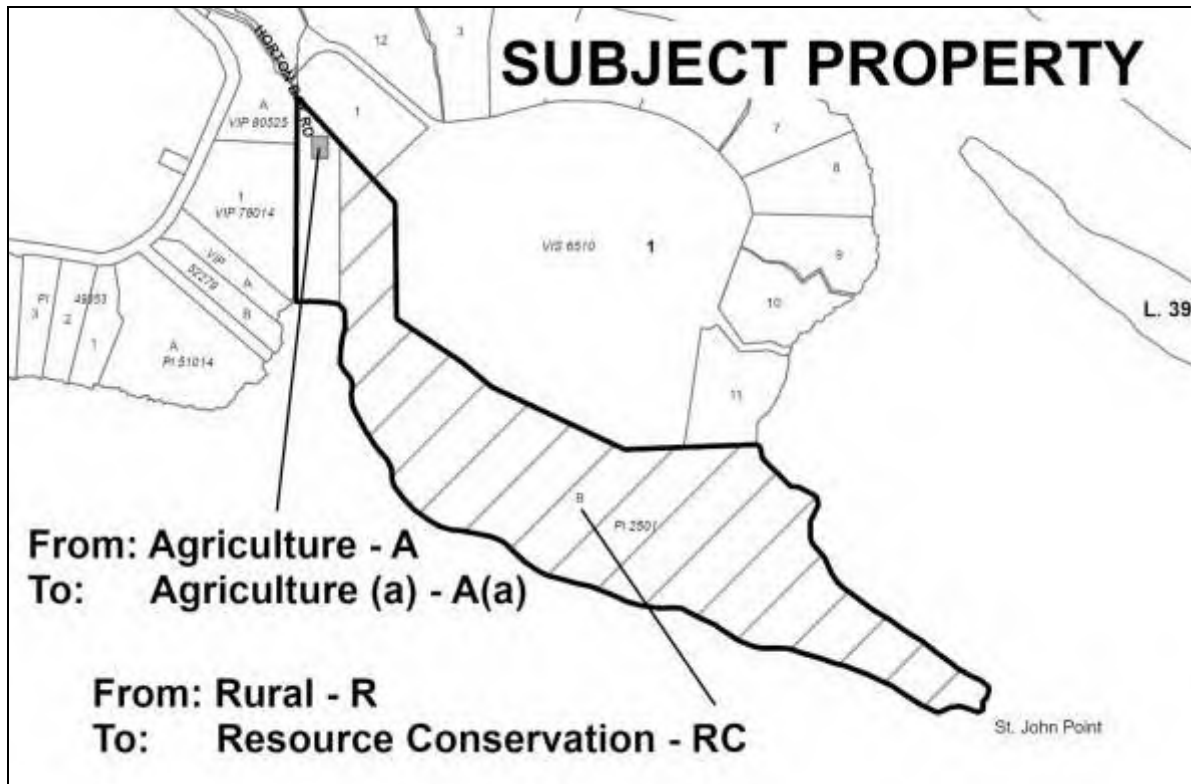
READ A FIRST TIME THIS	28 TH	DAY OF	APRIL	2025.
READ A SECOND TIME THIS	28 TH	DAY OF	JULY	2025.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 195

Plan No. 1



File No.: PL-TUP-2025-0060

DATE OF MEETING: September 29, 2025

TO: Mayne Island Local Trust Committee

FROM: Bruce Belcher, Planner 2
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: PL-TUP-2025-0060
Applicant: Neil Piller
Location: Horton Bay

RECOMMENDATION

1. That the Mayne Island Local Trust Committee approve issuance of PL-TUP-2025-0060 for a period of three (3) years.

REPORT SUMMARY

The purpose of this report is to consider a Temporary Use Permit (TUP) to allow the winter storage of up to nine marine dock floats within a designated 10,000 ft² (929 m²) area in Horton Bay offshore from Mayne Island.

BACKGROUND

The TUP application is proceeding following Islands Trust Bylaw Enforcement action to seek the removal of illegal floats located in Horton Bay in 2023. Among the illegal floats located in Horton Bay is a collection of nine (9) floats owned by nine waterfront property owners who reside to the north of Horton Bay and store their floats during the winter. The dock/property owners claim that they have been storing their floats in Horton Bay for at least thirty years to prevent damage from storms during the winter months due to the Bay providing protection from the increased wave energy on the Strait of Georgia.

The TUP application was submitted following the receipt of multiple pieces of correspondence on the long-term practice of storing floats in Horton Bay during the winter months. The Local Trust Committee (LTC) discussed the winter float storage in Horton Bay at the January 27th Regular LTC Meeting resulting in the following motion:

MA-2025-002

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee request staff to continue discussions for a Temporary Use Permit with Island Marine and the nine users of the service and report back at the next Local Trust Committee meeting.

CARRIED

The application would not involve any new construction as the mooring buoys which the floats are attached to are existing. The floats are towed by Island Marine and secured at the beginning of the winter storm season, and returned to the property owners following the winter storm season.

The proposed permit location is shown in Figure 1. The proposed designated area for the permit is 10,000 ft² (929 m²) in area, the nine floats occupy a total area of about 3000 ft² (278 m²). The additional space provides adequate room for the floats to move within the designated area without leading to non-conformity with the permit. Any siting outside of the designated area would be non-compliant with the LUB and subject to further enforcement.

The storage of the floats in Horton Bay is seasonal, and the proposed permit incorporates this aspect of the application. The draft permit defines the use as between the months of October and April, which accounts for the winter storm season. Storage of the floats outside of this designated time period would be a violation of the permit and subject to further enforcement.

The notice and draft permit are included as Attachment 4 and 5.



Figure 1: Proposed Float Location

ANALYSIS

Official Community Plan:

The proposed permit location is not located within a development permit area. The following OCP policy is relevant to this application:

- **4.2.1.6** Private floats, docks or wharves shall be permitted by zoning only for owners of land adjacent to the shoreline of the water area subject to the zone.

The proposed float location is contrary to the OCP Policy 4.2.1.6 since the siting is not adjacent to the owners' properties. The TUP conditions address this policy by only permitting the storage of the floats during the winter and the floats would only be permitted as storage and not to be actively used within this time period.

The TUP application is generally consistent with Section 2.9 of the Mayne Island OCP Bylaw No. 144. Staff's review of the TUP guidelines is included as Attachment 3.

Land Use Bylaw:

The proposed permit location is zoned **Water Moorage (W2)**. The purpose of this zone is to provide for and regulate accessory private moorage on the foreshore and marine waters adjacent to Mayne Island.

The W2 zone permits the following uses:

- Marine navigational aids;
- Docks, accessory to the residential use of an upland lot or lots abutting the natural boundary of the sea.

The Mayne Island Land Use Bylaw No. 146, 2008 (LUB) includes the following definitions:

"Dock" means a marine-based structure, or set of structures, generally consisting of a pier, ramp, float, and supporting structures, which is used for the non-commercial wharfage of vessels in association with the permitted use of the adjacent upland.

"Float" means a floating non-roofed structure that is used as a landing or wharfage place for watercraft and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea floor.

As the siting of the docks is not associated with an adjacent upland property, the siting and use is not permitted within the current zoning regulations. The TUP would temporarily allow the siting and use to be permitted.

Temporary Use Permit:

Sections 492 to 497 of the *Local Government Act* authorizes local governments to temporarily permit a use that otherwise is not permitted by the land use bylaw by issuance of a Temporary Use Permit. Further, TUPs can include specific conditions to which the use must abide. A Temporary Use Permit may be issued for up to three years and renewed only once (for up to an additional three years). After the renewal TUP expires, the applicant may re-apply for a new Temporary Use Permit.

When an LTC is reviewing a draft TUP for decision, the LTC by resolution can only add additional conditions to a draft permit; a LTC cannot remove conditions from a draft permit without re-advertising. At the time of TUP renewal, no changes to the renewal permit conditions are allowed except for the expiration date.

Issues and Opportunities

According to the float owners the proposed use has been ongoing within Horton Bay for at least thirty years. Despite non-compliance with the LUB, there has been little public opposition to the winter storage of the floats until recent years when Horton Bay has seen an increase in floats, derelict boats, and garbage associated with this activity washing up on the foreshore. The winter storage of the floats does not appear to be a nuisance within Horton Bay, and the storage of the floats is not associated with any active use of the floats. Islands Trust bylaw enforcement has received one complaint related to the winter storage of the floats.

If the TUP is issued the owners would likely need to apply for approval with the Transport Canada Navigation Protection Program (NPP) and a license of occupation from the Province of BC for the use of Crown Land. The Federal process is related to the safety and access to navigable waters for transport and recreation. The NPP application cannot be completed without permission of the local government.

If the TUP is refused then the float siting in Horton Bay during the winter storm season would remain illegal and subject to further enforcement and removal.

Circulation

The draft permits were circulated to surrounding property owners and residents on September 12, 2025. The notification period will end on September 23, 2025. Due to the location of the proposed permit area and distance from the shoreline, the notification capture area was increased from 100 m to 150 m to include the shoreline properties to the south of the permit area. The CRD Harbours Commission was also notified for comment.

Staff received one concern from a property owner and boat owner on Village Bay regarding the location of the floats in proximity to the community dock. Any comments received subsequently will be forwarded to the Local Trust Committee and reported at the meeting.

First Nations

There are no known archaeological sites or archaeological potential within the proposed permit area. The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

Rationale for Recommendation

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

- Staff consider the proposal to be in line with the TUP objectives while meeting the applicable TUP guidelines outlined in Section 2.9 of the OCP.
- The proposed use would not compromise future or current uses within Horton Bay.

- The use has been occurring for many years without concerns, and there appears to be minimal environmental impacts associated with the use.
- The TUP provides the opportunity for the proposed use to be tested for compatibility prior to beginning a process to rezone the water zone to outright permit the use.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Approve for a different time period

The LTC may opt to approve the permit for a shorter period. Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee approve issuance of PL-TUP-2025-0060 for a period of _____ year(s).

2. 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. Recommended wording for the resolution is as follows:

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

3. Deny the application

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee refuse application PL-TUP-2025-0060.

Submitted By:	Bruce Belcher, Planner 2	September 10, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	September 11, 2025

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. TUP Guidelines Checklist
4. Notice
5. Draft Temporary Use Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	N/A
PID	N/A
Civic Address	N/A
Lot Size	N/A

LAND USE

Current Land Use	Water Moorage
Surrounding Land Use	Water Moorage

HISTORICAL ACTIVITY

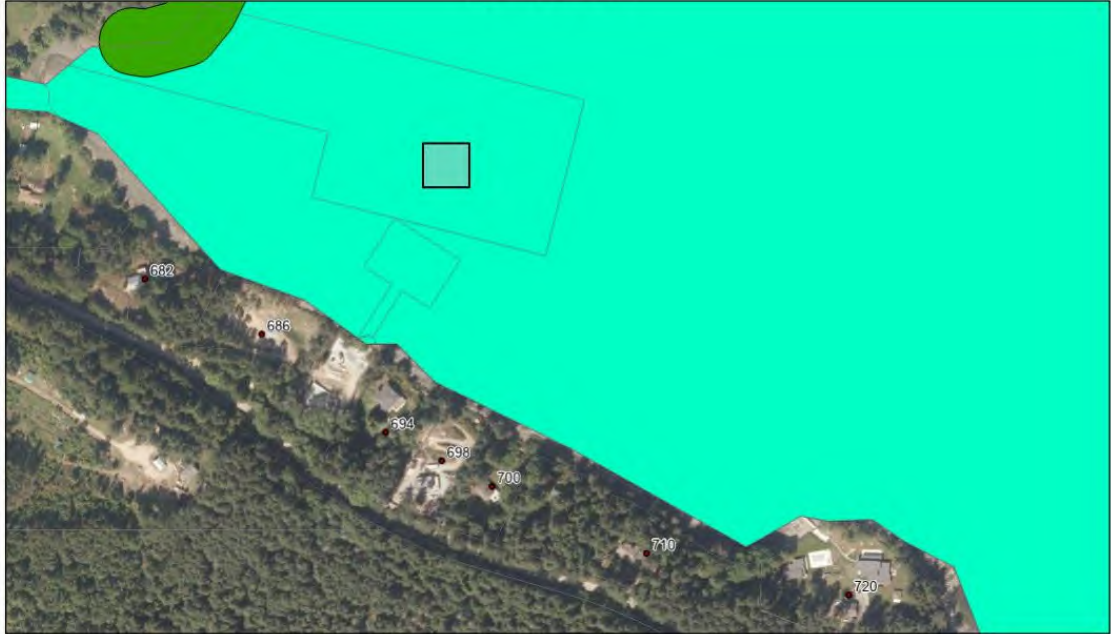
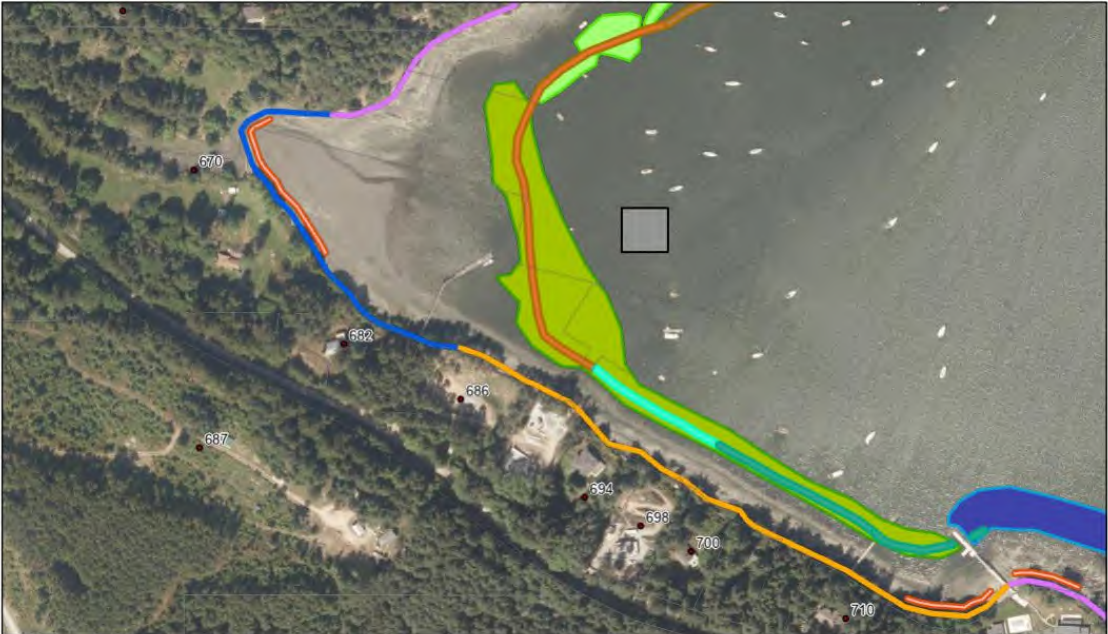
File No.	Purpose
N/A	

POLICY/REGULATORY

Official Community Plan Designations	N/A
Land Use Bylaw	Water Moorage – W2
Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	MA-BE-2023.1 - Non-Permitted Use In Water Moorage Zone

SITE INFLUENCES

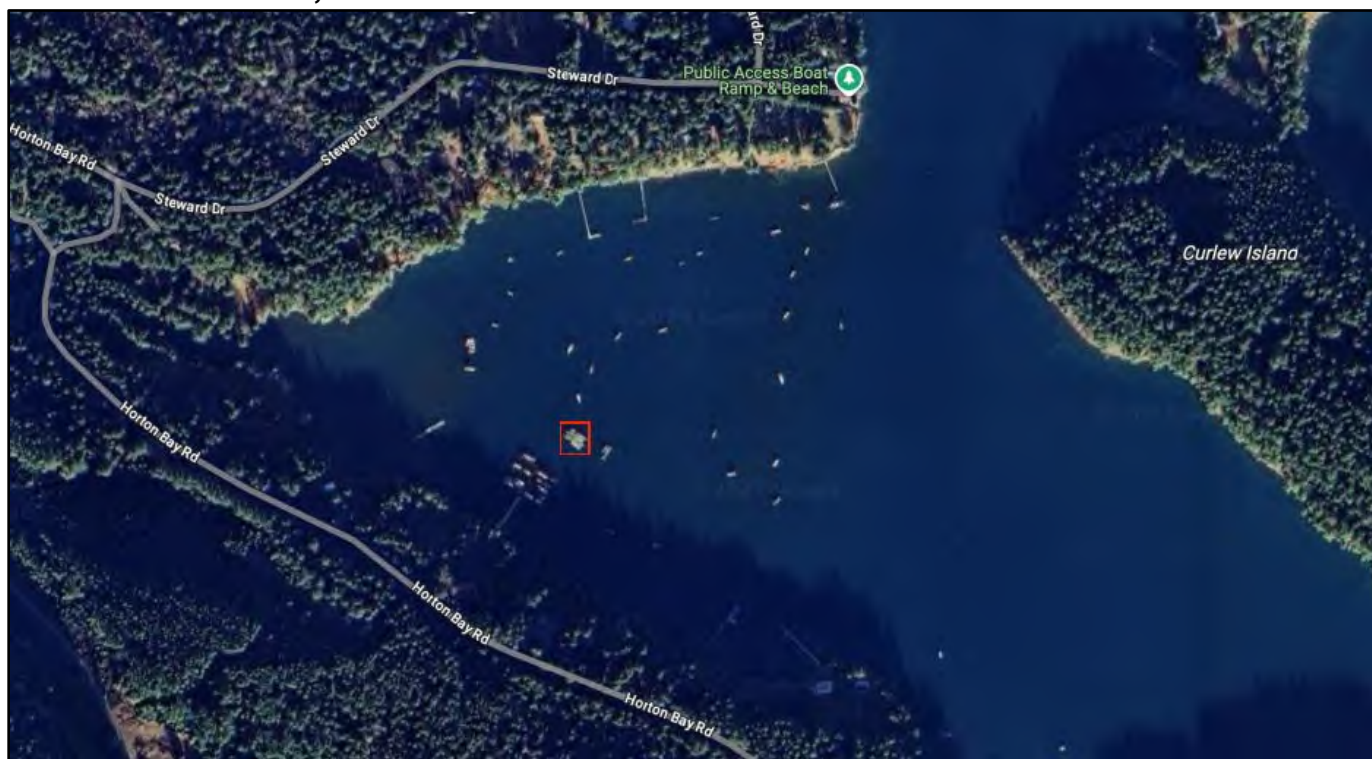
Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	Southern Resident Orca Whale – Critical Habitat

	Species at Risk  9/10/2025, 11:08:36 AM Property Boundaries Civic Address Southern Resident Orca Whale - Critical Habitat - DFO Species at Risk - CDC Vascular Plant ORTHO_2021 Red: Band_1 Green: Band_2 Blue: Band_3 0 0.03 0.05 0.1 mi 0 0.04 0.08 0.16 km Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, CS, NMA, Geobase/Intertek, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Esri Community Maps Contributors, Whatcom County, WA State Parks GIS, © OpenStreetMap, Islands Trust GIS Dept
Sensitive Ecosystems	Moderate Bull Kelp Beds, Eelgrass Shoreline Presence (Flat, Continuous) Marine Environment  9/10/2025, 11:01:49 AM Property Boundaries Civic Address Bull Kelp Beds (2022) Forage Fish Potential Spawning Habitat (2014) Shoreline Type (Islands Trust) Eelgrass Meadows (2022) Eelgrass Shoreline Presence (2014) ORTHO_2021 Red: Band_1 Green: Band_2 Blue: Band_3 0 0.03 0.05 0.1 mi 0 0.04 0.08 0.16 km Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, CS, NMA, Geobase/Intertek, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Esri Community Maps Contributors, Whatcom County, WA State Parks GIS, © OpenStreetMap, Islands Trust GIS Dept
Hazard Areas	N/A

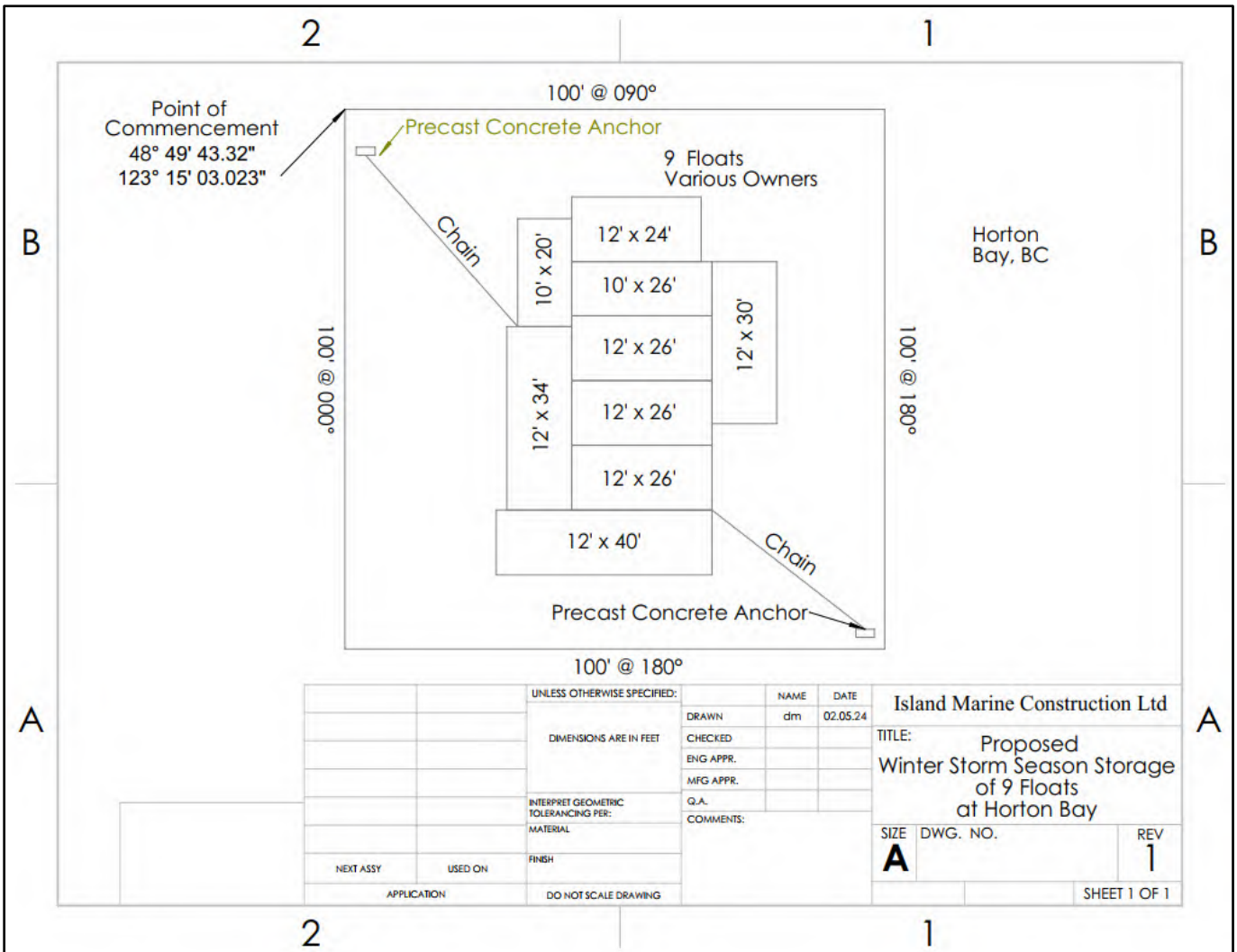
Archaeological Sites	No archaeological potential or known archaeological sites on subject permit location. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a Heritage Conservation Act permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work
Climate Change Adaptation and Mitigation	No anticipated increase in GHG emissions associated with application.
Shoreline Data in TAPIS	Pebble/Sand Beach (within 150 m)

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

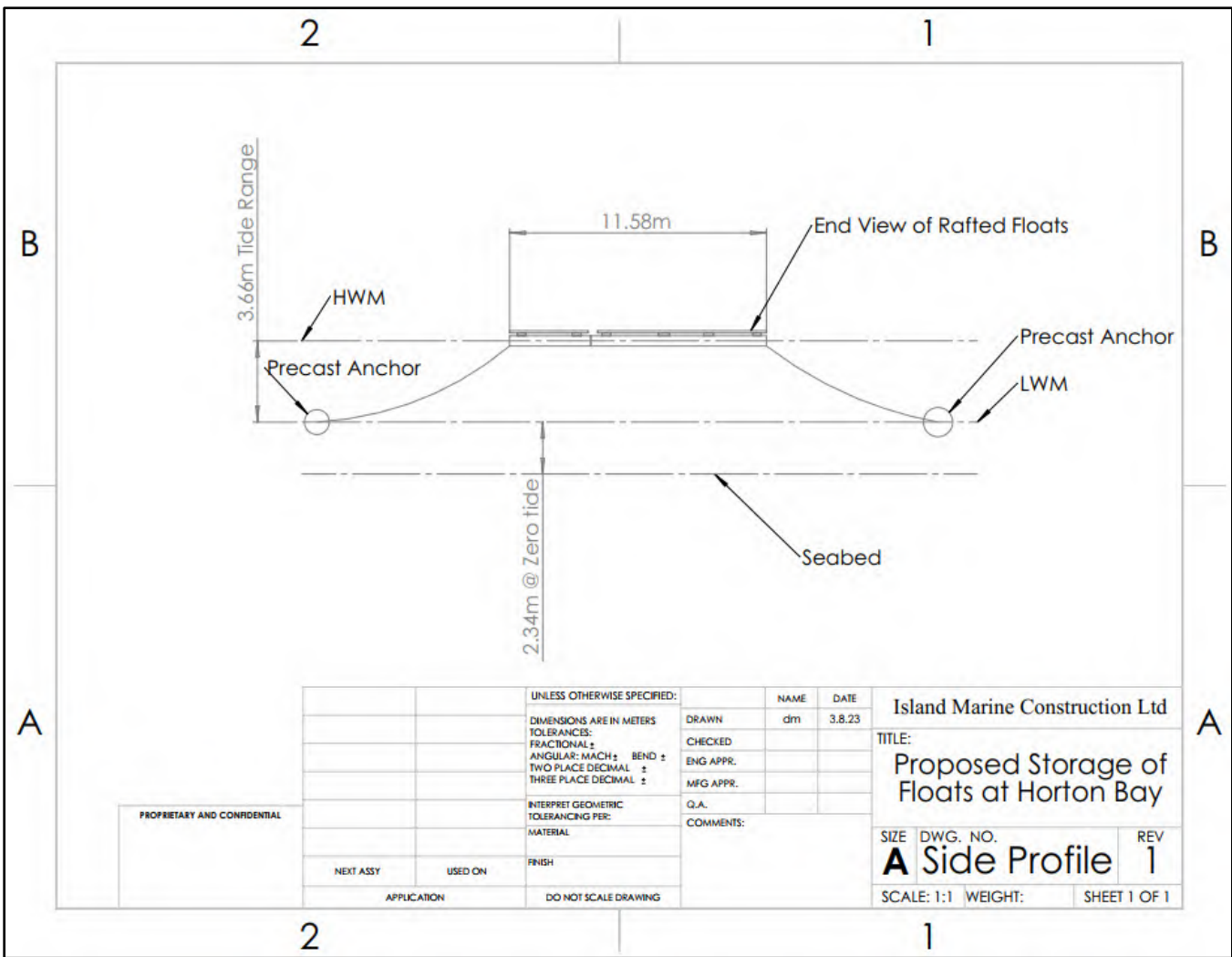
2.1 HORTON BAY DOCKS, AERIAL VIEW



2.2 FLOAT STORAGE PLAN



2.3 ELEVATION PLANS



2.4 PHOTOS



VIEW OF FLOATS, LOOKING NORTH FROM CRD DOCK



ATTACHMENT 3 – TEMPORARY USE PERMIT GUIDELINES

Guideline	Complies	Comments
2.9.1.1 Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.	Yes	Staff Comments: Proposed permit would allow use to continue for three years.
2.9.1.2 Permitted uses should be consistent with the policies of the designation and the provisions of 2.9.1.	Yes	Staff Comments: Proposed use would be a test of the compatibility of the proposed land use, which may not have been anticipated, with existing uses.
2.9.1.3 Permitted uses should not preclude or compromise future permitted uses on the affected lot.	Yes	Staff Comments: Proposed use can be removed following permit expiry.
2.9.1.4 Uses should not be allowed if they conflict with any ongoing planning policies or programs.	N/A	Staff Comments:
2.9.1.5 Sand and gravel removal and processing, and asphalt plants shall be subject to a permit if they exceed 50 truck loads in any given year.	N/A	Staff Comments:
2.9.1.6 Permit conditions must make reference to measures dealing with the following points: a) general activity levels that will not create any disturbance apparent beyond the property's boundaries; b) adequate landscape buffering or distance separation to adjacent lots; c) provision of off-street parking spaces consistent with regulatory bylaws; d) reclamation measures that will restore the permit area to suitability for its designated primary use; and e) adequate supervision of the site.	N/A	Staff Comments:
2.9.1.7 In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.	N/A	Staff Comments:
2.9.1.8 Review of applications should include consideration of smart growth principles.	N/A	Staff Comments:

NOTICE
PLTUP20250060
Mayne Island Local Trust Committee

NOTICE is hereby given pursuant to Section 494 of the *Local Government Act* that the Mayne Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit. The proposed permit would apply to the DISTRICT LOT 575, COWICHAN DISTRICT being the unsurveyed land covered by water being the bed of Horton Bay, Cowichan District.

- The purpose of the Temporary Use Permit is to allow the storage of nine (9) marine dock floats within a designated location in Horton Bay.

The establishment of these uses would be subject to the conditions specified in the attached proposed permit. The permit would be issued for three (3) years and the owner may apply to the LTC to have it renewed once for an additional three (3) years.

The location of the permit location 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 **September 12, 2025** and continuing up to and including **September 23, 2025**.

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 Bruce Belcher, Planner 2 at (250) 405-5179, 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 before 4:30 p.m., **September 23, 2025**.

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.** on **September 29, 2025** to be held at the **Mayne Island Agricultural Hall, 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.

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
PLTUP20250060

Horton Bay

To: Neil Piller

1. This Permit applies to the land described below:
 - a) DISTRICT LOT 575, COWICHAN DISTRICT
 - b) Unsurveyed land covered by water being the bed of Horton Bay, Cowichan District
2. This Permit is issued for the purpose of permitting the applicant to conduct the following use as described:
 - a) Storage of up to nine (9) marine dock floats within the designated location identified in Schedule 'A' and Schedule 'B'.
3. The Permit is subject to the following conditions:
 - a) Float storage is only permitted between the months of October to April.
 - b) No float storage is permitted outside of the specified dates.
 - c) No float storage is permitted outside of the designated location as identified in Schedule 'A' and Schedule 'B'.
4. This permit is valid for **three (3)** years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust, or apply for a renewal of this permit.
5. 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 approvals from the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE (LTA) ISLAND LOCAL TRUST COMMITTEE THIS ##TH DAY OF MONTH, 202#.

Deputy Secretary, Islands Trust

Date Issued



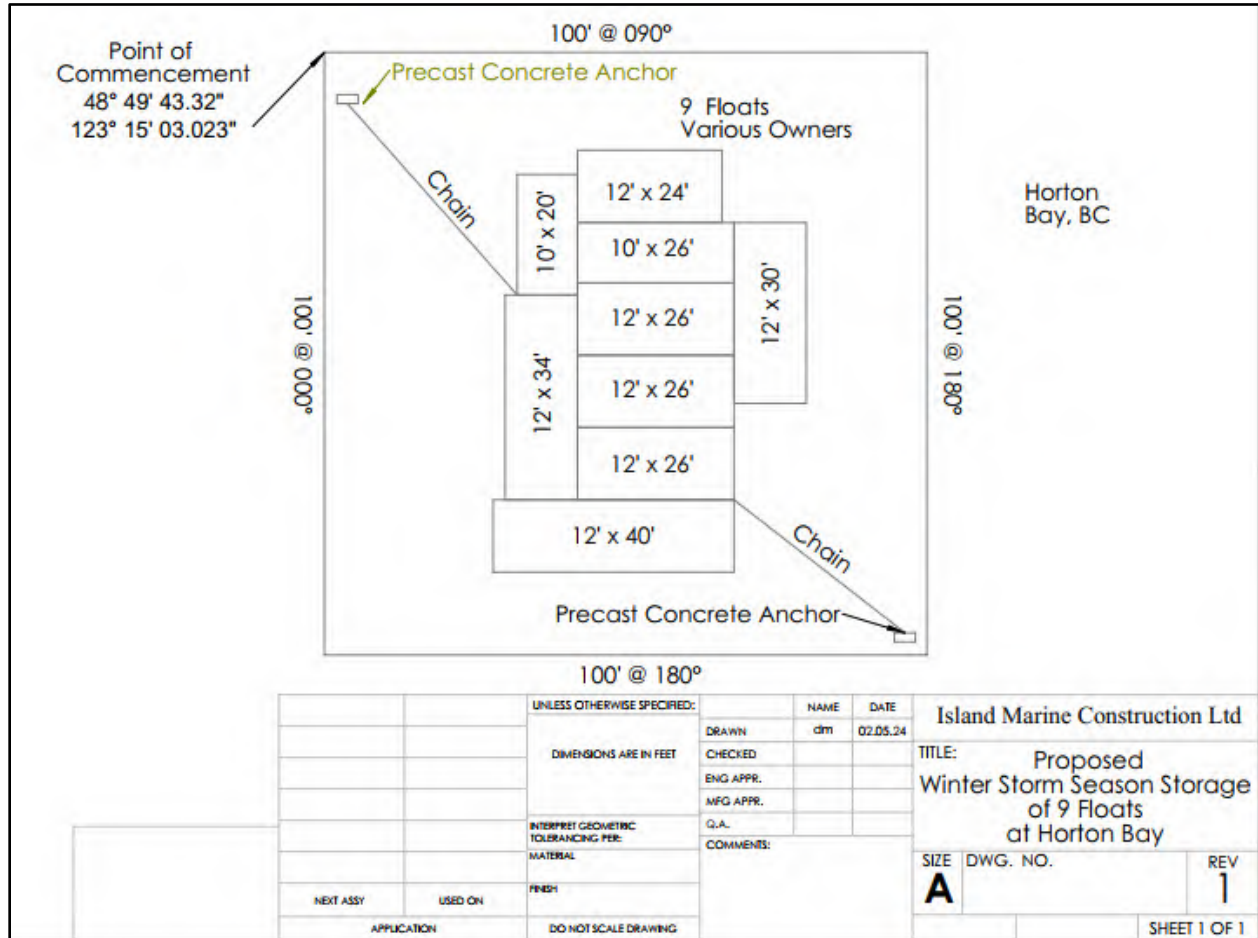
Islands Trust

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE

PLTUP20250060

SCHEDULE 'A'



PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE

PLTUP20250060

SCHEDULE 'B'



File No.: PL-RZ-2025-0305
x-ref: PL-DVP-2025-0110
PL-TUP-2025-0105

DATE OF MEETING: September 29, 2025

TO: Mayne Island Local Trust Committee

FROM: Bruce Belcher, Planner 2
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Rezoning application – Preliminary report

Applicant: Lee Orpen (BC Ferries)

Location: LOT A SECTION 6 MAYNE ISLAND COWICHAN DISTRICT PLAN
VIP75220

RECOMMENDATION

1. That the Mayne Island Local Trust Committee proceed with application PL-RZ-2025-0305 and that staff prepare a draft bylaw that would amend the Land Use Bylaw to rezone the foreshore adjacent to the property from Water Moorage (W2) to a zone permitting a shoreline stabilization rip-rap structure.
2. That the Mayne Island Local Trust Committee request staff schedule a Community Information Meeting to provide the public with an opportunity to receive information and ask questions regarding the BC Ferries foreshore rezoning.

REPORT SUMMARY

The purpose of this report is to provide a preliminary report on the proposed rezoning PL-RZ-2025-0305 and seek direction from the Mayne Island Local Trust Committee (LTC) to proceed or not proceed with the application.

The application would amend the Mayne Island Land Use Bylaw (LUB) No. 146, 2008 by rezoning the foreshore adjacent to the BC Ferries terminal from Water Moorage (W2) to a site-specific zone permitting a shoreline stabilization rip-rap structure.

BACKGROUND

BC Ferries contracted WSP Canada Inc. in 2022 to conduct a slope stability assessment of the partially failed slope along the south end of the Village Bay ferry terminal to determine options to prevent further erosion of the ferry terminal. The site was considered to have short term stability, however high rainfall events increase the risk of instability along the southern bank. In 2024 BC Ferries along with WSP designed shoreline stabilization structures to prevent future erosion. The design involves shoreline armouring rip-rap extended from the existing rip-rap along the foreshore, and a mesh wire secured with soil anchors extending up the slope from the natural boundary of the sea on the BC Ferries property.

The Islands Trust received the proposal initially as a Crown Lease Referral for the work along the foreshore. Staff determined that the work along the foreshore did not comply with zoning and the area would need to be rezoned. While the new mesh structure would require a variance for siting in the setback from the natural boundary of the sea. BC Ferries opted to apply for a TUP with the intention of completing the work in the summer months and instead apply for a rezoning of the foreshore area following the issuance of the TUP to bring the shoreline work into long term compliance with the Mayne Island Land Use Bylaw No. 146, 2008 (LUB).

At the [April 28, 2025 LTC meeting](#) trustees approved issuance of the Development Variance Permit for the proposed structure within the natural boundary setback and the TUP for the rip-rap extending along the foreshore:

MA-2025-013

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee approve issuance of PL-DVP-2025-0110.

CARRIED

MA-2025-014

It was MOVED and SECONDED,

that Mayne Island Local Trust Committee approve issuance of PL-TUP-2025-0105 for a period of three (3) years.

CARRIED

The TUP included conditions requiring the applicant to submit a rezoning application to bring the proposal into long-term compliance within six months of the issuance of the permit. Unless a rezoning application is received, upon expiry of the TUP the property must be remediated to return to the condition prior to commencement of the shoreline stabilization construction.

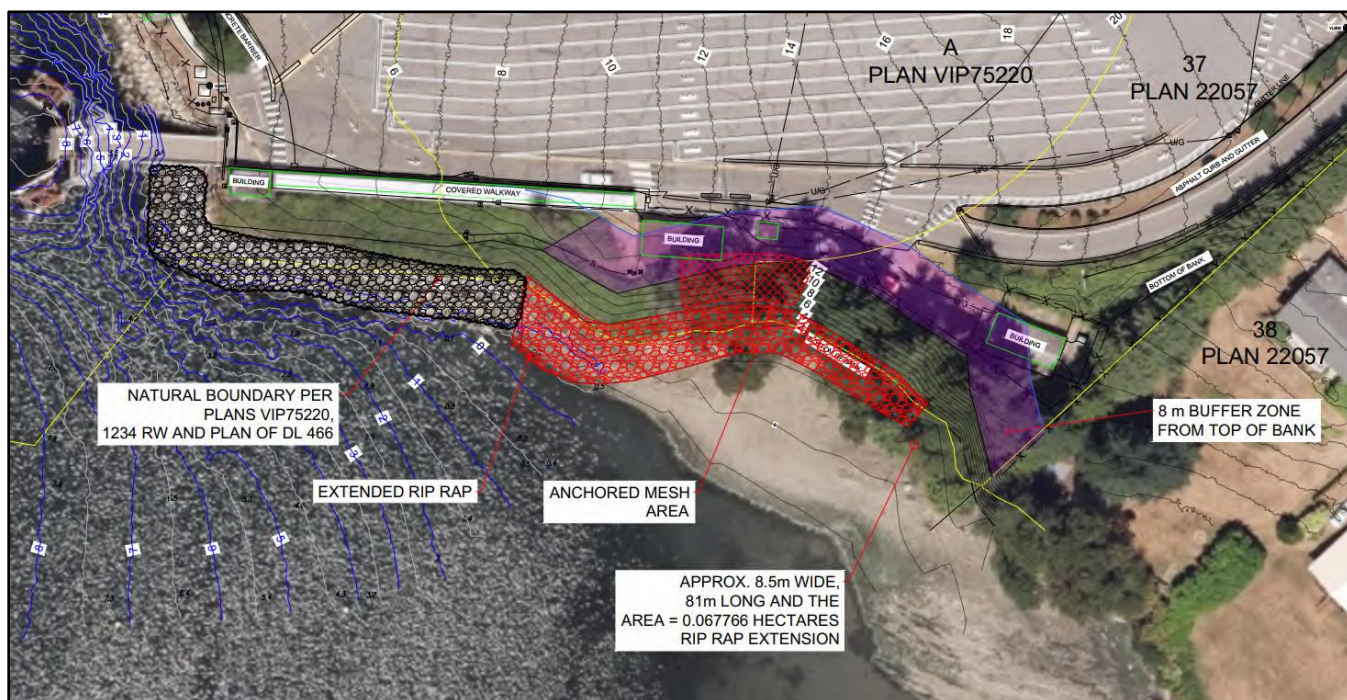


Figure 1: Site Plan

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Relevant policies of the ITPS include:

Section 3.4. Coastal and Marine Ecosystems

Commitments of Trust Council

- 3.4.2** It is Trust Council's policy that marine areas be protected and coastal zone management principles be defined in consultation with agents of the government of British Columbia, the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers.

Directive Policies

- 3.4.4** Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
- 3.4.5** Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

Section 4.5 Coastal Areas and Marine Shorelands

Commitments of Trust Council

- 4.5.3** It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.
- 4.5.4** It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.

Directive Policies

- 4.5.10** Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.

Official Community Plan:

The Mayne Island Official Community Plan Bylaw No. 144, 2007 (OCP) contains objectives and policies in Section 4.2.1 "Coastal Waters and Foreshore" and Section 4.2.2 "Public Access to the Foreshore".

The OCP identifies the foreshore as "the land between the highest tide and the lowest tide" which is "public land managed by the Provincial Government" and "any occupiers of this land must comply with the bylaws." Additionally, the OCP includes the foreshore concern related to the "erosion effects due to passage of B.C. Ferry Services Inc. ships in Active Pass." The objectives of 4.2.1: Coastal Waters and Foreshore are:

1. to protect coastal areas from pollution,
2. to ensure that any use of coastal waters and foreshore does not result in permanent damage to the natural systems, and
3. to limit the impact of foreshore uses on adjacent uses and on the visual appearance of the shoreline.

The relevant OCP policies pertaining to Coastal Waters and Foreshore are:

- 4.2.1.1** Marshes, bluffs and beaches along the coast **shall** be protected from the impacts of development by ensuring foreshore zoning protects against disruption of the natural systems and pollution.

- 4.2.1.2** Despite policy 4.2.1.1, the Local Trust Committee may:

- a) amend its bylaws to allow erosion protection structures to be regulated through development permits; and
- b) consider on a case by case basis applications from property owners to provide protection of existing structures from foreshore erosion in situations where the erosion protection works will not disrupt natural coastal processes. Such applications should be evaluated upon specific site conditions, the requirement for erosion protection, and the proposed method of protection. The use of Green Shores principles is encouraged in the design of new erosion protection works. Softer means such as vegetative stabilization, upland drainage control, biotechnical measures, beach enhancement and anchor trees are preferred over hard structural solutions such as riprap, concrete groins and seawalls. Applications for erosion protection structures should include a report prepared by a Professional Engineer with experience in geotechnical engineering or a Professional Geoscientist which describes the proposed modification and shows:
 - i) the need for the proposed modification to protect existing structures.
 - ii) if any natural hazards, erosion, or interruption of geohydraulic processes may arise from the proposed modification including at sites on other properties or foreshore locations.
 - ii) the cumulative effect of shoreline stabilization works along the drift sector where the works are proposed.

4.2.1.3 Ensure that there are adequate setbacks from the natural boundary of the sea for all development.

4.2.1.4 All use of coastal waters and foreshore areas **shall** be regulated by zoning to ensure adequate separation between potentially conflicting uses.

4.2.1.5 Public recreational use of the foreshore **shall** be given priority over other foreshore uses.

The OCP states that “Public access to foreshore is important in the Mayne Island Local Trust Area for local recreational purposes”. The objectives of Article 4.2.2 Public Access to the Foreshore are:

- 1. to protect foreshore accesses for public use,
- 2. to ensure an adequate number of beach accesses; and,
- 3. to ensure access to all boaters at all tides and all weather with the construction of a dock, ramp and pumpout station constructed at the Anson Road beach access.

One OCP policy is associated with Public Access to the Foreshore:

4.2.1.1 In areas covered by water, commercial use shall be permitted only if it will not disrupt traditional swimming beaches, or navigation, and will not create pollution.

Land Use Bylaw:

The foreshore is zoned **Water Moorage – W2**. The purpose of the Water Moorage Zone is to provide for and regulate accessory private moorage on the foreshore and marine waters adjacent to Mayne Island.

5.21(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

- a. Marine navigational aids;
- b. Docks, accessory to the residential use of an upland lot or lots abutting the natural boundary of the sea.

5.21(2) The maximum height of any structure is 5 metres (16.4 feet), as measured from the ordinary high water mark.

Professional Reports

The associated geotechnical report provides an analysis of the riprap design and accounts for the changes to coastal processes expected based on the proposed work. The work would prevent further erosion of the previously disturbed bluff, and allow for long term stabilization of the slope. While the riprap structures would alter natural coastal processes such as erosion, much of the extensively disturbed shoreline of the BC Ferries terminal is not supported by bedrock and therefore presents a risk of ongoing erosion. The boulder size and total structure height of the proposed riprap structure has a design life of 50 years based on a 50-year sea level rise projection, wave amplitude during high wind events, and high-water levels during high tide.

The professional reports included with the application appear adequate to address the potential impacts associated with the development.

Professional Reports:

- [Geotechnical Report – Technical Memo \(November 28, 2024\)](#)
- [Initial Slope Stability Assessment \(August 19, 2022\)](#)
- [Fisheries and Oceans Canada Response Letter \(April 2, 2025\)](#)

The applicant has also included a response from the Fish and Fish Habitat Protection Program of Fisheries and Oceans Canada (DFO), outlining the recommended implementation measures to mitigate risks and the potential for prohibited effects to fish and fish habitat. The measures are intended to prevent the development from creating a contravention to the Fisheries Act, the Species at Risk Act, and the Aquatic Invasive Species Regulations.

The DFO recommendations to meet the applicable legislation include the following to mitigate potential marine environment impacts:

- QEP environmental and water quality monitoring during construction activities that may result in negative effects to fish and fish habitat.
- Minimize movements/repositioning of barge and spudding to minimize physical disturbance to the seabed. No anchoring or spudding to occur within eelgrass beds or other sensitive habitats.
- Monitoring for marine mammals for at least 30 minutes prior to pile installation, and suspend construction for 30 minutes following the last sighting of any marine mammals.
- Salvage motile invertebrate species from the project footprint prior to riprap repair works and relocate immediately to areas nearby outside of the project footprint.
- Develop and implement a sediment control plan to minimize sedimentation during all phases of work.

Staff Analysis

The purpose of the riprap foreshore structure is to disrupt the natural processes of erosion through diverting wave energy, however OCP policy 4.2.1.1 is specific to protecting marshes, bluffs, and beaches along the coast. The Village Bay ferry terminal has been extensively disturbed from past terminal development activities and lacks well-defined natural landforms. Securing the toe of the slope that is at risk of further erosion would protect the foreshore rock beach from the erosion related impacts of the existing BC Ferries

terminal. The foreshore structure would also mitigate risks associated with the existing buildings located on the BC Ferries terminal property as they are currently at risk of being condemned due to erosion.

The OCP policy 4.2.1.2 provides a framework for shoreline work which includes specific requirements for any erosion protection structures. This includes encouraging softer Green Shores principles over hard structural solutions such as riprap. Under this framework, erosion protection structure applications should include a report prepared by an experienced Professional Engineer or Geoscientist, which must include: the need to protect existing structures, if and how erosion, natural hazards, or interruption of geo-hydraulic processes may arise from the proposed foreshore work, and the cumulative effects of shoreline stabilization works along the foreshore.

While OCP policy 4.2.1.2 is specific to outlining a development permit process for shoreline protection that has not yet been adopted, the report and permit requirements outlined in the policy are relevant to this application, and as a rezoning provides the LTC discretion. A geotechnical report was completed by a Professional Engineer which provided analysis of the wave action taking place and how the riprap structure was designed. The purpose of the riprap is to protect the toe of the slope and support the upland erosion control structures approved through the DVP, to prevent further erosion of the BC Ferries terminal and protect the existing at-risk buildings. The geotechnical report indicates that the reshaped shoreline due to the new riprap will lead to slightly higher currents but lower storm waves on the beach adjacent to the proposed work. Due to the adjacent bank being well protected by bedrock and a vertical rock wall the increased current velocity and reduced diffracted waves would not induce negative impacts on these properties. Based on this analysis of the submitted professional reports staff consider the application to be consistent with policy 4.2.1.2.

There is an absence of sensitive ecosystems and species at risk upland from the proposed shoreline protection structure. Village Bay has the presence of eelgrass meadows and southern resident orca whale critical habitat which are in need of protection. Staff consider that the DFO recommendations, based on an Aquatic Effects Assessment submitted by the applicant, provide the necessary protection measures to ensure that the development will be managed within the marine environment. The recommendations provide specific timing, procedures, and monitoring to ensure that the impact of the development on the eelgrass measures and orca habitat is effectively mitigated.

Staff consider that the proposal is generally consistent with the OCP policies related to coastal waters, the foreshore, and public access to the foreshore. Staff also consider that the proposal is not contrary to or at variance with the Islands Trust Policy Statement, specifically directive policy 3.4.5. While the proposed shoreline work would impact the natural coastal processes, the design has considered the impacts to Village Bay as a whole and development would not lead to significant impacts to adjacent coastal properties or further erosion. Staff consider that the proposed intention to mitigate the risk of erosion and protect the existing structures on the BC Ferries property is reasonable and the design and implementation process have adequately assessed and accounted for the risks associated with the project.

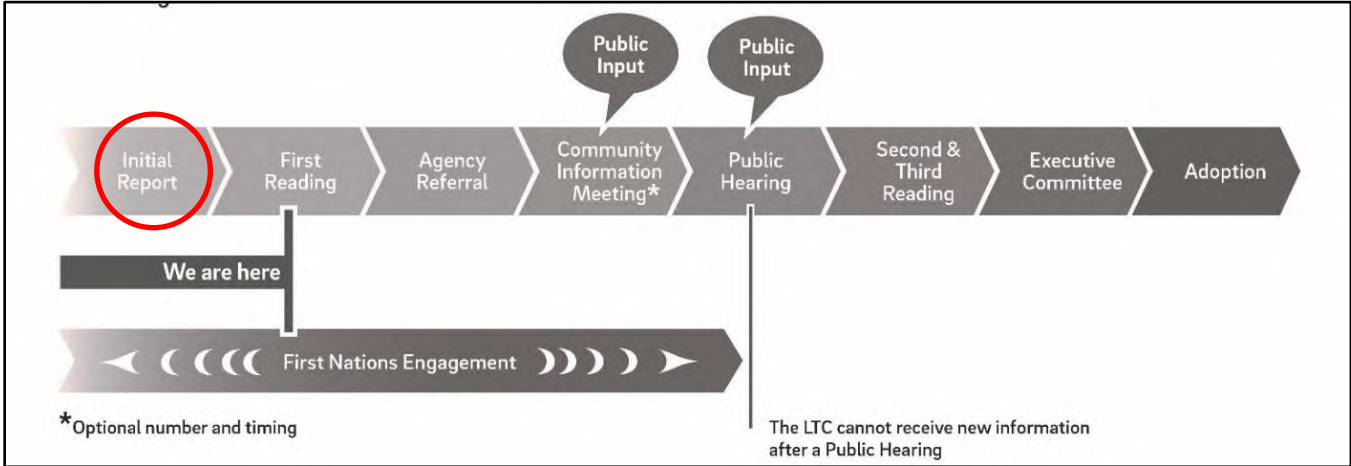
Issues and Opportunities

Consultation

Public notification or consultation is not required for a preliminary report to the LTC for a potential rezoning. Should the LTC decide to proceed with the application, and determine that no OCP amendment is necessary then the LTC will need to provide direction on whether or not to hold a public hearing. If the LTC chooses not to hold a public hearing the notice of first reading would need to be given.

Staff recommend that a Community Information Meeting (CIM) be scheduled in the absence of a public hearing and due to the lack of response received from the public notification for the previous DVP and TUP applications. A CIM would provide the LTC an opportunity to inform the community of the proposal and answer questions which are likely to arise due to the work being in a high traffic area.

Timeline



Agencies

Once the draft bylaw is prepared it will be referred to relevant agencies.

First Nations

An Archaeological Overview Assessment was submitted by the applicant along with the application. The report assessed whole Village Bay Terminal property. The report determined that there are no archaeological or historical sites recorded in the development area, but there are four archaeological sites within 1 kilometre and Provincial records indicate that there have been few archaeological studies conducted in the Village Bay area and none involving subsurface testing. The study area was identified as having high archaeological potential; however, the proposed development site has been extensively disturbed from past terminal development and large deposits of fill have artificially extended the shoreline into Village Bay.

Cowichan Tribes, Halalt First Nation, Lake Cowichan 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, Tseycum First Nation, Tsawwassen First Nation and Ts'uubaaasatx First Nation were contacted on June 25, 2021 as part of the assessment. The Indigenous groups' response identified the importance of the Active Pass area and sheltered island bays for year-round hunting, fishing, and gathering activities. The ancestral remains and artifacts throughout the Gulf Islands are preferred to be left in situ.

The assessment recommends that a project-specific chance find procedure be developed to provide direction on process, roles, responsibilities, and actions required if suspected archaeological materials are encountered.

- [Archaeological Overview Assessment \(April 8, 2025\)](#)

While BC Ferries has conducted its own consultation, the bylaw will still be referred to the First Nations and traditional territories identified in the provincial Consultative Area Database (CAD):

- Semiahmoo First Nation
- Snuneymuxw First Nation
- Penelakut Tribe
- Lyackson First Nation
- Stz'uminus First Nation
- Tsu'uubaa-asatx First Nation
- Halalt First Nation
- Cowichan Tribes
- Tsawout First Nation
- Tsawwassen First Nation
- Pauquachin First Nation
- Tsartlip First Nation
- Tseycum First Nation

Rationale for Recommendation

The recommendation on page one (1) is supported as:

- The rezoning will permit the shoreline stabilization structures necessary to prevent erosion and maintain the existing at-risk buildings on the BC Ferries Village Bay property. Securing the toe of the slope through riprap construction would protect the previously disturbed terminal from erosion associated with the projected sea level rise and increased high wind events.
- Impacts of the development on the marine environment will be mitigated through the DFO recommended measures.
- Staff considers that the proposal is not in conflict with the OCP nor is it contrary to or at variance with the Islands Trust Policy Statement, because the development proposal effectively manages the risks and impacts to the marine environment and natural coastal processes of adjacent properties on Village Bay.

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.

2. Do not proceed

Staff caution that if the LTC decides not to proceed the shoreline construction works will become illegal and subject to enforcement following the expiry of the Temporary Use Permit.

3. Request that staff NOT schedule a Community Information Meeting (CIM)

A CIM is a voluntary discretionary engagement event which provides the opportunity for the public to ask questions about the application. The LTC may choose not to hold a Community Information Meeting for the rezoning application.

NEXT STEPS

If the recommendation is supported:

- Staff will move forward with processing the rezoning application
 1. Staff will prepare a draft bylaw
 2. Staff will request any further information from the applicant (if identified by the LTC)
 3. Staff will refer the draft bylaw to agencies and First Nations
 4. Staff will report back with a draft bylaw, policy statement directives checklist, and a report requesting that the LTC consider if holding a public hearing is warranted

Submitted By:	Bruce Belcher, Planner 2	September 15, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	September 19, 2025

ATTACHMENTS

1. Site Context
2. Plans, Drawings, Photographs
3. Temporary Use Permit (Issued April 30, 2025)
4. Development Variance Permit (Issued April 30, 2025)

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT A SECTION 6 MAYNE ISLAND COWICHAN DISTRICT PLAN VIP75220 LOT 37, SECTION 6, MAYNE ISLAND, COWICHAN DISTRICT, PLAN 22057
PID	025-710-397, 003-307-409
Civic Address	-
Lot Size	3.58 ha total (1.01 ha subject parcels)

LAND USE

Current Land Use	Ferry Terminal
Surrounding Land Use	Residential, Commercial

HISTORICAL ACTIVITY

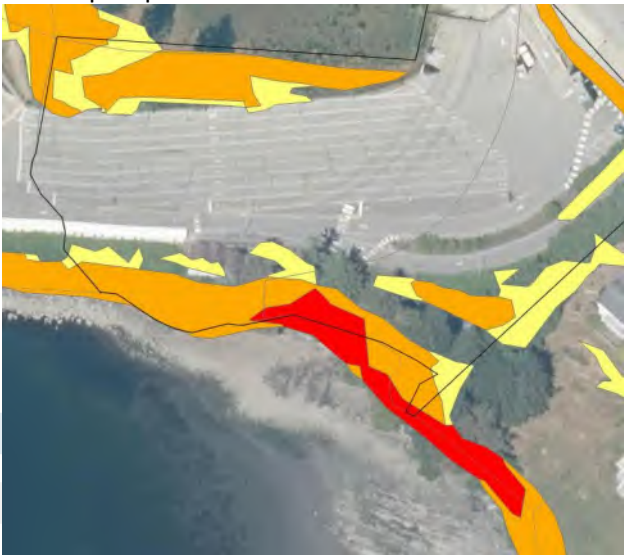
File No.	Purpose
MA-TUP-2023.1	3 modular accommodation units

POLICY/REGULATORY

Official Community Plan Designations	Public Services
Land Use Bylaw	Transportation Service (S3) & Water Moorage (W2)
Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	MA-BE-2020.7

SITE INFLUENCES

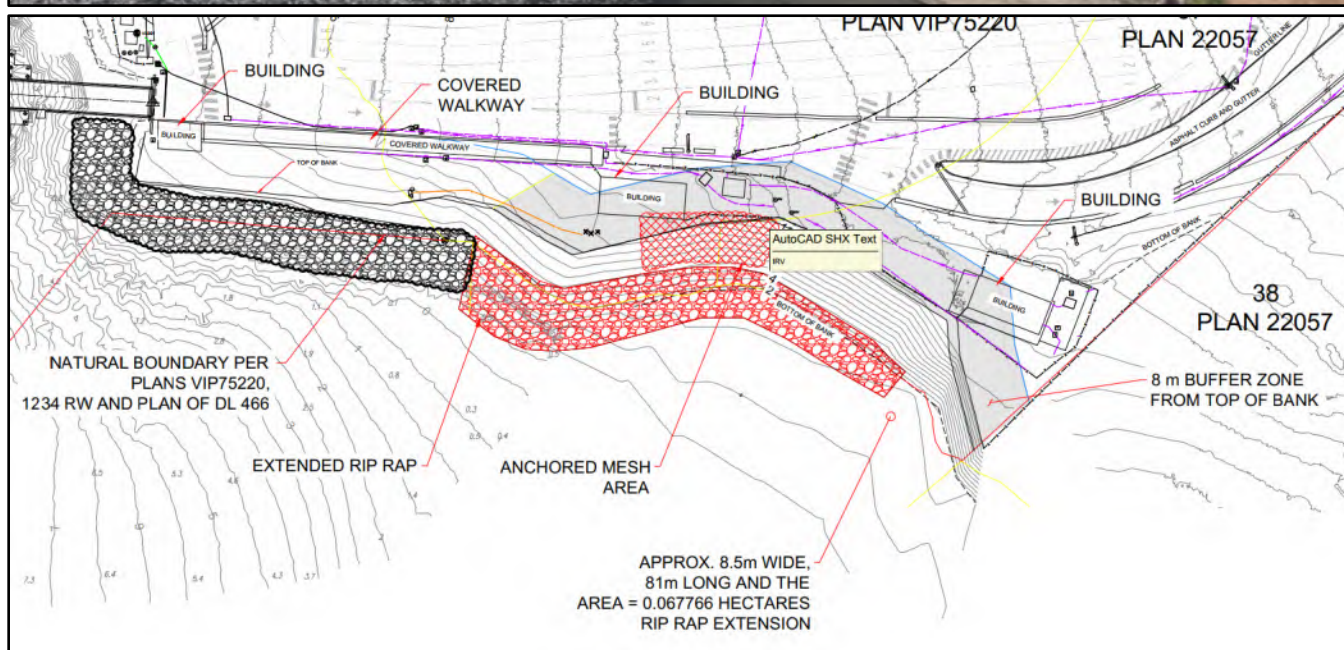
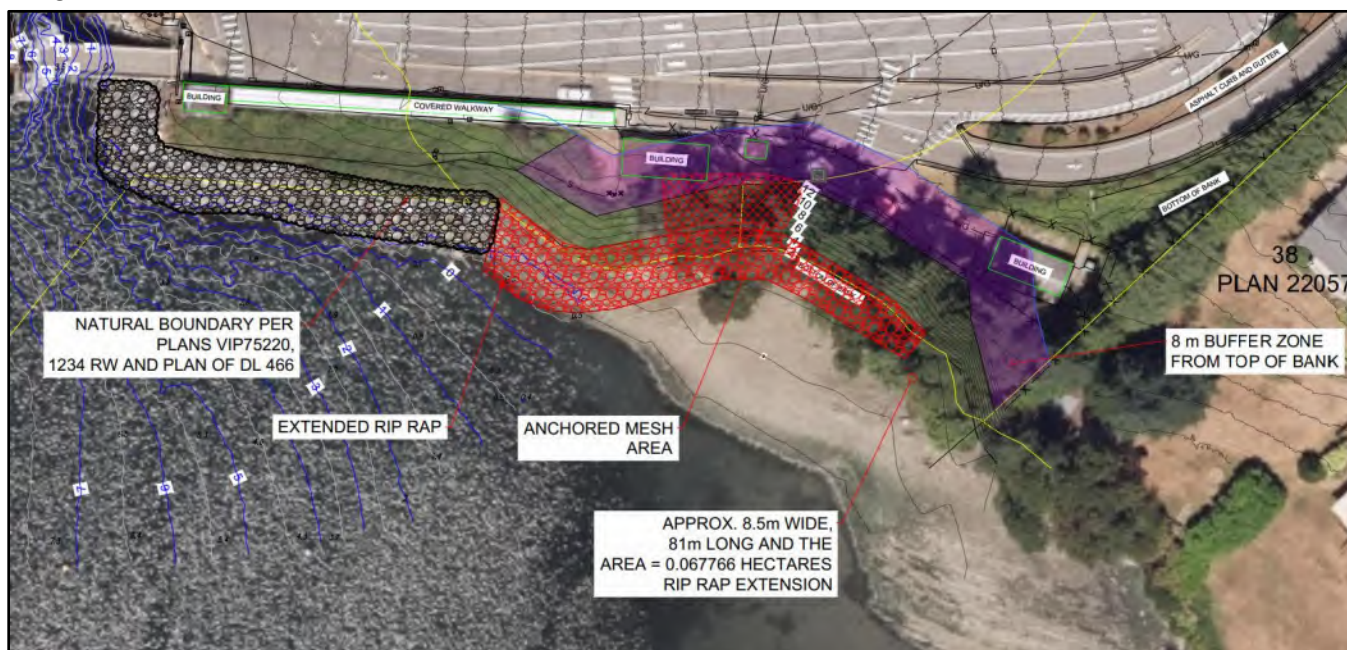
Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	Southern Resident Orca Whale – Critical Habitat
Sensitive Ecosystems	Seasonally Flooded
Marine Ecosystems	Eelgrass Meadows, Eelgrass Shoreline Presence

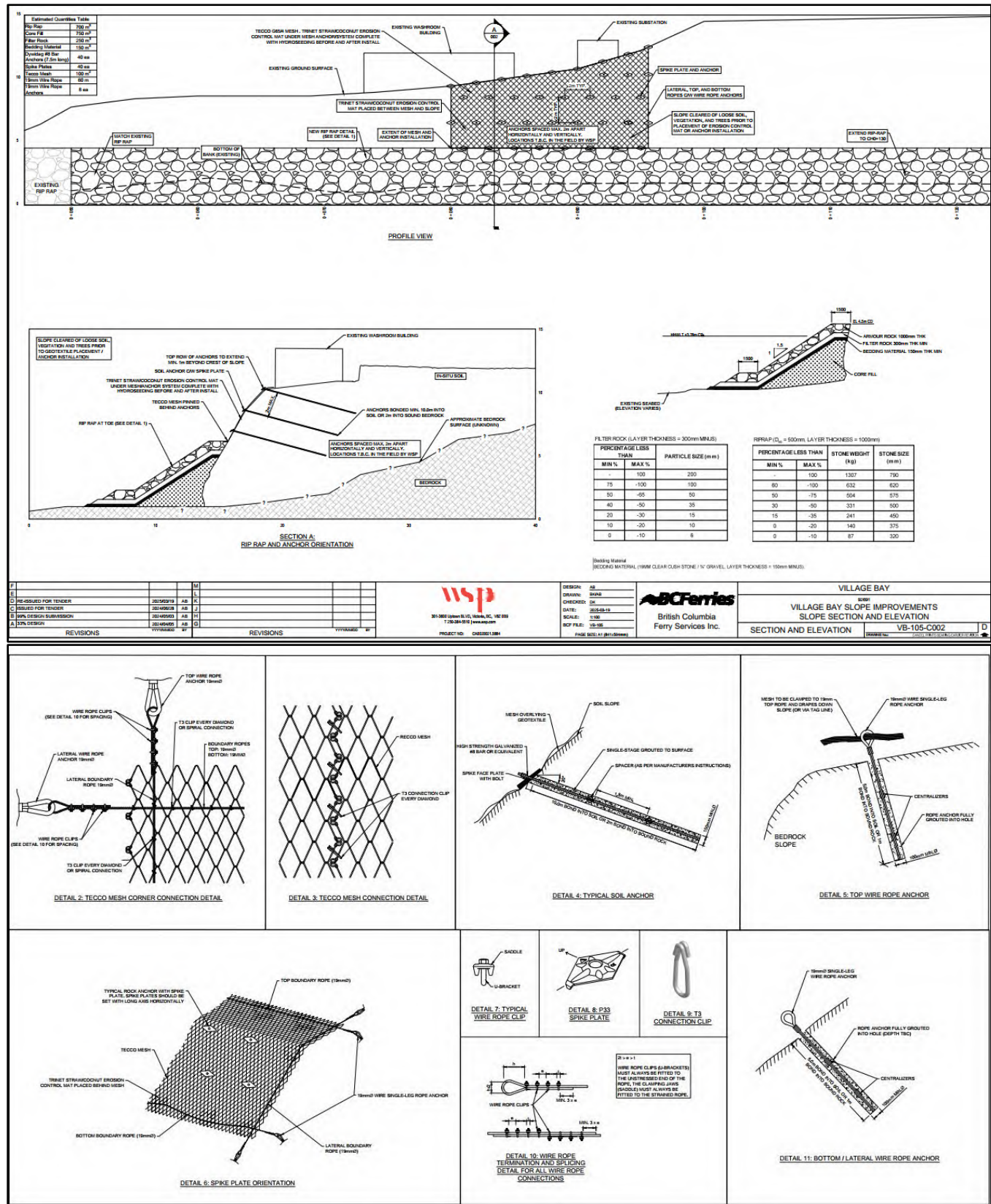
	
Hazard Areas	Low, Moderate, High risk steep slopes 
Archaeological Sites	Archaeological potential on subject site. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a Heritage Conservation Act permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No anticipated impacts to GHG emissions as a result of this proposal.
Shoreline Classification	Low Rock/Boulder

	Shoreline Type (Islands Trust) Bluffs Boulder/Cobble Beach Estuaries/Tidal Flats Low Rock/Boulder Pebble/Sand Beach Sea Cliff 
Shoreline Data in TAPIS	Coastline Type Altered Cliff Coastal Banks or Bluffs Estuary Low Rock / Boulder Sand / Cobble Low Rock Boulder/ Altered 

ATTACHMENT 2 –PLANS, DRAWINGS, PHOTOGRAPHS

2.1 SITE PLAN DETAIL





2.3 SITE PHOTOS (SITE VISIT MARCH 6, 2025)



SHORELINE EROSION AND BC FERRIES TERMINAL BUILDINGS







EXISTING RIP-RAP





Islands Trust

MAYNE ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
PLTUP20250105 (Orpen/BC Ferry Services Inc.)

Attachment 3

Village Bay Ferry Terminal

To: BC Transportation Financing Authority
c/o Lee Orpen

1. This Permit applies to the land described below:

LOT A SECTION 6 MAYNE ISLAND COWICHAN DISTRICT PLAN VIP75220 (PID: 025-710-397)

LOT 37, SECTION 6, MAYNE ISLAND, COWICHAN DISTRICT, PLAN 22057 (PID: 003-307-409)

2. This Permit is issued for the purpose of permitting the owner to conduct the following use on their property:

a) Shoreline stabilization structures (riprap) along the foreshore, as depicted in Schedule 'A'.

3. The Permit is subject to the following conditions:

a) Unless a rezoning application is received by the Islands Trust, upon the expiry of this permit, the Temporary Use Permit Area of the property shall be remediated to return to the condition prior to the commencement of the shoreline stabilization construction;

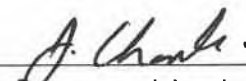
b) The property owner shall submit a rezoning application to the Mayne Island Local Trust Committee for long-term compliance of the proposed shoreline structure within six (6) months of the issuance of the permit or this permit shall cease to be valid.

The development shall be consistent with Schedule 'A' and 'B' which are attached to and forms part of this permit.

4. This permit is valid for **three (3)** years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust, or apply for a renewal of this permit.

5. 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 approvals from the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

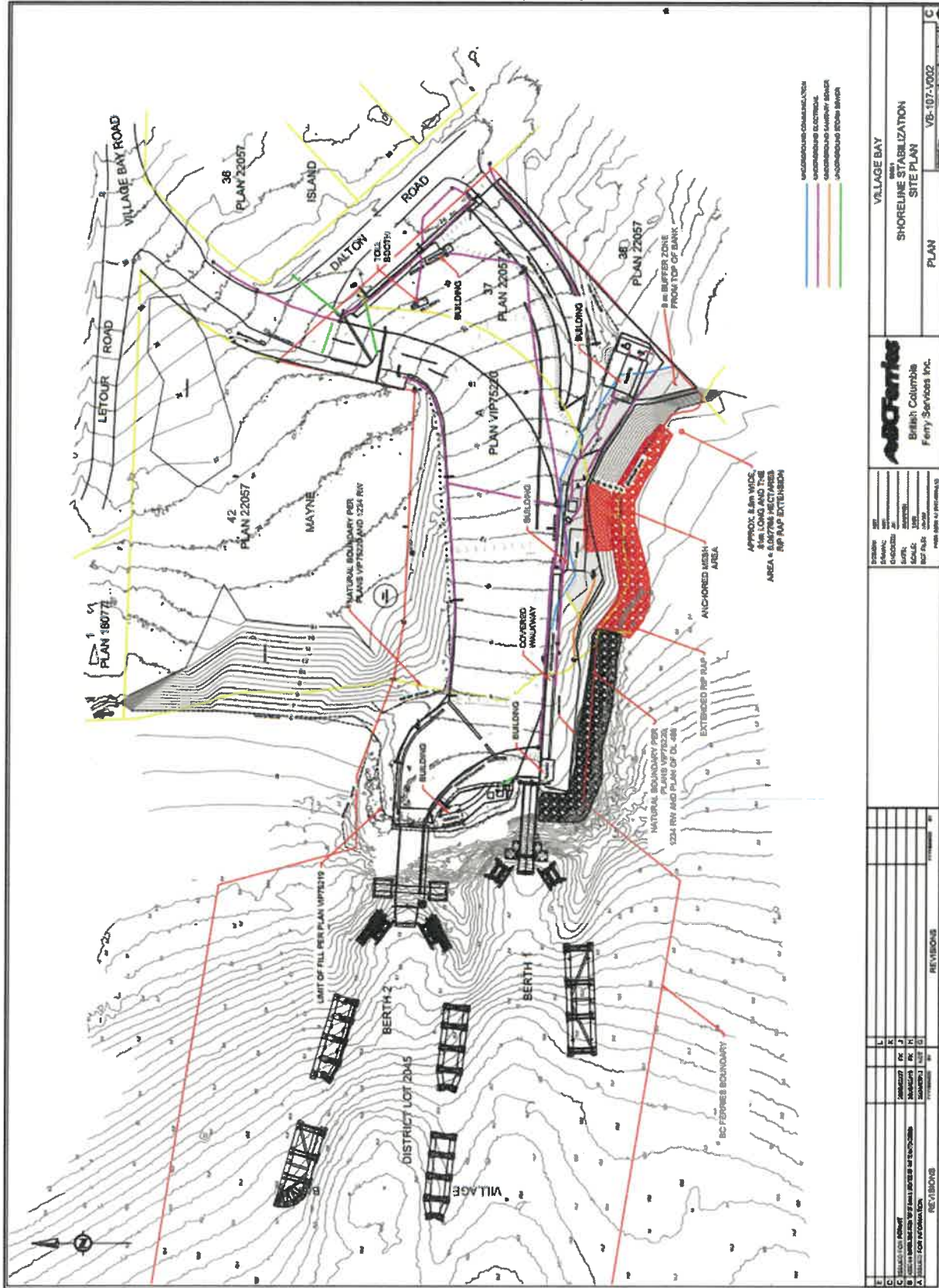
AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE THIS 28TH DAY OF APRIL, 2025.


Deputy Secretary, Islands Trust

April 30, 2025
Date Issued

MAYNE ISLAND LOCAL TRUST COMMITTEE
PLTUP20250105

SCHEDULE 'A' (1 of 2)



VILLAGE BAY SHORELINE STABILIZATION SITE PLAN		PLAN VB-107-1000
Legend UNDESIGNATED EXISTING STRUCTURE DESIGNATED EXISTING STRUCTURE UNDESIGNATED PROPOSED STRUCTURE DESIGNATED PROPOSED STRUCTURE		
PROJECT NO. DRAWING NO. SCALE DATE	PROJECT NAME DRAWING NO. SCALE DATE	PROJECT NO. DRAWING NO. SCALE DATE
REVISIONS		
NO. DESCRIPTION DATE	NO. DESCRIPTION DATE	NO. DESCRIPTION DATE

I hereby certify this to be Schedule A which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. PLTUP20250105.

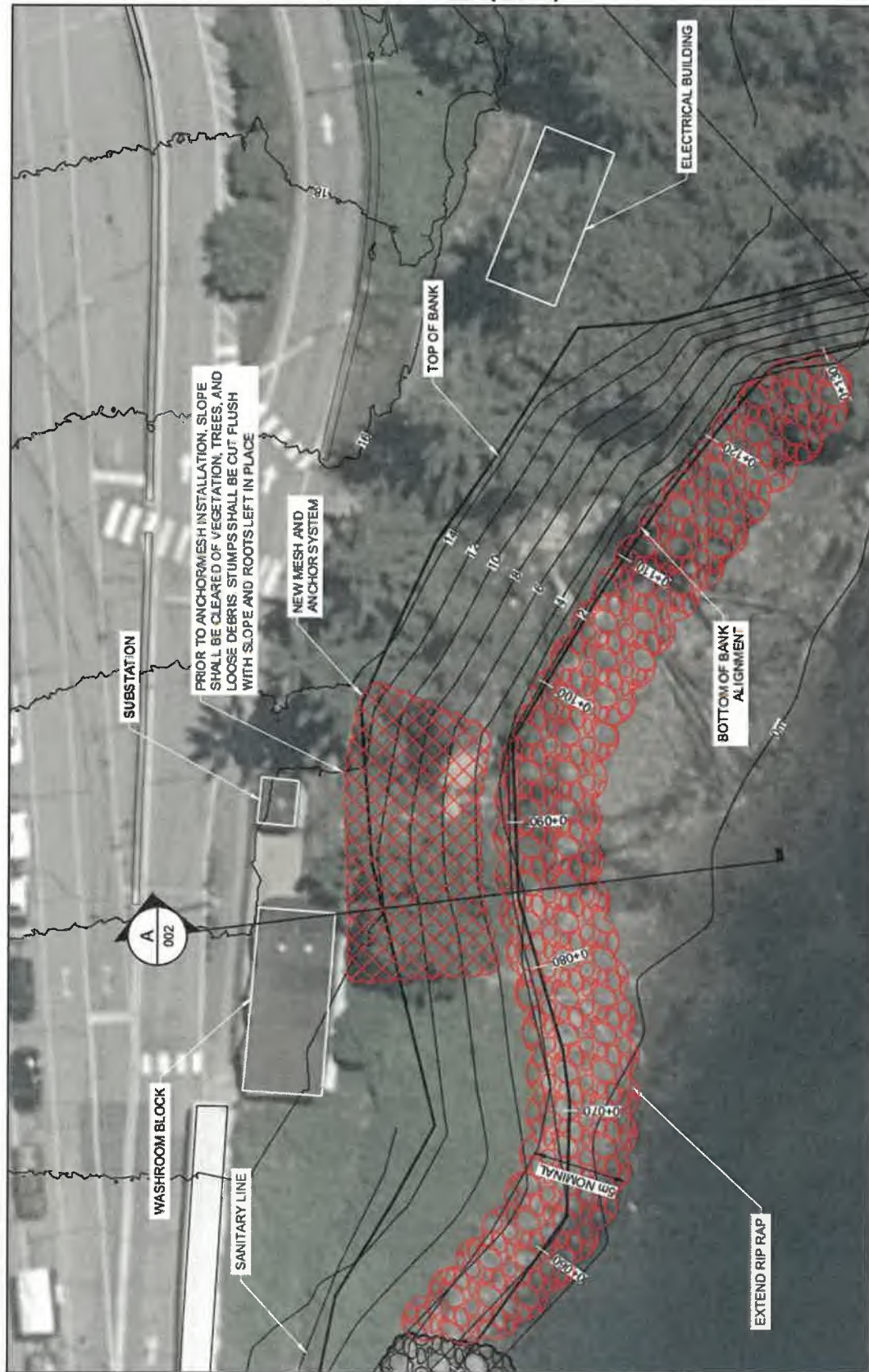
Signature of Islands Trust Official

April 30, 2025

Date of Issuance

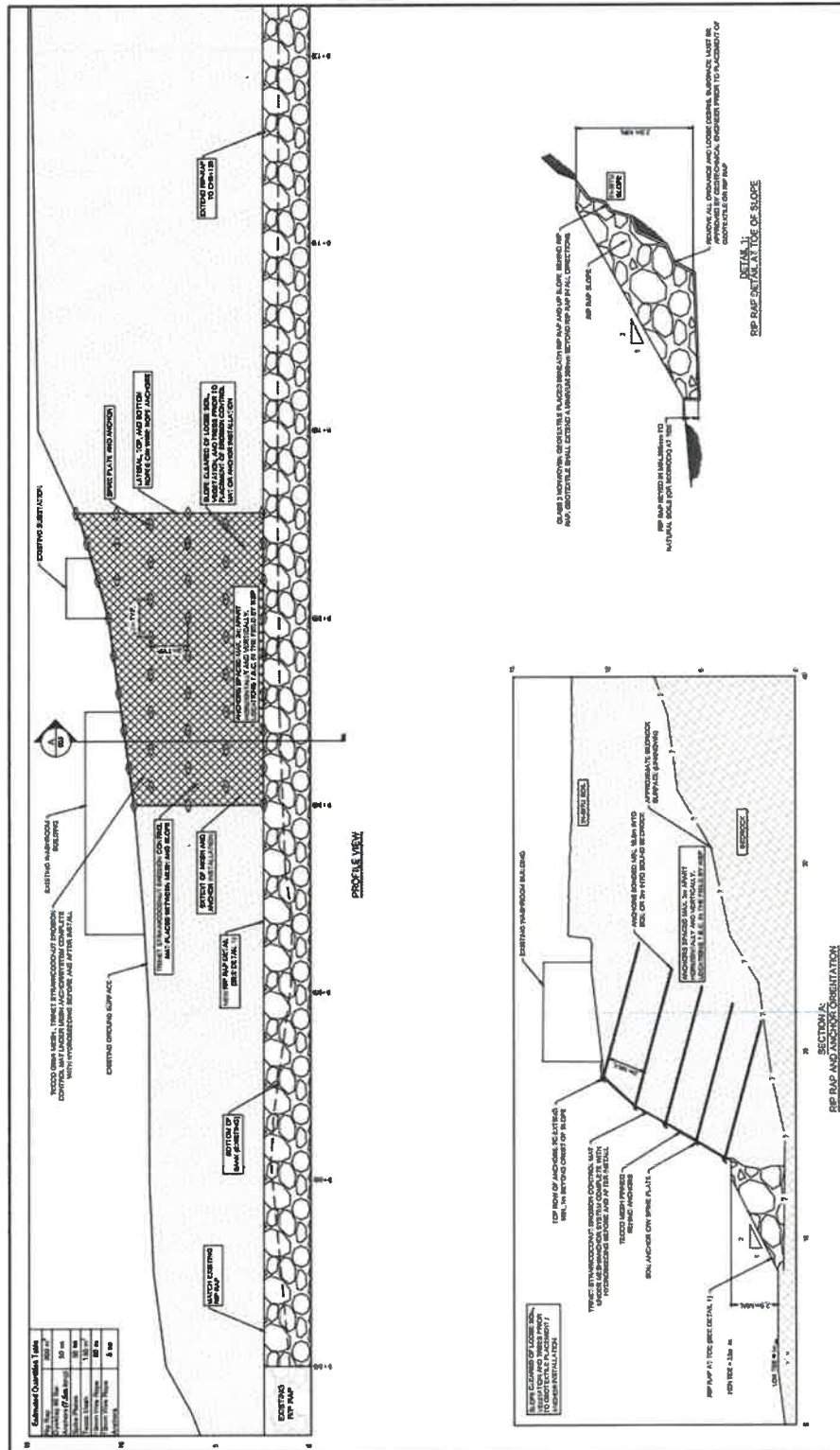
MAYNE ISLAND LOCAL TRUST COMMITTEE
PLTUP20250105

SCHEDULE 'A' (2 of 2)



PLTUP20250105

SCHEDULE 'B'



I hereby certify this to be Schedule B which is attached to and forms part of
Temporary Commercial and Industrial Use Permit No. PLTUP20250105.

Signature of Islands Trust Official

April 30, 2025

Date of Issuance



Islands Trust

MAYNE ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20250110

Attachment 4

To: BC Transportation Financing Authority
c/o Lee Orpen

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

LOT A SECTION 6 MAYNE ISLAND COWICHAN DISTRICT PLAN VIP75220
(PID: 025-710-397)

LOT 37, SECTION 6, MAYNE ISLAND, COWICHAN DISTRICT, PLAN 22057
(PID: 003-307-409)

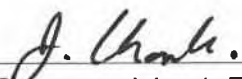
2. Mayne Island Land Use Bylaw No. 146, 2008 is varied as follows:

- 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 the placement of shoreline stabilization rip-rap, soil anchors, and mesh wire within 0.0 metres of the natural boundary of the sea.

The development shall be consistent with Schedules 'A' and 'B' which are attached to and form part of this permit.

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

AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE THIS 28TH DAY OF APRIL, 2025.

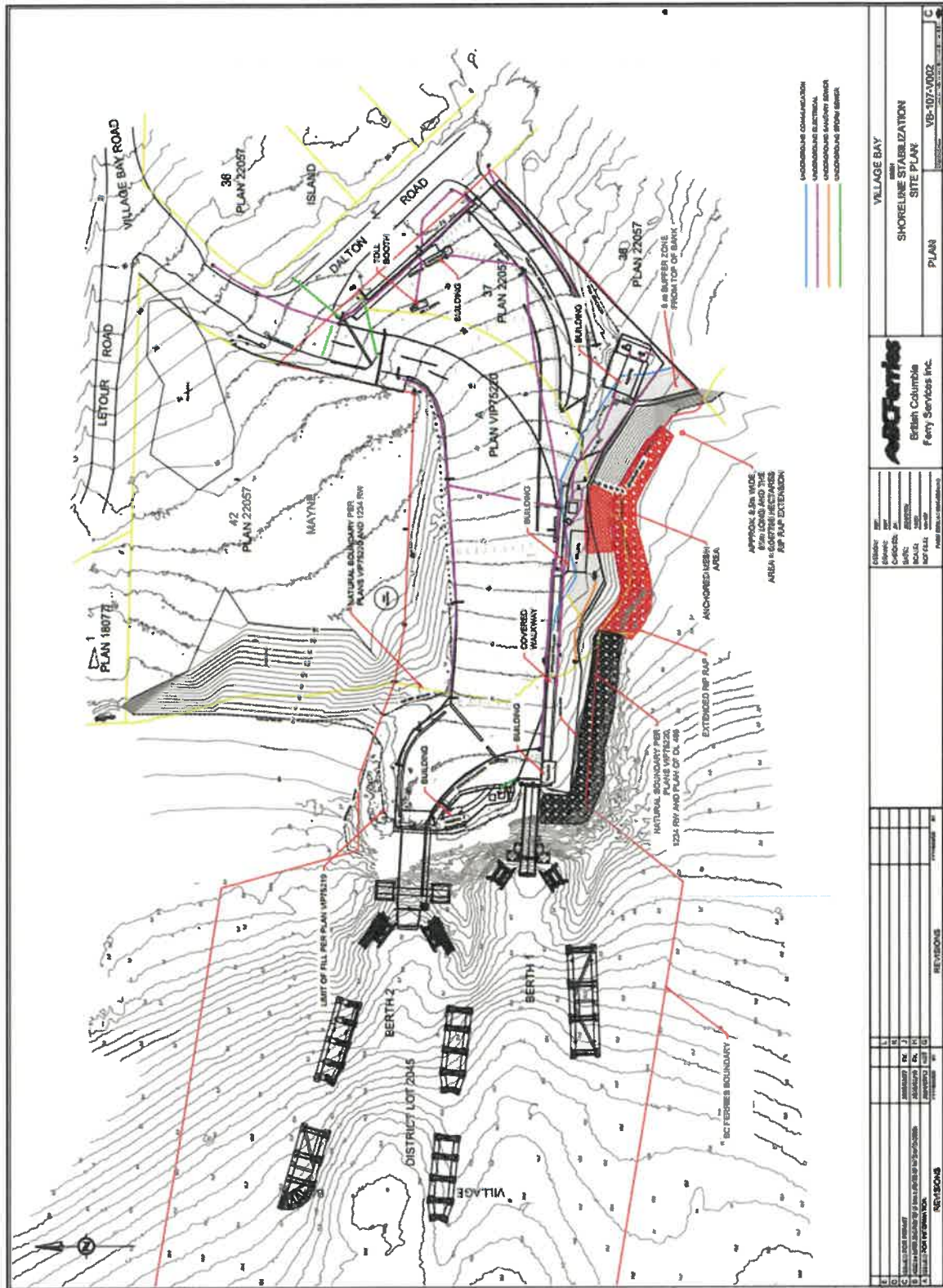

Deputy Secretary, Islands Trust

April 30, 2025
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 30TH DAY OF APRIL, 2027 THIS PERMIT AUTOMATICALLY LAPSES.

MAYNE ISLAND LOCAL TRUST COMMITTEE
PLDVP20250110

SCHEDULE 'A' (1 of 2)

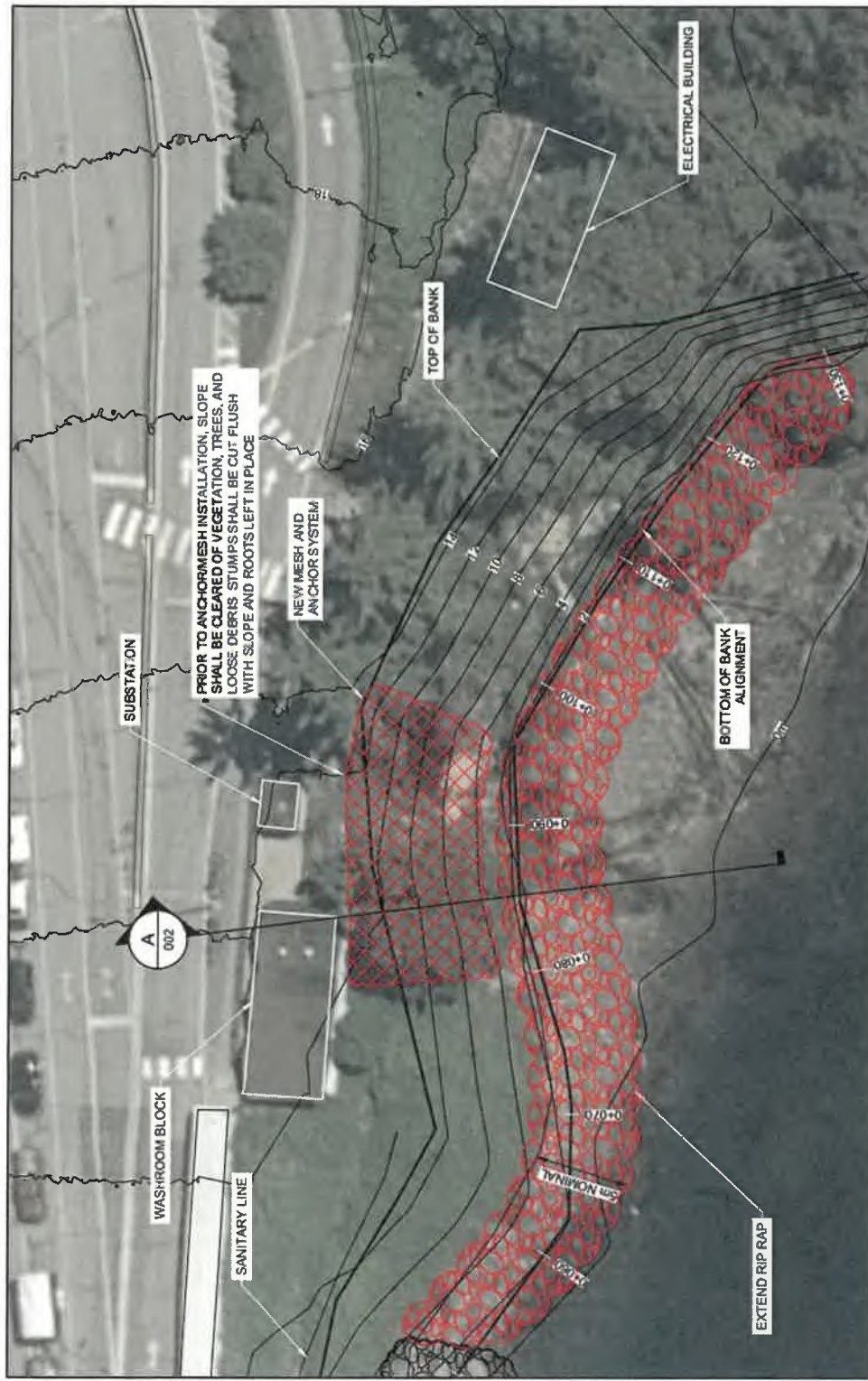


I hereby certify this to be Schedule A which is attached to and forms part of
 Development Variance Permit No. PLDVP20250110.

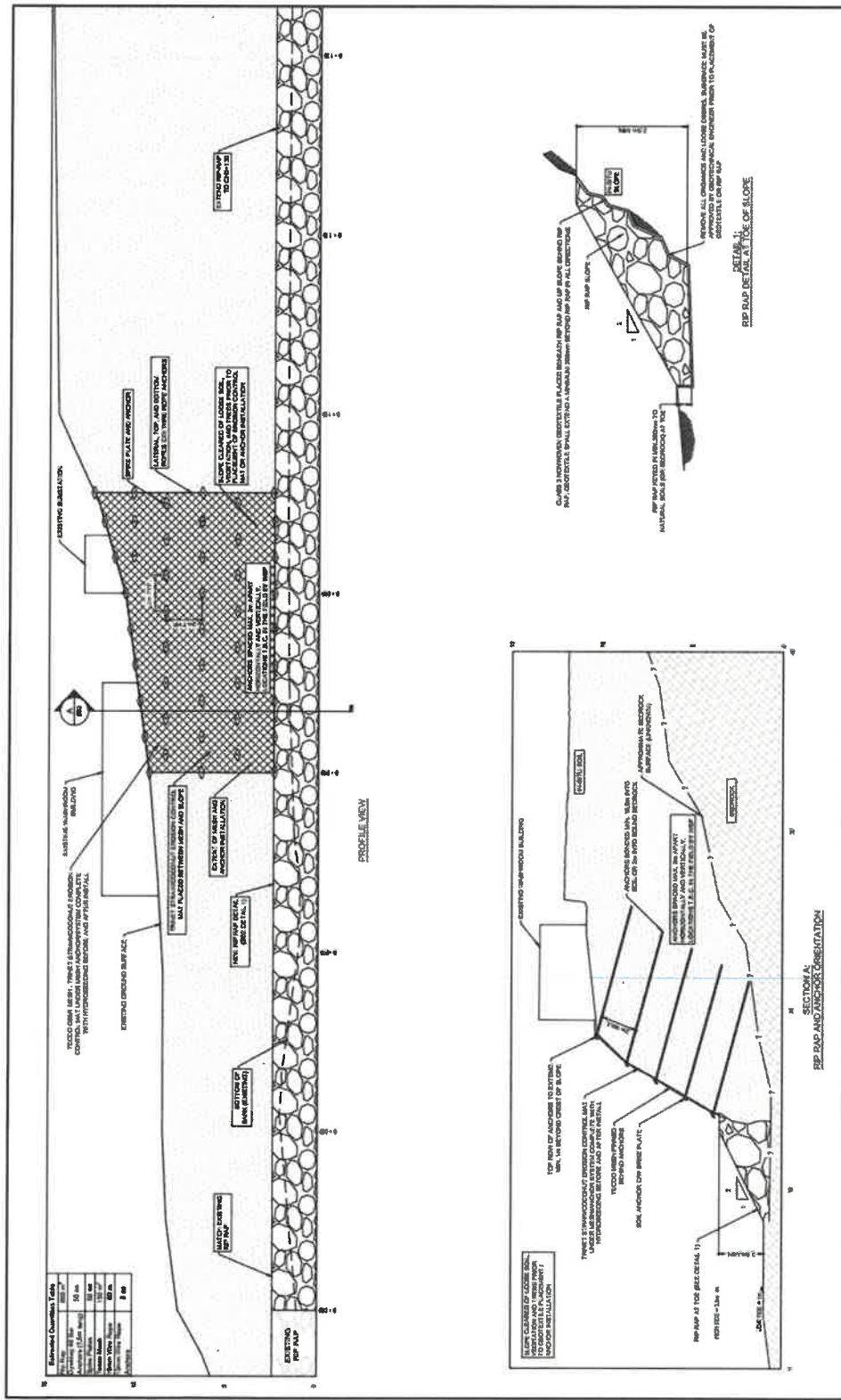
J. Chack
 Signature of Islands Trust Official

April 30, 2025
 Date of Issuance

SCHEDULE 'A' (2 of 2)



SCHEDULE 'B' (1 of 2)



I hereby certify this to be Schedule B which is attached to and forms part of Development Variance Permit No. PLDVP20250110.

Signature of Islands Trust Official

April 30, 2025
Date of Issuance

SCHEDULE 'B' (2 of 2)

126

MEMORANDUM

File No.: MA-SUB-2023.1

x-ref: MA-RZ-2020.1

DATE OF MEETING: September 29, 2025
TO: Mayne Island Local Trust Committee
FROM: Bruce Belcher, Planner 2
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Discharge of Housing Agreement
Applicant: Mayne Island Housing Society
Location: 375 Village Bay Road, Mayne Island

RECOMMENDATION

1. That the Mayne Island Local Trust Committee designate the Chair to sign for the discharge of Covenant CB735141 from Lot 1 and Lot 2.

REPORT SUMMARY

The applicant is requesting that the Housing Agreement Covenant CB735141 be discharged from the newly created Lots 1 and 2 for the Mayne Island Housing Society rezoning and subsequent subdivision.

BACKGROUND

Covenant CB735141 includes the following regarding the discharge of the covenant following rezoning and subdivision of the parcel:

3.2 Discharge

a) After the Rezoning, the Owner intends to subdivide the Lands as shown on the proposed subdivision plan attached hereto as Schedule “C” to create parcels equivalent in size and configuration to those labelled Lot 1, Lot 2, and Lot 3.

b) Upon Subdivision of the Lands and creation of a legal parcel equivalent in size, location and configuration of the parcel shown as Lot 3 on the proposed subdivision plan attached hereto (the “Lot 3 Equivalent”), if the Local Trust Committee, acting reasonably, is satisfied that the Lot 3 Equivalent is reasonably equivalent to the Lot 3 shown on the proposed subdivision plan and that, after a release is filed, this Agreement will remain on title and continue to bind the owner of the Lot 3 Equivalent, the Local Trust Committee will prepare and execute a release of this Agreement on any parcel that is not the Lot 3 Equivalent as soon as practicable (the “Release”).

c) Upon receipt of the executed Release from the Local Trust Committee, the owner of any parcel that is not the Lot 3 Equivalent may file the Release in the Land Title Office.

d) Once the Release has been executed and filed, any reference to Lands in this Agreement shall be construed as a reference to the Lot 3 Equivalent and not any parcel that is not the Lot 3 Equivalent.

The final subdivision plan (Attachment 1) was submitted by the applicant's lawyers and remains consistent with the proposed subdivision plan identified in Schedule "C" of the housing agreement covenant (Attachment 2).

Rationale for Recommendation

Staff consider that the final subdivision plan is consistent with the proposed subdivision plan identified in the housing agreement covenant document, and therefore discharge of the covenant for Lots 1 and 2 may be completed. Discharging the covenant from Lots 1 and 2 does not change the housing agreement requirements for Lot 3. The discharge would only release the agreement from the title of Lots 1 and 2.

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. Recommended wording for the resolution is as follows:

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

_____.

NEXT STEPS

Submitted By:	Bruce Belcher, Planner 2	September 17, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	September 17, 2025

ATTACHMENTS

1. Final Subdivision Plan
2. Housing Agreement Covenant CB735141

**Subdivision Plan of
Lot B, Section 7, Mayne Island,
Cowichan District, Plan 27091.**

Pursuant to Section 67 of the Land Title Act.
BCGS 92B.084

The intended plot size of this plan is
432mm in height by 560mm in width (C size)
when plotted at a scale of 1:1000.

Distances are in metres, unless otherwise indicated.

Grid bearings are derived from GNSS dual frequency observations
and are referred to the central meridian of UTM Zone 10.

The UTM coordinates and absolute accuracy achieved are
derived from GNSS dual frequency baseline ties to BC Active Control
(GCM 937227).

This plan shows horizontal ground-level distances
unless otherwise specified. To compute grid distances
multiply ground-level distances by the average combined
factor of 0.9996023. The average combined factor has
been determined based upon an ellipsoidal elevation
of 23.6 metres.

Legend:

- △ Denotes Traverse Hub
- Denotes Standard Iron Post Found
- Denotes Standard Iron Post Placed
- ⊙ Denotes Non Standard Post Found
- NF Denotes No Evidence Found
- Wt Denotes Witness

Note:
This plan shows one or more witness posts
which are not set on the corner.

Ministry of Transportation and Transit File Number 2023-00169

This plan lies within the jurisdiction
of the Approving Officer for the
Ministry of Transportation and Transit.

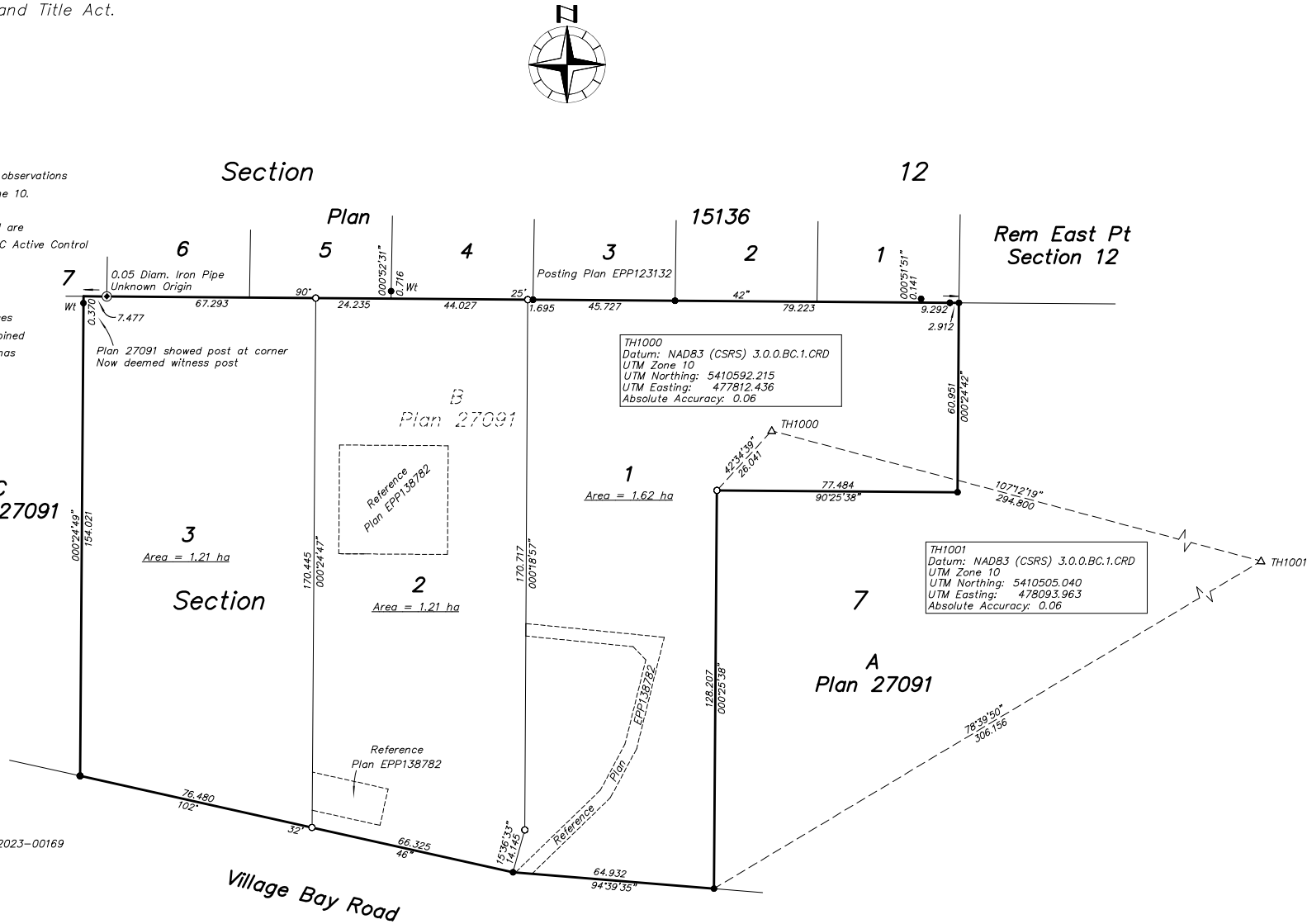
This plan lies within the
Capital Regional District.

The field survey represented by this plan was
completed on the 11th day of June, 2024.
Lloyd R. P. Eakins, BCLS 833.

Inspected this 19th day of August, 2025.
Lloyd R. P. Eakins, BCLS 833.

Wey Mayenburg Land Surveying Inc.
www.weysurveys.com
#4-2227 James White Boulevard
Sidney, BC V8L 1Z5
Telephone (250) 656-5155
File: 200196\Sub\LE

Plan EPP137369



A covenant in the name of the Mayne Island Local Trust Committee
and the Capital Regional District, pursuant to Section 219 of
the Land Title Act, is a condition for this subdivision.

Two covenants in the name of His Majesty the King in Right of the Province
of British Columbia and the Capital Regional District, pursuant to
Section 219 of the Land Title Act, is a condition for this subdivision.

A covenant in the name of His Majesty the King in Right
of the Province of British Columbia, pursuant to Section 219 of
the Land Title Act, is a condition for this subdivision.



1. Application

Document Fees: \$78.17

Serge Grochenkov
YOUNG ANDERSON
1616 - 808 Nelson Street
Vancouver BC V6Z 2H2
6046897400

File No. 2-905
375 Village Bay Rd. - Housing Agreement

2. Description of Land

PID/Plan Number	Legal Description
002-552-256	LOT B, SECTION 7, MAYNE ISLAND, COWICHAN DISTRICT, PLAN 27091

3. Nature of Interest

Type	Number	Additional Information
COVENANT		

4. Terms

Part 2 of this instrument consists of:

(b) Express Charge Terms Annexed as Part 2

5. Transferor(s)

SEAN MICHAEL MCHUGH, SEE CB494372

6. Transferee(s)

MAYNE ISLAND LOCAL TRUST COMMITTEE
2ND FLOOR, 1627 FORT STREET
VICTORIA BC V8R 1H8

7. Additional or Modified Terms



8. Execution(s)

This instrument creates, assigns, modifies, enlarges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Witnessing Officer Signature

Execution Date

Transferor / Transferee / Party Signature(s)

ALEXANDER R. LONERGAN
Barrister & Solicitor
7819 C EAST SAANICH ROAD
SAANICHTON BC V8M 2B4

YYYY-MM-DD

2023-06-09

SEAN MICHAEL MCHUGH
By their Attorney

Emma Jess McHugh
See CB494372

Officer Certification

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Witnessing Officer Signature

Execution Date

Transferor / Transferee / Party Signature(s)

NADINE LYNN MOURAO
Commissioner for Taking Affidavits
for British Columbia
700 NORTH ROAD
GABRIOLA BC V0R 1X3

YYYY-MM-DD

2023-06-13

MAYNE ISLAND LOCAL TRUST
COMMITTEE
By their Authorized Signatory

TOBI LEE DAWN ELLIOTT

Commission Expires April 30 2026

Officer Certification

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Electronic Signature

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

Serge
Grochenkov
DFKIGK

Digitally signed by
Serge Grochenkov DFKIGK
Date: 2023-07-05
13:09:07 -07:00

Housing Agreement

THIS AGREEMENT DATED FOR REFERENCE THE _____ DAY OF, 20____, IS BETWEEN:

SEAN MCHUGH, of 375 Village Bay Road, Mayne Island, V0N 2J2

(the “Owner”);

AND:

MAYNE ISLAND LOCAL TRUST COMMITTEE, a corporation under the *Islands Trust Act*,
having an office at 2nd Floor, 1627 Fort Street, Victoria, B.C., V8R 1H8

(the “Local Trust Committee”)

WHEREAS:

- A. The Owner is the registered owner of land on Mayne Island, British Columbia, more particularly described as:

PID: 002-552-256

Lot B Plan VIP 27091 Section 7, Land District 16, Portion Mayne Island

(the “**Lands**”);

- B. The Local Trust Committee is considering the adoption of Mayne Island Land Use Bylaw No. 146, 2008 Amendment No. 1, 2021 (the “Rezoning”), to permit a subdivision of the Lands, and the development of affordable multi-family rental housing on a portion of the Lands referred to in this Agreement as the “Lot 3 Equivalent”;
- C. Following the Rezoning and subdivision of the Lands, the Mayne Island Housing Society intends to develop and construct affordable multi-family rental housing on the Lot 3 Equivalent;
- D. The Mayne Island Housing Society intends to rent units on the Lot 3 Equivalent to Qualified Renters at affordable rates;
- E. The Local Trust Committee may pursuant to Section 29 of the *Islands Trust Act* and Section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on those lands;
- F. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the Local Trust Committee in respect of the use of land or construction on land;

- G. The Owner and the Local Trust Committee wish to enter into this Agreement to provide rental housing on the Lands on the terms and conditions of this Agreement to have effect as both a covenant under section 219 of the *Land Title Act* and a housing agreement under section 483 of the *Local Government Act*; and
- H. The Local Trust Committee has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement.

THIS AGREEMENT is evidence that in consideration of \$1.00 paid by the Local Trust Committee to the Owner (the receipt of which is acknowledged by the Owner), and in consideration of the promises exchanged below, the Local Trust Committee and the Owner agree, as covenants granted by the Owner to the Local Trust Committee under Section 219 of the *Land Title Act*, and as a housing agreement between the Owner and the Local Trust Committee under Section 483 of the *Local Government Act*, as follows:

Article 1: Definitions and Interpretation

1.1 Definitions – In this Agreement:

“Affordable Housing Funder”	means an entity with a mandate to create and promote affordable housing, such as BC Housing or CMHC, that provides a grant or preferential rate loan to support the development of Rental Housing Units on the Lands.
“Annual Household Income”	means the combined gross income of all adult members of a Household, as shown on line 150 of the preceding year’s T1 General Income Tax and Benefit return.
“BC Housing”	means the British Columbia Housing Management Commission or BC Housing’s successor in function.
“Business Days”	means Monday to Friday inclusive except for those excluded days declared by lawful authority as holidays.
“Building” or “Buildings”	Means any building located or constructed on the Lands containing a Rental Unit
“Census Profile”	means the most recently available census profile published by Statistics Canada for the Southern Gulf Islands, regional district electoral area census subdivision or, in the event that Southern Gulf Islands, regional district electoral area census subdivision is amended, eliminated or replaced, a successor census subdivision which includes Mayne Island;
“CMHC”	means Canada Mortgage and Housing Corporation or its successors in function.
“CPI”	means the All-items Consumer Price Index for British Columbia as calculated by Statistics Canada, or its successor in function.
“Dwelling Unit”	means a dwelling unit as defined in the Mayne Island Land Use Bylaw 146, 2008.

“Household”	means one or more individuals occupying the same Dwelling Unit.
“Income of Couples with Children”	means the median total income of couple economic families with children as determined by Statistics Canada in the Census Profile, provided that this median total income is increased by the CPI for every calendar year since the Census Profile has been updated by Statistics Canada.
“Income of Couples without Children”	means the median total income of couple economic families without children or other relatives as determined by Statistics Canada in the Census Profile, provided that this median total income is increased by the CPI for every calendar year since the Census Profile has been updated by Statistics Canada.
“Income of Lone-Parent Families”	means the median total income of lone-parent economic families as determined by Statistics Canada in the Census Profile, provided that this median total income is increased by the CPI for every calendar year since the Census Profile has been updated by Statistics Canada.
“Income of One-Person Households”	means the median total income of one-person households as determined by Statistics Canada in the Census Profile, provided that this median total income is increased by the CPI for every calendar year since the Census Profile has been updated by Statistics Canada.
“Lands”	has the meaning ascribed in Recital A.
“Lot 3 Equivalent”	has the meaning ascribed to it in section 3.2(b).
“Low and Moderate Income Limits”	means, as determined by BC Housing from time to time, a) for residential units with less than two (2) bedrooms, an Annual Household Income that does not exceed the median income for couples without children in British Columbia, as an example, for 2022 this figure is \$77,430; and b) for residential units with two (2) or more bedrooms, an Annual Household Income that does not exceed the median income for families with children in British Columbia, and as an example, for 2022 this figure is \$120,990.
“Operating Agreement”	means an agreement that sets out the amount, duration, and conditions of the subsidy provided by the provincial and/or federal governments, or an Affordable Housing Funder for the construction and/or operation of Rental Housing Units.
“Owner”	means the registered owner of the Lands, provided however that upon the execution and filing of the Release with the Land Title Office, it means the registered owner of the Lot 3 Equivalent only.
“Permitted Housing Operator”	means the Mayne Island Housing Society, BC Housing, CMHC, a housing society, a non-profit housing corporation, or other entity approved by the Local Trust Committee in writing.

“Qualified Renter”	means a person who meets the eligibility criteria for tenancy as set out in Schedule B and who meets the occupancy criteria set out in Section 2.3 of this Agreement and the Operating Agreement, if any.
“Release”	Has the meaning ascribed in section 3.2(b).
“Rental Housing Unit”	means a Dwelling Unit on the Lands in respect of which the construction, tenure, rent, and occupancy are restricted in accordance with this Agreement.
“Residential Tenancy Act”	means the <i>Residential Tenancy Act</i> (British Columbia).
“Rezoning”	has the meaning ascribed in Recital B.
“Statistics Canada”	means the national statistics office or Statistics Canada’s successor in function.
“Subdivide”	means to divide, apportion, consolidate or subdivide the Lands or any Building on the Lands, or the ownership or right to possession or occupation of the Lands or any Building on the Lands, into two or more lots, strata lots, parcels, parts, portions or shares, whether by plan, descriptive words or otherwise, under the <i>Land Title Act</i> , the <i>Strata Property Act</i> (British Columbia), or otherwise, and includes the creation, conversion, organization or development of “cooperative interests” or a “shared interest in land” as defined in the <i>Real Estate Development Marketing Act</i> (British Columbia).
“Tenancy Agreement”	means a written tenancy agreement as defined in, and subject to, the Residential Tenancy Act.
“Tenant Default”	has the meaning ascribed in section 2.3(d)(v).

1.2 Interpretation –

Reference in this Agreement to:

- a) A “party” is a reference to a party in this Agreement;
- b) A particular numbered “article” or “section” or to a particular lettered “schedule” is a reference to the corresponding numbered or lettered article, section, or schedule of this Agreement;
- c) An “enactment” is a reference to an enactment as defined in the *Interpretation Act* and is a reference to any revision, amendment or re-enactment of, or replacement for, that enactment;
- d) Wherever the singular or gendered language is used in this Agreement, it shall be deemed to include the plural or all genders, or the body politic or corporate, where the context or the parties so require; and
- e) The Local Trust Committee includes a reference to its successors in function, including a

municipality.

1.3 Headings

The division of this Agreement into articles, sections and schedules is for convenience of reference only and does not affect its interpretation. The article and section headings used in this Agreement are for convenience of reference only and do not affect the interpretation of this Agreement.

1.4 Entire Agreement

This is the entire agreement among the parties concerning its subject and may be amended only in accordance with section 3.16.

Article 2 – Rental Housing

2.1 Agreement over the Lands

Pursuant to section 219 of the *Land Title Act* and section 483 of the *Local Government Act*, the Owner covenants and agrees that:

- a) The Lands will not be developed, and no new Building or structure will be constructed on the Lands unless the Owner constructs Rental Housing Units in accordance with this Agreement, any development permit or rezoning issued by the Local Trust Committee, and any Building permit issued by the Capital Regional District.
- b) It will maintain the Rental Housing Units in a satisfactory state of repair and fit for habitation and will comply with this Agreement and all laws, including health and safety standards applicable to the Lands.
- c) If a Building is demolished or is otherwise replaced, this Agreement shall continue to apply to the Lands and the construction on the Lands shall be subject to the requirements of this Agreement.

2.2 Minimum Construction Requirements

- a) All the Rental Housing Units will be designed and constructed to the same standard in terms of layout, skill, and materials.
- b) Rental Housing Units will consist of a mix of one-bedroom, two-bedroom and at least one three-bedroom units.

2.3 Occupancy of Rental Housing Units

The Owner covenants and agrees that Rental Housing Units will only be occupied when all of the following criteria are met:

- a) the Household's Annual Household Income does not exceed the Low and Moderate Income Limits for the specified unit type at the time of application and initial occupancy;

- b) the Household is composed of at least one Qualified Renter;
- c) the Qualified Renter will occupy the Rental Housing Unit as its permanent, principal, and sole residence;
- d) the Qualified Renter has signed a Tenancy Agreement with the Owner, and the Tenancy Agreement includes;
 - i. a clause prohibiting subletting for short-term vacation rentals and in all other circumstances prohibiting subletting without obtaining prior Owner consent in accordance with section 2.6;
 - ii. notice of the existence of this Agreement and the occupancy restrictions applicable to the Rental Housing Unit, and notice that the Owner will provide to each Qualified Renter upon their request, a copy of this Agreement;
 - iii. a clause requiring the Qualified Renter to comply with the use and occupancy restrictions contained in this Agreement;
 - iv. a clause confirming that a breach by the Qualified Renter of any of the provisions set out in 2.3(f)(i) or 2.3(f)(iii) (each of which constitutes a “Tenancy Default”) will entitle the Owner to end the tenancy for cause, in accordance with the Residential Tenancy Act, as a failure to comply with a material term.

2.4 Management of Rental Housing Units

The Owner covenants and agrees that:

- a) Rent for 1-bedroom Rental Housing Units in a calendar year will on average be at or below 30% of the average of:
 - i. Income of One-Person Households; and
 - ii. Income of Couples without Children.
- b) Rent for 2 and 3-bedroom Rental Housing Units in a calendar year will on average be at or below 30% of the average of:
 - i. Income of Couples with Children; and
 - ii. Income of Lone-Parent Families.
- c) It will not require any Qualified Renter under a Tenancy Agreement to pay any extra charges or fees for use of any common area or amenity, or for sanitary sewer, storm sewer, water utilities, property taxes and similar services. For clarity, this limitation does not apply to parking, cablevision, telecommunications, laundry, cleaning fee for private events, or gas or electricity utility fees or charges.

2.5 Policies/Rules and Regulations/Administration by Owner

The Owner is authorized to make and administer rules, regulations and policies necessary to fully implement and achieve the policy goals set out in this Agreement. Such rules, regulations and policies may include, but are not limited to, the following:

- a) Establishing and maintaining a waiting list of potential Qualified Renters; and
- b) Establishing, administering and enforcing a rental policy applicable to the terms of this Agreement and in accordance with the *Residential Tenancy Act*.

2.6 No Sublease of Rental Housing Unit Unless Requirements Met

The Owner will not consent to the sublease of a Tenancy Agreement, except in accordance with this Agreement, the Residential Tenancy Act, and the Owner's rules, regulations and policies. For greater clarity, the Owner will not consent to a sublease for the purposes of a short-term vacation rental, and the Owner will not otherwise consent to a sublease unless the sublessee meets the requirements set out in section 2.3.

2.7 Monitoring and Reporting to the Local Trust Committee

The Owner must deliver to the Local Trust Committee once each year on or before July 1, a completed statutory declaration, substantially in the form attached as Schedule "A", sworn by the Owner. Additionally, the Local Trust Committee may request this statutory declaration up to one additional time in any calendar year, and the Owner must complete and supply the completed statutory declaration within 10 Business Days of receiving a request from the Local Trust Committee. The Owner irrevocably authorizes the Local Trust Committee to make reasonable inquiries it considers necessary in order to confirm compliance with this Agreement.

2.8 Owner May Request Revision of Terms

The Owner may request that the Local Trust Committee modify the terms of this Agreement, aside from section 2.1 and 2.2, in order to meet requirements imposed by an entity that has conditionally agreed to provide the funding to the Owner to construct the Rental Housing Units or operate the Rental Housing Units, or to do both, so that the terms of this Agreement do not conflict with such requirements.

2.9 Operating Agreement Prevails

Notwithstanding section 2.8, the provisions in section 2.3 and 2.4 apply except if the Rental Housing Units are subject to an Operating Agreement which conflicts with all or any of them, in which case the Operating Agreement prevails to the extent of the conflict only.

Prior to execution of an Operating Agreement that the Owner expects to conflict with the provisions in section 2.3 and 2.4 of this Agreement, the Owner shall provide the draft Operating Agreement to the Local Trust Committee. The Local Trust Committee may request that Affordable Housing Funder modify the terms of the Operating Agreement so that its terms do not conflict with section 2.3 and 2.4 of this Agreement.

Article 3 – General Terms

3.1 Management

The Owner covenants and agrees that:

- a) it will furnish, or cause a Permitted Housing Operator to furnish, good and efficient management of the Lands and the Rental Housing Units on the Lands;
- b) if and when the Local Trust Committee has reasonable grounds to believe that a continuing breach of this Agreement exists, it will permit the Local Trust Committee to inspect the Lands and any Buildings at any reasonable time with reasonable notice, subject to the notice provisions of the Residential Tenancy Act; and
- c) the Owner will, or if the Owner is not the Permitted Housing Operator, the Owner will cause the Permitted Housing Operator to, administer, manage and operate the Rental Housing Units in accordance with all of the restrictions and requirements of this Agreement, and the Owner's obligations under this Agreement. For clarity, the Owner's engagement of a Permitted Housing Operator pursuant to this Agreement will not relieve the Owner from any of the Owner's obligations under this Agreement or any of the restrictions or requirements of this Agreement.

3.2 Discharge

- a) After the Rezoning, the Owner intends to subdivide the Lands as shown on the proposed subdivision plan attached hereto as Schedule "C" to create parcels equivalent in size and configuration to those labelled Lot 1, Lot 2, and Lot 3.
- b) Upon Subdivision of the Lands and creation of a legal parcel equivalent in size, location and configuration of the parcel shown as Lot 3 on the proposed subdivision plan attached hereto (the "Lot 3 Equivalent"), if the Local Trust Committee, acting reasonably, is satisfied that the Lot 3 Equivalent is reasonably equivalent to the Lot 3 shown on the proposed subdivision plan and that, after a release is filed, this Agreement will remain on title and continue to bind the owner of the Lot 3 Equivalent, the Local Trust Committee will prepare and execute a release of this Agreement on any parcel that is not the Lot 3 Equivalent as soon as practicable (the "Release").
- c) Upon receipt of the executed Release from the Local Trust Committee, the owner of any parcel that is not the Lot 3 Equivalent may file the Release in the Land Title Office.
- d) Once the Release has been executed and filed, any reference to Lands in this Agreement shall be construed as a reference to the Lot 3 Equivalent and not any parcel that is not the Lot 3 Equivalent.

3.3 Order to Comply

If the Owner is in default of the performance or observance of this Agreement, the Local Trust Committee may give the Owner a notice of default requiring the Owner to comply with this Agreement within the reasonable time stated in the notice. The Owner agrees that any breach or default in the performance of this Agreement on its part must be corrected, to the satisfaction of the Local Trust Committee, within the time stated on the notice of default provided to the Owner by the Local Trust Committee.

3.4 Society Standing

If the Owner is a society, the Owner must maintain its standing as a society under the *Society Act* and must not amend its Constitution in any manner that would prevent, or adversely affect, the ability of the Society to perform its obligations under this Agreement.

3.5 Specific Performance of Agreement

The Owner agrees that the Local Trust Committee is entitled to obtain an order for specific performance of this Agreement and a prohibitory or mandatory injunction in respect of any breach by the Owner of this Agreement, in view of the public interest in restricting the occupancy of the Rental Housing Units. The Owner further acknowledges that a breach of this Agreement may constitute a breach of the Local Trust Committee's Land Use Bylaw.

3.6 Assignment

The Owner acknowledges that the Local Trust Committee may delegate or assign the administration and management of this Agreement to a third party, and, in that event, any reference in this Agreement to the Local Trust Committee shall be interpreted as a reference to that party provided that the Local Trust Committee has so advised the Owner.

3.7 Indemnity

The Owner shall indemnify and save harmless the Local Trust Committee and each of its elected officials, officers, directors, employees, and agents from and against all claims, demands, actions, loss, damage, costs, and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is by law responsible in relation to this Agreement, unless resulting from the respective gross negligence or unlawful acts of the Local Trust Committee or its elected officials, officers, directors, employees, and agents.

The Local Trust Committee shall indemnify and save harmless the Owner and each of its officers, directors, employees, agents or contractors or any other person for whom the Owner is by law responsible in relation to this Agreement, from and against all claims, demands, actions, loss, damage, costs and liabilities for which any of them may be liable by reason of any act or omission of the Local Trust Committee or its elected officials, officers, directors, employees, or agents, unless resulting from the respective gross negligence or unlawful acts of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is by law responsible in relation to this Agreement.

This clause will survive the termination of this Agreement.

3.8 Release

The Owner releases and forever discharges the Local Trust Committee and each of its elected officials, officers, directors, employees, and agents and each of their heirs, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions, or causes of action

arising out of advice or direction respecting the ownership, lease, operation or management of the Lands or the Rental Housing Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them, unless resulting from the respective gross negligence or unlawful acts of the Local Trust Committee or its elected officials, officers, directors, employees, and agents and each of their heirs, executors, administrators, personal representatives, successors and assigns.

The Local Trust Committee releases and forever discharges the Owner and each of its officers, directors, employees, agents and contractors, and any other person for whom the Owner is by law responsible in relation to this Agreement and each of their heirs, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions, or causes of action arising out of advice or direction respecting the ownership, lease, operation or management of the Lands or the Rental Housing Units which has been or at any time after the commencement of this Agreement may be given to the Local Trust Committee by all or any of them, unless resulting from the respective gross negligence or unlawful acts of the Owner or its officers, directors, employees, agents and contractors, and any other person for whom the Owner is by law responsible in relation to this Agreement and each of their heirs, executors, administrators, personal representatives, successors and assigns.

This clause will survive the termination of this Agreement.

3.9 Local Trust Committee Powers Unaffected

This Agreement does not limit the discretion, rights, duties or powers of the Local Trust Committee under any enactment or the common law, impose on the Local Trust Committee any duty or obligation, affect or limit any enactment relating to the use of the Lands, or relieve the Owner from complying with any enactment.

3.10 No Public Law Duty

Wherever in this Agreement an act, determination, consent, approval or agreement of the Local Trust Committee is provided for, such act, determination, consent, approval or agreement may be done or made in accordance with the terms of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice shall have any application.

3.11 No Waiver

No condoning, excusing or overlooking by a party of any default under this Agreement of the other party, nor any consent, approval, or agreement whether written or otherwise shall be taken to operate as a waiver by the non-defaulting party of any subsequent default or of the necessity for further consent, approval or agreement in respect of a subsequent matter requiring it under this Agreement, or in any way to defeat or affect the rights or remedies of the non-defaulting party.

3.12 Dispute Resolution

Any matter in dispute between the parties under this Agreement, including any disputes as to whether a particular individual is eligible to occupy a Rental Housing Unit, must be referred to a single arbitrator if the parties can agree on one, and otherwise to three arbitrators, one to be appointed by each of the parties and the third by those two so appointed, and the matter must be resolved in accordance with the provisions of the *Arbitration Act* (British Columbia).

3.13 Notice on Title

The Owner acknowledges and agrees that this Agreement constitutes both a covenant under Section 219 of the *Land Title Act* and a housing agreement under Section 483 of the *Local Government Act*, the Local Trust Committee is required to file a notice of housing agreement in the Land Title Office against title to the Lands, and once such a notice is filed, this Agreement binds all persons who acquire an interest in the Lands as a housing agreement under Section 483 of the *Local Government Act*.

3.14 Covenant Runs with the Land

Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the Local Trust Committee in accordance with section 219 of the *Land Title Act* in respect of the Lands and this Agreement burdens the Lands and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including, by subdivision or by strata plan.

3.15 Limitation on Owner's Obligations

The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands, provided that once the Release has been executed and filed in accordance with section 3.2, the Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lot 3 Equivalent.

3.16 Amendment and Termination

This Agreement may not be modified or amended except by bylaw of the Local Trust Committee, upon an agreement in writing between the Local Trust Committee and the Owner.

3.17 Notices

Any notice required to be given pursuant to this Agreement shall be in writing and shall be given to the Owner or the Local Trust Committee, as the case may be, at the address first above written, or to any other address of which either the Owner or the Local Trust Committee may advise the others in writing in accordance with this paragraph. Notice to the Local Trust Committee must be addressed to the Secretary of the Islands Trust. If given in person or by facsimile transmission, such notice will be deemed to be received when delivered and, if mailed, such notice will be deemed to be received only when actually received by the party to whom it is addressed.

3.18 Enurement

This Agreement is binding upon and enures to the benefit of the parties and their respective successors and permitted assigns.

3.19 Remedies Cumulative

The remedies specified in this Agreement are cumulative and are in addition to any remedies of the parties at law or in equity. No remedy shall be deemed to be exclusive, and a party may from time to

time have recourse to one or more or all of the available remedies specified herein or at law or in equity.

3.20 Severability

If any term or provision of this Agreement, or its application to any person or circumstance shall to any extent be found to be invalid and unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.

3.21 Joint and Several

In the case of more than one Owner, the grants, covenants, conditions, provisions, agreements, rights, powers, privileges and liabilities of the Owner shall be construed and held to be several as well as joint.

3.22 Further Acts

The parties will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

3.23 Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the province of British Columbia.

3.24 Joint Venture

Nothing in this Agreement shall constitute the Owner as an agent, joint venture or partner of the Local Trust Committee or give the Owner any authority or power to bind the Local Trust Committee in any way.

3.25 Time of Essence

Time is of the essence in this Agreement.

3.26 Further Assurances

The parties shall execute and do all such further deeds, acts, things and assurances as they reasonably require to carry out the intent of this Agreement.

3.27 Priority

The Owner agrees to do everything necessary at the Owner's expense to ensure that this Agreement is registered against title to the Lands with priority over all financial charges, liens and encumbrances registered or pending at the time of application for registration of this Agreement.

3.28 Deed and Contract

By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

SCHEDULE "A"

**OWNER STATUTORY
DECLARATION**

CANADA

PROVINCE OF BRITISH COLUMBIA

IN THE MATTER OF A HOUSING AGREEMENT
WITH THE Mayne Island ISLAND LOCAL
TRUST COMMITTEE ("Housing Agreement")

I, _____

declare that:

1. I am the _____ [director, officer, employee] of the Owner of the land known as _____, Mayne Island, legally described as
Parcel Identifier: _____
Legal Description: _____
(the "Lands")
2. I make this declaration to the best of my personal knowledge.
3. This declaration is made pursuant to the Housing Agreement registered against the Lands.
4. For the period from _____ to _____, the Rental Housing Units were used only by Qualified Renters (as defined in the Housing Agreement).
5. At no time during the last year were any of the Rental Housing Units used as a short-term vacation rental.
6. The rental payments charged for the Rental Housing Units were in compliance with the Housing Agreement.
7. No subletting of the Lands has been permitted.
8. I acknowledge and agree to comply with all of the Owner's obligations under the Housing Agreement, and other charges registered against the Lands and confirm that the Owner has complied with all of its obligations under these Agreements.
9. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at _____, British Columbia, this ____ day of _____.

A Commissioner for taking Affidavits
in British Columbia

Signature of person making declaration

SCHEDULE “B”

Eligibility Criteria for Tenancy

A Qualified Renter means a person aged 19 years or older who meets the financial and other requirements of the Housing Agreement (the “Agreement”) and fits into at least one of the following categories, subject to the Operating Agreement, and which are not listed in any particular priority order:

- 1) Residents of Mayne Island;
- 2) Indigenous peoples with rights and responsibilities in and around what is known as Mayne Island, or, is considered by members of these First Nation communities to be part of the First Nation community.

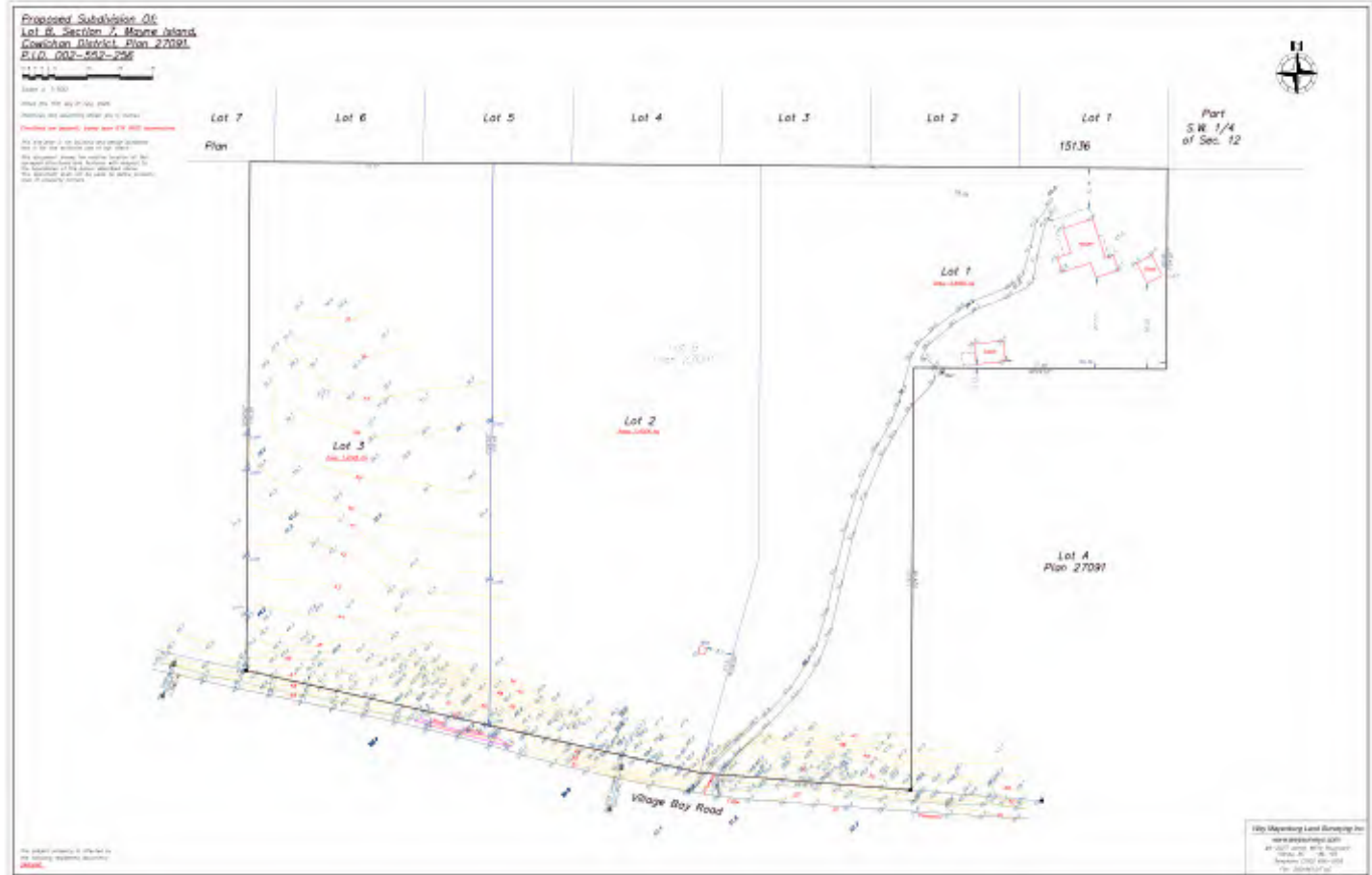
Except that where there are no persons meeting the categories specified in clause 1 or 2 above, who make an application to rent an available unit and the lack of applications from the categories specified above would result in a unit being vacant for more than one month, then a Qualified Renter may be a person aged 19 years or older who meets the financial and other requirements of the Agreement and fits into at least one of the following categories, which are not listed in any particular priority order:

- a. Previous resident of Mayne Island who has lived away from the island for a maximum of three consecutive years; or
- b. Non-resident who is hired to begin at least half-time work (20 hours per week) on Mayne Island; or
- c. Person with immediate family already living on Mayne Island. For greater clarity, immediate family means an individual to whom the person is related by blood, or by marriage, or common-law relationship, or by adoption.

Except that where there are no persons meeting the categories specified in clause 1 or 2, nor a, b, or c above, who make an application to rent an available unit and the lack of applications from the categories specified above would result in a unit being vacant for more than one month, then a Qualified Renter may be any person permitted by the Operating Agreement who meets the financial and other requirements of the Agreement.

SCHEDULE "C"

Proposed Subdivision Plan



STAFF REPORT

File No.: 2023 Housing Options –
Phase 2

DATE OF MEETING: September 29, 2025
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Mayne Island Housing Options Project (Phase 2) – First Reading

RECOMMENDATION

1. That the Mayne Island Local Trust Committee bylaws No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025” be read for the first time.
2. That the Mayne Island Local Trust Committee bylaws No. 197 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025” be read for the first time.
3. That the Mayne Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw Nos. 197 and 196, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2021” and “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2022” are not contrary to or at variance with the Islands Trust Policy Statement.
4. That the Mayne Island Local Trust Committee request staff to schedule a community information meeting prior to the public hearing for Bylaws No. 196 and 197.
5. That the Mayne Island Local Trust Committee request staff schedule a public hearing for Bylaws No. 196 and 197.

REPORT SUMMARY

The purpose of this report is to present Bylaw No. 196 (OCP) and Bylaw No. 197 (LUB) to the LTC for first reading. These bylaws relate to the Mayne Island Housing Options Project (Phase 2).

BACKGROUND

The Mayne Island Local Trust Committee (LTC) has been engaged in housing policy work since 2019, beginning with the Housing Bylaw and Policy Review Project. This early initiative laid the foundation for the Mayne Island

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Housing Options Project, Phase 1, which involved public engagement, exploration of housing options, and the implementation of a flexible housing pilot project.

In 2023, the Mayne Island Housing Action Plan was developed to support a joint application with the Capital Regional District (CRD) to the Canadian Mortgage and Housing Corporation's (CMHC) Housing Accelerator Fund (HAF). Although the HAF application was not successful, the Action Plan was subsequently refined to focus specifically on the LTC's housing priorities and related actions. The plan identifies six key goals:

- Updating information to inform housing projects
- Incorporating First Nations' interests in Land Use Decision Making
- Diversifying housing options
- Increasing opportunities for housing affordability
- Minimizing environmental impacts
- Advocating for senior government support

At their July 27th, 2025 LTC meeting, the LTC was presented with draft bylaws for discussion and a community information meeting was held. The staff report included a list of all proposed amendments. That report can be found [here](#).

The LTC requested a number of small amendments to the draft bylaws including:

- Removing the option to expand secondary suite permissions to water service areas
- Updating the language in Policy 2.1.1.3 from "freshwater recharge" to "critical aquifer recharge"
- Addressing an error related to cistern size for smaller units

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff update Bylaw No.196 cited as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025" and Bylaw No. 197 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025" as directed at the July 28th, 2025 LTC meeting.

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff return Bylaw No.196 cited as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025" and Bylaw No. 197 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025" to the LTC for consideration of first reading.

Bylaw updates are identified in track changes in Attachment 1 (Bylaw 196) and Attachment 2 (Bylaw 197). Bylaw 197 includes Schedule E which identifies the expansion of flex housing zoning. The map was originally presented independent from draft amendments as the LTC was wanting further discussion including input from the APC.

At their May 26th LTC meeting, the LTC had requested staff refer materials relevant to the housing project to the Advisory Planning Commission (APC). Staff recommended that the referral be sent out after bylaws were drafted. The referral to the APC was sent out shortly after the July meeting. The APC attempted to meet in early September. Failing to reach quorum, the APC was not able to provide feedback on the bylaws at this time.

Staff are continuing to do work on an updated statement related to housing need as required by the *Local Government Act*. This will be incorporated in Section 1.1.3 of the OCP, and include updated build out information. This will be provided to the LTC prior to second reading.

ANALYSIS

Policy/Regulatory

They bylaws include changes to both the Official Community Plan (OCP) and the Land Use Bylaw (LUB).

Islands Trust Policy Statement:

The bylaws are consistent with both the existing and newly developed Islands Trust Policy Statement.

Official Community Plan:

The addition of housing related policies in the Official Community Plan will provide the opportunity for the LTC to waive the public hearing in cases where rezoning pertaining to residential development is consistent with the OCP.

Land Use Bylaw:

A number of changes are being made to the Land Use Bylaw to increase housing options while balancing the preservation and protection of the natural environment.

Issues and Opportunities

The bylaw amendments provide model policies and regulations for other Local Trust Committees. They are already being reviewed for the North Pender and Denman housing projects and the Gabriola OCP and LUB review.

Consultation

As the project involves OCP amendments, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The bylaws have been sent out on referral to the following:

Agencies:

Ministry of Housing and Municipal Affairs	Laura Point Waterworks District
Capital Regional District Building Inspection	Skana Water System
Capital Regional District SGI Service Delivery	Surfside Park Estates Water Service Area (CRD)
Village Point Improvement District	Galiano Island Local Trust Committee
Bennett Bay Waterworks District	Saturna Island Local Trust Committee
Campbell-Bennett Bay Improvement District	North Pender Island Local Trust Committee

First Nations:

Semiahmoo First Nation	Lake Cowichan First Nation	Tseycum First Nation
Tsawwassen First Nation	Cowichan Tribes	Pauquachin First Nation
Stz’uminus First Nation	Lyackson First Nation	Wasanec Leadership
Halalt First Nation	Tsawout First Nation	
Penelakut Tribe	Tsartlip First Nation	

Rationale for Recommendation

The proposed bylaw amendments are based on direction from the Local Trust Committee. The LTC endorsed direction and draft language at previous LTC meetings. These amendments address land use-related actions in the Housing Action Plan. Scheduling a community information meeting prior to the public hearing will provide the community with the opportunity to ask questions about the bylaws prior to second and third reading. While there have already been a number of CIMs related to this project, staff recommend a final CIM given the extent of amendments being made.

ALTERNATIVES:

- 1. Request further information.** The LTC may request staff provide addition information or do further engagement before proceeding to first reading
- 2. The LTC may request that staff return with updated draft bylaws prior to proceeding with first reading.** The LTC may want to further review and discuss the draft language related to changes they proposed.
- 3. The LTC may request that staff send the draft bylaws to the APC again.** The LTC will need to specify a timeline for APC response.

“That the Mayne Island Local Trust Committee request staff refer updated bylaws No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025” and No. 197 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025” in addition to relevant staff reports and meeting minutes to the APC for review by October 14, 2025.”

NEXT STEPS

- Staff will schedule a Public Hearing, likely for the November meeting unless the LTC directs that the hearing be held as a special meeting
- Following the close of the Hearing, the LTC may consider further readings of the bylaws.
- Referral of the bylaws to EC for approval
- The OCP amendment will be forwarded to the Minister of Housing and Municipal Affairs for approval
- Bylaws will be returned to the LTC for consideration of final adoption.

Submitted By:	Narissa Chadwick, Island Planner	September 17, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	September 17, 2025

ATTACHMENTS

1. Bylaw 196
2. Bylaw 197
3. Islands Trust Policy Statement Directives Checklist

DRAFT

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 196

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

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

1. CITATION

This Bylaw may be cited for all purposes as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025”.

2. SCHEDULES

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

3. SEVERABILITY

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

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

CHAIR

SECRETARY

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 196**

SCHEDULE 1

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

1. Section 1.1.3 is amended by renaming the Section as "Population Projections and Housing Needs"
2. Section 1.1.3 is amended by removing paragraphs 2, 3, and 4 and replacing with the following:
 "The island has an area of approximately 2,300 hectares (5,750 acres). The permanent population on Mayne Island according to the 2021 census was 1,304 resulting in a population density of one person per 1.76 hectares (4.4 acres).

The population increased by 27% between 2001-2006 and decreased by 4% between 2006-2011. The population decreased by 11% between 2011-2016, followed by an increase of 37% between 2016-2021. Based on past patterns of population growth, and projections from the Islands Trust Housing Needs Assessment 2025, the projected growth rate will average approximately 1.6% per year. This would translate into a permanent population of about 1,600 people by 2030, and about 2,000 people by 2045.

There are currently 1,529 lots that would permit a residence. Of this number, about 1285 have been built on with the majority of vacant lots (~200) zoned Settlement Residential. An estimate of future subdivision of residentially zoned lots (this includes Rural, Agriculture, and Upland) suggests there is further potential of an additional 164 lots for a total of about 1693 lots. Based on the current average household size of 1.8 persons, this would result in a population of roughly 3,050 if all residential lots were occupied on a full-time basis."

3. Policy 2.1.1.2 is amended by deleting it and replacing it with the following:
 "In general, residential density shall be:
 - a) one dwelling per lot, and on parcels greater than 0.6 hectares one additional dwelling for each additional 0.6 hectares; or
 - b) in designated flexible housing areas, up to three dwellings per lot provided total floor area does not exceed a maximum prescribed in zoning; and
 - i. one accessory cottage, limited by floor area, on parcels over an area prescribed in zoning; or
 - ii. one secondary suite per lot outside of designated flexible housing areas, or
 - iii. on larger lots: one accessory cottage and one secondary suite per lot."
4. Policy 2.1.1.3 is amended by deleting it and replacing it with:
 "Flexible Housing is intended to provide housing options by permitting two or more small dwellings on a parcel as an alternative to a single large dwelling. Regulations shall designate areas within which flexible housing may be permitted and establish overall floor area limits

and the number of additional dwellings based on lot area. Areas designated for Flexible Housing should exclude:

- a) waterfront lots
- b) archaeological and cultural heritage sites
- c) sensitive ecosystems
- d) steep slope or other hazardous areas
- e) areas of critical aquifer recharge~~gear~~"

5. Policy 2.1.1.6 is amended by adding "Sections 2.1.6 and..." so that it reads:
"Affordable housing is encouraged through joined or multiple housing units which may be considered by site specific rezoning of a parcel subject to compliance with Sections 2.1.6 and 2.10 (Amenity Zoning Guidelines) of this Plan."
6. Deleting Policy 2.1.1.10 in its entirety.
7. Policy 2.1.4.2 is amended by deleting it and replacing it with the following:
"In general residential density shall be:
 - a) one dwelling per lot, and on parcels greater than 10 hectares one additional dwelling for each additional 10 hectares; or
 - b) in designated flexible housing areas, up to three dwellings per lot provided total floor area does not exceed a maximum prescribed in zoning; and
 - i. one accessory cottage, limited by floor area, in respect of each dwelling on parcels over an area prescribed in zoning; or
 - ii. one secondary suite per lot outside of designated flexible housing areas on smaller lots, or
 - iii. on larger lots outside of designated flexible housing areas: one accessory cottage in respect of each principle dwelling and one secondary suite per lot."
8. Policy 2.1.4.3 is amended by deleting it and replacing it with the following:
"Flexible Housing is intended to provide housing options by permitting two or more small dwellings on a parcel as an alternative to a single large dwelling. Regulations shall designate areas within which flexible housing may be permitted and establish overall floor area limits and the number of additional dwellings based on lot area. Areas designated for Flexible Housing should exclude:
 - a) waterfront lots
 - b) archaeological and cultural heritage sites
 - c) sensitive ecosystems
 - d) steep slope or other hazardous areas
 - e) areas of critical aquifer recharge~~gear~~areas of freshwater recharge"
9. Policy 2.1.4.4 is amended by inserting "Sections 2.1.6 and..." so that it reads:
"Affordable housing is encouraged through joined or multiple housing units which may be considered by site specific rezoning of a parcel subject to compliance with Sections 2.1.6 and 2.10 (Amenity Zoning Guidelines) of this Plan."
10. Policy 2.1.4.12 is deleted in its entirety.
11. Policy 2.1.5.10 is amended by inserting "...or cottage" so that it reads:
"One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. On parcels less than 4 hectares: a secondary suite shall not be permitted on the parcel if a cottage has been constructed; and a cottage shall not be

permitted on the parcel if a secondary suite has been constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite or cottage.”

12. By adding the following new policies as Section 2.1.6 Affordable, Seniors and Special Needs Housing:

“2.1.6 Affordable, Seniors and Special Needs Housing

Background

Housing affordable to moderate and low income residents of Mayne has become an increasing issue. This plan seeks to address housing issues through a variety of policies throughout the plan. The objectives and policies in this section address criteria related to applications to permit additional density or new uses to provide affordable housing.

Objectives

The objectives of this section are:

- 1) to provide opportunities for low to moderate income residents to attain affordable and safe housing,
- 2) to minimize the impacts of new housing on ecologically sensitive areas including critical aquifer ~~water~~ recharge areas.

Policies

- 2.1.6.1 The policies in this section are applicable to lands in any Land Use designation except Agriculture, Park, and Resource Conservation, except where otherwise stated.
- 2.1.6.2 Consideration may be given to applications from not-for-profit organizations, government agencies, or First Nations to rezone land to a higher density where the additional density is restricted to housing for moderate and low income persons. Such applications shall:
 - a) be limited to a maximum of 10 additional units
 - b) be located in proximity to services and amenities
 - c) demonstrate sufficient potable water and wastewater disposal capacity
 - d) not be located in areas containing sensitive ecosystems, or of cultural or archaeological significance
 - e) minimize site impacts through attached or clustered units
 - f) be managed by a not-for-profit organization, First Nation body, or an agency and rents, prices, or tenure are secured through a housing agreement, and
 - g) be consistent with the amenity zoning or density transfer policies of this plan.

2.1.6.3 Consideration may be given to applications to rezone land in any Land Use Designation in which residential uses are a permitted principal use to permit boarding homes for Special Needs residents or Seniors.

2.1.6.4 Consideration may be given to applications in any Land Use Designation in which residential uses are a permitted principal use to rezone land for clustered, small unit housing where:

- a) units consist of tiny homes, including tiny homes on wheels or manufactured homes
- b) units are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent
- c) units are anchored to the ground, connected to a source of potable water, and connected to an approved wastewater system
- d) units shall not exceed a maximum floor area of 50m²
- e) the total floor area of units shall not exceed any maximum dwelling floor area for that zone.
- f) communal facilities are provided, such as laundry or common rooms
- f) the development would not be located in areas containing sensitive ecosystems or ~~or~~ of cultural or archaeological significance
- g) the land is located within one kilometre of the boundary of the Miners Bay Commercial Core or an area designated for the use on Schedule to this Plan.

2.1.6.5 Consideration may be given to applications to reduce minimum and minimum average lot areas from not-for-profit organizations, government agencies, or First Nations intending to provide affordable housing.”

13. Policy 2.4.1.9 is amended by inserting “...or detached residential units...” so that it reads:
“In addition to principal commercial uses, in appropriate locations second-storey residential dwelling units or detached residential units may be permitted in order to provide a mix of housing types and to encourage residences closer to services and amenities.”
14. Policy 2.4.1.11 is amended by deleting the word “one” and inserting “residential uses” so that it reads:
“All properties within the Miners Bay Commercial Core should be permitted residential uses.”
15. Section 2.4.1 is amended by adding a new policy 2.4.1.14 as follows: “2.4.1.14 Employee accommodation may be required as a condition of a rezoning resulting in a significant change in use or increase in density.”
16. Section 2.6.1 is amended by inserting a new policy 2.6.1.5 as follows: “2.6.1.5 Zoning may permit residential uses in suitable locations”, and renumbering the remaining policies 2.6.1.6 - 2.6.1.11
17. By adding the following new policies to Section 2.7.1, and renumbering the remaining policies 2.7.1.3 – 2.7.1.8:
“2.7.1.1 Park Uses shall be the principal permitted use

- 2.7.1.2 Accessory uses, buildings and structures, including accessory residential uses, may be permitted in suitable locations specified in zoning”
18. Policy 2.7.2.3 is amended so that it reads: “The principal use shall be park use, and accessory uses, buildings or structures, including accessory residential uses, may be permitted in suitable locations specified in zoning.”
19. By adding the following new policy as 2.9.1.9:
 “2.9.1.9 In addition, permit conditions for the residential use of tiny home on wheels or recreational vehicle shall include measures dealing with the following:
- a) A tiny home on wheels or recreational vehicle shall be the equivalent of, and alternative to, a permanent dwelling or cottage;
 - b) conditions to ensure that the tiny home on wheels or recreational vehicle is connected to a potable domestic water supply and an approved wastewater disposal system;
 - c) conditions related to health and safety;
 - d) The tiny home on wheels or recreational vehicle should not be sited in a sensitive ecosystem or hazardous area;
 - e) A tiny home on wheels or recreational vehicle should not be sited in a setback;
 - f) The tiny home on wheels or recreational vehicle shall be appropriately screened from roads and neighbours;
 - g) The permit should attach a plan requiring the tiny home on wheels or recreational vehicle to be sited in a specified location.”
20. Section 2.10.2, article xi) is amended so that it reads: “the provision of moderate income, affordable, non-market rental, and special needs housing.”

DRAFT

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 197

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

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025”.

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

2.1 Section 1.1 – Definitions, is amended by inserting the definition ‘Accessory residential unit’:

“Accessory residential unit” means a dwelling unit, either in a detached building or within a portion of a building, on the same lot as a non-residential principal use.

2.2 Section 1.1 – Definitions, is amended by revising the definition of ‘Cottage’ so that it reads: “Cottage” means a detached dwelling unit with a limited floor area that is located on the same lot as another dwelling unit.

2.3 Section 3.2 – Prohibited in All Zones, is amended by inserting a new Subsection 3.2(7) as follows: “3.2 (7) Groundwater-fed swimming pools.”

2.4 Section 3.9 – Use of Recreational Vehicles, is amended by deleting and replacing Subsection 3.9(1) so that it reads:

“(1) The temporary use of a recreational vehicle as a dwelling prior to the construction of a permanent dwelling on the same lot is permitted on all lots where residential use is permitted subject to:

- (a) a building permit being issued for a permanent dwelling on the property and the building permit remaining in effect;
- (b) the occupancy of a recreational vehicle not exceeding two years;
- (c) connection to a wastewater system consistent with the provisions of the *Public Health Act*;
- (d) the provision of a domestic water supply; and
- (e) compliance with the use, density and siting requirements of the land use bylaw for dwellings and cottages.”

~~2.5 Section 3.13 – Secondary Suites, is amended by rescinding Subsection 3.13(1) and replacing with ‘rescinded’~~

2.6 Part 3 is amended by inserting the following new section as Section 3.15 – Cistern Requirements:

“3.15 Cistern Requirements

- (1) A building permit for a lot outside a community water system shall not be issued for a new dwelling or secondary suite larger than 93 square metres (1001 square feet) unless a cistern (or combination of cisterns) for the storage of freshwater having a total capacity of at least 18,000 litres (4755 gallons) is located on the property.
- (2) A building permit for a lot outside a community water system shall not be issued for a new dwelling or secondary suite 93 square metres (1001 square feet) or smaller unless a cistern (or combination of cisterns) for the storage of freshwater having a total capacity of at least 13,340 litres (3000 gallons) is located on the property.”

- 2.7 Section 5.1 – Settlement Residential (SR) Zone, is amended by inserting the following new Subsection 5.1 (2.1) that reads:

“(2.1) One cottage is permitted on lots with an area of 0.4 hectares (1.0 acre) or greater, but less than 0.6 hectares (1.5 acres), provided the total combined floor area of the dwelling and cottage does not exceed 232 m² (2500 square feet)”;

and amending Subsection 5.1(3.1) by adding “2.1” between “Despite 5.1(2)” and “and (3)”

- 2.8 Section 5.2 – Rural Residential One (RR1) Zone, is amended by inserting the following new Subsection 5.2 (3.1) that reads:

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

- 2.9 Section 5.3 – Rural Residential Two (RR2) Zone, is amended by inserting the following new Subsection 5.3 (3.1) that reads:

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

- 2.10 Section 5.4 – Miners Bay Rural Comprehensive (MBRC) Zone, is amended by inserting the following new Subsections 5.4(3.1) and 5.4(3.2) that read:

“(3.1) One secondary suite is permitted per lot subject to section 3.13.

(3.2) Despite 5.4(2) and (3), on lots shown on Schedule E, the following density is permitted:

- (a) On lots having an area of 1.2 ha (3 acres) or greater, and not exceeding 5 hectares (12.355 acres), three dwellings and a cottage are permitted if the total combined floor area of all dwellings and cottages does not exceed 436 m² (4750 square feet).
- (b) A building permit shall not be issued for any dwelling additional to one dwelling and a cottage on a lot within the shaded area on Schedule “E”, unless the additional dwelling is equipped with a freshwater catchment system and cisterns for the storage of rainwater with a minimum cistern capacity of 13640 litres (3000 gallons) for each additional dwelling 93 square metres (1001 square feet) or smaller.

- (c) A building permit shall not be issued for any dwelling additional to one dwelling and a cottage on a lot within the shaded area on Schedule “E”, unless the additional dwelling is equipped with a freshwater catchment system and cisterns for the storage of rainwater with a minimum cistern capacity of at least 18,000 litres (4755 gallons) for each additional dwelling larger than 93 square metres (1001 square feet).
- (d) Despite subsection 3.9 (1), recreational vehicles and tiny homes on wheels are not permitted dwellings or cottages for the purposes of this subsection.
- (e) Only one dwelling unit may be used for bed and breakfast home occupation per lot.
- (f) No dwellings may be used for short term vacation rentals, and on lots 0.6 hectares (1.5 acres) or greater only one cottage may be used for short term vacation rental, consistent with Section 3.6.”

2.11 Section 5.6 – Upland (UP) Zone, is amended by inserting the following new Subsection 5.6 (3.1) that reads:

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

2.12 Article 5.10(1)(h) is amended by deleting “dwelling” and inserting “residential” and deleting “for the accommodation of the owner, operator, or employee of a permitted principal use” so that it reads:

“(h) Accessory residential unit”

2.13 Subsection 5.10(2) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(2) One principal building accommodating one principal use and one accessory residential unit per lot.”

2.14 Subsection 5.10(3) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(3) The maximum number of accessory buildings, other than an accessory residential unit, utility shed, or woodshed is 4.”

2.15 Subsection 5.10(6) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(6) The maximum height for any principal building or accessory residential unit is 9 metres (29.5 feet).”

2.16 Subsection 5.10(7) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(7) The maximum height for any accessory building or structure, other than an accessory residential unit, is 5 metres (16.4 feet).”

2.17 Subsection 5.10(13) is amended by inserting “one” and deleting “dwelling” and inserting “residential” to Site Specific Regulation (1) for Site-Specific Zone C3(a) so that it reads:

- “(1) Despite 5.10(1) the only permitted uses at these locations are repair shops, machine shops, accessory retail sales, and one accessory residential unit.”
- 2.18 Article 5.11(1)(f) is amended by deleting “dwelling” and inserting “residential” and deleting “for the accommodation of the owner, operator, or employee of a permitted principal use” so that it reads:
“(f) Accessory residential unit”
- 2.19 Subsection 5.11(2) is amended by deleting “dwelling” and inserting “residential” so that it reads:
“(2) One principal building accommodating one principal use and one accessory residential unit per lot.”
- 2.20 Subsection 5.11(3) is amended by deleting “dwelling” and inserting “residential” so that it reads:
“(3) The maximum number of accessory buildings, other than an accessory residential unit, utility shed, or woodshed is 4.”
- 2.21 Subsection 5.11(7) is amended by deleting “dwelling” and inserting “residential” so that it reads:
“(7) The maximum height for any principal building or accessory residential unit is 9 metres (29.5 feet).”
- 2.22 Subsection 5.11(8) is amended by deleting “dwelling” and inserting “residential” so that it reads:
“(8) The maximum height for any accessory building or structure, other than an accessory residential unit, is 5 metres (16.4 feet).”
- 2.23 Article 5.13(1)(d) is amended by deleting “dwelling” and inserting “residential” and deleting “for the accommodation of the owner, operator, or employee of a permitted principal use” so that it reads:
“(d) Accessory residential unit”
- 2.24 Subsection 5.13(2) is amended by deleting “dwelling” and inserting “residential” so that it reads:
“(2) One principal building accommodating one principal use and one accessory residential unit per lot.”
- 2.25 Subsection 5.13(3) is amended by deleting “dwelling” and inserting “residential” so that it reads:
“(3) The maximum number of accessory buildings, other than an accessory residential unit, utility sheds, or woodsheds is 4.”
- 2.25 Article 5.13(6)(b) is amended by deleting “dwelling” and inserting “residential” so that it reads:
“(b) 5 metres (16.4 feet) from any interior side lot line, or 3 metres (9.8 feet) for an accessory dwelling residential unit.”
- 2.26 Subsection 5.13(8) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(8) The maximum height for any principal building or accessory residential unit is 9 metres (29.5 feet).”

2.27 Subsection 5.13(9) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(9) The maximum height for any accessory building or structure, other than an accessory residential unit, is 5 metres (16.4 feet).”

2.28 Subsection 5.13(16) is amended by deleting “and” and inserting “and one accessory residential unit” to Site Specific Regulation (1) for Site-Specific Zone I1(b) so that it reads:

“(1) Despite 5.13(1) the only permitted uses in this location are waste transfer stations, the maintenance, repair and storage of vehicles, equipment and materials used for the provision, maintenance or repair of utilities, accessory uses, buildings and structures, and one accessory residential unit.”

2.29 Subsection 5.14(1) is amended by inserting the following new article as Article 5.14(1)(f) “Accessory residential unit.”

2.30 Section 5.14 is amended by inserting the following new subsection as Subsection 5.14 (2.1) that reads:

“(2.1) One accessory residential unit per lot.”

2.31 Subsection 5.14 (4) is amended by inserting “or accessory residential unit” so that it reads:

“(4) The maximum height for any principal building or structure, or accessory residential unit, is 9 metres (29.5 feet).”

2.32 Subsection 5.14(7) is amended by inserting “and one accessory residential unit” to Site Specific Regulation (1) for Site-Specific Zone S1(a) so that it reads:

“(1) Despite 5.14(1), the only uses permitted in this location are clubs, halls and recreation facilities, and one accessory residential unit.”

2.33 Section 8.11 is amended by deleting Subsection 8.11(1) – 8.11(7) and inserting the following Subsections 8.11(1) – 8.11(13) so that it reads:

“(1) Where potable water is proposed to be supplied to lots in a subdivision by an established community water system, the applicant for subdivision must provide written confirmation from the community water system that it is able to supply potable water for the permitted principal use and density to each lot.

(2) Where potable water is proposed to be supplied to lots in a subdivision by creating a community water system, the applicant for subdivision must provide proof of all authorizations required under the *Drinking Water Protection Act*, the *Water Utility Act* or any other enactment pertaining to water supply systems.

(3) Where potable water is proposed to be supplied to lots in a subdivision from a stream, the applicant for subdivision must provide proof of authorization in the form of a water licence confirming that the total volume of water granted to the licence holder is able to supply potable water for domestic uses at the volume specified in Table 1 to each lot.

(4) Where potable water is proposed to be supplied to lots in a subdivision by drilled wells the applicant for subdivision must provide written certification under seal of a hydrogeologist that:

- (a) each well has been constructed in accordance with the Groundwater Protection Regulation;
- (b) each well has been constructed in accordance with Subsections 8.11(6), 8.11(7) and 8.11(8);
- (c) each well has sufficient available groundwater to provide the daily required volume of potable water for the permitted domestic uses on each lot in accordance with Table 1;
- (d) each well for which a water licence has not been issued has sufficient available groundwater volume for all permitted non-domestic, non-agricultural, non-park, non-conservation area principal uses for each lot at the permitted density of use; and
- (e) includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.

TABLE 1 DOMESTIC POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day)
<i>Per lot (including one dwelling)</i>	2000
<i>Each additional permitted dwelling and cottage per lot</i>	2000

(5) Where the potable water is proposed to be supplied to lots in a subdivision by drilled wells, for any well where a water licence has not been issued the applicant for subdivision must also provide written certification under seal of a hydrogeologist:

- (a) results of a water quality analysis, completed by an accredited laboratory;
- (b) plan of the proposed subdivision indicating the location where each water sample was taken;
- (c) a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan;
- (d) confirmation, based on the accredited laboratory water quality analysis, that each proposed water supply source is potable, or can be made potable, with a treatment system; and
- (e) confirmation, based on the accredited laboratory water quality analysis of chloride concentrations, that each drilled well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with the Province of British Columbia guidance documents.

(6) Where a water license has not been issued and where potable water is proposed to be supplied to lots in a subdivision by a drilled well, a pumping test shall be carried out on each well in a proposed subdivision by:

- (a) pumping groundwater, at a constant rate, for a minimum period of 12 hours; and
- (b) withdrawing the total daily required volume specified in Subsection 8.11(4) over a maximum period of 24 hours; and
- (c) monitoring groundwater levels continuously during the pumping test and during the recovery period.

- (7) Where potable water is to be supplied by a drilled well a sounding tube or wellhead port must be installed to enable the insertion of water level monitoring equipment.
- (8) Drilled wells used for the purposes of subdivision must not be located within 50 metres of the natural boundary of the sea.
- (9) If the daily required volume of potable water cannot be supplied in accordance with Subsection 8.11(1) or if the certification in Articles 8.11(4)(c) and 8.11(4)(d) cannot be made, the Approving Officer may nonetheless approve the subdivision provided that the applicant grants a s.219 covenant to the Mayne Island Local Trust Committee and the Capital Regional District that restricts the development of the subdivision to the uses or density of the uses for which a certification has been made under Subsections 8.11(1) or 8.11(4).
- (10) Where the certification under Article 8.11(5)(d) states that a water supply is not potable but can be made potable with a treatment system, the Approving Officer may approve subdivision provided that the applicant grants a s. 219 covenant under the *Land Title Act* to the Mayne Island Local Trust Committee and the Capital Regional District that requires on-going treatment of the water to potable water standards recommended by a hydrogeologist.
- (11) For the purposes of subdivision, drilled wells impacted by seawater intrusion or whose operation is likely to cause seawater intrusion are not permitted sources of potable water.
- (12) For the purposes of subdivision, alternative potable water supplies including, but not limited to, shallow dug wells, rainwater catchment and desalination are not permitted sources of potable water.
- (13) The requirements of Subsections 8.11(1) through 8.11(8) do not apply where the proposed subdivision is a boundary adjustment that does not result in an increase in the number of lots or permitted dwelling units, provided that all lots in the subdivision are currently serviced by existing wells, community water system connection or water licence."

[2.34 Schedule E is updated to expand flexible housing zoning](#)

~~[2.34 Schedule D is rescinded.](#)~~

3. SEVERABILITY

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

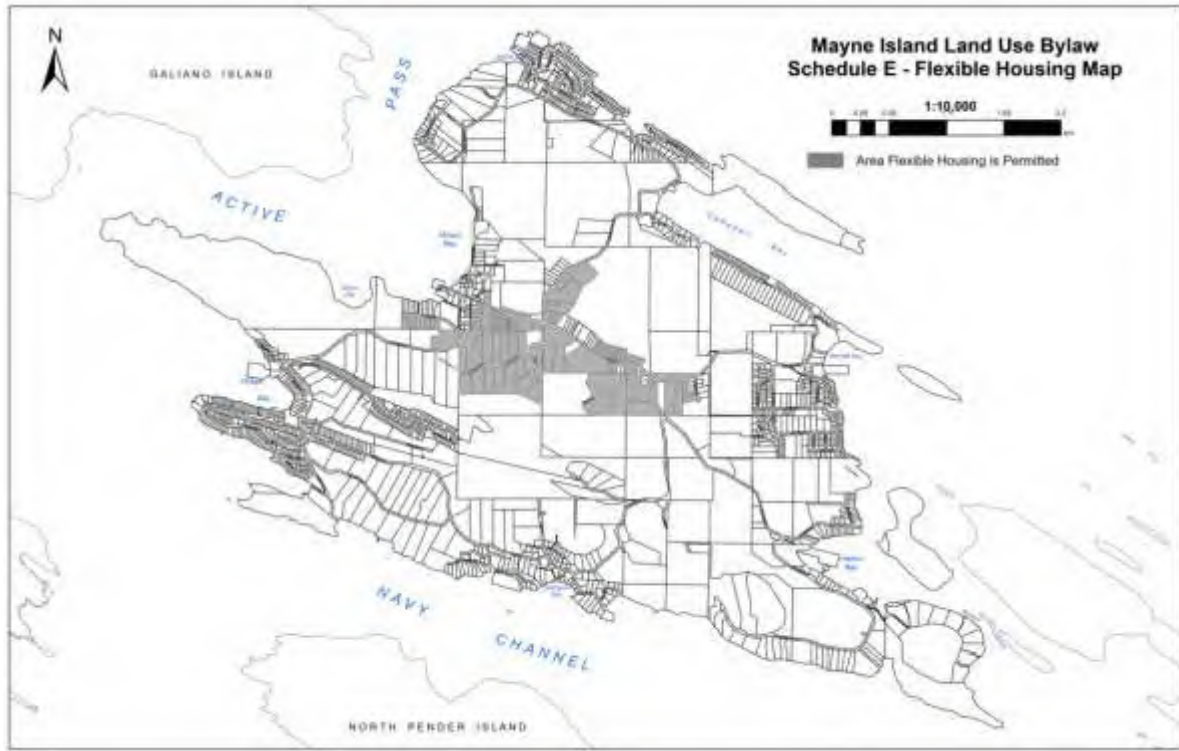
READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____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

CHAIR

SECRETARY

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 197

Schedule E (Flexible Housing Areas Map)





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: MA-BL-194

The following symbols in the table indicate:

- ✓ the bylaw is consistent with the policy from the Policy Statement, or
- ✗ **the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or**
- N/A the policy is not applicable.

Explanatory notes are added in bold and italics text

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
✓	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation

	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities

N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services
POLICY STATEMENT COMPLIANCE		
✓	COMPLIANCE WITH TRUST POLICY	
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:	

Active Projects Report

Mayne Island

1. Major Project - Housing Options Project - Phase 2

Responsible

Dates

Activity:

Continuation of Housing Options Project

- Draft bylaw language for discussion to be provided to LTC at February 2024 meeting

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

3. *First Nation Reserve Land access to water and power*

Responsible

Date Received

Narissa Chadwick

24-Feb-2025

4. *Review of lot coverage maximums*

Responsible

Date Received

Narissa Chadwick

24-Feb-2025

5. *Protection of Heritage Structures*

Responsible

Date Received

Narissa Chadwick

28-Apr-2025

6. *revise home occupation regs with respect to contractor yards (need calrification)*

Responsible

Date Received

28-Jul-2025



Mayne Local Trust Committee

Open Applications

Report

Print Date: September 22, 2025

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20240072	Louise Girouard	6/6/2024	750 STEWARD DR, MAYNE ISLAN	Application for a variance for siting of a studio, retaining wall, stairs, and a concrete pad located in the foreshore.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Under Review	Generate Complete Application Letter	

Rezoning

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20250305	Derrick Chang; Lee	7/28/2025	0 VILLAGE BAY RD, MAYNE ISLAN	Subsequent to our approval of PLTUP20250105, BCF is applying for the formal rezoning of the property to permit the foreshore riprap.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Email Applicant of LTC Meeting	

Mayne

Application Number	Applicant Name	Date Received	Address	Purpose
MA-RZ-2023.2	Mike Macintyre	10/4/2023	0 HORTON BAY RD, MAYNE ISLAN	Lot B, Section 1, Horton Bay Road: an application for rezoning to amend the OCP to permit a change from Rural to Park and amend the LUB from Rural to Community Regional Park, so that it may be further developed for regional park use.
Planner		Status	Most Recent Completed Activity	
Narissa Chadwick		Local Trust Committee	Assign to LTC Meeting	

Subdivision

Application Number	Applicant Name	Date Received	Address	Purpose
MA-SUB-2018.1	Brent Mayenburg	4/9/2018	484 CHERRY TREE BAY RD, MAYN	Referral of a subdivision for 3 lots
Planner		Status	Most Recent Completed Activity	
Narissa Chadwick		Administrative Review	Record and File PLR	

Temporary Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20250060	Neil Piller	2/5/2025	0 HORTON BAY RD	A Group application for a Temporary Use Permit to store marine dock floats in Horton Bay during the winter storm season.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Advertise	

Islands Trust
LTC EXP SUMMARY REPORT F2026
Invoices posted to Month ending July 2025

645 Mayne	Invoices posted to Month ending July 2025	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65050-645	LTC "Executive Expense on LTC's"	2,390.00	576.93	1,813.07
65200-645	LTC - Local Exp - LTC Meeting Expenses	1,070.00	882.62	187.38
65210-645	LTC - Local Exp - APC Meeting Expenses	210.00	0.00	210.00
65220-645	LTC - Local Exp - Communications	1,100.00	280.00	820.00
TOTAL LTC Local Expense		<u>4,770.00</u>	<u>1,739.55</u>	<u>3,030.45</u>
Projects				
73001-645-4100	Mayne Island Housing	8,000.00	516.00	7,484.00
TOTAL Project Expenses		<u>8,000.00</u>	<u>516.00</u>	<u>7,484.00</u>

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2022-012 (Standing) 5.4 Outhouses 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.	Carried	14-Nov-2022
2021-011 (Standing) Advisory Planning Commission - Re-appointments and Expression of Interest Advertisement 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	Carried	25-Jan-2021

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2020-022 (Standing)	Carried	24-Feb-2020

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

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

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

Standing Resolutions Log

Mayne Island

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

Standing Resolutions Log

Mayne Island

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

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2016-055 (Standing) 12.4 Adopted Policies and Standing Resolutions (attached) that the Mayne Island Local Trust Committee direct staff to create a policy to advertise all statutory public notices in the Mayne Liner.	Carried	27-Jun-2016
2012-000 (Standing) Special Occasion Liquor License Referrals That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.	Carried	01-Feb-2012
2011-044 (Standing) Options for adopting In Camera Minutes 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.	Carried	02-May-2011