



Mayne Island Local Trust Committee Regular Meeting Agenda

Date: October 26, 2020
Time: 1:00 pm
Location: Electronic Meeting

			Pages
1.	CALL TO ORDER	1:00 PM - 1:05 PM	
2.	APPROVAL OF AGENDA		
3.	TOWN HALL AND QUESTIONS	1:05 PM - 1:20 PM	
4.	COMMUNITY INFORMATION MEETING	1:20 PM - 1:40 PM	
4.1.	Land Use Bylaw Technical Review - Bylaw No. 180		
5.	PUBLIC HEARING	1:40 PM - 2:20 PM	
5.1.	Mayne Island Local Trust Committee Bylaw No. 180 - LUB Amendment No. 1, 2020 Public Hearing binder under separate cover.		
6.	MINUTES	2:20 PM - 2:30 PM	
6.1.	Local Trust Committee Minutes Dated September 28, 2020 (for Adoption)		3 - 12
6.2.	Section 26 Resolutions-without-meeting Report - None		
6.3.	Advisory Planning Commission Minutes - None		
7.	BUSINESS ARISING FROM THE MINUTES	2:30 PM - 2:40 PM	
7.1.	Follow-up Action List Dated October 2020		13 - 14
8.	DELEGATIONS		
9.	CORRESPONDENCE		
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>			

10.	APPLICATIONS AND REFERRALS	2:40 PM - 3:10 PM	
10.1.	MA-DVP-2020.8 (Peace) - Preliminary Staff Report (Attached)		15 - 26
10.2.	MA-DVP-2020.7 (Cochrane) – Amended Application - Staff Report (Attached)		27 - 38
11.	LOCAL TRUST COMMITTEE PROJECTS	3:10 PM - 3:40 PM	
11.1.	Mayne Island Local Trust Committee Bylaw No. 180 – Post Public Hearing Staff Report (Attached)		39 - 46
11.2.	Mayne Island Housing Regulations and Policy Review – Staff Report (Attached)		47 - 52
12.	REPORTS	3:40 PM - 3:50 PM	
12.1.	Work Program Reports (attached)		
12.1.1.	<u>Top Priorities Report Dated October 2020</u>		53 - 53
12.1.2.	<u>Projects List Report Dated October 2020</u>		54 - 54
12.2.	Applications Report Dated October 2020 (attached)		55 - 58
12.3.	Trustee and Local Expense Report Dated August 2020 (attached)		59 - 59
12.4.	Adopted Policies and Standing Resolutions (attached)		60 - 63
12.5.	Local Trust Committee Webpage		
12.6.	Chair's Report		
12.7.	Trustee Report		
12.8.	Islands Trust Conservancy Report Dated October 2020		64 - 66
13.	NEW BUSINESS		
14.	UPCOMING MEETINGS	3:50 PM - 4:00 PM	
14.1.	Next Regular Meeting Scheduled for November 30 - LTC may consider a resolution to hold it electronically.		
14.2.	Draft 2021 LTC Meeting Schedule - for Adoption		67 - 67
15.	TOWN HALL	4:00 PM - 4:15 PM	
16.	CLOSED MEETING		
	None		
17.	ADJOURNMENT	4:15 PM - 4:15 PM	



Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: September 28, 2020
Location: Electronic Meeting (Zoom Webinar)

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

Staff Present: Robert Kojima, Regional Planning Manager
Narissa Chadwick, Island Planner
Lauren Edwards, Recorder
Maple Hung, Planning Team Assistant, Host
Phil Testemale, Planner 2

Public: There were approximately (18) attendees in the Zoom Webinar.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 1:03 p.m.

Trustee Dodds acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

Agenda item 9.2 moved to discuss after item 10.2 and the need for a closed meeting was confirmed.

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

The public was invited for comments and the following discussion points were made:

- Interest in the Anson Road project;
- The need for parking at St. John Point to ensure the park is accessible for citizens with mobility issues and referenced the community funded portion for the park was 50 percent; and
- Chair Rogers advised that any change to Bylaw 180 will be addressed at a public hearing.

Public Members were then given an opportunity to speak to any other items on the agenda.

- A direct neighbour of St. John Point expressed concern for rezoning and widening access which she is concerned affects her property.

The public in attendance were given opportunity to speak to any LTC matter generally.

- A member of the Mayne Island Housing Society (MIHS) provided an overview of the technical assessments, reports and presentations made by consultants;
- Chair Rogers confirmed receipt of the reports which will be assessed; and
- Chair Rogers gave an overview of the process towards approval and stated the reports will be made public on Islands Trust website after the assessment is completed.

4. COMMUNITY INFORMATION MEETING – None

5. PUBLIC HEARING - None

6. MINUTES

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

By general consent the Local Trust Committee meeting minutes of July 27, 2020 were adopted as presented.

6.2 Section 26 Resolutions-without-meeting Report - None

6.3 Advisory Planning Commission Minutes – None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated September 2020

Planner Chadwick reported on the following:

- A meeting will be scheduled with Ministry of Transportation and Infrastructure (MoTI) once a time that work is identified; and
- The letter to First Nations will go out when the 2021 meeting schedule is finalized.

8. DELEGATIONS - None

9. CORRESPONDENCE

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

9.1 Letter from Capital Regional District re St. John Point Park

Received by the Local Trust Committee.

9.2 Arbutus Bay Estates Ltd. re Variance LUB Bylaw Subdivision - Staff Memo

This item was addressed after Item 10.2

10. APPLICATIONS AND REFERRALS

10.1 MA-DVP-2020.4 (Iredale) - Staff Report

Planner Chadwick provided an overview of her report submitted to the Committee regarding setbacks for the existing cottage and deck rebuild.

MA-2020-059

It was Moved and Seconded,

that the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2020.4.

CARRIED

9.2 Arbutus Bay Estates Ltd. re Variance LUB Bylaw Subdivision - Staff Memo

Planner Testemale provided an overview of his report submitted to the Committee and the applicant's letter of August 31, 2020 asking to waive the requirement for a subdivision plan signed by a BC Land Surveyor.

At issue are two proposed lots split by the highway which would not comply with Land Use Bylaw regulation that states that no additional lot should not be divided by a highway.

The applicant reported her concerns of wanting to create one new lot, having dedicated without compensation for the creation of the road and concern about the cost of the survey with no assurance for an approved variance.

After discussion between the LTC and the applicant, it was agreed that there will be no motion or action taken.

10.2 MA-DVP-2020.7 (Cochrane) - Staff Report

Planner Testemale provided an overview of his staff report.

Discussion was held on the following points:

- Rear yard setback, setback from the sea, and side yard setback;
- Option to alter the existing deck to a walkway so as to create a legal structure to access a dock;
- A mapped woodland sensitive ecosystem;
- Cumulative effects of similar existing and future structures on neighbouring properties;
- Future similar DVP applications;
- The option to approve the planner's recommendation to amend the variance was not pursued;
- The application is complex according to the Trustees;
- Consideration of the application will resume after the Galiano Advisory Planning Commission has received the referral; and

- The planner will contact the applicant before the applicant is presented to the LTC.

MA-2020-060

It was Moved and Seconded,

that the Mayne Local Trust Committee refer the Development Variance Permit application MA-DVP-2020.7 to the Advisory Planning Commission for further consideration.

CARRIED

Chair Rogers Opposed

10.3 MA-DP-2020.1 (CRD - Anson Dock) – Staff Report

Planner Testemale provided an overview of his staff report.

Numerous technical reports were made available and a link is provided to Islands Trust website for Mayne Island's current applications.

These included:

- An Aquatic Effects Assessment by Archipelago Marine Research Limited regarding aquatic effects and environmental impact, and a supplemental assessment of proposed shoreline protection assessments; and
- Coastal and Ocean Resources Inc. regarding shoreline stability.

Also included in the application and not posted or attached was information from:

- Archaeological Overview and Impact Assessments by Kleanza Consulting Ltd. that included marine archaeological assessments.

Planner Testemale provided an overview of analysis of the aquatic effects and shoreline protection assessments concerning dock facility construction.

Planner Testemale answered questions to confirm that:

- There was no guideline in the DVP for a pump-out facility;
- Islands Trust Conservancy's and Mayne Island Conservancy eelgrass mapping was used;
- Upland work will require a DVP; and
- Work to be done upland is a separate stage in the construction process and has already been tendered.

Dale Puskas, CRD, stated that a few solutions are being worked on for portable pump-out as it is not tenable to have something permanent along the dock.

It was reported that Fisheries and Oceans Canada timing windows exist and if dock construction is deferred, the next window for December 1st to February 15th may not be met.

There was discussion pertaining to involvement with Islands Trust Conservancy as well as First Nations.

MA-2020-061

It was Moved and Seconded,

that the Mayne Island Local Trust Committee approve issuance of Development Permit MA-DP-2020.1 (CRD – Anson Road Dock).

CARRIED

A brief break was held between 2:58 p.m. and 3:15 p.m.

Trustee Maude recused himself at 3:16 p.m. for the following application MA-RZ-2018.1 due to conflict of interest.

10.4 MA-RZ-2018.1 (CRD - Cotton Park) - Staff Report

Planner Chadwick gave an overview of the application.

Planner Chadwick provided history for recommending amendment of Bylaw 178 to increase square footage of structures from current limit of 200 square feet. She recommended that the Trustees amend Bylaw 178 and move to second reading of both amendments; then move forward to a public hearing.

Chair Rogers confirmed there will be a formal referral on this issue to First Nations.

Debra Bell, Commissioner, Mayne Island Parks and Recreation, commented on the following:

- The site visit with Trustee Dodds, Planner Chadwick, Harold Joe, Cowichan Nation, CRD staff and members of the Mayne Island Parks and Recreation Commission;
- Signs, art installations or interpretive panels might be considered structures not allowed under the current LUB and affect support First Nations wish to provide;
- An archaeology grant may be involved; and
- No square footage restriction be set and community and First Nations consultation sought.

Chair Rogers indicated that a community information meeting and public meeting can be held together.

MA-2020-062

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Bylaw 178, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019” be amended as specified in Attachment One of the staff report dated September 28, 2020.

CARRIED

MA-2020-063

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Bylaw 178, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019” be read for a second time as amended.

CARRIED

MA-2020-064

It was Moved and Seconded,

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

CARRIED

MA-2020-065

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw 178, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019” and Mayne Island Local Trust Committee Draft Bylaw 177, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2019”

CARRIED

Trustee Maude returned to the meeting at 3:37 p.m.

10.5 Saturna Island Local Trust Committee Bylaw No. 132 Referral

Interests were unaffected.

Comments noted by Trustee Dodds regarding work done by Saturna local trustees and that this could be a template for all Southern Gulf Islands.

10.6 Galiano Island Local Trust Committee Bylaw No. 275 Referral

Interests were unaffected.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Update on Southern Gulf Islands Groundwater Sustainability Strategy - Staff Memo

Staff reported on contracted peer review with deliverables November and finalized December and that a presentation will be made at Regional Planning Committee.

11.2 Land Use Bylaw Technical Review – Staff Report

Planner Chadwick provided a report for additional items to consider for the technical review of the LUB:

Derelict vehicles:

Discussion concluded with agreement of the recommendation as contained in the report submitted.

Patio definition:

Discussed issues concerning square footage, setbacks and building material.

By General Consent this item will be removed from LUB technical review and added to the projects list.

St. John Point:

Planner Chadwick provided an overview from her report of the options available to address CRD's request for an LUB amendment to rezone.

Considerations are concerns from park neighbours and the fire department, access, parking and toilet amenities.

CRD has not made an application although item can be addressed as a project without application.

MA-2020-066

It was Moved and Seconded,

that second reading of Bylaw No. 180 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020" be rescinded.

CARRIED

MA-2020-067

It was Moved and Seconded,

that the Mayne Island Local Trust Committee amend Bylaw No.180 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020" to include derelict vehicles as per the staff report dated September 28, 2020.

CARRIED

MA-2020-068

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Bylaw No.180 cited as "Mayne Island Land Use Bylaw No.146, 2008, Amendment No.1, 2020", be read a second time as amended.

CARRIED

MA-2020-069

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 180 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020"

CARRIED

MA-2020-070

It was Moved and Seconded,

that the Mayne Island Local Trust Committee add review of paved surfaces and patio regulations to the projects list.

CARRIED

MA-2020-071

It was Moved and Seconded,

that the Mayne Island Local Trust Committee invite Capital Regional District to apply for rezoning of St. John's Point.

CARRIED

11.3 Mayne Island Housing Regulation and Policy Review – Staff Report

Planner Chadwick provided an overview of her report that included: distribution of floor area; housing needs; housing affordability; flexibility; footprint; property sharing; and LUB.

A request was made for Planner Chadwick to research four-plex structures as it may reduce cost and footprint.

MA-2020-072

It was Moved and Seconded,

that the Mayne Island Local Trust Committee direct staff to report back with further details related to the distributed floor area option for addressing housing flexibility.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated September 2020

Received for information.

12.1.2 Projects List Report Dated September 2020

Chair Rogers confirmed that patio definition has been added to the Projects List.

12.2 Applications Report Dated September 2020

Received for information.

12.3 Trustee and Local Expense Report Dated July 2020

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

The LTC agreed on the following:

- Notice in agenda item 13.1 concerning short-term vacation rentals should be on our website if it is not already;
- The fourth paragraph become the second paragraph on item 13.1; and
- Islands Trust will print colour copies of the notice on item 13.1 and provide them to Trustees for distribution to the realtors.

12.6 Chair's Report

Chair Rogers gave a report on the following:

- The next Trust Council meeting in December will be virtual; and
- The Islands Trust Conservancy was successful in getting their largest federal grant for \$600,000 for the Species at Risk Program.

12.7 Trustee Report

The trustees reported on the following:

- The island is busy and real estate activity is high;
- There is desire to preserve rural lifestyle while meeting expectations as the island evolves;
- The school population has increased and new young families have moved to Mayne with some people working from home; and
- September 30th is orange shirt day in remembrance for the experiences in residential schools as told through Phyllis Webstad's story.

12.8 Islands Trust Conservancy Report Dated July 2020

Received for information.

13. NEW BUSINESS

13.1 Communication on Short Term Vacation Rentals

This item was addressed at Item 12.5

14. UPCOMING MEETINGS

MA-2020-073

It was Moved and Seconded,

that in accordance with *Ministerial Order M192 – Local Government Meetings & Bylaw Process* and *Province of BC Bill 19 – 2020*, Mayne Island Local Trust Committee cannot conduct public in-person meetings at this time because the meeting venues traditionally used have limited access or do not meet the legislated requirements for the protection of the community, trustees and staff; and therefore in order to meet the principles of openness, transparency, and accessibility, meetings of the Mayne Island Local Trust Committee will be held electronically over the period August 26 to October 31, 2020, will be live streamed, and the public invited to participate in meetings by connecting to the

link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

CARRIED

14.1 Next Regular Meeting Scheduled for October 26, 2020 - Electronic Meeting

15. TOWN HALL

The public in attendance were given opportunity to address the local trustees.

Chair Rogers confirmed he will respond to the letter sent by an individual who raised concern regarding the posting of correspondence to the Islands Trust website.

16. CLOSED MEETING

MA-2020-074

It was Moved and Seconded,

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

- Bylaw Enforcement

AND that the recorder and staff attend the meeting.

CARRIED

17. ADJOURNMENT

By general consent the meeting was adjourned at 5:23 p.m.

Dan Rogers, Chair

Certified Correct:

Lauren Edwards, Recorder



Follow Up Action Report

Mayne Island

24-Feb-2020

Activity	Responsibility	Dates	Status
1 7.1 Meeting to be arranged with the Ministry of Transportation and Infrastructure - to be set up by zoom.	Narrisa Chadwick	Target: 01-Sep-2020	In Progress

27-Jul-2020

Activity	Responsibility	Dates	Status
1 12.4 Adopted Policies and Standing Resolutions - Letter to FN re: LTC meetings to be sent.	Lisa Wilcox Narrisa Chadwick	Target: 27-Aug-2020	In Progress
2 13. 1 Communication on STVR. Edit as requested. Post on website. Print copies for realtors.	Maple Hung Narrisa Chadwick Phil Testemale	Target: 20-Aug-2020	Completed

28-Sep-2020

Activity	Responsibility	Dates	Status
1 10.1 MA-DVP-2020.4 (Iredale) DVP Approved. Issue DVP.	Jas Chonk Narrisa Chadwick	Target: 09-Oct-2020	Completed
2 10.3 MA-DVP-2020.7 (CRD -Cochrane) . Forward to APC for discussion and recommendations. (MH and Planner sent referral to APC Members - October 6, 2020)	Maple Hung Phil Testemale	Target: 10-Oct-2020	Completed
3 6.1 Minutes adopted as presented	Maple Hung	Target: 03-Oct-2020	Completed



Follow Up Action Report

Mayne Island

28-Sep-2020

Activity	Responsibility	Dates	Status
4 10.4 MA-DP-2020.1 (CRD-Anson Dock) approved. Issue DP. Set up monitoring for closure letter.	Jas Chonk Phil Testemale	Target: 10-Oct-2020	Completed
5 10.5 MA-RZ-2018.1 (CRD-Cotton Park) Amend Bylaw 178 as recommended. Bylaw 178 as amended read for second time. Bylaw 177 read for second time. Schedule CIM and PH. Undertake referrals.	Jas Chonk Maple Hung Narrisa Chadwick	Target: 10-Oct-2020	Completed
6 10. 6 Bylaw Referral (Saturna LTC Bylaw 132) Interests unaffected . Add note "Mayne LTC appreciates the effort made by Saturna LTC".	Jas Chonk	Target: 10-Oct-2020	Completed
7 10.7 Referral (Galiano LTC Bylaw 275) Interests unaffected.	Jas Chonk	Target: 09-Oct-2020	Completed
8 11.2 LUB Technical Review . Second reading rescinded. Bylaw 180 amended to include Derelict Vehicles. Bylaw 180 read for second time as amended. Staff to schedule public hearing. Undertake referrals.	Jas Chonk Narrisa Chadwick	Target: 02-Oct-2020	Completed
9 11.2 LUB Technical Review. Amend project list to include paved surfaces and patios.	Narrisa Chadwick	Target: 28-Sep-2020	Completed
10 11.2 Invite the CRD to apply for a RZ re: St. John Point Park	Narrisa Chadwick	Target: 02-Oct-2020	Completed
11 11.3 Housing Alternatives Projects - Staff to report back with further details.	Narrisa Chadwick	Target: 23-Oct-2020	Completed



File No.: MA-DVP-2020.8 (Peace)
Ref: MA-SUB-2018.3
(Mayenburg)/ MA-SUB-
2019.1 (Mayenburg)

DATE OF MEETING: October 26, 2020
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Development Variance Permit Preliminary Report
Applicant: Wayne Peace
Location: 445 Garrick Road

RECOMMENDATION

1. That the Mayne Island Local Trust Committee request staff to circulate the statutory notice for Development Variance Permit application MA-DVP-2020.8 (Peace).

REPORT SUMMARY

This is a preliminary staff report regarding the application for a Development Variance Permit (DVP) for water quantity as a condition of subdivision referral approval (MA-DVP-2020.8 (Peace)).

BACKGROUND

The subdivision in question involves boundary adjustments proposed in two related subdivision referrals concerning five properties in total. As illustrated in Map 2 below, the proposed boundary adjustments result in five parcels of land changing in size. Four of these properties' boundaries will be extended into one larger piece of property (the base/parent property). The base/parent property will become smaller (445 Garrick Road, Identified as "B" in Map 2 and Rem. 1 in Map 3).

As indicated in the Mayne Island Land Use Bylaw (8.11), all properties subject to subdivision, including boundary adjustment, must have established proof of water. Where a well is proposed as a source of potable water for a proposed subdivision, it must meet the Guidelines for Canadian Drinking Water Quality and standards for water supply as identified in the Land Use Bylaw.

Proof of water was provided for A, C and D (see Map 2) based on past well logs. A well was drilled and a Hydrogeologist's report was submitted related to establishing proof of water for parcel "B" (445 Garrick Road). The Hydrologist's report indicated that:

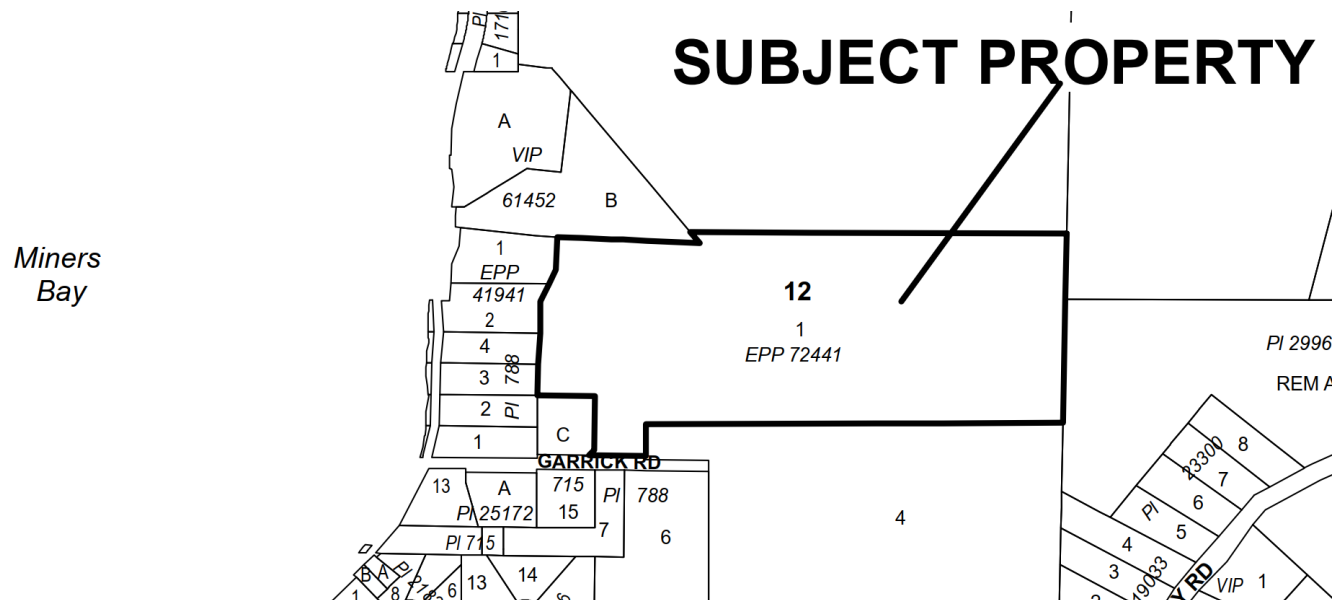
With respect to water quality: Results of the testing indicates that the capacity of the well can be safely rated at 1.388 L/min or approximately 2000 L/day, slightly less than the 2275 L/day required under the bylaw. This figure is approximately 88 percent of the bylaw requirement. The applicant has identified that they will be installing a storage tank of at least 1000 gallons to deal with the deficiency in water quantity.

As approval of subdivision cannot be provided if the requirements of the Land Use Bylaw are not met, the applicant was given the option of applying for a development variance permit varying the requirements in 8.11 (1) related to water quantity.

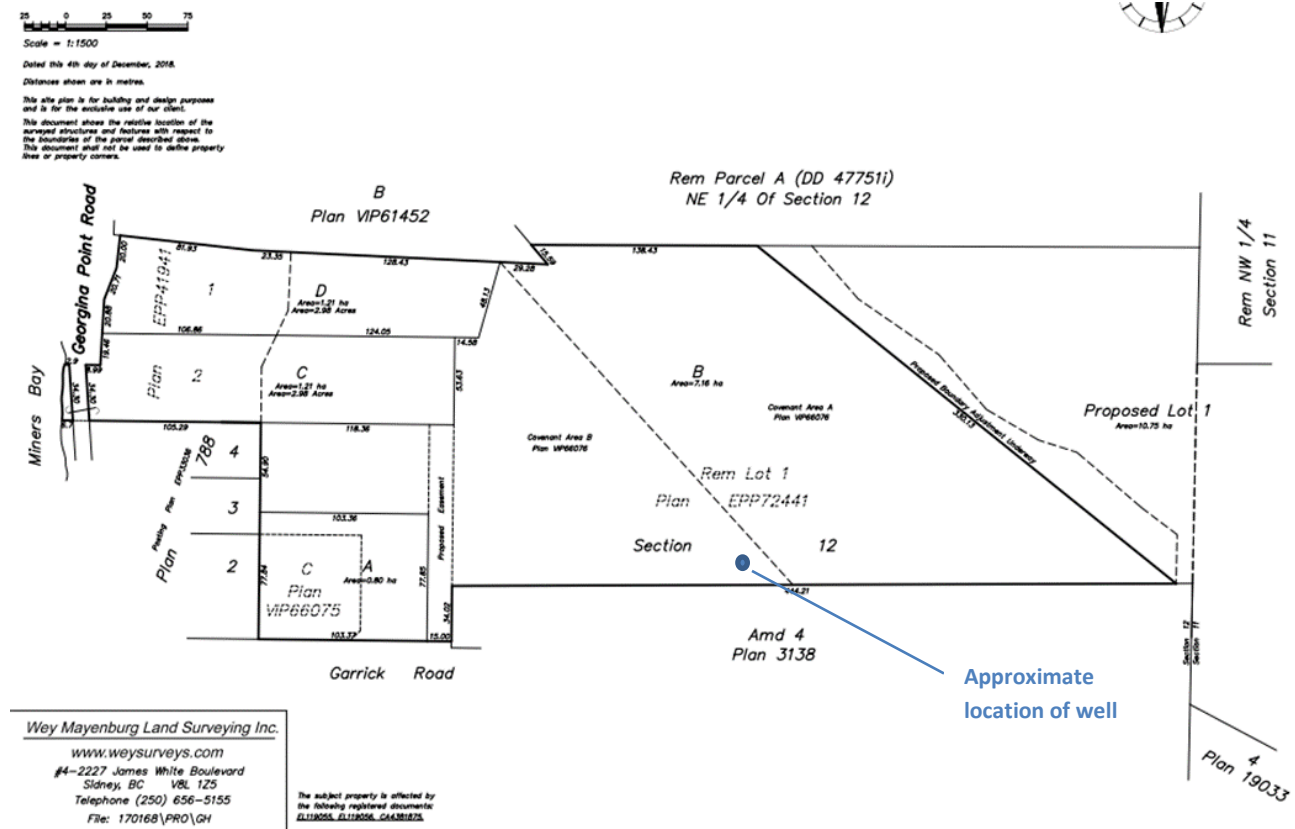
With respect to water quality: Laboratory results of the February 10, 2020 sampling, indicates the water quality of Well WID 43881 met or exceeded the *Guidelines for Canadian Drinking Water-Summary Table* (Health Canada, 2019) for all parameters analyzed except for elevated levels of iron, manganese, sodium and chloride. The report provides recommendations on how the water can be treated to meet the guidelines.

Section 8.11 (3) of the LUB states that where the water from a well does not meet the standards of potability as set in 8.11(1) and the report by a professional engineer or hydrogeologist states that with specific treatment systems the well can be certified as to potability, the subdivision may be approved provided that “ the applicant grants a s. 219 covenant to the LTC and to the CRD restricting use and occupancy of the land and any building or structure on the land until the owner installs a water treatment system which is effective in making the water from the well potable to no less a standard than that specified in this Bylaw”. With respect to the subdivision applications related to this staff report, the applicant has agreed to provide such a covenant.

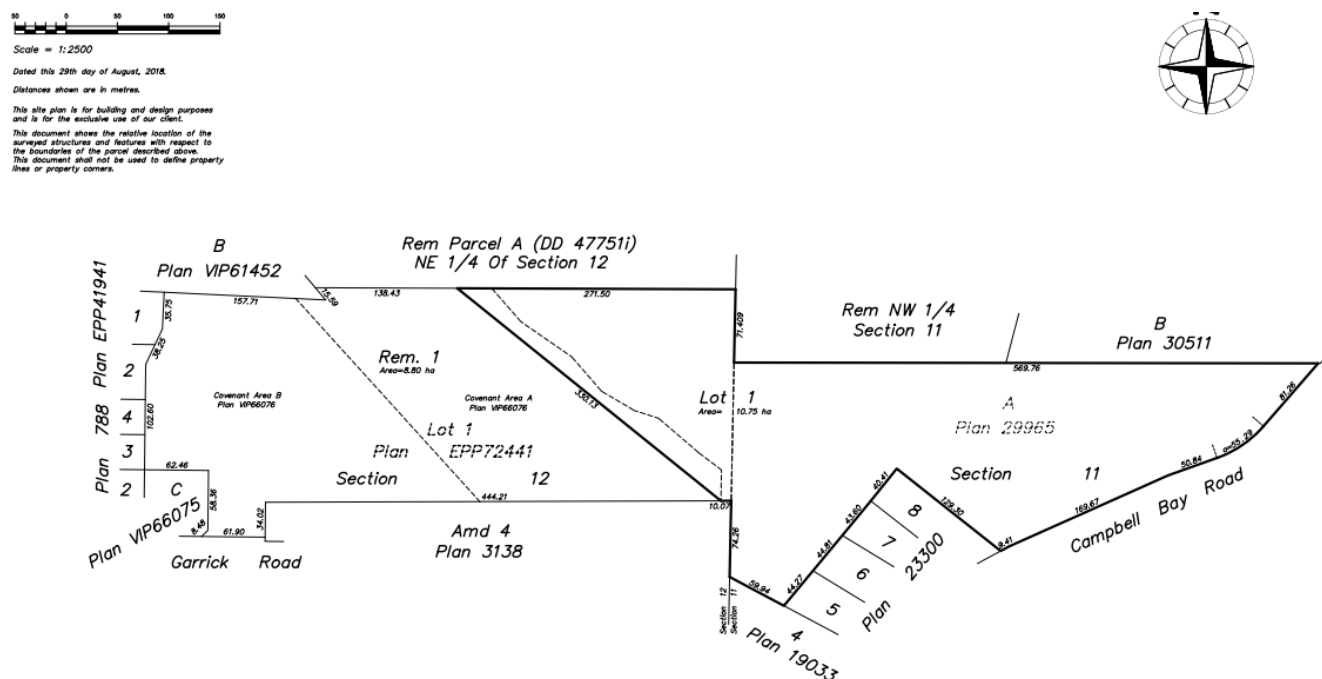
MAP 1: Site Context



MAP 2: Boundary Adjustment Proposal (MA-SUB-2019.1 (Mayenburg))



MAP 3: Boundary Adjustment Proposal (MA-SUB-2018.3 (Mayenburg))



MAP 3 – Orthophoto



ANALYSIS

Islands Trust Policy Statement:

The commitments in the Islands Trust Policy Statement that are most relevant to subdivision proposals and water quality and quantity are:

4.4.1 It is Trust Councils' policy that islands in the Trust Area should be self-sufficient in regard to their supply of freshwater; and

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.

Official Community Plan:

The property is in the SR – Settlement Residential, Rural (R), and Upland (UP) designations in the Mayne Island Official Community Plan No. 144, 2007 (OCP).

There are no Development Permit Areas designated in the OCP for the subject property.

Land Use Bylaw:

The property is in the Settlement Residential (SR), Rural (R), and Upland (UP) zones in the Mayne Island Land Use Bylaw No. 146, 2008.

The development variance permit relates to:

8.11 Water Supply Standards

(1) Where a well is proposed as a source of potable water for a proposed subdivision, the applicant for subdivision must provide the written certification under seal of an Engineer or a professional hydrogeologist with experience in groundwater hydrology that there is in respect of each building, structure, or use of land permitted by this bylaw on or to each proposed lot an available supply of potable water that meets or exceeds the Guidelines for Canadian Drinking Water Quality in the amounts set out in Table 1.

TABLE 1: Potable Water Supply Standards	
<u>Use</u>	<u>Volume (per day/lot)</u>
Residential	2275 litres
Agricultural	2275 litres
Commercial	3640 litres
Industrial	3640 litres
All other uses	2275 litres

Section 8.11 (3):

Where applicant has provided a report by a professional engineer or hydrogeologist with experience in groundwater hydrology, and the report indicates that the water from a well does not meet the standards of potability as set in 8.11(1) and the report states that with specific treatment systems the well can be certified as to potability, the approving officer may nonetheless approve the subdivision provided that:

- (a) the applicant grants a s. 219 covenant to the LTC and to the CRD restricting use and occupancy of the land and any building or structure on the land until the owner installs a water treatment system which is effective in making the water from the well potable to no less a standard than that specified in this Bylaw.

Issues and Opportunities

Staff are bringing this preliminary report to the LTC prior to the applicant undertaking the expense of drafting and registering the s. 219 covenant. If the LTC supports the recommendation to circulate the notice for a DVP related to water quantity, the applicant will proceed with the preparation of the covenant. While this would not fetter the discretion of the LTC, it would give the applicant an indication of the LTC's potential support for the variance.

Consultation

First Nations

As the Development Variance Permit and the subdivision applications do not suggest increased impact on the land they do not raise concerns related to Local Trust Committee Standing Resolutions on reconciliation.

Circulation/Public Consultation

DVP Notices will be circulated to surrounding property owners and residents. Notice must be mailed or otherwise delivered at least 10 days before adoption of the resolution to issue the permit.

Rationale for Recommendation:

Recommendation: *That the Mayne Island Local Trust Committee request staff to circulate the statutory notice for Development Variance Permit application MA-DVP-2020.8 (Peace).*

Rationale:

- The subdivision applications are boundary adjustments and do not involve any increase in density or intensity of land use.
- The applicant has identified that they will be installing a water storage tank of at least 1000 gallons to deal with the deficiency in water quantity.
- To address water quality, the applicant has agreed to register a s. 219 covenant requiring the installation of a water treatment system and the measuring and monitoring of water quality over time.
- Circulation of Public Notice with respect to the DVP will help move the process forward while the covenant is drafted and undergoes legal services review.

ALTERNATIVES

1. Deny the application

If the LTC is not in favour of considering a DVP to address water quantity related to the subdivision proposal, denying the application at this point will save staff time and the applicant further expense.

That the Mayne Island Local Trust Committee deny the application MA-DVP-2020.8 (Peace).

NEXT STEPS

If the recommendation is supported by the LTC:

- Development Variance Public Notice will be circulated to neighbours.
- Staff will enter into a cost recovery agreement with the applicant for the s.219 covenant authorized by the LUB.
- The DVP will be placed on a subsequent LTC meeting agenda for consideration.
- If the DVP is approved, and all other conditions are met, staff will provide subdivision review approval to the Ministry of Transportation and Infrastructure.

Submitted By:	Narissa Chadwick, Island Planner	October 14, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	October 15, 2020

ATTACHMENTS

1. Site Context
2. Notice
3. Draft Development Variance Permit

ATTACHMENT #1 – SITE CONTEXT

LOCATION

Legal Description	LOT 1 SECTION 12 MAYNE ISLAND COWICHAN DISTRICT PLAN EPP72441
PID	030-330-629
Civic Address	445 Garrick Rd, Mayne Island

LAND USE

Current Land Use	Vacant Land
Surrounding Land Use	North – Church Property and large Rural and Upland zoned Lot. South - One large Settlement Residential and Upland zoned lot and several smaller Settlement Residential zoned lots. West – Several small Settlement Residential zoned lots. East – Large lots containing Upland zoning.

HISTORICAL ACTIVITY

File No.	Purpose
MA-SUB-1994.4	2 lot fee simple subdivision and 1 boundary line adjustment
MA-SUB-2018.2	undefined
MA-SUB-2018.3	Referral of a subdivision to create 2 lots (MA-DVP-2020.8 is related to this file)
MA-SUB-2019.1	Referral of a boundary adjustment
MaA-DVP-2019.4	Variance for subdivision regulations for frontage on Garrick Rd.

POLICY/REGULATORY

Official Community Plan Designations	The property is in the SR – Settlement Residential, Rural (R), and Upland (UP) designations in the Mayne Island Official Community Plan No. 144, 2007 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.
Land Use Bylaw	The property is in the Settlement Residential (SR), Rural (R), and Upland (UP) zones in the Mayne Island Land Use Bylaw No. 146, 2008.
Other Regulations	N/A
Covenants	Covenant EL119055 – Mayne LTC – density control covenant Covenant EL119056 – CRD – steep slope hazard area
Bylaw Enforcement	No historical files

SITE INFLUENCES

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

Species at Risk	N/A
Sensitive Ecosystems	See map Attachment 2
Hazard Areas	Areas of Low, Moderate and High Risk on property - See map Attachment 2
Archaeological Sites	There are no archaeological sites listed in the Remote Access to Archaeological Data (RAAD) within the property or within 100 metres; however, the area is shown as having archaeological potential. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The elevation and distance from the sea indicates that the impacts from anticipated or possible climate change induced hazards are not immediate.
Shoreline Classification	Not Applicable

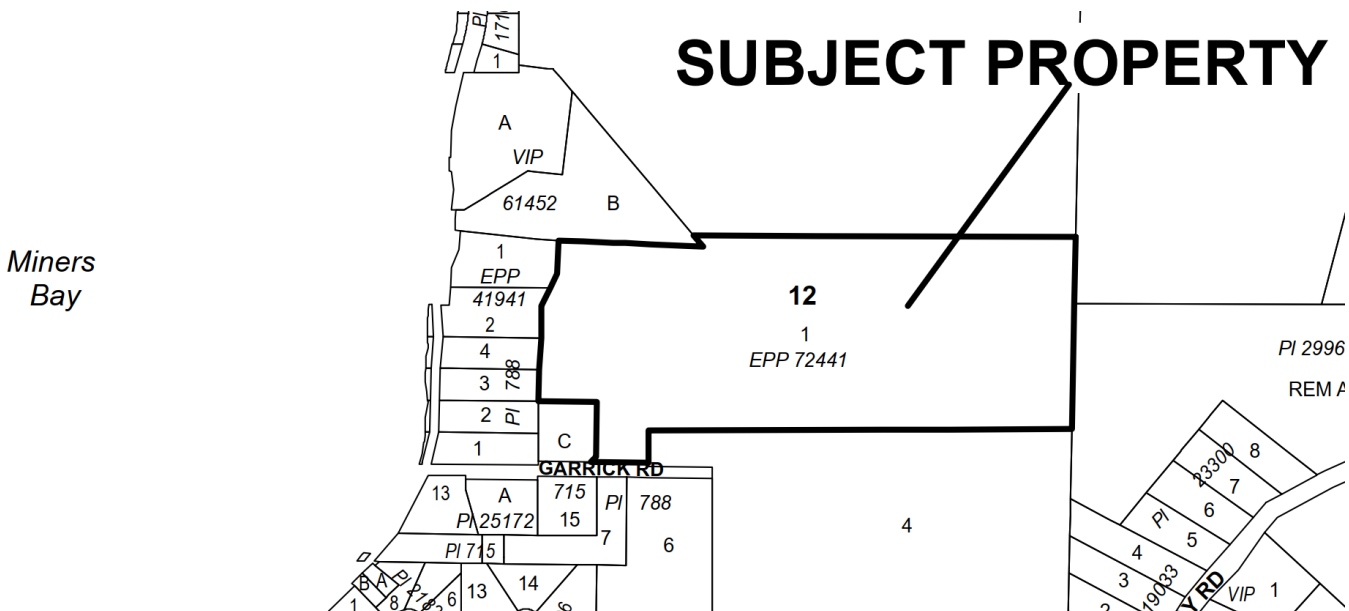


NP-DVP-2020.8
MAYNE ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given that the Mayne Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 499 of the *Local Government Act*. The proposed permit would vary the Mayne Island Land Use Bylaw No. 146, 2008, by varying the requirements for water quantity for subdivision as identified in Subsection 8.11 (1).

The property is located at 445 Garrick Road and is legally described as Lot 1, Section 12 Mayne Island Cowichan District Plan. EPP72441 (PID: 030-330-629)

The general location of the subject property is shown on the following sketch.



A copy of the proposed permit is attached, and 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 **XXX** and continuing up to and including **XXX**, or, at various Notice Boards on Mayne Island.

Enquiries or comments should be directed to Narissa Chadwick, Island Planner at (250) 405-5189, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca before 4:30 pm, XXXXX

The Mayne Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the electronic business starting at **1pm XXXX 2020.??**

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

Jas Chonk, Deputy Secretary



Islands Trust

**MAYNE ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
MA-DVP-2020.8**

To: Wayne Peace

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

Lot 1 Section 12 Mayne Island Cowichan District Plan EPP72441
(PID: 030-330-629)

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

- a) Subsection 8.11 (1) which requires that where a well is proposed as a source of potable water for a proposed subdivision, the applicant for subdivision must provide the written certification under seal of an Engineer or a professional hydrogeologist with experience in groundwater hydrology that there is in respect of each building, structure, or use of land permitted by this bylaw on or to each proposed lot an available supply of potable water that meets or exceeds the Guidelines for Canadian Drinking Water Quality in the amounts set out in Table 1 in Subsection 8.11 (1), is varied to permit the use of an existing source (well) that produces a quantity less than 2275 litres per day

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

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

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

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF [MONTH], [YEAR (2 YEARS FROM DATE OF ISSUANCE)] THIS PERMIT AUTOMATICALLY LAPSES.

MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2020.8

SCHEDULE 'A'



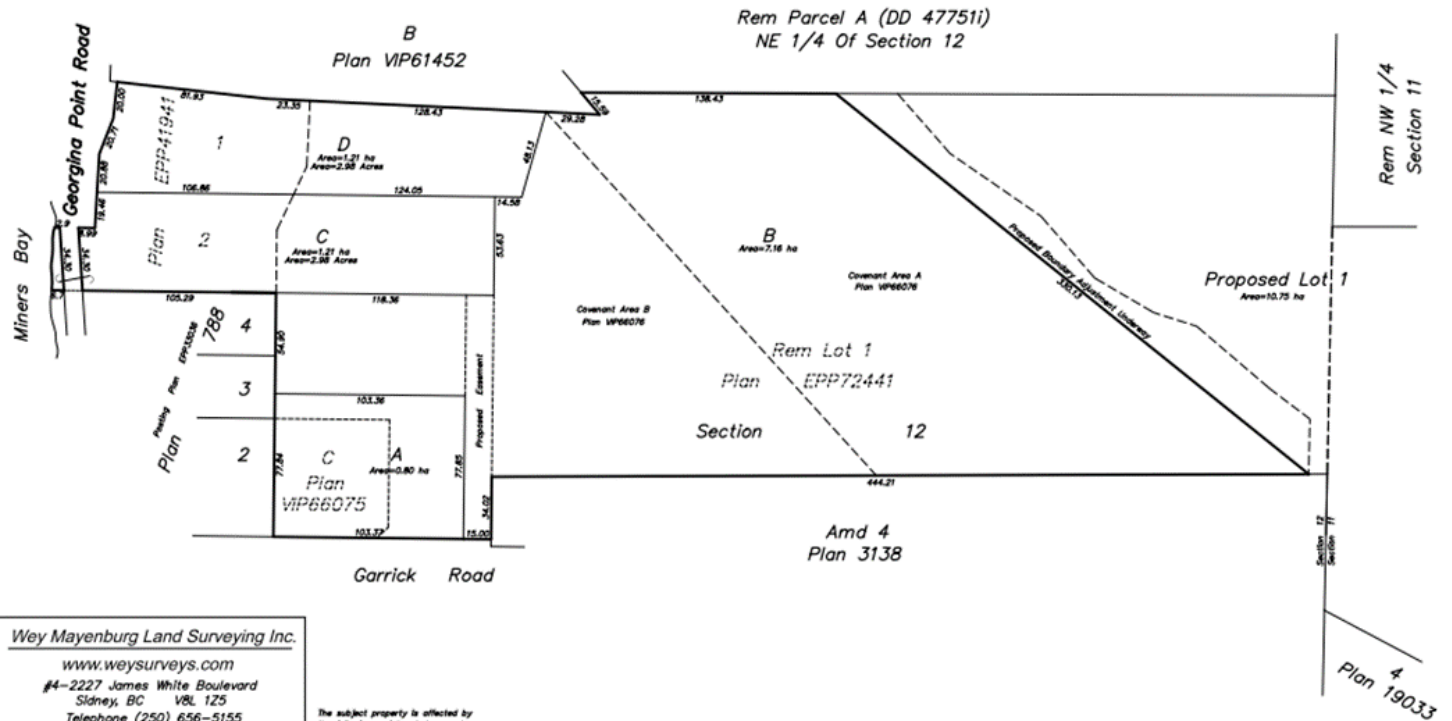
Scale = 1:1500

Dated this 4th day of December, 2018.

Distances shown are in metres.

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

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



Wey Mayenburg Land Surveying Inc.

www.weysurveys.com

#4-2227 James White Boulevard

Sidney, BC V8L 1Z5

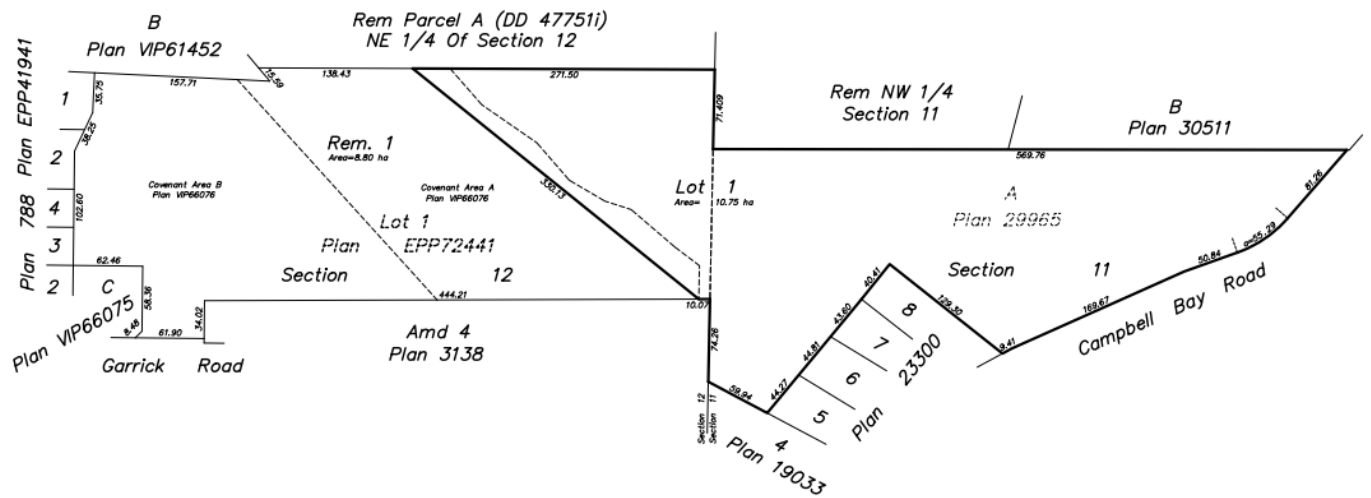
Telephone (250) 656-5155

File: 170168\PRO\GH

The subject property is affected by
the following registered documents:
E113055, E113056, C44581875

MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2020.8

SCHEDULE 'B'





File No.: MA-DVP-2020.7 (Cochrane
(MA-BE-2020.3 & MA-BP-
2020.17)

DATE OF MEETING: October 26, 2020

TO: Mayne Island Local Trust Committee

FROM: Phil Testemale, Planner 2
Southern Team

COPY: Warren Dingman, Manager of Compliance and Enforcement
Narissa Chadwick, Island Planner

SUBJECT: Amended Application - Development Variance Permit Application
Applicant: Nigel Cochrane
Location: 264 Leighton Road

RECOMMENDATION

1. That the Mayne Island Local Trust Committee amend Development Variance Permit MA-DVP-2020.7 (Cochrane) by removing 2. a) and b) in their entirety and altering Schedule 'A' accordingly as shown in Attachment 1;
2. That the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2020.7 as amended; and,
3. That the Mayne Island Local Trust Committee directs staff to inform the Advisory Planning Committee that input on the application referral is no longer required and to thank them for their work to date on this file.

REPORT SUMMARY

The purpose of this report is to consider an amended Development Variance Permit (DVP) application for the siting regulations for decks and stair structures on the subject property. The amendment removes the variances for the deck that is encroaching into the setback from the Natural Boundary of the Sea and the rear yard. The variances and voluntary alteration of the deck by the owner will bring the property into conformity with the Mayne Island Land Use Bylaw No.146, 2008 (LUB).

The above recommendation is supported as the two proposed side yard variances are minor, potential impacts from granting the variances are minimal, particularly to the most impacted, adjacent properties; notification to surrounding neighbours has been undertaken and to date staff have had one response in favour; and, the variances do not challenge the intent of the bylaw provision.

RATIONALE FOR VARIANCE

The primary rationale provided by the applicant is to bring the property into compliance with the LUB.

The applicant submitted an addendum with the original application that outlines the rationale, sequence of construction and circumstances in support of granting the variances. Those applicable to the amended application are:

- He hired a contractor who did not obtain any permits or approvals and assured him that permits were not required as they were stairs and decks;
- the construction of the stairs from the road to house and on the west side replaced structures that were already in place;
- the location of the deck on the west side that is encroaching is in a location necessary to obtain safe access below given the steep topography; and,
- there is limited visibility from neighbouring properties.

Staff is of the opinion that the rationale is supportable.

BACKGROUND

This application was previously considered at the Mayne Island Local Trust Committee meeting on September 28, 2020. A detailed staff report with attachments is available here:

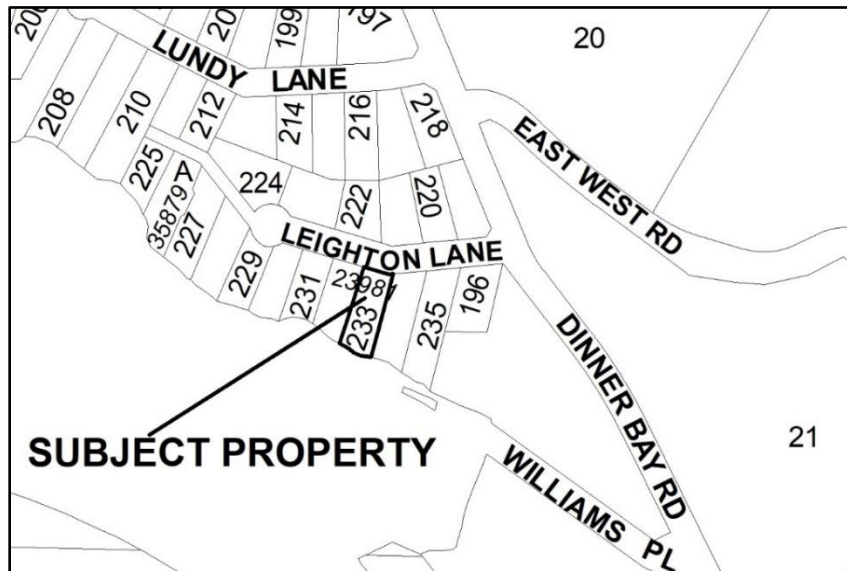
http://www.islandstrust.bc.ca/media/349940/ma-ltc_2020-09-28_agd_pkg_final.pdf

The draft permit circulated for notification included variances to the LUB contained the following variances:

- 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 construction of a structure (deck) within 0.08 metres (3 inches) upland from the natural boundary of the sea;
- b) Article 5.1(8) (a) which states that the minimum setback for any building or structure is 8 metres (26 feet) from any front or rear lot line is varied to permit the construction of a structure (deck) within 0.08 metres (3 inches) of a rear lot line;
- c) Article 5.1(8) (b) which states that the minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line is varied to permit the construction of structures (deck and stairs attached to a dwelling) within 0.5 metres (1.5 feet) of a interior side lot line; and,
- d) Article 5.1(8) (b) which states that the minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line is varied to permit the construction of a structure (walkway landing) within 1.5 metres (5 feet) of a interior side lot line

The amended application removes variances a) and b) (above – see also Attachment 2 and Figure 2)

Figure 1 – Subject Property



Specific File Activity:

As above, the application has been considered previously by the LTC on September 28, 2020. The following is a summary of activities that have occurred for this application since that time:

- At the September 28, 2020 Mayne Island Local Trust Committee (LTC) meeting, the LTC passed the following resolution:

MA-2020-060

It was Moved and Seconded,

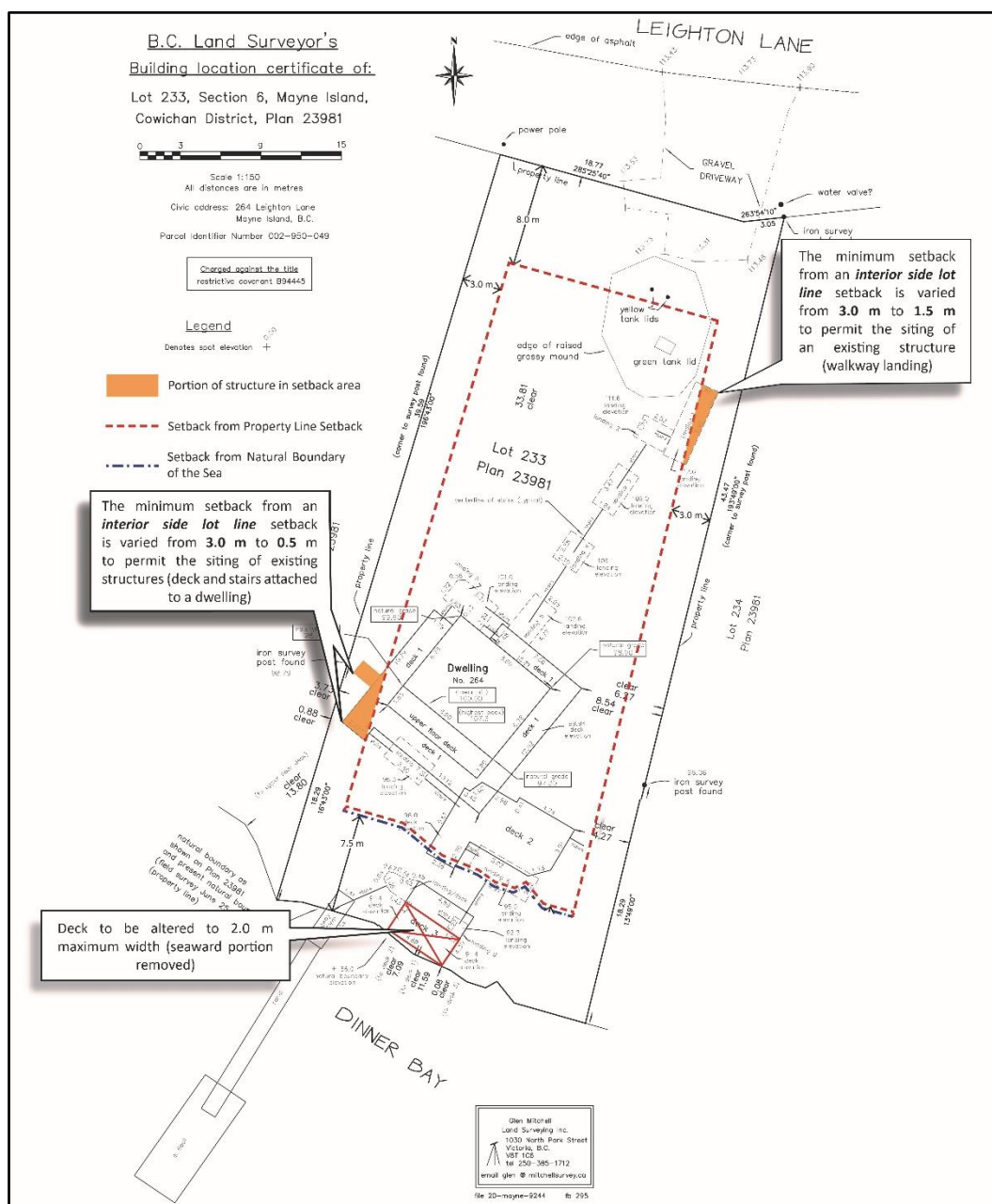
that the Mayne Local Trust Committee refer the Development Variance Permit application MA-DVP-2020.7 to the Advisory Planning Committee for further consideration.

CARRIED

Chair Rogers Opposed

- Staff prepared and sent a referral package to the Mayne Island Advisory Planning Commission (APC) on October 6, 2020.
- The Chair of the APC scheduled a meeting for Monday, October 21, 2020 for the specific referral.
- The applicant contacted staff on October 13, 2020 requesting the amendment to his application (Attachment 2). In addition, he has committed to altering the lower deck by removing the seaward portion with a remaining maximum width of 2.0 metres (6.6 feet) to conform to the bylaw regulation (as a walkway for access to the shoreline), and to complete that work within four (4) to five (5) months. The applicant's request is consistent with the recommendations from the previous staff report of September 28, 2020.

- The information on the amended application was forwarded to the LTC on October 13, 2020.
- Staff discussed the changes with the Chair of the APC and he made the decision to defer the scheduled APC meeting indefinitely, pending the outcome of further consideration by the LTC of the application as amended.
- Staff amended the draft DVP for further consideration by the LTC. For clarity, a ‘blackline’ version of the amended MA-DVP-2020.7 is Attachment 1.



ANALYSIS

Circulation

DVP Notices were circulated to surrounding property owners and residents. The notification period ended at 4:30 p.m. on September 16, 2020.

After the notification period ended and publication of the staff report for September 28, 2020 LTC meeting, one letter of support from a neighbour was received and forwarded to the LTC.

As the amendment to the draft DVP as circulated is more restrictive, further notification to neighbouring properties is not required.

Consultation

First Nations

At this time, Development Variance Permit applications related to existing development (no new development is proposed) do not raise concerns related to Local Trust Committee Standing Resolutions on reconciliation. As with the previous staff report, RAAD mapping indicates archaeological potential on the property, as such the Islands Trust Chance Find Protocol was been forwarded to the owner.

Rationale for Recommendation

The recommendations on page 1 supports the two proposed side yard variances given:

- They are minor in nature;
- the potential impacts from granting the variances are relatively minor, particularly to the most impacted adjacent properties;
- notification to surrounding neighbours has been undertaken and to date staff have received one written response in favour of the (unamended) proposal; and,
- they do not challenge the intent of the bylaw provision.
- the applicant has provided a written statement committing to remove the other encroachments within a specified period of time and the bylaw enforcement file would remain open until the work is confirmed to have been completed.

ALTERNATIVES

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

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

2. Deny the application

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

Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee deny application MA-DVP-2020.7 (Cochrane).

NEXT STEPS

- If the recommendations on page 1 are passed, Bylaw Compliance and Enforcement staff will monitor compliance for altering the lower deck.

Submitted By:	Phil Testemale Planner 2	October 15, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	October 16, 2020

ATTACHMENTS

1. Amended Draft MA-DVP-2020.7 (Blackline Version)
2. Applicant's request



Islands Trust

**MAYNE ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
MA-DVP-2020.7- Amended**

To: Nigel Cochrane

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

Lot 233, Section 6, Mayne Island, Cowichan District, Plan 23981
(PID: 002-950-049)

2. Mayne Island Land Use Bylaw 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 construction of a structure (deck) within 0.08 metres (3 inches) upland from the natural boundary of the sea;~~

~~b) Article 5.1(8) (a) which states that the minimum setback for any building or structure is 8 metres (26 feet) from any front or rear lot line is varied to permit the construction of a structure (deck) within 0.08 metres (3 inches) of a rear lot line;~~

e)a) Article 5.1(8) (b) which states that the minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line is varied to permit the construction of structures (deck and stairs attached to a dwelling) within 0.5 metres (1.5 feet) of a interior side lot line; and,

e)b) Article 5.1(8) (b) which states that the minimum setback for any building or structure is 3 metres (10 feet) from any interior side lot line is varied to permit the construction of a structure (walkway landing) within 1.5 metres (5 feet) of a interior side lot line.

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

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

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

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF [MONTH], [YEAR (2 YEARS FROM DATE OF ISSUANCE)] THIS PERMIT AUTOMATICALLY LAPSES.

**MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-DVP-2020.7**

SCHEDULE 'A'

B.C. Land Surveyor's

Building location certificate of:

Lot 233, Section 6, Mayne Island,
Cowichan District, Plan 23981



Scale 1:150

All distances are in metres

Civic address: 264 Leighton Lane
Mayne Island, B.C.

Parcel Identifier Number 002-950-049

Charged against the title
restrictive covenant B94445

Legend

Denotes spot elevation

Portion of structure in setback area

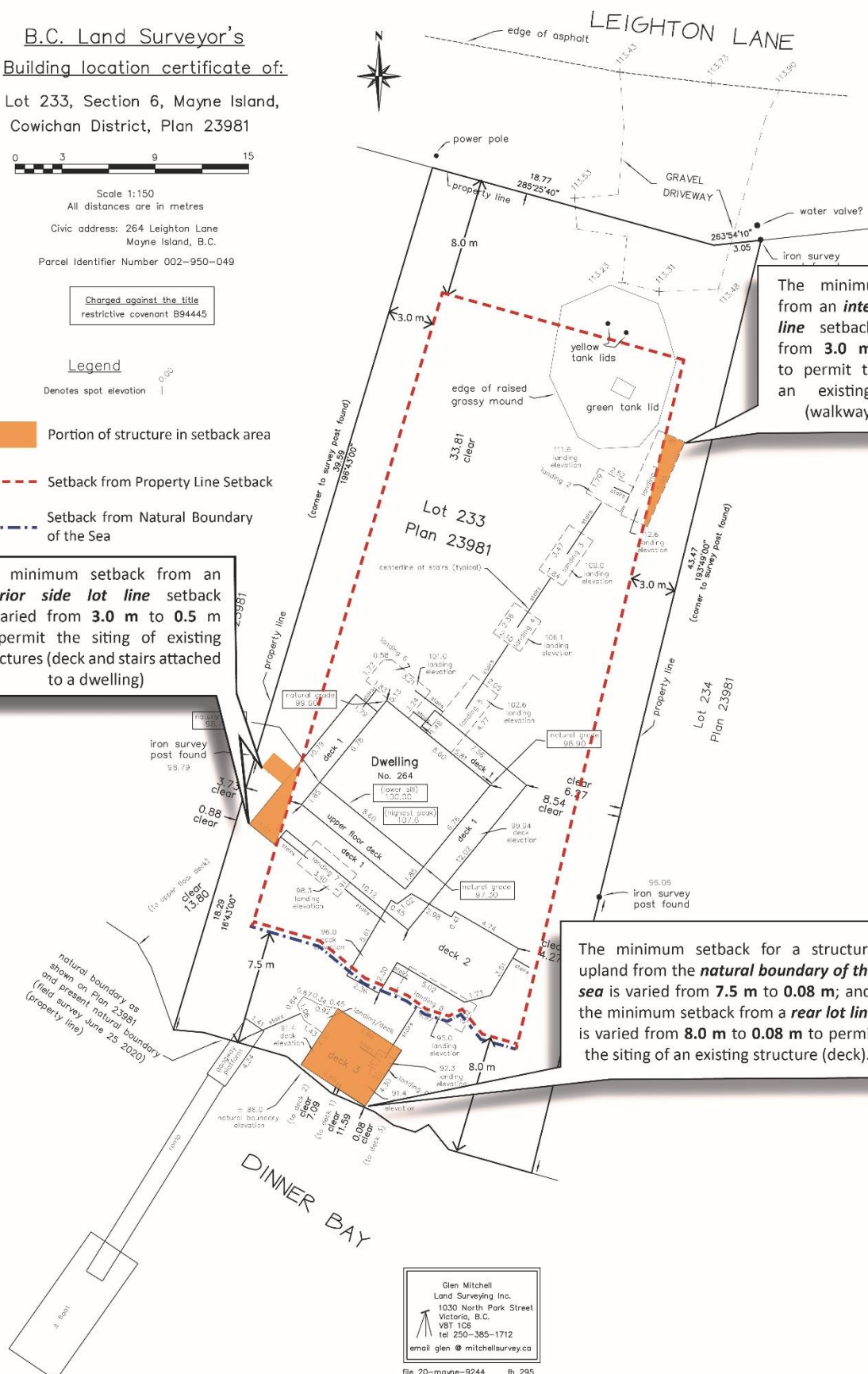
Setback from Property Line Setback

Setback from Natural Boundary
of the Sea

The minimum setback from an **interior side lot line** setback is varied from **3.0 m** to **0.5 m** to permit the siting of existing structures (deck and stairs attached to a dwelling)

The minimum setback from an **interior side lot line** setback is varied from **3.0 m** to **1.5 m** to permit the siting of an existing structure (walkway landing)

The minimum setback for a structure upland from the **natural boundary of the sea** is varied from **7.5 m** to **0.08 m**; and, the minimum setback from a **rear lot line** is varied from **8.0 m** to **0.08 m** to permit the siting of an existing structure (deck).



Glen Mitchell
Land Surveying Inc.
1030 North Park Street
Victoria, B.C.
V8T 1C6
Tel 250-385-1712
email glen@mitchellsurvey.ca

File 20-mayne-9244 lb 295

file 20-mayne-9244 fb 295

From: Nigel Cochrane <nigel@heavymetaldecking.com>
Sent: Tuesday, October 13, 2020 1:32 PM
To: Phil Testemale
Subject: 264 leighton lane

Hi Phil,

I am requesting to amend my application for a development variance permit(MA-DVP-2020.7(cochrane) to remove the variances from the natural boundary of the sea and the rear yard setbacks(for the lower deck) and request that the Local trust committee give further consideration to the application to include only the encroachments on either side of the property.

For the lower deck (deck3) that's encroaching on the natural boundary of the sea and rear yard, I will commit to altering (cutting) the deck and railing back Approx 4' to bring the structure into compliance with the bylaw regulations. I will complete that work within approximately 4-5 months to get the work done.

please let me know if you need anything else from my end

Nigel Cochrane
President

Heavy Metal Decking Ltd
#127 18525 53rd Ave
Surrey, BC V3S 7A4
Office: 604-372-4140
Fax: 604-372-0341
Cell: 604-834-7937



DATE OF MEETING: October 26, 2020
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Mayne Island Land Use Bylaw 180 – Technical Review (Post Public Hearing)

RECOMMENDATION

1. That the Mayne Island Local Trust Committee Bylaw No. 180, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020” be read a third time.
2. That the Mayne Island Local Trust Committee Bylaw No. 180, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

To purpose of this report is to outline the process for approving Bylaw No. 180 (LUB Technical Review).

BACKGROUND

Background to this application, including staff reports is available on the Islands Trust website:
<http://www.islandstrust.bc.ca/islands/local-trust-areas/mayne/projects-initiatives/lub-technical-review/>

The bylaw includes a number of technical updates to the Mayne Island Land Use Bylaw with respect to: certain definitions; erroneous cross-references; typographical errors; unclear wording; and outdated references. It also includes new regulation related to derelict vehicles.

A public hearing is scheduled for October 26, 2020. A public hearing is a quasi-judicial process within and following which specific procedures must be followed. Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

- Consideration of Third Reading.
- Forwarding of the bylaw to Executive Committee for approval.
- Reconsideration and adoption.

Following the close of the 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.

If the Executive Committee approves the bylaw, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation

Should the Mayne Island LTC choose to move forward to approve the proposed bylaw, the recommendations are in keeping with legislative process for the approval of Islands Trust bylaws.

1. That the Mayne Island Local Trust Committee Bylaw No. 180, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020" be read a third time.
2. That the Mayne Island Local Trust Committee Bylaw No. 180, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

ALTERNATIVES

1. Amend the Bylaw before moving to Third Reading

The LTC may choose to amend the Bylaw before moving to third reading.

That the Mayne Island Local Trust Committee Bylaw No. 180, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020" be read a third time as amended.

2. Request further information

The LTC may request further information prior to making a decision. Staff advise that this will extend the timeline for Bylaw adoption. The information being requested will need to be specified in the resolution.

That the Mayne Island Local Trust Committee request information onbefore moving Mayne Island Local Trust Committee Bylaw No. 180, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020" to third reading.

3. Do not approve the bylaw

The LTC may choose not to approve the bylaw.

That the Mayne Island Local Trust Committee proposed Bylaw No. 180, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020" not be approved.

NEXT STEPS

- Staff will forward Bylaw 180 to the Secretary of the Islands Trust for approval by the Executive Committee.
- Once approved by the Executive Committee the Bylaw will come back to the LTC for final approval.

Submitted By:	Narissa Chadwick RPP, Island Planner	October 8, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	October 9, 2020

ATTACHMENTS

1. Bylaw 180

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 180

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

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2020”.

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 By deleting the definition of “Concrete” in its entirety.

2.2 By deleting the word “Regional District” from the definition of “Hall” and replacing it with “local government”.

2.3 By adding “and no other uses including driveways and parking lots” to the definition of “Park, passive recreation” after “signage”.

2.4 By deleting “doe” from the definition of “School” and replacing it with “does”.

2.5 By deleting “, and passive recreation parks” from subsection 3.1(2).

2.6 By inserting a new subsection 3.1(7) as follows:

“3.1(7) Passive recreation park, each park limited to hiking and walking trails and signs not exceeding 1 square metre each. No other uses including driveways and parking lots are permitted.”

2.7 By inserting a new subsection 3.1(8) as follows:

“(8) Water system facilities owned and operated by a regional district, improvement district or community water utility, including wells, pumphouses, lines, water collection and storage tanks, and septic systems.”

2.8 Deleting “Without limiting the generality of subsection 3.6(1),” from subsection 3.6(2).

2.9 By inserting “not exceeding 2 metres (6.6 feet) in height” following the word “wall” in article 3.8(1)(c) (Landscape Screening).

2.10 By inserting a new subsection 3.10(2) as follows:

“(2) If a lot is divided by one or more zone boundaries, lot coverage and maximum floor area must be calculated by reference to the areas of the portions of the lot lying within each zone.”

2.11 By inserting a new section 3.14 as follows:

“3.14 Derelict Vehicles

Lots under 1 acre/ 0.4 hectares shall not be used for:

- (1) the storage of more than one unlicensed motor vehicle, unless the vehicles are stored within a permitted building;
- (2) the wrecking or storage of derelict or abandoned vehicles, trailers or other discarded machinery or equipment; and
- (3) the storage of detached or salvaged motor vehicle parts or scrap, unless the parts are stored within a permitted building that is completely enclosed.”

2.12 By deleting “20m² (87ft²)” from subsection 5.9(5) and replacing it with “20m² (215 ft²)”.

2.13 By deleting subsection 5.10(10) in its entirety and replacing with “rescinded”.

2.14 By inserting a new row in the table in subsection 5.21(3) in the Water Moorage (W2) zone as follows:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
W2(b)	Area of foreshore fronting Plan VIS 6703 contained within DL 560 and identified as Licence 113232.	Despite 5.21(1) the only uses permitted in this location are: (a) Dock, accessory to the upland uses, and limited to one float not exceeding a size of 36.5 m ² .

2.15 Deleting the phrase “no additional lots are created;” from article 8.2(1)(d) and replacing it with “the area of any lot would not be increased to an extent that it could be subdivided into more lots than would be permitted under this bylaw without the boundary adjustment;”

2.16 By updating outdated references to the local government act as follows:

- 2.16.1 By deleting the number "946" in Table of Contents page 3 and replacing it with the number "514".
- 2.16.2 By deleting the number "946" in section 8.4 and subsection 8.4(1) and replacing it with the number "514".
- 2.16.3 By deleting the number "944" in subsection 8.5(1) and replacing it with the number "512".

2.17 By adding the phrase "and emergency services" to the definition of 'Community Wharf' after "for area residents"

Map Amendments

2.18 Schedule "B" (Zoning Map) is amended by changing the zoning classification of an area of foreshore fronting Plan VIS 6703 contained within DL 560 and identified as License 113232 from W2 to W2(b) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" to Land Use Bylaw No. 146 as are required to effect this change.

2.19 Schedule "D" (Secondary Suites Map) is amended by including the area "being added to where secondary suites are permitted" as shown on Plan No. 2 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	29 TH	DAY OF	JUNE	2020.
READ A SECOND TIME THIS	28 TH	DAY OF	SEPTEMBER	2020.
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

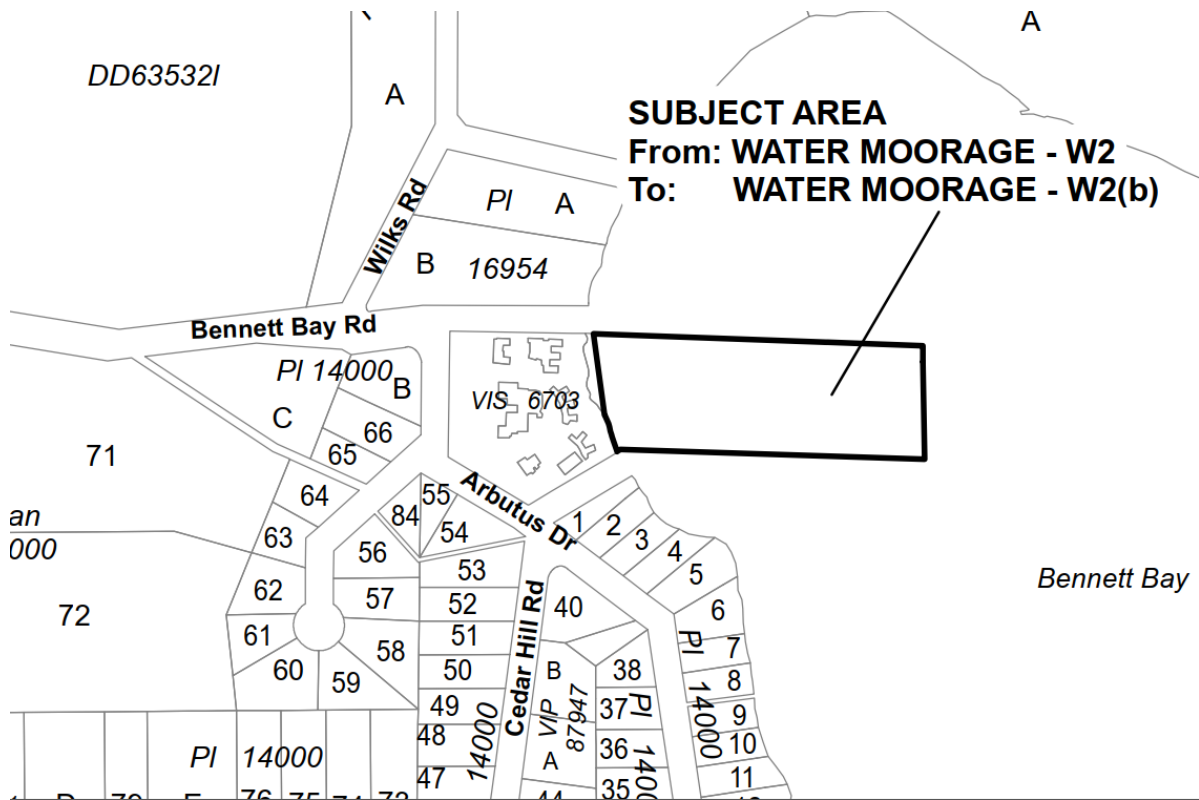
Bylaw 180

SECRETARY

3 of 5

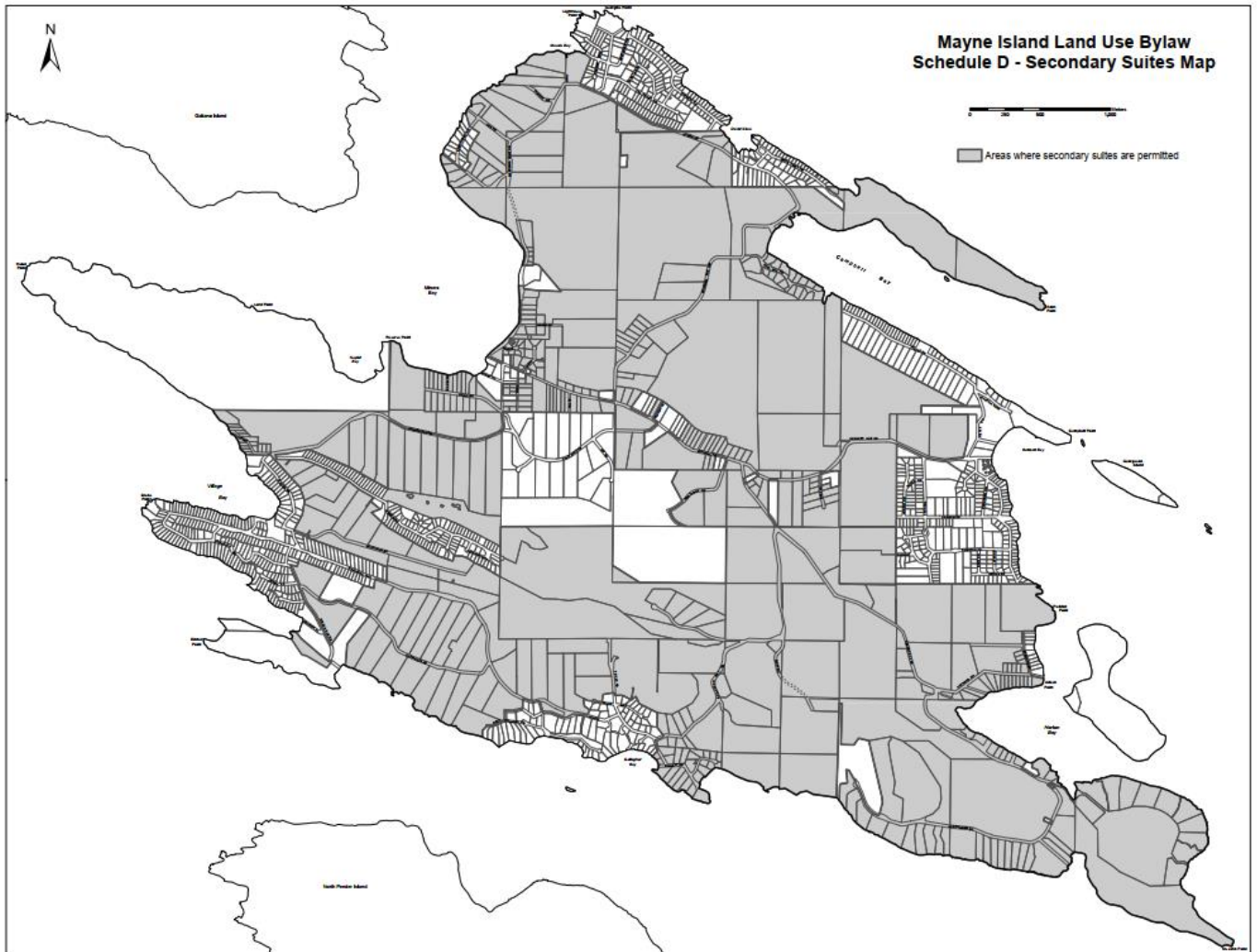
MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 180

Plan No. 1



MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 180

Plan No. 2





DATE OF MEETING: October 26, 2020
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Mayne Island Housing Regulations and Policy Review – Options for Discussion

RECOMMENDATION

1. That the Mayne Island Local Trust Committee request staff to schedule a special meeting to discuss options supporting housing flexibility and specifically invite Advisory Planning Committee (APC) members to attend.

REPORT SUMMARY

This report identifies a number of questions related to options supporting housing flexibility for the LTC to consider and discuss before directing staff to draft bylaw amendments and engage the public.

BACKGROUND

Continuing on from previous stages in the project initiated in May of 2019, which has included the Mayne Island Housing Regulations and Policy Review Project Discussion Paper, a report was presented to the LTC at their regular meeting on September 28th exploring the need for flexible housing options on single lots, limitations that currently exist in the Mayne Island Land Use Bylaw, and details related to the option of distributing a maximum square footage among a number of dwellings on lots in the Settlement Residential (SR) zone as a means on increasing housing flexibility. At the September 28th meeting:

It was Moved and Seconded,

That the Mayne Island Local Trust Committee direct staff to report back with further details related to the distributed floor area option for addressing housing flexibility.

Reports related to this project can be found on Mayne Island's Projects Webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/mayne/projects-initiatives/housing-review/>

ANALYSIS

As identified in the September 28, 2020 report the LUB limitations on housing flexibility include:

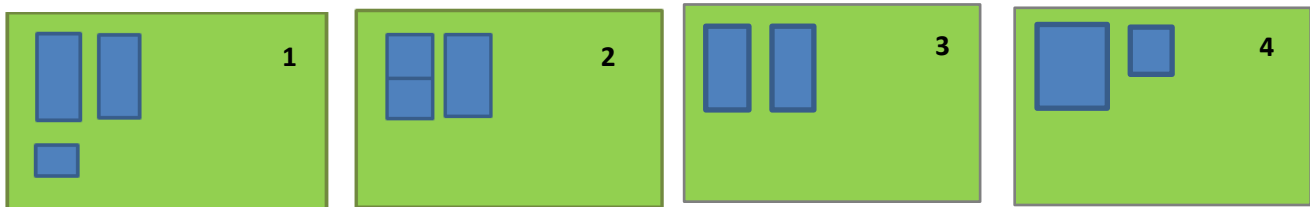
- Lots under 0.6 hectares are not permitted to have a cottage.

\\islandstrust.local\DFSMain\EDM\12 Long Range Planning\08 MA\6500 LTC Work Program\20 Projects (P)\2019 Housing Bylaw & Policy Review\Staff reports\Staff Report -Oct.26_2020\MA-LTC-2020-10-26.docx

- Restrictions on size of cottages and secondary suites.
- Only one secondary suite or one cottage, in addition to primary dwelling can be constructed on parcels less than 4 hectares.

The option of distributing a maximum floor area between a number of dwellings in the Settlement Residential Zone (SR), was explored in the September 28, 2020 report to address these limitations. As illustrated in the report, the option would allow for:

1. Up to 3 dwellings on SR lots >0.6ha
2. A dwelling with a suite and an additional dwelling on all SR lots where secondary suites are allowed
3. Two dwellings of similar size on all SR lots
4. Two dwellings of different size on all SR lots



Could all the units be connected?

Yes, the dwelling units could be connected as duplexes or triplexes. The LUB can permit this option. There may be different considerations for new builds and house conversions in existing dwellings.

Could this option be considered in the areas where secondary suites are not permitted?

Secondary suites are currently not permitted in areas where a water service is in place. Water districts should be consulted to identify if they have concerns with allowing additional dwelling units.

Could more than two dwellings on lots <0.6 hectares and more than 3 on lots >0.6 hectares be considered?

This is a possibility. The major consideration is water use. Additional density could be restricted to areas where water can be shown to be plentiful. Additional density could also be allowed with the provision of a community amenity. Staff would need to explore options for community amenity in this case. These options would need to be clearly identified in the LUB. The other option would be to not place a limit on the number of dwellings while limiting total aggregate floor area as well as requiring the clustering of dwellings.

What kind of consideration should be made to limit impact on freshwater?

Rainwater catchment should be a requirement for any additional density. Along with Policy Statement and OCP policies, the Mayne Island LUB requires the installation of a rainwater catchment and storage system (minimum 13640 litres/3000 gallons) before a building permit of a secondary suite can be issued

Could rental zoning be considered?

Recent legislative amendments allow local governments to zone for tenure and require rental units in multi-family zones. Provincial staff have indicated that two or more units could be considered multi-family. The legislation was designed for larger multi-family residential developments. There are no known examples of rental zoning being used on a smaller scale. The City of Victoria explored the use of rental zoning for secondary suite and garden suites (similar to cottage) and concluded that it may result in unintended consequences. For example, the requirement of a rental agreement would restrict the ability of a property owner to occupy their garden suite or secondary suite

as additional living space for their own family, such as aging parents, or occupy these spaces themselves and rent out the main dwelling as they age or their family composition changes.

Could strata ownership be considered on land that cannot be subdivided?

The Strata Property Act authorizes building stratas to be established for construction without the requirement for review by a subdivision approving officer and without subdividing the land. It allows titles of two units or more on one property to be individually bought, owned, and sold. The land surrounding the units is considered “common property.” This arrangement enables co-ownership of land separate from ownership of individual dwelling units offering affordable ownership scenarios through land sharing. One potential impact of building stratas may be individual buyers purchasing properties to build and then sell multiple units, thereby increasing property values.

What kind of maximum floor area should be considered in a distributed floor area scenario?

The lower the maximum floor area, the lighter the impact on the land. The limit on floor area should be determined based on the size of the lot and consider existing permitted lot coverage. Given the LTC’s interest in reducing ecological footprint the maximum floor area should encourage the building of smaller dwellings (e.g. 2000ft² on lots <0.6).

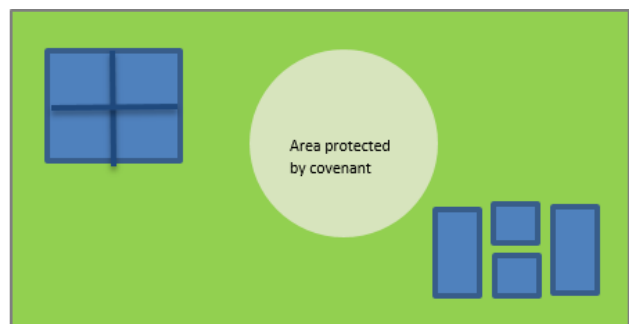
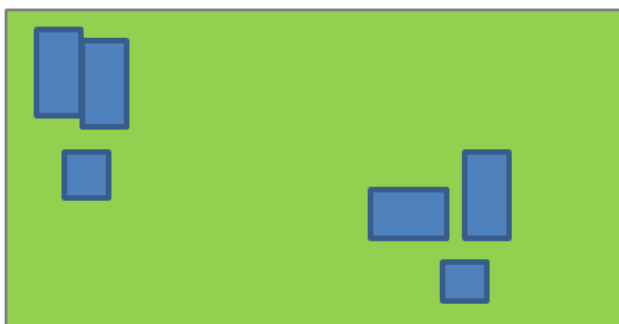
Should maximum floor area be considered for all lots regardless of whether it is distributed or not?

Mayne Island currently does not have maximum floor areas for primary dwellings, only for cottages. The only regulation restricting the size of a primary dwelling is lot coverage. As has been experienced on Mayne, as well as other Islands, unrestricted dwelling footprints can lead to the development of large and sprawling homes throughout the Islands Trust Area. As the establishment of maximum floor areas can be very controversial, the LTC may want to consider this as a separate project and wait to learn from the experience of the North Pender LTC which is currently exploring this topic.

Can options for zones be considered in this review?

Yes, the LTC could consider options for other zones. Starting with the Settlement Residential Zone (SR) helps to focus the discussion. What is decided for the SR zone could be transferred to other zones. As illustrated below, where additional residences with cottages are allowed (eg. in Rural Residential One (RR1) one dwelling and cottage is allowed for every 2.8 hectares, in the Rural (R) Zone One dwelling with cottage is allowed for every 4 hectares) a similar approach could be taken. Clustering housing/home plate should be required. Options include:

1. Allowing up to 3 dwellings in each cluster outright with a maximum aggregate floor area. These could be separate or combined.
2. Allowing additional units in each cluster (with a maximum aggregate floor area) in exchange for a community amenity (e.g. on larger properties it will be easier to identify area of land for protection under a covenant)



When and how will the community be engaged?

It will be important for the community to be engaged in discussions related to implementing options. As indicated in the revised project charter community engagement is anticipated to occur February – April 2021 after the LTC has had a chance to review and discuss options. Community engagement may be in person and/or online depending on Covid protocols at the time.

Other considerations explored in the September 28, 2020 report:

- Don't include RVs as part of distributed square footage option
- Do not include tiny homes on wheels
- Increase floor area maximum for secondary suites
- Require rainwater catchment for all additional density
- Do not allow more than one dwelling unit to be rented as a home occupation STVR

Rationale for Recommendation

Recommendation: That the Mayne Island Local Trust Committee request staff to schedule a special meeting to discuss options supporting housing flexibility.

Rationale: There are a number of factors to consider with respect to supporting more flexible housing with a reduced environmental footprint. Because of the volume of items on LTC regular meeting agendas it is sometimes difficult to address all the issues related to projects such as this. Holding a special meeting related to the Housing Regulations and Policy Review will enable Trustees to identify additional questions and explore all concerns and interests in detail before moving to the next stage of the project. Inviting the APC to attend will help identify other questions, concerns and interests the community may have.

ALTERNATIVES

1. Hold a Special Meeting on Housing without inviting the Advisory Planning Committee

The LTC may decide not to invite the Advisory Planning Committee to the Special Meeting.

That the Mayne Island Local Trust Committee request staff to schedule a special meeting to discuss options supporting housing flexibility.

2. Request Staff to Schedule Community Engagement

The LTC may decide to engage the community to identify questions and concerns in order to have full community input into the process before having further discussion.

That the Mayne Island Local Trust Committee request staff to schedule community engagement before the LTC further discuss options.

3. Request Staff to Draft Bylaws

The LTC may decide that no further discussion is required before requesting staff to draft bylaws.

That the Mayne Island Local Trust Committee request staff to draft bylaws based on recommendations made during the October 26, 2020 LTC meeting.

4. Remove Project from Project Priority List

The LTC may choose to remove the project from the priority list and return to it at a later date.

That the Mayne Island Local Trust Committee request staff to remove the Housing Regulations and Policy Review from the Priority Projects list.

NEXT STEPS

If the recommendation is supported:

- Staff will schedule a Special Meeting for November.
- Staff will prepare materials for discussion as required.

Submitted By:	Narissa Chadwick (RPP), Island Planner	October 7, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	October 9, 2020

ATTACHMENTS

1. Project Charter

Mayne Island Housing Regulations and Policy Review – Charter (Updated from June 24, 2019)

Mayne Island LTC

Date: October 6, 2020

Purpose: The purpose of this project is to conduct a review of current housing regulations, policies and related incentives on Mayne Island and provide potential options for changes that could provide more flexibility and incentives for increasing flexibility for affordable housing. The project will also consider the potential environmental footprint and impacts (both positive and negative) of these alternatives.

Background: Housing is one of Mayne Island LTC's Top Priorities. Significant effort has been invested by the LTC over the years on this issue. The 2011 Mayne Island Housing Options Task Force Report contains several other recommendations including the need to explore options for affordable housing. The Capital Regional District (CRD) February 2018 assessment of housing needs in the Southern Gulf Islands concluded that "all evidence clearly points to serious shortages in secure, appropriate and affordable housing for low to moderate income earners".

Objectives

- To assess the impact and effectiveness of LUB housing regulations/policies
- To gauge community interest in increased housing flexibility
- To explore alternatives for regulatory/policy changes that provide more flexibility and incentives for increasing flexible and affordable housing.
- To consider the potential environmental footprint and impacts (both positive and negative) of alternatives

In Scope

- Research/analysis of existing regulations/policies
- Build-out analysis and jurisdictional scan
- Public outreach including at least one public meeting
- Consultation with agencies and affected stakeholders
- Bylaw amendment process (depends on recommendations)

Out of Scope

- Unrelated OCP or LUB amendments
- Other housing/zoning related regulations or policies

Workplan Overview

Deliverable/Milestone	Date
Complete review/documentation of existing regulations/policies, build-out analysis, jurisdictional scan etc.	September 2019
Develop discussion paper summarizing findings of review	Fall 2019
LTC Review of potential options	Oct 2020- Jan 2021
Complete public/stakeholder consultation (including public meetings)	Feb – April 2021
Consideration of proposed bylaw amendments	May -June 2021
Bylaw amendment process	July – Dec 2021

Project Team

Narissa Chadwick, Island Planner	Project Manager
Maple Hung, Planning Assistant	Admin Support
Jackie O'Neil, GIS Technician	GIS Support
RPM Approval: <i>Robert Kojima</i> Date: June 14, 2019 Update: Sept. 28, 2020 Oct.5,2020	LTC Endorsement: Resolution #:MA-2019-042 Date: June 24, 2019

Budget

Budget Sources: LTC Project Budget (Fiscal 2020-2021)

Fiscal	Item	Cost
2020-21	Open House/CIM	\$1000
2020-21	Advertising, communications and materials	\$1000
2020-21	Contingency (legal, additional public/stakeholder meetings etc)	\$1000
	Total	\$3000



Top Priorities Report

Mayne Island

1. Land Use Bylaw Technical Amendments

Responsible

Dates

Draft Bylaw with technical amendments prepared for June 29, 2020 LTC agenda.
Through First reading at June 29 meeting, referrals sent, public hearing is being scheduled for September 2020.
Second reading July 27th.
Public Hearing postponed.
Additional amendments proposed at Sept. 28, 2020 meeting.
Public Hearing to be held prior to October 26, 2020 meeting.

Narrisa Chadwick

Rec'd: 23-Sep-2019

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

Responsible

Dates

Initial staff report prepared for Oct 28, 2019 LTC meeting
Further staff report prepared for January 27, 2020 LTC Meeting
Report brought back to July 27, 2020 LTC meeting
Report prepared for September 28, 2020 LTC meeting
Report prepared for October 26, 2020 LTC meeting

Brad Smith
Narrisa Chadwick

Rec'd: 26-Nov-2018

3. Groundwater Sustainability Project

Responsible

Dates

Update LTC with status of project at July 27, 2020 LTC Meeting.

Narrisa Chadwick
William Shulba

Rec'd: 27-May-2019

Projects Report

Mayne Island

1. *Climate Change Adaptation*

Responsible

Date Received

Consider regulatory changes and implementation of new DPA authority

02-Mar-2009

2. *Waste Management*

Responsible

Date Received

31-Oct-2017

3. *Fallow Deer*

Responsible

Date Received

26-Mar-2018

4. *Cannabis Production - Regulating structures*

Responsible

Date Received

24-Sep-2018

5. *Review of Contractors Yards*

Responsible

Date Received

27-May-2019

6. *Paved surfaces and patios.*

Responsible

Date Received

28-Sep-2020



Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.7	Cochrane, Nigel	10-Jul-2020	264 Leighton Lane - Variance in regards to the deck and stairs (which is encroaching on the applicant's neighbouring property).

Planner: Phil Testemale

Planning Status

Status Date: 13-Oct-2020

Amended application received. APC deferred. Report to LTC for further consideration at October 26, 2020 LTC.

Status Date: 06-Oct-2020

Referral memo and package forwarded to PTA.

Status Date: 30-Sep-2020

LTC referred to APC for review and recommendations.

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.8	Peace, Wayne	23-Jul-2020	445 Garrick Road - Development Variance to divide the property into 5 parcels.

Planner: Narrisa Chadwick

Planning Status

Status Date: 15-Oct-2020

Preliminary report to LTC October 26, 2020

Status Date: 17-Sep-2020

Connected with freshwater specialist about potential covenant requirements

Status Date: 28-Jul-2020

Fees received, sent to LTC members.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2018.1	Capital Regional District (MIPRC)	01-Nov-2018	Application to amend the OCP and LUB to rezone from Rural to Park
Planner: Narrisa Chadwick			
Planning Status			
Status Date: 28-Sep-2020			
Bylaw read for second time.			
Status Date: 18-Sep-2020			
Staff report on Sept 28th agenda			
Status Date: 17-Jun-2020			
CRD to explore options to measure existing buildings. Site visits with FN focus to be organized when travel ban is lifted.			

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2020.1	Mayne Island Housing Society	17-Jun-2020	375 Village Bay Road - Mayne Island Housing Society applying for a rezoning to allow for subdivision into two residential parcels and one multifamily development.
Planner: Narrisa Chadwick			
Planning Status			
Status Date: 24-Aug-2020			
Planner Chadwick visited site with MIHS and Registered Professional Biologist			
Status Date: 27-Jul-2020			
Preliminary staff report provided to LTC			
Status Date: 22-Jul-2020			
Planner Chadwick visited site with Trustee Dodds and Trustee Maude			



Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.1	Brent Mayenburg (Maude)	09-Apr-2018	Referral of a subdivision for 3 lots

Planner: Narrisa Chadwick

Planning Status

Status Date: 22-Apr-2020

Extension of the PLA has been requested

Status Date: 18-Sep-2019

Waiting for applicant to work through PLA conditions.

Status Date: 16-May-2019

PLA received from MoTI April 25, 2019.

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.3	Wey Mayenburg Land Surveying Inc (Peace)	16-Oct-2018	Referral of a subdivision to create 2 lots

Planner: Narrisa Chadwick

Planning Status

Status Date: 15-Oct-2020

Preliminary report for water quantity DVP to LTC October 26.

Status Date: 15-Oct-2020

Covenant for water quality being drafted.

Status Date: 09-Sep-2020

DVP for water quality and quantity requested and received.



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2020.1	Arbutus Bay Estates Ltd.	04-Jun-2020	797 Beechwood Drive - Subdivision referral application review for two lots.

Planner: Phil Testemale

Planning Status

Status Date: 18-Sep-2020

Letter (August 31, 2020) to LTC req. waiving of req. for survey for DP on September 28, 2020 agenda.

Status Date: 13-Aug-2020

PLRS was received from MoTI Officer, Owen Page. Completion of PR pending receipt of info from applicant.

Status Date: 11-Aug-2020

Applicant is waiting for PLA prior to applying for DVP (required survey)

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending August 2020

645 Mayne	Invoices posted to Month ending August 2020	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-645	LTC "Trustee Expenses"	506.00	0.00	506.00
LTC Local				
65200-645	LTC - Local Exp - LTC Meeting Expenses	673.00	568.20	104.80
65210-645	LTC - Local Exp - APC Meeting Expenses	253.00	134.00	119.00
65220-645	LTC - Local Exp - Communications	250.00	224.76	25.24
65230-645	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>1,470.00</u>	<u>926.96</u>	<u>543.04</u>
Projects				
73001-645-2005	Mayne OCP/LUB	2,500.00	0.00	2,500.00
73001-645-4100	Mayne Island Housing	3,000.00	0.00	3,000.00
TOTAL Project Expenses		<u>5,500.00</u>	<u>0.00</u>	<u>5,500.00</u>

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) - 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	Carried	24-Sep-2018

Standing Resolutions Log

Mayne Island

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

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2012-000 (Standing)	Carried	01-Feb-2012
That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.		
2011-044 (Standing)	Carried	02-May-2011
that Mayne Island Local Trust Committee direct staff to only include in-camera minutes on agendas where there are other reasons to close the meeting to the public.		



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality October 6, 2020

Islands Trust Conservancy Board News

In accordance with *Ministerial Order M192 – Local Government Meetings & Bylaw Process* and *Province of BC Bill 19 – 2020*, the Islands Trust Conservancy cannot conduct public in-person meetings at this time. In order to meet the principles of openness, transparency, and accessibility, meetings of the Board will be held electronically over the period August 26 to October 31, 2020. They will be live streamed, and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

Board and Staff Updates:

- ITC Board noted the resignation of appointed member Hannon. New appointments are delayed due to the BC election, but a notice of appointment has been provided to the Crown Agencies and Board Resourcing Office to fill the position.
- ITC welcomed back Corlynn Strachan as its Administrative Assistant, extending farewell to Alexandra Trifonidis who acted in the position for the last two years.
- ITC Manager, Jennifer Eliason, on temporary assignment since July 2018, has taken a permanent position with BC Parks as a Senior Parks and Protected Areas Planner. Next steps for filling the position of ITC Manager are being considered.

The ITC Board received a presentation from Shauna Doll, Gulf Islands Forest Conservation Project Coordinator, from the Raincoast Conservation Foundation, which included recommendations for policy reform to protect endangered forests and habitats within the Islands Trust Area.

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work of ITC. The ITC continues to work towards 4 long-term goals and 25 objectives that further conservation in the entire Trust Area. For more information, visit www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

The ITC is working on a Memorandum of Understanding with Islands Trust and the Martin Conservation Decisions Lab at the University of British Columbia to partner on data acquisition and analysis.

Goal 2 – Strong relationships with First Nations

Reflecting the intent of UNDRIP, TRCC, and the [ITC Reconciliation Declaration](#), ITC Board approved the removal of “Canada’s” from the ITC tagline so that the tagline reads “Protecting islands in the Salish Sea”, and revised its vision statement as follows:

The Islands Trust Conservancy vision is for a network of protected areas that preserve in perpetuity the natural systems of the islands in the Salish Sea.

ITC Board directed staff to complete an ITC Reconciliation Action Plan that incorporates actions identified in Goal 2 of the Regional Conservation Plan.

Goal 3 – Protection of core conservation areas

ITC has received \$597,000 in funding from Environment and Climate Change Canada (ECCC) for the Species at Risk (SAR) Program and is in the final stages of negotiating the Contribution Agreement which will extend until March 31, 2023. Organizational implications include the addition of a SAR Program Coordinator and Summer Co-op position as well as funding for:

- SAR surveys and monitoring
- Restoration of critical habitat
- SAR outreach materials and events
- Costs associated with land securement
- Engagement and work with First Nations

Funding cannot be used for land purchase.

ITC Board considered its fall intake for the Opportunity Fund, a grant program for hard to fundraise costs associated with land conservation.

Goal 4 – A strong voice for nature conservation

The Board approved a proposed 2021/22 Budget and forwarded it to Financial Planning Committee for Islands Trust budget planning. Staff noted that they are considering options for socially responsible investing, and are planning to move ITC funds into impact investments. The Board requested more information about this move for its November meeting.

Covenant Management and Outreach Specialist briefed the Board on completion of the 2020 forest outreach campaign, where letters and NAPTEP brochures were mailed to landowners to encourage conservation.

Activities by Local Trust Area/Island Municipality

Bowen – ITC Board awarded a \$5,000 Opportunity Fund grant to the Bowen Island Conservancy for conservation work on Bowen Island.

ITC removed danger trees at the Singing Woods Nature Reserve.

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

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

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Denman – ITC is working with the Denman Conservancy Association to remove invasive species and manage trails in the Morrison Marsh, Lindsay Dickson, Inner Island and Valens Brook Nature Reserves.

Gabriola – ITC is working with the Gabriola Land and Trails Trust to do trail maintenance in the Elder Cedar Nature Reserve and install signage at the Coats Millstone Nature Reserve. Invasive species removal is happening at the Elder Cedar Nature Reserve and at a covenant area.

Galiano – Restoration work is being done and monitored at the Trincomali Nature Sanctuary.

Gambier/Keats – ITC will receive \$12,000 from the Convention of Baptist Churches as a required contribution related to the transfer of the Sandy Beach property to ITC. The ITC Board directed staff to create a Property Management Fund with \$10,000 and use the remaining \$2,000 to finalize the conservation covenant for the land.

Lasqueti – The ITC is working in partnership with the Lasqueti Island Nature Conservancy on restoration of wetland and riparian habitat at a pond on the Salish View Nature Reserve. Restoration work is also ongoing at the Mount Trematon and John Osland Nature Reserves.

North Pender/Sidney Island – Staff continue to work in collaboration with Parks Canada, First Nations, FLNRORD and the Sallas Strata on the Sidney Island Ecological Restoration Project.

Salt Spring – the owners of land adjacent to the Lower Mount Erskine Nature Reserve have met all the requirements to covenant their land and staff are proceeding with covenant registration. Invasive species management is occurring on the McFadden Creek and Lower Mount Erskine Nature Reserves and in two covenant areas.

Thetis – ITC Board reviewed bylaws 108 and 109 and noted that its interests were unaffected. ITC is working with the Thetis Island Nature Conservancy to manage invasive species and provide signage in the Fairyslipper Forest Nature Reserve. Species at Risk surveys are also ongoing in the Fairyslipper and Moore Hill Nature Reserves.

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

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

Islands Trust Conservancy itcmail@islandstrust.bc.ca



Updated: October 14, 2020

MAYNE ISLAND LOCAL TRUST COMMITTEE

DRAFT NOTICE OF 2021 BUSINESS MEETINGS

THE LTC HAS DRAFT THE FOLLOWING DATES FOR ITS 2021 MEETING SCHEDULE.
MEETINGS ARE SUBJECT TO CHANGE. PLEASE VISIT THE MAYNE LTC WEBSITE FOR UP-TO-DATE SCHEDULE INFORMATION. THE LTC WILL MEET ON 3rd or LAST MONDAYS OF EACH MONTH @1:00 P.M. UNLESS OTHERWISE NOTED*

Dates:	Location:
January 25	TBD
February 15	TBD
March 29	TBD
May 10	TBD
June 21	TBD
July 19	TBD
September 27	TBD
October 25	TBD
November 22	TBD

ELECTRONIC MEETINGS: You will be able to join the meeting with a ZOOM Webinar link. The links will be available on the news webpage prior to the meeting on our news landing page here:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/mayne/>

These are regular business meetings of the Local Trust Committee, where they will consider items such as bylaws, applications, and correspondence.

ALL MEETINGS ARE OPEN TO THE PUBLIC

Website: www.islandstrust.bc.ca/mayne
Email: information@islandstrust.bc.ca
Phone: 250-405-5151