



Mayne Island Local Trust Committee Regular Meeting Agenda

Date: March 29, 2021
Time: 1:00 pm
Location: Electronic Meeting

			Pages
1.	CALL TO ORDER	1:00 PM - 1:00 PM	
2.	APPROVAL OF AGENDA	1:00 PM - 1:05 PM	
3.	TOWN HALL AND QUESTIONS	1:05 PM - 1:20 PM	
4.	COMMUNITY INFORMATION MEETING	1:20 PM - 2:20 PM	
4.1.	Housing Policy Review		
5.	PUBLIC HEARING		
	None		
6.	MINUTES	2:20 PM - 2:30 PM	
6.1.	Local Trust Committee Special Meeting Minutes Dated January 18, 2021 (for Adoption)		4 - 9
6.2.	Local Trust Committee Minutes Dated February 22, 2021 (for Adoption)		10 - 15
6.3.	Section 26 Resolutions-without-meeting Report - None		
6.4.	Advisory Planning Commission Minutes Dated June 10, 2019 and February 18, 2021 (for Receipt)		16 - 23
7.	BUSINESS ARISING FROM THE MINUTES		
7.1.	Follow-up Action List Dated March 2021		24 - 25
8.	DELEGATIONS		
9.	CORRESPONDENCE	2:30 PM - 2:40 PM	
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>		
9.1.	Mayne Island Parks and Recreation Commission re Removal of Master Plan from the OCP		26 - 26

10.	APPLICATIONS AND REFERRALS	2:40 PM - 3:40 PM	
10.1.	MA-TUP-2020.2 (Costello & Baker) - Staff Report (attached)		27 - 40
10.2.	MA-RZ-2020.1 (Mayne Island Housing Society) - Staff Memo (attached)		41 - 93
10.3.	Galiano Island Local Trust Committee Bylaw No. 278 Referral (for response) (attached)		94 - 102
11.	LOCAL TRUST COMMITTEE PROJECTS		
12.	REPORTS	3:40 PM - 3:50 PM	
12.1.	Work Program Reports (attached)		
12.1.1.	<u>Top Priorities Report Dated March 2021</u>		103 - 103
12.1.2.	<u>Projects List Report Dated March 2021</u>		104 - 104
12.2.	Applications Report Dated March 2021 (attached)		105 - 109
12.3.	Trustee and Local Expense Report Dated January 2021		110 - 110
12.4.	Adopted Policies and Standing Resolutions (attached)		111 - 114
12.5.	Local Trust Committee Webpage		
12.6.	Chair's Report		
12.7.	Trustee Report		
12.8.	Islands Trust Conservancy Report Date January 2021		115 - 117
13.	NEW BUSINESS	3:50 PM - 4:20 PM	
13.1.	Southern Gulf Islands Schedule Enhancement (attached)		118 - 118
13.2.	Development Permits for Environmental Requirements - Discussion		
14.	UPCOMING MEETINGS		
14.1.	Next Regular Meeting Scheduled for May 10, 2021 - Location: TBD		
15.	TOWN HALL	4:20 PM - 4:35 PM	
16.	CLOSED MEETING (Distributed Under Separate Cover)		
	None		

16.1. Motion to Close the Meeting

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

- Adoption of In-Camera Minutes Dated Feb. 24, May 25, and Sept. 28, 2020
- Bylaw Enforcement

AND that the recorder and staff attend the meeting.

16.2. Recall to Order

16.3. Rise and Report

17. ADJOURNMENT

4:35 PM - 4:35 PM



Mayne Island Local Trust Committee Minutes of Special Meeting

Date: January 18, 2021
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
Maple Hung, Planning Assistant, Host
Lauren Edwards, Recorder

Public: There are approximately 17 attendees at the Zoom Webinar.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 1:00 p.m. He acknowledged that the meeting was held in the traditional territory of the Coast Salish First Nation and the traditional land of the Tsartlip First Nation on Mayne Island. He stated the purpose of the special meeting was a discussion with community members regarding a report and work being done by the LTC on housing options and the Housing Review Project for the island.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

3.1 Staff presentation – Housing Review Project Background

Planner Chadwick used Power Point to present information on the Housing Review Project. She stated that all the reports leading to this presentation are on Islands Trust's project website.

She indicated that the project presentation would:

- Focus on flexible housing options, issues and opportunities as well as questions that have emerged;
- Not be limited to single focus housing, such as senior or multiuse, but would address a number of needs without rezoning, government funding or subsidies; and

- Promote facilitating sharing costs, more rental availability and also potential support for living arrangements without increased development footprint.

Planner Chadwick reported on Mayne Island's population and demographics as well as current available housing and the challenges of increased costs for land and construction and lack of housing options available for seniors, young families and singles.

Planner Chadwick reported that:

- The project focuses on the more affordable lots;
- The Official Community Plan (OCP) supports diversity of housing;
- A key consideration raised through the process was environmental protection (footprint/impact); and
- Smart growth is a policy principle within the OCP directed toward clustered development with access to central area amenities.

Planner Chadwick listed the options of the Housing Regulation and Policy Review and indicated that the focus option encompasses all other options and is identified by the trustees for discussion. The focus option would:

- Establish a maximum floor area with flexibility for distribution amongst multiple dwelling units;
- Support what currently exists and establish a new policy to add additional dwelling units on settlement residence (SR) lots not within water districts;
- Create potential for up to three dwellings on lots over 0.6 hectares;
- Permit a secondary suite on all lots; and
- Permit two dwelling units on all SR lots.

Planner Chadwick indicated that, while the focus is on SR lots, this option can transfer to other zones (example: rural residential) and larger lots and would allow for more density with appropriate square footage.

Planner Chadwick presented a list of questions:

- Should this option be considered in areas where secondary suites are not permitted (i.e. water districts)?
- Should more than two dwellings on smaller lots and more than three dwellings on larger lots be considered?
- What kind of consideration should be made to limit impact on freshwater? Planner Chadwick indicated that current provisions in the Land Use Bylaw (LUB) regarding secondary suites can be implemented.
- Should rental zoning be considered? Planner Chadwick reported that other jurisdictions have experience to learn from.
- Should strata ownership be considered on land that cannot be subdivided?
- Planner Chadwick reported that other local governments advise of increased housing costs where single owner dwellings are stratified and sold.
- What kind of maximum floor area should be considered in a distributed scenario?

- Should maximum floor area be considered for all lots regardless of whether it is distributed or not? Planner Chadwick reported that North and South Pender Island are considering this.
- Should focus be on SR zone or expand to other zones?

Other considerations discussed:

- Recreational vehicles are not included in maximum square footage;
- Tiny homes on wheels are not included;
- Increase of floor area maximum for secondary suites;
- Require rainwater catchment for all additional density; and
- Do not allow more than one dwelling unit to be rented as a home occupation STVR.

3.2 Town Hall – Discussion

Chair Rogers addressed the public and stated there is no specific proposal yet.

Trustee Dodds commented about increasing concern that the island is reaching build out and is in a heavy development stage with few lots left available. She is seeking community agreement on the housing issue.

Trustee Maude commented that input is necessary to seek creative solutions to get ahead of potential problems.

Chair Rogers commented that there are large projects on other islands to learn and draw examples from and now is the time for community response.

A.M., a Trustee with Village Point Improvement District, expressed concern regarding increased density and ability to provide enough water. He reported on water use during Covid. He mentioned tankers of water being brought in and questioned if the reason secondary suites were not permitted in water districts was because of the water situation.

Trustee Dodds mentioned when secondary suites were permitted, there were meetings with the water districts and only Gallagher Bay/Mount Park agreed to this. She advised that the decision can be reconsidered.

A.M. commented that there may be more buy-in with regulations for rainfall capture for secondary suites and a change in structure of floor coverage. He asked if there is any movement towards changing restrictions on captured water.

Chair Rogers indicated the province is working on regulations with the health authorities.

Trustee Dodds commented there is increasing flexibility and changes expected regarding rainwater collection.

Planner Chadwick commented that an extensive program is underway for the province to provide funding for freshwater sustainability.

T.W. mentioned she was involved in earlier discussions years ago regarding housing. She is encouraged with diversity as it gives range for living in the community. She questioned the number of lots available on Mayne Island.

Trustee Dodds thought there may be 300 undeveloped lots of various zones. She clarified that this project does not just pertain to undeveloped lots, but would allow property owners to develop bare areas on their land. The project has the option whether or not to restrict to undeveloped lots.

T.W. commented that there are many aging cottages with potential for redevelopment.

Trustee Dodds commented that if speculation and zoning changes resulted in too many developments, there is option to change for better control.

T.W. supported the comments and suggested a review in 10 years.

M.S., Trustee with Village Point Improvement District, reported there are 38 empty lots or 14% and slow building at one lot per year. He expressed his concern that secondary suite promotes turning properties into rental businesses and will encourage building on empty lots. He mentioned impact on water availability, especially during July and August.

Trustee Maude responded that water districts have authority in their bylaws with regards to the number of connections and can decide on additional dwellings.

J.L. suggested coverage be measured by square footage rather than footprint. She is in favour of required water catchment with increased density and mentioned the number of bathrooms is a better measure for density.

M.W. is a water meter reader who lives in the Bennet Bay area water system and reported increased water consumption and constant concern for water availability. She has approximately one hectare of property and questioned how she might be able to create more housing on her property in this new project.

Chair Rogers replied that there is no plan yet going forward.

Planner Chadwick provided information that if maximum square footage was established, it could allow M.W. additional density.

M.W. asked if that could be translated into two 500 sq. ft. houses.

Planner Chadwick advised that there could be.

Trustee Dodds pointed out that under this proposal, rather than one big house, it would be possible to build smaller, multiple houses.

B.C. made comments relating to the considerable increase to cost to build even micro-homes and its effect on affordability.

I.B. commented regarding the secondary suite policy as it relates to water demand usage and suggested flexible housing. He mentioned that water districts should have authority for decision and that Development Variance Permit (DVPs) consideration has impact on environment and neighbours. He made suggestions on the density of building impacts and that the LUB should be reviewed.

Chair Rogers responded that it is necessary to be creative and does not think DVPs can be utilized, but there may be other options to provide conditional approval.

Planner Chadwick confirmed on the matter of DVPs and indicated that she will research an approach on this issue.

Chair Rogers confirmed that it is necessary not to negatively impact neighbours.

J.H. stated there are different types of communities with different mixes of residents. In regard to the building permit process, he questioned what involvement and authority do water districts have with respect to building new buildings?

Regional Planning Manager (RPM) Kojima advised that new construction needs permission of water system to make connection, but when doing renovations it is only the building inspector who has authority.

J.H. stated that there are 38 empty lots in Village Bay District and if someone wants to build and does not want to hook into the water system, the water district has no control.

Chair Rogers advised there are well regulations that would apply. Chair Rogers asked M.W. if a person wanted to build on an empty lot, they can drill a well and they are on their own and water district has no recourse.

M.W. confirmed that when a person is using water in the district, the district wants to ensure water line is protected and wants to know of secondary building.

Trustee Dodds responded and advised that with increased individual dwellings, setbacks could be changed and lot coverage could be reduced.

Chair Rogers commented that, not to encourage big homes but if two or three homes are built, square footage may impact ecological zones.

Planner Chadwick suggested cluster housing could be considered in the zoning.

Unknown caller approved increased flexibility to promote more rental and ownership opportunities. He mentioned home owner properties, DPA and couldn't see incentives to create more rentals under the options provided (seems to provide opportunity for ownership).

Trustee Dodds expressed that she did not expect a huge uptake, but it does allow more flexibility for rental or a home for other family members such as parents or children.

Unknown caller suggested to market on the island about the increased flexibility to those who might be interested.

I.B. questioned whether strata ownership should be considered on land that can't be subdivided. He is supportive of this as part of this initiative and thinks it would open up prospect of affordability due to land sharing.

Chair Rogers responded that there are many examples of co-ops and corporations on other islands that do not require strata, but obtain zoning for multiple ownership.

P.T. has rented for 24 years and supports more rental property options and said it was important to get young people to the island for services jobs.

D.G., President of the Housing Society, lives in the Village Bay Water District. She commented on the Housing Society research, waitlists for seniors, economics of infrastructure, shared septic and rainwater collection. She agrees with increased flexibility and believes a multipronged solution is needed on the island.

Trustee Dodds commented on cost savings for building types (duplex/four-plex) and, with more density, reduced coverage guidelines will be required. She suggested that house size in this new zoning requires consideration for maximum and possibly a minimum size.

Trustee Dodds advised that tiny homes on wheels should not operate as STVRs, and suggested setting limits on how many B&B's operate while grandfathering some.

Trustee Maude offered his thanks and looks forward to a conclusion that works for the island.

Planner Chadwick thanked attendees for their input, perspectives and concerns regarding water concerns.

Chair Rogers expressed thanks for receiving different points of view as well as some answers. He advised that the project will unfold over coming months.

4. ADJOURNMENT

By general consent the meeting was adjourned at 3:18 p.m.

Dan Rogers, Chair

Certified Correct:

Lauren Edwards, Recorder



Mayne Island Local Trust Committee

Minutes of Regular Meeting

Date: February 22, 2021

Location: Electronic Meeting

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

Staff Present: Robert Kojima, Regional Planning Manager
Narissa Chadwick, Island Planner
Maple Hung, Host Planning Assistant
Pat Todd, Recorder

Public: There were approximately (17) attendees in the Zoom Webinar.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

Add: 8.1 Delegation Ben Martin and Carolyn Stewart, Capital Regional District (CRD) – Trail
10.3 TUP Costello – Discussion with Planner Chadwick

The agenda was adopted as amended by consensus.

3. TOWN HALL AND QUESTIONS

Irene Barrett asked to speak following the CRD delegation regarding the trail.

Tyler Campbell spoke in favour of the TUP application for the Child Daycare Facility.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated January 25, 2021

By general consent the Local Trust Committee meeting minutes of January 25, 2021 were adopted.

6.2 Section 26 Resolutions-without-meeting Report - None

6.3 Advisory Planning Commission Minutes - None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated February 2021

Planner Chadwick informed LTC that Cotton Park Bylaw will be at Executive Committee this week.

The Covenant for Peace DVP application is undergoing a minor amendment as requested by the CRD and will then need to be signed again. The lawyer is facilitating that process.

Special Housing Consultation meetings will be held on March 29, 2021 and April 26, 2021. March meeting will be held at 1: 00 pm. prior to regular LTC meeting.

8. DELEGATIONS

8.1 Carolyn Stewart and Ben Martin, CRD: Miners Bay/Village Bay Trail

Carolyn Stewart, Parks and Trails Planner outlined the processes behind the development of this trail:

- 2014/2015 Gulf Islands Initiative: first part of the Regional Trails plan for the Islands Trust to be developed
- Open House 2017: Management Plan: Low Use Rural Plan: Gulf Islands Regional Trails Plan 2018;
- Grant received 2020;
- Assessment, engineering, site preparation, with plan to start mid-August
- Centre of trail flagged;
- Communications Strategy outlined: 12 First Nations notified, notification to neighbours along road for mid-March, Mayneliner articles for March and April, map to be updated; and their project web page.

Ben Martin, Engineer/Technical Division, CRD added technical components:

- Archaeologist and environmental review: geotechnical and drainage review
- Design refinement;
- Local engagement: walked site with MI Pathways and Trails and Conservancy representatives; and
- Project to tender late summer.

Discussion and questions:

- Concerns as to number of trees to be removed: will be determined after survey with efforts made to minimize tree impact. At this time estimate is 50-60 smaller trees;
- Traffic concerns: to minimize earth works; limit hydro pole relocation; to structure construction to minimize traffic flow disruption;
- Integration of existent trail: trail is an asset to community, the planned trail is more robust and intended for biking; and hiking and there is a portion of existent trail that will be utilized
- Forest work impacted by Fire Risk in summer: construction would be dependent on Fire Rating, due diligence and contractor with water truck;
- Land fill mitigation and visual evidence with type of soils;
- Grant of \$2.8 million;
- Community vision of a winding trail through woods; and
- Use of local labour/contractors.

Contact information:

Web page: www.crd.bc.ca/MIRT

Carolyn Stewart: cstewart@crd.bc.ca

Ben Martin: bmartin@crd.bc.ca

Appreciation expressed to CRD personnel for information.

9. CORRESPONDENCE

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

10. APPLICATIONS AND REFERRALS

10.1 MA-TUP-2021.1 (Feduck)

Planner Chadwick summarized the application. The site would be used for Day Care while new building is under construction and recommendation is for a 2 year TUP. Immediate neighbours are supportive.

Meaghan Feduck (applicant on behalf of day care) spoke to the work put into preparing home to meet building safety protocol/licensing requirements. School partnership was ideal for initial set-up however program in need of more space and flexibility. More service available at the new location.

MA-2021-013

It was Moved and Seconded,

that the Mayne Island Local Trust Committee approve issuance of Temporary Use Permit application MA-2021.1 (Feduck) for a period of two (2) years.

CARRIED

More discussion was held on the following:

- Day Care is not a commercial operation and is a home occupation;
- More outdoor play area;
- Program is a community amenity not a personal operation;

- Licensing inspector okay with access; and
- Chair Rogers informed the LTC that application was supported by Executive Committee earlier this week.

10.2 MA-RZ-2020.1 (Mayne Island Housing Society)

Planner Chadwick outlined the progress of the rezoning application, the difference between Development Permit (DP) and a a Covenant for the site emphasizing that the covenant is the better tool for this application. , and The definition of Affordable Housing was discussed. Planner Chadwick agreed to look at if it would be appropriate to use the same type of definition used by Gabriola,.

Deborah Goldman (MI Housing Society) spoke in appreciation of the complexity of situation and happy to hear islands are working together. It was confirmed that BC Housing does change requirements from time to time and it is important the Housing Agreement be flexible enough to “fit” as it is a 60 year agreement.

Deborah Goldman added that the project as been drafted with an 8 meter set back on western side. Raised the question of proceeding with a Community Information Meeting (CIM). Planner Chadwick indicated that the neighbour to the right are interested in submitting additional information related to there interests in the setback and buffer requirements respecting the integrity of the agricultural potential of their land.

Discussion included the importance of having as much information as possible and a detailed site plan prior to a CIM to assist with answering questions that may arise.

10.3 MA-TUP-2020.2 (Costello and Baker)

MA-2021-014

It was Moved and Seconded,

that Mayne Island Local Trust Committee direct staff to proceed with Temporary Use Permit application MA-2020.2 (Costello and Baker) by undertaking statutory notification.

CARRIED

Applicant expressed appreciation to Trustees for the efforts to expedite application and for attending the recent Advisory Planning Commission.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 LUB Technical Review - Consideration of Adoption of Bylaw No. 180

MA-2021-015

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 adopted.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated February 2021

Received for information.

12.1.2 Projects List Report Dated February 2021

Received for information.

12.2 Applications Report Dated February 2021

Discussion was held on application MA-SUB-2020.1 Arbutus Bay Estates:

Trustee Dodds reviewed the extensive history of the development of this acreage. Remainder lot is 90 acres with a density of 9 due to a technical error. Intentions have been to correct however to date this has not occurred. Property is for sale and important to clarify status of property. A covenant restricts further subdivision to 2 lots.

12.3 Trustee and Local Expense Report Dated December 2020

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

Will be updated at conclusion of meeting.

12.6 Chair's Report

Chair Rogers reported on the following:

- Trust Council being held March 9 through March 11;
- One day devoted to review of Trust Policy Statement and the 10th and 11th will be budget discussion and reconciliation process;
- There will be a Planning Services Review.
- There were over 900 respondents to the budget survey; and
- On March 3 there will be a virtual Town Hall from 7pm. to 9pm. for questions on Policy Statement, Affordable Housing Projects and Climate Issues.

12.7 Trustee Report

Trustee Dodds spoke to the recent deterioration of Georgina Point Road. A significant amount of foreshore has collapsed. If Ministry of Transportation does not inspect soon LTC should send a letter regarding concerns as to integrity of road.

Trustee Maude concurred with the concerns for Georgina Point Road. The first Zoom APC went well. BC Ferries schedule consultation is ongoing. New ship scheduled to

replace Mayne Queen. February 24th is Pink Shirt Day in recognition of Anti-Bullying Day.

12.8 Islands Trust Conservancy Report - None

13. NEW BUSINESS

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for March 29, 2021 - Location: TBD

15. TOWN HALL

Irene Barrett, MI Pathways and Trails, commented on CRD presentation:

- Concern expressed related to number of trees to be removed and asked for an inventory of trees to come down – healthy, dying, dead;
- Use of mesh filled with rocks rather than concrete blocks where retaining wall(s) necessary;
- Number of volunteers available for native plant salvage and broom removal;
- Importance of trail being separate from road, e.g. ditch - to discourage using trail for parking; and
- Value of incorporating existent trail into project.

16. CLOSED MEETING

None

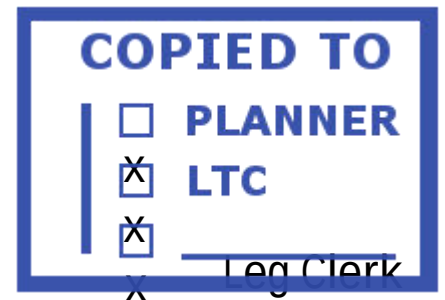
17. ADJOURNMENT

By general consent the meeting was adjourned at 3:30 p.m.

Dan Rogers, Chair

Certified Correct:

Pat Todd, Recorder



ADOPTED

MAYNE ISLAND ADVISORY PLANNING COMMISSION MEETING MINUTES

Date: June 10, 2019

Location: MI Library

Members Present: Stephen Cropper, Chair
Dennis Emmett
Bill Bender
Chris Roehrig
Ian Birtwell

Regrets Aaron Reith and Vania Williams

Staff Present: Pat Todd, Recorder

Members of the Public and Media Present: None

1. CALL TO ORDER

Chair Cropper called the meeting to order at 7:05 p.m.

2. APPROVAL OF THE AGENDA

By general consent the agenda was adopted as presented.

3. APPROVAL OF MINUTES OF A.P.C.

3.1 Meeting of July 16, 2018

By general consent the Advisory Planning Commission minutes of July 16, 2018 were adopted as presented.

4. BUSINESS ARISING FROM THE MINUTES - none

5. Referrals

5.1 MA-DVP-2019.2(LaRock) – Development Variance Application to allow increased height for accessory building at 181 Cherry Tree Land, Mayne Island.

The LTC is requesting the APC make recommendations on the following:

- Should the variance for the proposed height of the accessory building be permitted;
- Is the size of the accessory building appropriate; and
- The proposed building has two washrooms, one on each floor, which are permitted in the Land Use Bylaw (LUB). The LTC would like the APC to consider recommending whether or not an amendment should be made to the LUB to allow only one washroom or possibly no washrooms in an accessory building. The amendment if advanced and approved by the LTC would not have a bearing on this application but would on future accessory buildings.

Correspondence has been received from the Lighthouse Point Waterworks District regarding allowed water connections: only allow for 1 connection.

A member of water district will attend July LTC.

There has been one reply from a neighbour against the proposed height variance: out of character for neighbourhood, questioning usage and excessive height, workshop larger than existent building.

Discussion regarding proposed height – allowed 5 meters/requesting 9 meters

- Impact on neighbourhood, visible from park
- Question rational for going higher
- There is sufficient lot area to build “out” rather than “up”

Regarding proposed variance:

MA-APC-2019-001

It was Moved and Seconded

that the Mayne Island Advisory Planning Commission recommend to the Mayne Island Local Trust Committee variance permit not be permitted as proposed structure height would be obtrusive to surrounding residences and not within character of neighbourhood.

CARRIED

Regarding size of accessory building:

After discussion the APC declined to comment regarding size of structure as LUB does not specify size limitations for an accessory building.

Usage of structure would be required to conform to existent bylaws.

Regarding washrooms:

Discussion:

Appropriate to have a washroom in an accessory building

Connection issue is responsibility of water district.

Water consumption would be monitored by water district.

MA-APC-2019-002

It was Moved and Seconded

that the Mayne Island Advisory Planning Commission recommend to the Mayne Island Local Trust Committee no restrictions regarding washrooms in accessory buildings be considered at this time.

CARRIED

5. Trustees Report – none

6. New Business - none

8. Election of Officers

Chair – Stephen Cropper by acclamation

Vice-Chair – Ian Birtwell by acclamation

By general consent the meeting adjourned at 8:00 p.m.

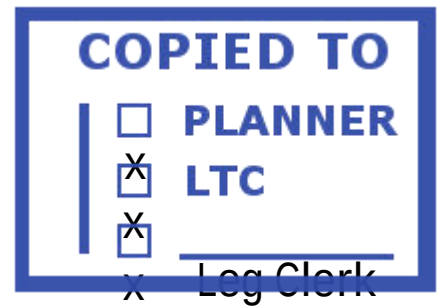
Stephen Cropper, Chair

Certified Correct:

Pat Todd, Recorder



**MAYNE ISLAND
ADVISORY PLANNING
COMMISSION
RECORD OF MEETING**



Date: Thursday, February 18, 2021

Location: Electronic via Zoom

Members Present: Stephen Cropper (Chair), Ian Birtwell (Vice Chair)
Liam Bender, Chris Roehrig, Aaron Reith

Local Trustees: Jeanine Dodds and David Maude

Regrets: None

Staff Present: Lauren Edwards (Recorder)

Public Present: Approximately 6 attendees present:

1. CALL TO ORDER

The meeting was called to order at 7:02 pm.

2. Approval of the Agenda

By general consensus the agenda was adopted as presented.

3. Approval of Minutes of APC Meeting June 10, 2019

Correction in Item 8. Election of Officers

From: by acclimation

To: by acclamation

By general consensus the Advisory Planning Commission minutes of June 10, 2019 were adopted as amended.

4. **Business Arising from the Minutes – None**

5. **Referrals**

MA-TUP-2020.2 (Costello & Baker)

The Local Trust Committee (LTC) requested the Advisory Planning Commission (APC) make recommendation on the Temporary Use Permit (TUP) for a Short Term Vacation Rental (STVR) within a dwelling unit.

The Commission invited comments and questions from the attendees which included the applicants, their parents, and neighbours including a commercial resort owner.

The applicants stated that their parents have owned the property for over 20 years and renting it as an STVR will make it financially viable for the applicants to purchase the property.

Chair Cropper advised that the Commission's responsibility is to consider land use and what is best for the community and advised that the Commission's recommendations to the LTC are not binding. He further advised that there is a draft bylaw, but no current bylaw for reference.

A summary of the discussion is provided below.

- STVR considerations include neighbourhood impacts, water resources and responsible management of guests.
- It was suggested to add a secondary contact for the site should the primary contact be off the island.
- There were two supportive letters received from adjacent neighbours.
- APC members commented that this TUP would allow commercial activity in a residential zone; that the water district restricts water to domestic use; and the water district's definition of domestic use is to a house and does not reference commercial use.
- An attendee read aloud a neighbour's February 17, 2021 letter to the Island Trust planners which the APC had not yet received. In summary, the letter raised concerns of numerous and increasing private accommodations operating without permits; that there are enough private rentals in the neighbourhood; that a manager should be available for contact; and another private accommodation in the subject area of Arbutus Drive may have a direct negative impact to the long established Mayne Inn and Blue Vista Motel.
- Discussed the value of reviewing the revised guidelines of Galiano and Pender

Islands with regards to STVR TUPs and it was suggested that, given the main concern was absentee operators, the APC shape recommendations to supervision.

- Comment was made that although the owners would be off island but also using the cottage, it implies they would rent to responsible people and should have supervisors on island who neighbours can contact.
- A commercial resort owner stated that they purchased the resort in May 2019 and experienced industry fail due to Covid restrictions. She mentioned the uncertainty of the future; that they contend with many illegal accommodations; and that their guests may be disturbed by an STVR if it is not properly managed. She stated that she would prefer not to see more such vacation rentals and requested that restrictions be put in place during the year from Thanksgiving to Easter which is a hardship period for accommodation providers. She requested limiting STVR operations to summer months when there is more demand.
- Trustee Dodds commented that a TUP can have shorter timelines to test for any arising problems.
- Trustees advised they have only anecdotal information on illegal STVRs and stressed that complaints should be submitted via online form.
- The homeowners advised that there are two or three spots to park on the property and that four Costello families will continue to use the cottage which they carefully upkeep. They indicated they were introduced to the island through short-term rental and visitors should have every opportunity to get to know the island and take advantage of all commercial availability such as kayaks, restaurants, etc.
- A neighbour expressed concern for the impact Covid has had on the nearby resorts and with respect to operating a new STVR, she stated she could see it after Covid. She also indicated that the past summer was very busy in Bennett Bay and expressed concern for the number of guests the STVR proposed as well as the use of the Air B&B service.
- The applicants stated that the house is just over 1500 square feet with two bedrooms and that the guest head count was discussed with the Islands Trust planner and considered reasonable based on usage. She mentioned that the Air B&B platform has a zero tolerance policy and reviews are available with respect to the operators as well as the guests. She stated she would like the STVR operating in the coming summer months.
- With regards to restricting STVR operations during the off season, it was agreed that discussion would be with the planner with objective to achieve a balance for the LTC's consideration.
- Trustee Dodds clarified that a TUP can be issued for any practical length of time which does not exceed three years and that a permit is not revocable and transfers with the sale of the land. It was suggested that the TUP as a condition of ownership could be raised with the Islands Trust planner.

- STVR contact information will be communicated via the next Islands Trust article in the *MayneLiner*.
- There was discussion concerning the three-year term.

MA-APC-2021-001

It was Moved and Seconded,

that the Mayne Island Advisory Planning Commission recommend that Mayne Island Local Trust Committee approve the Temporary Use Permit following the proposed permit conditions that were provided by the planner with two suggestions for changes:

- 3(a) Property owner or contact person being available 24/7, that it be amended to say that there should be a secondary supervisory person available if primary not available on the island; and
- Discuss with the applicants potential restrictions on short term vacation rentals during period Thanksgiving to Easter.

Carried

6. Trustees Report

Trustee Dodds reported that the LTC is working on a daycare TUP, the Mayne Island Housing application and the tiny homes initiative. She reported public meetings are upcoming.

Trustee Maude commented that the use of Zoom for meetings has resulted in more public attendance and participation at meetings.

7. New Business

A request was made to provide APC members with iPads. Trustee Dodds agreed that it can be questioned.

8. Next meeting - unknown

ADJOURNMENT

The meeting adjourned at: 8:41 pm.

Chair

Date

Certified Correct:

Lauren Edwards, Recorder

Follow Up Action Report

Mayne Island

30-Nov-2020

Activity	Responsibility	Dates	Status
1 10.1 MA-RZ-2018.1 (Cotton Park) - Bylaws 177/178 read for third time, to be forwarded to EC for approval. Bylaw 177 to be sent to Municipal Affairs after EC approval. (going to EC Feb 24)	Maple Hung Narrisa Chadwick	Target: 14-Feb-2020	Completed

25-Jan-2021

Activity	Responsibility	Dates	Status
1 10.3 MA-DVP-2020.8 (Peace) DVP to be issued subject to notification from lawyer that covenant has been registered. Chair to sign covenant. (waiting for CRD to sign covenant).	Maple Hung Narrisa Chadwick	Target: 05-Feb-2021	In Progress

22-Feb-2021

Activity	Responsibility	Dates	Status
1 6.1 January 25, 2021 LTC meeting minutes approved	Maple Hung	Target: 02-Mar-2021	In Progress
2 10.1 MA-TUP-2021.1 (Feduck) TUP approved. Issue permit. Confirm with Island Health (Phil).	Maple Hung Phil Testemale	Target: 25-Feb-2021	Completed
3 10.2 MA-TUP-2020.2 (Costello) Notice to be circulated.	Maple Hung Phil Testemale	Target: 26-Feb-2021	Completed

Follow Up Action Report

Mayne Island

22-Feb-2021

Activity	Responsibility	Dates	Status
4 11.1 Bylaw No.180 (LUB Technical Review) Adopted.	Jas Chonk Maple Hung	Target: 02-Mar-2021	Completed
5 12.1 CIM for Housing Policy Review to be scheduled for at the beginning of the March 29th LTC meeting.	Maple Hung Narrisa Chadwick	Target: 12-Mar-2021	Completed

Mayne Island Parks and Recreation Commission
411A Naylor Road
Mayne Island, BC V0N 2J2

Capital Regional District
625 Fisgard Street
Victoria, V8W 2S6
March 9, 2021

Mayne Island Local Trust Committee
Mayne Island, BC

Dear Trustees Rogers; Dodds and Maude:

Re: Mayne Island Parks and Recreation Commission ("MIPRC") – Removal of Master Plan from the Official Community Plan ("OCP")

We are writing to request that the Local Trust Committee remove the MIPRC Master Plan which is attached as a schedule to the OCP. This Master Plan is over 20 years old and has been replaced by new Master Plan 2021-2025 which was recently approved by motion of the MIPRC.

We would ask you to consider either:

1. Adding the removal of the Schedule (Master Plan) on your project list; or
2. Adding the removal of the Schedule (Master Plan) on a list for future technical amendments to the OCP.

It is anticipated that the Master Plan will be updated at least every five years or sooner if there are significant developments. We believe not replacing the old Master Plan with the new Master Plan 2021-2025 in the OCP will allow for greater flexibility in updating the plan on a timely basis.

Thank you for your consideration of our request. If you have any questions, please do not hesitate to contact us at debrabell@shaw.ca or jstarke@crd.bc.ca.

Yours truly,

Debra Bell
Chair – MIPRC

Justine Starke
Manager, Southern Gulf Island Service Delivery, CRD

cc. Narissa Chadwick
Mayne Island Planner



File No.: MA-TUP-2020.2 (Costello & Baker)

DATE OF MEETING: March 29, 2021
TO: Mayne Island Local Trust Committee
FROM: Phil Testemale, Planner 2
Southern Team
COPY: Narissa Chadwick, Island Planner
SUBJECT: Temporary Use Permit for STVR
Applicant: Daniel Costello & Amber Baker
Location: 538 Arbutus Drive

RECOMMENDATION

1. That the Mayne Island Local Trust Committee amend draft Temporary Use Permit application MA-2020.2 (Costello & Baker) that is Attachment 1 to this report by:
 - a. Adding the following conditions to Section 3.:
 - i. The short term vacation rental use is only permitted between May 1 to September 30 in a calendar year;
 - ii. The maximum number of days the short term vacation rental use is permitted between May 1 to September 30 in a calendar year is a total of sixty (60) days;
 - b. adding to condition 3. a) that a secondary, Mayne Island contact be available if the owner or primary other contact is not available on island;
 - c. reducing the maximum number of guest to six (6) persons in condition 3(h); and,
2. That the Mayne Island Local Trust Committee approve issuance of Temporary Use Permit application MA-2020.2 (Costello & Baker) as amended for a period of two (2) years.

REPORT SUMMARY

The purpose of the report is to provide a summary of the application and a recommendation for issuance of a Temporary Use Permit (TUP) for a Short Term Vacation Rental (STVR) within a dwelling unit.

BACKGROUND

Background to this application including one (1) previous staff report is available on the Islands Trust website:

http://www.islandstrust.bc.ca/media/350720/ma-ltc_2020-01-25_agd_pkg_final.pdf

The proposal is to allow for a TUP for a STVR use within an existing 145 m² (1,563 ft²), single storey dwelling with two (2) bedrooms. The property is 0.13 ha (0.33 ac) in size located at 538 Arbutus Drive. The property currently has a single-family dwelling and two small garden sheds. All surrounding properties have the same zoning and are developed with dwellings on them. There is no construction or land alteration associated with this application.

The application and the permit as drafted and circulated indicates a maximum of eight (8) guests (four adults/four children)¹. The use will be part-time and secondary to the continued use of the property by family and friends. They intend to market on Airbnb, noting the platform's strict rating protocols and zero tolerance for partying.

Specific File Activity:

The TUP application was initially reviewed by the Local Trust Committee on January 25, 2021.

The following is a summary of key resolutions and file activity that have occurred for this application since the last report on January 25, 2021 to the Local Trust Committee:

- The LTC passed the following resolution at its January 25, 2021 regular meeting:

MA-2021-001

It was Moved and Seconded,

that the Mayne Island Local Trust Committee ask staff to refer application MA-TUP-2020.2(Costello) to the Mayne Island Advisory Planning Commission.

CARRIED

- Staff referred the application to the Mayne Island Advisory Planning Commission (APC) February 2, 2021
- The APC held a meeting on February 18, 2021. The minutes of that meeting are agenda item 6.4. The excerpted resolution from the minutes is:

MA-APC-2021-001

It was Moved and Seconded,

that the Mayne Island Advisory Planning Commission recommend that Mayne Island Local Trust Committee approve the Temporary Use Permit following the proposed permit conditions that were provided by the planner with two suggestions for changes:

- 3(a) Property owner or contact person being available 24/7, that it be amended to say that there should be a secondary supervisory person available if primary not available on the island; and
- Discuss with the applicants potential restrictions on short term vacation rentals during period Thanksgiving to Easter.

CARRIED

¹ The condition in the proposed permit temporarily limits guest capacity to five (5) while the Provincial Emergency Health Order for COVID 19 remains in effect.

ANALYSIS

Issues and Opportunities

Community Concerns

The following is a point form summary of potential issues and impacts (not in a particular order) raised through the APC referral and correspondence (See: 'Consultation' – below and attachments):

- Neighbourhood impacts from the use including noise, traffic, parking, rotation of new guests every week, etc.
- Concerns about a commercial activity in a residential zone.
- Assertions that there are “too-many” or “enough” private rentals in neighbourhood already.
- Concern over proposed guest capacity of eight (8) people as being too large.
- Concerns about three (3) year time-frame.
- Management of guests and the need for a secondary on-island contact be available.
- Impact on freshwater resources, particularly the local improvement district.
- Impact on the existing commercially zoned Mayne Inn and Blue Vista Motel, particularly in off-season months. These include lost revenue in winter months, unfair tax burden (relative to STVR operators) as well as consideration of employment and other contributions that these commercial businesses make to the local economy and community as a whole.
- Assertions that such operations do not contribute to local economy
- The impacts of COVID 19 restrictions have had on existing commercial operations and implications for allowing the proposed use during a pandemic.

Applicant's Rationale

The stated rationale for the proposed temporary use is in order to make the purchase of the home from their parents (Louise and Michael Costello), financially viable. Obtaining a TUP is a condition of the property sale which would allow the cabin to remain in the family. As an alternative, the applicants also considered long-term rental, however, that would prohibit the continued regular use by family.

Staff considers the rationale as reasonable.

Proposed Permit Amendments

The proposed TUP conditions in the draft permit with the recommended amendments address concerns raised through the APC referral process and consultation and are consistent other guidelines to ensure that the use does not have an unreasonable impact on the local area, and, in the event it does, there is the ability to enforce compliance of the TUP.

The LTC may opt to amend the TUP as recommended on page 1 in whole or part. They may also opt to add further or different conditions(s). However, conditions cannot not be removed without re-notification to neighbours.

Consultation

TUP Notices were circulated to surrounding property owners and residents and published in the *Driftwood* newspaper March 19, 2021 (Attachment 2). Notice was also posted to the Mayne Island community bulletin boards. The notification period ended at 4:30 p.m. on March 17, 2021.

At the time of writing, staff has received three (3) written submission in response to notification (Attachment 3).

The application included letters of support from the two (2) direct neighbours that were attached to the previous staff report.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- The amended guest capacity and a limited number days for the STVR use and only during summer months reasonable;
- The amendments should mitigate concerns raised by the APC and with public correspondence;
- The rationale for the use is reasonable;
- The applicants have voluntarily addressed water conservation concerns;
- The proposed time period of two (2) years is a reasonable time-frame for the impacts of the use to be measured prior to any renewal application; and,
- The permit would provides conditions consistent with required and draft guidelines to ensure that the use does not have an unreasonable impact on the local area, and, in the event it does, there is the ability to enforce compliance with the TUP.

ALTERNATIVES

1. Request further information

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

Recommended wording for the resolution is as follows:

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

2. Approve Permit as Circulated for Notice

The LTC may opt to adopt the TUP as drafted and circulated to neighbouring properties and in the *Driftwood*.

Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee approve issuance of Temporary Use Permit MA-2020.2 (Costello & Baker) as drafted.

3. Add additional conditions

The LTC may wish to amend the TUP by adding additional conditions and/or changing the time period that the permit would be valid. If selecting this alternative the LTC should specify the additional conditions.

Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee request that the proposed Temporary Use Permit MA-2020.2 (Costello & Baker) be amended by the addition of the following conditions: _____

4. Deny the application

The LTC may deny the application and proceed no further.

Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee deny Temporary Use Permit application MA-2020.2 (Costello & Baker).

Submitted By:	Phil Testemale, Planner 2	March 18, 2021
Concurrence:	Robert Kojima, Regional Planning Manager	March 18, 2021

ATTACHMENTS

1. Proposed MA-TUP-2020.2 as circulated for notification
2. Notice
3. Correspondence



PROPOSED

**MAYNE ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
MA-TUP-2020.2 (Costello & Baker)**

538 Arbutus Drive

To: Louise Costello
c/o Dan Costello and Amber Baker

1. This Permit applies to the land described below:

Lot 17, Section 9, Mayne Island, Cowichan District, Plan 14000,
(PID: 004-448-154).

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

a) a Short Term Vacation Rental within the Dwelling Unit.

3. and is subject to the following conditions:

- a) the property owner or other contact person be available on Mayne Island by telephone 24 hours/day, seven days per week. The name and contact number of property owner and on island contact person must be provided to guests upon arrival;
- b) the property owner or Short Term Vacation Rental operator must provide neighbours within a 100 metre radius of the vacation rental with the contact persons phone number, and a copy of the temporary use permit;
- c) the property owner or Short Term Vacation Rental operator must post for guests information on noise bylaws, water conservation, fire safety, fire escape plan, storage and disposal of garbage and recycling, septic care, and control of pets. The guest information must also remind guests that the property is located in a residential area;
- d) pets should be kept under control at all times;
- e) the owner must provide parking for a minimum of two (2) vehicles on the property;
- f) outdoor lighting must not be directed onto surrounding properties;
- g) a maximum of one unilluminated and wooden sign not exceeding a total sign area of 0.4 square metres advertising the Short Term Vacation Rental is permitted. The sign must be located on the lot occupied by the Short Term Vacation Rental use;
- h) the maximum number of guests is limited to eight (8) persons with the exception that the maximum number of guests is temporarily limited to five (5) for the duration that the Provincial Emergency Health Order for COVID 19 remains in effect;
- i) the maximum number of bedrooms is two (2);
- j) camping and occupancy of recreational vehicles are prohibited;
- k) all outdoor fires are prohibited;
- l) the rental or provision of motorized personal watercraft is prohibited;
- m) the holder of this Permit, will be held accountable for any violation of the conditions of this Permit. The Islands Trust Bylaw Investigations Officer or any other person designated by the Islands Trust to administer this Permit is authorized to enter, at any reasonable time, the property for the purpose of inspecting and determining whether the conditions, prohibitions and requirements of the Permit are being met;

- n) the property owner or Short Term Vacation Rental operator must provide guests with emergency service contact information and to provide a means for contacting them;
 - o) the property owner, or Short Term Vacation Rental operator, must post the name and contact number of the property owner or on-island contact person, and permit information at the entrance to the house;
 - p) that an application for renewal include hydro and water meter readings for the term of the TUP; and,
 - q) that water conservation information be provided to guests and signs be posted at all water sources.
4. This permit is valid for three (3) years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Mayne Island Land Use Bylaw No. 146, 2008" and to obtain other approvals necessary for completion of the proposed development, including approvals from the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE THIS XXth DAY OF MONTH, 2021.

Deputy Secretary, Islands Trust

Date Issued



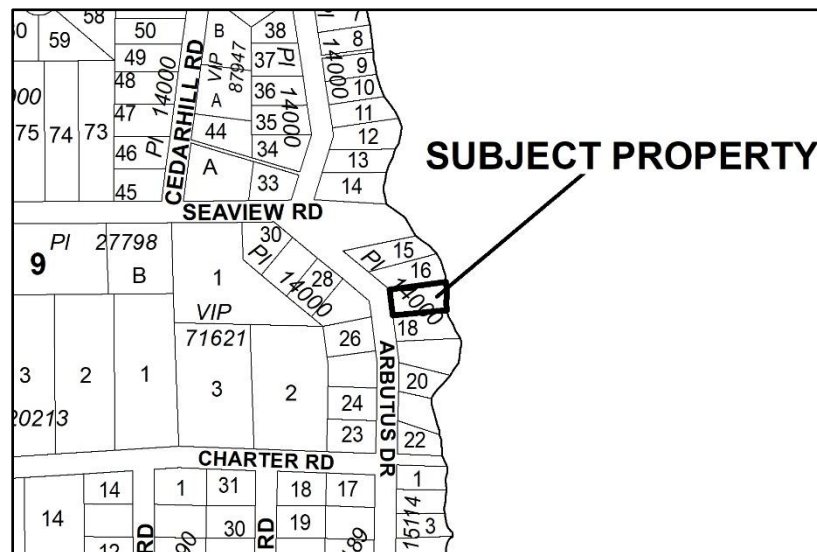
NOTICE
MAYNE ISLAND LOCAL TRUST COMMITTEE
MA-TUP-2020.2

NOTICE is hereby given that the Mayne Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit pursuant to Section 493 of the *Local Government Act*. The proposed permit would apply Lot 17, Section 9, Mayne Island, Cowichan District, Plan 14000 (PID: 004-448-154). This property is located at **538 Arbutus Drive**.

The purpose of this temporary use permit would be to permit a **Short Term Vacation Rental** use within the Dwelling Unit.

The establishment of the use would be subject to the conditions specified in the attached permit. The permit would be issued for three (3) years and the owner may apply to the Mayne Island Local Trust Committee to have it renewed once for up to an additional three (3) years.

The general location of the subject property is shown in the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **March 5, 2021** and continuing up to and including **March 17, 2021**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Mayne Island.

Enquiries or comments should be directed to Phil Testemale, Planner 2 at (250) 405-5170. For Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC: 1-800-663-7867; by fax at (250) 405-5155; or by email to southinfo@islandstrust.bc.ca before **4:30 p.m., March 17, 2021**.

The Mayne Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the electronic business meeting starting at **1:00 p.m., March 29, 2021**.

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

Jas Chonk, Deputy Secretary

From: Blue Vista <[REDACTED]>
Sent: Wednesday, March 17, 2021 2:22 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Mayne Island - MA-TUP-2020.2

To whom it may concern,

We are writing to you regarding the Costello's TUP application for 538 Arbutus Drive.

Thank you for the opportunity to speak to this application and to participate in the APC meeting.

We have concerns on two fronts - as a licensed/commercially zoned accommodation provider (we have owned Blue Vista Resort since May 2019) and as members of the Mayne Island community.

From a commercial perspective

As an accommodation provider, we are obviously concerned to see residential properties being turned into commercial enterprises. This sort of activity is particularly disconcerting during the pandemic which – as I'm sure you are aware - has decimated the travel/lodging industry.

Although having been competently operated for decades, Blue Vista Resort operates – at best - at a 50% year round occupancy, well below the BC average occupancy of 65%. The majority of the resort's business comes in between Canada Day and Labour Day. We know there is no need for additional accommodation on the island outside of the summer months as there are very few days that we turn guests away throughout the fall/winter/spring.

As a commercial enterprise, not only do we collect and remit PST and GST, but we also collect/remit the new MRDT (since September 2019) designed to help promote the Southern Gulf Islands and increase prosperity for our region. We also pay considerably higher property taxes and insurance than residential properties. And most importantly we are committed to providing year round, well paid employment to islanders (10 hours/week from December to April and 20 hours/week from May to November).

Homeowners deploying platforms like Airbnb, do not collect GST and as we have recently learned from the Ministry of Finance, either they are not collecting the MRDT or Airbnb has chosen not to remit it. In regards to employment, unlike the sporadic gig work offered by homeowners deploying these platforms, we pay vacation pay, provide WorkSafe coverage and contribute to CPP and EI for all of our employees. We also participate in the community as all business owners should.

Airbnb homeowners do however remit approximately 15% of every dollar they make direct to US corporations like Airbnb who pay no taxes or employ anyone in Canada, never mind on Mayne Island!

As citizens of Mayne Island

On the personal side, we are very concerned about the uncontrolled monetization of residential property and the lack of housing security for so many of our neighbours. We have no doubt that Airbnb and their ilk are a large part of the reason that virtually every city in the world is struggling with a housing crisis. As one critic stated “Airbnb was a great small idea, but a horrible big one.”

We do however understand the uniqueness of the situation on Mayne given the large proportion of long term, part time residents who are an integral part of our community. We believe the island has found a good balance with the home occupation rule, but realize that home occupation isn't the answer for many folks who either do not have a secondary building or still want to spend time on their property during the course of the year (ie. not keen to rent their homes year round).

All this to say, we hope that the TUP will be declined, but if that is not your decision, we hope you will consider the following provisions –

- Rather than granting them a 3-year TUP immediately, give them 6-12 months to start (ie. “test the waters”).
- Only allow bookings during the island's peak season – preferably from late June to Labour Day. Although not a guarantee, there is likely enough business to support all accommodation providers during this busy time.
- That you specify a set number of weeks that can be booked per year (4-6).
- If you decide 8 people in a small two bedroom is an acceptable capacity that you state only 4 of them can be adults. This might help to discourage large groups of parties.
- That they employ local – preferably licensed and experienced - management who are available 24/7.
- That they provide signage at the front of the property with the contact information of their property manager.

Thank you for your time and best of luck with your deliberations.

Sincerely, Lise & Gordon

Lise Magee & Gordon Miller |

From: Joanne Finlay <[REDACTED]>
Sent: Monday, March 15, 2021 12:26 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Temporary use permit - Lot 17, Section 9, Mayne Island

As per our discussion with Phil Testemale, Planner 2 we wish to confirm that we are not supportive of the application for Short Term Vacation Rental of this property. Given the lack of accommodation available for Islanders wishing to work and reside on Mayne and their long term interests in the well being of the resources, we would not be opposed to a full time long term rental for locals. Given the increased traffic flow, taxing of the island resources (ie. water) and expected increase in noise levels (as per our experience) we are opposed to this application. Thank you. Jim and Joanne Finlay

Sent from my iPad

From: Moira iCloud Items <[REDACTED]>

Sent: Wednesday, February 17, 2021 4:38 PM

To: Phil Testemale <ptestemale@islandstrust.bc.ca>; Narissa Chadwick <nchadwick@islandstrust.bc.ca>

Subject: Staff Report Dated Jane 25, 2021 re: Temp Use Permit for STVR re: 538 Arbutus Drive

Dear Planners,

Below, please find our comments regarding the above application, for your review and consideration. We wanted to put our concerns in writing, rather than attempting to communicate in your Zoom session.

Please call us for any comments or clarification, as your time allows.
Good luck with your Zoom session tomorrow.

Sincerely,
Moira Silcox and Deb Ayers

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Re: Applicant: Daniel Costello & Amber Baker
Location: 538 Arbutus Drive

Date: February 17, 2021

To: Phil Testemale, Planner and Narissa Chadwick, Island Planner

From: Moira Silcox and Deb Ayers **537 Arbutus Drive**

We have read your Staff Report for an application for a TUP for a STVR for the address above. This document was sent to us on Feb 16, 2021 by a neighbour on Arbutus Drive. We are an interested party in that our cottage is directly across from the subject property.

To follow are our comments, questions and concerns with this application:

1. It is admirable that the applicant has made a formal application to obtain a TUP for a STVR, whereas anecdotal evidence would suggest that dozens of other "operators" (and likely 100% of operators) have no permits for their "private business operations". (See Staff Report, Page 4, *Cumulative Impacts*)
2. The increases in sales in real estate (over the past 2-4 years) across Mayne Island, has likely spawned a rise in "private accommodations-for-pay". It is NOT these operators who pay Employee Wages, Water Usage Fees, Business Licenses and Taxes and so forth. Their contribution to the local economy is thus, insignificant, when compared to commercial hotels/motels.
3. We would say there are "enough" private rentals in our Arbutus neighborhood and, the impact of more rentals, is quite real.
 - a. There are other nearby properties presently who rent out their cottages in our Arbutus Drive neighborhood. These seem to be well-managed by on-site or nearby managers who are prepared to deal with renter issues. If this application is approved, we believe the applicant should hire a designated manager who is available on Mayne and available to nearby neighbours to contact.
 - b. However, yet another private accommodation on this part of Arbutus Drive may have a direct negative impact on two existing accommodation businesses who are already struggling to survive with a less-than-thriving tourism industry. To the north of the subject property, **The Mayne Inn** and to the south, **The Blue Vista Motel**. These are long-established and valuable assets for the Island.

4. The proposed size of potential renter group is a concern 8 persons in a 2 bedroom cottage on a .33 lot is potentially a high density ratio. There could be some out-of-control gatherings, parking, fire or safety (person or property) concerns in this scenario. We have no police service on the island. We agree with the Staff Report that a smaller occupancy is prudent; say 5-6 person occupancy.

5. While we hope most the short term renters would come for a quiet and brief stay, in the peak months of June, July, August we know larger parties arrive into our neighborhood, and do generate a noticeable noise level increase. It's difficult when no on-site manager is available to quell noise or take any action. Therefore, the ideal would be that the applicant agree to limit family and friend usage solely for the peak season months of July and August, or June, July, August.

6. Unquestionably, more water will be consumed at this address, correspondent to increased occupancy in terms of days, and numbers of persons on any given day. Collection of rainwater in rain-barrels is unlikely to mitigate the rise in usage levels of CCBID domestic water for drinking, washing, used by renters. If the applicant can a) place restrictions on water usage by their visitors and b) open their property for rent during non-drought months, the severity of impact on the community water supply would be less.

7. We assume the *Temporary Use Permit* is issued for 3 years at a time, subject to review and renewal options. Is this the case? Secondly, If the Permit is a Condition of the sale of the property, then can we assume this AirB&B is planned only to run for a single 3-year period?

DATE OF MEETING: March 29, 2021
 TO: Mayne Island Local Trust Committee
 FROM: Narissa Chadwick, Southern Team
 COPY: Robert Kojima, Regional Planning Manager
 SUBJECT: MA-RZ-2020.1 Application Update

PURPOSE

The purpose of this memo is to:

- Summarize information received by the applicant
- To propose a date and time for the community Information meeting (CIM)
- To identifying options for advertising the CIM

MA-RZ-2020.1 (MIHS) Update

The status of the information requested is identified in the table below.

-Information Requested	Status
Assessment of Septic Feasibility	Received, Reviewed, Reported on
Hydrogeologist Report	Received, Reviewed, Reported on
Arborist Report	Received, Reviewed, Reported on
Biologist Report	Received, Reviewed, Reported on
Information Required for Housing Agreement	Received, draft housing agreement sent to MIHS for review (see Attachment 5)
Hydrologist Report/Wetland Restoration Report	Received and reviewed in this report.
Revised legal survey to include revised proposed lot boundaries	Received and reviewed in this report.
Site plan drawn to scale identifying location of proposed buildings, structures, clearings	Received and reviewed in this report.
Site development Plan identifying how ecologist, arborist and hydrologist's recommendations have been incorporated	Received and reviewed in this report.
Cost recovery agreement for Covenant and Housing Agreement	Received.

Attachment 1 provides the MIHS Summary of their actions taken to this point.

The documents provided since the February 22 Mayne Island LTC meeting include the revised site survey (Attachment 2), the report from the wetland restoration consultant (Attachment 3) and the Site Plan (Attachment 4).

Revised Site Survey and Site Plan

The detailed site plan in Appendix 4 identifies how the MIHS has considered the recommendations made in the biologist report and the arborist report.

Set back considerations - The current site plan identifies the setbacks proposed in the draft bylaw presented to the LTC at the February 22nd which are based on what is currently in the Land Use Bylaw for the Rural Zone.

‘The minimum setback for any building or structure is:

- (a) 8 metres (26 feet) from any front, rear or exterior side lot line;
- (b) 3 metres (10 feet) from any interior side lot line;”

Past and recent correspondence received by the neighbours on the western border of the property have indicated interest in a larger setback in consideration of:

- 1) ***The use of the adjacent property for farming.*** The Mayne LTC may want to consider setbacks that recognize the use of the adjacent land for farming both in terms of the interests for retaining shade conditions for the farm as well as mitigating the impact of agricultural activity on the residents of the housing development.
- 2) ***Supporting the integrity of the existing forest and opportunities for regeneration.*** The neighbours have identified how they have tried to retain the portion of forest on their side of the property line. Minimizing forest fragmentation and avoiding disturbance to veteran trees and root zones are recommendations made in the biologist report.

At the January 25th 2021 meeting the Mayne Island LTC passed a resolution requesting staff to amend the draft bylaw to account for a buffer zone. Staff are proposing that a setback of eight metres from interior lot lines be considered. An eight metre setback is the largest setback that currently exists in the Mayne Island Land Use Bylaw (In the CD2 Zone “8 metres from any lot line abutting a highway or the Settlement Residential Zone”). Staff is seeking direction from the LTC on the proposed setback and if they would like a change to be made to the setback in the draft bylaw before or after the CIM.

Parking considerations – There are currently 21 parking spaces identified in the site plan for 10 units. There is no bicycle storage or EV charging station identified. Given the location of the development right on the CRD multiuse path, the proximity of the development to Village Bay and emergence of electric cars and bikes staff recommend the LTC consider if parking has been addressed appropriately.

S. 219 Covenant considerations - The proposed site plan will be part of the covenant to be registered on title. The covenant will also include requirements for water treatment and monitoring and areas to be preserved on lot Lot 1, 2 and 3. Staff have asked the applicant to provide a plan of the proposed building site for Lot 2 before the covenant can be drafted. The wetland restoration report provides a suggested location for building on Lot 2.

Wetland Restoration Report

The wetland restoration report is very thorough providing a comprehensive overview of the history of the site, water flow issues related to the former use of the site, restoration strategies, a proposed restoration design, and details of wetland restoration techniques for both Lots 2 and 3. Recommendations include:

- Creation of wetland ponds.

- Protect the wettest areas of the property with a covenant.
- Remove the compaction from the old logging roads through a process known as “rough and loose”
- Remove ditches to reduce surface flow of water.
- Add coarse woody debris generated from site clearing to wetland restoration areas.
- Place the building site on Lot 2 on higher ground south of the artesian well and close to the existing driveway in order to not compromise restoration work. Lot 3 and 2 are hydrologically connected.

As the wetland restoration consultant identified “The project may be completed at a low cost, will require little or no maintenance and may provide a model for other communities for balancing community housing needs with conservation priorities”.

Draft Housing Agreement

The draft Housing Agreement recognizes the differences in rental rates to be charged and recognizes the need for flexibility related to funding requirements. In addition to providing other terms and conditions the Agreement Includes a definition of “Qualified Renter” focussing on priority for tenants that have been living on Mayne prior to their tenancy.

Once the MIHS has had a chance to review the Agreement it will be sent out for legal review.

Things to Consider Regarding the Community Information Meeting

At the January 25th , 2021 Mayne LTC Meeting:

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff schedule a community information meeting once all information requested from the applicant has been received.

Staff is satisfied that the applicants have provided all the information requested to be submitted prior to the scheduling of a Community Information Meeting (CIM). Staff have requested that, in addition, a site survey with the proposed location of a building site on Lot 2 also be provided before the CIM.

In order to support scheduling and administrative efficiency staff propose the CIM be held as the first part of the special meeting on housing to be held on April 26th. The special meeting related tot the flexible housing disucssion is already scheduled for 1pm-2:30 on April 26th. The CIM could be held from 10:30am – 12:30pm. This will allow for a break before the dicsussion of the Housng Flexibility project.

The LTC needs to identify how they would like the CIM to be advertised. Options include: subscriber list notice, notice posted in prominent places on the island, notice posted on website.

NEXT STEPS

- Applicant to provide a survey of the proposed location of the building site on Lot 2.
- Community Information Meeting will be scheduled and notice sent out.
- Housing Agreement will be sent for legal review once the MIHS has had a chance to review the draft.
- The Housing Agreement will be drafted prior to public hearing and then adopted and registered prior to adoption of the bylaws.

- Section 219 Covenant will be drafted prior to public hearing and registered before adoption of rezoning bylaws.
- Revised rezoning bylaws reflecting input prior to, during and following the community information meeting will be provided to the LTC at the May 10, 2021 LTC meeting.

Submitted By:	Narissa Chadwick (RPP) Island Planner	March 15, 2021
Concurrence:	Robert Kojima, Regional Planning Manager	March 16, 2021

ATTACHMENTS

1. MIHS Site Plan Summary
2. Revised Site Survey
3. Wetland Restoration Report
4. Site Plan
5. Draft Housing Agreement

**Mayne Island Housing Society
Site Plan Summary
March 5, 2021**

**375 Village Bay Road Mayne Island
10 unit Affordable Rental Housing Proposal**

**Rezoning and Subdivision Application:
Lot 3 of Lot B, Section 7, Mayne Island, Plan 27091**

This report summarizes the efforts undertaken by the Mayne Island Housing Society (MIHS) to comply with the requirements of the local trust committee. The set of reports provided should provide sufficient information to proceed to the Community Information Meeting and First Reading.

Preliminary Site visit – Rob Underhill RPBio, Mayne Island Conservancy

Follow-up Notes from June 22, 2020 visit - Initial investigation of the site revealed signs of historical logging on the site. Areas of severe compaction and poor drainage were identified. Some general recommendations informed the later full ecological assessment, including minimizing the development footprint, restricting development to the existing degraded areas and avoiding wetter areas.

Ecological Assessment – Keith Erickson, R.P. Bio.

Report – Sep 21, 2020

Dr Erickson did a detailed examination of the site and prepared a comprehensive ecological assessment. Primary recommendations from the report's summary are:

- Minimize forest fragmentation.
- Protect remnant old forest structures.
- Minimize impacts to wetter forest ecosystems and ecosystems-at-risk.
- Conduct further consultation on hydrological impacts and mitigation requirements.
- Implement ecological and hydrological restoration in areas outside of the development footprint.

The ecological assessment included the twelve point, "Recommended Guidelines for Development Planning." Those guidelines have informed all of the site design, planning and investigations by other consultants.

1) Reduce fragmentation of the forest by keeping the development compact and minimizing the footprint of structures and services. For example, bury power and communications lines under access driveway.

Site planning has concentrated development in Zone EC 3-2, the western, drier part of the parcel. Existing damage in the moist eastern and northern portions of the site will be remediated where necessary and retained as a rare wetland.

2) Retain, and establish a Tree Protection Zone around remaining old veteran trees on the property.

a) Recommend consulting with a certified arborist to determine the health the veteran trees, assess the impacts from the proposed development and provide recommendations for tree protection and establishing a critical rooting zone.

b) To give a sense of a standard calculation of the Critical Rooting Zone or Tree Protection Zone, this report has created a Tree Protection Zone based on the trunk diameter method with every 1cm of tree diameter (at breast height) equaling 12cm of Protection Zone radius.

3) Retain large diameter wildlife trees (dead standing trees).

a) Recommend consulting with a certified arborist to determine safety considerations and setback requirements around these trees. If necessary, top wildlife tree to reduce setback rather than remove completely.

Arborist report confirms that the five designated Veteran trees and three of four large Wildlife trees can be retained. Note: the tree protections zones as identified by the Arborist are somewhat smaller in diameter than Most of described in the Ecological report. MIHS commits to implementing these tree protection zone dimensions and other recommendations from the arborist report.

4) Minimize the encroachment of the development footprint into moist/wet ecosystems.

Wetland remediation will be conducted in the wetter Zones EC 2-1, EC-2-3 and part of EC 2-2 including de-compaction and construction of retention ponds. Most of Zone EC 2-2 and all of EC 3-1 will be substantially untouched during and after development.

5) Minimize disturbance to Douglas-fir / dull Oregon-grape Provincially red-listed ecological community within mapped Ecological Community 1-1. A large portion of this overlaps with recommended Tree Protection / Critical Rooting Zone in 2b).

Designated Veteran trees in Zones EC 1-2 and EC 3-2 will be protected during development and retained per the Arborist report.

6) Focus development in and around areas where soils are already heavily disturbed and compacted as much as possible.

Site planning has concentrated development in Zone EC 3-2, the western, drier part of the parcel. Some of the development will use the western, compacted fringe of EC 2-1.

7) Minimize area of impervious surfaces and area of soil compaction including during the construction phase and post-construction ongoing use.

Site planning has concentrated development in Zone EC 3-2. Construction equipment and materials will be constrained to the building development area, except as required to implement the wetland remediation plan.

8) Recommend consultation with professional hydrologist to determine direct impacts to hydrology from development and to prescribe measures required to mitigate on-site and downslope impacts. Potential measures might include:

- a) Installation of bioswales, creation of rainwater gardens, constructed wetlands or retention ponds to promote infiltration of surface water and any diverted water into the ground.*
- b) Installation of rainwater catchment and storage systems to reduce roof runoff and reduce pressure on groundwater resources.*

Consultation with, and site investigation by, the wetland remediation specialist recommended by the Ecologist has been completed. A final report and remediation plan is pending.

9) Retain as much forest structure and natural vegetation cover as possible.

- a) Minimize impacts to vegetation during the construction process, and immediately revegetate/restore any areas where temporary damage is necessary for construction purposes.*
- b) Retain large diameter coarse woody debris within undeveloped areas of the property to provide critical wildlife habitat.*

10) Restore areas outside of the development footprint where soils have been previously compacted

(skid roads, logging landing sites) through 'rough and loose' treatment.

11) Incorporate 'wildlife zones' into the design where no ongoing use occurs. Restoration and wildlife enhancement measures should be focused in these areas.

12) Monitor, evaluate and if necessary employ further mitigation measures during all phases of the development and construction process.

As mentioned previously, wetland remediation will be conducted in the wetter zones EC 2-1 and EC-2-3, including de-compaction and construction of retention ponds. Zone EC 2-2 and 3-1 will be substantially untouched during and after development. Per the Arborist report, tree protection zones will be established prior to the start of construction. Construction equipment and materials will be constrained to the building development area, except as required to implement the wetland remediation plan. Written guidelines will be provided to all on-site contractors and included in contracts.

Hydrogeologist report – Alan Kohut, PEng, Hy-Geo Consulting

Desktop assessment report – Sept 22, 2020

Preliminary report – Nov 9, 2020

Final report – Nov 22, 2020

Among the conclusions:

“The well is obviously more than capable of supplying the estimated demand of the project at 5.11 L/min (1.35 USgpm) with a very large safety factor. Pumping water levels would not be drawn down below sea level precluding the possibility of sea water intrusion.

None of the neighbouring wells or the spring monitored during the test showed any signs of water level interference from the pumped well.”

Wastewater Report – Brent Davies P Eng, BWD Engineering

Final Report – November 9, 2020

“It is the determination of this report that an on-site sewerage system suitable for the proposed development can be constructed to meet the current BC Provincial Sewerage System Regulation 326/2004.” “if the dispersal field is extended to the east beyond the proposed property line.”

Arborist report - Jen Barsballe, RCA CMA, Beechwood Consultancy and Tree Service

Preliminary report Jan 12, 2021, Final report Jan 25, 2021,

Visited site and examined all trees mentioned in ecologist Keith Erikson’s report and considered health, safety and retention requirements.

Some of the conclusions:

- The proposed building siting should not affect those trees adversely.
- Consultation with Brent Dennis of BWD Engineering concluded that proposed septic dispersal field should be a net positive for tree retention.
- *“The five large Douglas firs can be preserved provided that their root zones are protected during and after construction.”*
- *“Three of the four wildlife trees can be left as wildlife trees provided that the abatement recommendations are followed. The last one threatens neighbouring properties and should be removed.”*

Hydrology and Wetlands Remediation Plan – Robin Annschild, Wetland Restoration Consulting

On the recommendation of the ecologist Keith Erickson, and with the concurrence of IT staff, MIHS contracted a wetland remediation specialist to investigate the surface hydrology and biome of the site. Robin Annschild of Wetland Restoration Consulting is a biologist with extensive experience in the design and construction of wetland restoration projects. She has directed the construction of 275 wetlands, restored on 33 sites across British Columbia and completed 4 stream restoration projects in the East & West Kootenay and the Cowichan Valley.

(Preliminary notes - Final report pending)

Visited site on January 23, 2021. Reviewed areas impacted by past disturbance (clearing, drainage, agriculture, road building) described in Keith Erickson's report. Some of the recommendations for Lot 3 of Lot B:

- Retain trees removed for construction on site to be used for habitat restoration (trunks, limbs & branches, root wads), with the added benefit of sequestering carbon instead of burning the slash.
- Create a wetland pond between the dwellings and the well to provide breeding habitat for amphibians, water for bats and a safe place for children to explore.
- Remove and restore old roads by de-compacting with an excavator and placing coarse woody debris retained from clearing building site. Attractive footpaths may be built instead of the existing roads, except where maintenance access is required (to the well).
- Remove old ditches that lower the elevation of groundwater and reduce the site's capacity to store water and grow large trees.

Architect's Summary and Site Plan – Richard Iredale Architect, AIBC LEED ap MRAIC

Richard Iredale has done extensive planning and design for the project, including preliminary site plans, rendered drawings for public consultation and the set of plans attached.

The project outline is as follows:

- **A compact ground oriented neighborhood**
The project comprises 5 duplex buildings arranged around a traffic circle on the westerly half the 3 acre site (Lot 3, to be subdivided from Lot B, Plan 27091). These provide a total of 10 ground related dwellings, accessible at grade. Each unit has an entry porch and private garden.
A "community green" provides a play area for children and a venue for neighborhood gatherings. It has a utility building containing water supply equipment, a shared coin-operated laundry, storage lockers and garden tool storage. A common room opens onto a covered outdoor barbecue patio. Garbage and recycling are provided in the enclosed area adjacent to the driveway.
- **Site design rationale**
The site plan keeps the built and hard-surface development area as small as possible - to avoid unnecessary impact on the existing forested area - whilst providing adequate room for vehicles and parking. Five mature Douglas fir trees are preserved.
Construction on the wet and topsoil-rich easterly half of the site is avoided and much of the second-growth forest and underbrush is also preserved.
The site plan shows the proposed development overlaid on the ecological map prepared by Keith Erickson.

- **Unit descriptions**
 The three southerly duplex buildings are two-storey and together provide 1 one bedroom unit, 4 two bedroom units, and 1 three bedroom unit. The 2 and 3 bedroom units have living accommodation located on the ground floor and bedrooms on the second floor. These units are intended primarily for working age families with one to three children.
 The two northerly duplex buildings are one-storey and provide 4 one bedroom units, with living accommodation and bedrooms on the ground floor. Some of these units are accessible units and will make ideal age-in-place homes for Island seniors.
- **Parking**
 The two and three bedroom units each have two parking stalls (organized as tandem stalls), and the 1 bedroom units each have one parking stall, for a total of 15 resident parking places.
 There are also 5 guest parking stalls located in the central island formed by the driveway turnaround.
 Rental rules will prohibit storage of boats, building materials, garbage and recreational vehicles on the property.
- **Emergency Vehicle Access**
 The circular driveway meets the minimum turning radius dimensions for Mayne Island fire-fighting trucks and emergency vehicles. The entry driveway will be constructed within a 12% maximum grade. Final determination of grading and road width will be determined when detailed civil engineering is undertaken.
- **Surface Water Management**
 The size and location of the water retention ponds on the eastern portion are subject to the report and recommendations of the wetlands remediation specialist. Stormwater from roofs will be directed to rainwater tanks and will be available for irrigation, other outdoor uses, and firefighting. Surface water drainage from the development will be part of the wetland remediation plan. The combination of rainwater catchment, swales and retention ponds will buffer seasonal water flows.
- The site plan provides for a well treed natural buffer zone to the west.
- **Site Access**
 Vehicular access to the development will be from Village Bay Road, minimizing any traffic impact on neighbours. The new CRD pathway will provide safe walking and bicycle access to the commercial core in Miners Bay and to the ferry terminal. The site is also close to town and within walking distance to the school.

Community Issues

There has been overwhelming support for this project from businesses, organizations and individuals across Mayne Island, but we've had written and verbal concerns expressed by some of the neighbours of the proposed development. The principal issues seem to be in three main areas: noise and traffic; wells and water; and surface water drainage. These are very reasonable concerns and we've done our best to address them, both directly and through our submissions to the Island Trust.

- **Noise and traffic**
The project will be at least 500 feet away from neighbouring homes. With access from Village Bay Road, and sited on the new walking/biking pathway from the ferry terminal to Miner's Bay, the project should have little or no impact on the Maple Drive neighbourhood. It is within easy reach of the Miner's Bay commercial area.
- **Wells and water**
MIHS has had a very productive well drilled on the site. The hydrogeological engineering report details flow tests showing that there was no impact on neighbouring wells even in the driest time of the year. This area, at the northern foot of Mount Parke, has some of the best natural aquifer replenishment on the island.
- **Surface water drainage**
This site and adjacent properties have been logged multiple times over the years. Areas of the site are heavily compacted, and there is significant seasonal surface runoff. The sensitive site design, with careful location of the buildings, is in keeping with the ecologist's report. We have also commissioned a study from a wetland restoration specialist to create a plan to improve the site ecology, de-compact much of the historical damage, reduce surface runoff, and create one or more natural ponds.

Conclusion

The Mayne Island Housing Society has been dedicated to providing the community with essential housing for seniors and working families, while providing remediation and protection of a now-damaged, rare and sensitive ecosystem. The site design described herein illustrates the due diligence undertaken, is respectful of community concerns and follows the recommendation of the ecological report. This development should be an asset to community for its 60+ year lifetime.

Respectfully submitted
Board of Directors
Mayne Island Housing Society
March 5, 202

Proposed Subdivision Of:
Lot B, Section 7, Mayne Island,
Cowichan District, Plan 27091,
P.I.D. 002-552-256



Scale = 1:500

Dated this 15th day of July, 2020.

Distances and elevations shown are in metres.

Elevations are geodetic, based upon RTK GNSS observations.

This site plan is for building and design purposes

and is for the exclusive use of our client.

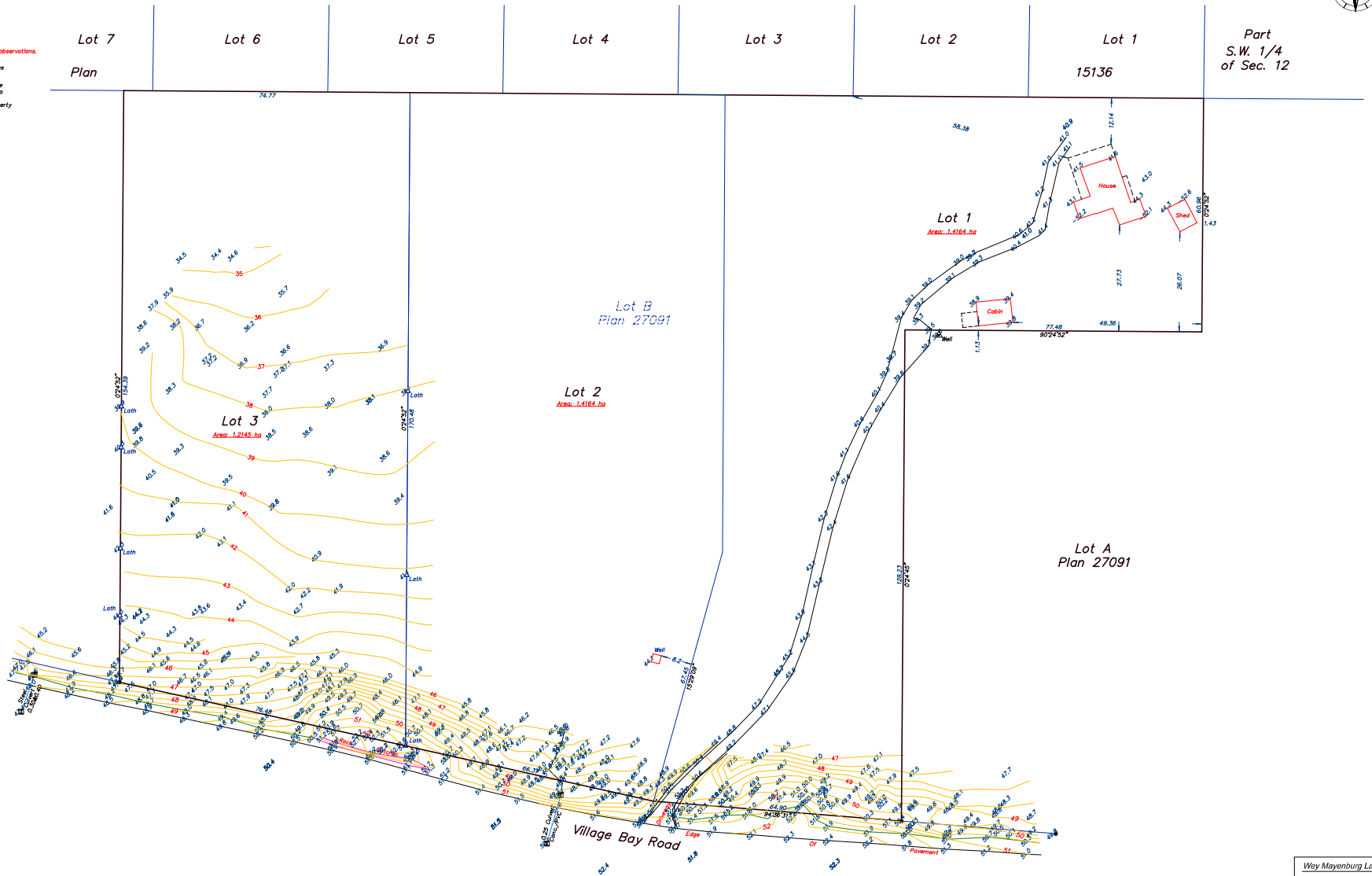
This document shows the relative location of the

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.



The subject property is affected by
the following registered document:
2881685

Wey Mayenburg Land Surveying Inc.
www.weysurveys.com
#4-2227 James White Boulevard
Sidney, BC V8L 1Z5
Telephone (250) 856-5155
FAX: 20019615151

Wetland Restoration Design Report

For Proposed Subdivision for Affordable Housing of:

Lot B, Section 7, Mayne Island, Plan 27091

Civic Address: 375 Village Bay Road



Miner's Bay from above 375 Village Bay Road. Photo by Leh Smallshaw, Wetland Restoration Consulting.

March 8th, 2021

Prepared for the Mayne Island Housing Society

By Robin Annschild, Wetland Restoration Consulting with

*Appendix A: Wetland & Stream Restoration Techniques
by Thomas R. Biebighauser*

Contents

1. Traditional Territory	3
2. Project Objectives.....	3
3. Site Design	4
4. Site Description	5
5. Site Disturbance History	6
5.1 Cross-cut Logging	6
5.2 Grazing	8
5.3 Roadbuilding for 2004 logging	8
5.4 Ditching.....	10
6. Restoration Strategies	11
6.1 Remove compaction & roads	12
6.2 Restore micro-topography.....	12
6.3 Remove Ditches	13
6.4 Build Wetland Ponds.....	16
6.5 Add Coarse Woody Debris	18
6.6 Prioritize Forested Wetland Restoration	20
7. Conclusions.....	20
8. Recommendations:	21
9. Construction Cost Estimate.....	21
10. About the Author	23
11. Map: 375 Village Bay Road Proposed Hydrological Restoration.....	24

Introduction

The Mayne Island Housing Society is planning an affordable housing project at 375 Village Bay Road on Mayne Island. An ecosystem report by Keith Erickson who reviewed the proposed Lot 3 recommended further analysis of site hydrology to “implement ecological and hydrological restoration in areas outside of the development footprint”¹ in portions of the property impacted by past land clearing, grazing, and logging activities. This report includes site disturbance history, restoration strategies for the site, a proposed restoration design, details of wetland restoration techniques and a cost estimate to complete the proposed work for both Lots 3 and 2.

1. Traditional Territory

The land at 375 Village Bay Road is within the consultative area of Lyackson First Nation, Halalt First Nation, Penelakut Tribe, Lake Cowichan First Nation, Stz’uminus First Nation, Cowichan Tribes, Semiahmoo First Nation, Tsawwassen First Nation, Tseycum First Nation, Tsartlip First Nation, Pauquachin First Nation and Tsawout First Nation.

The Mayne Island Tsartlip Reserve No. 6 is 350 metres to the west of the property boundary.

2. Project Objectives

1. Restore valuable forested cedar wetland habitat that has become rare in the Coastal Douglas Fir biogeoclimatic zone and in the southern Gulf Islands.
2. Create open water wetland habitat, most of which has been lost on Mayne Island through conversion of wetland-rich valley bottoms to agricultural use.
3. Create breeding habitat for amphibians species in decline in BC and globally such as: tree frog, long-toed salamander, newt and potentially for Northern Red-legged frog.

¹ Erickson, Keith. 2021. Ecological Assessment Report for Proposed Affordable Housing Property. Report prepared for the Mayne Island Housing Society. p. 3

4. Restore nesting and foraging habitat for Western Screech Owl.
5. Sequester carbon through restoring habitat for cedar forested wetland.
6. Restore watershed functions such as water storage capacity in soil and vegetation.
7. Mitigate the impacts of the development of 10 units of affordable housing by restoring and protecting the remainder of the lot with a conversation covenant.
8. Add beauty and enjoyment to the landscape that will be inhabited by the new residents of the affordable housing development.

3. Site Design

This report is based on a visit to the site by Robin Annschild and Leh Smallshaw of Wetland Restoration Consulting on January 25th, 2021, with Deborah Goldman, Brian Crumblehulme, David Brown, Directors of the Mayne Island Housing Society.

The following actions were taken to examine, identify, and address restoration needs for the site:

1. Available background information was read, and Google Earth location information was reviewed prior to the field visit.
2. Potential wetland restoration areas were examined on the ground to determine how water enters the site and how water leaves the site. Water entry and exit points were monitored for evidence of past disturbance and erosion and actions (if) needed to control this erosion were identified.
3. The presence or absence of standing water and water depths were recorded.
4. Slope and elevation survey data was collected using a Spectra Precision LL300N laser level and rod.
5. The locations of drainage ditches, fields, clearings, roads, and culverts were recorded using a Garmin Oregon 650 hand-held GPS.
6. Site maps were prepared using QGIS.
7. A 1.22 metre tile probe was used to determine soil depth, saturation, and texture at key locations.
8. Existing percolation test-holes and their spoil piles were examined to determine soil texture and the elevation of the water table at key locations.
9. Locations where wetlands may be built were identified.

10. Areas where soils may be disturbed during construction, and where soil removed from excavating wetland ponds may be spread were identified.
11. Potential access routes for heavy equipment and the type and size of heavy equipment needed to complete the project was determined.
12. A Phantom 4 Pro drone (loaned by the BC Wildlife Federation) was used to take ortho-images of the site using Pix 4D software. The images were processed into a high-resolution orthophoto using Web-ODM software. These orthophotos are used as the basemap in the [map](#) included in this report.
13. Historical air photos of the site from the years 1932, 1946, 1948, 1950, 1951, 1962, 1967, 1972, 1975, 1980, 1985, 2005, were reviewed to prepare this report.

4. Site Description

A more detailed description of ecosystem types, ecological values, hydrology, and disturbance history of Lot 1 can be found in the September 21st, 2020 Ecological Assessment Report² prepared by Keith Erickson. The property is on a north-facing slope at the base of Mount Parke, which rises to an elevation of 260 metres approximately 970 metres to the southeast. The subject property ranges in elevation from approximately 30 to 50 metres and has an average slope of 25%. It has a high and fluctuating water table, with water at and above the surface in the winter in the wettest areas and dropping to approximately 1 metre below ground in late summer and early fall.^{3,4} A Douglas Fir stump with a 1.3 metre diameter at the edge of Village Bay Road near the proposed entrance driveway to the affordable housing development illustrates how productive the site is for growing large trees (Figure 1).

² Erickson, Keith. 2021. Ecological Assessment Report for Proposed Affordable Housing Property. Report prepared for the Mayne Island Housing Society.

³ *Ibid.*

⁴ Crumblehume, Brian. 2020. Personal communication.

The attached [Map](#) shows the current proposed lot boundaries and the affordable housing project on Lot 3. This report includes a review of wetland restoration potential on both Lots 3 and Lot 2.



Figure 1. David Brown and Brian Crumblehulme, board members of the Mayne Island Housing Society stand near the entrance to the proposed driveway for the affordable housing development beside a Douglas fir stump that is 1.3 metres in diameter.

5. Site Disturbance History

5.1 Cross-cut Logging

375 Village Bay Road is 300 metres south and 30 – 50 metres uphill of the shoreline of Miner's Bay. Vancouver Island miners gathered in Miner's Bay beginning in 1858 – 1860 before rowing across Georgia Strait to the mainland to join the Fraser Canyon Gold Rush.⁵ The earliest European homesteaders registered land claims in Miner's Bay in 1859.⁶ The

⁵ Mayne Island's History, Mayne Island Resort. <https://www.mayneislandresort.com/history/>

⁶ *Ibid.*

subject property was first logged around this time, as there is evidence of cross-cut saw logging with springboard notches on old cedar stumps. One cedar stump was measured at 1.47 metres in diameter (Figure 2). The size of the stumps indicates the potential productivity of the site for growing large cedar trees. Such sites are rare in the Southern Gulf Islands. Cedar has great cultural importance for Coast Salish people, and provides important habitat features for a wide variety of species, including nesting habitat for the Western Screech Owl, a species at risk. Most sites in the southern gulf islands that historically supported large cedar swamps (or forested wetlands) have been cleared, drained and converted to agricultural use, with no prospect of restoration in a timeframe that is meaningful with respect to climate change. In this context, any opportunity to restore and provide permanent protection to a forested cedar wetland is significant.



Figure 2. Brian Crumblehulme stands beside a cedar stump 1.47 metres in diameter. This cedar was cut using a cross-cut saw. Springboard notches are visible on the back of the stump.

5.2 Grazing

The earliest available air photo of 375 Village Bay Road is from 1932 (Figure 3). It shows an intensively farmed area around Miner's Bay. In the area where 375 Village Bay Road is located, the outline of an old field that has mostly been allowed to grow up to shrubs is visible, as is what appears to be an old road leading from the shoreline farms. A small portion of the old field is still clear of vegetation. This suggests that early settlers cleared a field for agricultural use – probably for use as a pasture to graze cattle. Livestock compact moist soils with their hooves and flatten areas that previously had complex micro-topography of pits and mounds. By 1932, the field was already mostly abandoned, with only a small portion still in use at that time, again likely for grazing. Current site conditions suggest the field was abandoned and allowed to grow up to trees because it was too wet for agricultural use.



Figure 3. This 1932 air photo of the area shows the outline of an old field that has mostly been allowed to grow up to shrubs (red arrow) and a road leading to it from the farm on the shoreline of Miner's Bay (blue arrow).

5.3 Roadbuilding for 2004 logging

The next significant disturbance visible in the air photos is selective logging that occurred prior to the 2005 photo, perhaps in 2004. The network of old logging roads on the property (see [Map](#)) was likely built to provide logging access.

It can take many years for vegetation to become re-established on old forest roads. Road surface conditions combined with vehicle traffic which may carry in weed seeds can create growing conditions that favour introduced and invasive species, making it difficult for native species to re-establish. Compaction in the road surfaces prevents water from percolating and roots from penetrating into the soil. These roads interrupt and divert surface flow and can act like a series of intersecting dams across the landscape. Where road surfaces are left unmaintained on slopes, they can channel water, resulting in erosion and sediment transport that pollutes watersheds. Unless old roads are necessary and well-maintained, they are a liability for site hydrology and productivity and they further the presence of invasive species. While old roads will slowly become re-vegetated over time, the compacted road-base stunts the growth of vegetation for decades and potentially centuries.



Figure 4. This road leads from the existing driveway west across proposed Lots 2 and 3. It was likely built to provide access for the 2004 logging.

5.4 Ditching

It is likely that ditches were dug to drain the property after it was first logged in the late 1800s or early 1900s. That the drainage was not particularly successful is evidenced by the fact that by 1932, the site had already been abandoned for farming for long enough to allow a canopy of shrubs (possibly alder) to develop. That the site was abandoned so early in the 20th century indicates that the effort required to maintain the site as a pasture was not worth the benefit. Moisture conditions on the site today confirm that the is very difficult to drain. The presence of an artesian well or spring as well as numerous ditches spaced closely together and crossing each other at right angles, the largest of which flow with water year-round⁷ indicates that groundwater emerges from the ground at this location. The size and shape of some of the ditches suggest they have been dug more recently, perhaps at the same time as the land was selectively logged prior to 2005.



Figure 5. David Brown measures a ditch that is 1.5 metres deep and over 2 metres wide on the east side of the existing driveway on proposed Lot 1. The red arrow shows the direction of water flow in the ditch.

⁷ Goldman, Deborah. 2021. Personal communication.

Ditches remove water from the soil in two ways: they remove surface water and lower the elevation of groundwater. By lowering the elevation of groundwater, ditches lower site productivity for growing trees, reduce storage capacity for water in the soil, and increase flashiness in the watershed by accelerating the rate at which water flows through the property and onto neighbouring properties. The number, density, and depth of crisscrossing ditches on the subject property show how much effort has been put into draining this very wet site.



Figure 6. Ditches at right angles to each other that flow all year round indicate a wetland that is actively being drained. Red arrows show the direction of flow.

6. Restoration Strategies

The strategies proposed for this site are designed to mimic natural systems and work with site conditions to restore hydrological functions and biological productivity. They are

designed to be low-cost and require little if any maintenance. No drains, pumps, dams or diversions would be built. The techniques that will be used to implement these strategies are described in detail in Appendix A.

The wetland ponds shown on the [map](#) would have seasonally fluctuating water levels. This is important to support native amphibian populations who are adapted to wetlands that dry in the fall.

Heavy equipment contractors would be hired by the hour to complete the project, greatly reducing construction costs. Coordinating heavy equipment restoration work with site clearing and roughing in the building sites could result in cost savings.

6.1 Remove compaction & roads

Given the intention to protect the wettest areas of the property with a conservation covenant, all the old logging roads that are no longer needed may be restored to a forested wetland by removing the compaction from the road surface. This will restore the ecological productivity of the forested wetland areas that are currently networked by roads. Removing compaction (“fluffing up the soil”) will allow moisture from rain and snowmelt to penetrate the soil, reducing the risk of erosion. Loosening the soil also makes it easier for tree and plant roots to penetrate, increasing the rate and size of vegetation that may grow on the site.

[Dave Polster](#) pioneered this technique, called “rough and loose” in British Columbia for use in road restoration and mining reclamation. The technique consists of using the digging bucket on an excavator to deeply dig into the road surface and then allow the material to fall back into place in soft, uncompacted mounds. The technique may be adapted to site-specific needs and can be used on landings and in any area where soil has become compacted due to vehicle use.

6.2 Restore micro-topography

The smooth surfaces of roads, former pasture, old landings and other disturbed areas have reduced the variety of microsites available for different species of vegetation. As

compaction is removed, the soil will be left in naturally appearing, undulating mounds and ridges to restore habitat diversity.



Figure 7. Old logging roads, compacted soil surfaces, and a deep ditch with flowing water (red arrow) could be removed to restore a forested cedar wetland in this location. The ditch concentrates and directs runoff onto the neighbouring properties to the north.

6.3 Remove Ditches

Ditches are a lot of work to dig, and the work pays off, because they are so effective at removing water. Natural streams are sinuous and dotted with pools. Ditches are straight, concentrating and accelerating the flow of water, removing surface water quickly and effectively, and lowering the elevation of groundwater. Where ditches are present, soil saturation is reduced.

The ditches at 375 Village Bay Road accelerate and concentrate the flow of water, taking it rapidly across the property toward the neighbouring properties to the north. The ditch

both drains surface water and lowers the elevation of ground water, shortening the hydro-period of what was formerly a forested cedar wetland. The ditches were dug for this purpose, and they continue to fulfil this purpose, even though there are no longer efforts being made to farm the land around them.

Ditch removal requires cleaning vegetation, roots and organic matter from the ditch and packing it with soil of a similar texture and level of compaction. A large volume of soil is required to fill ditches. Combining ditch removal with wetland construction makes sense. The soil removed from the wetland basins can be used to fill the ditches. To ensure water does not continue to flow through the soil where the ditch used to be, the ditch can be interrupted with core trenches at a 90-degree angle to the direction of the ditch. Filling the trench with compacted soil will prevent water from following the path of the ditch. The ditch may also be disabled by building a series of wetland pools along it, alternating with sections of filled ditch as described and illustrated in Appendix A, Wetland and Stream Restoration Techniques.

Concern has been expressed about the volume of water that leaves the property in a northwesterly direction from the north property boundary. The main source of this flow appears to be the deep ditch that was dug in a north and northwesterly direction from the artesian well, towards the property boundary ([Map](#)). Removing this ditch and the network of ditches that drain the forested wetland would have multiple benefits. It would regulate flows, reducing the speed at which water leaves the property after a rainfall event. It would also restore the storage capacity to the top layers of soil that are currently drained by the ditch. This would support alder and cedar to germinate and grow in the disturbed areas. Allowing a forested wetland to develop in areas impacted by past disturbance will increase the amount of water absorbed by vegetation, helping to reduce stormwater runoff.

Two smaller, roughly parallel ditches were dug close to the location of the well ([Map](#)). These ditches would be disabled and removed as part of the construction of dwelling units 5-6 and 7-8, as well as through the construction of pond #1. This will help to restore the site's water storage capacity, moderate runoff and restore site's capacity to grow large cedar and other species of trees.



Figure 8. The ditch (red arrow) that crosses this open area near the well (blue arrow) would be disabled. The existing opening in the foreground would be used to build pond #1.

Note that not all ditches observed on the site were added to the map, as time did not allow them all to be recorded in the field. As well as the ditches that were observed and not mapped, there are likely additional ditches on the property that are not easy to see, as old ditches readily become overgrown and hidden by vegetation. However these can readily be found while the restoration work is taking place, by searching along existing roads as they are being removed.

Once the ditches are removed, there will still be surface flow through the area in the winter months. The flow of water will be across the surface, dispersed, and winding its way around and through trees. Figure 9 shows an example from a level area close to the northern boundary of Lot 2 that is beginning to function this way. Here the old ditches appear to have filled with sediment, and surface winter flows have returned to what would

be expected for a forested wetland under high winter flows: shallow, dispersed, and at the surface.



Figure 9 shows dispersed surface flow close to the northern boundary of Lot 2. This shows how water would flow through the forested wetland in periods of high flow after the ditches are removed.

6.4 Build Wetland Ponds

Two sites were identified where small open water ponds 23 m x 16 m (Pond #1) and 9m x 17m (Pond #2) could be built ([Map](#)). It is not likely that this type of pond existed here before the forest was cleared, so this is not restoration in the sense of returning the site to a previous state, but rather the restoration of habitat that amphibians, bats and other wildlife need, and that has been lost from the larger landscape.



Figure 10. This wetland pond was built to in an old logging road at Snk'Mip Marsh in Hills, BC. It is one year old in the photo.

Figure 9 shows a pond that was built in a compacted gravel landing at the end of a logging road Snk'Mip Marsh near Hills BC. This wetland pool has a lot of good woody debris for wildlife and would be a suitable style for pond #2. For pond #1, which is close to the dwellings and where children will be playing, pieces of coarse woody debris that are child-friendly Would be selected and placed to allow children to explore the pond. The

pond would be shallow, no more than 1.2 metres deep, with features like peninsulas and bays to help children closer to the water to explore the life of the pond.



Figure 11. This wetland was designed and built by the author in Jubilee park in Rossland, BC. A peninsula was incorporated into the design to allow children to get close to the water and learn about pond life.

6.5 Add Coarse Woody Debris

Organic material was removed from the site through logging, clearing, grazing and erosion. Woody debris that will be generated from site clearing for construction is typically burned on site. This contributes carbon to the atmosphere, as well as removing nutrients and absorptive capacity from the site. Wetland restoration is an opportunity to re-purpose woody debris from site clearing to a necessary material for site restoration. Larger pieces of wood and smaller branches may be used in pond construction to provide habitat (Figures 11, 12) and incorporated into the former road surfaces when compaction is removed.



Figure 12 Adding coarse woody debris sourced on site to a wetland pond in September 2020 at Xwaaqw'um (Burgoyne Bay Provincial Park), Salt Spring Island.



Figure 13. The same pond 2-weeks later after it filled with fall rains.

6.6 Prioritize Forested Wetland Restoration

If a density is placed on Lot 2, it will be important to delineate the building envelope within the covenanting process, and to keep the building site on higher and drier ground. If it is possible to place the building site south of the artesian well without impacting older forest, that would support restoring and protecting the rare, forested cedar wetland ecosystem on the northern part of both lots 3 and 2. If the building site is placed within the existing cleared area, the current level of drainage and associated lowering of the water table would likely need to be maintained if not enhanced to create a dry building site and access. Doing so would impact and reduce the benefits of restoration work taking place on Lot 3, because the two lots are hydrologically connected. Placing the building site in the existing cleared area is challenging with the current lot boundary because only a 13m wide portion of the existing cleared area falls within Lot 2 as currently drawn. The restoration plan proposed in this report and on the map prioritizes ecological and conservation values on the undeveloped portion of Lot 3 and on Lot 2 and includes all the cleared area of Lot 2 in the restoration plan.

7. Conclusions

There are opportunities for both forested wetland and open water wetland restoration at 375 Village Bay Road. The restoration project will provide short and long-term benefits including: re-purposing woody debris generated from clearing the building sites and driveway, restoring the site's capacity for detention and retention of stormwater, carbon fixing through growing large trees in a forested wetland, providing breeding and foraging habitat for amphibians and western screech owl, mitigating the impacts of the development of 10 units of affordable housing, and adding beauty to the landscape for the new residents of the subdivision. The project may be completed at a low cost, will require little or no maintenance and may provide a model for other communities for balancing community housing needs with conservation priorities.

8. Recommendations:

1. Mayne Island Housing Society is invited to review this report and contact Robin Annschild with any questions.
2. If a building site is planned for Lot 2, delineate the building envelope within the covenant document, and place it on the higher, drier ground south of the artesian well and close to the existing driveway and Village Bay Road.
3. Seek funding to implement the project, using the budget estimate provided below as a guide. Please contact Robin Annschild with any questions.
4. Obtain an authorization under the Water Sustainability Act to complete the project. This requires as much lead time as possible. It is best to apply 8 – 12 months ahead of anticipated start dates. Robin Annschild is available to help with this.
5. Schedule construction well in advance to ensure Robin Annschild, Tom Biebighauser or their associates are available to direct construction.

9. Construction Cost Estimate

The cost estimate below is based on estimated hourly costs for equipment and mobilization and demobilization of equipment to the site. Costs are estimated for the restoration of an area of land at 375 Village Bay Road estimated at to be 3600 m² as shown on the [Map](#). Cost savings may be achieved by combining restoration work at 375 Village Bay Road with site clearing and the roughing in of the driveway and building sites if the heavy equipment used is suitable for both projects.

375 Village Bay Road Wetland Restoration Cost Estimate	Units	Rate	Cost
Construction Contractors			
Excavator 1 (CAT 320) or equivalent with operator	34	\$ 180	\$6,127
Dozer (CAT D6T-LGP) or equivalent with operator	34	\$ 150	\$5,106
Construction Supervision & Engineering Tools (R. Annschild)	42	\$ 100	\$4,153
Labor for spreading seed and planting			\$1,180
Subtotal			\$16,565
Mobilization / Demobilization & Travel			
Excavator 1 Mobilization & Demobilization	2	\$ 1,000	\$2,000
Loader with grapple Mobilization & Demobilization	2	\$ 1,000	\$2,000
Travel, travel meals & travel accomodation (R. Annschild)			\$1,198
Subtotal			\$5,198
Materials			
Winter wheat cover crop (4-25 kg bags) x (\$30.00/bag)	10	\$ 30	\$300
Native plant plugs	1400	\$ 4.00	\$5,600
Miscellaneous field supplies (marking paint, pin flags, flagging tape, batteries)			\$50
Subtotal			\$5,950
Professional Fees			
Archaeology			\$10,000
Cultural monitoring of construction			\$2,500
Project Planning (R. Annschild)	20	\$ 100	\$2,000
Construction layout (R. Annschild)	5	\$ 100	\$500
Construction Report & Map Preparation (R. Annschild)	30	\$ 100	\$3,000
Project Administration (MIHS)			\$5,000
Subtotal			\$23,000
Construction Phase Total			\$50,713
Post-Construction Phase			
Year 1-2 Monitoring			\$2,000
Year 2-5 Monitoring			\$2,000
Subtotal			\$4,000
Total Estimated Cost			\$54,713
375 Village Bay Road Wetland Restoration Project			
The prices listed are estimates based on similar projects that have been completed			
Heavy equipment hourly rates includes 5-percent GST			
Large woody debris to be placed in wetlands may be obtained onsite as well as offsite, and delivered to the worksite.			
Native plant seed will be gathered from an existing wetland nearby and sown by hand.			

10. About the Author

Robin Annschild, B.Sc., Wetland Restoration Specialist, Wetland Restoration Consulting

Fulford P.O. Box 60, Salt Spring Island, BC, V8K 2P2

Home: (250) 477-6797 Cell: (250) 537-6999

robin@wetlandrestoration.ca

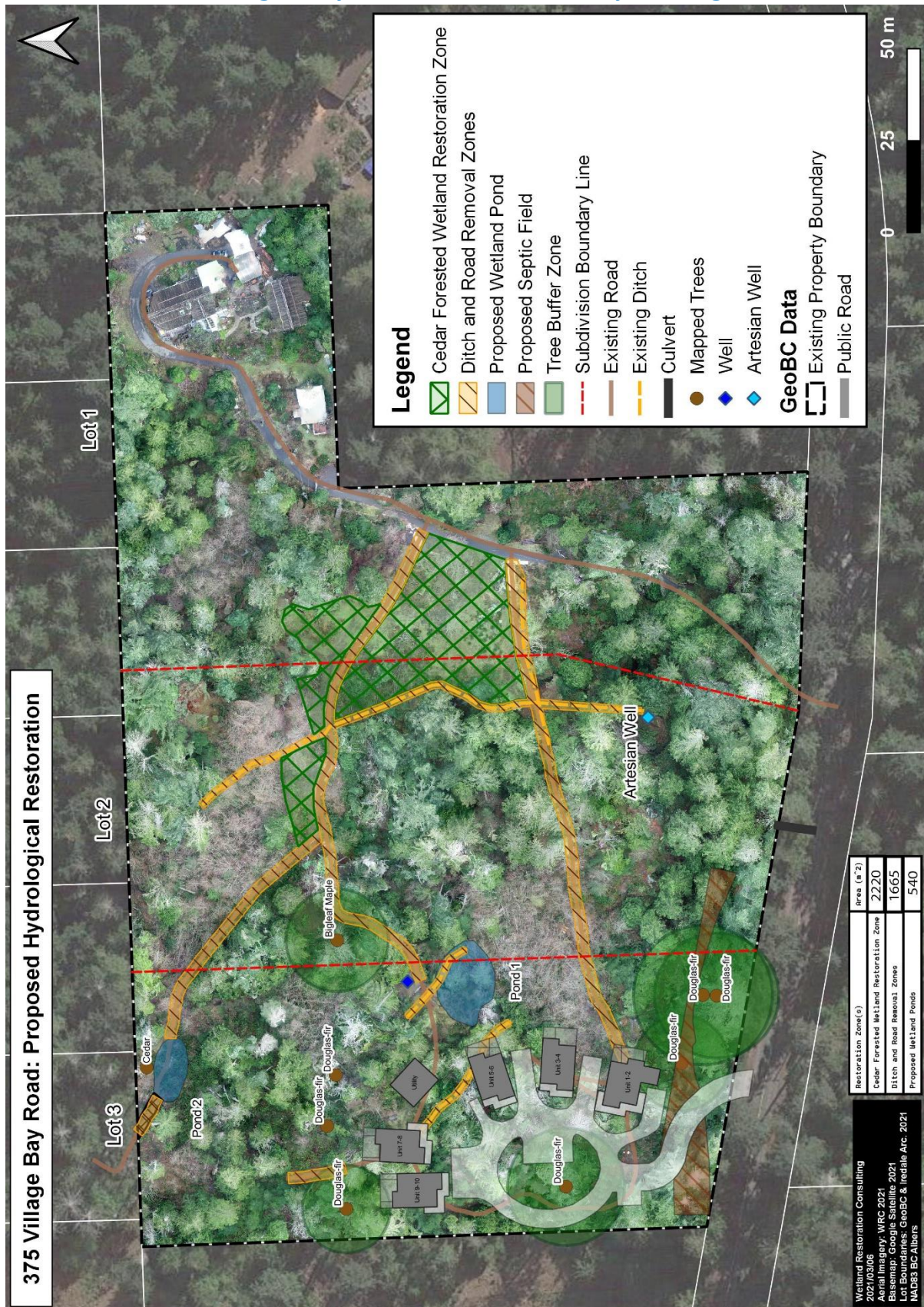
Robin Annschild has directed the construction of 275 wetlands on 33 sites across British Columbia and has completed 4 stream restoration projects in the East & West Kootenay and the Cowichan Valley.

Since 2014, Robin has completed over 1560 hours of wetland restoration field training with Tom Biebighauser and has assisted Tom with the construction of 103 wetlands in BC, California, Arizona & South Carolina.

Robin uses low-cost, low-maintenance restoration techniques developed by Tom Biebighauser over 35 years to design and built groundwater and surface-water supplied wetlands using core trenches, compacted clay liners or aquatic-safe synthetic liners.

Robin developed project management and program planning skills in her former role as a conservation director for the Salt Spring Island Conservancy. Under Robin's leadership, the conservation program raised \$4.8 M dollars in program and acquisition funds to protect and restore habitat for multiple species at risk on Salt Spring Island.

11. Map: 375 Village Bay Road Proposed Hydrological Restoration



Mayne Island Housing Society

375 Village Bay Road, Mayne Island BC | February 2021
10 Unit Affordable Housing | Rezoning and Development Permit Application

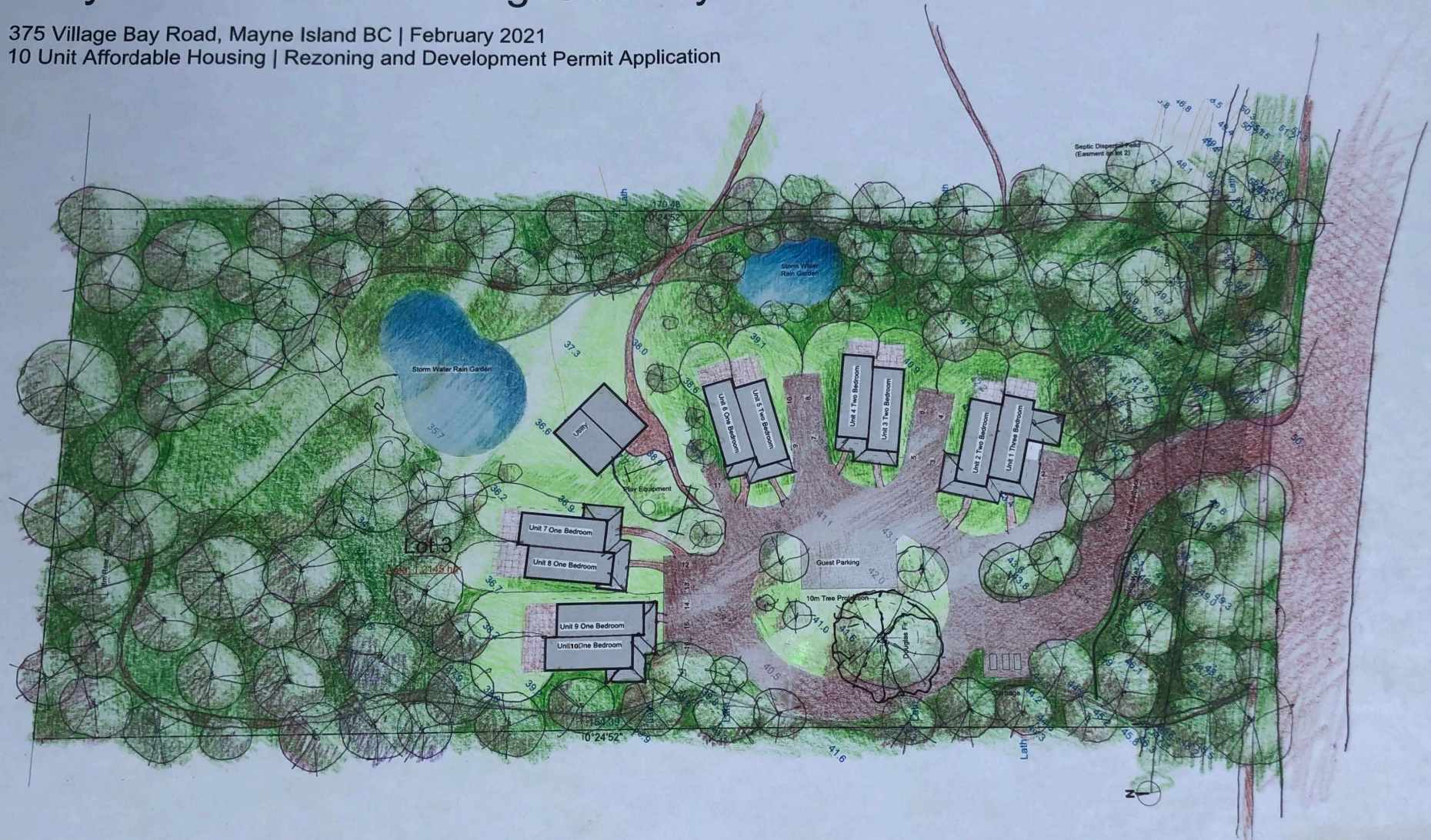


1 Aerial Site Sketch
Scale: Actual Size

No.	Date	Appr	Revision Notes

Mayne Island Housing Society

375 Village Bay Road, Mayne Island BC | February 2021
10 Unit Affordable Housing | Rezoning and Development Permit Application



1 Site Plan
Scale: Actual Size

IREDALE
ARCHITECTURE

375 Village Bay Road, Mayne Island BC | February 2021
10 Unit Affordable Housing | Rezoning and Development Permit Application

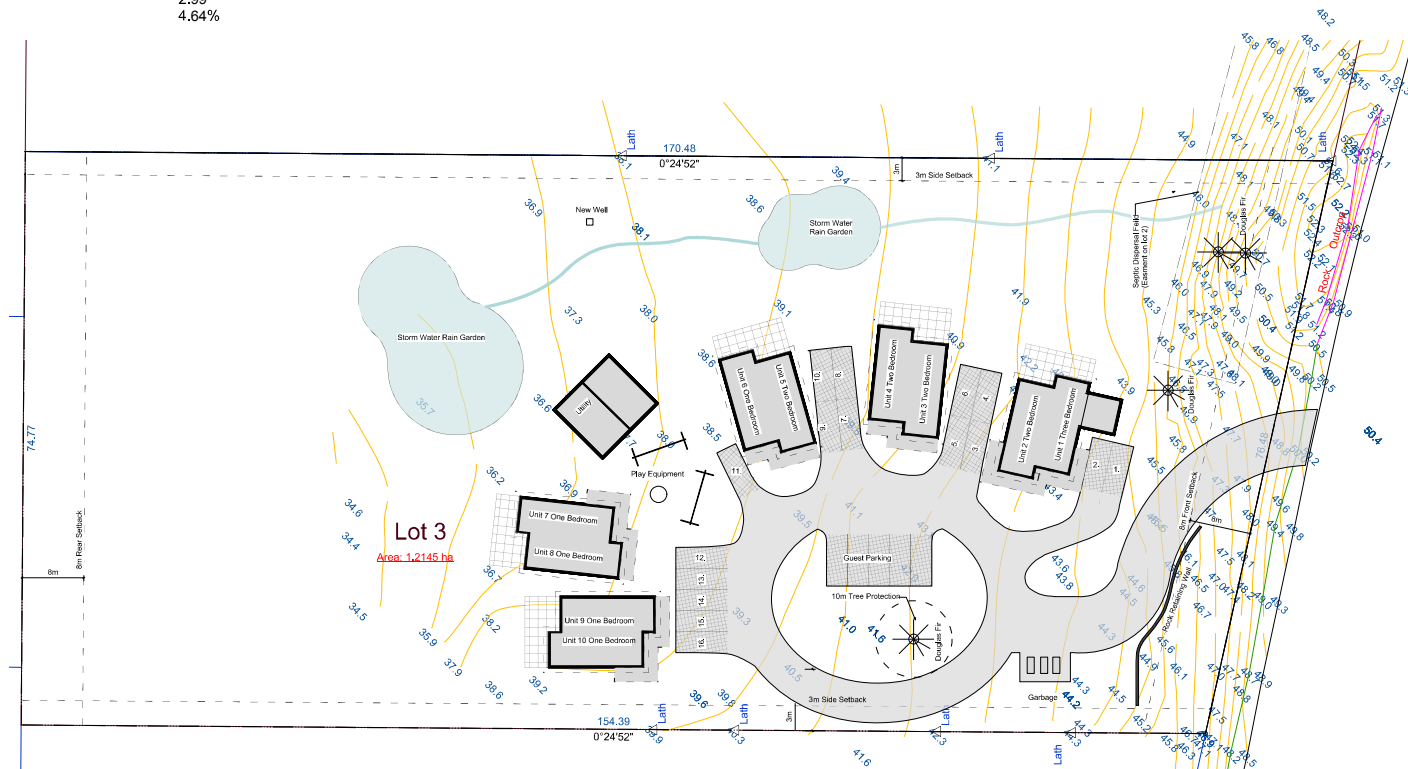
79

375 Village Bay Road, Mayne Island BC | February 2021
10 Unit Affordable Housing | Rezoning and Development Permit Application

		Main Floor	Upper Floor	Total	Grand Total	Coverage	Parking	Total Parking
3 Bed Unit	1	630	420	1050	1050	630	2	2
2 Bed Unit	4	420	330	750	3000	1680	2	8
1 Bed Unit	5	600		600	3000	3000	1	5
Community	1	750			750	750		

Total Build out	7800 sq.ft	6060 Sq.ft	
Lot Area		130,650 Sq.ft	15
Lot Area (Acres)		2.99	
Lot coverage		4.64%	

Site Area:	12,145 Sq.m
Building Area	563 Sq.m
Lot Coverage	4.64%
Building Height	9.144m
Setback	
Proposed Front	8m
Proposed Side (west)	3m
Proposed Side (east)	3m
Proposed Rear	8m
Proposed Parking	15 stalls
Proposed Visitor Parking	5 Stalls



1 Site Plan
Scale: Actual Size

[illegible]

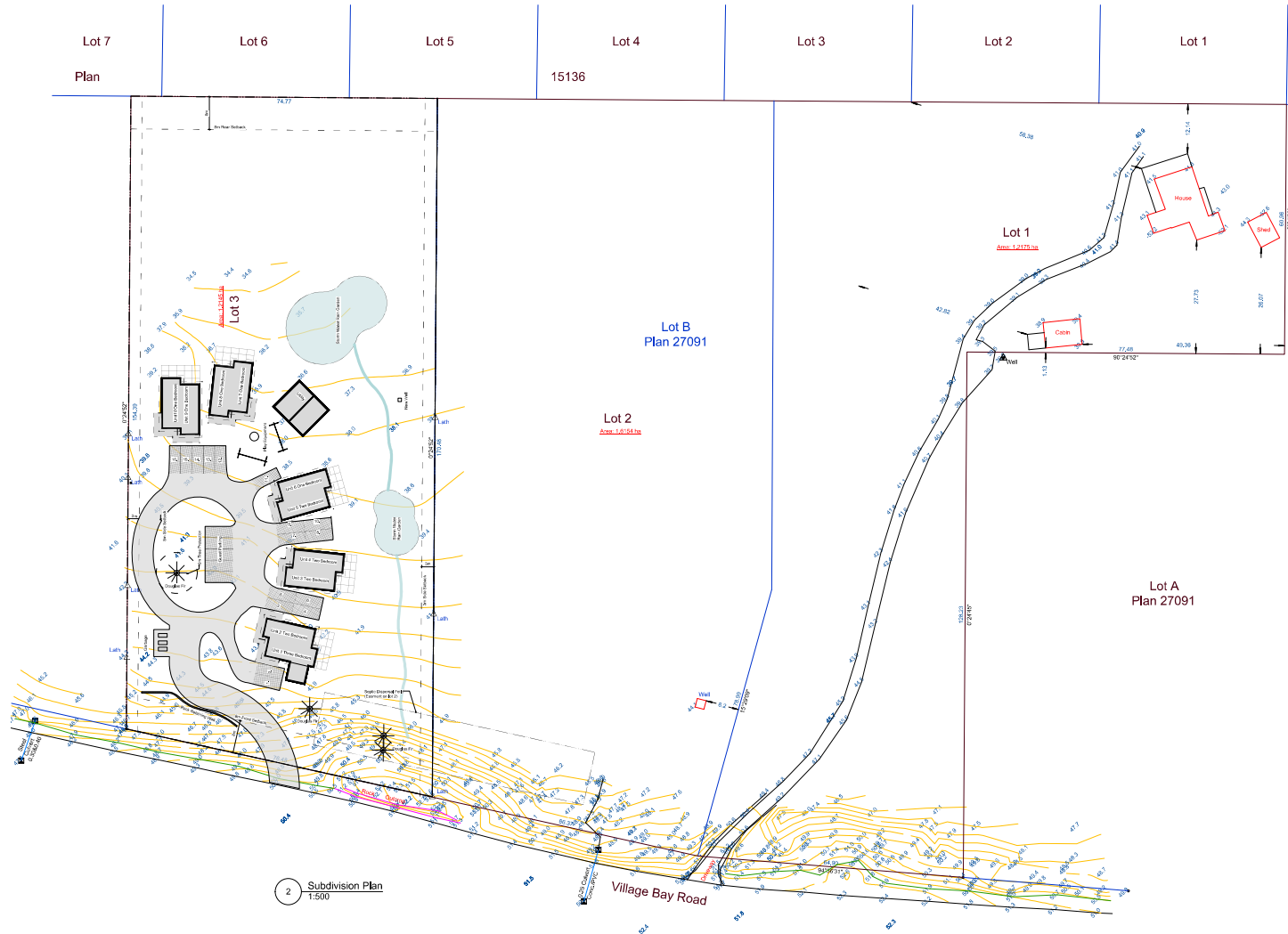
Mayne Island Housing Society

375 Village Bay Road, Mayne Island BC | February 2021
10 Unit Affordable Housing | Rezoning and Development Permit Application

Site Area: 12,145 Sq.m
Building Area: 563 Sq.m
Lot Coverage: 4.64%
Building Height: 9.144m

Setback
Proposed Front: 8m
Proposed Side (west): 3m
Proposed Side (east): 3m
Proposed Rear: 8m

Proposed Parking: 15 stalls
Proposed Visitor Parking: 5 Stalls



No.	Date	Appr	Revision Notes

Housing Agreement and Section 219 Covenant

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

Mayne Island Housing Society a society incorporated under the laws of the Province of British Columbia under Incorporation No.: S-006921, and having its office at 518 Dalton Road, Mayne Island, BC, V0N 2J2.

(the “Owner”);

AND

MAYNE ISLAND LOCAL TRUST COMMITTEE, a corporation under the Islands Trust Act, having an office at 2nd floor, 1627 Fort Street, Victoria, BC, V8R 1H8

(the “Local Trust Committee”)

WHEREAS;

- A. The Owner is the registered owner of the lands situated at **xxx Village Bay Road (NB: the address will probably not be 375 after subdivision)** on Mayne Island, British Columbia, and legally described as **[Parcel Identifier: , Legal Description]**, (the “Lands”);
- B. The Lands have been rezoned by the Mayne Island Local Trust Committee by means of Mayne Island Land Use Bylaw No. 146, 2008 Amendment No. 1, 2021, to permit the development of **affordable multi-family rental housing**;
- C. The Owner intends to rent the units on the Lands, by way of rental agreement, at an affordable rate to Qualified Occupants (as defined in Section 1.1);
- D. The Local Trust Committee may pursuant to Section 29 of the *Islands Trust Act* and Section 483 of the *Local Government Act*, enter into a housing agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on the land;
- E. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the Local Trust Committee in respect of the use of land or construction onland;
- F. The Owner and Local Trust Committee wish to enter into this Agreement to provide affordable housing on the Lands on the terms and conditions of this Agreement to have effect as both a covenant under Section 219 of the *Land Title Act* and as housing agreement under Section 483 of the *Local Government Act*;
- G. The Local Trust Committee has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement.

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

Article 1: Definitions and Interpretation

1.1 Definitions

in this Agreement:

"Affordable Housing Unit"	means a multi-family housing unit on the Lands in respect of which the construction, tenure, rent and occupancy are restricted in accordance with Sections 2.1 through 2.6 of this Agreement.
"Annual Household Income"	means the combined gross income of all adult members of a Household, as shown on line 150 of the preceding year's T1 General Income Tax and Benefit return.
"BC Housing"	means the British Columbia Housing Management Commission
"Business Days"	means Monday to Friday inclusive except for those excluded days declared by lawful authority as holidays.
"CPI"	means the All-items Consumer Price Index for British Columbia as calculated by Statistics Canada, or its successor in function.
"Deep Subsidy Income"	means the low income threshold established for the Deep Subsidy Units. Households in receipt of Income Assistance will be deemed as having a Deep Subsidy Income.
"Deep Subsidy Units"	means an affordable housing unit occupied by a resident with a Deep Subsidy Income whose rent is prescribed by provincial guidelines.
"Dwelling Unit"	means a residential living unit as defined in the Mayne Island Land Use Bylaw 146 , 2008 as amended or replaced from time to time.
"Household"	means one or more individuals occupying the same Dwelling Unit.
"Lands"	means that parcel of land legally described as [PID and legal description from title search print].
"Low Income"	means Annual Household Income at or below the Housing Income Limits (HILs) as established by Canada Mortgage and Housing Corporation and provided by BC Housing from time to time.

Market Rental Unit	means an affordable housing unit occupied by a resident whose income does not exceed the Moderate Income limits and whose rent is based on the low market rent for the community
"Moderate Income"	means an annual income that is less than 90% of the median income of the Mayne Island Local Trust Area calculated from the most recent census data published by Statistics Canada and as adjusted annually by the Yearly CPI Change.
"Qualified Renter"	means a Household which meets the eligibility criteria for a residential tenancy of an Affordable Housing Unit, as set out in Section 2.2 Affordable Rental Housing Eligibility and Schedule A of this Agreement.
"Rent-Geared-to-Income (RGI) Unit"	means a residential unit occupied by a resident with Low Income and whose rent is calculated based on the rent scale of 30% of gross household income, or as determined by BC Housing.
"Residential Tenancy Act"	means the <i>Residential Tenancy Act</i> of British Columbia;
"Tenancy Agreement"	means a tenancy agreement as defined in, and subject to, the <i>Residential Tenancy Act</i> .
"Yearly CPI Change"	means the percentage change in CPI from the CPI for January of the immediately preceding calendar year, to the CPI for January of the then present calendar year.

1.2 Interpretation

Reference in this Agreement to:

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

1.3 Headings

The division of this Agreement into articles, sections and schedules is for convenience of

reference only and does not affect its interpretation. The article and section headings used in this Agreement are for convenience of reference only and do not affect the interpretation of this Agreement.

1.4 Entire Agreement

This is the entire Agreement among the parties concerning its subject and may be amended only by a document executed by all parties.

Article 2 – Affordable Housing

2.1 Agreement over the Lands

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

- a) The Lands will not be developed, and no building or structure will be constructed on the Lands unless, as part of and concurrently with the development on the Lands, the Owner also constructs and completes the 10 Affordable Housing Units on the Lands and in accordance with the building design guidelines attached as Schedule “C”;
- b) No building on the Lands may be subdivided by means of a strata plan without prior approval of the Local Trust Committee; and,
- c) The Owner will maintain the Affordable Housing Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Lands.

2.2 Affordable Rental Housing Eligibility

The Owner covenants and agrees not to rent or lease any Affordable Housing Units except to a Qualified Renter (see definition of Qualified Renter in Schedule A) and in accordance with the following additional requirements:

- a) The Affordable Housing Unit will be used or occupied only pursuant to a Tenancy Agreement;
- b) The Qualified Renter’s Annual Household Income at the time of signing the Tenancy Agreement does not exceed the amount specified in BC Housing’s “Housing Income Limits” tables applicable for Mayne Island for the current year;
- c) The Qualified Renter(s) will occupy the Affordable Housing Unit as their permanent, principal and sole residence;
- d) Each Tenancy Agreement will include a clause prohibiting subletting including short-term vacation rentals, a clause requiring the Qualified Renter to comply with the use and occupancy restrictions contained in this Agreement, and a provision entitling the Owner to terminate the rental agreement in accordance with the *Residential Tenancy Act* in the event of any breach of these use and occupancy clauses;
- e) The Owner will deliver to the Local Trust Committee a true copy of every Tenancy Agreement entered into in respect of any Affordable Housing Unit within 10 business

days of any request to do so; and

- f) Each Tenancy Agreement will provide that if one of the individuals comprising a Qualified Renter who rents an Affordable Housing Unit dies, that individual's spouse or adult child residing in the Affordable Rental Unit at the time of the Qualified Renter's death may continue to rent the Affordable Rental Unit until the later of:
 - i. the balance of the fixed term under the Tenancy Agreement; or
 - ii. twelve (12) months on the same terms, including monthly rent, set out in the Tenancy Agreement.

2.3 Rental Rates

The Owner covenants and agrees that it will:

- a) Not charge any tenant of a Rent Geared to Income Unit a monthly rent, exclusive of utilities, that is greater than 30% of the gross monthly Household Income of the Qualified Renter, except that the Owner may, subject to the provisions of the *Residential Tenancy Act*, increase the rent payable for the Affordable Housing Unit annually;
- b) Not charge any tenant of a Deep Subsidy Unit a monthly rent, exclusive of utilities, that is greater than the rent that is prescribed by provincial guidelines, except that the Owner may, subject to the provisions of the *Residential Tenancy Act*, increase the rent payable for the Affordable Housing Unit annually;
- c) Not rent more than 30% of the Affordable Housing Units as Market Rental Units unless necessary to meet the requirements of an Affordable Housing Funder and at the request of the Owner and agreed to in writing by the Local Trust Committee, and only if the Local Trust Committee, in its sole discretion, considers that such an increase would not compromise the affordability objectives of this agreement.
- d) Not require any tenant under a Tenancy Agreement to pay any extra charges or fees for use of any common area, or for sanitary sewer, storm sewer, water utilities, property taxes and similar services. For clarity, this limitation does not apply to cablevision, telecommunications, laundry, or gas or electricity utility fees or charges.

2.4 Policies/Rules and Regulations/Administration by Owner

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

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

2.5 No Sublease or Assignment

Except as set out in this Agreement, the Owner will not permit Housing Units to be subleased or a Tenancy Agreement to be assigned.

2.6 Monitoring and Reporting to the Local Trust Committee

The Owner must deliver to the Local Trust Committee once each year on or before July 1st, a completed statutory declaration, substantially in the form attached as **Schedule “A”**, sworn by the Owner. Additionally, the Local Trust Committee may request this statutory declaration up to four times in any calendar year, and the Owner must complete and supply the completed statutory declaration within ten (10) business days of receiving a request from the Local Trust Committee. The Owner irrevocably authorizes the Local Trust Committee to make reasonable inquiries it considers necessary in order to confirm compliance with this Agreement.

Article 3 – General Terms**3.1 Order to Comply**

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

3.2 Management

The Owner covenants and agrees to furnish good and efficient management of the Lands and the Affordable Housing Units on the Lands. If and when the Local Trust Committee has reasonable grounds to believe that a continuing breach of this Agreement exists, the Local Trust Committee may authorize its representatives to inspect the Lands at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act* and subject to the concurrent delivery of such a notice to the Owner.

3.3 Society Standing

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

3.4 Specific Performance of Agreement

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

3.5 Assignment

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

3.6 Indemnity

The Owner shall indemnify and save harmless the Local Trust Committee and each of its elected officials, officers, directors, employees and agents from and against all claims, demands, actions, loss, damage, costs and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is by law responsible, including breaches of this Agreement. This clause will survive the termination clause of this Agreement.

3.7 Release

The Owner releases and forever discharges the Local Trust Committee and each of its elected officials, officers, directors, employees and agents and each of their heirs, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions or causes of action arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Housing Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination clause of this Agreement.

3.8 Local Trust Committee Powers Unaffected

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

3.9 No Public Law Duty

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

3.10 No Waiver

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

3.11 Arbitration

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

3.12 Notice on Title

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

3.13 Covenant Runs with the Land

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

3.14 Limitation of the Owners' Obligations

The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.

3.15 Amendment and Termination

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

3.16 Notices

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

3.17 Enurement

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

3.18 Remedies Cumulative

The remedies of the Local Trust Committee specified in this Agreement are cumulative and are in addition to any remedies the Local Trust Committee at law or in equity. No remedy shall be deemed to be exclusive, and the Local Trust Committee may from time to time have recourse to one or more or all of the available remedies specified herein or at law or in equity.

3.19 Severability

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

3.20 Joint and Several

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

3.21 Further Acts

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

3.22 Governing Law

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

3.23 Joint Venture

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

3.24 Time of Essence

Time is of the essence in this Agreement.

3.25 Further Assurances

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

3.26 Priority

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

3.26 Deed and Contract

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

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

SCHEDULE “A”

OWNER STATUTORY DECLARATION

CANADA

IN THE MATTER OF A HOUSING AGREEMENT

PROVINCE OF BRITISH COLUMBIA

WITH THE MAYNE ISLAND LOCAL TRUST
COMMITTEE (“Housing Agreement”)

I, _____ declare that:

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

DECLARED BEFORE ME at _____, British Columbia, this _____ day of _____, 20_____.

SCHEDULE “A”

Definition of a Qualified Renter

A Qualified Renter means a person aged 19 years or older who fits into at least one of the following categories, which are not listed in any particular priority order:

- 1) Has been living on Mayne Island for a minimum of one year; or
- 2) Has been living on Mayne Island for less than a year but more than 6 months, and has been commuting to Victoria, Vancouver, or other Southern Gulf Islands for at least half-time work (20 hours per week); or
- 3) Is registered or is eligible to be a registered member of a First Nation with rights and responsibilities in and around what is known as Mayne Island, or, is considered by members of these First Nation communities to be part of the First Nation community, but prevented from being a registered member due to particular clauses of the *Indian Act*, regardless of current location of residence or work.

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

- a. Previous resident of Mayne Island who has lived away from the island for a maximum of three consecutive years; or
- b. Non-resident who is hired to begin at least half-time work (20 hours per week) on Mayne Island; or
- c. A person who has worked at least half-time on Mayne Island (20 hours per week) for less than one year; or
- d. Person with immediate family already living on Mayne Island. Immediate family means a daughter/son/parent/sibling, to whom the person is related by blood, or by marriage, or common-law relationship, or by adoption.

Except that where there are no persons meeting the categories specified in clause I, ii, or iii, nor a , b, c, or d who make an application to rent an available unit and the lack of applications would result in a unit being vacant for more than one month, then a Qualified Occupant may be any person permitted by the funding organization



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Galiano Island Local Trust Area Bylaw No.: 278 Date: March 11, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

PURPOSE OF BYLAW:

Technical Updates to the Galiano Island Land Use Bylaw.

Professional reports and staff reports are available on the Galiano island webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/lub-technical-review/>

GENERAL LOCATION:

Galiano Island Local Trust Area

LEGAL DESCRIPTION:

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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

BSmith

Name:

Brad Smith

(Signature)

Title:
Contact Info

Island Planner

Tel: 250-405-5194

Email: bsmith@islandstrust.bc.ca

PLEASE TURN OVER 

This referral has been sent to the following agencies:

Regional Agencies

Capital Regional District – Building Inspection
Capital Regional District – Regional Parks and Community
Services

Adjacent Local Trust Committees and Municipalities

Gambier Island Local Trust Committee
Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - TE'Mexs Treaty Association
Musqueam Indian Band
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Galiano Island Local Trust Area

(Island)

(Signature)

(Date)

278

(Bylaw Number)

(Name and Title)

(Agency)

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 278

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW, 127, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2021”.

2. Galiano Island Local Trust Committee Bylaw No. 127, cited as “Galiano Island Land Use Bylaw 127, 1999,” is amended as follows:

2.1. Part 2 (General Regulations) is amended by the insertion of a new Section 2.13 as follows:

“2.13 Unless a building or structure on a lot is attached to a principal building on the lot by a completely enclosed structure having walls, roof and floor, it is for the purposes of this Bylaw deemed not to be part of the principal building, but is deemed to be an accessory building or structure.”

2.2. Part 2 (General Regulations) Section 2.14 is amended by inserting “and for stairway structures located in the Park Zone” such that it reads “Buildings and structures must be sited at least 7.5 metres from the natural boundary of the sea, and at least 15 metres from any lake, a swamp and any other natural watercourse. This setback from the sea does not apply to structures located on a highway and for stairway structures located in the Park Zone.”

2.3. Part 2 (General Regulations) Section 2.25 is amended by inserting “to the closest point of the building or structure” such that it reads “If this bylaw requires buildings, structures and uses to be sited a stated distance from another building, a watercourse or well or the sea, or a zone boundary or lot line, the distance must be measured horizontally to the closest point of the building or structure as illustrated in the following sketch:”

2.4. Part 3 (Home Occupation Regulations) is amended by renumbering the second instance of Section 3.7 that reads “No restaurant, cafe, commercial water bottling enterprise, boarding kennel, fur farm, feed lot or manure-based mushroom growing enterprise is permitted as a home occupation” to Section 3.8.

2.5. Section 5.4 (Rural Residential Zone) Subsection 5.4.6 is amended by:

- i) renumbering Article 5.4.3.1 to 5.4.6.1
- ii) renumbering Article 5.4.3.2 to 5.4.6.2
- iii) renumbering Article 5.4.3.3 to 5.4.6.3.

- 2.6. Section 5.4 (Rural Residential Zone) Subsection 5.4.7 is amended by:
- i) renumbering Article 5.4.3.1 to 5.4.7.1
 - ii) renumbering Article 5.4.3.2 to 5.4.7.2
 - iii) renumbering Article 5.4.3.3 to 5.4.7.3.
- 2.7. Section 5.5 (Rural 2 Zone) Subsection 5.5.6 is amended by:
- i) renumbering Article 5.5.3.1 to 5.5.6.1
 - ii) renumbering Article 5.5.3.2 to 5.5.6.2
 - iii) renumbering Article 5.5.3.3 to 5.5.6.3
- 2.8. Section 6.1 (Agriculture Zone) Subsection 6.1.5 is amended by deleting “use for timber production and harvesting must not exceed a height of 9 metres” and replacing it with “used for timber production and harvesting must not exceed a height of 9 metres and agricultural buildings and structures must not exceed two storeys” such that it reads “Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those used for timber production and harvesting must not exceed a height of 9 metres and agricultural buildings and structures must not exceed two storeys.”
- 2.9. Section 6.1 (Agriculture Zone) Subsection 6.1.6 is amended by
- i) renumbering Article 6.1.5.1 to Article 6.1.6.1
 - ii) renumbering Article 6.1.5.2 to Article 6.1.6.2.
- 2.10. Section 6.1 (Agriculture Zone) Subsection 6.1.11 is amended by deleting “AG (Agricultural)” and replacing it with “AG (Agriculture)”.
- 2.11. Section 6.1 (Agriculture Zone) Subsection 6.1.13 is amended by:
- i) deleting “my” and replacing it with “may”
 - ii) deleting “AG (Agricultural)” and replacing it with “AG (Agriculture)”.
- 2.12. Section 7.1 (Forest 1 Zone) Subsection 7.1.2 is amended by deleting the first instance of “in” and replacing it with “on” such that it reads “7.1.2 A single non-residential unenclosed building or structure with a floor area not exceeding 93 square metres is permitted on each lot and every such building or structure must be screened by a landscape screen not less than 9 metres in height and complying with the requirements of subsection 15.1.1 of this bylaw.”
- 2.13. Section 7.2 (Forest 2 Zone) Subsection 7.2.2 is amended by deleting “Section 2.8 - 2.13” and replacing it with “Section 2.9 - 2.13”.
- 2.14. Section 7.3 (Forest 3 Zone) Subsection 7.3.1 Article 7.3.1.2 is amended by deleting “as defined in subsection 17.1.16” such that it reads “7.3.1.2 dwellings accessory to timber production and harvesting uses and home occupations, on lots having an area of 20 hectares and more and highway access”.

- 2.15. Section 7.3 (Forest 3 Zone) Subsection 7.3.4 is amended by deleting in its entirety “No building or structure for a forestry use permitted by this section and no dwelling or accessory building may exceed 9 metres in height” and replacing it with “No building or structure for a use permitted by this section may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those uses for timber production and harvesting must not exceed a height of 9 metres.”
- 2.16. Section 7.4 (Forest 3 Zone) Subsection 7.4.7 is amended by deleting “unless the lot is being created subsequent to the rezoning of a F1 zoned parcel pursuant to Forest policy d) iii) of the Galiano Island Official Community Plan Bylaw No. 108, 1995” such that it reads “7.4.7 No lot having an area less than 65 hectares may be created by subdivision.”
- 2.17. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.1 Article 7.5.1.2 is amended by deleting “subsection 17.1.16” and replacing it with “section 17.1”.
- 2.18. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.3 is amended by
- i) deleting “subsection 17.1.16” and replacing it with “section 17.1”
 - ii) deleting “Section 2.8 - 2.13” and replacing it with “Section 2.9 - 2.13”.
- 2.19. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.5 is amended by renumbering Article 7.5.5.4 to Article 7.5.5.2.
- 2.20. Section 8.5 (Environmental Education and Nature Protection Zone) Subsection 8.5.5 Article 8.5.5.1 is amended by deleting “(5 ft.)”.
- 2.21. Section 8.5 (Forest Land Reserve Zone) Subsection 8.5.5 Article 8.5.5.2 is amended by deleting the first instance of “at least” such that it reads “8.5.5.2 Buildings and structures used for human habitation or occupancy and not located within the Agriculture (AG) zone must be at sited at least 15 metres from the boundary of the Agriculture (AG) zone”.
- 2.22. Section 12.2 (Marine Zone) Subsection 12.2.1 Article 12.2.1.1 is amended by inserting “associated” such that it reads “12.2.1.1 docks, private floats, wharves, piers and associated walkways accessory to the residential use of an abutting upland lot and providing access to that lot”.
- 2.23. Part 13 (Subdivision and Development Regulations) Section 13.1 is amended by inserting “and may exempt a boundary adjustment from minimum average lot size requirements” such that it reads “13.1 Subdivision applications must comply with the minimum and average lot size regulations set out in Parts 5 through 12 of this bylaw except that the approving officer may approve a subdivision creating a single parcel not complying with those regulations for park use only and may exempt a boundary adjustment from minimum average lot size requirements.”
- 2.24. Part 13 (Subdivision and Development Regulations) Section 13.2, Subsection 13.2.1 is amended by
- i) deleting both instances of “s.941(1)” and replacing them with “s.510(1)
 - ii) deleting “s.941(5)” and replacing it with “s.510(3)

- 2.25. Part 13 (Subdivision and Development Regulations) Section 13.3 is amended by deleting “s.946” and replacing it with “s.514”.
- 2.26. Part 13 (Subdivision and Development Regulations) Section 13.5 (Lot Width) is amended by:
- iii) renumbering Section 13.5 to Section 13.6
 - iv) inserting “exclusive of any panhandle access strip” such that it reads “13.6 No lot may have a width less than one quarter of its depth exclusive of any panhandle access strip”
 - v) renumbering subsequent Part 13 (Subdivision and Development Regulations) sections and subsections accordingly.
- 2.27. Part 13 (Subdivision and Development Regulations) Section 13.9 is amended by deleting “The creation of a lot lying within two or more zones must be is prohibited” and replacing it with “The creation of a lot by subdivision that is lying within two or more zones is prohibited.”
- 2.28. Part 13 (Subdivision and Development Regulations) Section 13.12 is amended by deleting “section 13.12” and replacing it with “section 13.11”.
- 2.29. Part 13 (Subdivision and Development Regulations) is amended by
- i) deleting the section header above Section 13.22 that reads “Standards for Potable Water Supply” and reinserting it above Section 13.23
 - ii) inserting a new section header above Section 13.22 that reads “Water Management Area”.
- 2.30. Part 13 (Subdivision and Development Regulations) Section 13.29 is amended by deleting “Vancouver Island Health Authority” and replacing it with “Island Health”.
- 2.31. Part 14 (Parking Regulations) Section 14.1 is amended by renumbering the second instance of Subsection 14.1.16 that reads “Dwellings for the provision of affordable housing in the SH1 zone” to Subsection 14.1.17.
- 2.32. Part 14 (Parking Regulations) Section 14.6 is amended by deleting “3.5 metres” and replacing it with “5.5 metres”.
- 2.33. Part 16 (Sign Regulations) Section 16, Subsection 16.5 is amended by deleting “section 3.4” and replacing it with “section 3.5.”
- 2.34. Part 16 (Sign Regulations) Section 16.6 is amended by
- iv) renumbering subsection 16.3.1 to subsection 16.6.1
 - v) renumbering subsection 16.3.2 to subsection 16.6.2
 - vi) renumbering subsection 16.3.3 to subsection 16.6.3
 - vii) renumbering subsection 16.3.4 to subsection 16.6.4
 - viii) renumbering subsection 16.3.5 to subsection 16.6.5

- 2.35. Part 17 (Interpretations) Section 17, Subsection 17.1, Article 17.1.21 is amended by deleting “the 6th edition of the Guidelines for Canadian Drinking Water Quality published by Health and Welfare Canada in 1996” and replacing it with “the Health Canada 2020 Guidelines for Canadian Drinking Water Quality - Summary Table.”
- 2.36. Part 17 (Interpretations) Section 17, Subsection 17.1 is amended by
- i) Deleting Article 17.1.4 “average finished grade” in its entirety
 - ii) Replacing 17.1.22 in its entirety with: ““Height” means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the elevations at the midpoints of all the exterior walls.”
 - iii) Inserting Figure 1-1 directly below the updated definition within Article 17.1.22 and above Article 17.1.23

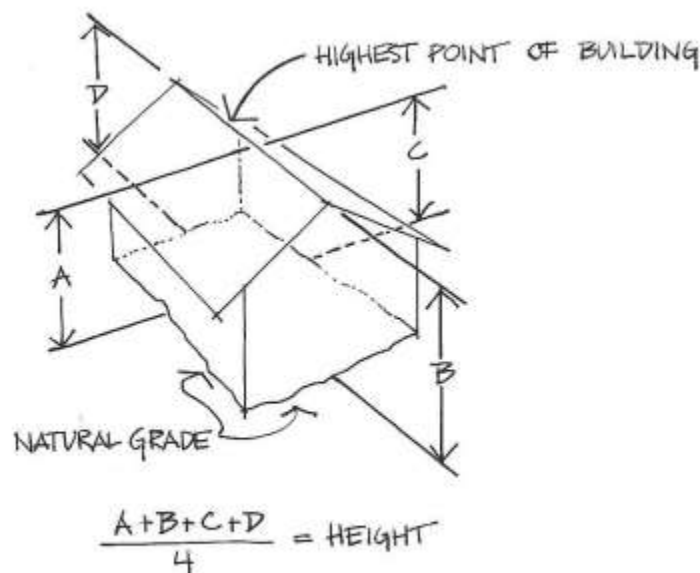


Figure 1-1 Illustration of calculation of height

- 2.37. Part 17 (Interpretations) Section 17, Subsection 17.1, Article 17.1.35 is amended by deleting “Liquor Control Act” and replacing it with “Liquor Control and Licensing Act.”
- 2.38. Part 17 (Interpretations) Section 17, Subsection 17.1 is amended by deleting Article reference numbers in their entirety.

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	1 ST	DAY OF	MARCH	2021.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20__
READ A SECOND TIME THIS	_____	DAY OF	_____	20__
READ A THIRD TIME THIS	_____	DAY OF	_____	20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

CHAIR

SECRETARY

Top Priorities Report

Mayne Island

1. *Housing Regulations and Policy Review (tiny home initiative)*

Responsible

Dates

Narrisa Chadwick

Rec'd: 26-Nov-2018

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

Special meeting to be scheduled for January.

Special meeting held January 18, 2021.

Additional special meetings to be scheduled for March and April 2021.

2. *Groundwater Sustainability Project*

Responsible

Dates

LTC to wait to see what comes out of Galiano and North Pender Projects.

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

Update provided to LTC at November 30th, 2020 LTV meeting.

Narrisa Chadwick

William Shulba

Rec'd: 27-May-2019

Target: 31-Mar-2021

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

**Applications****Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.10	Kennedy, Eleonora	23-Sep-2020	266 LEIGHTON LANE - Development Variance Permit for a deck that is encroaching over neighbour's property.

Planner: Phil Testemale**Planning Status****Status Date:** 18-Mar-2021

June 21, 2021 Agenda for consideration (tentative)

Status Date: 17-Feb-2021

Owner has signed compliance plan, agreeing to bring property into compliance by Jan 5, 2022. Application to be processed for dwelling encroachments

Status Date: 06-Jan-2021

BEO has provided owner with a compliance plan, giving 1 year to comply. DVP will be processed upon receipt of owner's agreement

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.12	BEGRAND, ROB	26-Nov-2020	511 Arbutus Drive - Application for a variance for a studio structure rear lot line allowance

Planner: Phil Testemale**Planning Status****Status Date:** 18-Mar-2021

May 10, 2021 Agenda for consideration.

Status Date: 12-Mar-2021

Gave receipt and cheque to Finance; emailed ackn letter to Applicant, originals by post; emailed AppPkg to LTC; emailed GID requesting mapping docs; physical folder to Planner. - SR

Status Date: 11-Mar-2021

Received cheque for fee payment from Applicant by post, processed receipt; created physical folder. - SR



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.8	Peace, Wayne	23-Jul-2020	

Planner: Narrisa Chadwick

Planning Status

Status Date: 12-Feb-2021

Awaiting CRD signature on covenant.

Status Date: 12-Feb-2021

Awaiting CRD signature on covenant.

Status Date: 25-Jan-2021

DVP approved, pending registration of covenant related to MA-SUB-2018.1.

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2021.1	IRVING, ROBERT / IRVING PITCHER ARCHITECTS LTD	25-Feb-2021	511 Bayview Drive - Application for siting of a gazebo and hot tub in a setback

Planner: Phil Testemale

Planning Status

Status Date: 18-Mar-2021

May 10, 2021 Agenda for consideration.

Status Date: 16-Mar-2021

Received additional documents from applicant. -DL

Status Date: 16-Mar-2021

PTA sent application to LTC, notified Leg Clerk, gave file to planner.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2018.1	Capital Regional District (MIPRC) Planner: Narrisa Chadwick	01-Nov-2018	Application to amend the OCP and LUB to rezone from Rural to Park
Planning Status			
Status Date: 18-Mar-2021 Has been referred to Ministry of Municipal Affairs			
Status Date: 12-Feb-2021 Going to EC February 24/2021			
Status Date: 18-Jan-2021 Bylaw to be sent to EC after follow up with First Nations.			
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 multi-family development
Planner: Narrisa Chadwick			
Planning Status			
Status Date: 18-Mar-2021 All previously requested information received from applicant. Housing agreement drafted and sent to applicant for review. Cost recovery agreement for legal review of housing agreement and review and registration of covenant received. Application to provide survey of building site location on Lot 2 before covenant can be drafted.			
Status Date: 11-Mar-2021 Received Resolution No. and wording fr Exec Coord; prepared refund package with memo, signed by RPM, emailed to Finance; gave original file to PTA to add to physical folder. - SR			
Status Date: 25-Feb-2021 Executive Committee approved sponsorship at Feb24 meeting; requested Resolution No. from Exec Coord. - SR			



Applications

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			
<u>Status Date:</u> 22-Apr-2020 Extension of the PLA has been requested			
<u>Status Date:</u> 18-Sep-2019 Waiting for applicant to work through PLA conditions.			
<u>Status Date:</u> 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 decrease size
Planner: Narrisa Chadwick			
Planning Status			
<u>Status Date:</u> 18-Jan-2021 Covenant drafted, signed by applicant and sent to CRD to sign.			
<u>Status Date:</u> 05-Nov-2020 Legal service request for covenant sent and received back.			
<u>Status Date:</u> 15-Oct-2020 Preliminary report for water quantity DVP to LTC October 26.			

**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)			

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2020.2	COSTELLO & BAKER	06-Nov-2020	538 Arbutus Drive - Application for a temporary use permit for a short-term vacation rental as condition on purchase and sale of property
Planner: Phil Testemale			
Planning Status			
Status Date: 18-Mar-2021			
March 29, 2021 LTC agenda for consideration.			
Status Date: 26-Feb-2021			
Admin Team sent out Notice/Permit for delivery and to Driftwood for publishing.			
Status Date: 26-Feb-2021			
Permit and Notice completed and sent to DS and PTA for mailout.			

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending January 2021

645 Mayne	Invoices posted to Month ending January 2021	<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	1,624.71	-951.71
65210-645	LTC - Local Exp - APC Meeting Expenses	253.00	180.40	72.60
65220-645	LTC - Local Exp - Communications	250.00	709.76	-459.76
65230-645	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>1,470.00</u>	<u>2,514.87</u>	<u>-1,044.87</u>
Projects				
73001-645-2005	Mayne OCP/LUB	2,500.00	1,185.03	1,314.97
73001-645-4100	Mayne Island Housing	3,000.00	360.55	2,639.45
TOTAL Project Expenses		<u>5,500.00</u>	<u>1,545.58</u>	<u>3,954.42</u>

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2021-011 (Standing)	Carried	25-Jan-2021
that the Mayne Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be re-appointed and also advertise for expressions of interest for new commissioners		
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) 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.	Carried	26-Jun-2017
2017-027 (Standing) 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.	Carried	26-Jun-2017
2016-055 (Standing) that the Mayne Island Local Trust Committee direct staff to create a policy to advertise all statutory public notices in the Mayne Liner.	Carried	27-Jun-2016

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 January 26, 2021

Islands Trust Conservancy Board News

Due to the COVID-19 pandemic, the Islands Trust Conservancy (ITC) Board continues to hold meetings electronically due to Ministerial Orders under the Emergency Program Act and requirements or recommendations under the Public Health Act. Meetings are live-streamed and recorded, and the public can participate by connecting to the link or the phone number provided in the meeting notice. Electronic meetings have resulted in cost savings to ITC as well as reductions in travel time and greenhouse gas emissions for Board members.

Staff have posted the ITC Board meeting schedule for 2021 here:

www.islandstrustconservancy.ca/about-us/meetings/.

The ITC Board directed staff to add “Public Comments and Delegations”, a town hall opportunity, to the standing agenda, allocating 15 minutes to this new section.

An election was held for Board Chair and Vice Chair positions as required by the ITC Meeting Bylaw. Trustee Kate-Louise Stamford was elected ITC Board Chair and Trustee Sue-Ellen Fast as Vice Chair. Both positions were election by acclamation.

An update regarding ITC staffing was provided, including notes as follows:

1. ITC Manager – Kate Emmings confirmed as permanent Manager Jan 11
2. Ecosystem Protection Specialist – posted internally, confirmed Kathryn Martell in the role Feb 16
3. Communications and Fundraising Specialist – position temporarily divided into two part-time roles: Communications Specialist (Erin Coulson) and a Fundraising Specialist (Carla Funk)
4. Species at Risk Program Coordinator role (see below) – hiring expected before end of March
5. Summer Co-op Student – Field work technician, job description in development

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work of Islands Trust Conservancy (ITC). ITC continues to work towards four long-term goals and 25 objectives that further conservation in the entire Islands 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 project charter for the Species at Risk (SAR) program was reviewed and approved as interim, pending a few adjustments as discussed by the Board. The project coordinator who will ultimately complete the planning and oversee the implementation of SAR at a detailed level is still being recruited.

Goal 2 – Strong relationships with First Nations

Staff continue to work to deepen relationships with First Nation communities and governments, notably through upcoming management planning for several nature reserves and participation in the Sidney

Island Ecological Restoration Project. Staff also participated in a January training session regarding residential schools.

Goal 3 – Protection of core conservation areas

Property Management

Currently, four management plans are in development and set to complete before the end of March, including two on Gabriola Island, one on Salt Spring Island, and one on Thetis Island. See reference to open house events below regarding these four for the current year.

Land Acquisition and Covenants

The Sandy Beach Nature Reserve on Lhek'tines/Keats Island became ITC's 30th in 30 years in December 2020 and the ITC Board received a donation of land on North Pender in February 2021 (see below). Management planning will begin in the next fiscal year to create the first management plan for these new nature reserves.

Staff continue negotiations on 144 ha of land: eight covenants (S. Pender, Salt Spring [3], Keats, Bowen, Thetis, and Lasqueti) and two land acquisitions.

Goal 4 – A strong voice for nature conservation

The ITC Fund Development Action Plan was reviewed and approved as drafted, with staff directed to implement the plan.

*Please feel free to contact Islands Trust Conservancy for more details.
Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca*

Activities by Local Trust Area/Island Municipality

Bowen – \$5,000 Opportunity Fund Grant paid out to Bowen Island Conservancy.

Gabriola – A management planning open house for the S’ul-hween X’pey/Elder Cedar Nature Reserve and the Coats Millstone Nature Reserve will be held on February 22, 2021. Two public surveys continue to March 15 – one for [Elder Cedar](#) and one for [Coats Millstone](#).

Galiano – ITC Manager Kate Emmings advised the Board of a declared conflict of interest regarding the Crystal Mountain conservation proposal on Galiano, and noted the file will be managed by Trust Area Services Director Clare Frater and Ecosystem Protection Specialist Kathryn Martell.

Gambier/Keats – The transfer of the Sandy Beach Nature Reserve, Keats Island, was completed on December 18, 2020, and marks the 30th nature reserve in 30 years of Islands Trust Conservancy history. News coverage of [the announcement](#) included local outlets, [Pacific Yachting](#), and the [Toronto Star](#). The ITC received a \$12,000 contribution as part of the land transfer and the ITC Board has allocated \$10,000 to create a property management fund.

Lasqueti – The ITC Board considered a response to the Lasqueti Official Community Plan referral. The Board resolution has been provided to planning staff for consideration by the Lasqueti Island Local Trust Committee.

Funded through grant programs, increased wetlands restoration work is being planned for the Salish View and John Osland nature reserves, in partnership with Lasqueti Island Nature Conservancy.

North Pender/Sidney – Funded through grant programs, restoration work is planned at Dragonfly Pond on Sidney Island. Work will pilot removal techniques for invasive parrot’s feather and American bullfrog.

The ITC received a land donation on North Pender Island in February. A formal announcement for this donation is pending.

Salt Spring – The Board approved both the 2020 update of the Deep Ridge Nature Reserve Management Plan and the Lower Mount Erskine Nature Reserve Management Plan. These will be posted to the ITC website shortly.

A management planning open house was held on February 11, 2021, with regards to the Ruby Alton Nature Reserve management plan refresh. [Public survey](#) continues to March 15.

Thetis - A management planning open house was held on February 10, 2021, with regards to the Moore Hill Nature Reserve management plan refresh. [Public survey](#) continues to March 15.

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

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

Islands Trust Conservancy itcmail@islandstrust.bc.ca

British Columbia Ferry Services Inc.
The Atrium
Suite 500, 1321 Blanshard St.
Victoria, BC V8W 0B7
Tel (250) 381-1401
Fax (250) 360-2093
bcferries.com

February 23, 2021

Ms. Laura Patrick
Chair, Islands Trust
Pender Island, Saturna Island
lpattick@islandstrust.bc.ca

Dear Ms. Patrick,

BC Ferries is getting ready to introduce a new Salish Class ferry to the Southern Gulf Islands in 2022. This new ferry is larger than the one it is replacing (the *Mayne Queen*) and will provide more capacity simply by introducing it into the current schedule. However, we think it's possible to enhance the schedule even further, and we are engaging with Island communities to help us shape and evaluate these possibilities.

On February 16, 2021, we launched the first phase of the Southern Gulf Island Schedule Enhancement engagement. This first phase opens conversation with our customers, employees, and the wider Southern Gulf Island communities that will help us establish a list of criteria we can use to evaluate schedule options. In the next phase of engagement, we will be asking communities to help us evaluate possible schedule options using the criteria we establish during this first phase.

The Southern Gulf Islands is our most complex scheduling region, serving five islands (Saturna, Pender, Mayne, Galiano and Salt Spring Islands) from two major ports (Swartz Bay and Tsawwassen) and connecting the five islands to each other. We must consider each island and customer need, and how these needs fluctuate by season as we look at making enhancements to our service. Community engagement forms a critical component of this project's success.

More information about the project and the engagement survey can be found at www.bcferriesprojects.ca/sgi. The first phase of engagement runs until March 16, 2021.

As COVID-19 restrictions make it difficult to hold large community gatherings at the moment, we will be doing careful outreach to promote the engagement at terminals, onboard our vessels, through social media channels, and through our Ferry Advisory Committee members on the Islands. We welcome you to promote the opportunity to engage through your own networks and social media channels as well.

We will continue to update you as the project progresses. In the meantime, if you have any questions or want to discuss the project directly please contact me to arrange a time to meet.

Sincerely,



Brian Anderson
Vice President, Strategy & Community Engagement
brian.anderson@bcferries.com