



## MAYNE ISLAND LOCAL TRUST COMMITTEE

### BUSINESS MEETING AGENDA TO COMMENCE AT 1:00 P.M., WEDNESDAY, MARCH 27, 2013 AT THE MAYNE ISLAND AGRICUTUAL HALL 430 FERNHILL ROAD, MAYNE ISLAND, B.C.

\***Approximate** time is provided for the convenience of the public only and is subject to change without notice. There will be a 15 minute break prior to item 10 of this agenda, as indicated

	Page #	*Time Approx
1. <b>CALL TO ORDER</b>		
2. <b>APPROVAL OF AGENDA</b>		1:00 pm
2.1 <b>Additions/Deletions</b>		
2.2 <b>Questions from public on Agenda Items</b>		
3. <b>COMMUNITY INFORMATION MEETING - none</b>		
4. <b>PUBLIC HEARING - none</b>		
5. <b>PREVIOUS MEETINGS</b>		
5.1 <b>Local Trust Committee Minutes for Adoption</b>		1:15 pm
5.1.1 <b>Mayne Island Local Trust Committee                   Business Meeting Minutes of February 27,                   2013 (attached)</b>	1	
5.2 <b>Public Hearing Records and Community             Information Meeting Notes - none</b>		
5.3 <b>Section 26 Resolutions-without-meeting –none</b>		
5.4 <b>Advisory Planning Commission (APC) Minutes -             none</b>		
6. <b>BUSINESS ARISING FROM THE MINUTES</b>		1:30 pm
6.1 <b>Follow-up Action Report (attached)</b>	11	
7. <b>DELEGATIONS</b>		
7.1 <b>Southern Gulf Islands Electoral Area Director</b>		
7.2 <b>Ministry of Transportation and Infrastructure             Representatives – Information Session</b>		

<b>8.</b>	<b>CORRESPONDENCE</b> (attached) <i>[correspondence received concerning applications and/or projects is considered with the application]</i>		
8.1	<b>J. Dufresne email dated March 12, 2013 re: Active Pass Lighthouse</b>	<b>13</b>	
8.2	<b>M. Dunn letter dated March 14, 2013 re: Mayne Island Pathways Initiative Road Assessment</b>	<b>14</b>	
<b>9.</b>	<b>APPLICATIONS, PERMITS, BYLAWS AND REFERRALS</b>		
9.1	<b>MA-RZ-2012.1 (Oceanwood) Advisory Planning Commission Comments</b> (attached)	<b>16</b>	
	----- <b>BREAK ( 15 minutes)</b> -----		<b>3:00</b>
<b>10.</b>	<b>LOCAL TRUST COMMITTEE PROJECTS</b>		
10.1	<b>Secondary Suites</b> (attached)	<b>17</b>	
10.2	<b>Potable Water for Boundary Adjustments</b> (attached)	<b>22</b>	
<b>11.</b>	<b>REPORTS</b>		
11.1	<b>Work Program Reports</b>		
11.1.1	Mayne Island Local Trust Committee Work Program - Report dated March 2013 (attached)	<b>28</b>	
11.2	<b>Applications Report</b>		
11.2.1	Mayne Island Applications Report dated March 2013 (attached)	<b>30</b>	
11.3	<b>Expense/Budget Reports</b> – for information		
11.3.1	Trustee and Local Expenses (attached)	<b>32</b>	
11.4	<b>Bylaw Enforcement</b>		
11.4.1	Derelict Vehicles (attached)	<b>33</b>	
11.5	<b>Adopted Policies and Standing Resolutions</b> – for information (attached)	<b>36</b>	
11.6	<b>Mayne Island LTC Web Page</b> (attached)	<b>40</b>	
11.7	<b>Chair’s Report</b>		
11.8	<b>Trustee Report</b>		
<b>12.</b>	<b>OTHER BUSINESS</b>		<b>3:30 pm</b>
12.1	<b>Upcoming Meetings</b>		
12.1.1	Next Business Meeting – Wednesday, April 24, 2013 at 1:00 pm., at the Mayne Island Agricultural Hall		
12.2	<b>Annual Report</b> (attached)	<b>42</b>	
<b>13.</b>	<b>TOWN HALL MEETING</b>		
<b>16.</b>	<b>ADJOURNMENT</b>		<b>4:00 pm</b>

**Local Trust Committee  
Minutes Subject to Approval By  
the Local Trust Committee**

**DRAFT**

**MINUTES OF THE MAYNE ISLAND  
LOCAL TRUST COMMITTEE MEETING  
HELD ON WEDNESDAY FEBRUARY 27, 2013 AT 1:00 P.M.  
AT THE MAYNE ISLAND AGRICULTURAL HALL, MAYNE ISLAND, BC.**

<b><u>PRESENT:</u></b>	Peter Luckham	Chair
	Jeanine Dodds	Local Trustee
	Brian Crumblehulme	Local Trustee
	Gary Richardson	Island Planner
	Kim Farris	Island Planner
	Pat Todd	Recording Secretary

There were approximately seventeen (17) members of the public in attendance.

**1. CALL TO ORDER**

Chair Luckham called the meeting to order at 1:00 pm, recognizing the Local Trust Committee meeting was being held in the Coast Salish Territories, and introduced himself, the Local Trustees, Islands Trust Staff and David Howe, Director Southern Gulf Islands (SGI), Capital Regional District.

**2. APPROVAL OF AGENDA**

2.1 Additions/Deletions

Additions

**5.2.4** Correspondence from Advisory Planning Commission

**7.1** Delegations: David Howe, Director SGI, CRD to speak to economic development. It was also recommended that future meetings have an agenda item heading for CRD reports

**8.1** email letter circulated to replace letter as noted on agenda

Deletions

**9.1 and 9.2** late referrals: no longer relevant

2.2 Questions from Public on Agenda Items

Chair Luckham asked the members of the public if there were any questions regarding the agenda items; there were none.

The agenda as amended was adopted by consensus.

**3. COMMUNITY INFORMATION MEETING**

None

#### 4. **PUBLIC HEARING**

None

#### 5. **PREVIOUS MEETINGS**

##### 5.1 Local Trust Committee Minutes for Adoption

##### 5.1.1 Mayne Island Local Trust Committee Business Meeting Minutes of November 28, 2012

Chair Luckham asked the Trustees for any comments and the following amendments were made:

- Page 2 Item 5.1.1 Adoption of Minutes: to read "...of October 24, 2012 were adopted as amended..."
- Page 3 Item 9.1 Note: Trustee Dodds... insert "perceived" before conflict.
- Page 3 Item 9.1 first paragraph/second sentence: change existent to existing.
- Page 5 Item 11.7: first sentence: "...has agreed to take a vocal..."
- Page 6 Item 12.4 Note: Trustee Crumblehulme...insert "perceived before conflict.
- Page 6 Item 12.4 Paragraph starting "Chair Luckham: 4<sup>th</sup>. Sentence ...Canada and the...change existent to existing.

The Mayne Island Local Trust Committee meeting Minutes of November 28, 2012, as amended, were adopted by consensus.

##### 5.2 Public Hearing Records and Community Information Meeting Notes

None

##### 5.3 Section 26 Resolutions-without-meeting

Appointment of APC positions

##### 5.4 Advisory Planning Commission (APC) Minutes

##### 5.4.1 Mayne Island APC Minutes of January 14, 2013

##### 5.4.2 Review of Mayne Island Land Use Bylaw No. 146 (circulated)

- To discuss under Work Program.

Chair Luckham thanked the Commission for their efforts.

## **6. BUSINESS ARISING FROM THE MINUTES**

### 6.1 Follow-up Action Report

Planner Richardson advised the LTC that all items had been completed. There are two Ministry of Transportation and Infrastructure representatives coming to the March meeting. The public may submit questions to the Planner or the Trustees who will then forward them to the Ministry of Transportation and Infrastructure.

## **7. DELEGATIONS**

### 7.1 David Howe: CRD Director Southern Gulf Islands

Mr. Howe reviewed the history and formation of the Economic Development Commission, for the Southern Gulf Islands. The greatest asset for the islands is Islands Trust: CRD focus tends to be on growth, development and transportation in urban settings. Unfortunately the Islands do not meet the Provincial criteria to be termed “rural” and therefore are not eligible for a number of programs, incentives, grants, etc.

Linkage with the TransCanada Trail through “Experience the Gulf Islands” is an opportunity to increase tourists and develop an interisland transportation system. Mr. Howe also spoke to the importance of the CRD docks to the island communities. Efforts are underway to obtain Provincial funds for maintenance as this then spreads the costs throughout the province – not just the islanders have to fund these public resources.

Director Howe stressed the importance of the islands working together as there are similar issues and joining together makes a larger, stronger “voice”.

Chair Luckham outlined the role of Islands Trust: to advocate and work with others to foster projects for islands.

Trustee Crumblehulme spoke to the Broad Band access: very slow process. Ministry of Community Services has no funding. Network BC still exists and there could be dollars at some other time. The Ministry is willing to meet with Shaw/Telus to address issue, if an organization initiates meeting. BC Hydro is going to be running an underwater cable (at sometime in the future) and is speaking with Shaw regarding the inclusion of a fiber optics. He also informed the Committee that CRISP (Capital Region Invasive Species Partnership) is working to list fallow deer as an invasive species.

There is discussion on all the islands regarding transit systems.

Trustee Dodds spoke to the importance of Miners Bay Dock: there is a huge economic potential and that the OCP recognizes the need for a break water.

Ian Dow (MI Transportation Initiative) reviewed efforts to date on behalf of dock improvements. A business plan has been developed for the transportation component to connect with the TransCanada Trail.

## **8. CORRESPONDENCE**

### 8.1 Mayne Island Transportation Initiative

#### **Resolution MA-LTC-01-13.**

It was Moved and Seconded that Mayne Island Local Trust Committee draft a letter endorsing in principle that Miners Bay Dock is a critical asset to the island and that it requires action to restore it and that it is essential to the economic and cultural well being of the community.

**CARRIED**

## **9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**

### 9.3 MA-DVP-2013.1 (Peace)

Planner Farris outlined the application to increase the height of accessory building allowable. The existing structure is approximately 2 feet over height. To date there have been no objections from neighbours and one property owner was present and stated no objections. The applicant reviewed how situation had developed and staff report recommends approval.

Chair Luckham was concerned that survey was not requested until after the building had been framed. There was discussion regarding CRD Building Inspection, responsibilities and IT responsibilities. An information package is available on line. It was acknowledged that mistakes happen and can be rectified through a variance permit. Planner Richardson will speak with Regional Planning Manager Kojima to get clarification of process and how this may be avoided in future.

#### **Resolution MA-LTC-02-32**

It was Moved and Seconded that the Mayne Island Local Trust Committee development variance permit MA-DVP-2013.1 (Peace), be approved.

**CARRIED**

### 9.4 MA-RZ-2012.1 (Oceanwood)

Planner Richardson outlined the application to renovate existing property with rezoning to permit Seniors Housing. Some of the staff issues with application include:

- There are currently two properties on island zoned for this type of use.
- Proximity to commercial amenities (not close by)

- Development Permit and siting adjustments needed.
- Difficult to determine actual need

The applicant spoke to the project. There is confidence that such a development is needed on the island and it is modeled after two programs on Salt Spring Island.

Discussion:

- Could Housing Agreement maintain cost rates? It can with non-profit housing. Staff will look into this.
- Suggested referring to APC prior to Community Information Meeting (CIM)
- CIM before APC could give more information to LTC and applicant for consideration
- Density: based on formula used for Church property
- Lot coverage: would need to do calculation however it is a 10 acre parcel
- Concern regarding increased density

#### **Resolution MA-LTC-03-13**

It was Moved and Seconded that the Mayne Island Local Trust Committee refer MA-RZ-2012.1 (Oceanwood) to the Mayne Island Advisory Planning Commission with instructions to return comments prior to Local Trust Committee meeting on March 27, 2013.

**CARRIED**

#### **Resolution MA-LTC-04-13**

It was Moved and Seconded that the Mayne Island Local Trust Committee instruct staff to determine a suitable location and time during April for a Community Information Meeting regarding MA-RZ-2012.1 (Oceanwood)

**CARRIED**

### **10. LOCAL TRUST COMMITTEE PROJECTS**

#### 10.1 Proof of Potable Water for Boundary Adjustments

It is important to respect all parties involved with water districts and that standards not be compromised. The amendment would be referred to water districts.

This does not apply to new developments or increased density.

#### **Resolution MA-LTC-05-13**

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to prepare an amendment to the Mayne Island Land Use Bylaw to relieve boundary adjustment subdivisions from proof of potable water requirements of the Land Use Bylaw provided that they have an existing proven supply of potable water.

**CARRIED**

Break at 2:58 pm – There was a Special cake presented in celebration of having the “Island” restored to the official name.

The meeting reconvened at 3:24 pm

## 10.2 Secondary Suites

Planner Richardson reviewed the history of the Housing study which identified the use of secondary suites as a form of low cost housing. There were 5 responses from the residents notification. Pages 2 and 3 of the Staff report dated Feb. 25, 2013 outline the next steps. A meeting with stakeholders is important and appreciation was expressed to the water board for received input.

### **Resolution MA-LTC-06-13**

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to initiate a process, as outlined in the staff report dated February 25, 2013, to consider the implementation of amendments to the Mayne Island Official Community Plan and Land Use Bylaw to allow for secondary suites as a permitted use.

**CARRIED**

## 10. **REPORTS**

### 11.1 Work Program Reports

#### 11.1.1 Mayne Island Local Trust Committee Work Program – Report dated February 2013

Planner Richardson reviewed the Work Program report: the first three items are still active and relevant. As directed today, regarding item number 2, a draft bylaw will be prepared for the next meeting.

### **Resolution MA-LTC-07-13**

It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to include under New Projects a review of the Official Community Plan and the Land Use Bylaw as suggested by the Advisory Planning Commission report dated February 2013.

**CARRIED**

### 11.2 Applications Report

#### 11.2.1 Mayne Island Applications report dated February 2013

Planner Richardson advised that the Beeson application is going to the Board of Variance; the Peace application has been dealt with today and the Oceanwood application has also been addressed.



### 11.3 Expense/Budget Reports

Presented for information

#### 11.3.1 Trustee and Local Expenses

Any questions can be directed to IT Financial Staff

### 11.4 Bylaw Enforcement

None

### 11.5 Adopted Policies and Standing Resolutions

Presented for information

### 11.6 Mayne Island LTC Web Page

There will be a new format to the web page shortly.

- The report on Secondary Suites to be added; the Oceanwood rezoning application to be added.

### 11.7 Chair's Report

Trust Council will meet next month on Thetis Island. Topics will include the proposed budget for 2013/2014 (there is an increase of 1.3%) and working with the Trust Fund Board. This Board is the conservancy "arm" of the IT and to date has protected 15% of the IT area in conjunction with local conservancies and individuals.

### 11.8 Trustee Report

Trustee Dodds organized a meeting for the Georgina Point Road residents regarding the waterfront erosion. There is an engineer's report and concern regarding the safety for pedestrians and drivers. The APC is working on a review of the Bylaw Enforcement Bylaw.

Trustee Crumblehulme represented IT at an interesting meeting with Parks Canada. Last year the Parks budget was cut by 40% and part of the current strategic plan is looking at campgrounds: Bennett Bay is on the list.

## 12. **OTHER BUSINESS**

### 12.1 Upcoming Meetings

12.1.1 Next Business Meeting – Wednesday March 27, 2013 at 1:00 pm. at the Mayne Island Community Centre

## 12.2 Natural Marine Conservation Area Exclusion Zones (attached)

Planner Richardson reviewed this government project which is in the planning stage. Industrial Sites are excluded, example B.C. Ferry Terminals. There is a question as to other areas on the island that have not been identified for exclusion. Three areas of note are: Miners Bay, St. John's Point and Horton Bay/Dock.

### **Resolution MA-LTC-08-13**

It was Moved and Seconded that the Mayne Island Local Trust Committee send a letter to Parks Canada to request exclusion of the Miners Bay Dock, Horton Bay Dock and St. John's Point east side bay from the proposed National Marine Conservation Park Area.

**CARRIED**

### **Resolution MA-LTC-09-13**

It was Moved and Seconded that the Mayne Island Local Trust Committee send a letter to Parks Canada requesting that they host a public meeting on Mayne Island regarding the proposed National Marine Conservation Area at their earliest convenience.

**CARRIED**

There was a comment from the public regarding Horton Bay being the only sheltered anchorage for the island. When Bennett Bay became part of Parks Canada all private buoys had to be removed. Another consideration is that people were told there would not be a campground and currently Bennett Bay is identified as a potential campground.

## 12.3 Food Security and Farming

Trustee Crumblehulme spoke to this topic which is part of Islands Trust Strategic Plan. A number of islands have a Farm Plan however there is not an active group on Mayne Island. He is interested in having a local committee to investigate what other islands are doing regarding food security/agriculture.

Concern was raised as to the number of projects currently underway.

The Agricultural Society, while philosophically supporting food safety/production, does not have a specific project to this end. There is an informal group on the island and at this time it does not appear that Islands Trust needs to be involved unless there is a barrier that Islands Trust can help to overcome.

There is an opportunity to link with other islands through the CRD.

Islands Trust may be able to facilitate with some project costs.

#### 12.4 Excessive Idling of BC Hydro Trucks on Mayne Island

An email has been received from Annette Witteman regarding excessive idling times by BC Hydro Trucks. There is a CRD Bylaw, enforced through Vancouver Island Health Authority (VIHA), that no truck or vehicle idle for more than three (3) minutes. This bylaw is not being enforced. RCMP and Hydro were not aware of bylaw. Ms. Witteman would like to post information notices to increase public awareness and would like to see this information extended to all the islands.

It was suggested that information be sent to CRD and to each island Local Trust Committee.

Mayne Island Local Trust Committee can help with costs of printing signs.

### 13. **TOWN HALL MEETING**

Chair Luckham invited comments from the public.

**David Maude:** questioned the abandoned vehicles issue. Trustees will bring this issue to the next meeting for Ministry of Transportation representatives to address. He restated that Parks Canada has a policy of no private docks/moorage within park areas and that this raises concern as to potential loss of anchorages for residents.

**Barry Wilks:** feels strongly that islanders can look after their own shorelines.

**Mike Dunn:** regarding Horton Bay Dock – there is a proposal for this area. Questioned exploratory permit for tidal generators: Islands Trust has not seen this proposal and has no jurisdiction. He asked as to the format for meeting with Ministry of Transportation.

Mr. Dunn was advised that this will be a regular LTC meeting with a presentation by the Ministry. Public are to forward specific issues/questions to the Trustees or Planner in advance, so they can be sent to the Ministry.

**Mary Cooper:** B.C. Water Awareness Week is May 20-26. The Integrated Water group is planning 3 Open Houses at water systems and will be working with the school.

Islands Trust could reissue posters on ferries and Trustee Dodds will put this item on the next agenda.

**14. MOTION TO CLOSE MEETING**

**Resolution MA-LTC-10-13**

It was Moved and Seconded that, pursuant to Section 90(a) and (f) of the Community Charter, the Mayne Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting Mayne Island Local Trust Committee In Camera Minutes of July 25, 2012 and to consider an Advisory Planning Commission appointment and further that staff and Recording Secretary remain present.  
(distributed under separate cover)

**CARRIED**

**15. RECALL TO ORDER**

15.1 Rise and Report from Closed Meeting

Paul Dumond has been appointed to the Mayne Island Advisory Planning Commission for a term of three (3) years.

**16. ADJOURNMENT**

Chair Luckham declared the meeting adjourned at 4:57 p.m.

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**RECORDER**

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**CHAIR**



# Islands Trust

## Follow Up Action Report w/ Target Date

### Mayne Island Feb-27-2013

No.	Activity	Responsibility	Target Date	Status
1	Advise APC chair after each meeting if there will be a referral or not.	Gary Richardson		Done
2	Minutes of November 28, 2002 adopted as amended.	Sharon Lloyd-deRosario		Done
3	Put a spot on each agenda for the CRD director.	Kathy Jones		Done
4	Staff to write a letter endorsing Miners bay dock. See letter from Ian Dow and Davis Maude for details. To come from chair.	Gary Richardson		On Going
5	MA-DVP-2013.1 (Peace) - permit issued as drafted.	Kathy Jones		Done
6	MA-RZ-2012.1 (Oceanwood) Forward to the APC requesting comments for March 27 LTC Mtg. (done) Calculate Lot coverage. (done) Arrange CIM in April	Gary Richardson		On Going
7	Proof of Potable Water for boundary adjustments - staff directed to draft a bylaw for consideration at March 27 LTC meeting.	Gary Richardson		Done
8	Secondary Suites - - staff directed to arrange Stakeholders meeting. -staff to prepare preliminary wording for OCP and LUB amendments.	Gary Richardson		Done

<b>9</b>	<b>Mayne LTC Work Program</b> add review of allowing public services in all zones - eg bc hydro add APC LUB amendments as recommended in APC LUB review.	<b>Gary Richardson</b>		<b>Done</b>
<b>10</b>	<b>Mayne LTC Web page - add secondary suite report and Oceanwood rezoning (done). CIM notice</b>	<b>Kathy Jones</b>		<b>On Going</b>
<b>11</b>	<b>NMPR - staff to draft two letters.</b> 1) Ltr to parks Canada requesting that they host a public meeting on Mayne Island regarding NMCA 2) Ltr to parks Canada to request exclusion of the Miners Bay Dock, Horton Bay Dock, and St. Johns Point east side bay from the NMPR.	<b>Gary Richardson</b>		<b>On Going</b>
<b>12</b>	<b>Appoint Paul Dumond to the APC February 27, 2013 to January 30, 2015</b>	<b>Sharon Lloyd-deRosario</b>	<b>Mar-27-2013</b>	<b>Done</b>
<b>14</b>	<b>Minutes of the July 25, 2012 LTC In Camera Minutes adopted as drafted.</b>	<b>Sharon Lloyd-deRosario</b>		<b>Done</b>

**From:** [judith.dufresne@pc.gc.ca](mailto:judith.dufresne@pc.gc.ca) [mailto:[judith.dufresne@pc.gc.ca](mailto:judith.dufresne@pc.gc.ca)]

**Sent:** Tuesday, March 12, 2013 10:56 AM

**To:** Kris Nichols

**Subject:** Active Pass Lighthouse

Dear Kris Nichols

I am preparing an heritage report on the Active Pass (Georgina) Lighthouse for the Heritage Lighthouse Program (Parks Canada). I need to contact the local municipality to comment on the lighthouses value for the community. I was wondering if you could direct my email to an appropriate person to comment on this subject?

Thank you very much

Sincerely,

**Judith Dufresne**

**Historienne de l'architecture/Architectural Historian**

**Direction des sciences culturelles/Cultural Sciences Branch**

**Direction générale de la conservation et de la commémoration du patrimoine/**

**Heritage Conservation and Commemoration Directorate**

**Parcs Canada/Parks Canada**

**25 rue Eddy, Gatineau (Québec) K1A 0M5 / 25 Eddy, Gatineau (Quebec) K1A 0M5**

**Tel: 819-953-5589**

**Gouvernement du Canada / Government of Canada**

**La guerre de 1812 - Une époque à découvrir / The War of 1812 : A time to Discover**



## Mayne Island Pathways Initiative

March 14, 2013

Mayne Island Local Trust Committee

### **Re:** Mayne Island Pathways Initiative Road Assessment

As a group of Mayne Island residents who bike and walk the roads of Mayne Island, we wish to inform you of our work on assessing the main roads of the island from the perspective of biker and pedestrian safety. We spent the summer and fall of last year assessing the roads using an agreed upon set of criteria. This assessment has essentially been completed for the main road arteries. In addition, using the Farmers Market as a venue, we conducted a survey of mostly part-time residents or visitors on their impressions of the condition of the roads they use on Mayne Island. Using these two sources and with the generous assistance of a Capital Regional District Grant in Aid, we are compiling a report of our findings focusing on those aspects of our road network that raise concerns for the safety of bikers and pedestrians as well as, car drivers when encountering them.

The purpose of this report is to highlight and recommend actions that can reduce or eliminate the safety concerns. Our own observations have suggested that the amount of pedestrian and bicycle traffic coming to the island is increasing and we would like to work towards an infrastructure that supports these forms of transportation.

When the report is completed, we will distribute copies to the Mayne Island Local Trust Committee, the Ministry of Transportation and Infrastructure and the Capital Regional District Southern Gulf Islands Director and Transportation Committee. At that time, we hope to enter into discussions as to how to achieve the recommendations of the report over time.

At the March 27, 2013 Mayne Island Local Trust Committee meeting, we understand that there will be a representative of the Ministry of Transportation and infrastructure present and that a special session would be held for the public to ask questions.

In anticipation of this, we would like to pose several questions to the ministry representative with respect to the Mayne Island Pathways:



1. When we have completed our report, who in the ministry is the best placed to receive and consider actions emanating from the report? Would members of our group be able to meet with that person?

2(a) Part of the recommended actions in the report envisions a separated pathway paralleling some of the main roads and utilizing where possible the existing road right of way. Our question is “would it be possible to get from the ministry large scaled maps that clearly show the existing right of ways along Village Bay Road and Fernhill Road to Bennett Bay?

3. There is a Memorandum of Understanding signed between the ministry and the Islands Trust with respect to the roads and opportunities for pathway development. What needs to be done to have implemented the recommendations of our report under the auspices of this Memorandum?

Mayne Island residents are also looking at a broader plan for a trail network for the island linking key centres with walking and biking trails. This endeavour has regional significance and the trails committee formed for this purpose is looking at all possible roadway and off roadway alignments that might be possible. One of the crucial needs of this group is access to detailed and large scale maps that show all the existing dedicated rights of way on the island including those which may not be opened at this time.

4. Can these maps be provided or at least viewed by members of the trails group, to assist in developing potential trail alignments on public lands?

Thank you for the opportunity for placing this important matter before the committee and forwarding the above four questions to the ministry representative for response at the March meeting.

Regards,

Michael Dunn on behalf of the  
Mayne Island Pathways Initiative

Cc Helen O'Brian, Trails Committee

RECEIVED

MARCH 13, 2013

MAR 13 2013

ISLANDS TRUST  
VICTORIA BC

MAYNE ISLAND ADVISORY PLANNING COMMISSION

Re: MA-RZ:2012.1

The application is very appealing as an amenity for the community and should proceed with further investigation.

**It was Moved and Seconded that the Mayne Island Advisory Planning Commission recommend that the Mayne Island Local Trust Committee proceed with a Community Information meeting and it is further recommended that a Housing Agreement be an integral part of any bylaw rezoning amendments.**

CARRIED

COPIED TO	
<input checked="" type="checkbox"/>	PLANNER
<input checked="" type="checkbox"/>	LTC
<input checked="" type="checkbox"/>	<u>KJ</u>



# STAFF REPORT

**Meeting of** March 27, 2013

**File No.:** MA650020-2012

**To:** Mayne Island Local Trust Committee

**From:** Gary Richardson, Island Planner

**CC:** Kris Nichols, A/Regional Planning Manager

**Re: Mayne Island Housing Options – Consideration of Secondary Suites – Update**

## BACKGROUND:

At the regular meeting of the Mayne Island Local Trust Committee (LTC) on July 4, 2011, the LTC passed a resolution for staff to amend the work program by putting housing options as a top priority. In addition, the LTC passed the following resolution:

*Directing staff to report back on issues and options for consideration of permitting secondary suites through amendments to the Official Community Plan (OCP) and Land Use Bylaw (LUB).*

This resolution was made in response to a staff report received by the LTC on July 4, 2011, titled “Mayne Island Housing Options Task Force Report”. The purpose of the staff report was to provide an overview and outline options for consideration of the LTC based on the nine (9) recommendations presented in the Mayne Island Task Force Report (May 31, 2011). It was noted that some of the recommendations made have been implemented through recent reviews of the Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations and therefore some are currently permitted within the context of the OCP or the LUB. The purpose of the Task Force report was to provide overall advice to the LTC addressing the present and future needs for housing diversity through the identification of land use (zoning) requirements and policy issues.

A staff report regarding the consideration of secondary suites was reviewed by the LTC at its July 25, 2012 LTC meeting. The LTC passed the following resolution:

*It was Moved and Seconded that the Mayne Island Local Trust Committee request staff to send a letter to all property owners and water boards outlining a proposal to permit secondary suites to be included in a dwelling*

A letter was sent to all property owners November 2012 advising that the LTC is considering reviewing land use policies and regulations regarding the provision of secondary suites as an alternative form of housing on Mayne Island.

The notice also stated that the LTC has directed staff to initiate a review of the suitability of secondary suites for some or all residential properties on Mayne Island.

For the purposes of this review a secondary suite is restricted to following types:

- A self-contained suite above a garage attached to the principal residence;
- A self-contained suite above the main floor of a principal residence;
- A self-contained suite below the main floor of a principal residence (basement suite); or
- A self-contained suite attached to a principal residence at grade.

A total of six responses were received with a common concern being the need for, sufficient water supply for the increased residential use .

At the Feb 27, 2013 LTC meeting the LTC passed the following:

*It was Moved and Seconded that the Mayne Island Local Trust Committee direct staff to initiate a process, as outlined in the staff report dated February 25, 2013, to consider the implementation of amendments to the Mayne Island Official Community Plan and Land Use Bylaw to allow for secondary suites as a permitted use.*

The current actions to be carried out by staff as outlined in the timeline is: to provide preliminary draft wording that would amend the OCP and LUB to allow secondary in all residential zones; and arrange a stakeholders meeting to obtain comments from stakeholders.

This staff report provides some preliminary wording for amendments to the OCP and LUB to allow for secondary suites on Mayne Island.

Staff is arranging a stakeholders meeting for April 24, 2013.

The Timeline that was agreed to by the LTC at its February 27, 2013 LTC meeting is attached to this report for reference.

## **Draft Amendments**

### **OCP**

To amend the OCP a subsection can be added to the Settlement Residential, Rural Residential, Rural, Upland, and Agriculture sections that reads as follows:

2.1.1.10 One secondary suite contained within a dwelling unit shall be permitted per parcel. The floor area of a secondary suite should not exceed 90m<sup>2</sup>.

## LUB

To amend the LUB a definition should be added specifically defining what a secondary suite is within the Mayne Island Planning area. The definition could read as follows:

**“secondary suite”** means an *accessory, self-contained dwelling unit*, located within a *building* that otherwise contains a *single-family dwelling*, and having a lesser *floor area* than the *principal dwelling unit*.”

A subsection can be added to the Settlement Residential, Rural Residential 1, Rural Residential 2, Rural, Upland and Agricultural sections that reads as follows:

### **Density**

*One secondary suite per Lot.*

### **Siting and Size**

*The maximum floor area for a secondary suite is 90m<sup>2</sup> (960 ft<sup>2</sup>).*

A parking requirement of one off street parking space for a secondary suite should also be added to the parking schedule of the LUB.

## STAFF COMMENTS

The proposed wording if incorporated into the OCP and LUB would allow one secondary suite per lot with a floor area not exceeding 90 m<sup>2</sup>. The suite would also be required to be contained within the building envelope of the single family dwelling.

Before the proposed wording is put in a bylaw form it is recommended that comments from stakeholders and the general public be obtained so that the draft bylaw can accurately address the community's concerns before it is distributed.

The LTC should consider the following questions prior to proceeding with permitting secondary suites:

- 1) should water catchment systems be required for secondary suites?;
- 2) should it be required that the owner either occupy the secondary suite or main residence?;
- 3) should the secondary suite to have a separate outside entrance?;
- 4) how can exiting suites can be brought into conformance?;
- 5) should suites be permitted on certain size residential lots or in certain areas only?;
- 6) should a secondary suite restrict other uses (eg bed and breakfasts) from occurring in the same building or in cottages?;

- 7) should it be stated that secondary suite must not be subdivided from the principal dwelling unit under the Land Title Act or the Strata property act?; and
- 8) Should the secondary suite have a set floor area as is proposed in the LUB amendment or should the permitted floor area be a set percentage of the principal dwelling?

The timeline considered at the February 27, 2013 LTC meeting is working well so it is recommended that the present path be maintained.

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Respectfully submitted by:

*Gary Richardson*

March 19, 2013

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Gary Richardson  
Concurred in by:

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Date

*Kris Nichols*

March 19, 2013

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A/Regional Planning Manager

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Date

## Timeline

Month	Action	Comments	Budget
March/13	Staff to draft wording that would amend both the OCP and LUB to allow secondary suites to be permitted in all residential zones.	This provides a starting point for the discussion. The LTC can review the report and wording at its March 27/13 LTC meeting and give staff direction at that time.  The LTC may also want to forward the draft wording to the APC for comment at this time.	
April/13	Staff to arrange meeting with stakeholders to discuss secondary suite proposal.	Stakeholders can include: Improvement districts, water districts, CRD, fire department, APC. A meeting would be held on Island and open to the public. A date should be scheduled far enough in advance to allow maximum participation. This will allow stakeholders to comment early in the process. Stakeholders who could not attend	\$400.00

		would be consulted separately by staff.  Staff would also initiate other means of obtaining community comment at this time to allow community members that cannot attend meeting a chance to comment. This can include a mail out, survey or other means.	\$500
May/13	Staff report prepared summarizing community and stakeholder comments. Report to include recommendations for wording of amending bylaws.	LTC to give direction on wording of draft bylaws.	
June/13	Draft bylaws prepared for June LTC meeting for LTCs consideration.	LTC to consider 1 <sup>st</sup> reading of the draft bylaws and direct staff to arrange a community information meeting.	
July/13	Community Information Meeting regarding draft bylaws.	Staff and LTC to obtain comment from community.	\$500.00
September/13	Staff report summarizing community comment and making recommendations if appropriate to be prepared for LTC to consider at September LTC meeting.	LTC to direct staff to schedule public hearing at this time if appropriate.	\$1200
October/13	Public Hearing regarding amending bylaws	Further readings and or minor amendments take place at this stage, following the public hearing.	
November/13	Bylaws to Executive and Minister for approval.	Staff to facilitate.	
February 14	Consideration of Adoption	Staff will place on February agenda.	



# STAFF REPORT

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March 15, 2013

File No.: MA-LTC-05-13

**To:** Mayne Island Local Trust Committee

**From:** Gary Richardson, Island Planner

**CC:** Kris Nichols, A/RPM

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**Re: Mayne Island Land Use Bylaw – Proof of Potable Water for Boundary Adjustment Subdivisions**

## THE PROPOSAL:

The Mayne Island Land Use Bylaw (LUB) requires that a land owner applying for a boundary adjustment subdivision provide proof of potable water to the same level as is required for a multi lot subdivision. In some cases there are existing dwellings and proven supplies of potable water on the lots that are subject to the boundary adjustment subdivision.

The Mayne Island LTC placed the review of proof of potable water provisions for boundary adjustment subdivisions on its work program priority list on October 24, 2012. The LTC requested staff to provide options and recommendations to the LTC regarding possible amendments to the Land Use bylaw.

A staff report was brought forward to the Mayne Island LTC at its business meeting on February 27, 2013. At the February 27 meeting a resolution was approved to direct staff to prepare an amendment to the Mayne Island Land Use Bylaw to relieve boundary adjustment subdivisions from proof of potable water requirements of the Land Use Bylaw provided that they have an existing proven supply of potable water.

As a result of the February 27 resolution staff has drafted a bylaw to amend the LUB to relieve boundary adjustment subdivisions from the proof potable water requirements of the LUB in some cases.

Draft Bylaw 158 is attached for the LTCs consideration (See Attachment 1).

### Trust Policy Statement:

The following directive policies should be considered when determining how to proceed:

#### **Directive Policies**

**4.4.2** *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:*



- *neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,*
- *water quality is maintained, and*
- *existing, anticipated and seasonal demands for water are considered and allowed for.*

4.4.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses.*

## Official Community Plan

### Objectives

The objectives of this section (3.2.1 are:

- 1) to conserve rainwater, surface wells and all groundwater supplies,
- 2) to protect watersheds and to encourage the development of catchment areas for existing and future use, and
- 3) to ensure that the development and use of the land base does not lead to degradation of the current supply of fresh water.

### Policies

- 3.2.1.1 As a condition of subdivision approval, applicants shall be required to prove the availability of sufficient potable water to support the proposed use.
- 3.2.1.2 Development should not be permitted in areas where groundwater limitations have been identified.
- 3.2.1.3 The sale of collected rainwater maybe permitted by rezoning only and should only be considered if it is determined that the proposed use would not impact adjacent properties.

## Land Use Bylaw

### **8.11 Water Supply Standards**

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

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

If it is proposed to provide potable water to a lot from a well on another lot, the applicant must concurrently with the registration of the subdivision plan register against title to the lot on which the well is located:

- (a) an easement in favour of each lot to which water is provided; and
- (b) a s. 219 covenant in favour of the Mayne Island Local Trust Committee for water supply purposes,

each of which must be in terms satisfactory to the Mayne Island Local Trust Committee.

- (2) Where the certification referred to in subsection 8.11(1) cannot be made, the approving officer may nonetheless approve the subdivision in the following circumstances:
  - (a) where the applicant provides a community water system complying with the requirements of this bylaw; or
  - (b) where the applicant grants a s. 219 covenant to the LTC and to the CRD restricting the development of the subdivision to the buildings, structures and uses in respect of which a certification has been made under subsection 8.11(1).
- (3) Where applicant has provided a report by a professional engineer or hydrogeologist with experience in groundwater hydrology, and the report indicates that the water from a well does not meet the standards of potability as set in 8.11(1) and the report states that with specific treatment systems the well can be certified as to potability, the approving officer may nonetheless approve the subdivision provided that:
  - (a) the applicant grants a s. 219 covenant to the LTC and to the CRD restricting use and occupancy of the land and any building or structure on the land until the owner installs a water treatment system which is effective in making the water from the well potable to no less a standard than that specified in this Bylaw.

- (4) For the purposes of the certification referred to in 8.11(1), the engineer or hydrogeologist must supply supporting documentation and if a pump test has been conducted the engineer or hydrogeologist must indicate that the test was of sufficient duration to establish in accordance with generally accepted hydrological engineering practice the long term reliability of the water supply.
- (5) Where an engineer or hydrogeologist provides a certification under 8.11(1) as to the quality of a proposed source of potable water, the certification must include a plan of the proposed subdivision indicating the location where each water sample was taken, and a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
- (6) No community water system may be supplied with water other than that which is obtained on the island on which the system is located.

#### **COMMUNITY INFORMATION MEETING(S):**

A Community Information Meeting will be held prior to a public hearing.

#### **COMMUNICATIONS:**

If a public hearing is held appropriate notification will be carried out.

#### **STAFF COMMENTS:**

Boundary adjustments are fairly common as a mechanism to bring buildings or structures into compliance with setback requirements, create level or accessible building sites on topographically difficult lots, or to allow for driveway access.

Boundary adjustment subdivisions do not create any new lots. They are solely to change a lot line boundary between lots in a way that does not allow an increase in lots to be created or allow more lots to be created in the future than could be created at the time of the boundary adjustment.

Boundary adjustment subdivisions are often between two lots with existing dwellings and existing potable water supplies. In some cases they involve vacant lots. The existing requirements in the LUB for proof of potable water required at time of subdivision has proven to be quite onerous for property owners that are simply moving a boundary between two lots with existing dwellings with existing supplies of potable water.

**RECOMMENDATIONS:**

**THAT** the Mayne Island Local Trust Committee give draft bylaw 158 cited as: “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2013” First Reading.

**THAT** the Mayne Island Local Trust Committee direct staff to refer draft bylaw 158 cited as: “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2013” to the appropriate referral agencies.

**THAT** the Mayne Island Local Trust Committee direct staff to arrange a community information meeting for draft bylaw 158 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2013”

**THAT** the Mayne Island Local Trust Committee direct staff to arrange a public hearing for draft bylaw 158 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2013”

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Prepared and Submitted by:

*Gary Richardson*

March 18/13

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Gary Richardson, Island Planner

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Date

Concurred in by:

*Kris Nichols*

March 18/13

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Kris Nichols A/RPM

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Date

MAYNE ISLAND LOCAL TRUST COMMITTEE

**DRAFT**

BYLAW NO. 158

\*\*\*\*\*

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

\*\*\*\*\*

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

A. Schedule A of Bylaw No.146, cited as “Mayne Island Land Use Bylaw No 146, 2008” is amended as follows:

(1) Section 8.11 is amended by adding a new Subsection 8.11(7) as follows:

“8.11(7) An applicant is not required to fulfill the requirements of subsections 8.11(1) for boundary adjustment subdivisions provided that: there would be no increase in density or intensity of use beyond what was permitted before the boundary adjustment took place; and that all of the lots subject to the boundary adjustment have an established supply of water.”

B. This bylaw may be cited for all purposes as the “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2013”.

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

\_\_\_\_\_  
**DEPUTY SECRETARY**

\_\_\_\_\_  
**CHAIRPERSON**



# Islands Trust

## Top Priorities

### Mayne Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Housing Options	Consider OCP/LUB amendments to permit secondary suites  - prepare preliminary OCP/LUB wording (done)  - arrange stakeholders meeting	Jul-04-2011	Gary Richardson	Sep-30-2013	On Going
2	Review proof of potable water provisions in LUB regarding boundary adjustment subdivisions.	Prepare draft bylaw for LTCs consideration (done)	Oct-24-2012	Gary Richardson	Mar-27-2013	On Going
3	OCP Follow-up: 1. Implementation of Riparian Areas Regulation	follow timeline agreed to at Oct 24/12 LTC meeting.	Jun-09-2010	Gary Richardson	Sep-30-2013	On Going



**Mayne Island**

No.	Description	Activity	Received/Initiated	Status
1	Climate Change Adaptation	Consider regulatory changes and implementation of new DPA authority	Mar-02-2009	On Going
2	Agricultural Building riparian setbacks	Review LUB to consider potential amendments to setbacks for agricultural buildings from watercourses, consistent with Ministry guidelines	Oct-03-2011	On Going
3	Commercial Land Use Review	review task force reports and provide options/recomendations to the LTC	Oct-24-2012	On Going
4	First Nations Communication - deer		Jun-27-2012	On Going
5	Density provisions on large remainder lots		Jul-27-2012	On Going
6	Road issues		Jun-27-2012	On Going
7	Review TUP policies		Sep-19-2012	On Going
8	STVR Review		Sep-19-2012	On Going
9	Geo-exchange review		Nov-28-2012	On Going
10	Review of OCP and LUB as per APC report dated February 2013.		Feb-27-2013	On Going
11	Staff to review the appropriateness of continuing to allow public service uses in all zones as they may detract from residential enjoyment of property.		Feb-27-2013	On Going



## Applications w/ Status - Mayne Island Status: Open

### Applications

#### Board of Variance

File Number	Applicant Name	Date Received	Purpose
MA-BOV-2013.1	Paul Beeson	Jun-19-2012	238 CALLAGHAN CRES To vary the allowable setbacks so that house and deck are not encroaching the lotlines.

**Planner:** Gary Richardson

#### Planning Status

**Status Date:** Mar-18-2013

BOV hearing arranged for eveing of Monday May 27

**Status Date:** Feb-20-2013

BOV Hearing is being set for May/13

**Status Date:** Jan-30-2013

The application has been changed back to a BOV, see file MA-BOV-2013.1

#### Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2012.1	0747825 BC LTD / Bruce Rosengren c/o Murray Rosengren	Dec-18-2012	630 DINNER BAY RD To rezone from Commercial zone (C5a) to Senior Citizen Housing Comprehensive Development Three zone (CD3) with site specific permissions.

**Planner:** Gary Richardson

#### Planning Status

**Status Date:** Mar-18-2013

APC Comments on March 27, 2013 LTC agenda

**Status Date:** Mar-18-2013

CIM being sheduled for late April 2013



**Status Date:** Feb-20-2013

Preliminary staff report on Feb 27 LTC agenda for LTCs consideration.

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**Kathy Jones**

**From:** Nicole Ranger  
**Sent:** February-27-13 9:25 AM  
**To:** Brian Crumblehulme; Gary Richardson; Jeanine Dodds; Peter Luckham; Robert Kojima; Sharon Lloyd-deRosario; Kathy Jones  
**Cc:** Nancy Roggers  
**Subject:** Mayne Expense Report Feb/13

**Islands Trust****LTC EXP SUMMARY REPORT F2012**

Invoices posted to February 28, 2013

<b>645 Mayne</b>	<b>Invoices posted to February 28, 2013</b>	<b>Budget</b>	<b>Spent</b>	<b>Balance</b>
65000 645	LTC "Trustee Expenses"	1,100.00	246.66	853.34
65200 645	LTC Local Exp LTC Meeting Expenses	5,800.00	1,702.24	4,097.76
65210 645	LTC Local Exp APC Meeting Expenses	-	562.69	(562.69)
65220 645	LTC Local Exp Communications	-	345.00	(345.00)
65230 645	LTC Local Exp Special Projects	-	2,000.00	(2,000.00)
65240 645	LTC Local Exp Miscellaneous	-	-	-
<b>TOTAL LTC Local Expense</b>		<b>5,800.00</b>	<b>4,609.93</b>	<b>1,190.07</b>
73001 645 2005	Mayne OCP/LUB	5,000.00	1,174.15	3,825.85
73001 645 3005	Mayne RAR	4,000.00	-	4,000.00
<b>TOTAL Project Expense</b>		<b>9,000.00</b>	<b>1,174.15</b>	<b>7,825.85</b>

**Nicole Ranger**

Finance Clerk  
 Islands Trust  
 200-1627 Fort Street  
 Victoria, BC V8R 1H8  
 Phone: (250) 405-5152  
 Fax: (250) 405-5155

*Preserving Island communities, culture and environment*

 Please consider the environment before printing this email



# Memorandum

Date March 18, 2013

To Mayne Island Local Trust Committee  
From Geoff Kinnear, Bylaw Enforcement Officer

**Re MAYNE ISLAND DERELICT VEHICLES**

File Number MA-BE-2013.1

The Bylaw Enforcement team has received a number of recent complaints concerning unlicensed or derelict vehicles on Mayne Island. These include travel trailers, boats and trailers, and automobiles in various states of repair.

The complaints cite instances of obstruction of roadways, concern about environmental damage from leaking fluids such as coolants, oils and transmission fluids and also draw attention to unsightly premises.

A review of Mayne Island Land Use Bylaw No.146 indicated that there was no language which addressed the storage of non-functioning vehicles or associated parts, materials, or fluids.

Section 3.2 (2) however, does address and prohibit the disposal of hazardous or toxic waste:

### **3.2 Prohibited in All Zones**

*For certainty, the following uses, buildings and structures are prohibited in any zone, except where expressly permitted in Part 5:*

*(2) The disposal or storage of hazardous or toxic waste;*

The Mayne Island Official Community Plan Bylaw No. 144 does contain the following regulation in reference to Industrial uses in Section 2.5:

### **2.5.1 Industry**

#### Objective

*The objectives of this section are:*

- 1) to allow for small scale, non-polluting industrial activities, and*
- 2) to protect the environment and minimize the impact on neighbours.*

#### Policies

*2.5.1.5 All goods, materials and equipment associated with or produced by an industrial operation must be stored in a manner that does not cause environmental damage.*

This citation within this memo is made only to highlight the environmental concerns that Mayne Islanders have voiced within the OCP and it does not suggest that the storage of derelict automobiles or other vehicles be considered an industrial use.

The un-regulated storage of automobiles, tires, fuels and other fluids could present an environmental concern in the future, particularly with regards to quality of water supply issues and fire hazard.

The Mayne Island Local Trust Committee may wish to consider adding a derelict vehicle section to the Land Use Bylaw, which might permit Bylaw Enforcement to deal with an increasing number of complaints.

From an enforcement perspective, the definition of a derelict vehicle must be carefully reviewed to ensure that it fulfills the intended function, but is not so broad as to restrict hobbyists or collectors of vintage automobiles from simple restoration practices.

Other jurisdictions use various criteria for defining derelict automobiles or for restricting certain classes of vehicles from being parked or stored upon property within their boundaries.

Examples:

**A)** *“...except for the parking of vehicles accessory to a permitted use existing on the same lot, no lot may be used for:*

*(1) the parking or storage of more than two vehicles, which are not completely enclosed in a permitted building; or*

*(2) the keeping of detached parts of vehicles, unless the parts are completely enclosed in a permitted building.”*

**B)** *“..., no lot may be used for:*

*(1) the storage of more than two unlicensed motor vehicles (other than farm and forest equipment and vehicles), unless the vehicles are stored within a permitted building that is completely enclosed;*

*(2) the wrecking or storage of derelict or abandoned vehicles, trailers or other discarded machinery or equipment; and*

*(3) the storage of detached or salvaged motor vehicle parts or scrap, unless the parts are stored within a permitted building that is completely enclosed.”*

**C)** *White v. Comox-Strathcona (Regional District)*<sup>4</sup>

In this case, the District had enacted a bylaw prohibiting the storage of more than one derelict vehicle in all but industrial zones. A “derelict vehicle” was defined in the bylaw as an unlicensed vehicle not housed within a garage. Mr. White, the appellant, restored old vehicles and kept several on his residential premises. He was found convicted and fined for breaching the bylaw. One of the arguments made by Mr. White was that by incorporating a licensing requirement into the bylaw, the District was attempting to regulate the use of the land by reference to the status of a vehicle under different legislation, namely the Motor Vehicle Act, a provincial statute. Collver. J. held that although vehicular licensing was part of the provincial legislative regime, the District did not rely on it to enforce its bylaws. The bylaw was enforced by simply “investigating the presence of more than one plateless vehicle on land” not in an industrial zone simply by using “vision and common sense”. The Court found that the regional district had regulated the land by defining it in a “simple, understandable and effective way”.

**An excerpt from a City of Winnipeg Bylaw:**

*DIVISION 2 – DERELICT VEHICLES*

*Definitions*

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*18. In this Division*

*“building” means a structure with four walls and a roof but does not include a carport, tarp or covering for a vehicle;*

*“derelict vehicle” means a used motor vehicle or the body or chassis of a used motor vehicle that*

*(a) is not in an operating condition and is rusted, wrecked or partly wrecked, or is dismantled or partly dismantled;*

*(b) is not insured and registered under The Highway Traffic Act and does not have a current, valid license plate attached to it; and*

*(c) has been entirely or partially located outside of a building for more than one month; “operating condition”, in relation to a vehicle, means that it is capable of being driven on a highway in compliance with The Highway Traffic Act;*

*Application of this Division*

*19. This Division applies to all residential and non-residential properties in the City of Winnipeg except a property that is the subject of a subsisting licence issued by the City of Winnipeg as a scrap yard or used material yard.*

*Prohibition on storing derelict vehicles on property*

*20(1) A person must not park, store or leave a derelict vehicle on a residential or non-residential property.*

*20(2) An owner or occupant must not permit a derelict vehicle to be parked, stored or left on his or her property.*

## Mayne Island Local Trust Committee

### POLICIES AND STANDING RESOLUTIONS

Updated: July 25, 2012

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	October 1, 2007	MA-LTC-70-07	Guidelines for Use When Considering Funding for Reports	The MILTC has adopted a policy establishing the set of guidelines the LTC should employ when purchasing a report for LTC and public use.
2.	February 7, 2011	MA-LTC-13-11 This resolution repeals MA-LTC-90-09	STVRS Bylaw Enforcement	<p>1. Given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities STVRs that have one or more of the following characteristics will be subject to enforcement:</p> <ol style="list-style-type: none"> <li>1. They are advertised on the internet, newspapers or other media;</li> <li>2. They are not managed by the property owner;</li> <li>3. More than one dwelling on the lot is simultaneously made available for STVR;</li> <li>4. While the property is rented persons are permitted to stay in tents or trailers;</li> <li>5. There are issues related to health and safety;</li> <li>6. 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 STVR;</li> <li>7. The owner of the property uses more than one property on Mayne Island as a STVR.</li> </ol> <p>2. No enforcement actions under section 1.1 will be taken against any STVR operation that takes place in a lawful cottage or dwelling while the operator lives in a lawful dwelling or cottage on the same property.</p> <p>3. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.</p> <p>This means that persons who have two lawful dwelling places on one lot and who live in one dwelling while the other is used as an STVR will be exempt from enforcement if they advertise. Staff recommends that the other factors continue to apply because STVR operations that have third party management, have more than one location on Mayne Island, or use more than one dwelling or cottage or permit camping are essentially operating as a resort or motel. The safety and nuisance triggers for enforcement protect the renters, the operators, and the neighbourhoods. It also reduces the Islands Trusts' liability.</p>

No	Meeting Date	Resolution No.	Issue	Policy and Description
3.	May 2, 2011	MA-LTC-44-11	Options for adopting In Camera Minutes	It was Moved and Seconded that Mayne Island Local Trust Committee direct staff to only include in-camera minutes on agendas where there are other reasons to close the meeting to the public .
4.	February 1, 2012		Special Occasion Liquor License referrals	That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
5.	July 25, 2012	MA-LTC-34-12 x-ref #2 above	STVR Bylaw enforcement policy	That Mayne Island Local Trust Committee resolves to extend the current Short Term Vacation Rental bylaw enforcement policy, as written in Staff Report dated June 26, 2012 until the project to review use of second dwellings for Short Term Vacation Rentals is complete.

## **GUIDELINES FOR MAYNE ISLAND LTC TO USE WHEN CONSIDERING FUNDING FOR REPORTS**

**Adopted by Resolution MA-LTC-70-07 at the regular meeting of  
October 1, 2007.**

**ISSUE:** What guidelines should an LTC employ when purchasing a report for LTC and public use?

### **BACKGROUND:**

Islands Trust financial policy provides that an LTC cannot sponsor an event, even a community non-profit venture. LTC's can, however, purchase goods and services which are of benefit to the LTC and, by extension, the community it serves. Therefore, LTC's have supported worthwhile conferences, workshops and the like by purchasing a report on conference issues, proceedings, findings and recommendations.

In order that LTC's receive value for their purchases, the Mayne Island LTC has raised the issue outlined above. It has asked that guidelines be considered for use in evaluating future opportunities to purchase reports on a wide variety of subjects related to LTC mandates.

### **CONSIDERATIONS:**

There are a number of factors or considerations an LTC might need to entertain. These considerations are cited below in an order which range from "fundamental" to "consequential".

1. Does the LTC have the budgetary capacity to consider the opportunity to purchase a conference report or proceeding?
2. Is the subject matter germane to the work and/or mandate of the LTC?
3. If the answers to 1 and 2 above are in the affirmative, the LTC may wish to consider requirements for the report they agree to purchase.



## **GUIDELINES**

If the LTC decides to purchase a conference report or proceedings, it may require that reporting guidelines below be met as a condition of purchase.

These guidelines are:

1. The full proceedings of the conference or workshop are preferred.
2. If full proceedings are not produced or available the report to the LTC should include:
  - (a) The agenda of the conference or workshop
  - (b) A list of presenters and the topics they represented
  - (c) A summary of each topic discussed
  - (d) A copy of all papers presented at the conference
  - (e) A list of all recommendations made by the conference (if not cited in the papers or summary of each topic)
  - (f) A summary of any follow-up actions identified by the conference
  - (g) A copy of any contact list or referral resources generated by the conference,.
3. If only a narrative report is produced, the narrative should include or address the information sought in (a) to (g) above.

It is hoped that the guidelines above will ensure that the LTC will receive all relevant information generated by the conference or workshop.



# Islands Trust

Preserving **island** communities, culture and environment.

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**Population (2011):**  
Approximately 1,071

**Size:**  
2,334 hectares (5,767 acres)

**Location:**  
19.7 kilometres east of the Swartz Bay ferry terminal on Vancouver Island.

[Land Use Planning](#)

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## Mayne Island Local Trust Committee

### Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Mayne Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section. No latest news at this time

### November 2012

- [Mayne Island Secondary Suites Information Notice - November 2012](#)

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### Planner Office Hours on Mayne Island

- [Planner Office Hours on Mayne Island - 2013](#)

### Mayne Island Local Trust Committee Projects

Local trust committee community planning projects are initiated and managed through their Work Programs. The Work Program Top Priorities are projects that have been prioritized by the LTC and for which resources are available or anticipated to be available shortly. Projects can be significant and long term, such as an Official Community Plan Review, or may be relatively minor, such as an amendment to a regulation in a Land Use Bylaw.

- [Work Program Top Priorities](#)

### General

- [Mayne Island Integrated Water System Society Report - May 1, 2010](#)
- [Short Term Vacation Rentals - Information Notice](#)
- [Mayne 2030 A Panel Discussion and Community Dialogue - Sponsored by Resilient Mayne Initiative](#)
- [Amended Mayne Island Bylaw Enforcement Policy for Short Term Vacation Rentals](#)
- ["A Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands" booklet](#)
- [A "Choosing a Building Site on your Lot" fact sheet](#)
- [A "Making Changes to your Lot Line" fact sheet](#)
- [An "Applying for a Variance" fact sheet](#)
- [Update on Bylaw Enforcement on Short Term Vacation Rentals](#)

### Secondary Suite Review

#### Report

- [Mayne Island Housing Options Task Force Report - May 31, 2011](#)
- [Staff Report - September 19, 2011](#)
- [Staff Report - July 12, 2012](#)
- [Mayne Island Secondary Suites Information Notice - November 2012](#)
- [Staff Report - February 27, 2013](#)

### Commercial Land Use Review

- [Task Force Terms of Reference](#)
- [Mayne Island Commercial Inventory Staff Report - September 19, 2011](#)
- [Mayne Island Commercial Land Use Task Force Report- April 9, 2012](#)

## Committee Links

- [Committee Home](#)
- [Trustee Membership](#)
- [Contact Trustees](#)
- [Contact Planning Staff](#)
- [Planning Bylaws](#)
- [Administrative Bylaws](#)
- [Meetings Schedule](#)
- [Meeting Agendas](#)
- [Meeting Minutes](#)
- [Resolutions-Without-Meeting](#)
- [Associated Islands](#)
- [Land Use Application Forms](#)

- [Mayne Island Commercial Land Use Task Force Report - April 15, 2012](#)
- [Mayne Island Commercial Land Use Task Force Report - April 16, 2012](#)

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## **Sensitive Ecosystem Mapping**

### **Maps and Fact Sheets**

- Sensitive Ecosystem: [Map](#) | [Project Background](#) | [Methods](#)
- [How to Read a Sensitive Ecosystems Map](#)
- Cliff Ecosystems: [Map](#) | [Fact Sheet](#)
- Freshwater Ecosystems: [Map](#) | [Fact Sheet](#)
- Herbaceous Ecosystems: [Map](#) | [Fact Sheet](#)
- Riparian Ecosystems: [Map](#) | [Fact Sheet](#)
- Woodland Ecosystems: [Map](#) | [Fact Sheet](#)
- Wetland Ecosystems: [Map](#) | [Fact Sheet](#)
- Intertidal Ecosystems: [Map](#) | [Fact Sheet](#)
- [Sensitive Ecosystem Development Permit Areas](#)
- [Development Permit Areas Workshop Presentation](#)

### **Other Important Ecosystems**

- [Mature Forest Ecosystem Fact Sheet](#)
- [Young Forest Ecosystem Fact Sheet](#)

### **Background Information**

- [Sensitive Ecosystem Mapping Webpage](#)
- [Sensitive Ecosystem Mapping Standard](#)
- [Terrestrial Ecosystem Mapping of the Southern Gulf Islands - Final Report](#)

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## **Riparian Areas Regulation**

- [Ministry of Forest, Lands & Natural Resource Operations - Resource Stewardship Division - June 3, 2011](#)
- [Swell Environmental Consulting Report \(February 16, 2010\) \(Complete Report 12 MB\)](#)
- For convenience this report has been divided into the following parts:
  - [Part 1](#)
  - [Part 2](#)
  - [Part 3](#)
  - [Part 4](#)
- [D.R.Clough Report - January 2012](#)
- [D.R. Clough Report - July 2010](#)
- [Staff Report - March 20, 2009](#)
- [Staff Report - May 15, 2009](#)
- [Staff Report - September 17, 2009](#)
- [Provincial Riparian Areas Regulation](#)
- [Map of Ministry of Environment Designated Watersheds](#)
- [2007 - Stream Survey Report](#)
- [Islands Trust Legal Opinion - Riparian Areas Regulation](#)

## **MA-RZ-2012.2 (Oceanwood Rezoning)**

- [Staff Report - February 27, 2013](#)

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## Mayne Island Local Trust Committee

Over the reporting period, the Mayne Island Local Trust Committee (LTC) held nine regular business meetings and one public hearing. The LTC received applications for two development variance permits, one temporary use permit, one development permit, and one rezoning application. Eight referrals from the Capital Regional District Building Inspection or Crown lands were received for review. The LTC also concluded several applications received in the previous period, including one additional temporary use permit and a rezoning. Significant applications that were concluded included two TUPs for short term vacation rental and a TUP for waste transfer on an industrial site.

Projects undertaken during this period included consideration of implementing a key recommendation of the Housing Options Task Force to permit secondary suites. The LTC continued to consider options to bring its bylaws into compliance with the provincial Riparian Areas Regulation, with mapping of high tides in estuaries and review of options for proceeding. Finally, the LTC gave direction to proceed with amendments to the Land Use Bylaw that would remove requirements for boundary adjustment subdivisions to prove potable water where there was an existing well on the property.