

## Gary Richardson

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**From:** Deb Foote ~~XXXXXXXXXX~~  
**Sent:** April-16-12 6:41 PM  
**To:** 'Rich Tamboline'; 'David Maude'; 'Geoff Siverns'; 'Brian Steele'; 'Barry Wilks'; 'Shanti McDougall'; 'Glenda Johnson'; 'Lois Yip'; 'Bill Maund'; 'Deb Foote'  
**Cc:** Jeanine Dodds; 'Brian Crumblehume'; Peter Luckham; Gary Richardson  
**Subject:** Mayne Island Commercial Land Use Review Task Force Report - an alternative view point  
**Attachments:** Commercial Land Use Taskforce - Alternate report.docx

Trustees, Task Force Members and Planners

Please take note two members of the Mayne Island Commercial Land Use Review Task Force who are not prepared to sign their names to the report filed by the chair have taken it upon themselves to prepare and file an alternative report that clearly outlines their position.

Please accept the attached as an alternative perspective/ viewpoint

Sincerely  
Deb Foote  
Shanti McDougall  
Members – Mayne Island Commercial Land Use Task Force

In May 2011 the Mayne Island Local Trust Committee passed a resolution reading:

“It was moved and Seconded that the Mayne Island Local Trust Committee request that staff prepare background information on commercial land uses and zoning and prepare a draft terms of reference for a task force.”

According to the “Mayne Island Commercial Land Use Review Task Force Terms of Reference” dated June 10, 2011, the purpose of the Commercial Land Use Review Task Force is to provide strategic advice to the Local Trust Committee on the need, requirement and preferred locations of commercial activity on Mayne Island. The task force objective is to identify land use requirements, impacts and issues related to commercial land use on Mayne Island.

There were a number of issues that became evident from the outset of the task force. The terms of reference for example state:

Under the heading Membership

“The Commercial Land Use Review Task Force is made up of not more than nine electors appointed by the LTC. The final number of members appointed to the task force was 10.”

We do not recall there being any formal decision being made to increase the number from 9 to 10. Furthermore we noted the following:

There is a provision in the Terms of Reference where in the LTC by way of resolution can change appointments from time to time – to the best of our knowledge this mechanism was not employed to change the number of members

While some “expressions of interest” were accepted after the established deadline one community member who sent in a late response was ignored while several others were accepted for participation on the task force.

Under the heading “Roles” the Chair is responsible for a number of functions including:

“Ensure that there is provision for public input”

While at a February meeting the chair reported that he polled a number of local businesses informally. No methodology involved in this “research”, the parties interviewed were selected by the chair with no input from anyone else. In our opinion this does not meet the objective of providing a provision for public input.

Under the heading Meetings:

“The Chair shall make provisions for a public participation period within each meeting”

While meeting have been open to the public the Chair made no provisions within the meeting for public participation or input.

Finally, at the meeting held on February 28<sup>th</sup> 2012 (the 3<sup>rd</sup> to last scheduled meeting) the chair announced that because we were appointed as an additional Advisory Planning Commission our scope was legally limited, therefore the Commercial Land Use Task Force could not contact other government bodies without going through the Local Trust Committee. This is in direct contravention with what was outlined in Appendix A of the Commercial Land Use Review Task Force Terms of Reference which states:

"The Commercial Land Use Task Force been appointed to consider land use issues related to the location, type and amount of commercial land and development on Mayne Island. In order to support its recommendations to the LTC the Commercial Land Use Review Task Force may undertake a number of research tasks including: "

"3) Undertake comparative research options available from other local governments, communities or best practices"

The Chair was asked if he had understood this "limitation" from the time he accepted the role of chair, we were given the impression that he was very aware of this "limitation". It was interesting that there was no mention of the limits imposed on the CLUTF until that meeting on February 28<sup>th</sup>.

The way we have interpreted the Tasks list is that by way of approval the LTC has given the authority to the CLUTF members to undertake the research required in addressing the tasks as outlined including contacting other local governments and communities as required.

Our community completed a review of the Official Community Plan in 2007. A lot of time and energy was put into this process including a comprehensive review of the specific guidelines and policies for commercial development (section 2.4 of the OCP) in its various forms. We feel strongly that this document and the resulting updated Land Use Bylaw (amended in 2008) address the issues related to commercial land use more than adequately and that the process that we have undertaken over the last 6 or 8 months has been an exercise in futility.

We are not prepared to sign our names to the final report prepared by the chair, Rich Tamboline. It focuses the majority of future retail and services in Miners Bay and proposes that any new C1 be contained within the boundaries that are mapped out in the report. We disagree with this approach.

As committee members we have prepared another Commercial Land Use Review Task Force Report for your consideration.

Sincerely,

Deb Foote  
Shanti McDougall

Appendix A of the document titled Commercial Land Use Review Task Force Terms of Reference charged the task force with a list of 6 tasks:

1) **Review and inventory all existing commercially zoned land and facilities on Mayne Island.**  
Below you will find a list as compiled as of March 4, 2012:

**C1 Settlement Commercial**

Zoned and Occupied

413 Fernhill	The Trading Post
417 Fernhill	Gardenia
574 Fernhill	Fernhill Centre: Tree Frog, Happy Tides, Envisions Gallery, Wild Fennel, Arbutus Spa, ZeeSpot
472 Village Bay Road	Mayne Street Mall: Tru Value Foods, Sunny Mayne Bakery, Insurance, Gulfport Real Estate
478 Village Bay Road	Root Cellar: Miners Bay Books, Dragon Fly Gallery, Mayne Island Conservancy Society; Nomadic Routes

Zoned for a specific purpose and Occupied

454 Village Bay Road	Green House Restaurant (C1 (b) – restaurant, apartment residential, accessory dwelling for owner operator or employee, accessory uses)
Lot 36 Dalton Drive	Remax Real Estate (C1 (a) – professional business offices)

**C3 Service Commercial**

Zoned and Occupied

652 Fernhill	Home Hardware
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Zoned for a specific purpose and Occupied

594 Fernhill	Village Bay Repairs (C3 (a) – repair shop, machine shop, accessory retail sales, accessory dwelling unit)
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**C4 Automotive Commercial**

Zoned and Occupied

424 Fernhill	Active Pass Auto and Marine
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**Other Commercial – Temporary Use Permit**

Zoned as C3(a) but undertaking rezoning and operating under a 2 year TUP

568 Fernhill	Farm Gate Store
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**I1 Industrial**

Zoned and Occupied

Lot 3 Sections 8 & 11 Plan 8200 Fernhill Road	Highway Department Works Yard
400 Fernhill	Springwater Storage Shed

Zoned for a specific purpose and Occupied

513 Fernhill	Northwest PreCast - Fred Bennett Contracting (I1(a) Industrial, Warehousing and storage, accessory dwelling for owner operator or employee, accessory uses)
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buildings and structures, and ready mix concrete plant, and the sales of soil, gravel, dry cement and ready mix concrete  
Now operating a Garbage Transfer Station – unsure if this has been approved  
Lot A Section 12 BC Hydro Works Yard (11(b) maintenance repair and storage of vehicles,  
Plan 43041 equipment and materials used for the provision, maintenance and repair of  
Campbell Bay Road utilities and accessory uses, buildings and structures)

### **Undeveloped Commercial and or Comprehensive Development Zones**

#### C1 Settlement Commercial

415 Fernhill next to trading post (used as rental accommodations)  
Lot 6 Section 12 part of this lot currently occupied as seasonal dwelling  
Plan 715 Village Bay Road

#### C3 Service Commercial

506 Whalen Road behind Home Hardware

#### CD2 Comprehensive Development Zone

Naylor Road “Bennett Property” – Nan’s Hair Salon operating in one of the buildings

### **2) Quantify to the extent possible commercial land requirements over the next 5 to 10 years.**

We struggled with how to address this question given the state of the economy. In these times and in a community like Mayne Island we found that we could sum this up best in the following statement:

“It takes a true entrepreneur with a vision and some resources to establish a business during difficult times.”

Historically Mayne Island has experience sporadic growth over the last 40 years with periods where the population has contracted. It is true that Mayne Island merchants rely on seasonal residents and summer visitors for financial success. It is also true that the close proximity of Vancouver and Victoria markets draw a significant number of our consumer dollars away. It is unfortunate that many members of our community choose to do the majority of their purchasing off island. Clearly the benefits of shopping first in our own community need to be more clearly extolled.

We understand that the CRD is planning to engage the outer gulf islands in a process of looking at opportunities for Community Economic Development. We hope that the results will include some new ventures on Mayne Island. We need to look beyond retail and tourism to develop businesses that will bring economic stability while meeting addressing the ecological sensitivity of our unique island community.

It is difficult to gage what the future holds. Any future rezoning for commercial development should be dealt with on a case by case basis without prejudice.

### **3) Undertake comparative research of options available from other local governments, communities or best practices.**

Given our limited resources along with chairs disposition with respect to this directive, we did not undertake the research suggested.

### **4) Identify the preferred locations of commercial uses and centres on Mayne Island.**

The Mayne Island Local Trust Committee's Official Community Plan addresses locations and centres through policy "2.4.1.2: Retail businesses shall be clustered at Miners Bay with the exception of the Montrose/Fernhill area, the Building Centre at Whalen/Fernhill and the Auto repair yard at Horton/Fernhill. Furthermore policy 2.4.1.3 states that Service based businesses should be dispersed in the Mayne Island Trust Area. "

We fully support these policies along with the objectives:

- 3) "to provide employment opportunities within the community" and
- 6) "to support the clustering of commercial uses in areas that limit or reduce the need to travel to services."

We feel it is important to follow the direction as laid out in the OCP and that any application for rezoning should be considered on a case by case basis, without prejudice.

**5) Identify impacts potentially associated with future commercial uses including but not limited to groundwater, traffic, neighbourhood impacts, rural character and climate change**

Any future development on Mayne Island and especially in Miners Bay is going to need to address the lack of infrastructure to supply sufficient water as well as the necessity of dealing with sewage and a question of the carrying capacity of the land. We have identified the top 3 challenges associated with concentrating development in Miners Bay as water, sewage and traffic congestion. Traffic for cars, bicycles and pedestrians in Miners Bay as in many areas of Mayne Island is overstressed especially in peak season. There is already insufficient parking in Miners Bay, and parking is often maximized on weekends leaving pedestrians to walk on the road causing further slowdowns. Amenity zoning might be the best approach to addressing these specific issues in Miners Bay to ensure that the infrastructure is enhanced prior to further development in the area.

One of the main concerns we have with respect to concentrating future C1 development in Miners Bay is that we are at risk of losing charm that the current mix of residential and commercial adds to the community as it exists today.

**6) Review and comment on other land uses that may be related to commercial uses but are not currently permitted in commercial zones.**

Food Security is a primary concern in challenging financial times. Addressing this issue has been identified as a primary element of the Islands Trust's mandate, as well as Mayne Islands Official Community Plan. The more food we produce on Mayne Island the more secure our community will be going forward. Food Processing and small scale manufacturing would enhance the community on many levels. A cold storage facility would provide an element of the infrastructure required to meet the needs of food processors and farmers who do not have the resources to build their own. Other considerations might include a brewery or cidery, licensed daycare, bowling alley, public swimming pool.

In summary, the undersigned members of the Mayne Island Commercial Land Use Task Force feel that the Official Community Plan, a document that the community participated in crafting, adequately addresses issues related to commercial development.

Under Broad Community Objectives, as defined in the OCP include 1.2 6):

"To recognize the important role that varied livelihoods and a varied economy play in our Community's unique character through the encouragement of economic diversity and a vital local economy."

As outlined in the terms of reference dated June 10, 2011, for the Mayne Island Commercial Land Use Review Task Force the purpose for the CLURTF was to provide overall strategic advice to the Local Trust Committee on the need, requirements, and preferred locations of commercial activity on Mayne Island. The task force objective is to identify land use requirements, impacts and issues related to commercial activity on Mayne Island. In particular the task force is requested to address the following issues:

- a) Appropriate locations, density and regulation of future retail commercial uses
- b) Appropriate locations, density and regulation of future service commercial uses
- c) Appropriate locations and regulation of commercial waste transfer

We ascertain that the OCP adequately addresses points a) & b). Point c) is not within the purview of the Local Trust Committee and should be referred to the Mayne Island Improvement District.

Respectfully Submitted,

Deb Foote  
Shanti McDougall