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

WHEREAS the Mayne Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Mayne Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Mayne Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Mayne Island Local Trust Committee wishes to amend the Mayne Island Official Community Plan Bylaw No. 144, 2007;

AND WHEREAS the Mayne Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 2, 2015".

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME this 22nd day of February , 2016.
READ A SECOND TIME this day of , 20.
PUBLIC HEARING HELD this day of , 20.
READ A THIRD TIME this day of , 20.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 20.
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this day of , 20.
ADOPTED this day of , 20.

DEPUTY SECRETARY

CHAIR

Mayne ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 167
SCHEDULE 1

A. Bylaw No. 144, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007” is amended as follows:

1. Amending Subsection 2.9 (Temporary Use Permits) by inserting the following immediately after policy 2.9.1.8:

“ 2.9.1.9 Additional Guidelines to be applied when considering the issuance of a Temporary Use Permit for a Commercial Vacation Rental:

- a) The LTC may require mitigating measures to provide a separation between Short Term Vacation Rentals (STVRs) and surrounding properties such as screening and fencing.
- b) The LTC should consider the cumulative effects on the neighbourhood and island of all the permits issued for STVRs.
- c) The LTC may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence.
- d) A contact person on Mayne Island associated with the property should be available by telephone twenty-four (24) hours/day, seven (7) days per week.
- e) The property owner/applicant should provide neighbors within a 100 metre radius of the vacation rental with the contact person’s phone number, and a copy of the temporary use permit.
- f) The property owner/applicant should provide evidence that there is an adequate supply of potable water.
- g) The property owner/applicant should provide evidence that there is adequate septic capacity for the proposed occupancy.
- h) The property owner/applicant should post information for guests regarding noise bylaws, water conservation, fire safety, fire escape plan, storage of garbage, septic field location, and control of pets. The guest information should also remind guests that they are in a residential area, not a commercial area.
- i) As a condition of the permit pets should be under control at all times.
- j) The property owner/applicant should be required to provide sufficient off street parking.

- k) The property owner /applicant should be required to ensure outdoor lighting is not directed onto surrounding properties.
- l) A condition of the permit should restrict the maximum number and size of signs an STVR can have. That the signs be made of wood and not illuminated.
- m) As a condition of the permit the maximum number of guests may be limited;
- n) As a condition of the permit the number of bedrooms may be limited;
- o) As a condition of the permit the specific months in a year that STVR use can be carried out may be specified.
- p) As a condition of the permit recreational vehicles and camping should be prohibited.
- q) As a condition of the permit outdoor fires should be prohibited.
- r) As a condition of use advertising that can be utilized may be specified.
- s) A condition of the permit should prohibit the rental or provision of motorized personal watercraft for rental clients.
- t) A condition of the permit may require the property owner/applicant to post contact information and permit information at the entrance to the property.
- u) As a condition of the permit the Islands Trust bylaw enforcement officer should be permitted to enter the property between the hours of 9 am and 5 pm on any day without prior consultation with the holder of the permit or STVR renter for the purpose of investigating a complaint.