

**Date:** February 15, 2016

**File No.:** 6500-20- STVR  
Review

**To:** Mayne Island Local Trust Committee  
For the meeting of February 22, 2016

**From:** Gary Richardson  
Island Planner

**CC:** Robert Kojima  
Regional Planning Manager

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**Re: Short Term Vacation Rental Review – Temporary Use Permit  
Guidelines and Use of Cottages for Short Term Rental**

## Purpose

The purpose of this project is to establish Temporary Use Permit guidelines for the evaluation of Short Term Vacation Rental (STVR) applications and to consider STVR use in cottages. The intent of the TUP guidelines is to provide greater certainty for applicants, surrounding property owners and future LTCs regarding the issuance of TUPs for STVRs.

## Background

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The LTC initiated a project to amend the OCP/LUB February 23, 2015. The project has been amended since its initiation. There are now two main components to the OCP/LUB project: One is to amend the Temporary Use Permit section of the OCP to contain a list of guidelines to be addressed when a TUP for an STVR is applied for and the second is to amend the OCP and LUB to allow STVR use of cottages.

**At the November 30, 2015 LTC meeting the LTC passed the following resolutions:**

**MA-2015-68**

***It was Moved and Seconded*** that the Mayne Island Local Trust Committee request staff to prepare a draft Official Community Plan amendment bylaw that would insert Temporary Use Permit guidelines into the Mayne Island Official Community Plan Bylaw No. 144, 2007, as outlined in the staff report of November 18, 2015.

**MA-2015-69**

***It was Moved and Seconded*** that the Mayne Island Local Trust Committee requests staff to prepare draft amendment bylaws that would permit Short Term Vacation Rental use of a cottage as a home occupation.

**MA-2015-70**

***It was Moved and Seconded*** that the Mayne Island Local Trust Committee direct staff to amend Bylaw Referral to include the Mayne Island Advisory Planning Commission and that the amended Official Community Plan and Land Use Amendments – Project Charter v4 November 17, 2015 be adopted.

As a result of the direction given at the November 30, 2015 LTC meeting staff has prepared the following for the LTCs review:

1. **Draft Bylaw 165** – is an OCP amendment that supports the short term commercial use of cottages within home occupation regulations.
2. **Draft Bylaw 166** – is an LUB amendment that would allow cottages to be used as STVRs within the home occupation regulations. The bylaw also contains a definition of *Short Term Vacation Rental*.
3. **Draft Bylaw 167** – is an OCP amendment that contains a list of guidelines that apply to the issuance of a TUP for an STVR.

## **Relevant Policy and Land Use Considerations**

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### Islands Trust Policy Statement

- 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.
- 5.2.5 LTCs shall, in their OCPs and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
- 5.7.2 LTCs shall, in their OCPs and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

## Official Community Plan

### 1.2 The Broad Community Objectives

- 2) To support a rural island community by preserving for resident and visitor enjoyment, the aesthetic, historic, scenic and natural resource values from the forests, farmlands, gardens, waterways, coastline and marine environment of the Mayne Island Trust Area.
- 6) To recognize the important role that varied livelihoods and a vibrant economy play in our community's unique character through the encouragement of economic diversity and a vital local economy.

### 4.6.1 Tourism

The objectives of this section are:

- 1) to maintain the rural ambience of the Mayne Island Trust Area,
- 2) to provide adequate infrastructure for tourist activities, and
- 3) to ensure tourism use that is environmentally, economically and civically sustainable, and within the capability of our community's volunteer base which supports or provides most local services and resources.

### Policies

- 4.6.1.1 High impact destination recreational facilities that are not part of, or sensitive to, the natural and rural values of the Mayne Island Trust Area and that are designed to attract visitors to the Area shall not be permitted.

## Land Use Bylaw

Short Term Vacation Rentals are presently not a permitted use in the Land Use Bylaw.

### Islands Trust Fund

Consistent with policy, any temporary use permit application pertaining to a property adjacent to a TFB owned property or conservation covenant would be referred to Islands Trust Fund for comment.

### Bylaw Enforcement

Once a TUP is issued, the conditions of the TUP are enforced in the same manner as zoning. It is important to note that a TUP cannot be canceled once issued; however once the permit expires the use is no longer permitted. There have been several bylaw enforcement files on Mayne Island regarding STVRs. Property owners have always

had the opportunity to apply for a TUP for an STVR on Mayne Island; however, a list of guidelines will give future applicants more certainty as to what may be required to legalize an STVR perhaps encouraging more people to apply.

## **Analysis**

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STVR is a term commonly used to describe the commercial rental of dwellings to paying guests for a period of time generally less than a month. Currently, the Land Use Bylaw does not permit STVR use as a permitted use. The OCP does provide for STVRs to be permitted through the issuance of a Temporary Use Permit however, there are no specific guidelines that apply to STVRs.

### **Temporary Use Permits**

The LTC has provided direction to staff to prepare a list of Temporary Use Permit guidelines that would assist in assessing applications to allow vacation rentals in residences. Temporary Use Permits are a mechanism by which a local government can permit a use that is not otherwise permitted in a zone by issuing a permit for up to three years, renewable for an additional three years. Conditions of use may be included in the permit. Authorization to issue TUPs must be included in the Official Community Plan (OCP). The Mayne OCP currently permits the issuance of TUPs, and a landowner could currently apply for a temporary use permit for a short term vacation rental. However, the LTC has identified that specific guidelines relating to issuance of TUPs for vacation rentals should be drafted for inclusion in the OCP. This would provide guidance and certainty for applicants, surrounding property owners, and guidance for planning staff and the LTC in assessing applications.

Draft Bylaw 167 contains a list of TUP guidelines to be applied when the LTC considers the issuance of a TUP for an STVR.

### **Cottages**

The LTC has identified permitting STVRs in cottages as an option for consideration. This would mean that the owners/operators would have to live permanently on the lot. The Home Occupation Regulations in the Land Use Bylaw (LUB) would be amended to accommodate STVR use and contain specific regulations for their use. There would not be a fee as STVRs would become a home occupation in the LUB.

. This approach:

- Ensures that the owner or operator is resident on the property;
- Allows regulations to be incorporated in the home occupation provisions;
- Limits the outright use to cottages; owners wishing to use a dwelling can apply for a TUP;
- Is generally consistent with the approach adopted recently on Galiano.

## Communications and Consultation

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Draft bylaws have been prepared and ready for consideration of First Reading. Staff will now initiate bylaw referrals to agencies. Staff will also initiate engagement with any First Nations with an interest in the area for OCP the amendments. The following First Nations have been identified as having an interest in the Mayne Island Local Trust Area:

- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout
- Tsawwassen First Nation
- Tseycum First Nation

The LTC has also requested that the draft bylaws be referred to the Advisory Planning Commission.

The LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected by an OCP bylaw. The LTC should consider if it wishes to undertake additional consultation than that identified above and direct staff accordingly.

## Resources and Roles

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The current timeline aims to have the project substantially underway before the end of the fiscal year, with the public hearing in the spring. If this timeline can be met, the amendments can be considered approved in principle prior to the summer. Implementation is a key element of the project and should involve development of materials and contact with operators to encourage compliance.

Budget resources are available in the current fiscal. Additional funds may need to be re-directed from other projects for any costs occurring in the 2016/17 fiscal year.

## Next Steps

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The LTC is requested to:

1. Review the attached draft bylaws 165, 166 and 167 and provide direction on any changes.
2. Direct staff to arrange a public hearing for draft bylaws 165, 166 and 167.
3. Give draft bylaws 165, 166 and 167 first reading.
4. Review the Policy Statement Checklists for draft bylaws 165, 166 and 167.

## RECOMMENDATIONS:

1. THAT the Mayne Island Local Trust Committee give First Reading to draft Bylaw No. 165, cited as Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2015.
2. THAT the Mayne Island Local Trust Committee give First Reading to draft Bylaw No. 166, cited as Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2015.
3. THAT the Mayne Island Local Trust Committee give First Reading to draft Bylaw No. 167, cited as Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 2, 2015.
4. THAT the Mayne Island Local Trust Committee direct staff to arrange a public hearing for draft Bylaws 165, 166 and 167.
5. THAT the Mayne Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 165 and Bylaw No. 166 are not contrary to or at variance with the Islands Trust Policy Statement.
6. THAT the Mayne Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 167 is not contrary to or at variance with the Islands Trust Policy Statement.

Prepared and Submitted by:

Gary Richardson

February 15, 2016

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Name, Title

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Date

Concurred in by:



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Robert Kojima  
Regional Planning Manager

February 16, 2016

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Date

Attachments:      Draft Bylaw 165  
                         Draft Bylaw 166  
                         Draft Bylaw 167  
                         Policy Statement Checklist Draft Bylaw 165 and 166  
                         Policy Statement Checklist Draft Bylaw 167

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

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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. 1, 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	day of	, 20.
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.

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DEPUTY SECRETARY

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CHAIR

**Mayne ISLAND LOCAL TRUST COMMITTEE**  
**BYLAW No. 165**  
**SCHEDULE 1**

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

1. Amending Subsection 2.3 (Home Occupation) by inserting the following immediately after policy 2.3.1.6:

“ 2.3.1.7 The rental of a cottage as a commercial vacation rental shall be permitted as a home occupation.”

# DRAFT

## MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 166

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

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw, No. 146, 2008, Amendment No.2, 2015”.

2. Mayne Island Local Trust Committee Bylaw No.146, 2008 cited as “Mayne Island Land Use Bylaw, No. 146, 2008” is amended as follows:

2.1 Section 3.6 Home Occupation Regulations, is amended by adding a new Article immediately following Article (g) as follows:

“(h) short term commercial rental of a *cottage*,” and reordering the remaining articles alphabetically.

2.2 Section 3.6 Home Occupation Regulations, is amended by adding a new Subsection immediately following Subsection 11 as follows:

“12 No more than one *cottage* per constructed *residence* may be used as a *short term vacation rental* at any one time.”

2.3 Section 1.1 Definitions is amended by adding the following definition in alphabetical order:

“Short term vacation rental” means the use of a *cottage* as a temporary commercial accommodation for a period of less than one month at a time by persons, other than the owner or permanent occupier. For this purpose, a *cottage* used as a *short term vacation rental* shall be considered as a home occupation subject to the regulations established in section 3.6.”

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\_\_\_\_

\_\_\_\_\_  
**Chair**

\_\_\_\_\_  
**Secretary**

**DRAFT**

**MAYNE ISLAND LOCAL TRUST COMMITTEE**

**BYLAW NO. 167**

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

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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.



**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 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 24 hours/day, seven 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.





Islands Trust

## **POLICY STATEMENT CHECK LIST (DIRECTIVES ONLY)**

**File No: MA-6500-20 STVR Use For Cottages  
Bylaws 165 (OCP) and 166 (LUB)**

**PURPOSE-** The following table provides planning staff with an efficient and effective means to evaluate bylaws to ensure that they are consistent with the policies within the Policy Statement.

**POLICY STATEMENT** - The Policy Statement (Consolidated April 2003) is comprised of several parts. Parts I and II, outline the purpose as well as the Islands Trust object and guiding principles. Parts II, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities. There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council - statements about Trust Council’s position or philosophy on various matters,
- Directive Policies - policies that direct Local Trust Committees and island municipalities to address certain matters, and
- Recommendations – recommendations to other government agencies, non-government organizations, property owners, residents and visitors.

**POLICY CHECK LIST (DIRECTIVES ONLY)** - The Policy Statement Checklist (Directives Only) is based on the Directive Policies from the Policy Statement. The Directive Policies require the Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and the island municipalities to address certain a matters in their official community plan in a way that implements the policy of Trust Council. Staff use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality applications and proposals for their consistency with the Island Trust Policy Statement. The table identifies whether or not the referral addresses and is consistent with the policies within the Policy Statement as follows:

- ✓ identifies that the bylaw is CONSISTENT with the policy from the Policy Statement.
- N/A means the policy is not applicable to the bylaw.

✘ identifies that the bylaw is INCONSTSTENT (contrary or at variance) with the policy from the Policy Statement.

**Directive Policies: Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following:**

**Part III Policies for Ecosystem Preservation and Protection**

CONSISTENT	POLICY	POLICY
	<b>3.1</b>	<b>Ecosystems</b>
N/A	3.1.3	the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
N/A	3.2.2	the protection of unfragmented forest ecosystems <sup>15</sup> within their local planning areas from potentially adverse impacts of growth, development and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
N/A	3.3.2	means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
N/A	3.4.4	the protection of sensitive coastal areas.
N/A	3.4.5	the planning for and regulation of development in coastal regions to protect natural coastal processes.

**PART IV: Policies for the Stewardship of Resources**

CONSISTENT	POLICY	POLICY
	<b>4.1</b>	<b>Agricultural Land</b>

<sup>15</sup> Unfragmented Forest Ecosystem - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

N/A	4.1.4	the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT POLICY		POLICY
N/A	4.1.7	the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	the use of Crown lands for agricultural leases.
	<b>4.2</b>	<b>Forests</b>
N/A	4.2.6	the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	<b>4.3</b>	<b>Wildlife and Vegetation</b>
	<b>4.4</b>	<b>Freshwater Resources</b>
✓	4.4.2	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	measures that ensure water use is not to the detriment of in-stream uses
	<b>4.5</b>	<b>Coastal Areas and Marine Shorelands</b>

N/A	4.5.8	The needs and locations for marine dependent land uses.
N/A	4.5.9	the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
N/A	4.6.3	<b>Soils and Other Resources</b> - the protection of productive soils.

**Directive Policies:** Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following:

**PART V: Policies for Sustainable Communities**

CONSISTENT	POLICY	POLICY
	5.1	<b>Aesthetic Qualities</b>
N/A	5.1 3	the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	<b>Growth and Development</b>
N/A	5.2.3	Policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	<b>5.3</b>	<b>Transportation and Utilities</b>
<b>N/A</b>	<b>5.3.4</b>	the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
<b>N/A</b>	<b>5.3.5</b>	the impacts of road location, design, construction and systems.
<b>N/A</b>	<b>5.3.6</b>	the designation of areas for the landing of emergency helicopters.
<b>N/A</b>	<b>5.3.7</b>	the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
<b>N/A</b>	<b>5.4.4</b>	the identification of acceptable locations for the disposal of solid waste.
	<b>5.5</b>	<b>Recreation</b>
<b>N/A</b>	<b>5.5.3</b>	the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
<b>N/A</b>	<b>5.5.4</b>	the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.

**Directive Policies: Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following**

<b>CONSISTENT</b>	<b>POLICY</b>	<b>POLICY</b>
<b>N/A</b>	<b>5.5.5</b>	the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
<b>N/A</b>	<b>5.5.6</b>	the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
<b>N/A</b>	<b>5.5.7</b>	the planning for bicycle, pedestrian and equestrian trail systems.

	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
<b>N/A</b>	<b>5.6.2</b>	the identification, protection, preservation and enhancement of local heritage.
<b>N/A</b>	<b>5.6.3</b>	the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>
✓	<b>5.7.2</b>	economic opportunities that are compatible with conservation of resources and protection of community character.
	<b>5.8</b>	<b>Health and Well-being</b>
<b>N/A</b>	<b>5.8.6</b>	their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

<b>POLICY STATEMENT COMPLIANCE</b>	
✓	<b>COMPLIANCE WITH TRUST POLICY</b>
	<b>NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:</b>



Islands Trust

## **POLICY STATEMENT CHECK LIST (DIRECTIVES ONLY)**

File No: MA-6500-20 TUP Guidelines for STVRs  
Bylaws 167 (OCP)

**PURPOSE-** The following table provides planning staff with an efficient and effective means to evaluate bylaws to ensure that they are consistent with the policies within the Policy Statement.

**POLICY STATEMENT** - The Policy Statement (Consolidated April 2003) is comprised of several parts. Parts I and II, outline the purpose as well as the Islands Trust object and guiding principles. Parts II, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities. There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council - statements about Trust Council’s position or philosophy on various matters,
- Directive Policies - policies that direct Local Trust Committees and island municipalities to address certain matters, and
- Recommendations – recommendations to other government agencies, non-government organizations, property owners, residents and visitors.

**POLICY CHECK LIST (DIRECTIVES ONLY)** - The Policy Statement Checklist (Directives Only) is based on the Directive Policies from the Policy Statement. The Directive Policies require the Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and the island municipalities to address certain a matters in their official community plan in a way that implements the policy of Trust Council. Staff use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality applications and proposals for their consistency with the Island Trust Policy Statement. The table identifies whether or not the referral addresses and is consistent with the policies within the Policy Statement as follows:

- ✓ identifies that the bylaw is CONSISTENT with the policy from the Policy Statement.
- N/A means the policy is not applicable to the bylaw.

✘ identifies that the bylaw is INCONSTSTENT (contrary or at variance) with the policy from the Policy Statement.

**Directive Policies: Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following:**

**Part III Policies for Ecosystem Preservation and Protection**

CONSISTENT	POLICY	POLICY
	<b>3.1</b>	<b>Ecosystems</b>
N/A	3.1.3	the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
N/A	3.2.2	the protection of unfragmented forest ecosystems <sup>15</sup> within their local planning areas from potentially adverse impacts of growth, development and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
N/A	3.3.2	means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
N/A	3.4.4	the protection of sensitive coastal areas.
N/A	3.4.5	the planning for and regulation of development in coastal regions to protect natural coastal processes.

**PART IV: Policies for the Stewardship of Resources**

CONSISTENT	POLICY	POLICY
	<b>4.1</b>	<b>Agricultural Land</b>

<sup>15</sup> Unfragmented Forest Ecosystem - areas of forested land that are large enough to contain and sustain the forests' characteristic species.



N/A	4.1.4	the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT POLICY		POLICY
N/A	4.1.7	the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	the use of Crown lands for agricultural leases.
	<b>4.2</b>	<b>Forests</b>
N/A	4.2.6	the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	<b>4.3</b>	<b>Wildlife and Vegetation</b>
	<b>4.4</b>	<b>Freshwater Resources</b>
✓	4.4.2	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	measures that ensure water use is not to the detriment of in-stream uses
	<b>4.5</b>	<b>Coastal Areas and Marine Shorelands</b>

N/A	4.5.8	The needs and locations for marine dependent land uses.
N/A	4.5.9	the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
N/A	4.6.3	<b>Soils and Other Resources</b> - the protection of productive soils.

**Directive Policies:** Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following:

**PART V: Policies for Sustainable Communities**

CONSISTENT	POLICY	POLICY
	5.1	<b>Aesthetic Qualities</b>
N/A	5.1 3	the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	<b>Growth and Development</b>
N/A	5.2.3	Policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	<b>5.3</b>	<b>Transportation and Utilities</b>
<b>N/A</b>	<b>5.3.4</b>	the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
<b>N/A</b>	<b>5.3.5</b>	the impacts of road location, design, construction and systems.
<b>N/A</b>	<b>5.3.6</b>	the designation of areas for the landing of emergency helicopters.
<b>N/A</b>	<b>5.3.7</b>	the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
<b>N/A</b>	<b>5.4.4</b>	the identification of acceptable locations for the disposal of solid waste.
	<b>5.5</b>	<b>Recreation</b>
<b>N/A</b>	<b>5.5.3</b>	the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
<b>N/A</b>	<b>5.5.4</b>	the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.

**Directive Policies: Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the following**

<b>CONSISTENT</b>	<b>POLICY</b>	<b>POLICY</b>
<b>N/A</b>	<b>5.5.5</b>	the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
<b>N/A</b>	<b>5.5.6</b>	the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
<b>N/A</b>	<b>5.5.7</b>	the planning for bicycle, pedestrian and equestrian trail systems.

	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
<b>N/A</b>	<b>5.6.2</b>	the identification, protection, preservation and enhancement of local heritage.
<b>N/A</b>	<b>5.6.3</b>	the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>
<b>✓</b>	<b>5.7.2</b>	economic opportunities that are compatible with conservation of resources and protection of community character.
	<b>5.8</b>	<b>Health and Well-being</b>
<b>N/A</b>	<b>5.8.6</b>	their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

<b>POLICY STATEMENT COMPLIANCE</b>	
<b>✓</b>	<b>COMPLIANCE WITH TRUST POLICY</b>
	<b>NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:</b>