



Islands Trust

**MAYNE ISLAND LOCAL TRUST COMMITTEE**

**TEMPORARY USE PERMIT**

**MA-TUP-2017.2**

**TO:** Mayne Island Resort Ltd.

1. This Temporary Industrial Use Permit applies to a portion of the land described below:

Area of foreshore fronting Plan VIS 6703 contained within DL 560 and identified as Licence 113232.

As indicated on Schedule 'A' as "the proposed area for TUP" attached to and forming part of this permit.

2. This permit is issued for the purpose of allowing the following use in the subject area:


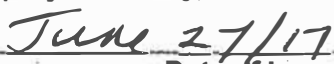
- a) Docking of boats.

3. The use may be carried on subject to the following conditions:

- a) The float shall not exceed a maximum size of 2.4 metres (8 feet) by 15.2 metres (50 feet);
- b) Only owners of lots in strata plan VIS6703 shall be permitted to dock at the float;
- c) If a new float is installed the minimum spacing between deck boards shall be 2.5 cm (1 inch);
- d) A sign not exceeding 1.5 m<sup>2</sup> (16 sq.ft.) shall be placed on the float: 1) stating not to anchor in eelgrass; 2) that it is a private dock and no more than three vessels are to be tied up; and 3) posting a phone number to call in the event of an oil spill;
- e) No more than three boats, not exceeding 7.6 metres (25 feet in length), shall be docked at the float at any one time except for kayaks and canoes which are not limited;
- f) Any maintenance of the dock and float is to be carried out in compliance with the Department of Fisheries and Oceans Best management practices attached as schedule "B";
- g) For certainty the dock and float is not to be used for any commercial purpose;
- h) The applicant should cooperate with the Mayne Island Conservancy Society to install a minimum of 4 eelgrass friendly mooring cans; and

- i) The applicant should collaborate with the Mayne Island Conservancy Society to mitigate erosion at the point where the dock attaches to the bank.
- 4. This permit is valid for **three years** from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust unless the permit is renewed by resolution of the Mayne Island Local Trust Committee.
- 5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Mayne Island Land Use Bylaw No. 146, 2008" and to obtain other approvals necessary for completion of the proposed development, including approvals from the Capital Regional District, Vancouver Island Health Authority, Ministry of the Environment and Ministry of Transportation and Infrastructure.

**AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST  
COMMITTEE THIS 26th DAY OF JUNE, 2017.**

  
\_\_\_\_\_  
Deputy Secretary, Islands Trust  
  
\_\_\_\_\_  
Date of Issuance

I hereby certify this to be Schedule 'A' which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. MA-TUP-2017.2.

*S. A. de la Caserio*

Signature of Islands Trust Official

June 27, 2017

Date of Issuance

MAYNE ISLAND LOCAL TRUST COMMITTEE  
| MA-TUP-2017.2  
SCHEDULE 'A'



Ministry of  
Environment,  
Lands and Parks

Legal Description Schedule

License No.

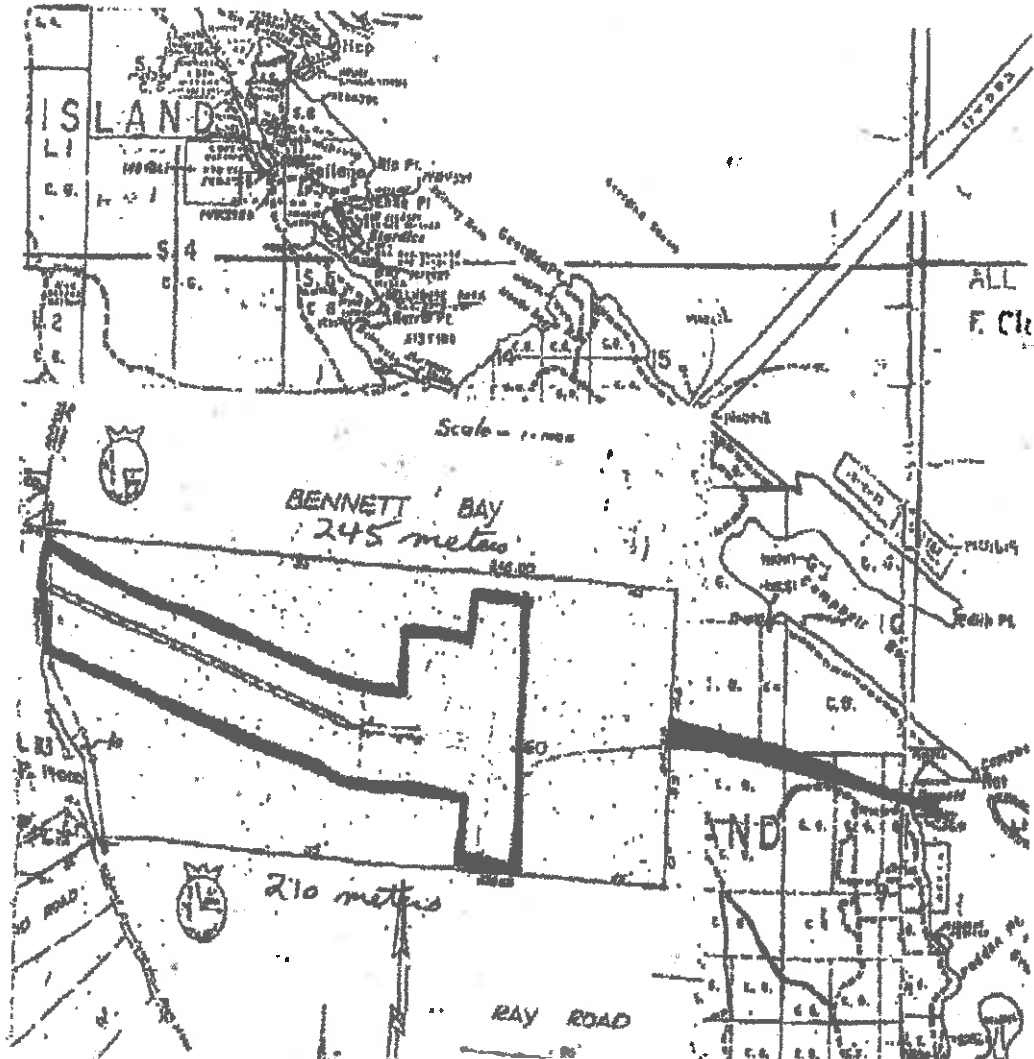
106202

File No. 0336374

1. Legal Description

That part of District Lot 560, Cowichan District, shown outlined on sketch below, containing 0.700 hectares, more or less.


2. Sketch Plan



MAYNE ISLAND LOCAL TRUST COMMITTEE  
MA-TUP-2017.2  
SCHEDULE 'B'

# Float and Dock Construction Best Management Practices

I hereby certify this to be Schedule 'B' which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. MA-TUP-2017.2.

  
Signature of Islands Trust Official

June 27, 2017  
Date of Issuance

## Best Management Practices (BMPs) for Constructing Docks and Floats in the South Coast Area - DFO South Coast, 2004

- These BMPs apply to docks, floats and gangways proposed for the marine shoreline.
- The BMPs are designed so that a property owner can construct a dock or float that will not adversely affect fish habitat.
- If you are able to meet with the criteria set forth in these BMPs, you do not require further advice from DFO habitat staff. A signed written notification to the local DFO office regarding the location and timing of works is all that is necessary.
- It is your responsibility to ensure that you have met the requirements of other levels of government and relevant agencies (Land and Water BC; local government etc).

The focus of these BMPs is to protect fish habitat from the impacts of shading, fill placement and low tide grounding of both structures and vessels.

- Access walkways should be 1.0 metres above the highest high water mark.
- Walkways should be a maximum width of 1.5 metres.
- The lowest portion of floats should be 1.0 m above the seabed during the lowest tide of the year. This height will need to be increased if a large draft vessel is to be moored at the dock/float.
- Grating incorporated into walkways will decrease shading to the seabed. If grating cannot be used, deck planks should be no wider than 15 cm (6 inches) and spaced at least 2.5 cm (1 inch) apart.
- North/south dock alignments will further prevent shading to the seabed.
- Floats are not to be installed over marine vegetation, especially eelgrass or kelp.
- Concrete, steel, BMP-treated or recycled timber piles are acceptable. For detailed information on treated wood options, refer to the Guideline to Protect Fish and Fish Habitat from Treated Wood Used in the Aquatic Environment in the Pacific Region, available on-line at <http://www.dfo-mpo.gc.ca/Library/245973.pdf>.
- The dock/float structure and the vessel to be moored at the structure are not to come to rest on intertidal areas during the lowest tide of the year.
- Construction must not to include native beach materials (boulders, gravel, drift logs etc.).

- Access to the beach for construction purposes is to be from the upland (property side). If heavy equipment is required to work on the beach or access is required along the beach, you should seek the advice of a professional biologist to ensure that fish habitat, including riparian and backshore vegetation, is not adversely affected during construction.
- Filling, dredging or blasting below the High Water Mark is not permitted.
- Works are to be conducted when the site is not wetted by the tide.
- Works are to be conducted in a manner that does not result in the deposit of toxic or deleterious substances (e.g. uncured concrete, sediment, paints, stains, etc.) into waters frequented by fish.
- Refueling of machinery and washing of buckets and hand tools is not to take place on the marine foreshore.
- Foreshore construction should take place between June 1 and December 1 of any calendar year.

Prepared by:  
DFO-Habitat Management, South Coast Area, May 2003  
Updated January 2004

Proponents are advised that works in and around fish habitat (the tidal foreshore) can negatively affect fish habitat. Section 35(1) of the Fisheries Act prohibits the harmful alteration, disruption or destruction of fish habitat (HADD). The Fisheries Act may be enforced if a HADD occurs during construction or maintenance of the structure.

I hereby certify this to be Schedule 'B' pg. 2, which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. MA-TUP-2017.2.



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Signature of Islands Trust Official

June 27, 2017  
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Date of Issuance