

File No.: PL-TUP-2026-0124

x-ref: MA-TUP-2023.2

DATE OF MEETING: April 27, 2026

TO: Mayne Island Local Trust Committee

FROM: Bruce Belcher, Planner 2
Southern Team

COPY: Mary Storzer, Regional Planning Manager

SUBJECT: Temporary Use Permit for Short Term Vacation Rental
Applicant: Daniel Costello & Amber Baker
Location: 538 Arbutus Drive

RECOMMENDATION

- 1. That the Mayne Island Local Trust Committee approve issuance of Temporary Use Permit PL-TUP-2026-0124 for a period of three (3) years.**

REPORT SUMMARY

The purpose of this report is to consider a Temporary Use Permit (TUP) application for a Short-Term Vacation Rental (STVR) use within an existing single-family dwelling.

BACKGROUND

The new TUP application is proceeding following the expiry of the previous TUP renewal for a STVR use. The Mayne Island Local Trust Committee (LTC) previously issued a TUP and renewal for the same use at the property, located at 538 Arbutus Drive. The initial permit was issued for two years in 2021, while the renewal permit was issued for three years in 2023.

The applicants wish to continue to operate their STVR use under the same TUP conditions as was previously permitted. Staff have confirmed with the applicants that there have been no changes to the proposed use, and the draft permit remains the same as the initial permit. The applicant's letter is included as Attachment 3.

The proposed TUP has also been drafted using the current Official Community Plan (OCP) guidelines. The proposed TUP would allow the STVR use to operate for sixty (60) days throughout the summer months of May to September, and a maximum of thirty (30) days for the remaining months. The maximum number of guests is limited to eight (8) persons.

A copy of the notice and draft permit are included as Attachment 5 and 6.

Temporary Use Permit

Sections 492 to 497 of the *Local Government Act* authorizes local governments to temporarily permit a use that would otherwise not be permitted by the land use bylaw by issuance of a Temporary Use Permit. Further, TUPs can include specific conditions to which the use must abide. A Temporary Use Permit may be issued for up to three years and renewed only once (for up to an additional three years). After the renewal TUP expires, the applicant may re-apply for a new Temporary Use Permit.

When the LTC is reviewing a draft TUP for decision, the LTC by resolution can only add additional conditions to a draft permit; a LTC cannot remove conditions from a draft permit without re-advertising. At the time of TUP renewal, no changes to the renewal permit conditions are allowed except for the expiration date.

Circulation

The draft permit was circulated to surrounding property owners and residents on April 6, 2026. The notification period will end on April 17, 2026. At the time of writing staff have not received any response to the public notification. Any comments received subsequently will be forwarded to the Local Trust Committee and reported at the meeting.

First Nations

Staff have identified archaeological potential on the subject property. The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants.

Rationale for Recommendation

The recommendation on page 1 is supported by staff based on the following:

- The proposed STVR use and the three (3) year time period request is reasonable;
- There have been no complaints about the STVR since the TUP was originally issued;
- The permit provides conditions consistent with the OCP guidelines to ensure that the use does not have an unreasonable impact on the local area, and, in the event it does, there is the ability to enforce compliance with the TUP.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee request that the applicant for PL-TUP-2026-0124 submit to the Islands Trust _____.

2. Add conditions

The LTC may wish to further amend the TUP by adding conditions to the permit. If selecting this alternative, the LTC should specify the additional conditions. Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee amend Temporary Use Permit PL-TUP-2026-0124 by adding _____.

3. Deny the application

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the Mayne Island Local Trust Committee refuse application PL-TUP-2026-0124.

Submitted By:	Bruce Belcher, Planner 2	April 10, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	April 16, 2026

ATTACHMENTS

- 1. Site Context
- 2. Maps, Plans, Drawings, Photographs
- 3. Applicant’s Letter
- 4. TUP Guidelines (Checklist)
- 5. Notice
- 6. Draft TUP

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 17, SECTION 9, MAYNE ISLAND, COWICHAN DISTRICT, PLAN 14000
PID	004-448-154
Civic Address	538 Arbutus Drive, Mayne Island
Lot Size	0.13 hectares

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential and Marine

HISTORICAL ACTIVITY

File No.	Purpose
MA-TUP-2020.2	STVR use, permit issued for 2 years
MA-TUP-2023.2	STVR use, permit renewed for 3 years

POLICY/REGULATORY

Official Community Plan Designations	No development permit areas on the subject property.
Land Use Bylaw	Settlement Residential – SR zoning
Other Regulations	N/A
Covenants	RESTRICTIVE COVENANT 245805G
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	Southern Resident Orca
Sensitive Ecosystems	None on property
Hazard Areas	High/Medium Risk along shoreline.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) information indicates areas of archaeological potential on the property. The applicant has been advised and sent the Islands Trust Chance Find Protocol and provincial guidance. Additionally, by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before

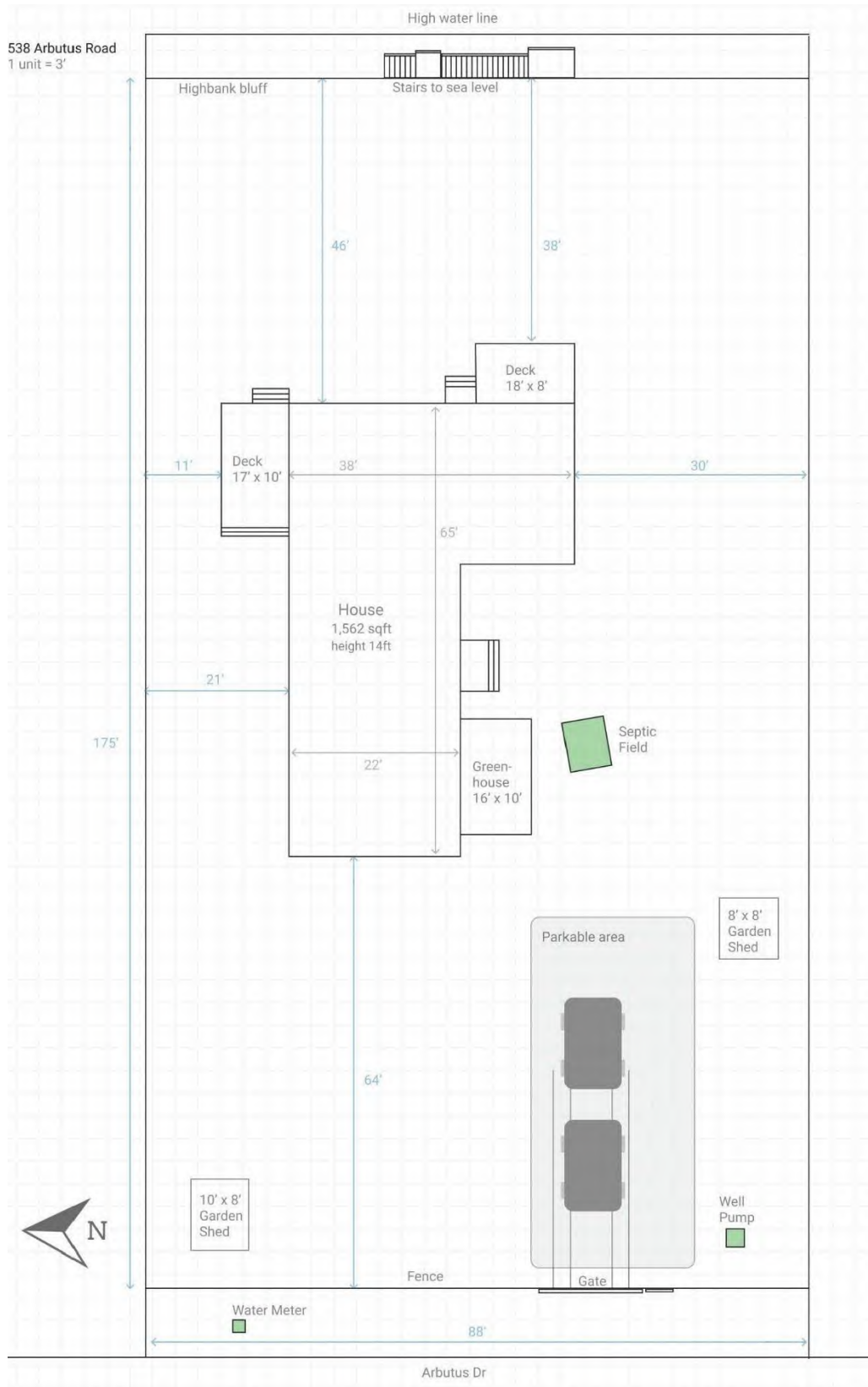
	further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	There is no development associated with this application therefore GHG emission changes resulting from approval limited to increased automobile travel from renters. Property is high bank with possible climate change induced hazards associated with climate change.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder
Shoreline Data in TAPIS	Eelgrass to the north.

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

2.1 AERIAL VIEW



2.2 SITE PLAN



2.3 PHOTOGRAPHS FROM SITE VISIT – MAY 2, 2023



Attachment 3

Dear Mayne Island Local Trust Committee,

Re: Temporary Use Permit Application – 538 Arbutus Drive, Mayne Island, BC
Owners: Amber Baker and Daniel Costello

We are pleased to submit this Project Narrative in support of our application for a Temporary Use Permit (TUP) for a short-term vacation rental (STVR) at 538 Arbutus Drive on Mayne Island. We respectfully request renewal under the same terms and conditions as outlined in our current permit (MA-TUP-2023.2).

Existing Uses, Buildings, and Structures

The subject property is developed with a single-family dwelling unit, which is the principal residence. There are no additional guest cottages or secondary dwelling units used for rental purposes. The short-term vacation rental occurs within the existing dwelling unit and does not involve any structural changes, expansions, or new construction. Access, servicing, and use of the property remain unchanged from the current permitted use.

The surrounding area is residential in character. The use of the dwelling as a short-term vacation rental has been managed to ensure compatibility with neighbouring properties and to maintain the quiet enjoyment of the area.

Proposed Use

We propose to continue operating a short-term vacation rental within the principal dwelling, consistent with the existing TUP. No changes are proposed to the scale, intensity, or location of the use. The rental will continue to be managed in accordance with all existing conditions of the permit.

Compliance with Existing TUP Conditions

We confirm that all conditions of the current Temporary Use Permit have been fully met and consistently upheld. Specifically:

- The rental has operated strictly within the permitted number of days annually (60 days between May 1–September 30 and 30 days between October 1–April 30).
- A property owner or designated on-island contacts have been available 24/7, and contact information has been provided to all guests.
- Neighbours within a 100-metre radius have been notified of the rental use and provided with contact details, along with a copy of the permit.
- Guest information has been clearly provided, including noise bylaws, water conservation, fire safety, fire escape plans, garbage and recycling procedures, septic care, pet control, and confirmation that the property is located in a residential area.
- Pets have been kept under control at all times.
- On-site parking for a minimum of two vehicles has been consistently provided.
- Outdoor lighting has been directed away from neighbouring properties.
- We have not used any signage on the roadside.
- Occupancy limits (maximum of 8 guests and 2 bedrooms) have been strictly observed.
- No camping or recreational vehicle occupancy has occurred.
- All outdoor fire prohibitions have been adhered to.
- No motorized personal watercraft rental or provision has taken place.
- Emergency contact information has been provided to guests.
- Permit and contact information has been posted at the entrance to the house.
- Hydro and water meter readings have been recorded and will be included as an attached document with this application.
- Water conservation information has been posted at all water sources.

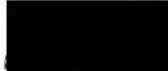
We take our responsibility as property owners and operators seriously and have made every effort to ensure that the use remains respectful, low-impact, and fully compliant with all regulatory requirements.

Conclusion

We respectfully request another three year Temporary Use Permit under the same terms and conditions. The continued operation of this use will remain consistent with past practice and aligned with the expectations of the Local Trust Committee and the community.

Thank you for your consideration of our application. Please do not hesitate to contact us should you require any further information.

Sincerely,



Amber Baker & Daniel Costello

ATTACHMENT 4 – TEMPORARY USE PERMIT GUIDELINES

Guidelines	Comments
2.9.1.1 Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.	Staff Comments: Complies, Proposed permit is for the maximum of three years.
2.9.1.2 Permitted uses should be consistent with the policies of the designation and the provisions of 2.9.1.	Staff Comments: Complies, as a temporary use with no long-standing infrastructure required.
2.9.1.3 Permitted uses should not preclude or compromise future permitted uses on the affected lot.	Staff Comments: Complies
2.9.1.4 Uses should not be allowed if they conflict with any ongoing planning policies or programs.	Staff Comments: Complies
2.9.1.5 Sand and gravel removal and processing, and asphalt plants shall be subject to a permit if they exceed 50 truck loads in any given year.	Staff Comments: N/A
2.9.1.6 Permit conditions must make reference to measures dealing with the following points: a) general activity levels that will not create any disturbance apparent beyond the property's boundaries; b) adequate landscape buffering or distance separation to adjacent lots; c) provision of off-street parking spaces consistent with regulatory bylaws; d) reclamation measures that will restore the permit area to suitability for its designated primary use; and e) adequate supervision of the site.	Staff Comments: a) - Proposed permit outlines specific time period restrictions for operation -owner or other contact available on Mayne Island 24 hours/day -provide a copy of permit to all neighbors within 100 meters -landowner to post information to guests on noise bylaws, water conservation, fire safety, garbage and recycling disposal, septic care, control of pets, and reminder of use within residential neighbourhood -Outdoor lighting not directed onto surrounding properties - Restrict advertising of rental - Maximum 8 guests - Maximum use of 2 bedrooms - Prohibit camping and outdoor fires b) N/A c) Minimum 2 parking spaces d) N/A e) Conditions provide option for bylaw enforcement to enforce compliance with the permit.
2.9.1.7 In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.	Staff Comments: Permit conditions compliant

2.9.1.8 Review of applications should include consideration of smart growth principles.	Staff Comments: N/A
STVR/TUP Guidelines	Comments
Time Period – Under the proposed Bylaw, “short term vacation rental” (STVR) means the use of a <i>cottage</i> as temporary short term accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier. A cottage used as a STVR shall be considered as a home occupation subject to the regulations established in Section 3.6 of the Mayne Island Land Use Bylaw No. 146, 2008.	Conforms by definition of the use in TUP.
Screening – The Local Trust Committee may require mitigating measures to provide a separation between STVRs and surrounding properties such as screening and fencing.	None proposed at this time;
Cumulative Effects - The Local Trust Committee should consider the cumulative effects on the neighborhood and Island of all the temporary use permits issued for short term vacation rentals.	One other STVR TUP within 250 metres of the subject property.
Residential Appearance - The Local Trust Committee may consider issuance of a temporary use permit for a STVR provided the proposal would not alter the residential appearance of the residence.	No alterations proposed.
Neighbour Concerns - The Local Trust Committee may require mitigating measures to address neighbours’ concerns, such as retention of existing screening and fencing, or installation of additional screening.	No comments from neighbours received at this point.
<p>Water Supply - The landowner should demonstrate an adequate supply of water for the duration of the proposed use as follows:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p><u>Potential Measures and Considerations to address Guideline (f):</u></p> <ul style="list-style-type: none"> ▪ Recent well report and lab results ▪ Cistern for rainwater collection ▪ Size of the property ▪ Size of dwelling ▪ Current Low-flow fixtures ▪ Number of bedrooms for use ▪ Number of guests </div>	<ul style="list-style-type: none"> ▪ Connected to Campbell-Bennet Bay Water Improvement District (CBBID). ▪ Other water conservation measures for guests proposed by the applicant. Additional conditions in proposed permit.
Septic Disposal Capacity - The landowner should demonstrate an adequate septic disposal capacity for the duration of the proposed use.	Applicants believe that system was installed before 2002; that it was inspected in 2002; it was fully serviced around 2008; and, the pipes were inspected and serviced most recently in 2015 at which time the tank did not need to be emptied at that time.

Conditions - In addition to any other conditions the LTC may consider appropriate, the permit may:	
i. require that the owner or other contact be available on Mayne by telephone 24 hours/day, seven days per week and include the name and contact information in the conditions of the permit	Yes, in permit.
ii. require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager's phone number, and a copy of the temporary use permit	Yes, in permit.
iii. require the landowner to post for guests information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted), and remind guests that the property is located in a residential area	Yes, in permit.
iv. require that pets be kept under control at all times	Yes, in permit.
v. sufficient off-street parking	Yes – minimum two (2) vehicles in permit.
vi. outdoor lighting is not directed onto surrounding properties	Yes, in permit.
vii. restrict advertising to one unilluminated wooden sign, with a maximum area	Yes, in permit.
viii. establish a maximum number of people that can stay	Eight (8) persons.
ix. establish a maximum number of bedrooms	Two (2).
x. establish the specific months in a year that the STVR use may be carried out	Yes, use is limited by days of use for specific months in a calendar year.
xi. prohibit camping or occupancy of RVs on the property	Yes, in permit.
xii. prohibit outdoor fires	Yes, in permit.
xiii. specify advertising that may be utilized	No – although, the LTC could amend permit to include.
xiv. prohibit the rental or provision of motorized personal watercraft	Yes, in permit.
xv. require the landowner/operator to post contact information and permit information at the entrance to the property	Yes, in permit.
xvi. include a provision stating that the bylaw enforcement officer may enter the property between certain hours without prior consultation if a complaint is received	Yes, in permit.



Islands Trust

NOTICE MAYNE ISLAND LOCAL TRUST COMMITTEE PLTUP20260124

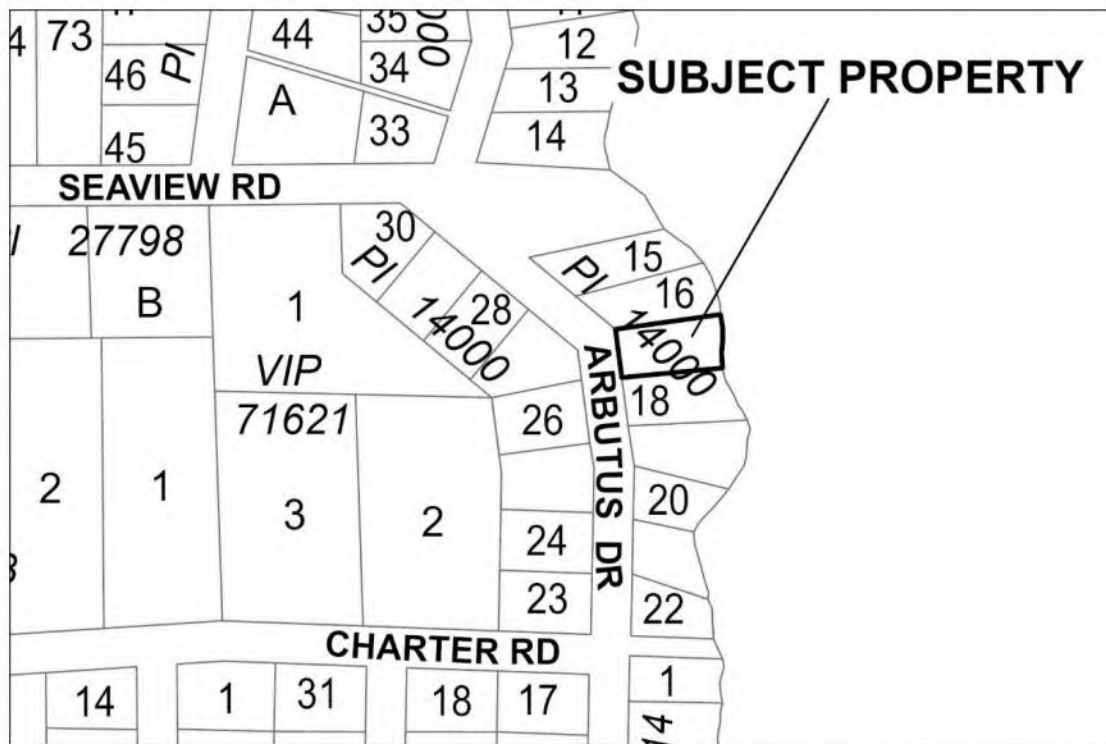
Attachment 5

NOTICE is hereby given pursuant to Section 494 of the *Local Government Act* that the Mayne Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit. The proposed permit would apply Lot 17, Section 9, Mayne Island, Cowichan District, Plan 14000 (PID: 004-448-154). This property is located at **538 Arbutus Drive, Mayne Island.**

The purpose of this temporary use permit is to permit a **Short-Term Vacation Rental** use within the existing dwelling unit.

The establishment of the use would be subject to the conditions specified in the attached permit. The permit would be issued for three (3) years and the owner may apply to the Mayne Island Local Trust Committee to have it renewed once for up to an additional three (3) years.

The general location of the subject property is shown in the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **April 6, 2026** and continuing up to and including **April 17, 2026.**

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Mayne Island.

Enquiries or comments should be directed to Bruce Belcher, Planner 2 at (250) 405-5179, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 604-660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca before 4:30 p.m., **April 17, 2026.**

The Mayne Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **1:00 p.m., April 27, 2026.**

All applications are available for review by the public with prior appointment. Written comments made in response to this notice will also be available for public review.

Jas Chonk, Deputy Secretary

PROPOSED

Islands Trust

**MAYNE ISLAND LOCAL TRUST COMMITTEE
 TEMPORARY USE PERMIT
 PLTUP20260124 (Costello & Baker)**

538 Arbutus Drive

To: Amber Baker and Daniel Costello

1. This Permit applies to the land described below:

Lot 17, Section 9, Mayne Island, Cowichan District, Plan 14000,
 (PID: 004-448-154).

2. This Permit is issued for the purpose of permitting the owner to conduct the following use on their property:

a) a Short Term Vacation Rental within the Dwelling Unit.

3. and is subject to the following conditions:

- a) the maximum number of days the short term vacation rental use is permitted between May 1 to September 30 in a calendar year is a total of sixty (60) days;
- b) the maximum number of days the short term vacation rental use is permitted between October 1 to April 30 in a calendar year is a total of thirty (30) days;
- c) the property owner or either one of two contact persons be available on Mayne Island by telephone 24 hours/day, seven days per week. The name and contact number of property owner and the two island contact persons must be provided to guests upon arrival;
- d) the property owner or Short Term Vacation Rental operator must provide neighbours within a 100 metre radius of the vacation rental with the name and contact number of property owner and the two island contact persons must be provided, and a copy of the temporary use permit;
- e) the property owner or Short Term Vacation Rental operator must post for guests information on noise bylaws, water conservation, fire safety, fire escape plan, storage and disposal of garbage and recycling, septic care, and control of pets. The guest information must also remind guests that the property is located in a residential area;
- f) pets should be kept under control at all times;
- g) the owner must provide parking for a minimum of two (2) vehicles on the property;
- h) outdoor lighting must not be directed onto surrounding properties;
- i) a maximum of one unilluminated and wooden sign not exceeding a total sign area of 0.4 square metres advertising the Short Term Vacation Rental is permitted. The sign must be located on the lot occupied by the Short Term Vacation Rental use;
- j) the maximum number of guests is limited to eight (8) persons;
- k) the maximum number of bedrooms is two (2);
- l) camping and occupancy of recreational vehicles are prohibited;
- m) all outdoor fires are prohibited;

- n) the rental or provision of motorized personal watercraft is prohibited;
 - o) the holder of this Permit, will be held accountable for any violation of the conditions of this Permit. The Islands Trust Bylaw Investigations Officer or any other person designated by the Islands Trust to administer this Permit is authorized to enter, at any reasonable time, the property for the purpose of inspecting and determining whether the conditions, prohibitions and requirements of the Permit are being met;
 - p) the property owner or Short Term Vacation Rental operator must provide guests with emergency service contact information and to provide a means for contacting them;
 - q) the property owner, or Short Term Vacation Rental operator, must post the name and contact number of the property owner or on-island contact person, and permit information at the entrance to the house;
 - r) that an application for renewal include hydro and water meter readings for the term of the TUP; and,
 - s) that water conservation information be provided to guests and signs be posted at all water sources.
4. This permit is valid for three (3) 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 or apply for a new permit.
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, Island Health and Ministry of Transportation and Transit.

**AUTHORIZING RESOLUTION PASSED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE
THIS XX DAY OF XX**

Deputy Secretary, Islands Trust

Date Issued