



Regional District of Mount Waddington

PO Box 729 2044 McNeill Road, Port McNeill, BC V0N 2R0

Telephone (250) 956-3161 Fax (250) 956-3232

Website: www.rdmw.bc.ca Email: info@rdmw.bc.ca

Dear community members of Malcolm Island

The Regional District of Mount Waddington (hereafter "RDMW") is in process to present '*Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001, 2022*' on May 17th, 2022, through a public hearing session; *Notice of Public Hearing* was composed and released pursuant to *Section 465* and *466* of the *Local Government Act*. As advertised, a public hearing will be held in the Board Room of the Regional District of Mount Waddington office, 2044 McNeill Road, Port McNeill, BC on Tuesday, May 17, 2022 at 1:00 p.m.; anyone who believes that proposed Bylaws may affect their interests shall be afforded an opportunity to be heard in person or via Zoom online, by a representative, or by written submission at the public hearing at the above-noted time.¹

This package was composed to provide more information regarding the derivation of above noted amendment bylaw.

If you have any questions or require further clarification, please don't hesitate to contact the Planning Department at undersigned.

Thank you,

Sincerely,

June Kwon
Planning Assistant
Regional District of Mount Waddington
Email: jkwon@rdmw.bc.ca
Phone: 250-956-3301 Ext. 222

¹ if you are unable to attend the public hearing in person or electronically, written comments may be mailed, facsimiled, emailed or hand-delivered to the RDMW by 4:30 p.m. on Monday, May 16, 2022. Legally, the RDMW cannot consider any representations made after the close of the public hearing.

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REGIONAL DISTRICT OF MOUNT WADDINGTON

MALCOLM ISLAND ZONING BYLAW NO. 725, AMENDMENT BYLAW NO. 1001, 2022

A Bylaw to Amend Malcolm Island Zoning Bylaw No. 725, 2006

WHEREAS the Regional District of Mount Waddington wishes to undertake changes to Malcolm Island Zoning Bylaw No. 725, 2006 in relation to permitted accessory residential uses;

NOW THEREFORE the Board of Directors of the Regional District of Mount Waddington, in open meeting assembled, hereby enacts as follows:

1. Citation

This Bylaw shall be cited as “Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001, 2022”.

2. Text Amendments

- a) Section 1.4 of Malcolm Island Zoning Bylaw No. 725, 2006 is amended by deleting the definition of COTTAGE DWELLING and replacing it with the follow new definition of COTTAGE DWELLING:

DWELLING, COTTAGE: means a detached Dwelling Unit which is an Accessory Use utilized in association with an existing Single Detached Dwelling on the same Lot, and for clarity, does not include a Float Home Dwelling, Manufactured Home Dwelling or Recreational Vehicle. See section 4.12 of this Bylaw for more detailed regulations pertaining to a Cottage Dwelling.

- b) Section 4.8 of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby deleted and replaced with the following new section 4.8:

4.8 Secondary Suite Dwelling

Where permitted by this Bylaw, a secondary suite dwelling is subject to the following regulations:

- (a) It must be constructed in accordance with the British Columbia Building, Plumbing and Fire Codes and any other applicable legislation;*
- (b) It must have a minimum total floor area of 37.16 square metres (400 square feet);*
- (c) It must have a maximum floor area of 92.90 square metres (1,000 square feet) or 40% of the total floor area of the single detached dwelling in which it is located, whichever is less; and,*
- (d) Parking shall be provided in accordance with section 3.1(a) of this Bylaw.*

- c) Malcolm Island Zoning Bylaw No. 725, 2006 is hereby amended by adding section 4.12 Cottage Dwelling as follows:

4.12 Cottage Dwelling

Where permitted by this Bylaw, a Cottage Dwelling is subject to the following regulations:

- (a) *It must be built upon a foundation and constructed in accordance with the British Columbia Building, Plumbing and Fire Codes, and any other applicable legislation;*
 - (b) *A site permit must be applied for and obtained from the Regional District before siting a Cottage Dwelling on Malcolm Island;*
 - (c) *Minimum setbacks for the Cottage Dwelling on the Malcolm Island must satisfy following requirements;*
 - *7.0 metres (22.97 feet) from all front and rear lot lines.*
 - *3.0 metres (9.8 feet) from all side lot lines and where a building fronts on a roadway, except that no building or object more than 1.0 metre (3.3 feet) in height shall exist within the triangular area formed by intersecting road rights-of-way and a straight line joining the points on a line 9.0 metres (29.5 feet) from the intersection of the rights-of-way.*
 - *15.0 metres (48.75 feet) from, and 1.5 metres (4.92 feet) elevation above the natural boundary of any lake, watercourse, and 2.0 metres (6.56 feet) elevation above the natural boundary of the sea.*
 - (d) *The distance between the principal residence and the cottage dwelling, building separation, must be 5.0 metres (16.4 feet) minimum, measured from the closest points of each structure;*
 - (e) *It must provide unobstructed passage from the public highway to the cottage dwelling; width of 3.0 meter (9.84 feet) and height of 2.0 meter (6.56 feet).*
 - (f) *Subdivision of land which results in a separate land title for the cottage dwelling will not be permitted.*
 - (g) *It must not be utilized for commercial purposes, but may be rented to provide accommodation;*
 - (h) *It must have a minimum total floor area of 37.16 square meters (400 square feet) and a maximum total floor area of 92.90 square meters (1000 square feet);*
 - (i) *It must obtain a separate civic address;*
 - (j) *Where it is to be sited on a lot which is located in an area served by the Sointula Sewer System owned and maintained by the Regional District of Mount Waddington, and the potable water supply system owned and operated by the Sointula Waterworks District, the Cottage Dwelling must be connected to these systems;*
 - (k) *Where it is to be sited on a lot which is located in an area that is not served by the Sointula sewer system owned and maintained by the Regional District of Mount Waddington, and the potable water supply system owned and operated by the Sointula Waterworks District, the Cottage Dwelling must be connected to onsite sewage disposal and potable water supply systems that meet the requirements of Island Health and is in compliance with provincial legislation (e.g. Drinking Water Protection Act, Public Health Act / Sewerage System Regulation and Water Sustainability Act); and,*
 - (l) *Parking shall be provided in accordance with section 3.1(a) of this Bylaw.*
- d) Section 5.3.1(b)iv) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby amended by adding *Secondary Suite Dwelling* to the list of accessory uses.
- e) Section 5.3.1(e)ii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby deleted and replaced with the following new section 5.3.1(e)ii):

5.3.1(e)ii) *On lots less than 8 hectares (19.77 acres) in area, one cottage dwelling and one secondary suite dwelling are permitted.*

f) Section 5.4.1(b)ii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby amended by adding *Secondary Suite Dwelling* to the list of accessory uses.

g) Section 5.4.1(e)ii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby deleted and replaced with the following new section 5.4.1(e)ii):

5.4.1(e)ii) One cottage dwelling and one secondary suite dwelling are permitted on each lot.

h) Section 5.4.2(b)ii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby amended by adding *Secondary Suite Dwelling* to the list of accessory uses.

i) Section 5.4.2(e)ii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby deleted and replaced with the following new section 5.4.2(e)ii):

5.4.2(e)ii) One cottage dwelling and one secondary suite dwelling are permitted on each lot.

j) Section 5.4.3(b)ii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby amended by adding *Secondary Suite Dwelling* to the list of accessory uses.

k) Section 5.4.3(e)ii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby deleted and replaced with the following new section 5.4.3(e)ii):

5.4.3(e)ii) One cottage dwelling and or one secondary suite dwelling is permitted on each lot.

l) Section 5.5.3(b)vii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby amended by adding *Secondary Suite Dwelling* to the list of accessory uses.

m) Section 5.5.3(e)ii) of Malcolm Island Zoning Bylaw No. 725, 2006 is hereby deleted and replaced with the following new section 5.5.3(e)ii):

5.5.3(e)ii) One cottage dwelling and one secondary suite dwelling are permitted on each lot.

READ A FIRST TIME THIS 15th DAY OF FEBRUARY, 2022

READ A SECOND TIME THIS 19th DAY OF APRIL, 2022

PUBLIC HEARING HELD THIS 17th DAY OF MAY, 2022

READ A THIRD TIME THIS DAY OF , 2022

ADOPTED THIS DAY OF , 2022

CHAIR

ADMINISTRATOR

Malcolm Island Advisory Commissions Meeting Minutes

Please find Malcolm Island Advisory Commission Meeting Minutes, available on RDMW website, to find sections related to the derivation of 'Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001.';

- Malcolm Island Advisory Commission Meeting Minutes (Monday, October 26th, 2020C.E.)
<http://www.rdmw.bc.ca/media/2020%2010%2026%20MIAC%20Minutes.pdf>
 - o Old Business (19:50) 0. Housing needs – Jeff Long (19:50)
- Malcolm Island Advisory Commission Meeting Minutes (Monday, March 29th, 2021C.E.)
<http://www.rdmw.bc.ca/media/2021%2003%2029%20MIAC%20Minutes.pdf>
 - o Old Business (20:05) 3. Detached Secondary Dwellings
- Malcolm Island Advisory Commission Meeting Minutes (Monday, April 26th, 2021C.E.)
<http://www.rdmw.bc.ca/media/2021%2004%2026%20MIAC%20Minutes.pdf>
 - o NEW BUSINESS: (19:10) 2. 5th Wheels and Tiny Homes. (19:37)
 - **Motion** Prior to next MIAC meeting the MIAC has a clear direction for the RDMW regarding the Rooster bylaw and Secondary Dwellings.
- Malcolm Island Advisory Commission Meeting Minutes (July 26th, 2021)
<http://www.rdmw.bc.ca/media/2021%2007%2026%20MIAC%20Minutes%20Revised.pdf>
 - o F. OLD BUSINESS: Zoning detached dwelling amendment By-law No. 997
 - Action: Jeff read the by-law changes, Discussion amongst MIAC at next meeting. Jeff to correct changes send out July 27, 2021.
 - Motion: none
- Malcolm Island Advisory Commission Meeting Minutes (Monday, November 29th, 2021C.E.)
[http://www.rdmw.bc.ca/media/2021%20MIAC%20Nov%2029%202021%20Minutes\(1\).pdf](http://www.rdmw.bc.ca/media/2021%20MIAC%20Nov%2029%202021%20Minutes(1).pdf)
 - o REPORTS: 1. Electoral Area A Director Report – Sandra Daniels (Verbal Update). (19:06)
 - **Motion** That M.I.A.C. would like the bylaw changes for Secondary Dwellings and Rooster bylaw to be forwarded to every agenda until addressed.
- Malcolm Island Advisory Commission Meeting Minutes (January 10, 2022)
<http://www.rdmw.bc.ca/media/2022%2001%2010%20MIAC%20Minutes.pdf>
 - o F. Old Business 3) Proposed Secondary Dwelling Bylaw Update
- Malcolm Island Advisory Commission Meeting Minutes (January 31, 2022)
<http://www.rdmw.bc.ca/media/2022%2001%2031%20MIAC%20Minutes.pdf>
 - o F. OLD BUSINESS: 2) Proposed Secondary Dwelling Bylaw Amendment Update
 - Motion to the floor was “to remove (j) Variances related to lot coverage, setbacks, and housing separation will not be permitted.” MSC. It was also MSC that zones AG1, R1, R2, and R3 have the maximum square footage moved up to 1000 square feet, as originally proposed. These 2 changes will be brought back as corrected.
- Malcolm Island Advisory Commission Meeting Minutes (February 28, 2022)
<http://www.rdmw.bc.ca/media/2022%2002%2028%20MIAC%20Minutes.pdf>
 - o 1) Sandra Daniels – Area A Representative
 - o F. Old Business- 1) Proposed Secondary Dwelling Bylaw Update
- Malcolm Island Advisory Commission Meeting Minutes (March 28, 2022)
<http://www.rdmw.bc.ca/media/2022%2003%2028%20MIAC%20Meeting%20Minutes.pdf>
 - o 1) Sandra Daniels – Area A Representative

- *F. Old Business- 1) Proposed Secondary Dwelling Bylaw Update*
 - *Proposed Secondary Dwelling Bylaw Update*
The Draft of bylaws 1001 (detached cottage dwelling) and 1002 (rooster inclusion) was discussed with the commission members and an agreement to move forward as presented was reached.
Motion- to recommend and accept amended bylaw 1001 as presented. MSC
Motion- to recommend and accept amended bylaw 1002 as presented. MSC
Motion- to recommend bylaws 1001 & 1002 be presented to the RDMW meeting, to move forward at the May 17, 2022. MSC
Notice will be posted in Sointula for the public meeting for May 17, 2022
- *Malcolm Island Advisory Commission Meeting Minutes (April 25, 2022)*
 - *Old Business- 1) 2 New Bylaws*
Notice will be posted in Sointula for the public meeting for May 17, 2022 along with the mandatory newspaper notices prior to the public meeting. RD office to provide notice for posting by May 3, 2022.

Board of Directors Meeting Minutes

Here are sections of Board of Directors Meetings Minutes related to the derivation of ‘*Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001.*’;

- *Board of Directors Meeting Minutes (February 15, 2022)*
 - *G. BYLAWS AND PERMITS*
 - *1. Bylaw No. 1001, cited as “Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001, 2022 (Cottage Dwellings) for 1st reading.*
 - *038/2022*
*Moved/Seconded/**CARRIED***
THAT Bylaw No. 1001, cited as “Malcolm Island Zoning Bylaw NO. 725, Amendment Bylaw No. 1001, 2022 (Cottage Dwellings) receive 1st reading
- *Board of Directors Meeting Minutes (April 19, 2022)*
 - *G.BYLAWS AND PERMITS*
 - *1. Bylaw No. 1001, cited as “Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001, 2022 (Cottage Dwellings) for 2nd reading.*
 - *105/2022*
*Moved/Seconded/**CARRIED***
THAT Bylaw No. 1001, Cited as “Malcolm Island Zoning Bylaw No.725, Amendment Bylaw No. 1001, 2022” (Cottage Dwellings) receive 2nd reading
- *Board of Directors Meeting Minutes (April 19, 2022)*
 - *G. BYLAWS AND PERMITS*
 - *107/2022*
*Moved/Seconded/**CARRIED***
THAT a public hearing for Bylaw No. 1001, cited as “Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001 (Cottage Dwellings)” and Bylaw No. 1002, cited as “Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1002, 2022 (Animals-Chickens)” be held on May 17, 2022 at 1:00pm at the Regional District of Mount Waddington Office located at 2044 McNeill Road.

Concerts in the Park set to begin June 15

By Kathy O'Reilly

A trip back east inspired a new outdoor musical endeavour in Port Hardy.

Starting June 15, and every second Sunday afterwards, Concerts in the Park, in conjunction with Port Hardy Recreation Department, will be held in Carrot Park.

"The idea of music in the park began a few years ago when I was visiting my parents in Peterborough, Ontario, the city where I grew up," said organizer George Ewald.

The town would host concerts in the park every weekend featuring top Canadian bands from the past like Grapes of Wrath, etc.

"They would see up to 10,000 people come out and sit in the grass or lawn chairs and take in a free show. As I sat there, I thought we should do this here in Port Hardy," Ewald said.

Then COVID hit two years ago, and all live entertainment shut down.

"I play in a band called the Choir Boys and I also jam with a number of North Island musicians from time to time. All of us have been grounded from playing for the past two years until last fall," he said, when "we put together a small music fest on a friend's property in Hyde Creek. We had about a dozen bands of all genres that played. Most of them were from the North Island and all of us played for free and for the pure pleasure of

playing live."

Ewald has pastored a church in Port Hardy for over 16 years and during COVID they had to find new ways of doing and being the church.

Part of that was to build a rolling stage out of a trailer. The 14x16 stage cantilevers out of the side of the trailer.

"We would set up in parking lots or the park and do church open air. Now we have a rolling stage that can fill a need here in town," Ewald said.

The stage comes with a full public address system, a sound man, and a nice drum set if needed.

"We also have an FM transmitter so even if the weather is inclement, we can still host a show and people can sit in their cars and take it in. The concerts fill two objectives.

"As a church, we want to give back to Port Hardy and the North Island. This area, as have most, has been through tough and crazy times these last years. They need to breathe. To believe for something better. To have a sense of normalcy," he said.

"Music can transcend this. Music can heal and bring hope."

Putting this all together, Ewald decided to see if they could use the church's rolling stage and get local artists and bands to partner with them and do showcases on a regular basis through-

out the summer.

He believes the concerts are not only a way of giving back to Port Hardy and the North Island but to bring healing and hope to communities.

A conversation resulted in the District of Port Hardy

coming on board.

"Naomi Kervin Heath, who works with Port Hardy Recreation, used to be my youth worker many years ago," said Ewald.

"I reached out to her and as we talked, I mentioned the idea of the concerts and

maybe doing something geared for kids as well," he said.

"The next thing you know, we had joined forces and the Concerts in the Park was formed." While the response from the public has been very positive, so far, "the response from bands

and artists has not been as good as I had hoped".

Ewald is looking for solo, duo, groups, all styles, that want to perform live. To get your act booked call text or email George at 250-230-0106 or ewaldgm@gmail.com.



REGIONAL DISTRICT OF MOUNT WADDINGTON

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to Section 465 and 466 of the Local Government Act that a public hearing will be held in the Board Room of the Regional District of Mount Waddington office, 2044 McNeill Road, Port McNeill, BC on **Tuesday, May 17, 2022 at 1:00 p.m.** for the purpose of hearing representations regarding the "Regional District of Mount Waddington Zoning Amendment Bylaw No. 1001, 2022 and "Regional District of Mount Waddington Zoning Amendment Bylaw No. 1002", which propose to amend Malcolm Island Zoning Bylaw No. 725, 2006 to undertake the following:

- "Malcolm Island Zoning Amendment Bylaw No. 1001, 2022" undertakes changes to Malcolm Island Zoning Bylaw No. 725, 2006 in relation to permitted accessory residential uses
- "Malcolm Island Zoning Amendment Bylaw No. 1002, 2022" undertakes changes to Malcolm Island Zoning Bylaw No. 725, 2006 in relation to the keeping of chickens

TAKE NOTICE that the proposed Bylaws, staff report, and any other relevant information can be obtained at the Regional District of Mount Waddington office, 2044 McNeill Road, Port McNeill, B.C., between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, from May 3, 2022 until May 17, 2022. The Bylaws and related documents can also be viewed on the RDMW website at www.rdmw.bc.ca.

Anyone who believes that proposed Bylaws may affect their interests shall be afforded an opportunity to be heard in person or via Zoom online, by a representative, or by written submission at the public hearing at the above-noted time. If you are unable to attend the public hearing in person or electronically, written comments may be mailed, facsimiled, emailed or hand-delivered to the RDMW by 4:30 p.m. on Monday, May 16, 2022. Legally, the RDMW cannot consider any representations made after the close of the public hearing.

Please note pursuant to the Freedom of Information and Protection of Privacy Act and the Local Government Act, all submissions (verbal and written) with respect to "Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001, 2022" and/or "Regional District of Mount Waddington Zoning Amendment Bylaw No. 1002, 2022" heard/read at this public hearing will form part of the public record and must include the name and address of the individual making the submission.

Given seating restraints, and for Zoom access, you will need to pre-register either in person or via email at info@rdmw.bc.ca. Please ensure you provide your name, telephone and email contact.

For more information, please call the Regional District Office at 250-956-3301

To join the public hearing by Zoom

<https://us02web.zoom.us/j/84255406775?pwd=Mmg2bzFIZlRnUUg0bm5wZkdVQ1JPUT09>

Or alternatively, scan the QR code to the right with your smartphone.



*Registration is only required to ensure availability of spaces for attendees in advance of the public hearing. You may register and join the public hearing as late as the start of it, however if all spaces are taken up, you will be unable to join the meeting via Zoom, so register early.

Inquiries and written submissions regarding "Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1001, 2022" and/or "Malcolm Island Zoning Bylaw No. 725, Amendment Bylaw No. 1002, 2022" should be directed to:

June Kwon, Planning Assistant
Regional District of Mount Waddington
PO Box 729, 2044 McNeill Road, Port McNeill, B.C. V0N 2R0
Telephone: 250-956-3301 Facsimile: 250-956-3232 Email: jkwon@rdmw.bc.ca

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The North Island EAGLE
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Contacted Relevant Agency

- Darryl Luscombe
Administrator, Sointula Waterworks District

- Eric Bergsma, C.P.H.I(C)
Environmental Health Officer
Vancouver Island Health Authority
Health Protection & Environmental Services

- Brendan Kelly
Senior Development Services Officer
Ministry of Transportation and Infrastructure
Vancouver Island District

Comments Received by the Regional District