

STAFF REPORT

File No.: 2023 Housing Options –
Phase 2

DATE OF MEETING: September 29, 2025
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Mayne Island Housing Options Project (Phase 2) – First Reading

RECOMMENDATION

1. That the Mayne Island Local Trust Committee bylaws No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025” be read for the first time.
2. That the Mayne Island Local Trust Committee bylaws No. 197 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025” be read for the first time.
3. That the Mayne Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw Nos. 197 and 196, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2021” and “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2022” are not contrary to or at variance with the Islands Trust Policy Statement.
4. That the Mayne Island Local Trust Committee request staff to schedule a community information meeting prior to the public hearing for Bylaws No. 196 and 197.
5. That the Mayne Island Local Trust Committee request staff schedule a public hearing for Bylaws No. 196 and 197.

REPORT SUMMARY

The purpose of this report is to present Bylaw No. 196 (OCP) and Bylaw No. 197 (LUB) to the LTC for first reading. These bylaws relate to the Mayne Island Housing Options Project (Phase 2).

BACKGROUND

The Mayne Island Local Trust Committee (LTC) has been engaged in housing policy work since 2019, beginning with the Housing Bylaw and Policy Review Project. This early initiative laid the foundation for the Mayne Island

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Housing Options Project, Phase 1, which involved public engagement, exploration of housing options, and the implementation of a flexible housing pilot project.

In 2023, the Mayne Island Housing Action Plan was developed to support a joint application with the Capital Regional District (CRD) to the Canadian Mortgage and Housing Corporation's (CMHC) Housing Accelerator Fund (HAF). Although the HAF application was not successful, the Action Plan was subsequently refined to focus specifically on the LTC's housing priorities and related actions. The plan identifies six key goals:

- Updating information to inform housing projects
- Incorporating First Nations' interests in Land Use Decision Making
- Diversifying housing options
- Increasing opportunities for housing affordability
- Minimizing environmental impacts
- Advocating for senior government support

At their July 27th, 2025 LTC meeting, the LTC was presented with draft bylaws for discussion and a community information meeting was held. The staff report included a list of all proposed amendments. That report can be found [here](#).

The LTC requested a number of small amendments to the draft bylaws including:

- Removing the option to expand secondary suite permissions to water service areas
- Updating the language in Policy 2.1.1.3 from "freshwater recharge" to "critical aquifer recharge"
- Addressing an error related to cistern size for smaller units

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff update Bylaw No.196 cited as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025" and Bylaw No. 197 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025" as directed at the July 28th, 2025 LTC meeting.

It was Moved and Seconded,

that Mayne Island Local Trust Committee request staff return Bylaw No.196 cited as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025" and Bylaw No. 197 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025" to the LTC for consideration of first reading.

Bylaw updates are identified in track changes in Attachment 1 (Bylaw 196) and Attachment 2 (Bylaw 197). Bylaw 197 includes Schedule E which identifies the expansion of flex housing zoning. The map was originally presented independent from draft amendments as the LTC was wanting further discussion including input from the APC.

At their May 26th LTC meeting, the LTC had requested staff refer materials relevant to the housing project to the Advisory Planning Commission (APC). Staff recommended that the referral be sent out after bylaws were drafted. The referral to the APC was sent out shortly after the July meeting. The APC attempted to meet in early September. Failing to reach quorum, the APC was not able to provide feedback on the bylaws at this time.

Staff are continuing to do work on an updated statement related to housing need as required by the *Local Government Act*. This will be incorporated in Section 1.1.3 of the OCP, and include updated build out information. This will be provided to the LTC prior to second reading.

ANALYSIS

Policy/Regulatory

They bylaws include changes to both the Official Community Plan (OCP) and the Land Use Bylaw (LUB).

Islands Trust Policy Statement:

The bylaws are consistent with both the existing and newly developed Islands Trust Policy Statement.

Official Community Plan:

The addition of housing related policies in the Official Community Plan will provide the opportunity for the LTC to waive the public hearing in cases where rezoning pertaining to residential development is consistent with the OCP.

Land Use Bylaw:

A number of changes are being made to the Land Use Bylaw to increase housing options while balancing the preservation and protection of the natural environment.

Issues and Opportunities

The bylaw amendments provide model policies and regulations for other Local Trust Committees. They are already being reviewed for the North Pender and Denman housing projects and the Gabriola OCP and LUB review.

Consultation

As the project involves OCP amendments, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The bylaws have been sent out on referral to the following:

Agencies:

Ministry of Housing and Municipal Affairs	Laura Point Waterworks District
Capital Regional District Building Inspection	Skana Water System
Capital Regional District SGI Service Delivery	Surfside Park Estates Water Service Area (CRD)
Village Point Improvement District	Galiano Island Local Trust Committee
Bennett Bay Waterworks District	Saturna Island Local Trust Committee
Campbell-Bennett Bay Improvement District	North Pender Island Local Trust Committee

First Nations:

Semiahmoo First Nation	Lake Cowichan First Nation	Tseycum First Nation
Tsawwassen First Nation	Cowichan Tribes	Pauquachin First Nation
Stz’uminus First Nation	Lyackson First Nation	Wasanec Leadership
Halalt First Nation	Tsawout First Nation	
Penelakut Tribe	Tsartlip First Nation	

Rationale for Recommendation

The proposed bylaw amendments are based on direction from the Local Trust Committee. The LTC endorsed direction and draft language at previous LTC meetings. These amendments address land use-related actions in the Housing Action Plan. Scheduling a community information meeting prior to the public hearing will provide the community with the opportunity to ask questions about the bylaws prior to second and third reading. While there have already been a number of CIMs related to this project, staff recommend a final CIM given the extent of amendments being made.

ALTERNATIVES:

- 1. Request further information.** The LTC may request staff provide addition information or do further engagement before proceeding to first reading
- 2. The LTC may request that staff return with updated draft bylaws prior to proceeding with first reading.** The LTC may want to further review and discuss the draft language related to changes they proposed.
- 3. The LTC may request that staff send the draft bylaws to the APC again.** The LTC will need to specify a timeline for APC response.

“That the Mayne Island Local Trust Committee request staff refer updated bylaws No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2025” and No. 197 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2025” in addition to relevant staff reports and meeting minutes to the APC for review by October 14, 2025.”

NEXT STEPS

- Staff will schedule a Public Hearing, likely for the November meeting unless the LTC directs that the hearing be held as a special meeting
- Following the close of the Hearing, the LTC may consider further readings of the bylaws.
- Referral of the bylaws to EC for approval
- The OCP amendment will be forwarded to the Minister of Housing and Municipal Affairs for approval
- Bylaws will be returned to the LTC for consideration of final adoption.

Submitted By:	Narissa Chadwick, Island Planner	September 17, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	September 17, 2025

ATTACHMENTS

1. Bylaw 196
2. Bylaw 197
3. Islands Trust Policy Statement Directives Checklist

DRAFT

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 196

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

The Mayne Island Local Trust Committee in open meeting assembled enacts 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, 2025”.

2. SCHEDULES

Mayne Island Official Community Plan Bylaw 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____
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____
APPROVED BY THE MINISTER OF HOUSING AND MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 196**

SCHEDULE 1

The Mayne Island Official Community Plan No. 144, 2007, is amended as follows:

1. Section 1.1.3 is amended by renaming the Section as "Population Projections and Housing Needs"
2. Section 1.1.3 is amended by removing paragraphs 2, 3, and 4 and replacing with the following:

"The island has an area of approximately 2,300 hectares (5,750 acres). The permanent population on Mayne Island according to the 2021 census was 1,304 resulting in a population density of one person per 1.76 hectares (4.4 acres).

The population increased by 27% between 2001-2006 and decreased by 4% between 2006-2011. The population decreased by 11% between 2011-2016, followed by an increase of 37% between 2016-2021. Based on past patterns of population growth, and projections from the Islands Trust Housing Needs Assessment 2025, the projected growth rate will average approximately 1.6% per year. This would translate into a permanent population of about 1,600 people by 2030, and about 2,000 people by 2045.

There are currently 1,529 lots that would permit a residence. Of this number, about 1285 have been built on with the majority of vacant lots (~200) zoned Settlement Residential. An estimate of future subdivision of residentially zoned lots (this includes Rural, Agriculture, and Upland) suggests there is further potential of an additional 164 lots for a total of about 1693 lots. Based on the current average household size of 1.8 persons, this would result in a population of roughly 3,050 if all residential lots were occupied on a full-time basis."

3. Policy 2.1.1.2 is amended by deleting it and replacing it with the following:

"In general, residential density shall be:

 - a) one dwelling per lot, and on parcels greater than 0.6 hectares one additional dwelling for each additional 0.6 hectares; or
 - b) in designated flexible housing areas, up to three dwellings per lot provided total floor area does not exceed a maximum prescribed in zoning; and
 - i. one accessory cottage, limited by floor area, on parcels over an area prescribed in zoning; or
 - ii. one secondary suite per lot outside of designated flexible housing areas, or
 - iii. on larger lots: one accessory cottage and one secondary suite per lot."
4. Policy 2.1.1.3 is amended by deleting it and replacing it with:

"Flexible Housing is intended to provide housing options by permitting two or more small dwellings on a parcel as an alternative to a single large dwelling. Regulations shall designate areas within which flexible housing may be permitted and establish overall floor area limits

and the number of additional dwellings based on lot area. Areas designated for Flexible Housing should exclude:

- a) waterfront lots
- b) archaeological and cultural heritage sites
- c) sensitive ecosystems
- d) steep slope or other hazardous areas
- e) areas of critical aquifer recharge~~areas of freshwater recharge~~

5. Policy 2.1.1.6 is amended by adding "Sections 2.1.6 and..." so that it reads:
"Affordable housing is encouraged through joined or multiple housing units which may be considered by site specific rezoning of a parcel subject to compliance with Sections 2.1.6 and 2.10 (Amenity Zoning Guidelines) of this Plan."
6. Deleting Policy 2.1.1.10 in its entirety.
7. Policy 2.1.4.2 is amended by deleting it and replacing it with the following:
"In general residential density shall be:
 - a) one dwelling per lot, and on parcels greater than 10 hectares one additional dwelling for each additional 10 hectares; or
 - b) in designated flexible housing areas, up to three dwellings per lot provided total floor area does not exceed a maximum prescribed in zoning; and
 - i. one accessory cottage, limited by floor area, in respect of each dwelling on parcels over an area prescribed in zoning; or
 - ii. one secondary suite per lot outside of designated flexible housing areas on smaller lots, or
 - iii. on larger lots outside of designated flexible housing areas: one accessory cottage in respect of each principle dwelling and one secondary suite per lot."
8. Policy 2.1.4.3 is amended by deleting it and replacing it with the following:
"Flexible Housing is intended to provide housing options by permitting two or more small dwellings on a parcel as an alternative to a single large dwelling. Regulations shall designate areas within which flexible housing may be permitted and establish overall floor area limits and the number of additional dwellings based on lot area. Areas designated for Flexible Housing should exclude:
 - a) waterfront lots
 - b) archaeological and cultural heritage sites
 - c) sensitive ecosystems
 - d) steep slope or other hazardous areas
 - e) areas of critical aquifer recharge~~areas of freshwater recharge~~
9. Policy 2.1.4.4 is amended by inserting "Sections 2.1.6 and..." so that it reads:
"Affordable housing is encouraged through joined or multiple housing units which may be considered by site specific rezoning of a parcel subject to compliance with Sections 2.1.6 and 2.10 (Amenity Zoning Guidelines) of this Plan."
10. Policy 2.1.4.12 is deleted in its entirety.
11. Policy 2.1.5.10 is amended by inserting "...or cottage" so that it reads:
"One secondary suite, limited in size, contained wholly within a dwelling unit may be permitted per parcel. On parcels less than 4 hectares: a secondary suite shall not be permitted on the parcel if a cottage has been constructed; and a cottage shall not be

permitted on the parcel if a secondary suite has been constructed. A rainwater catchment and storage system shall be required prior to the construction of a secondary suite or cottage.”

12. By adding the following new policies as Section 2.1.6 Affordable, Seniors and Special Needs Housing:

“2.1.6 Affordable, Seniors and Special Needs Housing

Background

Housing affordable to moderate and low income residents of Mayne has become an increasing issue. This plan seeks to address housing issues through a variety of policies throughout the plan. The objectives and policies in this section address criteria related to applications to permit additional density or new uses to provide affordable housing.

Objectives

The objectives of this section are:

- 1) to provide opportunities for low to moderate income residents to attain affordable and safe housing,
- 2) to minimize the impacts of new housing on ecologically sensitive areas including critical aquifer ~~water~~ recharge areas.

Policies

- 2.1.6.1 The policies in this section are applicable to lands in any Land Use designation except Agriculture, Park, and Resource Conservation, except where otherwise stated.
- 2.1.6.2 Consideration may be given to applications from not-for-profit organizations, government agencies, or First Nations to rezone land to a higher density where the additional density is restricted to housing for moderate and low income persons. Such applications shall:
 - a) be limited to a maximum of 10 additional units
 - b) be located in proximity to services and amenities
 - c) demonstrate sufficient potable water and wastewater disposal capacity
 - d) not be located in areas containing sensitive ecosystems, or of cultural or archaeological significance
 - e) minimize site impacts through attached or clustered units
 - f) be managed by a not-for-profit organization, First Nation body, or an agency and rents, prices, or tenure are secured through a housing agreement, and
 - g) be consistent with the amenity zoning or density transfer policies of this plan.

2.1.6.3 Consideration may be given to applications to rezone land in any Land Use Designation in which residential uses are a permitted principal use to permit boarding homes for Special Needs residents or Seniors.

2.1.6.4 Consideration may be given to applications in any Land Use Designation in which residential uses are a permitted principal use to rezone land for clustered, small unit housing where:

- a) units consist of tiny homes, including tiny homes on wheels or manufactured homes
- b) units are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent
- c) units are anchored to the ground, connected to a source of potable water, and connected to an approved wastewater system
- d) units shall not exceed a maximum floor area of 50m²
- e) the total floor area of units shall not exceed any maximum dwelling floor area for that zone.
- f) communal facilities are provided, such as laundry or common rooms
- f) the development would not be located in areas containing sensitive ecosystems or ~~or~~ of cultural or archaeological significance
- g) the land is located within one kilometre of the boundary of the Miners Bay Commercial Core or an area designated for the use on Schedule to this Plan.

2.1.6.5 Consideration may be given to applications to reduce minimum and minimum average lot areas from not-for-profit organizations, government agencies, or First Nations intending to provide affordable housing.”

13. Policy 2.4.1.9 is amended by inserting “...or detached residential units...” so that it reads:
“In addition to principal commercial uses, in appropriate locations second-storey residential dwelling units or detached residential units may be permitted in order to provide a mix of housing types and to encourage residences closer to services and amenities.”
14. Policy 2.4.1.11 is amended by deleting the word “one” and inserting “residential uses” so that it reads:
“All properties within the Miners Bay Commercial Core should be permitted residential uses.”
15. Section 2.4.1 is amended by adding a new policy 2.4.1.14 as follows: “2.4.1.14 Employee accommodation may be required as a condition of a rezoning resulting in a significant change in use or increase in density.”
16. Section 2.6.1 is amended by inserting a new policy 2.6.1.5 as follows: “2.6.1.5 Zoning may permit residential uses in suitable locations”, and renumbering the remaining policies 2.6.1.6 - 2.6.1.11
17. By adding the following new policies to Section 2.7.1, and renumbering the remaining policies 2.7.1.3 – 2.7.1.8:
“2.7.1.1 Park Uses shall be the principal permitted use

- 2.7.1.2 Accessory uses, buildings and structures, including accessory residential uses, may be permitted in suitable locations specified in zoning”
18. Policy 2.7.2.3 is amended so that it reads: “The principal use shall be park use, and accessory uses, buildings or structures, including accessory residential uses, may be permitted in suitable locations specified in zoning.”
19. By adding the following new policy as 2.9.1.9:
- “2.9.1.9 In addition, permit conditions for the residential use of tiny home on wheels or recreational vehicle shall include measures dealing with the following:
- a) A tiny home on wheels or recreational vehicle shall be the equivalent of, and alternative to, a permanent dwelling or cottage;
 - b) conditions to ensure that the tiny home on wheels or recreational vehicle is connected to a potable domestic water supply and an approved wastewater disposal system;
 - c) conditions related to health and safety;
 - d) The tiny home on wheels or recreational vehicle should not be sited in a sensitive ecosystem or hazardous area;
 - e) A tiny home on wheels or recreational vehicle should not be sited in a setback;
 - f) The tiny home on wheels or recreational vehicle shall be appropriately screened from roads and neighbours;
 - g) The permit should attach a plan requiring the tiny home on wheels or recreational vehicle to be sited in a specified location.”
20. Section 2.10.2, article xi) is amended so that it reads: “the provision of moderate income, affordable, non-market rental, and special needs housing.”

DRAFT

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 197

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

The Mayne Island Local Trust Committee, being the Local 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. 1, 2025”.

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

2.1 Section 1.1 – Definitions, is amended by inserting the definition ‘Accessory residential unit’:

“Accessory residential unit” means a dwelling unit, either in a detached building or within a portion of a building, on the same lot as a non-residential principal use.

2.2 Section 1.1 – Definitions, is amended by revising the definition of ‘Cottage’ so that it reads: “Cottage” means a detached dwelling unit with a limited floor area that is located on the same lot as another dwelling unit.

2.3 Section 3.2 – Prohibited in All Zones, is amended by inserting a new Subsection 3.2(7) as follows: “3.2 (7) Groundwater-fed swimming pools.”

2.4 Section 3.9 – Use of Recreational Vehicles, is amended by deleting and replacing Subsection 3.9(1) so that it reads:

“(1) The temporary use of a recreational vehicle as a dwelling prior to the construction of a permanent dwelling on the same lot is permitted on all lots where residential use is permitted subject to:

- (a) a building permit being issued for a permanent dwelling on the property and the building permit remaining in effect;
- (b) the occupancy of a recreational vehicle not exceeding two years;
- (c) connection to a wastewater system consistent with the provisions of the *Public Health Act*;
- (d) the provision of a domestic water supply; and
- (e) compliance with the use, density and siting requirements of the land use bylaw for dwellings and cottages.”

~~2.5 Section 3.13 – Secondary Suites, is amended by rescinding Subsection 3.13(1) and replacing with ‘rescinded’~~

2.6 Part 3 is amended by inserting the following new section as Section 3.15 – Cistern Requirements:

“3.15 Cistern Requirements

- (1) A building permit for a lot outside a community water system shall not be issued for a new dwelling or secondary suite larger than 93 square metres (1001 square feet) unless a cistern (or combination of cisterns) for the storage of freshwater having a total capacity of at least 18,000 litres (4755 gallons) is located on the property.
- (2) A building permit for a lot outside a community water system shall not be issued for a new dwelling or secondary suite 93 square metres (1001 square feet) or smaller unless a cistern (or combination of cisterns) for the storage of freshwater having a total capacity of at least 13,340 litres (3000 gallons) is located on the property.”

- 2.7 Section 5.1 – Settlement Residential (SR) Zone, is amended by inserting the following new Subsection 5.1 (2.1) that reads:

“(2.1) One cottage is permitted on lots with an area of 0.4 hectares (1.0 acre) or greater, but less than 0.6 hectares (1.5 acres), provided the total combined floor area of the dwelling and cottage does not exceed 232 m² (2500 square feet)”;

and amending Subsection 5.1(3.1) by adding “2.1” between “Despite 5.1(2)” and “and (3)”

- 2.8 Section 5.2 – Rural Residential One (RR1) Zone, is amended by inserting the following new Subsection 5.2 (3.1) that reads:

“(3.1) One secondary suite is permitted per lot subject to section 3.13.”

- 2.9 Section 5.3 – Rural Residential Two (RR2) Zone, is amended by inserting the following new Subsection 5.3 (3.1) that reads:

“(3.1) One secondary suite is permitted per lot subject to section 3.13.”

- 2.10 Section 5.4 – Miners Bay Rural Comprehensive (MBRC) Zone, is amended by inserting the following new Subsections 5.4(3.1) and 5.4(3.2) that read:

“(3.1) One secondary suite is permitted per lot subject to section 3.13.

(3.2) Despite 5.4(2) and (3), on lots shown on Schedule E, the following density is permitted:

- (a) On lots having an area of 1.2 ha (3 acres) or greater, and not exceeding 5 hectares (12.355 acres), three dwellings and a cottage are permitted if the total combined floor area of all dwellings and cottages does not exceed 436 m² (4750 square feet).
- (b) A building permit shall not be issued for any dwelling additional to one dwelling and a cottage on a lot within the shaded area on Schedule “E”, unless the additional dwelling is equipped with a freshwater catchment system and cisterns for the storage of rainwater with a minimum cistern capacity of 13640 litres (3000 gallons) for each additional dwelling 93 square metres (1001 square feet) or smaller.

- (c) A building permit shall not be issued for any dwelling additional to one dwelling and a cottage on a lot within the shaded area on Schedule “E”, unless the additional dwelling is equipped with a freshwater catchment system and cisterns for the storage of rainwater with a minimum cistern capacity of at least 18,000 litres (4755 gallons) for each additional dwelling larger than 93 square metres (1001 square feet).
- (d) Despite subsection 3.9 (1), recreational vehicles and tiny homes on wheels are not permitted dwellings or cottages for the purposes of this subsection.
- (e) Only one dwelling unit may be used for bed and breakfast home occupation per lot.
- (f) No dwellings may be used for short term vacation rentals, and on lots 0.6 hectares (1.5 acres) or greater only one cottage may be used for short term vacation rental, consistent with Section 3.6.”

2.11 Section 5.6 – Upland (UP) Zone, is amended by inserting the following new Subsection 5.6 (3.1) that reads:

“(3.1) One secondary suite is permitted per lot subject to section 3.13.”

2.12 Article 5.10(1)(h) is amended by deleting “dwelling” and inserting “residential” and deleting “for the accommodation of the owner, operator, or employee of a permitted principal use” so that it reads:

“(h) Accessory residential unit”

2.13 Subsection 5.10(2) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(2) One principal building accommodating one principal use and one accessory residential unit per lot.”

2.14 Subsection 5.10(3) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(3) The maximum number of accessory buildings, other than an accessory residential unit, utility shed, or woodshed is 4.”

2.15 Subsection 5.10(6) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(6) The maximum height for any principal building or accessory residential unit is 9 metres (29.5 feet).”

2.16 Subsection 5.10(7) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(7) The maximum height for any accessory building or structure, other than an accessory residential unit, is 5 metres (16.4 feet).”

2.17 Subsection 5.10(13) is amended by inserting “one” and deleting “dwelling” and inserting “residential” to Site Specific Regulation (1) for Site-Specific Zone C3(a) so that it reads:

“(1) Despite 5.10(1) the only permitted uses at these locations are repair shops, machine shops, accessory retail sales, and one accessory residential unit.”

- 2.18 Article 5.11(1)(f) is amended by deleting “dwelling” and inserting “residential” and deleting “for the accommodation of the owner, operator, or employee of a permitted principal use” so that it reads:

“(f) Accessory residential unit”

- 2.19 Subsection 5.11(2) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(2) One principal building accommodating one principal use and one accessory residential unit per lot.”

- 2.20 Subsection 5.11(3) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(3) The maximum number of accessory buildings, other than an accessory residential unit, utility shed, or woodshed is 4.”

- 2.21 Subsection 5.11(7) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(7) The maximum height for any principal building or accessory residential unit is 9 metres (29.5 feet).”

- 2.22 Subsection 5.11(8) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(8) The maximum height for any accessory building or structure, other than an accessory residential unit, is 5 metres (16.4 feet).”

- 2.23 Article 5.13(1)(d) is amended by deleting “dwelling” and inserting “residential” and deleting “for the accommodation of the owner, operator, or employee of a permitted principal use” so that it reads:

“(d) Accessory residential unit”

- 2.24 Subsection 5.13(2) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(2) One principal building accommodating one principal use and one accessory residential unit per lot.”

- 2.25 Subsection 5.13(3) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(3) The maximum number of accessory buildings, other than an accessory residential unit, utility sheds, or woodsheds is 4.”

- 2.25 Article 5.13(6)(b) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(b) 5 metres (16.4 feet) from any interior side lot line, or 3 metres (9.8 feet) for an accessory dwelling residential unit.”

- 2.26 Subsection 5.13(8) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(8) The maximum height for any principal building or accessory residential unit is 9 metres (29.5 feet).”

2.27 Subsection 5.13(9) is amended by deleting “dwelling” and inserting “residential” so that it reads:

“(9) The maximum height for any accessory building or structure, other than an accessory residential unit, is 5 metres (16.4 feet).”

2.28 Subsection 5.13(16) is amended by deleting “and” and inserting “and one accessory residential unit” to Site Specific Regulation (1) for Site-Specific Zone I1(b) so that it reads:

“(1) Despite 5.13(1) the only permitted uses in this location are waste transfer stations, the maintenance, repair and storage of vehicles, equipment and materials used for the provision, maintenance or repair of utilities, accessory uses, buildings and structures, and one accessory residential unit.”

2.29 Subsection 5.14(1) is amended by inserting the following new article as Article 5.14(1)(f) “Accessory residential unit.”

2.30 Section 5.14 is amended by inserting the following new subsection as Subsection 5.14 (2.1) that reads:

“(2.1) One accessory residential unit per lot.”

2.31 Subsection 5.14 (4) is amended by inserting “or accessory residential unit” so that it reads:

“(4) The maximum height for any principal building or structure, or accessory residential unit, is 9 metres (29.5 feet).”

2.32 Subsection 5.14(7) is amended by inserting “and one accessory residential unit” to Site Specific Regulation (1) for Site-Specific Zone S1(a) so that it reads:

“(1) Despite 5.14(1), the only uses permitted in this location are clubs, halls and recreation facilities, and one accessory residential unit.”

2.33 Section 8.11 is amended by deleting Subsection 8.11(1) – 8.11(7) and inserting the following Subsections 8.11(1) – 8.11(13) so that it reads:

“(1) Where potable water is proposed to be supplied to lots in a subdivision by an established community water system, the applicant for subdivision must provide written confirmation from the community water system that it is able to supply potable water for the permitted principal use and density to each lot.

(2) Where potable water is proposed to be supplied to lots in a subdivision by creating a community water system, the applicant for subdivision must provide proof of all authorizations required under the *Drinking Water Protection Act*, the *Water Utility Act* or any other enactment pertaining to water supply systems.

(3) Where potable water is proposed to be supplied to lots in a subdivision from a stream, the applicant for subdivision must provide proof of authorization in the form of a water licence confirming that the total volume of water granted to the licence holder is able to supply potable water for domestic uses at the volume specified in Table 1 to each lot.

(4) Where potable water is proposed to be supplied to lots in a subdivision by drilled wells the applicant for subdivision must provide written certification under seal of a hydrogeologist that:

- (a) each well has been constructed in accordance with the Groundwater Protection Regulation;
- (b) each well has been constructed in accordance with Subsections 8.11(6), 8.11(7) and 8.11(8);
- (c) each well has sufficient available groundwater to provide the daily required volume of potable water for the permitted domestic uses on each lot in accordance with Table 1;
- (d) each well for which a water licence has not been issued has sufficient available groundwater volume for all permitted non-domestic, non-agricultural, non-park, non-conservation area principal uses for each lot at the permitted density of use; and
- (e) includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.

TABLE 1 DOMESTIC POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day)
<i>Per lot (including one dwelling)</i>	2000
<i>Each additional permitted dwelling and cottage per lot</i>	2000

(5) Where the potable water is proposed to be supplied to lots in a subdivision by drilled wells, for any well where a water licence has not been issued the applicant for subdivision must also provide written certification under seal of a hydrogeologist:

- (a) results of a water quality analysis, completed by an accredited laboratory;
- (b) plan of the proposed subdivision indicating the location where each water sample was taken;
- (c) a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan;
- (d) confirmation, based on the accredited laboratory water quality analysis, that each proposed water supply source is potable, or can be made potable, with a treatment system; and
- (e) confirmation, based on the accredited laboratory water quality analysis of chloride concentrations, that each drilled well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with the Province of British Columbia guidance documents.

(6) Where a water license has not been issued and where potable water is proposed to be supplied to lots in a subdivision by a drilled well, a pumping test shall be carried out on each well in a proposed subdivision by:

- (a) pumping groundwater, at a constant rate, for a minimum period of 12 hours; and
- (b) withdrawing the total daily required volume specified in Subsection 8.11(4) over a maximum period of 24 hours; and
- (c) monitoring groundwater levels continuously during the pumping test and during the recovery period.

- (7) Where potable water is to be supplied by a drilled well a sounding tube or wellhead port must be installed to enable the insertion of water level monitoring equipment.
- (8) Drilled wells used for the purposes of subdivision must not be located within 50 metres of the natural boundary of the sea.
- (9) If the daily required volume of potable water cannot be supplied in accordance with Subsection 8.11(1) or if the certification in Articles 8.11(4)(c) and 8.11(4)(d) cannot be made, the Approving Officer may nonetheless approve the subdivision provided that the applicant grants a s.219 covenant to the Mayne Island Local Trust Committee and the Capital Regional District that restricts the development of the subdivision to the uses or density of the uses for which a certification has been made under Subsections 8.11(1) or 8.11(4).
- (10) Where the certification under Article 8.11(5)(d) states that a water supply is not potable but can be made potable with a treatment system, the Approving Officer may approve subdivision provided that the applicant grants a s. 219 covenant under the *Land Title Act* to the Mayne Island Local Trust Committee and the Capital Regional District that requires on-going treatment of the water to potable water standards recommended by a hydrogeologist.
- (11) For the purposes of subdivision, drilled wells impacted by seawater intrusion or whose operation is likely to cause seawater intrusion are not permitted sources of potable water.
- (12) For the purposes of subdivision, alternative potable water supplies including, but not limited to, shallow dug wells, rainwater catchment and desalination are not permitted sources of potable water.
- (13) The requirements of Subsections 8.11(1) through 8.11(8) do not apply where the proposed subdivision is a boundary adjustment that does not result in an increase in the number of lots or permitted dwelling units, provided that all lots in the subdivision are currently serviced by existing wells, community water system connection or water licence."

[2.34 Schedule E is updated to expand flexible housing zoning](#)

~~[2.34 Schedule D is rescinded.](#)~~

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.

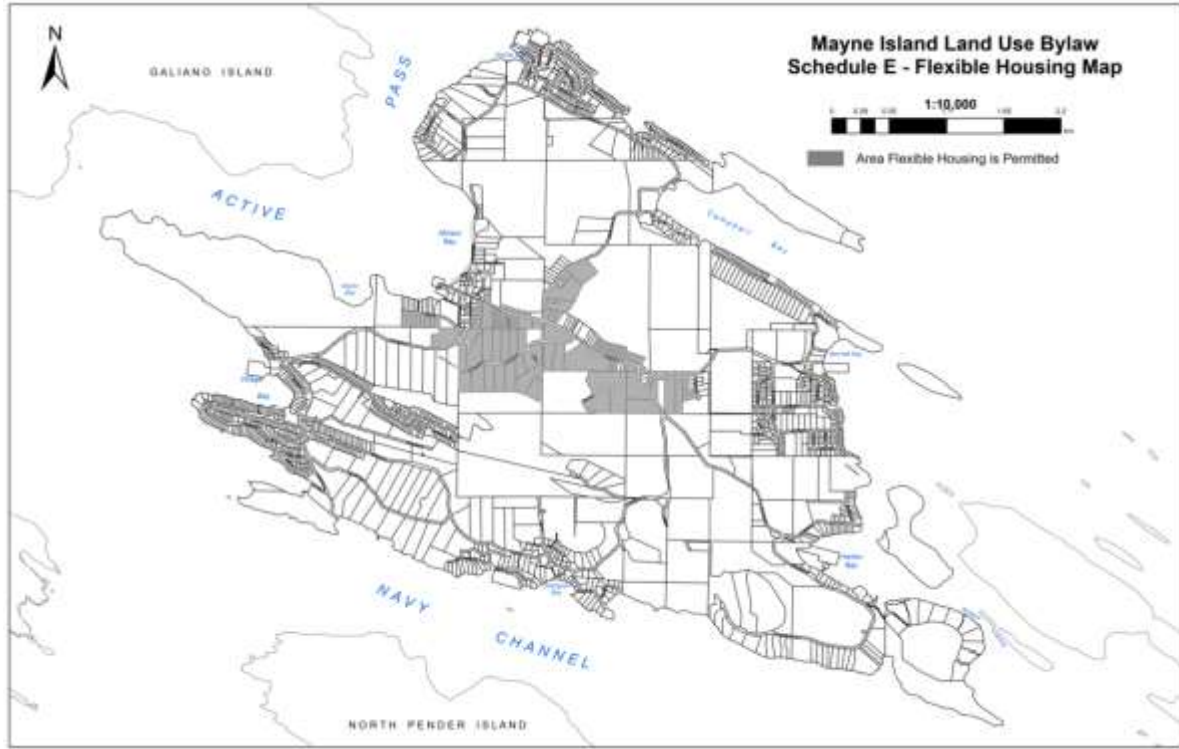
READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 197

Schedule E (Flexible Housing Areas Map)





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: MA-BL-194

The following symbols in the table indicate:

- ✓ the bylaw is consistent with the policy from the Policy Statement, or
- ✗ **the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or**
- N/A the policy is not applicable.

Explanatory notes are added in bold and italics text

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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.
✓	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation

	4.4	Freshwater Resources
✓	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.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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.

	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities

N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address 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
POLICY STATEMENT COMPLIANCE		
✓	COMPLIANCE WITH TRUST POLICY	
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:	