

MEETING DATE: January 26, 2026
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Bruce Belcher (Planner 2), Robert Kojima (RPM)
SUBJECT: Mayne Island Housing Options Project (Phase 2) – Proposed Bylaws No. 196 and 197
-Post Public Hearing

RECOMMENDATION

1. That the Mayne Island Local Trust Committee bylaw No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2025” be amended to update population projections, build out numbers and add section on housing needs as detailed in the attached draft bylaw.
2. That the Mayne Island Local Trust Committee bylaw No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2025” be read for the second time, as amended.
3. That the Mayne Island Local Trust Committee bylaw No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2025” be read for the third time.
4. That the Mayne Island Local Trust Committee bylaw No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2025” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
5. That the Mayne Island Local Trust Committee bylaw No.196 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No.1, 2025” be forwarded to the Ministry of Municipal Affairs for approval.
6. 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 amended to address inconsistency related to cistern size as shown in the attached draft bylaw.
7. 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 second time as amended.
8. 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 third time.
9. 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 forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

This report, to be presented following Public Hearing, provides and brief overview of bylaws No. 196 and 197 and recommends amendments that do not alter use or density as well as the consideration of second and third reading.

BACKGROUND

Housing Options Project, Phase 2 was initiated in 2023. It has involved the development of the Mayne Island Housing Action Plan, staff analysis of environmental and demographic conditions, and community meetings and informal public engagement contributing to the development of the housing related amendments to the OCP and LUB proposed in Bylaws No. 196 and 197. The amendments include:

- Updated population projections
- Updated definitions
- Increased flexibility for residential use in commercial areas
- Permission of accessory dwelling units on lots 0.4 ha -0.6ha
- Expansion of flexible housing zoning (permitting multiple units within a max floor area)
- Expanding permission for accessory residential use
- Policy related to permitting small unit cluster housing through rezoning
- TUP guidelines for tiny homes on wheels
- Permitting non-profit housing in most OCP designations
- Permitting a reduction in minimum parcel size to facilitate land for donation to government, not for profit organizations and First Nations
- Requiring freshwater cisterns for new builds
- Updated potable water requirements for subdivision
- Prohibiting groundwater fed swimming pools
- Establishment of floor area maximums
- Permitting RVs as temporary dwellings through Temporary Use Permit

At the September 29, 2025 meeting Bylaws No.196 and 197 were read for the first time, the LTC reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaws 197 and 196 were not contrary to or at variance with the Islands Trust Policy Statement. Staff was requested to schedule a community information meeting and public hearing.

Recommended Amendments to the Bylaws:

Staff have proposed amendments to Bylaw No. 196 (OCP) and Bylaw 197 (LUB) that do not alter use or density. These changes, identified in track changes in the bylaws (Attachment 1&2), are as follows:

Bylaw No. 196 (OCP) amendment – Updates have been made related to populations projection and build out numbers. Reference to the Islands Trust Housing Needs Assessment, as required by provincial legislation, has also been included.

Bylaw No. 197 (LUB) amendment – Updates to the numbers related to the size of cisterns, as identified in gallons, have been made to reflect consistency with the use of imperial gallons in the rest of the Land Use Bylaw.

POST PUBLIC HEARING PROCESS

Following the close of the public hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

ALTERNATIVES

1. Further Amend the bylaw

Post public hearing the LTC can make further amendments to the bylaws that do not alter the use, density or decrease density without owner consent. If the LTC would like to make changes that alter use or density or decrease density without owner consent, the LTC will need to hold a new public hearing.

2. Do not proceed with the bylaw

The LTC can choose not to proceed with the bylaw at this time.

NEXT STEPS

If the recommendations are supported:

- Bylaws will be referred 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

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| Submitted By: | Narissa Chadwick, RPP MCIP, Island Planner | January 14, 2026 |
| Concurrence: | Robert Kojima, Regional Planning Manager | January 14, 2026 |

ATTACHMENTS

1. Bylaw 196 (OCP)
2. Bylaw 197 (LUB)

PROPOSED

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.

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|--|------------------|--------|-----------|--------|
| READ A FIRST TIME THIS | 29 TH | DAY OF | SEPTEMBER | 2025. |
| 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, Build Out and Housing Needs”.
2. Section 1.1.3 is amended by removing paragraphs 2, 3, and 4 and replacing with the following:

“Population Projections

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

Population change over the past two decades has been uneven. The population increased by 27% between 2001 and 2006, declined by 4% between 2006 and 2011, and declined further by 11% between 2011 and 2016. This was followed by a significant 37% increase between 2016 and 2021, likely influenced by COVID-19–related migration.

Population projections for 2030 and 2045 were developed using four methods: linear regression, logarithmic regression, regional step-down, and constant growth rate, all based on census data from 2001 onward. The linear and logarithmic regression methods project a population of approximately 1,320 in 2030 (about 1% growth from 2021) and approximately 1,525 in 2045 (about 17% growth), representing an annual growth rate of roughly 0.65%.

The regional step-down method, which applies Mayne Island’s share (21%) of Southern Gulf Islands electoral area growth, projects a population of approximately 1,315 in 2030 and 1,500 in 2045, equating to a 15% increase from 2021 and an annual growth rate of approximately 0.58%.

The constant growth rate method, based on the average annual growth rate from 2001 to 2021 (approximately 1.98%), projects a population of approximately 1,550 in 2030 and 2,075 in 2045. However, this method is considered an outlier, as it is heavily influenced by the unusually large population increase between 2016 and 2021, which is unlikely to be sustained. The linear and logarithmic projections are therefore considered more realistic for long-term planning.

Build Out

As of January 2026, there were approximately 1,529 lots that permit residential use, of which about 1,285 were developed. Most vacant lots (approximately 200) are located within Settlement Residential zones. Estimated future subdivision potential across residentially zoned lands (including Rural, Agricultural, and Upland zones) could add approximately 164 additional

lots to support market housing, for a total potential of about 1,693 residential lots. Based on the current average household size of 1.8 persons, full-time occupation of all residential lots would result in a population of approximately 3,050 people.

Housing Needs

The BC Provincial Government requires all local governments in BC to consider its most recent Housing Needs Report and housing information when amending OCPs. Based on the Islands Trust Housing Needs Assessment prepared by Urbanics Consultants Ltd in 2025, the projected housing need in the next 5 years is 110 units and in the next 20 years is 330. This calculation is based on portion of growth projections for the Capital Regional District. Given challenges with this data as well as groundwater limitations and focus on preserving and protecting the environment on the Island, the provision of housing should focus on the type of housing that is needed most.

A limited rental supply, rising property costs, and a growing proportion of residents on fixed or lower incomes has contributed to housing insecurity. The portion of households experiencing core housing need (70 as indicated Statistics Canada 2021 census report), and projected population growth, combined with demographic aging, points to increasing demand for more diverse, accessible, and affordable non market housing options. Market conditions and affordability challenges limit the ability of existing housing supply to meet community needs.

Essential services further shape land use planning decisions. Gabriola relies primarily on groundwater for water supply, which is sensitive to seasonal variation and drought conditions.”

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”
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”
 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 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
- g) the development would not be located in areas containing sensitive ecosystems or of cultural or archaeological significance
- h) 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.”

PROPOSED

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 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 (4755-3959 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 13,6340 litres (3000 gallons) is located on the property.”

- 2.6 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)”

- 2.7 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.”

- 2.8 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.”

- 2.9 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.”
- 2.10 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.”
- 2.11 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”
- 2.12 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.”
- 2.13 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.”
- 2.14 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).”
- 2.15 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).”
- 2.16 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.”
- 2.17 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”
- 2.18 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.”
- 2.19 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.”

- 2.20 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).”
- 2.21 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).”
- 2.22 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”
- 2.23 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.”
- 2.24 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.

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 | 29 TH | DAY OF | SEPTEMBER | 2025. |
| 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)

