

DRAFT

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 193

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, 2023”.

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:

“Animal Shelter” means a facility operated by a not-for-profit organization devoted to the welfare, protection and human treatment of stray, abandoned, abused and owner surrendered domestic and companion animals.

2.2 Section 1.1 – Definitions is amended by inserting:

“Livestock” means grazing animals kept either in open fields or structures for training, boarding, home use, sales, or breeding and production, including but not limited to: cattle, horses, goats, sheep, hogs, llamas, and alpacas.

2.3 Section 1.1 – Definitions is amended by deleting the definition for “Personal watercraft” in its entirety.

2.4 Section 1.1 – Definitions is amended by deleting the definition of “contractor yard” and replacing it with ““contractor yard” means the use of land, buildings, or structures for the storage of materials, equipment, or vehicles for a building, construction, landscaping business, or other trades and services.”

2.5 Section 3.1 – Permitted in All Zones, Subsection 3.1 is amended by adding “(9) the raising of poultry excluding roosters”.

2.6 Section 3.2 – Prohibited in All Zones, Subsection 3.2(1) is amended by deleting “cattle, sheep, goats, pigs, donkeys, llamas, ostriches, emus” and replacing it with “livestock”

2.7 Section 3.2 – Prohibited in All Zones, Subsection 3.2(3) is deleted in its entirety and the following subsections re-numbered.

- 2.8 Section 3.3 – Siting and Setback Regulations, Subsection 3.3(3) is amended by adding “and for the purposes of this subsection paved parking areas or similar surfacing, concrete and asphalt paving, or similar surfacing of the land are “structures” after “(e) stairs or walkways required to access the foreshore or a permitted dock”.
- 2.9 Section 3.3 – Siting and Setback Regulations, Subsection 3.3(2) is amended by adding “structures used exclusively for storing fire wood, that are open on at least one side and do not exceed 108ft²/10m² in area” after “height,” and before “or utility shed”.
- 2.10 Section 3.3 – Siting and Setback Regulation, Subsection 3.3(3) is amended by adding “(f) wooden patios up to 30m² (323ft²) in area”.
- 2.11 Section 3.3 – Siting and Setback Regulation, Subsection (4) is amended by adding “(f) wooden patios up to 20m² (215ft²) in area”.
- 2.12 Section 3.3 – Siting and Setback Regulations, article 3.3(6)(a) is amended by deleting “area less than 3 metres in width” and replacing it with “of 3.0 metres or less.”
- 2.13 Section 3.6 Home Occupation Regulations, Subsection 3.6(1) is amended by adding “(l) contractor yards”.
- 2.14 Section 3.6 Home Occupation Regulations, Subsection 3.6(3) is amended by adding “or contractor yard” after “agricultural” and before “use”.
- 2.15 Section 3.6 Home Occupation Regulations, Subsection 3.6(5) is amended by adding “On properties with home occupations other than contractor yards” before “There may be no”.
- 2.16 Section 3.6 Home Occupation Regulations is amended by adding “(13) The following additional regulations apply to contractor yards as a home occupation:
- (a) No vehicles, equipment or materials may be stored within a setback area;
 - (b) Vehicles, equipment and material storage must be screened from residential uses on adjoining lots by a landscape screen not less than 1.5m in height and complying with the provisions of Section 3.8;
 - (c) The area used for the storage of vehicles, equipment, and materials, in combination with all other buildings and structures, may not exceed the maximum permitted lot coverage;
 - (d) The total exterior area used for the storage of vehicles, equipment, and materials may not exceed 32.5m² (350ft²) on lots of less than 2 hectares (5 acres);
 - (e) The storage of a maximum of one contractor vehicle is permitted on lots smaller than 0.5ha (1 acre); and
 - (f) Contractor vehicles and equipment may only be operated on the property from 8:00am to 8:00pm Monday to Saturday.”

- 2.17 Section 3.14 – Derelict Vehicles, is amended by inserting, “Boats and Trailers” in the section title.
- 2.18 Section 3.14 – Derelict Vehicles, Subsection 3.14(1) is amended by inserting after “one” “of the following: trailer, boat, or” before “unlicensed motor vehicle” and replacing “the vehicles” with “they”.
- 2.19 Section 3.14 – Derelict Vehicles, Subsection 3.14(2) is amended by inserting, “boats” after “trailers” and before “or”.
- 2.20 Section 3.14 Derelict Vehicles, Subsection 3.14(3) is amended by inserting, “boat or trailer” after “motor vehicle,” and before “parts or scrap”.
- 2.21 Section 5.5 Rural (R) Zone, Subsection 5.5(14) Site-Specific Zone R(c) is amended by deleting “Lot 1, Section 8, Mayne Island Cowichan District, Plan VIP70074 and” and “500 and.”
- 2.22 Section 5.5 Rural (R) Zone, Subsection 5.5(14) is amended by inserting two new rows in the table as follows:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
R (h)	<p>Lot 1, Section 8, Mayne Island, Cowichan District, Plan VIP70074</p> <p>500 Felix Jack Road</p>	<p>(1) In addition to the uses permitted in 5.5(1) above, community water storage and distribution facilities, and a veterinarian clinic and animal shelter accessory to the veterinarian clinic are permitted in this location, subject to:</p> <p>(a) The maximum floor area of indoor animal shelter space is 47m² (500ft²)</p> <p>(b) Outdoor animal shelter space fully enclosed by fencing.</p> <p>(c) The maximum number of animals housed by the animal shelter is 30.</p>
R (i)	<p>Lot 1, Section 11, Mayne Island, Cowichan District, Plan 39587</p> <p>327 Campbell Bay Road</p>	<p>(1) In addition to the uses permitted in 5.5(1) above, a music festival is permitted in this location, subject to:</p> <p>(a) Camping and occupancy of recreational vehicles is restricted to the area designated as ‘Camping Area’ on Schedule 5.5(a).</p> <p>(b) The owner must provide on-site parking for a minimum of two hundred (200) vehicles on the property in the areas designated as ‘Day Parking’ and ‘Overnight Parking’ on Schedule 5.5(a).</p>

2.23 Section 5.5 Rural (R) Zone, Subsection 5.5(14) is amended by inserting Plan 1, attached to and forming part of this bylaw, as ‘Schedule 5.5(a)’ following the table.

2.24 Section 5.14 Community Service (S1) Zone is amended by inserting four new rows into the table as follows:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
S1 (b)	Lot 6, Section 8 and 11, Mayne Island, Cowichan District, Plan 8200	(1) In addition to the uses permitted in 5.14(1) above, one accessory dwelling unit for the accommodation of school staff is permitted as a principal use
S1 (c)	Lot 19, Section 12, Mayne Island, Cowichan District, Plan 23126 437 Fernhill Road	(1) In addition to the uses permitted in 5.14(1) above, a thrift store, archive, museum storage, and fall fair activities are permitted in this location. (2) Despite 5.14 (3), front, rear, exterior and interior side lot line setbacks are 0 metres (0 feet)
S1(d)	Lot 9, Section 12, Mayne Island Cowichan District, Plan 3138	(1) Despite 5.14 (3), front, rear, exterior and interior side lot line setbacks are 0 metres (0 feet)
S1 (e)	Lot 16, Section 12, Mayne Island, Cowichan District, Plan 715 430 Fernhill Road	(1) Despite 5.14 (3), front, rear, exterior and interior side lot line setback are 0 metres (0 feet)

2.25 Section 5.19 Resource Conservation (RC) Zone, Subsection (1)(b) is amended by adding “one” after “and” and before “utility” and removing the “s” from “shed”.

2.26 Section 5.19 Resource Conservation (RC) Zone, Subsection 5.19 (2) is amended by removing “Density (2) The maximum lot coverage is 5%”.

2.27 Section 4.1 (1) Senior Citizens Housing Comprehensive Development One (CD1) Zone, is amended by deleting “Senior Citizens Housing” and inserting “Housing” after “Comprehensive Development One”.

2.28 Section 5.25 Senior Citizens Housing Comprehensive Development One (CD1) Zone, is amended by deleting “Senior Citizens Housing” and inserting “Housing” after “Comprehensive Development One” in the section title.

2.29 Section 5.25 Senior Citizens Housing Comprehensive Development One (CD1) Zone is amended by replacing “The purpose of Senior Citizens Comprehensive Development One Zone is to provide for and regulate the development of housing for senior citizens in one

location in a comprehensive manner” with “The purpose of the Housing Comprehensive Development One Housing Zone is to provide for, and regulate, the development of multiple units of attached and detached housing, including housing for seniors and affordable housing, in a concentrated area”.

- 2.30 Section 5.25 Senior Citizens Housing Comprehensive Development One (CD1) Zone, Subsection 5.25(1)(a) is amended by replacing “Senior citizen residential use” with “residential use”.
- 2.31 Section 5.25 Senior Citizens Housing Comprehensive Development One (CD1) Zone, Subsection 5.25(2) is amended by replacing “A maximum of eight duplexes, containing two dwellings each to “16 dwelling units”.
- 2.32 Section 5.26 Comprehensive Development Two (CD2) Zone, is amended by deleting subsection 5.26(17), subsection 5.26(18), and removing “Schedule 5.26 (a) CD2 zone”.
- 2.33 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 1, Section 8, Mayne Island, Cowichan District, Plan VIP70074 from “R” to “R(h)”.
- 2.34 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 1, Section 11, Mayne Island, Cowichan District, Plan 39587 from “R” to “R(i)”.
- 2.35 Schedule “B” – Zoning Map, is amended by changing the zoning of Lot 6, Section 8 and 11, Mayne Island, Cowichan District, Plan 8200 from “S1” to “S1 (b)”.
- 2.36 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 19, Section 12, Mayne Island, Cowichan District, Plan 23126 from “S1” to “S1(c)”.
- 2.37 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 9, Section 12, Mayne Island Cowichan District, Plan 3138 from “S1” to “S1(d)”.
- 2.38 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 16, Section 12, Mayne Island, Cowichan District, Plan 715 from “S1” to “S1 (e)”.

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____

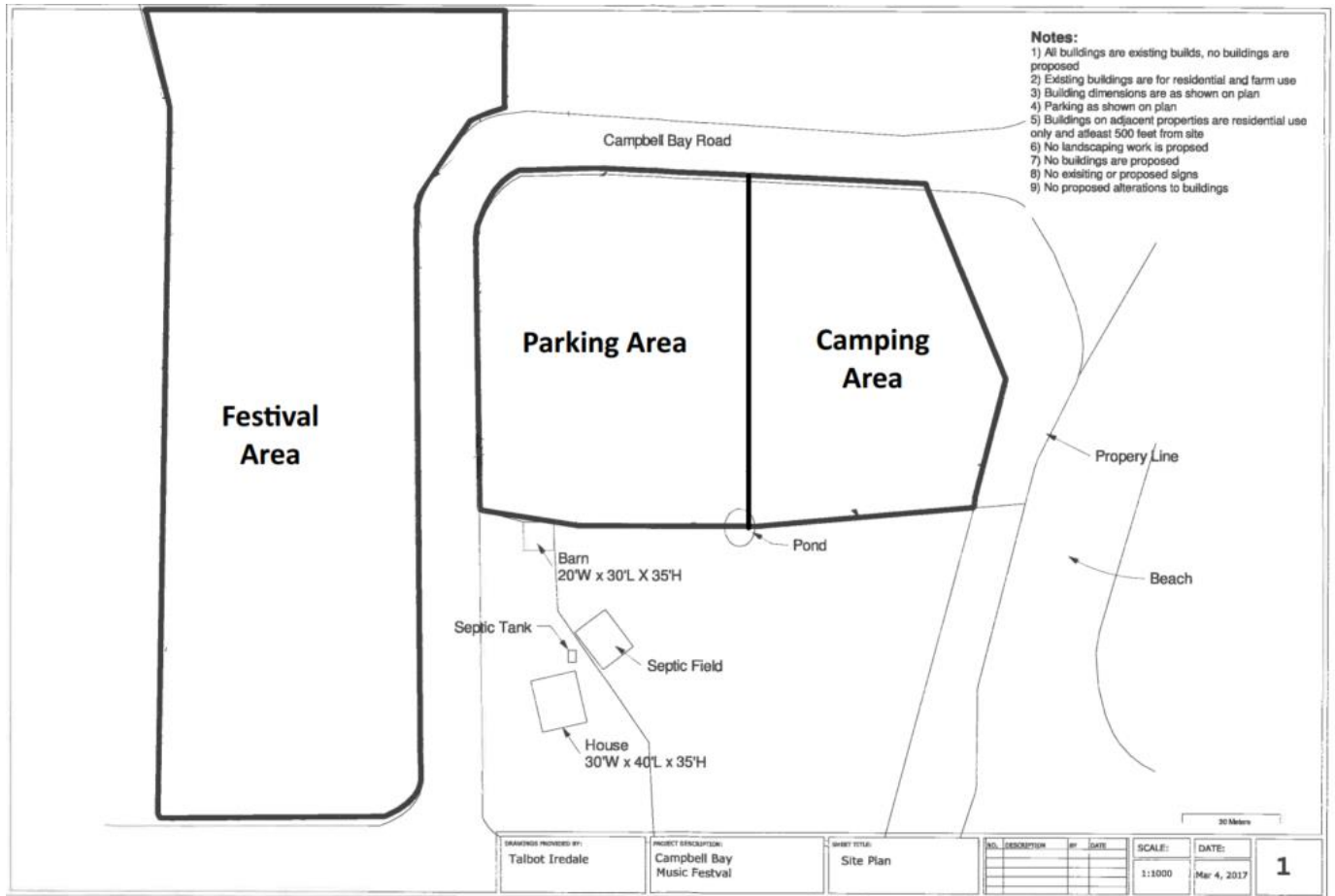
ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

Mayne Island Local Trust Committee
Bylaw No. 193

Plan 1



- Notes:**
- 1) All buildings are existing builds, no buildings are proposed
 - 2) Existing buildings are for residential and farm use
 - 3) Building dimensions are as shown on plan
 - 4) Parking as shown on plan
 - 5) Buildings on adjacent properties are residential use only and atleast 500 feet from site
 - 6) No landscaping work is proposed
 - 7) No buildings are proposed
 - 8) No existing or proposed signs
 - 9) No proposed alterations to buildings

DESIGNED PROVIDED BY: Talbot Iredale	PROJECT DESCRIPTION: Campbell Bay Music Festival	SHEET TITLE: Site Plan	NO.	DESCRIPTION	DATE	SCALE: 1:1000	DATE: Mar 4, 2017	1
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