MAYNE ISLAND

LAND USE BYLAW No. 146, 2008

AS AMENDED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW(S):
148, 154, 157, 158, 160, 162, 166, 169, 170, 172, 175, 178, 180, 183, 184, 187, 193, 195, and 200

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Land Use Bylaw are available from the
Islands Trust Office, 200 - 1627 Fort St., Victoria, B.C. V8R 1H8

Consolidated on July, 2026

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Table of Amendments		
Bylaw No.	**Date of Adoption**	**Date of Bylaw Consolidation**
148	November 2, 2009	November 10, 2009
154	July 4 2011	July 7, 2011
157	July 25 2012	July 26 2012
158	July 31, 2013	November 5, 2013
160	January 26, 2015	December 3, 2015
162	November 30, 2015	December 3, 2015
166	November 28, 2016	December 1, 2016
169	November 28, 2016	December 1, 2016
170	November 28, 2016	December 1, 2016
172	April 30, 2018	June 14, 2018
175	September 30, 2019	October 10, 2019
178	June 21, 2021	July 20, 2021
180	February 22, 2021	March 8, 2021
183	June 26, 2023	September 1, 2023
184	November 14, 2022	December 13, 2022
187	October 24, 2022	December 13, 2022
193	July 29, 2024	August 23, 2024
195	February, 23, 2026	March 20, 2026
200	June 29, 2026	July 14, 2026

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ADOPTED

MAYNE ISLAND LOCAL TRUST COMMITEE
LAND USE BYLAW No. 146, 2008

A Bylaw to establish regulations and requirements respecting the use of land, including the surface of water, the use, siting and size of buildings and structures, the provision of parking, landscaping and screening and the subdivision of land within the Mayne Island Local Trust Area.

WHEREAS the Mayne Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Mayne Island Local Trust Area, pursuant to the *Islands Trust Act*;

AND WHEREAS the Mayne Island Local Trust Committee wishes to adopt a Land Use bylaw and other development regulations and to show by map the boundaries of the zones;

AND WHEREAS the Mayne Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. This Bylaw may be cited for all purposes as the "Mayne Island Land Use Bylaw No. 146, 2008."

2. The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Land Use Bylaw for that part of the Mayne Island Local Trust Area as shown on Schedule C:

   (1) Schedule A (Land Use Bylaw Text)

   (2) Schedule B (Zoning Map)

   (3) Schedule C (Bylaw Area Map)

3. 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.

4. Bylaw No. 94 cited as "Mayne Island Land Use Bylaw, 1996" and all of its amendments are repealed.

ADOPTED

READ A FIRST TIME this	22nd	day of	October	, 2008
PUBLIC HEARING HELD this	9th	day of	November	, 2008
READ A SECOND TIME this	2nd	day of	February	, 2009
READ A THIRD TIME this	2nd	day of	February	, 2009
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this	24th	day of	February	, 2009
ADOPTED this	16th	day of	April	, 2009

Kathy Jones

SECRETARY

Gary Steeves

CHAIRPERSON

SCHEDULE A

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PART 1 INTERPRETATION

1.1 Definitions

"Accessory" in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure, expressly permitted by this bylaw on the same lot or, where the accessory use is located on the common property in bare land strata plan, on a strata lot in the same strata plan.

“Accessory dwelling unit” means a dwelling unit the use of which is limited to accommodation of an owner, operator, or employee of a permitted principal use on the same lot or premises.

BL 162 "Agriculture” means the use of land for the growing, rearing, harvesting, or production of plants, crops, livestock and other farm animals.

BL 193 “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.

“Apartment residential” means the use of one or more dwelling units located within a portion of a principal building containing another use or uses, and located above the ground floor of the principal building.

"Approving Officer" means the Approving Officer for Mayne Island appointed pursuant to the *Land Title Act*.

"Bed and breakfast" means a home occupation comprising the provision of sleeping accommodation and a morning meal to paying guests.

"Berth" means a space at a marina, wharf or dock for the wharfage of a boat.

"Building" means a structure used or intended to be used for supporting or sheltering any use or occupancy.

“Church” means a building or structure used principally for religious worship, which does not provide for overnight accommodation or residential use, and which may include accessory uses such as halls.

"Club" means an association of persons united by a common interest, meeting periodically for co-operation or conviviality or, where the context requires, premises in which such meetings occur.

BL 193 "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.

“Community service" means schools, churches, medical dispensaries and emergency facilities, post offices, libraries, museums, child care, fire halls, police stations, not-for–profit sales, government offices, community halls and cemeteries but does not include any use or facility operated on a commercial basis for profit.

BL 180 “Community Wharf” means boat mooring facilities which are operated and administered by a regional district and its bodies, are used for the provision of small craft moorage spaces for area residents and emergency services, and for which user fees may be charged.

"Cottage" means an accessory building with a limited floor area that is used as a dwelling unit.

"Dock" means a marine-based structure, or set of structures, generally consisting of a pier, ramp, float, and supporting structures, which is used for the non-commercial wharfage of vessels in association with the permitted use of the adjacent upland.

BL 160, 183 "Dwelling unit" means a detached building, or a portion of a building in the case of a secondary suite, multi-family housing, apartment residential use or employee housing, used as a residence for a single household and containing eating, sleeping and living facilities and a single set of facilities for food preparation.

"Employee Housing" means the use of a dwelling unit, either in a separate building or within a portion of a building, for occupation solely by an employee of a principal use on the same lot or premises, or by an individual related by blood, adoption, common-law marriage, foster parenthood to such an employee, or cohabiting with such an employee in a spousal relationship.

"Engineer" means a member of the Association of Professional Engineers and Geoscientists of British Columbia.

"Farm Use" means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act.*

"Fence" means a structure used as a barrier to separate, prevent escape or intrusion or mark a boundary and may include a gate, screen or freestanding wall, but does not include a retaining wall or seawall.

"Ferry Terminal" means the use of land or water for marine ferry operations, including slips and marine structures, the embarkation/disembarkation of passengers and vehicles, terminal buildings, storage, vehicular queuing areas approaching the ferry slips, accessory vehicle storage, and accessory commercial services.

"Float" means a floating non-roofed structure that is used as a landing or wharfage place for watercraft and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea floor.

BL 148 "Floor area" means the total area of all storeys of a building measured to the outer surface of the exterior walls, exclusive of the floor area occupied by any cistern used for the collection of rainwater for domestic use or fire protection and for this purpose all areas of a building having a floor and ceiling at least 1.5 metres (5 feet) apart constitute a storey.

"Floor area ratio" means the figure obtained by dividing the floor area of all buildings on a lot by the lot area, or in the instance of split-zoned lot, by dividing the floor area of all buildings within a zone by the respective zoned area.

"Frontage" means the length of that lot boundary which abuts a highway or access route in a bare land strata plan.

"Guest House" means a building containing tourist accommodation units and which may contain other permitted accessory uses.

BL 180 "Hall" means a public assembly building used for recreational, social, charitable, educational, entertainment, and cultural activities, open to the public, and owned or operated by a non-profit group or local government for the benefit of the community generally.

"Height" means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the elevations at the midpoints of all the exterior walls.

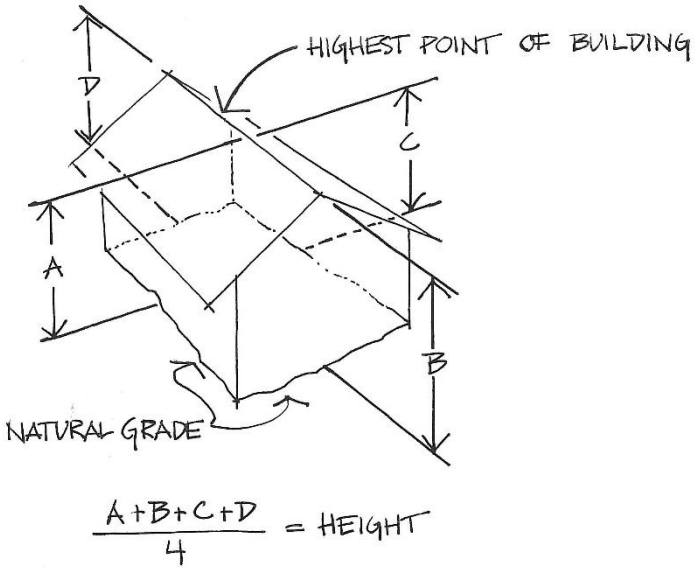


Figure 1-1 Illustration of calculation of height

"Highway" means the surveyed right of way for a street, road, lane or other way open to public use but does not include a private right of way on private property.

"Home occupation" means an accessory commercial use conducted on residential premises.

BL 162 “Horticulture” means the use of land for the rearing of plants.

"Industrial use" means the use of land for processing, fabricating, assembling, storing, distributing, servicing or repairing of goods or materials.

“Landscape screen" means a visual barrier consisting of natural vegetation, trees, shrubs, fencing or a combination of those elements, broken only by necessary access ways for pedestrians and vehicles and serving to screen land uses from abutting land and highways.

“Licensed premise” means the use of a building for the serving of alcoholic beverages and food, and with a liquor-primary license.

BL 193 “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.

BL 162 "Lot" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Strata Property Act*.

"Lot coverage" means the total area of those portions of a lot that are covered by buildings or structures divided by the area of the lot, exclusive of the floor area occupied by any cistern used for the collection of rainwater for domestic use or fire protection, and for this purpose the area of a lot that is covered by a roofed building or structure is measured to the drip line of the roof.

"Lot line" means the boundary of a lot, and

"front lot line" means the lot line that is common to the lot and an abutting highway or access route in a bare land strata plan, and where there are two or more such lot lines the shortest is deemed the front lot line;

"rear lot line" means the lot line that is opposite the front lot line in the case of a lot having four sides, and where the rear portion of a lot is bounded by intersecting side lot lines the point of intersection is deemed the rear lot line;

"exterior side lot line" means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan; and

"interior side lot line" means a lot line that is not a front, rear or exterior side lot line.

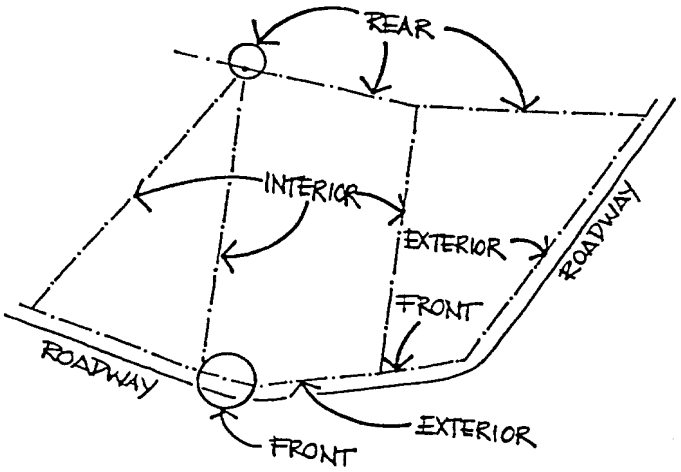


Figure 1-2 Illustration of lot lines

"Marina" means the use of a water area for the temporary storage of boats and includes the installation of floats, wharves, piers, ramps and walkways and the provision of wharfage services to the boating public.

BL 162 "Mobile Home" means a dwelling designed, constructed, or manufactured to be moved from one place to another by being towed or carried and meets a minimum CSA-Z240 standard.

BL 162
BL 148 "Moorage" means the tying or securing of a vessel to a fixed structure or mooring buoy.

BL 183 "Multi-family rental housing" means residential use of attached dwelling units that are limited to residential rental tenure.

BL 162 "Natural boundary" means the visible high water mark of the sea, a lake, a stream or other body of water, where the presence and action of water are so common and usual and so long continued in all ordinary years as to mark upon the soil or rock of the bed of the body of water a character distinct from that of the bank, in vegetation, as well as in the nature of the soil itself.

“Park” means a publicly owned lot which is used or intended to be used for the recreation and enjoyment of the public and may be developed with recreational facilities or may be retained in its natural state.

BL 180 “Park, passive recreation” means a park which is retained in its natural state other than for walking and hiking trails and signage and no other uses including driveways and parking lots.

BL 187 “Patio” means a horizontal developed area constructed directly on the ground, which can be attached or detached from a building. A patio may not exceed a maximum height of 45 cm above natural grade and may not have walls, railings or a roof.

"Personal service" means a commercial use of a building in which services are provided to the body or the clothing of a person, but does not include laundromats and dry cleaners.

“Potable water” means water which is safe to drink and fit for domestic purposes.

"Principal" in relation to a use, building or structure means the main or primary use, building or structure, as the case may be, conducted or constructed on a lot.

“Recreational Facilities” means land, buildings, or structures used for leisure activities performed either singly or collectively, through forms of play, sports, amusement, entertainment, or relaxation, but does not include golf courses or driving ranges.

BL 184 "Recreational vehicle" means a tent trailer, travel trailer, motor home or other self-propelled vehicle containing sleeping, cooking and sanitary facilities, including a tiny home on wheels that meets the Canadian Standards Association Standard for Recreational Vehicles, but does not include a mobile home or, manufactured home.

BL 183 *“*Residential rental tenure” means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit.

"Residential use" means the occupancy or use of a dwelling unit for the domicile or home life of a person or persons, or the occasional or seasonal occupancy of a dwelling unit by an owner who has a permanent domicile elsewhere or by non-paying guests of such an owner; and for certainty, residential use does not include tourist accommodation use, commercial vacation rental, or any occupancy of a dwelling unit by persons entitled to such an occupancy under a time share plan as defined in the *Real Estate Act* or successor legislation. For the purpose of this definition, owner includes a tenant under a residential tenancy agreement.

"Restaurant" means the use of a building for the serving of meals and alcoholic beverages, and with a food-primary license.

“Retail sales” means the selling of goods or merchandise to the general public for personal or household consumption.

BL 180 “School” means a public or private educational institution that does not include residential accommodation or dormitories.

"Senior citizen residential use" means a residential use in which at least one person aged 55 years or older occupies each dwelling unit.

BL 148 "Setback area" means an area required by siting regulations set out in this Bylaw to be free of buildings and structures except to the extent permitted by subsection 3.3(6).

BL 160, 187 “Secondary suite” means an accessory, residential unit, located within a building that otherwise contains a dwelling unit, and having a lesser floor area than the principal dwelling unit.

BL 166 “Short term vacation rental” means the use of a *cottage* as a temporary commercial accommodation for a period of less than one month at a time by persons, other than the owner or permanent occupier. For this purpose, a cottage used as a *short term vacation rental* shall be considered as a home occupation subject to the regulations established in section 3.6.

"Sign" means any device or medium visible from any highway or lot other than the one on which it is located and which is used primarily to attract attention for advertising, information or identification purposes, and

"Animated sign" means a sign that contains moving parts.

"Flashing sign" means a sign that is illuminated and equipped with a device that causes the illumination to be interrupted so as to attract attention to the sign.

"Third party sign" means a sign that attracts attention to a use or occupancy of land other than the land on which the sign is located.

"Silviculture" means the use of land for forest management activities related to timber production and harvesting including the processing and sale of timber harvested on the same lot.

“Structure” means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, but does not include septic fields, septic tanks, sewage absorption fields, wells, underground water storage tanks and related appurtenances below ground, paved parking areas or similar surfacing, concrete and asphalt paving, or similar surfacing of the land.

“Studio” means an establishment used for production, display and sale of crafts and artwork, provided the production, display and sale occurs within a permitted building.

BL 184 “Tiny home on wheels” means– a dwelling unit on a wheeled chassis designed to be used as a full-time residence.

“Tourist Accommodation” means the provision of temporary accommodation for travellers in the form of successive occupancy by different persons where the same person shall not occupy any unit for a time period exceeding 90 days in any calendar year, and the same person shall not occupy any unit for a time period exceeding 14 days between June 1 and September 1.

"Tourist accommodation unit" means a detached cabin, a room, or a suite of rooms providing tourist accommodation.

“Use” means the purpose or activity for which land or buildings are designed, arranged or intended, or for which land or buildings are occupied or maintained.

"Utility" means broadcast transmission, electrical, telecommunications, sewer or water services and facilities (excluding private radio or television towers) and includes navigation aids.

"Utility shed" means an accessory building with a maximum floor area of 10 square metres (100 square feet) containing only equipment for pumping and processing of water or sewage, or electrical equipment and communication service equipment.

BL 162 “Waste transfer facility” means the use of a site, buildings and structures for receiving, collecting, storing, sorting, and transferring solid waste and recyclable waste that originate from residential, commercial, institutional, demolition or construction sources.

“Watercourse” means any natural or man-made depression with well defined banks and a bed 0.6 metres (2.0 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of two square kilometres or more.

"Wharfage" means the tying of a boat or seaplane to a wharf, float or dock that is in turn connected to an upland lot by a ramp or walkway.

“Wholesale” means the selling of goods or merchandise primarily to retailers, industry, commercial, institutional or professional business users.

BL 148 "Zone" means a zone established by Part 4 of this bylaw.

1.2 Referencing

(1) In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the parenthetical numbers subsections, the lower case letters articles and the roman numerals clauses:

Part:	1
Section:	1.1
Subsection:	1.1(1)
Article:	1.1(1)(a)
Clause	1.1(1)(a)(i)

1.3 Units of Measure

(1) Metric dimensions are used in this Bylaw. Imperial equivalents, where shown in parentheses are approximate, are provided for convenience only, and do not form part of this Bylaw.

1.4 Information Notes

(1) Where a paragraph or sentence in this Bylaw is preceded by the words “Information Note”, the contents of the paragraph or sentence are provided only to assist in understanding of the bylaw and do not form a part of it.

PART 2 ADMINISTRATION

2.1 Application

(1) This Bylaw shall apply to that part of the Mayne Island Local Trust Area as shown on Schedule C. Encompassed in this area of application are the entire land area of all islands, islets, reefs, rocks, and the seabed, and also all surface waters and air spaces.

2.2 Conformity

(1) No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.

(2) No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as permitted by this Bylaw.

(3) Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.

(4) Any existing lot that is less than the minimum lot area specified in the applicable zone for the creation of new lots by subdivision may be used for any use permitted in that zone unless otherwise specified in this Bylaw.

(5) No lot or area may be subdivided, no building, structure or land may be used, and no building or structure may be sited in a manner which renders any existing use, building or structure illegal or non-conforming.

2.3 Inspection

BL 162 (1) The Islands Trust Bylaw Enforcement Officer or any other person designated by the Islands Trust to administer this Bylaw is authorized to enter, at any reasonable time, upon any property that is subject to regulation under this Bylaw, for the purpose of inspecting and determining whether the regulations, prohibitions and requirements are being met.

2.4 Violation

(1) Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have committed an offence under this Bylaw.

2.5 Penalty

BL 162 (1) Any person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty, pursuant to the *Offence Act* and the costs of prosecution. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.6 Covenants

(1) Where under this Bylaw an owner of land is required or authorized to grant a covenant restricting subdivision or development, the covenant must be granted to the Local Trust Committee pursuant to Section 219 of the *Land Title Act* in priority to all financial charges and delivered in registerable form satisfactory to the Local Trust Committee prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant must indemnify the Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenantor.

2.7 Owner's Cost

(1) If any provision of this Bylaw requires a report, study, covenant, plan or similar item to be prepared, unless otherwise stated, the owner shall pay all costs.

2.8 Enforcement of Siting Regulations

(1) Every applicant for a development permit or a development variance permit must provide a plan signed by a B.C. Land Surveyor showing the location on the lot of all existing and proposed buildings, structures and sewage absorption fields in relation to lot and zone boundaries, watercourses, wells and the sea, and in relation to other buildings on the lot, unless the Local Trust Committee determines that the provision of such a plan is not reasonably necessary to establish whether the proposed buildings, structures and sewage absorption fields comply with the siting requirements of this or any other Bylaw.

BL 162 **2.9 Repeal and Replacement**

(1) Where this Bylaw refers to other acts or regulations which have been repealed, amended, revised or consolidated, the reference in this Bylaw must be construed as being a reference to the substituted enactments relating to the same subject matter, the former act or regulations are construed as remaining in effect.

(2) Where this Bylaw refers to other government departments, ministries or agencies which have had a change in title or name, the reference in this Bylaw must be construed as being a reference to the substituted title(s) or name(s) of the government departments, ministries or agencies relating to the same subject matter."

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

The following uses, buildings and structures are permitted in any zone, except where noted, and all buildings and structures are subject to siting and size regulations established elsewhere in this bylaw:

(1) Utility lines and poles;

BL 180 (2) Conservation areas, including ecological reserves, conservation covenants and other habitat reserves;

(3) Air and marine navigational aids;

BL 148 (4) Fences in any land zone, subject to regulations established in Section 3.7 and Part 5;

(5) Signs, subject to regulations established in Part 6;

(6) Geothermal heating equipment for the purposes of supplying energy to the lot on which the structure is located or in the water for the purpose of supplying energy to a lot adjacent to the foreshore, except in the W1 zone.

BL 180 (7) Passive recreation park, each park limited to hiking and walking trails and signs not exceeding 1 square metre each. No other uses including driveways and parking lots are permitted.

BL 180 (8) Water system facilities owned and operated by a regional district, improvement district or community water utility, including wells, pumphouses, lines, water collection and storage tanks, and septic systems.

BL 193 (9) the raising of poultry excluding roosters

3.2 Prohibited in All Zones

For certainty, the following uses, buildings and structures are prohibited in any zone, except where expressly permitted in Part 5:

BL 162
BL 193 (1) In all zones except the R and A zones, the keeping on a lot having an area of less than 2000m^2 (0.5 acres) of livestock and more than one horse;

(2) The disposal or storage of hazardous or toxic waste;

(3) Fin fish aquaculture in any water zone;

(4) Bridges, causeways or tunnels connecting any one island to another island or the mainland;

(5) Marina, the use of which is restricted to members of a private club;

(6) Retail sale or wholesaling of groundwater extracted on Mayne Island.

3.3 Siting and Setback Regulations

(1) All siting measurements must be made on a horizontal plane from the natural boundary, lot line or other feature specified in this Bylaw to the nearest portion of the building or structure in question.

BL 187
BL 193

(2) No building or structure, except a fence, a patio, utility line, navigational aid, water storage tank not exceeding 3 metres (10 feet) in height, structures used exclusively for storing fire wood, that are open on at least one side and do not exceed 108ft^2/10m^2 in area or utility shed, may be constructed, reconstructed, moved, extended or located within the setback areas established in the regulations in Part 5 of this Bylaw.

(3) No building or structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (25 feet) of the natural boundary of the sea except:

(a) fence;
(b) utility shed;
(c) navigational aid;
(d) structures supporting a permitted dock or wharf;
(e) stairs or walkways required to access the foreshore or a permitted dock; or

BL 193

(f) wooden patios up to 30m^2 (323ft^2) in area.

BL 193

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”.

Information Note: siting of septic disposal systems are regulated under the provisions of the Sewerage System Regulation. Ministry of Health practices establish setbacks between 10 to 30 metres for different types of disposal systems.

(4) No building or structure may be constructed, reconstructed, moved, located or extended with the underside of the floor system of any area used for habitation, business or storage of goods damageable by floodwaters, or in the case of a mobile home or unit the ground level on which it is located, lower than 1.5 metres (4.92 ft.) above the natural boundary of the sea or any natural watercourse, except:

(a) fence;
(b) utility shed;
(c) navigational aid;
(d) structures supporting a permitted dock;
(e) stairs or walkways required to access the foreshore or a permitted dock; or

BL 193

(f) wooden patios up to 30m^2 (323ft^2) in area.

BL 148

(5) No building or structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (25 feet) of the natural boundary of a watercourse except:

(a) fence; or
(b) utility shed.

Information Note: Provisions consistent with the provincial Riparian Area Regulation will be implemented through development permit areas for protection of the natural environment.

(6) The following features may project into a required setback area:

(a) steps, eaves and gutters, cornices, sills, chimneys, or other similar features, provided that they do not project more than 1 metre into the required setback area or 0.5 metres in the case of a side yard setback of 3.0 metres or less;

BL 193

(b) balconies, decks and sun shades, provided that they do not project more than 1 metre into the required setback area;

(c) retaining walls with a maximum exposed height of 1 metre, except within the setback from the natural boundary of the sea.

3.4 Height Regulations

(1) The height regulations for buildings and structures specified Part 5 of this Bylaw do not apply to water towers, radio, telecommunications and television antennas and towers, chimneys, flag poles, lightning poles, fire and hose towers, church steeples, utility poles, attic vents, solar collectors, wind generators, and water storage tanks.

3.5 Accessory Uses, Buildings and Structures

(1) A building or structure accessory to a dwelling may not be used for human habitation.

(2) The following buildings or structures may be constructed or placed on a lot prior to the construction of a principal dwelling or the commencement of a principal residential use on the same lot:

(a) one utility shed, and

(b) one building for the purposes of storage of building material for use on the lot and storage of personal effects.

Any other accessory building or structure may only be constructed or placed on a lot prior to the construction of a principal dwelling, or the commencement of a principal residential use, on the same lot provided that a valid building permit has been issued for any principal building on the same lot, and subject to the maintenance of a building permit for a principal dwelling on the same lot.

(3) Unless a building or structure, excluding an attached deck and patio, is structurally attached to a principal building by a structure having walls, a roof, and a floor, it is for the purposes of this Bylaw, deemed not to be part of the principal building, but is deemed to be an accessory building or structure.

3.6 Home Occupation Regulations

(1) Permitted home occupations include any:

(a) home craft;
(b) veterinary clinics and animal hospitals, on lots with an area of 0.4 hectares (1 acre) or larger;

(c) repairing of goods;
(d) professional practice;
(e) services to a client;
(f) creation of a product;
(g) bed and breakfast;
BL 175 (h) A sampling area, having a floor area not exceeding 15m^2, is permitted inside of a building to allow for sampling of products produced as part of the home occupation;
BL 166 (i) short term commercial rentals of a *cottage;*
(j) the retail or wholesale sale of goods or products produced, processed or repaired as part of the home occupation;
(k) the retail sale of articles directly related to the provision of a personal service provided as a home occupation; or
BL 193 (l) contractor yards.

BL 180 (2) The following activities are specifically not permitted as a home occupation:

(a) Retail sales, other than permitted those permitted in subsection 3.6(1);
(b) The serving of food or drink products on the premises as part of a home occupation, except for the serving of a morning meal as part of bed and breakfast home occupation;
(c) Commercial water bottling and sales; or
(d) Except within the Rural and Agricultural zones, boarding or breeding kennels, and riding stables.

BL 193 (3) A home occupation other than a horticultural or agricultural or contractor yard use must be carried out wholly within a dwelling unit or within a permitted accessory building.

(4) Home occupations must not occupy a floor area in excess of 95 m^2.

BL 193 (5) On properties with home occupations other than contractor yards there may be no exterior indication of the existence of the home occupation either by stored materials, displays, lighting or by any other variation from the residential character of the dwelling unit or accessory building, with the exception of signs permitted by this Bylaw.

(6) The home occupation must be operated by a person permanently residing in the dwelling unit. Not more than two additional persons not residing in the dwelling unit may be employed in the home occupation.

(7) The home occupation must not involve storage exterior to a building or structure of any material used in the processing or resulting from the processing of any product unless such storage areas are screened by a landscape screen or fence not less than 2 metres in height.

(8) Bed and breakfast home occupation operations must not utilize more than 3 bedrooms allowing for a maximum of 8 guests. Breakfast may be served, and recreational equipment may be rented, only to guests who have been provided overnight accommodation.

(9) That portion of a dwelling unit used for preparing and serving food or drink in connection with a bed and breakfast home occupation must not occupy a floor area in excess of 25 m^2.

(10) The floor area used for sales and storage of goods and articles for sale must not exceed 5 m^2.

(11) No noise resulting from any home occupation may be heard at a lot line or the natural boundary of the sea.

BL 166 (12) No more than one *cottage* per lot may be used as a *short term vacation rental* at any one time.

BL 193 (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 by a landscape screen not less than 2m 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 32.5m^2 (350ft^2) 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 after the hours of 7:00 am (8 am on Saturdays, Sundays or Holidays) or before 7:00 pm.

3.7 Fences

(1) The height of fences must not exceed 2 metres (6.6 feet) in any required setback, subject to regulations established in Part 5.

(2) The provision of protective netting or wire to control animal nuisances, or a landscape screen, is exempt from the provisions of Subsection 3.7(1).

3.8 Landscape Screening

(1) If a landscape screen is required by this bylaw, it must be provided in the form of:

(a) existing vegetation of the required height that provides a complete and permanent visual screen between the uses being separated;

(b) a row of drought-tolerant evergreen plants that will attain the required height, planted and maintained continuously so as to provide a complete and permanent visual screen between the uses being separated; or

BL 180 (c) a solid wood fence or brick or stone wall not exceeding 2 metres (6.6 feet) in height; broken only for access drives or walks.

3.9 Use of Recreational Vehicles

(1) The use of a recreational vehicle as a dwelling or cottage is permitted on a lot in the SR, MBRC, RR1, R, UP and A zones, subject to:

BL 162

(a) the connection of the recreational vehicle to sewage disposal facilities consistent with the provisions of the *Public Health Act*;

(b) the provision of a domestic water supply; and

(c) compliance with the use, density and siting requirements of this Bylaw for dwellings and cottages.

3.10 Calculation of Density

(1) Where a lot is located in two or more zones, the construction or placement of an additional dwelling unit on the lot is not permitted unless, after the construction or placement of the additional dwelling unit, the number of dwelling units within the discreetly zoned portion of the lot on which the additional dwelling unit is to be located is less than or equal to the number obtained by dividing the area of that portion of the lot by the minimum average area of lots that may be created by subdivision in the zone in which the additional dwelling unit is to be located.

BL 180

(2) If a lot is divided by one or more zone boundaries, lot coverage and maximum floor area must be calculated by reference to the areas of the portions of the lot lying within each zone.

3.11 Use of Common Property

(1) Land comprising the common property in a strata plan is not a lot for the purposes of the density regulations set out in Part 5, but may be used for permitted uses accessory to principal uses located on strata lots in the same strata plan.

3.12 Agricultural Land Reserve Farm Use Regulations

(1) Where land is in the Provincial Agricultural Land Reserve, farm use is a permitted use, and:

(a) the maximum floor area for retail sales ancillary to a British Columbia licensed winery or cidery use is 20 square metres; and

(b) the maximum floor area for a food and beverage service lounge ancillary to a British Columbia licensed winery or cidery use is 20 square metres.

3.13 Secondary Suites

BL 160

(1) Secondary suites are permitted on lots that are within the shaded area on Schedule “D” to this Bylaw.

(2) There is a maximum of one secondary suite per lot.

(3) On parcels less than 4 hectares: a secondary suite shall not be permitted on the parcel if a cottage has been constructed in areas outside the shaded area in Schedule E; and a cottage shall not be permitted on the parcel if a secondary suite has been constructed in areas outside the shaded area in Schedule E.

BL 184

(4) The secondary suite must be contained within the walls of the building that contains the principal dwelling unit.

(5) Home occupations cannot be carried out in a secondary suite.

(6) The entrance to a secondary suite from the exterior of the building must be separate from the entrance to the principal dwelling unit.

(7) A building permit shall not be issued for a secondary suite until the building that is to contain the secondary suite is equipped with a water catchment and storage system for the storage of rainwater. Minimum cistern capacity required for a building containing a secondary suite is 13640 litres (3000 gallons).

BL 184 (8) The floor area of the secondary suite shall not exceed 93m^2 (1001 ft^2) nor shall it exceed 50 per cent of the floor area of the principal dwelling unit.

(9) A secondary suite must not be subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*.

3.14 Derelict Vehicles, Boats and Trailers

BL 180
BL 193

Lots under 1 acre/ 0.4 hectares shall not be used for:

(1) the storage of more than one of the following: trailer, boat, or unlicensed motor vehicle, unless they are stored within a permitted building;

(2) the wrecking or storage of derelict or abandoned vehicles, trailers, boats or other discarded machinery or equipment; and

(3) the storage of detached or salvaged motor vehicle boat or trailer parts or scrap, unless the parts are stored within a permitted building that is completely enclosed.

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

(1) The Mayne Island Local Trust Area is divided into the following zones, the geographic boundaries of which are as shown on the Zoning Map designated as Schedule "B" that forms part of this Bylaw and the regulations for which are set out in Part 5.

	Zone Name	Zone Abbreviation
	Settlement Residential	SR
	Rural Residential One	RR1
	Rural Residential Two	RR2
	Miners Bay Rural Comprehensive	MBRC
	Rural	R
	Upland	UP
	Agricultural	A
BL 175	Commercial 1	C1
BL 175	Commercial 2	C2
BL 175	Commercial 3	C3
BL 175	Commercial 4	C4
	Country Guest House Commercial	C5
	Industrial One	I1
	Community Service	S1
	Local Community Service	S2
	Transportation Service	S3
	Community and Regional Park	P
	National Park	NP
	Resource Conservation	RC
	Water Protection	W1

	Water Moorage	W2
	Water Commercial	W3
	Community Wharf	W4
	National Park Waters	W5
BL 193	Comprehensive Development One Housing	CD1
	Comprehensive Development Two	CD2
BL 183	Comprehensive Development Three	CD3
BL 169	Community Wharf Upland	CWU

4.2 Zone Boundaries

(1) The location of the zones established by this Bylaw are as shown on Schedule B, which forms part of this Bylaw.

(2) Where zone boundaries on Schedule "B" coincide with lot lines, the zone boundaries are the lot lines.

(3) Where a zone boundary is shown on Schedule "B" as following any highway, right-of-way or stream, the centre line of such highway, right-of-way, or stream is the zone boundary.

(4) Where land based and water based zone boundaries shown on Schedule "B" coincide, the zone boundary shall be the surveyed lot line as shown on the most recent plan registered in the Land Title Office, and where there is no such plan the natural boundary of the sea is the zone boundary.

(5) Where a zone boundary shown on Schedule "B" does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by reference to the digital record stored and maintained in a geographic information system (GIS) at the offices of the Islands Trust.

PART 5 ZONE REGULATIONS

5.1 Settlement Residential (SR) Zone

The purpose of the Settlement Residential Zone is to provide regulations for the development of residential neighbourhoods.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential;

(b) Cottage;

(c) Accessory uses, buildings and structures, including but not limited to home occupations.

Density

BL 184 (2) One dwelling unit per lot and one additional dwelling unit for every 0.6 hectares (1.5 acres) of lot area greater than 0.6 hectares (1.5 acres).

(3) One cottage is permitted on lots 0.6 hectares (1.5 acres) or greater in area.

BL 184 (3.1) Despite 5.1(2) and (3), on lots shown on Schedule E, the following density is permitted:

(a) On lots having an area less than 0.6 ha (1.5 acres) hectares, one additional dwelling is permitted if the total combined floor area of all dwellings does not exceed 232 m^2 (2500 square feet).

(b) On lots having an area of 0.6 ha (1.5 acres) or greater, and not exceeding 1.2 hectares (3 acres), two dwellings and a cottage are permitted if the total combined floor area of all dwellings and cottages does not exceed 325m^2 (3500 square feet).

(c) 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 m^2 (4750 square feet).

(d) 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 water catchment system and cisterns for the storage of freshwater with a minimum cistern capacity of 13640 litres (3000 gallons) for each additional dwelling.

(e) Despite subsection 3.9 (1), recreational vehicles and tiny homes on wheels are not permitted dwellings or cottages for the purposes of this subsection.

(f) Only one dwelling unit may be used for bed and breakfast home occupation per lot.

(g) 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.

(4) The maximum number of accessory buildings, other than cottages, utility sheds, or woodsheds, is:

(a) two on lots having an area of 0.2 hectares (0.5 acres) and less;

(b) three on lots having an area greater than 0.2 hectares (0.5 acres) and less than 0.4 hectares (1 acre);

(c) four on lots having an area of 0.4 hectares (1 acre) or more.

(5) The maximum lot coverage is 20%.

BL160 (6) One secondary suite is permitted per lot subject to section 3.13.

Siting and Size

(7) The maximum floor area for a cottage is:

BL184 (a) 93 square metres (1001 square feet).

(8) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front or rear lot line;

(b) 3 metres (10 feet) from any interior side lot line;

(c) 4.5 metres (15 feet) from any exterior side lot line.

(9) The maximum height for any dwelling unit or cottage is 9 metres (29.5 feet).

(10) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

(11) The minimum lot area is 0.4 hectares (1 acre).

(12) The average lot area must not be less than 0.6 hectares (1.5 acres).

BL187 **Site Specific Regulations**

(13) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
SR (a)	Lot 1, Section 12, Mayne Island, Cowichan District, Plan 29702 490 Fernhill Road	(1) in addition to the uses permitted in 5.1 (1) above, an accessory brewery, tasting room and outdoor patio, and accessory food and beverage sales, are permitted in this location, subject to: (a) the maximum floor area of the combined brewing, storage, retail and interior brewery product sampling area is 150m^2 (1615 ft^2) (b) the total number of seats for sampling area guests (inside + outside) shall not exceed 46 (c) the accessory brewery, tasting room and outdoor picnic area, and accessory food and beverage sales, must be screened from residential uses on adjoining lots by a landscape screen complying with section 3.8(1)(a).

5.2 Rural Residential One (RR1) Zone

The purpose of the Rural Residential Zone is to provide regulations for areas of limited application used for acknowledging historical situations of multiple land owners where individuals bought land cooperatively as a company expecting that each share holder could build a dwelling and guest cottage.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential;

(b) Cottage;

(c) Accessory uses, buildings and structures, including but not limited to home occupations.

Density

(2) One dwelling unit per lot and one additional dwelling unit for every 2.8 hectares (7 acres) of lot area greater than 2.8 hectares (7 acres).

(3) One cottage is permitted in respect of each permitted dwelling unit on lots of 2.8 hectares (7 acres) or greater in area.

BL 162 (4) The maximum number of accessory buildings, other than utility sheds or woodsheds, is four per permitted dwelling unit.

(5) The maximum lot coverage is 10%.

Siting and Size

(6) The maximum floor area for a cottage is:

BL184 (a) 93 square metres (1001 square feet).

(7) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front or rear lot line, or exterior side lot line;

(b) 3 metres (10 feet) from any interior side lot line;

(8) The maximum height for any dwelling unit or cottage is 9 metres (29.5 feet).

(9) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

(10) The minimum lot area is 2.8 hectares (7 acres).

5.3 Rural Residential Two (RR2) Zone

The purpose of the Rural Residential Two Zone is to provide regulations permitting a limited number of dwellings for one location, acknowledging an historical situation where individuals cooperatively bought land zoned for commercial tourist accommodation uses.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential;

(b) Accessory uses, buildings and structures, including but not limited to home occupations.

Density

(2) The maximum number of dwelling units in the RR2 zone is 15.

(3) The maximum number of accessory buildings, other than utility sheds or woodsheds, is two per permitted dwelling unit.

(4) The maximum lot coverage is 20%.

(5) In the event of a subdivision of Lot 2, Sections 9 and 10, Mayne Island, Cowichan District, Plan 15040, except Parts in Plans 27354 and 38335, no more than one dwelling unit may be constructed on each new lot resulting from any such subdivision.

Siting and Size

(6) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front or rear lot line;

(b) 3 metres (10 feet) from any interior side lot line;

(c) 4.5 metres (15 feet) from any exterior side lot line.

(7) The maximum height for any dwelling unit is 9 metres (29.5 feet).

(8) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

(9) The maximum floor area of any dwelling unit is 116 square metres (1250 square feet), except that one dwelling unit in the RR2 zone may have a floor area not exceeding 223 square metres (2400 square feet).

(10) The maximum floor area of any accessory building is 30 square metres (323 square feet).

Subdivision Lot Area Requirements

(11) The average lot area must not be less than 0.1 hectares (0.25 acres).

(12) No subdivision may result in the creation of more than 15 lots in the RR2 zone.

5.4 Miners Bay Rural Comprehensive (MBRC) Zone

The purpose of the Miners Bay Rural Comprehensive Zone is to provide regulations for a 20 lot subdivision that provided the following community benefits: one community centre site (2 ha), one park (15.7 ha), two drilled and capped potable water wells, and a road bypass for the Miners Bay area.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential;

(b) Agriculture;

(c) Silviculture;

(d) Cottage;

(e) Accessory uses, buildings and structures, including but not limited to home occupations.

Density

(2) One (1) dwelling unit is permitted per lot.

(3) One (1) cottage is permitted per lot.

(4) The maximum number of accessory buildings, other than cottages, utility sheds, or woodsheds, is:

(a) two on lots having an area of 0.2 hectares (0.5 acres) and less;

(b) three on lots having an area greater than 0.2 hectares (0.5 acres) and less than 0.4 hectares (1 acre);

(c) four on lots having an area of 0.4 hectares (1 acre) or more.

(5) The maximum lot coverage is 10%.

Siting and Size

(6) The maximum floor area for a cottage is:

BL184 (a) 93 square metres (1001 square feet).

(7) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 3 metres (10 feet) from any interior side lot line;

(8) Feeding troughs and manure piles must be sited not less than 8 metres (26 feet) from all lot lines.

(9) The maximum height for any dwelling unit or cottage is 9 metres (29.5 feet).

(10) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

(11) The minimum lot area is 1.2 hectares (3 acres).

(12) The average lot area must not be less than 2.3 hectares (5.7 acres).

5.5 Rural (R) Zone

The purpose of the Rural Zone is to provide regulation for areas in which residential and agricultural uses on larger parcel sizes predominate.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential;

(b) Agriculture;

(c) Silviculture;

(d) Cottage;

(e) Accessory uses, buildings and structures, including but not limited to home occupations.

Density

(2) One dwelling unit per lot and one additional dwelling unit for every 4 hectares (10 acres) of lot area greater than 4 hectares (10 acres).

(3) One cottage is permitted in respect of each permitted dwelling unit on lots having an area of at least 1 hectare (2.4 acres).

(3.1) Despite 5.5 (2) and (3), on lots shown on Schedule E, the following density is permitted:

BL184

(a) On lots having an area less than 0.6 ha (1.5 acres) hectares, one additional dwelling is permitted if the total combined floor area of all dwellings does not exceed 232 m^2 (2500 square feet).

(b) On lots having an area of 0.6 ha (1.5 acres) or greater, and not exceeding 1.2 hectares (3 acres), two dwellings and a cottage are permitted if the total combined floor area of all dwellings and cottages does not exceed 325 m^2 (3500 square feet).

(c) 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 m^2 (4750 square feet).

(d) 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.

(e) Despite subsection 3.9 (1), recreational vehicles and tiny homes on wheels are not permitted dwellings or cottages for the purposes of this subsection.

(f) Only one dwelling unit may be used for bed and breakfast home occupation per lot.

(g) 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.

(4) The maximum number of accessory buildings, other than cottages, utility sheds, or woodsheds, is:

(a) two on lots having an area of 0.2 hectares (0.5 acres) and less;

(b) three on lots having an area greater than 0.2 hectares (0.5 acres) and less than 0.4 hectares (1 acre);

(c) four on lots having an area greater than 0.4 hectares (1 acre) and less than 4.0 hectares (10 acres).

(d) Unlimited on lots with an area greater than 4.0 hectares (10 acres).

(5) The maximum lot coverage is 10%.

BL 160 (6) One secondary suite is permitted per lot subject to section 3.13.

Siting and Size

(7) The maximum floor area for a cottage is:

BL184 (a) 93 square metres (1001 square feet).

(8) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 3 metres (10 feet) from any interior side lot line;

(9) Feeding troughs and manure piles must be sited not less than 8 metres (26 feet) from all lot lines.

(10) The maximum height for any dwelling unit or cottage is 9 metres (29.5 feet).

(11) The maximum height for any accessory building or structure is 9 metres (29.5 feet).

Subdivision Lot Area Requirements

(12) The minimum lot area is 1 hectare (2.4 acres).

(13) The average lot area must not be less than 4 hectares (10 acres).

Site Specific Regulations

(14) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

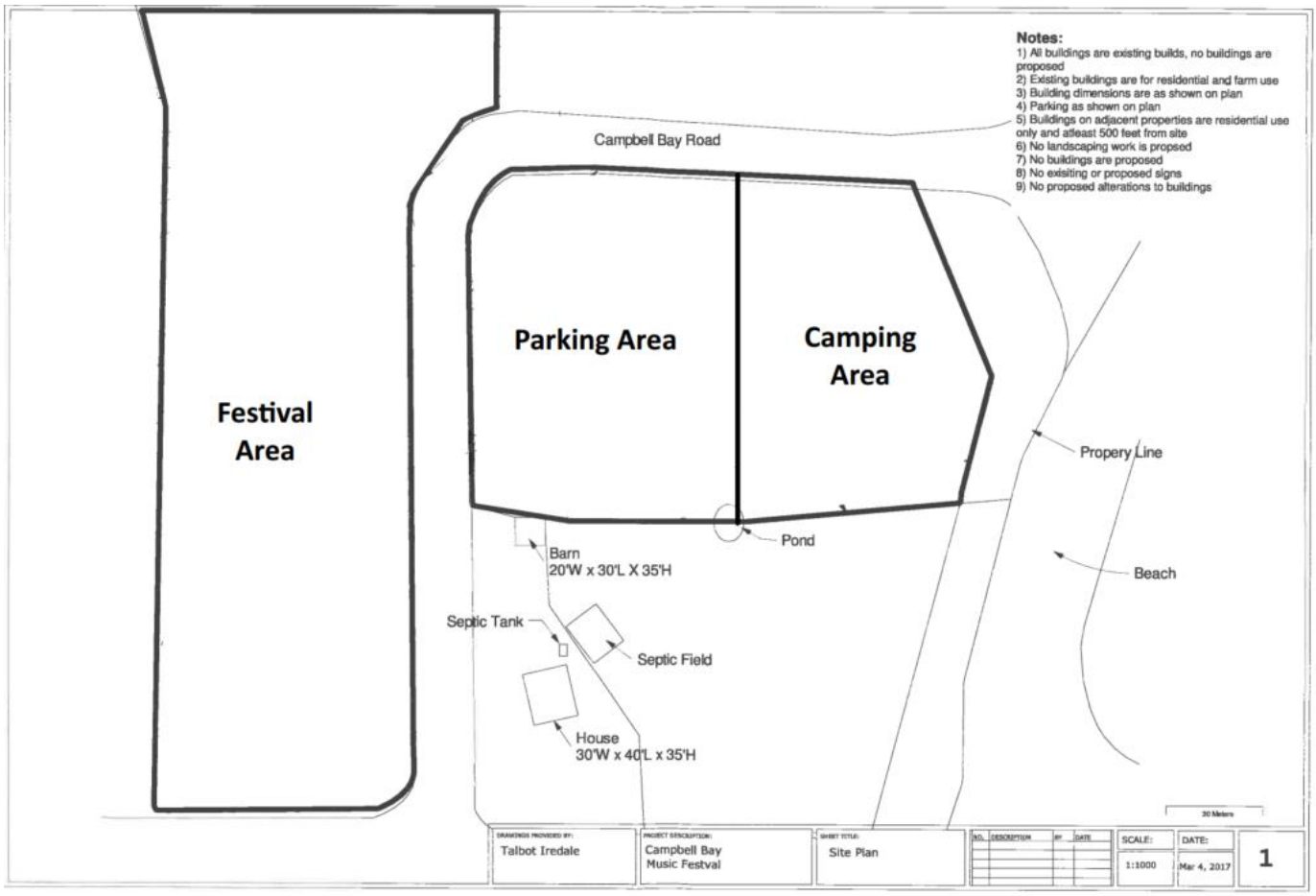
Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
R(a)	Parcel A (DD 111145i) Of The South West 1/4 Of Section 12, Mayne Island, Cowichan District, Except Part In Plan 27091 359 Maple Drive	(1) In addition to the uses permitted in 5.5(1) above, a campground accessory to residential use is permitted in this location, subject to: (a) A maximum of 15 campsites, of which a maximum of two sites may be used for recreational vehicles, and the remainder for walk-in tenting only. (b) Recreational vehicles being limited to a stay of 4 days in any 2 week period. (c) For the purposes of this location, recreational vehicles do not include (i) fifth wheels; (ii) tent trailers; (iii) travel trailers; and (iv) recreational vehicles exceeding 5.85 metres (19 feet) in length. (d) Power and water hook-ups for are campsites are prohibited. (e) No campsite may be sited closer than 30 meters from any lot line, exclusive of the natural boundary of the sea.

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
R(b)	The North East 1/4 Of The North West 1/4 Of Section 2, Mayne Island, Cowichan District, Except Parcel D (Dd 71449i), And Except That Part In Plan 13285 640 Horton Bay Road	(1) In addition to the uses permitted in 5.5(1) above, a campground accessory to residential use is permitted, subject to: (a) A maximum of 10 campsites, of which a maximum of two sites may be used for recreational vehicles, and the remainder for walk-in tenting only. (b) Recreational vehicles being limited to a stay of 4 days in any 2 week period. (c) For the purposes of this location, recreational vehicles do not include (i) fifth wheels; (ii) tent trailers; (iii) travel trailers; and (iv) recreational vehicles exceeding 5.85 metres (19 feet) in length. (d) Power and water hook-ups for are campsites are prohibited. (e) No campsite may be sited closer than 30 meters from any lot line.
BL 193 R(c)	Lot 2, Section 8, Mayne Island, Cowichan District, Plan VIP70074. 514 Felix Jack Road	(1) In addition to the uses permitted in 5.5(1) above, community water storage and distribution facilities are permitted in this location.

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
BL 162 R(d)	Lot 1, Section 2, Mayne Island, Cowichan District, Plan VIP55242 786 Beechwood Drive Lot 1, Section 3, Mayne Island, Cowichan District, Plan VIP56718 554 Glen Echo Strata Lot 1, Section 11, Mayne Island, Cowichan District, Strata Plan 1276 605 Bell Bay Road Strata Lot 2, Section 11, Mayne Island, Cowichan District, Strata Plan 1276 609 Bell Bay Road Strata Lot 5, Section 11, Mayne Island, Cowichan District, Strata Plan 1276 Bell Bay Road Strata Lot 7, Section 11, Mayne Island, Cowichan District, Strata Plan 1276 629 Bell Bay Road Strata Lot 8, Section 11, Mayne Island, Cowichan District, Strata Plan 1276 633 Bell Bay Road Lot 1, Section 14, Mayne Island, Cowichan District, Plan 2227 397 Neil Road Strata Lot 1 through 4, Section 14, Mayne Island, Cowichan District, Strata Plan 400. 288, 294, 298 and 306 Laura Point Road	(1) Despite 5.5(3) above, one cottage is permitted in respect of each permitted dwelling unit in these locations.

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
R(e)	A portion of Parcel C (DD 75019i), Sections 8 and 11, Mayne Island, Cowichan District, except those Parts included in Plan 6175, 8200, 19033, 20936, 23300 And 29965 378 Campbell Bay Road	(1) In addition to the uses permitted in 5.5(1) above, a recycling facility consisting of the separation, sorting, storage and shipping of recyclable household materials is permitted in this location. This use does not include junk yards or wrecking yards.
R (f) BL187	The south east 1/4 of section 2, Mayne Island, Cowichan District, Except those parts in plans 6166, 49353, 51014, VIP52279, VIP55242, VIP59475, VIP72321, VIP78014, VIP80525 AND VIP83602 797 Beechwood Drive	(1) Despite 5.5(2) and 5.5(3) the maximum density is three dwellings, one cottage and the floor area of one of the dwellings does not exceed 372m2 (4000 square feet).
R (g) BL183	A portion of Lot B, Section 7, Mayne Island, Cowichan District Plan 27091	(1) Despite 5.5(13) above the average lot area must not be less than 1.3 hectares (3.3 acres).
R (h) BL193	Lot 1, Section 8, Mayne Island, Cowichan District, Plan VIP70074 500 Felix Jack Road	(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: (a) The maximum floor area of indoor animal shelter space is $47m^2$ ($500ft^2$) (b) Outdoor animal shelter space fully enclosed by fencing. (c) The maximum number of animals housed by the animal shelter is 30.
R (i) BL193	Lot 1, Section 11, Mayne Island, Cowichan District, Plan 39587 327 Campbell Bay Road	(1) In addition to the uses permitted in 5.5(1) above, a music festival is permitted in this location, subject to: (a) Camping and occupancy of recreational vehicles is restricted to the area designated as 'Camping Area' on Schedule 5.5(a). (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).

BL193 Schedule 5.5(a)



5.6 Upland (UP) Zone

The purpose of the Upland Zone is to provide regulation for upland slopes on Mayne Island which have special features, including forested slopes, habitat areas, ground water recharge areas, steep terrain conditions and aesthetic and recreational attributes.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential;

(b) Agriculture;

(c) Silviculture;

(d) Cottage;

(e) Accessory uses, buildings and structures, including but not limited to home occupations.

Density

(2) One dwelling unit per lot and one additional dwelling unit for every 10 hectares (25 acres) of lot area greater than 10 hectares (25 acres).

(3) One cottage is permitted in respect of each permitted dwelling unit on lots having an area of at least 1 hectare (2.4 acres).

(4) The maximum number of accessory buildings, other than cottages, utility sheds, or woodsheds, is four per dwelling unit.

(5) The maximum lot coverage is 10%.

BL 160 (6) One secondary suite is permitted per lot subject to section 3.13.

Siting and Size

(7) The maximum floor area for a cottage is:

BL184 (a) 93 square metres (1001 square feet).

(8) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 3 metres (10 feet) from any interior side lot line;

(9) Feeding troughs and manure piles must be sited not less than 8 metres (26 feet) from all lot lines.

(10) The maximum height for any dwelling unit or cottage is 9 metres (29.5 feet).

(11) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

(12) The minimum lot area is 1 hectare (2.4 acres).

(13) The average lot area must not be less than 10 hectares (25 acres).

5.7 Agricultural (A) Zone

The purpose of the Agricultural Zone is to identify and protect land suitable for agricultural uses, to retain farmland as part of the rural landscape, to encourage food production and horticulture, and to support local farm-gate sales.

Information Note: A separate application is required for any subdivision or non-farm use in the Agricultural Land Reserve.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential;

(b) Agriculture;

(c) Silviculture;

(d) Cottage;

(e) The processing and sale of agricultural and forest products produced on the lot;

(f) Accessory uses, buildings and structures, including but not limited to home occupations.

Density

(2) One dwelling unit per lot and one additional dwelling unit for every 8 hectares (20 acres) of lot area greater than 8 hectares (20 acres).

(3) One cottage is permitted in respect of each permitted dwelling unit.

(4) The maximum number of accessory buildings, other than cottages, utility sheds, woodsheds, and accessory buildings used exclusively for agricultural uses, is four per dwelling unit on lots less than 8 hectares (20 acres) in area. The number of accessory buildings is unlimited on lots with an area 8 hectares (20 acres) or greater.

(5) The maximum lot coverage is 20%.

BL 160 (6) One secondary suite is permitted per lot subject to section 3.13.

Siting and Size

(7) The maximum floor area for a cottage is:

(a) 60 square metres (646 square feet) on a lot with an area of 1 hectare (2.4 acres) or less;

(b) 93 square metres (1001 square feet) on a lot with an area greater than 1 hectare (2.4 acres).

(8) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 6 metres (20 feet) from any interior side lot line;

(9) The maximum height for any dwelling unit or cottage in the A zone is 9 metres (29.5 feet).

(10) The maximum height for any accessory building or structure is 9 metres (29.5 feet).

Subdivision Lot Area Requirements

(11) The minimum lot area is 8 hectares (20 acres).

Site Specific Regulations

BL195

(12) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulation**
A (a)	Lot B, Section 1, Mayne Island, Cowichan District, Plan 2501 St. John Point Park	In addition to the uses permitted in 5.7 (1) the following uses are permitted: - resource conservation use - 1 entrance sign - parking area for 20 vehicles - 1 pump out toilet building - 1 bicycle rack - 1 visitor information kiosk

Information note: The uses permitted in A(a) are permitted over 0.07 ha of the property in accordance with the conditional Agricultural Land Commission approval (ALC Resolution 457/2024).

BL 175

5.8 Commercial 1 (C1) Zone

The purpose of the Commercial 1 Zone is to provide for and regulate small scale commercial uses providing services to residents and visitors.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Restaurants;

(b) Retail sales;

BL 175 (c) Offices;

(d) Personal services;

(e) Medical and dental clinics;

(f) Printers and publishers;

(g) Appliance repair and servicing;

(h) Clubs and halls;

(i) Freight depots;

(j) Studio;

(k) Apartment Residential;

(l) Accessory dwelling unit for the accommodation of the owner, operator, or employee of a permitted principal use;

(m) Accessory uses, buildings and structures.

Density

BL 175 (2) The maximum number of accessory buildings, other than an accessory dwelling unit, utility sheds, or woodsheds, is:

(a) two on lots having an area of 0.2 hectares (0.5 acres) and less;

(b) three on lots having an area greater than 0.2 hectares (0.5 acres) and less than 0.4 hectares (1 acre); and

(c) four on lots having an area greater than 0.4 hectares (1 acre) or more.

BL 175 (3) The maximum lot coverage is 25%.

Siting and Size

BL 162 (4) The apartment residential use permitted by 5.8(1)(k) shall:

(a) be located within a principal building;

(b) not exceed 50% of the total floor area of the building;

(c) be located above the ground floor of a building;

(d) be provided with a separate entrance from the ground level; and

(e) have a minimum floor area of 50 square metres (538 square feet) per unit.

(5) The minimum setback for any building or structure is:

(a) 6 metres (20 feet) from any front, rear, or exterior side lot line;

(b) 3 metres (10 feet) from any interior side lot line.

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

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

Subdivision Lot Area Requirements

(8) The minimum lot area is 0.2 hectares (0.5 acres).

Conditions of Use

(9) Lots on which commercial uses are carried on must be screened from residential uses on adjoining lots by a landscape screen not less than 1.5 metres in height and complying with the provisions of Section 3.8.

Consolidation of Lots

BL 175 (10) No lot should be consolidated with another lot if the resulting lot has an area larger than 0.25 ha.

Site Specific Regulations

BL157 (11) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

BL 162

BL 175

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
C1(a)	Lot 9, Section 12, Mayne Island, Cowichan District, Plan 715 Lot A, Section 12, Mayne Island, Cowichan District, Plan 46230 Lot 1, Section 12, Mayne Island, Cowichan District, Plan VIP52666 That Part of Lot 6, Section 12, Mayne Island, Cowichan District, Plan 715, Lying to the South of the Easterly and Westerly Boundaries of Said Lot Lot 3, Section 12, Mayne Island, Cowichan District, Plan 715	In addition to the uses permitted in 5.8(1) principal residential use is permitted at a density of one dwelling per lot.

BL 175

5.9 Commercial 2 (C2) Zone

The purpose of the Commercial 2 Zone is to provide regulations for the development of visitor accommodation and accessory uses.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Tourist accommodation;

(b) Accessory dwelling unit;

(c) Accessory restaurant, café, or licensed premises;

(d) Accessory retail sales;

(e) Accessory employee housing;

(f) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 20%.

BL 175 (3) The maximum number of tourist accommodation units and the maximum total floor area of all tourist accommodation units is established in 5.9(14) for each location.

(4) The maximum floor area of any tourist accommodation unit is 100 m^2 (1077 ft^2).

BL 180 (5) The maximum floor area of accessory retail sales uses is 20m^2 (215 ft^2).

(6) The maximum number of accessory employee housing units is 2 per lot.

(7) The maximum floor area of any accessory employee housing unit is 60m^2 (646 ft^2).

(8) The maximum number of accessory dwelling units is one per lot.

(9) The maximum number of buildings accessory to tourist accommodation uses, other than accessory dwelling units, accessory employee housing, utility sheds, or woodsheds, is four per lot.

Siting and Size

(10) The minimum setback for any building or structure is:

(a) 8 metres from any lot line;

(11) The maximum height of any building containing tourist accommodation units, an accessory dwelling unit, accessory employee housing, or a restaurant, café or licensed premises is 9 metres (29.5 ft.) and two storeys. The maximum height of any accessory building or structure is 5 metres (16.4 ft.).

Subdivision Lot Area Requirements

(12) The minimum lot area is 0.4 hectares (1 acre).

Site–Specific Regulations

(13) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.1

Site-Specific Zone	Location Description	Site Specific Regulations
C2(a)	Lot 14, Section 9, Mayne Island, Cowichan District, Plan 15114 and Lot 15, Section 9 Cowichan District, Plan 15114. 563 Arbutus Drive. [Blue Vista]	1. Despite 5.9(1) above, the only uses permitted in this location are those permitted by 5.9(1)(a), (b), (d), and (f). 2. The maximum number of tourist accommodation units permitted in this location is 9. 3. The maximum total floor area of all tourist accommodation units in this location is 549 m^2 (5910 ft^2).
BL 170 C2(b)	Lot 83, Section 9, Mayne Island, Cowichan District, Plan 14000. 494 Arbutus Drive. [Mayne Inn]	1. The maximum number of tourist accommodation units permitted in this location is 26. 2. The maximum total floor area of all tourist accommodation units in this location is 1586 m^2 (17072 ft^2). 3. Despite 5.9(5) the maximum floor area of any tourist accommodation unit 61m^2 (656 ft^2). 4. Despite 5.9(6) the maximum floor area for accessory retail sales is 40 m^2 (430 ft^2). 5. Despite 5.9(1)(e) and 5.9(8) the tourist accommodation units permitted on strata lots 13, 14, 15, 16, 17, 18, 19 and 20, Strata Plan VIS6703 can be used for accessory employee housing. 6. In addition to the uses permitted in 5.9(1) the tourist accommodation units permitted on strata lots 13, 14, 15, 16, 17, 18, 19 and 20, Strata Plan VIS6703 can be used for residential use. BL 175

		7. In addition to the uses permitted in 5.9(1) office use, not exceeding a maximum total floor area or 93 m^2, is permitted on Strata Lot 1, Strata Plan VIS6703.
C2(c)	Lot A, Section 12, Mayne Island, Cowichan District, Plan 13929 except that Part in Plan 1825R 400 Fernhill Road [Springwater]	1. The maximum number of tourist accommodation units permitted in this location is 10, except when a minimum of two employee housing units are constructed and maintained, then the maximum number of tourist accommodation units is 26. 2. The maximum total floor area of all tourist accommodation units in this location is 1586 m^2 (17072 ft^2).

BL 175

5.10 Commercial 3 (C3) Zone

The purpose of the Commercial 3 Zone is to provide for and regulate small scale service uses.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Wholesale and retail sale of hardware, household and durable goods, building materials and building supplies;

(b) Wholesale and retail sale garden supplies;

(c) Rental of tools and garden equipment;

(d) Contractors yards and offices;

(e) Freight depots;

(f) Repair shops;

(g) Rental storage;

(h) Accessory dwelling unit for the accommodation of the owner, operator, or employee of a permitted principal use;

(i) Accessory uses, buildings and structures.

Density

(2) One principal building accommodating one principal use and one accessory dwelling unit per lot.

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

BL 175

(4) The maximum lot coverage is 35%.

Siting and Size

(5) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 5 metres (16.4 feet) from any interior side lot line.

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

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

Subdivision Lot Area Requirements

(8) The minimum lot area is 0.2 hectares (0.5 acres).

Conditions of Use

BL 180 (9) All materials stored on a lot must be located within buildings or enclosed storage areas.

(10) Rescinded.

(11) Lots on which commercial uses are carried on must be screened from residential uses on adjoining lots by a landscape screen not less than 1.5 metres in height and complying with the provisions of Section 3.8.

Site Specific Regulations

BL157 (13) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
C3(a)	Lot 10, Section 8, Mayne Island, Cowichan District, Plan 15263 594 Fernhill Road	(1) Despite 5.10(1) the only permitted uses at these locations are repair shops, machine shops, accessory retail sales, and accessory dwelling unit. (2) The maximum floor area of buildings used for repair shops and machine shops is 140 m^2 (1507 ft^2), of which a maximum of 5 m^2 (54 ft^2) may be used for the retail sale of articles not used directly in the repair of vehicles and machines. BL 187 (3) Repair shops, machine shops and retail sales uses must be located within buildings.

BL 175 **5.11 Commercial 4 (C4) Zone**

The purpose of the Commercial 4 Zone is to provide for and regulate small scale commercial uses intended for the servicing and maintenance of vehicles.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Gasoline service stations including accessory propane sales;

(b) Auto body repair shops;

(c) Retail sales;

(d) Rental of tools and garden equipment;

BL 175 (e) offices;

(f) Accessory dwelling unit for the accommodation of the owner, operator, or employee of a permitted principal use;

(g) Accessory uses, buildings and structures.

Density

(2) One principal building accommodating one principal use and one accessory dwelling unit per lot.

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

BL 175

(4) The maximum lot coverage is 35%.

BL 175 (5) The maximum total floor permitted for office use is 93 m^2.

Siting and Size

(6) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 5 metres (16.4 feet) from any interior side lot line;

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

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

Subdivision Lot Area Requirements

(9) The minimum lot area is 0.2 hectares (0.5 acres).

(10) The average lot area must not be less than 0.2 hectares (0.5 acres).

Conditions of Use

(11) All materials, including unlicensed motor vehicles, stored on a lot must be located within buildings or enclosed storage areas.

(12) Lots on which commercial uses are carried on must be screened from residential uses on adjoining lots by a landscape screen not less than 1.5 metres in height and complying with the provisions of Section 3.8.

5.12 Country Guest House Commercial (C5) Zone

The purpose of the Country Guest House Commercial Zone is to provide regulations for inns in rural locations.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Guest House;

(b) Agriculture;

(c) Accessory dwelling unit;

BL 148 (d) Accessory restaurant;

(e) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 10%.

(3) One guest house per lot.

(4) One accessory dwelling unit per lot.

BL148 (5) One accessory restaurant, located within a guest house, per lot.

(6) The maximum number of accessory buildings is four per lot, other than an accessory dwelling unit, utility sheds, or woodsheds.

Siting and Size

(5) The minimum setback for any building or structure, except a sign, fence, or pumphouse is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 3 metres (10 feet) from any interior side lot line;

(6) The maximum height of any guest house or dwelling unit is 9 metres (29.5 ft.).

(7) The maximum height of any accessory building or structure is 5 metres (16.4 ft.).

(8) The maximum height of any accessory building or structure used for agricultural purposes is 15 metres (49 ft.).

Subdivision Lot Area Requirements

(9) The minimum lot area is 4 hectares (10 acres).

Conditions of Use

(13) Outdoor storage areas and tourist accommodation uses, including restaurants and parking areas, must be screened from residential uses on adjoining lots by a landscape screen not less than 1.5 metres in height and complying with the provisions of Section 3.8.

Site Specific Regulations

(14) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

BL148

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
C5(a)	Lot 22, Sections 5 And 6, Mayne Island, Cowichan District, Plan 29750 630 Dinner Bay Road	(1) In addition to the uses permitted in 5.12(1), Riding Stables, are also permitted in this location. (2) The maximum number of tourist accommodation units is 12 and the maximum floor area of a guest house use is 836 m^2 (9000 ft^2). (3) The maximum floor area of an accessory restaurant use is 56 m^2 (603 ft^2). (4) The maximum floor area of an accessory dwelling unit is 140 m^2 (1507 ft^2)
C5(b)	Lot 5, Section 8, Mayne Island, Cowichan District, Plan 15263 610 Fernhill Road	(1) The maximum number of tourist accommodation units is 8 and the maximum floor area of a guest house use is 557 m^2 (5996 ft^2). (2) The maximum floor area of an accessory restaurant use is 37 m^2 (398 ft^2).

5.13 Industrial One (I1) Zone

The purpose of the Industrial One Zone is to provide for and regulate small scale non-polluting industrial activities.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Industrial use;

(b) Warehousing and storage;

(c) Highway maintenance yard;

(d) Accessory dwelling unit for the accommodation of the owner, operator, or employee of a permitted principal use;

(e) Accessory uses, buildings and structures;

(f) Waste transfer station.

Density

(2) One principal building accommodating one principal use and one accessory dwelling unit per lot.

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

(4) The maximum floor area ratio is 0.25.

(5) The maximum lot coverage is 35%.

Siting and Size

(6) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

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

(7) Waste transfer station uses must be sited no less than 15 metres from any lot in the Settlement Residential Zone, Rural Residential One and Two Zones, Rural Zone, Upland Zone and Agricultural Zone.

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

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

Subdivision Lot Area Requirements

(10) The minimum lot area is 0.4 hectares (1 acre).

Conditions of Use

(11) All parts, machinery and equipment stored on a lot must be located within buildings or enclosed storage areas.

(12) The storage of toxic, noxious, explosive, odorous, or radioactive material is prohibited.

(13) Goods, materials and equipment may not be stored within 7.5 metres (25 feet) of a watercourse, wetland or other water body.

(14) Waste Transfer Station use is only permitted on lots larger than 0.4 hectare in area.

(15) Lots on which industrial, warehousing, storage or highway maintenance yard uses are carried on must be screened from residential and commercial uses on adjoining lots by a landscape screen not less than 1.5 metres in height and complying with the provisions of Section 3.8.

Site Specific Regulations

(16) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
I1(a)	Lot F, Section 11, Mayne Island, Cowichan District, Plan Vip58021 513 Fernhill Road	(1) Despite 5.13(1) the only permitted uses at this location are those permitted by 5.13(1)(a), (b), (d), (e) and (f) and ready-mix concrete plant, and the sale of soil, gravel, dry cement and ready-mix concrete. (2) Despite 5.13(5), the maximum lot coverage in this location is 50%.
I1(b)	Lot A, Section 12, Mayne Island, Cowichan District, Plan 43041	(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 and accessory uses, buildings and structures.

BL 162

BL 162

5.14 Community Service (S1) Zone

The purpose of the Community Service Zone is to provide for and regulate public and community services for residents and visitors.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Community service uses;

(b) Recreation facilities;

(c) Parks;

(d) Clubs;

(e) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 35%.

Siting and Size

(3) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 5 metres (16.4 feet) from any interior side lot line.

(4) The maximum height for any principal building or structure is 9 metres (29.5 feet).

BL 162 (5) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

BL 162 (6) The minimum lot area is 0.4 hectares (1 acre).

Site Specific Regulations

BL 162 (7) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
S1(a)	Lot 10, Section 8, Mayne Island, Cowichan District, Plan 8200 Fernhill Road	(1) Despite 5.14(1), the only uses permitted in this location are clubs, halls and recreation facilities.
S1 (b) BL 193	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 and family 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)

5.15 Local Community Service (S2) Zone

The purpose of the Local Community Service Zone is to provide for and regulate public and community infrastructure for residents and visitors.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Community water supply facilities;

(b) Community sewage treatment facilities;

(c) Passive Recreation Parks;

(d) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 10%.

Siting and Size

(3) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 5 metres (16.4 feet) from any interior side lot line.

(4) The maximum height for any principal building or structure is 9 metres (29.5 feet).

BL 162 (5) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

BL 162 (6) The minimum lot area is 10 hectares (24 acres).

Site Specific Regulations

BL 162 (7) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
S2(a)	The land designated as park on Plan 21991 and on Plan 16191	(1) Despite 5.15(1), the only uses permitted in this location are community water supply facilities.

5.16 Transportation Service (S3) Zone

The purpose of the Transportation Service Zone is to provide for and regulate land devoted to providing access, services, and parking to marine ferries.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Ferry Terminal;

(b) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 10%.

Siting and Size

(3) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 5 metres (16.4 feet) from any interior side lot line.

(4) The maximum height for any principal building or structure is 9 metres (29.5 feet).

(5) The maximum combined floor area for all accessory commercial uses is 70 m^2 (753 ft^2).

BL 162 (6) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

BL 162 **Subdivision Lot Area Requirements**

(7) The minimum lot size is 10 hectares (24 acres).

BL 200 **Site Specific Regulations**

(8) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:"

Column 1	Column 2	Column 3
Site- Specific Zone	Location Description	Site Specific Regulations
S3(a)	Area of the foreshore fronting Lot A, Section 6 Mayne Island, Cowichan District, Plan VIP75220 and Lot 37, Section 6, Mayne Island, Cowichan District, Plan 22057	(1) Despite 5.16(1), the only uses permitted in this location are shoreline protection infrastructure, and permitted structures exempt from setbacks.

5.17 Community and Regional Park (P) Zone

The purpose of the Community and Regional Park Zone is to provide for and regulate public parklands for residents and visitors.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Parks;

(b) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 10%.

Siting and Size

(3) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 5 metres (16.4 feet) from any interior side lot line.

BL 162 (4) The maximum height for any building or structure is 9 metres (29.5 feet).

Subdivision Lot Area Requirements

(5) The minimum lot size is 0.4 hectares (1 acre).

Site Specific Regulations

(6) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
P(a)	The land designated as park on Plan 29750	(1) In addition to the uses permitted in 5.17(1) above, a putting green is permitted in this location.
P(b)	South West ¼ of the North east ¼ of Section 14, Mayne Island, Cowichan District, except Parcel G (DD89729I)	Despite 5.17(2) the maximum combined area covered by all buildings and structures shall not exceed 44m^2 (474ft^2).

BL 178

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
BL 187 P(c)	Emma and Felix Jack Park	Despite 5.17 (1)(b) no buildings or structures are permitted except: - an honouring figure - vegetation protection fencing

5.18 National Park (NP) Zone

The purpose of the National Park Zone is to recognize the lands in the Gulf Islands National Park Reserve and to provide underlying zoning for these lands.

Information Note: The Federal Crown is not subject to local government regulations, including zoning, and uses consistent with the *Canada National Parks Act* and other approved Gulf Islands National Park Reserve management documents are generally permitted on lands in the National Park Reserve.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Informational, interpretive, cultural, and historical uses and facilities;

(b) Natural and cultural resource management and protection;

(c) Camping and picnicking areas;

(d) Park operations and maintenance facilities;

(e) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 10%.

Siting and Size

(3) The minimum setback for any building or structure is 7.6 metres (25 feet) from any lot line.

(4) The maximum height for any building or structure is 9 metres (29.5 feet).

Subdivision Lot Area Requirements

(5) The minimum lot size is 65 hectares (160 acres).

5.19 Resource Conservation (RC) Zone

BL 162 The purpose of the Resource Conservation Zone is to provide for and regulate lands reserved and protected for conservation purposes.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Conservation areas and ecological reserves;

BL 193 (b) Stairs, walkways, footbridges, fences, signs, and one utility shed.

Subdivision Lot Area Requirements

(2) The minimum lot size is 0.6 hectares (1.5 acres).

5.20 Water Protection (W1) Zone

BL 162 The purpose of the Water Protection Zone is to regulate uses of and impacts on the marine environment and foreshore.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

BL 162 (a) Marine navigational aids;

For certainty, no building or structures may be constructed or erected in the W1 zone.

5.21 Water Moorage (W2) Zone

The purpose of the Water Moorage Zone is to provide for and regulate accessory private moorage on the foreshore and marine waters adjacent to Mayne Island.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

BL 162

(a) Marine navigational aids;

(b) Docks, accessory to the residential use of an upland lot or lots abutting the natural boundary of the sea.

For certainty, no building may be constructed or erected on any dock and no commercial or industrial use may be conducted on any structure in the W2 zone.

Siting and Size

(2) The maximum height of any structure is 5 metres (16.4 feet), as measured from the ordinary high water mark.

Site Specific Regulations

BL 154
BL 180

(3) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site- Specific Zone	Location Description	Site Specific Regulations
W2(a)	The foreshore adjacent to Lots 7, 8 and 9, Section 6, Mayne Island, Cowichan District, Plan 22057	(1) In addition to the uses permitted in 5.21(1), a rock retaining wall is permitted in this location."
W2(b)	Area of foreshore fronting Plan VIS 6703 contained within DL 560 and identified as Licence 113232.	Despite 5.21(1) the only uses permitted in this location are: (a) Dock, accessory to the upland uses, and limited to one float not exceeding a size of 36.5 m^2.

5.22 Water Commercial (W3) Zone

The purpose of the Water Commercial Zone is to provide for and regulate commercial uses on the foreshore and marine waters adjacent to Mayne Island.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

BL 162

(a) Marine navigational aids;

(b) Marinas;

(c) Wharfage for sea planes, water taxis and fishing boats;

(d) Fish and seafood sales;

(e) Docks accessory to a permitted principal use;

(f) Marine fuel sales and boat sales and rentals accessory to principal marina use;

(g) Marine septic pump-out facilities.

Density

(2) For all uses other than marine septic pump-out facilities, the maximum density is one building with a maximum floor area of $9m^2$ ($97ft^2$) per water lot lease or license area.

Siting and Size

BL 162 (3) The maximum height of any building or structure constructed on a dock is 4 metres (13 feet), as measured from surface of the dock.

Parking

(4) Off-street parking must be provided in accordance with Part 7 of this Bylaw and must be located on an adjacent upland lot.

5.23 Community Wharf (W4) Zone

The purpose of the Community Wharf Zone is to provide for and regulate public wharfs on the foreshore and marine waters adjacent to Mayne Island.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

BL 162

(a) Marine navigational aids;

(b) Community Wharf;

(c) Docks accessory to a permitted principal use;

(d) Wharfage for sea planes, water taxis and fishing boats;

(e) Fish and seafood sales;

(f) Marine septic pump-out facilities.

Siting and Size

(2) The maximum height of any building or structure constructed on a dock is 4 metres (13 feet), as measured from surface of the dock.

(3) The maximum floor area of any building or structure is 20% of the area of the dock on which it is located.

Parking

(4) Off-street parking must be provided in accordance with Part 7 of this Bylaw and must be located on an adjacent upland lot.

Site Specific Regulations

(5) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Column 1	Column 2	Column 3
Site-Specific Zone	**Location Description**	**Site Specific Regulations**
W4(a)	Water Lot 352, Cowichan District	(1) In addition to the uses permitted in 5.23(1), storage and sale of petroleum fuels is permitted in this location.
BL 169 W4(b)	Water Lot DL 2070, Cowichan District	(1) Buildings are not permitted in this location.

5.24 National Park Waters (W5) Zone

The purpose of the National Park Waters Zone is to recognize the waters administered by Parks Canada (off Campbell Point – Bennett Bay and surrounding Georgeson Island) and to provide underlying zoning for these areas.

Information Note: The Federal Crown is not subject to local government regulations, including zoning, and uses consistent with the *Canada National Parks Act* and other approved Gulf Islands National Park Reserve management documents are generally permitted on lands, including submerged lands, in the National Park Reserve.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Marine navigational aids;

(b) Natural and cultural resource management and protection;

(c) Docks, wharfage and moorage accessory to the upland National Park zone.

5.25 Comprehensive Development One Housing (CD1) Zone

BL 193 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.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

BL 193 (a) residential use;

(b) Accessory office for the management of the senior citizens housing, accessory workshop, accessory library, accessory meeting area;

(c) Utility shed.

Density

BL 193 (2) 16 dwelling units.

(3) The maximum floor area of each dwelling unit is 90m^2 (969 ft^2).

(4) One attached carport per dwelling unit with a maximum floor area of 25m^2 (269ft^2).

(5) The maximum combined floor area of all accessory buildings is 235m^2 (2530 ft^2).

Siting and Size

(6) All the accessory uses permitted by 5.25(1)(b) shall be sited within one building.

(7) The minimum setback for any building or structure is:

(a) 6 metres (20 feet) from any SR zone boundary;

(b) 3 metres (10 feet) from any front, rear, or side lot line.

(8) The maximum height for any dwelling unit is 9 metres (29.5 feet).

(9) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

(10) The minimum lot area is 1.8 hectares (4.4 acres).

Conditions of Use

(11) Accessory buildings and structures and parking areas must be screened from residential uses on adjoining lots by a landscape screen not less than 1.5 metres in height and complying with the provisions of Section 3.8.

5.26 Comprehensive Development Two (CD2) Zone

The purpose of the Comprehensive Development Two zone is to provide for and regulate the development of a mix of tourist accommodation, other commercial, and ground-oriented residential uses on a specific site in Miners Bay which has historically been zoned for development of a significant number of tourist accommodation units.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Tourist accommodation;

(b) Residential;

(c) Retail sales;

(d) Restaurant;

(e) Offices, including financial services and travel agencies;

(f) Personal services;

(g) Medical and dental clinics;

(h) Employee housing;

(i) Accessory dwelling units;

(j) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 20%.

(3) The maximum floor area is 4645 m^2 (50,000 ft^2).

(4) The maximum floor area devoted to each of the following uses is:

(a) 2787 m^2 (30,000 ft^2) of tourist accommodation uses;

(b) 929 m^2 (10,000 ft^2) of residential uses;

(c) 70 m^2 (754 ft^2) of retail sales uses;

(d) 465 m^2 (5,005 ft^2) of combined restaurant, office, personal service, medical and dental clinic uses.

(5) The maximum floor area of any tourist accommodation unit is 100m^2 (1076 ft^2).

(6) The maximum number of tourist accommodation units is 10, except when a minimum of two employee housing units are constructed and maintained, then the maximum number of tourist accommodation units is 30.

(7) The maximum number of residential dwelling units is 10 units, consisting of detached units or duplexes containing 2 residential dwelling units each.

(8) The maximum floor area of any residential dwelling unit is 93 m^2 (1000 ft^2).

(9) The maximum number of accessory employee housing units is 10.

(10) The maximum floor area of any accessory employee housing unit is 60m^2 (646 ft^2).

(11) The maximum number of accessory dwelling units is two.

(12) The maximum floor area of any accessory dwelling unit is 186 m^2 (2002 ft^2).

Siting, Size and Location of Uses

(13) The minimum setback for any building or structure is:

(a) 8 metres from any lot line abutting a highway or the Settlement Residential zone;

(b) 3 metres from any other lot line.

(14) The maximum height of any building containing tourist accommodation units, an accessory dwelling unit, or a restaurant is 9 metres (29.5 ft.) and two storeys.

(15) The maximum height of any residential dwelling unit permitted by 5.26(1)(b) is one storey and 5 metres (16.4 feet).

(16) The maximum height of any accessory building or structure is 5 metres (16.4 ft.).

Subdivision Lot Area Requirements

(17) The minimum lot size is 0.4 hectares (1 acre).

Parking Requirements

(18) Despite 7.4(1), the number of parking spaces required for the residential use permitted by 5.26(1)(b) is one per dwelling unit and a total of 3 spaces for guest parking.

BL 169

5.27 Community Wharf Upland (CWU) Zone

The purpose of the Community Wharf Upland Zone is to provide for and regulate upland uses required to support adjacent *Community Wharf*.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Parking for adjacent community wharf;

(b) Washroom facilities;

(c) Sewage pump out facilities;

(d) Accessory uses, buildings and structures.

Density

(2) The maximum lot coverage is 35%.

Siting and Size

(3) The minimum setback for any building or structure is:

(a) 8 metres (26 feet) from any front, rear, or exterior side lot line;

(b) 5 metres (16.4 feet) from any interior side lot line;

(4) The maximum height for any structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

(5) The minimum lot area is 0.4 hectares (1 acre).

Parking

(6) Despite the parking requirements specified in Section 7.4 a minimum of 15 parking spaces are required to be provided within 125 metres of an adjacent *community wharf* facility. The required parking spaces can be located on a public highway; however, they must be sited within the Community Wharf Upland zoning that is adjacent to the *community wharf*.

5.28 Comprehensive Development Three (CD3) Zone

BL 183 The purpose of the Comprehensive Development Three Zone is to provide for and regulate the development of multi-family rental housing.

Permitted Uses

(1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Multi-family rental housing
(b) Accessory uses, buildings and structures

Density

(2) The maximum number of dwelling units in the CD3 zone is 10
(3) The maximum lot coverage is 20%.

Size and Siting

(4) The minimum setback for any building or structure is:
(a) 8 metres (26 feet) from any front, rear or exterior side lot line;
(b) 8 metres (26 feet) from any interior side lot line;

(5) The maximum height for any dwelling unit is 9 metres (29.5 feet).

(6) The maximum height for any accessory building or structure is 5 metres (16.5 feet).

Subdivision Lot Area Requirements

(7) The minimum lot area is 1.3 hectares (3.3 acres).

Form of Tenure

(8) All dwelling units in the Comprehensive Development Three (CD3) Zone shall be limited to residential rental tenure.

PART 6 SIGN REGULATIONS

6.1 Permitted Signs

(1) All signs except those prohibited in Section 6.2 are permitted

6.2 Prohibited Signs

(1) Any sign that is animated, flashing, or noise-making is prohibited.

BL 187 (2) Third party signs are prohibited except signs of candidates for public office, who are recognized as candidates by the public agency in which they seek office, provided they are removed within 48 hours of the date of election.

6.3 Exempt Signs

The following signs are exempt from the regulations in this part:

(1) Directional, traffic control, informational, interpretive and navigational signs sited and maintained by a public authority, public agency or their authorized agents.

BL 187 (2) Signs pertaining to the lease, sale, or status of a lot or building, or name of owner or address, provided no one sign exceeds a total area of 1.0 square metre (10.8 sq. ft.) in area.

6.4 Siting

(1) Despite 3.3(2), a sign permitted in this part may be located in a required front yard or exterior side yard setback area.

6.5 Sign Number and Area

(1) Every sign is to comply with the provisions pertaining to the number of signs and the maximum total area of signs set out in Table 6.1 in respect of the zone in which the sign is proposed to be located.

Table 6.1: Sign Number and Area

Zone	Number of Signs Permitted for each Lot, Premise or Use	Maximum Total Sign Area Permitted for Each Lot, Premise or Use
SR RR1 RR2 MBRC R UP A C5 CD1	1 per lot	1 square metre (10.8 sq. ft.) maximum sign area

C1 C2 C3 C4 W3 CD2	2 per premise	4 square metre (43 sq. ft.) total combined maximum sign area
I1 S1 S2 S3 P NP W4	1 per premise or facility	4 square metre (43 sq. ft.) maximum sign area
RC W1 W2	None	Not applicable

6.5 Obsolete Signs

(1) Any sign which has become obsolete because of the discontinuance of the business, service or activity which it advertises must be removed from the premises within thirty days after the sign becomes obsolete.

PART 7 PARKING REGULATIONS

7.1 Location

(1) All required off-street parking spaces shall be located on the lot on which the use or occupancy in respect of which they are required is located. Parking spaces located on a highway may not be taken into account in determining compliance with the standards in this part.

BL 162 (2) Despite 7.1(1), off-street parking spaces may be located on a lot within 100 metres (328 feet) of the use, building, or structure being served, provided that access to the parking spaces is secured by means of registered easement and a s. 219 covenant in favour of the Local Trust Committee.

7.2 Design Standards

(1) Each parking space shall be accessible to a highway via a manoeuvring aisle not less than 7.5 metres in width in the case of 90 degree parking; 5.5 metres (18 feet) in width in the case of 60 degree parking; and 3.5 metres (11.5 feet) in width in the case of 45 degree and parallel parking; and no parking space may abut a highway such that the use of the parking space necessitates reversing a motor vehicle from or onto the highway. If a parking space is accessible directly from a lane the combined length of the parking space and width of the lane shall be at least 12.5 metres (41 feet).

(2) Parking spaces shall be at least 2.75 metres (9 feet) in width and 6.25 metres (20.5 feet) in length, exclusive of manoeuvring aisles, and have unobstructed vertical clearance of at least 2 metres (6.6 feet). Parallel parking spaces shall notwithstanding the foregoing have a length of 7.5 metres (24.6 feet).

7.3 Calculation

(1) In the calculation of parking required stalls, one additional space shall be provided in respect of any fractional floor area, number of seats or berths or other unit of measurement and the requirements for sites on which more than one use occurs are cumulative.

BL 162 (2) Where a particular use is not listed in Table 7.1, the number required for the most similar listed use applies.

7.4 Number of Off-Street Parking Spaces

(1) Every owner or occupier of land shall provide and maintain off-street parking spaces in conformity with the standards set out in Table 7.1 in respect of the use or occupancy that is applicable to the owner's land.

Table 7.1 : Number of Off-Street Parking Spaces

Use of Building or Lot	Minimum Number of Parking Spaces Required
Single Family Residential	2 per dwelling unit
Seniors Citizens Housing	1 per dwelling unit plus 1 per 4 dwelling units for guest parking
Apartment and Cottage residential	1 per dwelling unit
Retail, offices, financial services, personal services, medical and dental offices, printers and publishers, appliance repair, freight depots, garden supply and nursery, hardware, building supply sales, rentals, repair shops,	1 per 30 m^2 (323 ft^2) of floor area
Restaurant, café or licensed premise	1 per 3 seats
Tourist accommodation	1 per tourist accommodation unit
Guest house and bed and breakfasts	1 per room used or intended to be used for tourist accommodation
Home occupation	2
Service station	2 per service bay
Storage and sale of fuels	1
Industrial uses, warehousing and storage, highway maintenance yard, contractors yards, boat building and repair.	1 per 30 m^2 (323 ft^2) of floor area
Log storage and handling	3
Clubs, Halls, churches, private clubs	1 per 2 seats
Schools	20 spaces
Fire halls, police, post offices, libraries, health centres, emergency services, government offices, indoor recreation facilities.	1 per 30 m^2 (323 ft^2) of floor area
Tennis courts	3 per court
Marinas, community wharfs, wharfage.	1 per berth
Ferry Terminal	25 spaces and 12 pick-up/drop-off spaces
Secondary suite	1 per suite

BL 160

PART 8 SUBDIVISION REGULATIONS

8.1 Lot Area Calculations

(1) The average lot area of every subdivision must equal or exceed the applicable minimum and average lot area specified by this Bylaw and for that purpose the average lot area of the proposed subdivision is the sum of the areas of the proposed lots divided by the number of proposed lots.

(2) For the purposes of determining compliance with average lot area regulations set out in Part 5 of this bylaw, areas of land in excess of 5 percent of the land being subdivided that are designated as park on the subdivision plan may be included in the total area of lots being created, and the park is deemed not to be a lot being created.

8.2 Exemptions from Average and Minimum Lot Area Requirements

(1) The lot size requirements of Part 5, the parcel regulations in sections 8.5 and 8.6 and the servicing requirements in section 8.11 do not apply:

(a) to a lot being created solely for unattended equipment necessary for the operation of facilities referred to in Section 3.1, a community sewer or water system, electrical and telecommunication utilities, telephone receiving antenna, radio or television broadcasting antenna, a telecommunication relay, an automatic telephone exchange, an air or marine navigational aid, or an electrical substation, or a similar public service facility or utility, and the owner grants to the Local Trust Committee a Section 219 covenant under the *Land Title Act* restricting the use of the lot to one of these uses;

(b) to a lot being created for a public park, a conservation area, or an ecological reserve;

(c) to the consolidation of 2 or more lots into a single lot;

BL 180 (d) to lot boundary adjustments, provided that the area of any lot would not be increased to an extent that it could be subdivided into more lots than would be permitted under this bylaw without the boundary adjustment;

(e) to subdivision solely for the purpose of adding natural accretion to a lot; or

(f) to subdivision solely for the purpose of dedicating land to the Crown.

8.3 Covenants Prohibiting Further Subdivision and Development

(1) When a subdivision is proposed that yields the maximum number of lots permitted by the applicable minimum and average lot sizes specified by this Bylaw, and one or more of the lots being created has an area equal to or greater than twice the applicable average lot size, the applicant must grant a covenant complying with s.2.6 of this Bylaw in respect of every such lot prohibiting further subdivision of the lot and prohibiting the construction, erection, or occupancy on the lot of more than one single family residential dwelling unit and where a cottage is a permitted use, more than one such cottage.

(2) When a subdivision is proposed that yields fewer than the maximum number of lots permitted by the applicable minimum and average lot sizes specified by this Bylaw, and:

(a) one or more of the lots being created has an area equal to or greater than twice the applicable average lot size; and

(b) one or more of the lots being created has an area less than the applicable average lot size;

the applicant must grant a covenant complying with s.2.6 of this bylaw in respect of every lot referred to in article (a) prohibiting:

(c) the subdivision of the lot so as to create a greater total number of lots by subdivision and resubdivision of the original lot than would have been created had the first subdivision created the maximum number of lots permitted by the applicable minimum and average lot sizes specified by this Bylaw; and

(d) the construction, erection, or occupancy on the lot of single family residential dwelling units and, where permitted by this Bylaw, cottages so as to create a greater density of such development on the original lot than would have been created had the original lot been developed to the greatest density permitted by this Bylaw.

(3) Where the approval of a bare land strata plan creates common property on which this Bylaw would permit the construction of a residential dwelling unit or cottage if the common property were a lot, the applicant must grant a covenant complying with s.2.6 of this bylaw in respect of the common property prohibiting the further subdivision of the common property, the construction of any residential dwelling unit or cottage on the common property, and the disposition of the common property separately from the strata lots.

8.4 Section 514 Subdivisions (Residence for a Relative)

BL 180 (1) No lot having an area less than 10 ha (24.7 acres) may be subdivided under section 514 of the *Local Government Act* to provide a residence for a relative of the owner unless the lot is entirely within the Agricultural Land Reserve.

8.5 Lot Frontage and Lot Shape

(1) The frontage of any lot in a proposed subdivision must not be less than 20 metres (66 feet).

BL 180 **Information Note**: Section 512 of the *Local Government Act* establishes that the minimum frontage on a highway must be the greater of 10% of the perimeter of the lot and the minimum frontage established by bylaw; however, the requirement for 10% lot frontage may be exempted by resolution of the Local Trust Committee.

(2) No lot in a proposed subdivision may have an average depth greater than five times its average width.

8.6 Split Zoned Lots

(1) Where a lot proposed to be subdivided is split by a zone boundary, a separate calculation of the number of lots permitted must be made for each portion, and no lot may be created in respect of any fractional area resulting from such calculation.

(2) The creation of an additional lot lying within two or more zones is prohibited.

8.7 Split or Hooked Lots

(1) No additional lot which is divided into two or more portions by a highway or another lot may be created by subdivision.

8.8 Double Frontage Lots

(1) No lot having frontage on more than one highway, other than a corner lot, may be created by subdivision.

8.9 Water Access Subdivisions

(1) If a subdivision with water access only is approved on an island other than Mayne Island within the Mayne Island Local Trust Area, the owner of land being subdivided must provide motor vehicle parking spaces in accordance with Part 7 of this Bylaw in respect of each dwelling and cottage permitted in this Bylaw in respect of each lot being created. Such parking spaces must be located at the most reasonable location on Mayne Island giving access by water to the subdivision. Highway access must be provided to every lot created by subdivision on Mayne Island.

8.10 Highway Standards

Information Note: For information on road standards see the Letter of Agreement between the Islands Trust and the Ministry of Transportation and Highways, dated October 20, 1992 and amended July 18, 1996.

8.11 Water Supply Standards

(1) Where a well is proposed as a source of potable water for a proposed subdivision, the applicant for subdivision must provide the written certification under seal of an Engineer or a professional hydrogeologist with experience in groundwater hydrology that there is in respect of each building, structure, or use of land permitted by this bylaw on or to each proposed lot an available supply of potable water that meets or exceeds the Guidelines for Canadian Drinking Water Quality in the amounts set out in Table 1.

TABLE 1: Potable Water Supply Standards

Use	Volume (per day/lot)
Residential	2275 litres
Agricultural	2275 litres
Commercial	3640 litres
Industrial	3640 litres
All other uses	2275 litres

If it is proposed to provide potable water to a lot from a well on another lot, the applicant must concurrently with the registration of the subdivision plan register against title to the lot on which the well is located:

(a) an easement in favour of each lot to which water is provided; and

(b) a s. 219 covenant in favour of the Mayne Island Local Trust Committee for water supply purposes,

each of which must be in terms satisfactory to the Mayne Island Local Trust Committee.

(2) Where the certification referred to in subsection 8.11(1) cannot be made, the approving officer may nonetheless approve the subdivision in the following circumstances:

(a) where the applicant provides a community water system complying with the requirements of this bylaw; or
(b) where the applicant grants a s. 219 covenant to the LTC and to the CRD restricting the development of the subdivision to the buildings, structures and uses in respect of which a certification has been made under subsection 8.11(1).

(3) Where applicant has provided a report by a professional engineer or hydrogeologist with experience in groundwater hydrology, and the report indicates that the water from a well does not meet the standards of potability as set in 8.11(1) and the report states that with specific treatment systems the well can be certified as to potability, the approving officer may nonetheless approve the subdivision provided that:

(a) the applicant grants a s. 219 covenant to the LTC and to the CRD restricting use and occupancy of the land and any building or structure on the land until the owner installs a water treatment system which is effective in making the water from the well potable to no less a standard than that specified in this Bylaw.

(4) For the purposes of the certification referred to in 8.11(1), the engineer or hydrogeologist must supply supporting documentation and if a pump test has been conducted the engineer or hydrogeologist must indicate that the test was of sufficient duration to establish in accordance with generally accepted hydrological engineering practice the long term reliability of the water supply.

(5) Where an engineer or hydrogeologist provides a certification under 8.11(1) as to the quality of a proposed source of potable water, the certification must include a plan of the proposed subdivision indicating the location where each water sample was taken, and 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.

(6) No community water system may be supplied with water other than that which is obtained on the island on which the system is located.

BL 158 (7) An applicant is not required to fulfill the requirements of subsections 8.11(1) for boundary adjustment subdivisions provided that: there would be no increase in density or intensity of use beyond what was permitted before the boundary adjustment took place; and that all of the lots subject to the boundary adjustment have an established supply of water.

8.12 Sewage Disposal Standards

Information Note: all new lots must satisfy the requirements of the Sewage Disposal Regulation under the *Health Act.*

8.13 Drainage Standards

Information Note: the Approving Officer has the authority under s. 86(1) of the *Land Title Act* to refuse to approve a subdivision that the Approving Officer considers has inadequate drainage.

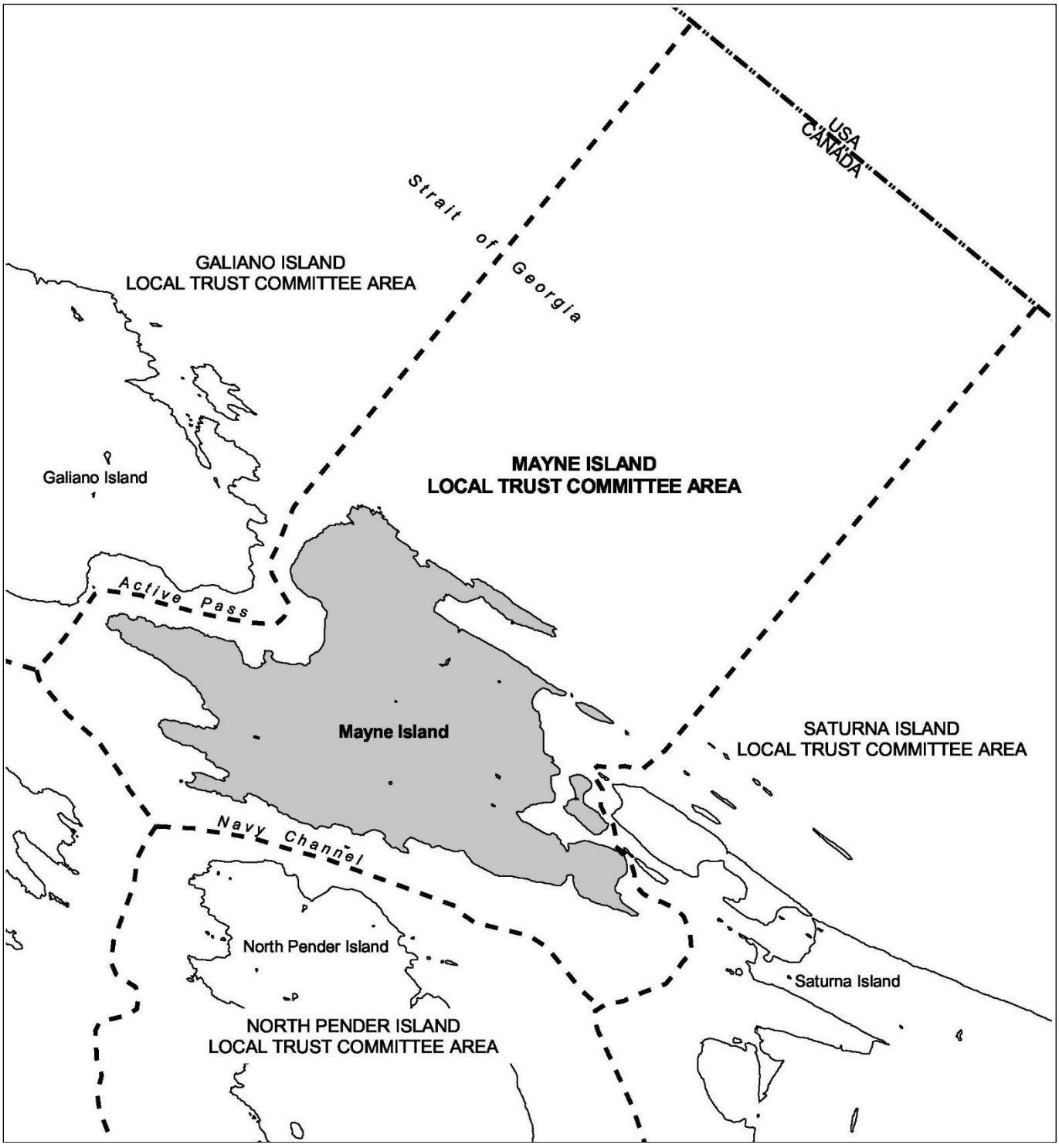
8.14 Characteristics of Public Access to Water Bodies

Information Note: The Approving Officer may require that highways giving access to the shore of any body of water, dedicated to the Crown at the time of subdivision, be consolidated into one or more larger areas and may require that such a highway be located in an area of high recreational value or so as to provide access to such an area, or in an area where the average gradient to the water body does not exceed 30 percent.

SCHEDULE B (ZONING MAP)

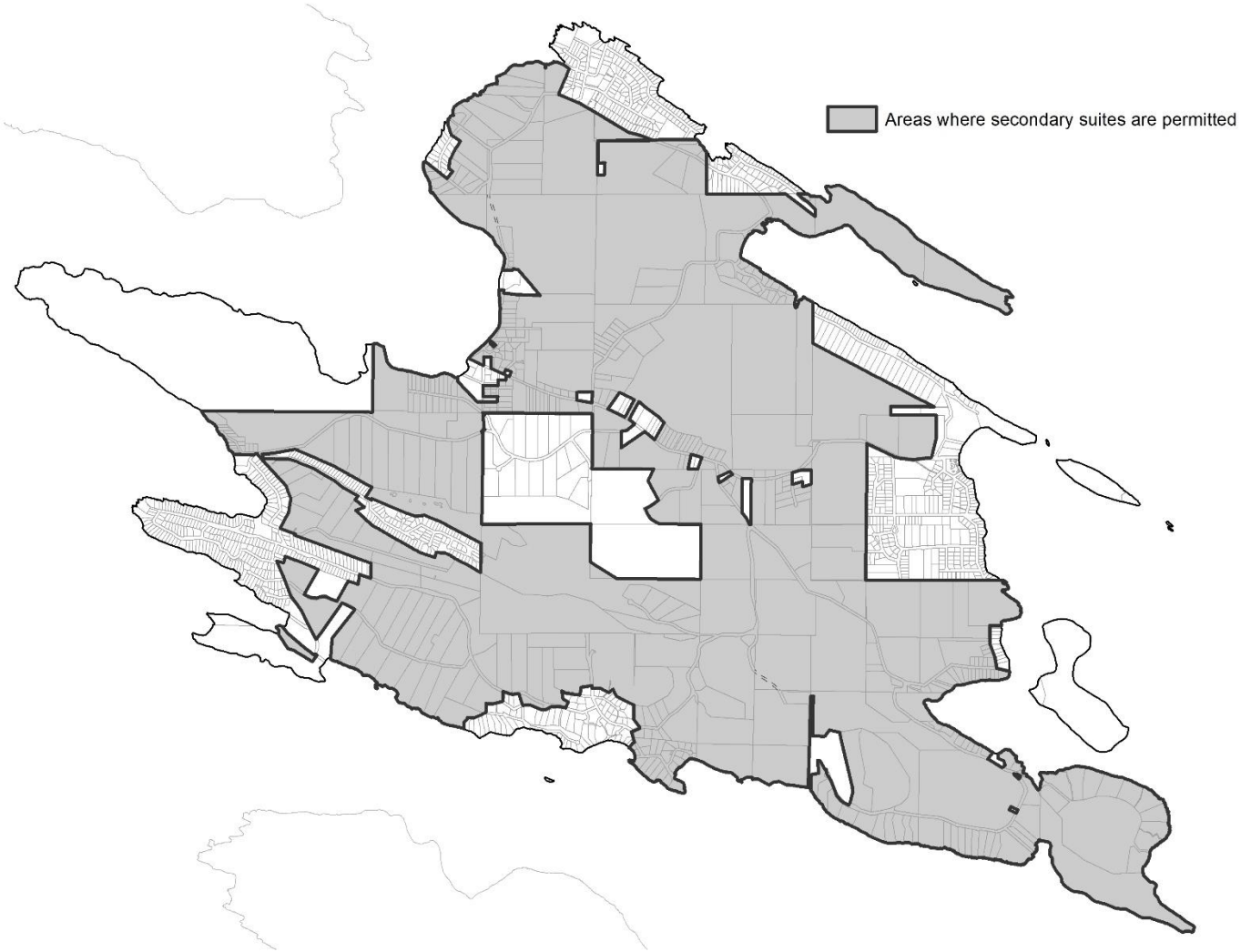
BL 175
BL 178
BL 180
BL 183
BL 187
BL 193
BL 195
BL 200

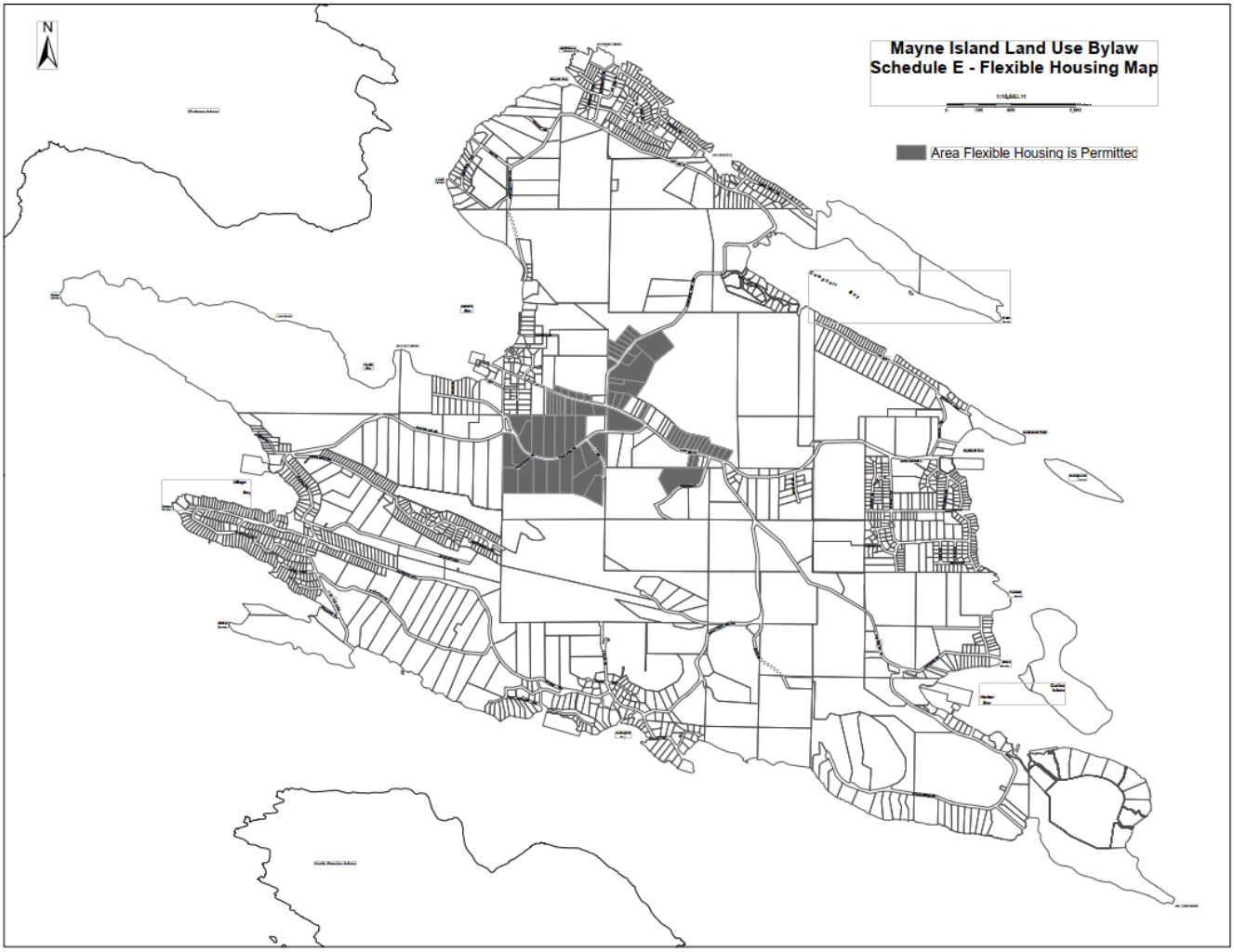
SCHEDULE C (BYLAW AREA MAP)



BL 160
BL 183
BL 180

SCHEDULE D (SECONDARY SUITE MAP)



SCHEDULE E (FLEXIBLE HOUSING MAP)

BL 184