

MAYNE ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 160

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

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The Mayne Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Mayne Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

- A. Schedule A of Bylaw No.146, cited as “Mayne Island Land Use Bylaw No 146, 2008” is amended as follows:
  - 1. By adding a new definition in alphabetical order to Section: “1.1 Definitions” as follows:

“secondary suite” means an accessory, self-contained dwelling unit, located within a building that otherwise contains a dwelling unit, and having a lesser floor area than the principal dwelling unit.”
  - 2. By adding to the definition of “Dwelling Unit” in Section “1.1 Definitions” as follows: adding the following “a secondary suite,” immediately after the words “or portion of a building in the case of”.
  - 3. By adding a new section immediately following section 3.12 as follows:

**“3.13 Secondary Suites**

- (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; and a cottage shall not be permitted on the parcel if a secondary suite has been constructed.
    - (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).
    - (8) The floor area of the secondary suite shall not exceed 60m<sup>2</sup> (646 ft<sup>2</sup>) nor shall it exceed 40 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*.”
  - 4. By adding a new subsection immediately following subsection 5.1(5) as follows:

“5.1(6) One secondary suite is permitted per lot subject to section 3.13.”

and renumbering the following subsections accordingly.
  - 5. By adding a new subsection immediately following subsection 5.5(5) as follows:

“5.5(6) One secondary suite is permitted per lot subject to section 3.13.”

and renumbering the following subsections accordingly.

6. By adding a new subsection immediately following subsection 5.6(5) as follows:  
 "5.6(6) One secondary suite is permitted per lot subject to section 3.13."  
 and renumbering the following subsections accordingly.
7. By adding a new subsection immediately following subsection 5.7(5) as follows:  
 "5.7(6) One secondary suite is permitted per lot subject to section 3.13."  
 and renumbering the following subsections accordingly.
8. By adding a parking requirement for secondary suites to: "7.4 Off Street Parking Spaces"  
 as follows:

<i>Use of Building or Lot</i>	<i>Minimum Number of Parking Spaces Required</i>
<i>Secondary suite</i>	<i>1 per suite</i>

9. A new schedule "Schedule D" is to be inserted immediately following schedule C. The new schedule D is attached to this bylaw as Plan No. 1.
- B. This bylaw may be cited for all purposes as the "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.2, 2013".

READ A FIRST TIME THIS	13 <sup>th</sup>	DAY OF	November	2013
PUBLIC HEARING HELD THIS	26 <sup>th</sup>	DAY OF	February	2014
READ A SECOND TIME THIS	26 <sup>th</sup>	DAY OF	February	2014
READ A THIRD TIME THIS	26 <sup>th</sup>	DAY OF	February	2014
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	18 <sup>th</sup>	DAY OF	March	2014
ADOPTED THIS	26 <sup>th</sup>	DAY OF	January	2015

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**DEPUTY SECRETARY**

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**CHAIRPERSON**

**Mayne Island Local Trust Committee**

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**Plan No. 1**

**SCHEDULE D (Secondary Suite Map)**

