

BOWEN ISLAND MUNICIPALITY

“BOWEN ISLAND MUNICIPALITY LAND USE BYLAW NO. 57, 2002”

CONSOLIDATED FOR CONVENIENCE – January 2017

| Amendment Bylaw | Date of Adoption |
|------------------------|-------------------------|
| Bylaw No. 28, 2000 | October 28, 2002 |
| Bylaw No. 34, 2001 | November 25, 2005 |
| Bylaw No. 53, 2002 | April 14, 2003 |
| Bylaw No. 61, 2002 | January 13, 2003 |
| Bylaw No. 66, 2003 | January 13, 2003 |
| Bylaw No. 87, 2003 | July 28, 2003 |
| Bylaw No. 90, 2004 | February 23, 2004 |
| Bylaw No. 103, 2004 | July 26, 2004 |
| Bylaw No. 104, 2004 | July 26, 2004 |
| Bylaw No. 123, 2005 | February 14, 2005 |
| Bylaw No. 149, 2005 | November 23, 2006 |
| Bylaw No. 157, 2005 | May 12, 2006 |
| Bylaw No. 178, 2006 | November 14, 2006 |
| Bylaw No. 190, 2006 | September 11, 2006 |
| Bylaw No. 194, 2006 | January 8, 2008 |
| Bylaw No. 208, 2006 | October 22, 2007 |
| Bylaw No. 217, 2008 | October 26, 2009 |
| Bylaw No. 222, 2008 | September 2, 2008 |
| Bylaw No. 224, 2008 | November 24, 2008 |
| Bylaw No. 265, 2009 | April 26, 2010 |
| Bylaw No. 280, 2010 | December 13, 2010 |
| Bylaw No. 281, 2010 | December 13, 2010 |
| Bylaw No. 301, 2011 | September 26, 2011 |
| Bylaw No. 309, 2011 | September 19, 2011 |
| Bylaw No. 315, 2012 | June 22, 2015 |

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|---------------------|-------------------|
| Bylaw No. 330, 2013 | June 10, 2013 |
| Bylaw No. 332, 2013 | January 27, 2014 |
| Bylaw No. 335, 2013 | November 25, 2013 |
| Bylaw No. 339, 2013 | July 30, 2013 |
| Bylaw No. 345, 2013 | April 13, 2015 |
| Bylaw No. 353, 2014 | November 24, 2014 |
| Bylaw No. 354, 2013 | March 10, 2014 |
| Bylaw No. 372, 2014 | January 26, 2015 |
| Bylaw No. 397, 2015 | March 14, 2016 |
| Bylaw No. 381, 2015 | May 25, 2015 |
| Bylaw No. 376, 2015 | July 13, 2015 |
| Bylaw No. 367, 2015 | December 14, 2015 |
| Bylaw No. 402, 2016 | March 29, 2016 |
| Bylaw No. 404, 2016 | June 27, 2016 |
| Bylaw No. 401, 2015 | July 11, 2016 |
| Bylaw No.380, 2015 | November 14, 2016 |
| Bylaw No.423, 2016 | January 9, 2017 |
| Bylaw No.422, 2016 | January 23, 2017 |

The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject

**BOWEN ISLAND MUNICIPALITY
BYLAW NO. 57, 2002**

A Bylaw to establish regulations, requirements and guidelines 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 Bowen Island Municipality.

WHEREAS the Bowen Island Council is the Council having jurisdiction on and in respect of the Bowen Island Municipality, pursuant to the Local Government Act;

AND WHEREAS the Bowen Island Council wishes to adopt a Land Use Bylaw and other development regulations, and to show by map the boundaries of land use zones;

AND WHEREAS the Bowen Island Council has held a Public Hearing;

NOW THEREFORE the Bowen Island Council enacts as follows:

1. The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Land Use Bylaw for the Bowen Island Municipality:
 - .1 Schedule A (Land Use Bylaw Text)
 - .2 Schedule B (Land Use Bylaw Map)
 - .3 Schedule C (Comprehensive Development Zone 3 (CD 3) Map)
 - .4 Schedule D (Land Development Guidelines for the Protection of the Aquatic Habitat)
 - .5 Schedule E (Design Guidelines, Snug Cove)
 - .6 Schedule F (Tourist Commercial (Accommodation) Development Permit Guidelines)
2. For the purpose of transition, business licence requirements of this Bylaw shall come into force and effect upon adoption by Council of a regulatory bylaw to implement business licencing.
3. Bowen Island Zoning Bylaw No. 36, 1984 and all of its amendments and Bowen Island Subdivision Bylaw, 1977 and all of its amendments are repealed.
4. This Bylaw may be cited for all purposes as the "Bowen Island Municipality Land Use Bylaw No. 57, 2002."

READ A FIRST TIME this 10th day of June, 2002.

READ A FIRST TIME AS AMENDED this 8th day of July, 2002.

PUBLIC HEARING HELD this 27th day of July, 2002.

READ A SECOND TIME AS AMENDED this 19th day of August, 2002.

PUBLIC HEARING HELD this 7th day of September, 2002.

READ A THIRD TIME AS AMENDED this 9th day of September, 2002.

RECONSIDERED AND FINALLY ADOPTED this 30th day of September, 2002.

(Original signed) _____

Lisa Barrett
Mayor

(Original signed) _____

Isabell Hadford
Chief Administrative Officer

Certified to be a true and correct copy of the
"Bowen Island Municipality Land Use Bylaw
No. 57, 2002" adopted by the Council of
Bowen Island Municipality this 30th day of
September, 2002.

(Original signed) _____

Isabell Hadford
Chief Administrative Officer

Schedule A

Land Use Bylaw Text

Schedule "A" of the
Bowen Island Municipality Land Use Bylaw No. 57, 2002

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PART 1 – INTERPRETATION

DEFINITIONS

1.1 In this Bylaw,

“ACCESSORY BUILDING or STRUCTURE” means a *building* or *structure*, which contains an *accessory use*, that is secondary, incidental and associated with the *principal building* or *use* permitted on the same *lot*.

“ACCESSORY USE” means a *use* other than a *principal use*, that is secondary, incidental and associated with the *principal use* or *building* permitted on the same *lot*.

“AGRICULTURE” means the *use* of land, *buildings* or *structures* for the growing, rearing, producing or harvesting of crops, livestock and other animals subject to Provincial Regulation and includes the processing and sale of products harvested, reared or produced on that *lot* and the storage of machinery, implements and supplies for use by the agricultural operation, but excludes *intensive agriculture*, *horticulture* and *vineyard*.

“AGRICULTURAL RETAIL” means the use of buildings and structures for the retail sale of goods and services related to agriculture, including goods and services related to the care and feeding of animals, and retail sale of pet food and supplies.

“AGRICULTURAL WASTE” means a by-product of agriculture, and includes manure, used mushroom medium and agricultural vegetation waste.

“AMUSEMENT ARCADE” means a *use* located primarily indoors containing more than three video, electrical, mechanical or manual games including video and pinball machines and gaming devices.

“APARTMENT DWELLING” means the residential use of part or all of a building comprised of three or more dwelling units, some or all of which have entrances from a common corridor or lobby.

“AQUIFER” means a *geological formation*, a *group of geological formations*, or a *part of one or more geological formations*, that is *water bearing* and *capable of storing, transmitting and yielding water*.

“ARTISAN INDUSTRY” means any occupation for gain or support that demands an art, handcraft, or trade in which an individual’s skill, through design or production method, lends a unique and distinctive quality to the finished object; or involves the teaching of creative arts or performance skills and the use of associated venues for exhibition; and allows as *accessory uses*:

- *office use* for a trade, art or craft;
- sale and repair of products that are produced or restored on site;

- venues for the exhibition and/or performance of those products/skills directly related to other activities on the site, and
- incidental selling of goods not manufactured on-site but directly related to other activity on the site.

“ASSEMBLY” means the *use* of land or a *building* or structure for gatherings for public, charitable, cultural, religious, memorial, philanthropic, recreational, educational or entertainment purposes.

“ATHLETIC PARK” means a public park *use* providing fields, diamonds, courts or pitches for organized team sports, and related infrastructure.

“AVERAGE FINISHED GRADE” means the average grade elevation around a *building or structure’s* perimeter with any proposed changes to natural grade due to construction, placement of fill, or removal of soil, measured as the average of each point of the building where two exterior walls of the *building or structure* contact each other and the ground surface. In the case of *buildings* and *structures* on the surface of water, *average finished grade* shall be the watermark of any floating *building or structure*. See Figure 1-1.

“AVERAGE NATURAL GRADE” means the average existing grade elevation, prior to any re-grading or construction, calculated around the perimeter of the *building or structure* at or directly below its outermost exterior walls, measured as the average of each point of the building where two exterior walls of a *building or structure* contact each other and the ground surface. In the case of *buildings* and *structures* on the surface of water, *average natural grade* shall be the *high watermark* on a *building or structure* fixed to the bed of the water and the watermark of any floating *building or structure*. See Figure 1-2.

“BED AND BREAKFAST” means a *home occupation* located within a *detached dwelling or accessory building* or both and restricted to providing temporary overnight accommodation and a breakfast meal to transient paying guests.

“BERTHAGE” means the tying of a *vessel* or seaplane to a wharf, float or dock that is in turn connected to an upland *lot* by a ramp or walkway.

“BOWEN ISLAND MUNICIPALITY” or **“MUNICIPALITY”** means the local government with jurisdiction within the boundaries of Bowen Island, Finisterre Island, and Hutt Island, and an area of foreshore and land covered by water extending 300 metres from the natural *high water marks* of Bowen Island, Finisterre Island and Hutt Island and their associated islets as indicated on Schedule “B”, Land Use Bylaw Map.

“BUILDING” means a roofed *structure* used or intended to be used for accommodating or sheltering a *use* or occupancy and for purposes of this Bylaw, *buildings* connected by a covered walkway and located not more than 3.0 metres (9.8 feet) apart are deemed to be one *building*.

“BUILDING INSPECTOR” means a person appointed as *building inspector* by the *Bowen Island Municipality*.

“CARRYING CAPACITY” means the natural ability of vegetated land (pasture) to support the primary nutritional requirements of grazing, browsing or rooting livestock, without resulting in progressive deterioration of the pasture condition.

“COHOUSING” means a housing model that fosters an inclusive, mutually supportive, yet independent living environment, consisting of clustered, attached, and / or detached dwellings that are individually owned and completely self contained yet incorporate commonly owned land, buildings, or structures, with the purpose of reducing the footprint of the private dwellings and support community connection.

“COLUMBARIUM” means a building or structure or area of a building or structure having niches for the storage of funeral urns.

“COMMERCIAL” means an activity conducted for monetary gain, or of sufficient scale that it may reasonably be expected to produce monetary gain.

“COMMERCIAL GUEST ACCOMMODATION” means overnight guest sleeping accommodation for transient paying guests, which is not a *bed and breakfast* and may include a washroom and *kitchen* within the individual unit.

“COMMON WALL” means a wall jointly owned or jointly used by two (2) parties under a strata lot or bare land strata lot, and erected at or upon an *interior side lot line* separating two (2) lots of land.

“COMMUNAL DINING ROOM” means an *accessory use* located in a *guest house* that provides meals to overnight guests of a *guest house* and may provide meals to non-overnight guests, but is not a *restaurant*.

“COMMUNITY CAMPUS” means facilities providing for a range of cultural, arts and crafts, performance and fitness activities, meeting space, and may include municipal offices, museum, archives, library and other similar uses, as well accessory office, kitchen, restaurant and similar uses.

“COMMUNITY DOCK” means a public dock.

“COMMUNITY SEWER SYSTEM” means a system of works to collect, convey, treat and dispose of sewage that serves more than one *dwelling*.

“COMMUNITY WATER SYSTEM” means a system of *waterworks* that serves more than one lot and which is owned, operated and maintained by Bowen Island Municipality, an Improvement District, Water Users’ Community defined under the Water Act or a Water Utility defined under the Water Utility Act.

“COMMUNITY WATERSHED” means the area upstream of the most downstream water intake, licensed under the Water Act for domestic purposes, of a *water works system*.

“CONFERENCE CENTRE” means an *accessory use* providing education and training facilities including overnight guest accommodation and shared eating facilities.

“CONFINEMENT AREA” means a fenced paddock of up to 0.1 ha in area, barn or other shelter for animals.

“CONSTRUCTED DITCH” means a constructed depression that has no headwaters, carries water from local surface areas or subsurface drains and may be permanently or intermittently wetted and is not a modified or channelized stream, and does not flow into a *watercourse*.

“COTTAGE INDUSTRY” means any occupation for monetary gain that demands a skill, practiced ability, or apprenticeship in a trade, art, or craft that results in the *assembly*, processing, manufacture or preparation of physical product from other physical resources; or the restoration of items of art or antiques; or involves the teaching or training of creative arts or performance skills; and allows as *accessory uses*:

- *office use* for a trade, art or craft;
- sale and repair of products that are produced or restored on site;
- venues for the exhibition and/or performance of those products/skills directly related to other activities on the site, and
- incidental selling of goods not manufactured on-site but directly related to other activity on the site.

“COUNCIL” means the *Council* of the *Bowen Island Municipality*.

“DAYCARE” means a child daycare facility licensed under the Community Care Facility Act, as amended or replaced from time to time.

“DERELICT VEHICLE” means a vehicle that is not driveable or has been unlicensed for 12 months.

“DOMESTIC AGRICULTURE” means the growing or rearing of any agricultural product for the personal use of the occupant of the *lot*.

“DWELLING or DWELLING UNIT” means a *building* containing sleeping, *living area* and *kitchen* designed, used or intended for use as one (1) residence.

“DWELLING, DETACHED” means a *building* consisting of one (1) *dwelling unit*.

“DWELLING, ATTACHED” means a *building* consisting of more than one (1) *dwelling unit* and for the purposes of this Bylaw includes *supportive housing*.

DWELLING, TWO FAMILY (SECONDARY DWELLING) means a *building* consisting of two (2) *attached dwelling units*, where one dwelling unit is a primary *dwelling*, which shall be a minimum of 30% larger in *floor area* than the *secondary dwelling*

“ENGINEER” means a member in good standing of the Association of Professional *Engineers* and Geoscientists of British Columbia.

“ENVIRONMENTAL CONSULTANT” means a registered professional with credentials in the environmental field under consideration.

“ENVIRONMENTAL MANAGEMENT PLAN” means a stand-alone document or a part of a report prepared by a qualified professional, describing environmental protection measures to be implemented for the purpose of controlling erosion and sedimentation; managing storm water

runoff; managing vegetation, wildlife, fish and habitat; and a plan for monitoring the proper implementation of said measures, as appropriate.

“FARM USE” means activities designated as *farm use* by the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

“FLOAT HOUSE” means a *building* containing a *dwelling unit* designed to float on water but is not intended or suitable for navigation.

“FLOOR AREA” means the sum of the horizontal areas on any storey of a *building* or *structure*, including basements, measured to the outer surface of exterior walls and windows minus 15 centimetres, but not including stairs, vertical service spaces and their enclosed assemblies. For the purpose of this definition, all areas of a *building* or *structure* having a floor and a ceiling two (2) metres or more apart constitutes a storey. The horizontal area of all *buildings* and *structures* where more than 60 percent of the area between the roof and the floor is enclosed by walls and windows shall be included in the calculation of *floor area*.

“FLOOR AREA, NET” means 90% of *floor area*.

“FLOOR SPACE RATIO and FSR” means:

- a) in respect of fee simple *lots*, the figure obtained by dividing the sum of the *floor areas* of all *buildings* and *structures* on a *lot* by the *lot area*.
- b) in respect of strata *lots* the figure obtained by dividing the sum of the *floor areas* of all *buildings* and *structures* on all strata *lots* in the same strata plan by the area of the strata plan exclusive of any access routes.

“GANGWAY” means a narrow pedestrian passageway, which may include sloping ramps, providing access between the shoreline and a float or connecting a pier structure to the shoreline or float.

“GARDEN CENTRE” means a use providing for the retail sale of nursery plants and home gardening supplies and related goods and services including related seasonal sales and related equipment rental.

“GAS STATION” means a use providing for the retail sale of petroleum products, lubricating oils and products related to the operation of a motor vehicle, and may include a convenience store.

“GENERAL SERVICES” means a *use* that provides:

- a) services to individuals or other businesses and is not limited to bank and financial institution, post office, instructional service, film processing, photocopying service, rentals, barber shop or beauty salon;
- b) repair or cleaning services for personal goods or small household goods customarily used within a *dwelling unit*, including a shoe repair shop or a small appliance repair shop but excludes automobile sales and repairs and *offices*.

“GROUP MOORAGE FACILITY” means a moorage that consists of one or more floats on the surface of the water, that is affixed to the sea bed and that may be connected to the shoreline

by means of a gangway, that is used as a landing or wharfing space for pleasure craft used or maintained in association with the use of two or more residences on a lot, two or more upland residential properties, or an association with a shared interest in an upland property, and that may include an accessory pier structure and boat lift.

“GUEST HOUSE” means a use that provides for overnight guest accommodation for transient paying guests, and may include a *communal dining room*, *kitchen facility*, the provision of accessory group meetings/courses/workshops, and a *dwelling unit* for the owner-operator and the owner-operator’s family.

“ha. or ha” means hectares.

“HABITABLE” means capable of being used as a *dwelling* or *dwelling unit*.

“HARD SURFACE” means a durable, dust free surface constructed of fines, compacted crushed gravel, porous pavers or similar material that is permeable to water, or is an asphalt or concrete surface that is impermeable to water together with oil separators and catchment basins developed in accordance with good engineering practice.

“HEIGHT” means for the purposes of *buildings*, the vertical distance from the lower of *average natural grade* or *average finished grade*, to:

- a) the highest point of a *building* with a flat roof (See Figure 1-3);
- b) the mean *height* line between the highest point of the *building* and the ceiling immediately below for *buildings* with pitched roofs and attic space (See Figure 1-4);
- c) the mean *height* line between the peak and a point 2.44 metres above the immediate floor below for *buildings* with pitched roofs without ceilings (See Figure 1-5); or
- d) the highest point of the flat roof or to the midpoint of the projected peak of the pitched roof, whichever is higher, for buildings with roofs composed of a combination of pitched and flat elements (See Figure 1-6).

“HEIGHT” means for the purposes of *structures*, the vertical distance from the lower of *average natural grade* or *average finished grade* to the highest point of the *structure*. See Figure 1-7.

“HIGHWAY” means the surveyed right of way for a road and includes access routes in bare land strata plans.

“HIGH WATER MARK or HWM” means where the presence and action of water are so common 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 banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself, as defined in Section 1 of the Land Act, or a surveyed *high watermark* identified on the plan of *subdivision* most recently registered in the Land Title Office, or the plan accompanying the instrument conveying crown land in fee simple. In a dispute, a new plan prepared by a BC Land Surveyor shall prevail.

“HOME OCCUPATION” means an occupation carried on for remuneration that is accessory to the residential use of a *dwelling unit*.

“HORTICULTURE” means growing of fruits, vegetables, flowers or ornamental plants for resale.

“INDOOR ENTERTAINMENT FACILITY” means a *use* conducted primarily indoors, including a performing arts facility, auditorium, studio, movie theatre, and other similar types of indoor entertainment *uses*, and can include a refreshment facility for the patrons of the facility, but excludes an *amusement arcade*.

“INDOOR RECREATION FACILITY” means a *use* conducted primarily indoors, including but not limited to an arena, bowling alley, curling rink, fitness club, gymnasium, indoor skating rink, racquet court, swimming pool and other similar types of indoor recreational *uses*, and can include a refreshment facility for the patrons of the facility, but excludes an *amusement arcade*.

“INTENSIVE AGRICULTURE” means for the purpose of this bylaw any of the following *uses*: *commercial* manure based mushroom cultivation; aquaculture; the keeping of livestock in a pasture, at densities higher than its *carrying capacity*, and adjacent *confinement area*.

“KENNEL” means any *building* or *structure*, compound, group of pens or cages or *lot* in which three (3) or more dogs or cats which for monetary gain are or are intended to be trained, cared for, bred, boarded or kept.

“KITCHEN” means a room or area of a room in a *building* that is equipped, or constructed so as to be capable of being equipped for activities related to the preparation and cooking of food.

“LAND BASED MARINA FACILITIES” means the *use* of the upland adjacent to a *marina* for *marina offices*; retail *use* associated with a *marina* such as convenience foods, ice, fishing tackle, basic marine equipment and supplies, primarily locally-produced crafts; take-out food; laundromat or laundering facilities, showers and restrooms; boat and/or bicycle rentals.

“LEAVE STRIP” and **“LEAVE AREA”** means the area along a water body that is to be left in an undisturbed state, throughout and after development, for the purpose of protecting aquatic and riparian habitat, water resources or slope stability.

“LIVE-ABOARD” means the *use* of a *vessel* with an enclosed cabin as a *dwelling unit*.

“LIVING AREA” means rooms or areas within a dwelling that provide space for activities that typically take place in a living room, den, rec. room or similar type of room or area.

“LOT” means the smallest unit in which land is designated as a separate and distinct entity on a legally recorded plan or description filed in the Land Title Office, and includes a strata *lot* registered under the Strata Property Act.

“LOT AREA” means the total horizontal area within the *lot lines*.

“LOT COVERAGE” means the percentage of the *lot area* covered by the horizontal footprint of all *buildings and structures*, including *accessory buildings or structures*.

“LOT DEPTH” means the measurement from the *front lot line* to the *rear lot line* measured from a line connecting the centre point of the *front lot line* to the centre point of the *rear lot line*.

“LOT LINE” means any boundary of a *lot* and in particular:

“Front Lot line” means the shortest *lot line* common to the *lot* and a *highway* and where there is more than one *lot line* common to the *lot* and the *highway*,

the shortest of these lines shall be considered the *front lot line*, and where a *lot* is split by a *highway* each portion of the *lot* shall have a *front lot line*;

“Exterior Side Lot line” means a *lot line* or lines not being the front or rear *lot line* and common to the *lot* and a *highway*;

“Interior Side Lot line” means any *lot line* that is not a front, exterior side or rear *lot line*;

“Rear lot line” means a *lot line* or lines opposite to and most distant from the *front lot line* or where the rear portion of the *lot* is bounded by intersecting exterior side or *interior lot lines* it shall be the point of such intersection.

(See Figure 1-7)

“m. or m” means metres.

“MARINA” means the commercial *use* of a water area for *moorage*, docking, *berthage*, *storage*, launching, rental, servicing, maintenance and repair of *vessels*, marine fuel supplies, tackle and convenience food sales, and includes the installation and *use* of sewage pump-out facilities, floats, wharves, docks, piers, ramps, floating breakwaters and walkways.

“Max.” means maximum.

“Min.” means minimum.

“MEDICAL CLINIC” means a medical, dental, physiotherapy or similar practice run by one or several practitioners and including accessory laboratory and other facilities.

“MOORAGE” means the tying of a *vessel* to a wharf, buoy or a similar object that is anchored to the bed of the sea.

“MUNICIPAL HALL” means a *use* that provides for conducting local government business, services and activities and related public services and activities, within *offices*, meeting rooms or *Council* chambers.

“NATURAL BOUNDARY, SEA” means the visible *high watermark* of the sea.

“NATURAL BOUNDARY, LAKE, WATER RESERVOIR, WATERCOURSE” means the *top of the bank* or *top of the ravine bank* of a lake, *water reservoir*, a *watercourse*, or other body of water and also includes the edge of dormant side channels of any lake, stream, or other body of water.

“NATURAL PARK” means a public park use where areas are protected from development to preserve natural flora and fauna and environmentally sensitive features.

“NEIGHBOURHOOD PARK” means a public park use developed as a focal point for outdoor neighbourhood activities.

“OFFICE” means a location where activities of an accounting, administrative, clerical, consulting, professional or record keeping nature are conducted for monetary gain or for benefit of the public but excludes *general services*.

“OFFENSIVE USES” means all *uses* which introduce or produce malodorous, toxic or noxious matters, or generate excessive vibration, heat, glare, noise, or radiation beyond the boundaries of the *lot* upon which such operation is located; and the manufacture of hazardous substances.

“OPEN SPACE” means land maintained in its natural state to preserve natural flora and fauna and environmentally sensitive features and to provide greenbelts and greenways, without the use of *buildings* and *structures*, and does not include *assembly use*.

“OUTDOOR RECREATION FACILITY” means playing fields, tennis courts, equestrian centre or stable, golf course, nature interpretation facility, outdoor pools, and other similar types of outdoor recreational *uses*.

“PANHANDLE LOT” means a *lot* that fronts on a *highway* by means of a strip of land that is narrower than the main portion of the *lot*.

“PARCEL” means the smallest unit in which land is designated as a separate and distinct *parcel* on a legally recorded plan or description filed in the Land Title Office, except that the total area of land in a Bare Land Strata Plan registered under the Strata Property Act shall be considered a *parcel*.

“PARKING AREA” means an area of land, other than a *highway*, used for access to and parking of vehicles in *parking spaces*.

“PARKING SPACE” means a space within a *building* or *parking area*, for the parking of one vehicle, excluding commercial parking area access aisles and ramps.

“PERSONAL CARE HOME” means a licensed facility providing for the care, recreational needs and rehabilitation of the disabled, sick, injured or aged and includes private hospitals, convalescent homes, nursing homes and rest homes.

“PERSONAL WATERCRAFT” means a *vessel* less than 4.6 metres in length that is propelled by machinery such as a propeller or jet pump and is designed to be operated by a person standing, kneeling, or sitting on the *vessel*, rather than standing, kneeling or sitting inside the *vessel*.

“PORTABLE SAW MILL” means the use of saw mill that is capable of being moved, typically by hitching the saw mill to a motor vehicle.

“POTABLE WATER” means water that meets standards set by a provincial or federal regulatory authority as safe to drink and fit for domestic purposes.

“PRINCIPAL” means primary and most important.

“PRINCIPAL BUILDING” means *buildings* or *structures* that contain a *principal use* of the *lot*.

“PRIVATE MOORAGE FACILITY” means a float on the surface of the water that is affixed to the sea bed, that may be connected to the shoreline by means of a gangway, that is used as a

landing or wharfing space for pleasure craft in association with the use of a single lot of adjacent upland residential property, and that may include an accessory pier structure and boat lift.

“PROPERTY LINE PROJECTION” means a straight line projecting from the lot lines of a property which are perpendicular to the shoreline, drawn in a straight line from the two corners of the property most distant from the sea to the two corners of the property at the high water mark and extending seaward.

“PRIVATE UTILITY” means a utility other than a *public utility*.

“PRODUCE STAND” means a portable *structure* used for the sale of locally grown agricultural or horticultural products.

“PUB” means a *use* where liquor is sold by the glass or bottle for immediate consumption and can include entertainment, food service and beer and wine off-sale, subject to licensing under the Liquor Control and Licensing Act.

“PUBLIC UTILITY” means a system, work, *building*, plant, equipment or resource supplying the public-at-large with some essential commodity or service, such as the provision of water, gas, electricity or power, or sewer, drainage, transportation or telecommunication services.

“PUBLIC WORKS YARD” means the *use* of a *lot* for the storage of equipment, materials and supplies used for maintaining works owned or operated by *Bowen Island Municipality* or its contractors or another public agency or its contractors, and for the repair and maintenance of related vehicles, machinery, facilities and works.

“QUALIFIED PROFESSIONAL” means an applied scientist or technologist, acting alone or together with another *qualified professional* on behalf of the applicant or the Bowen Island Municipality. He or she must be registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, practicing under that association’s code of ethics and subject to disciplinary action by that association. The applicable professional may be a professional Biologist, Agrologist, Forester, Geoscientist, Engineer, Arborist or Technologist, as appropriate. The individual’s area of expertise must be recognized by Bowen Island Municipality as one that is acceptable for the purpose of providing all or part of an evaluation report in respect of the particular development proposal that is under consideration.

“RECREATION, TRAINING AND MEETING CENTRE” means a *use* providing recreation, training and meeting facilities for the care and rehabilitation of persons with disabilities in single or multiple buildings, including overnight guest facilities and shared eating facilities; accommodation for staff; one *dwelling* for the manager of the centre; and *accessory* buildings.

“RESTAURANT” means a *use* where food and beverages are sold to the public primarily for immediate consumption, and may include the serving of alcoholic beverages to a person without a meal, as regulated by the Liquor Control and Licensing Act.

“RETAIL” means a *use* within a *building* or on an associated *lot* where goods are offered or kept for sale to the public.

“RETREAT CENTRE” means a *use* that provides for the operation of spiritual, cultural or educational indoor or outdoor programs for single-day or in-residence guest *use*, and may

include sleeping accommodation for a maximum of 40 in-residence guests in a single building or cabins; one shared kitchen and eating area; meeting areas; bathrooms; accommodation for staff; one residence for the manager or owner of the *retreat centre*; and *accessory buildings*.

“SECONDARY SUITES” means an additional self-contained dwelling unit, having a separate entrance and containing kitchen and bathroom facilities, located within a residential building that contains only one other dwelling unit and is smaller than the primary residential unit.

“SERVICE STATION” means premises used principally for the servicing of motor vehicles and the retail sale of lubricating oils and motor vehicle accessories, and may include a convenience store, outdoor storage of up to three vehicles for sale, and the sale of vehicles but shall not exclusively be a body shop that does frame repairs, body repairs, or painting.

“SETBACK” means the required minimum horizontal distance between a *building* or *structure* or *use* and each of the respective *lot lines* or the *high water mark* of the sea, lake or *watercourse*. See Figure 1-8.

“SIGN” means any *structure* which through any medium or device is used to attract attention for advertising information or identification and is visible from any *street* or *lot* other than the *lot* on which the *sign* is located.

“SLEEPING AREA” means a bedroom or other area used for sleeping.

“SPILL MANAGEMENT PLAN” means for the purpose of this Bylaw a plan for the control and minimization of damage to life, property, or the environment from any form of hazardous materials.

“STREET” means the constructed surface installed in a *highway* for the passage of vehicular traffic.

“STRUCTURE” means any construction installed on, supported by or sunk into land or water, but does not include a fence or flat areas intended for pedestrian or vehicle movement surfaced by concrete, asphalt, brick or tile or other materials.

“SUBDIVISION” means *subdivision* as defined in the Land Title Act or under the Strata Property Act.

“SUMMER CAMP” means a non-profit camping establishment that is occupied by participants of its programs on a temporary basis only.

“SUPPORTIVE HOUSING” means a *use* that provides communal occupancy where each resident may have a house-keeping unit with an ensuite bathroom and kitchenette, and may include shared living, cooking and dining areas. One separate suite including a *kitchen* may be provided for resident staff.

“SUSTAINABLE USE OF NATURAL RESOURCES” means the use of renewable natural resources at a rate that does not exceed the resource’s capacity for regeneration, does not impair the resource’s ecological functions and services, and does not jeopardize the ability of future generations at the same location to enjoy the resource in equal abundance. Sustainable use includes, for example, planting to replace the trees or other vegetation that is harvested or otherwise removed.

“TOP OF THE BANK” means:

- (a) the point closest to the boundary of the active floodplain of a stream where a break in the slope of land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the break, and
- (b) for a floodplain area not contained in a ravine, the edge of the active floodplain of a stream where the slope of the land beyond the edge is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the edge.

“TOP OF THE RAVINE BANK” means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed. For the purpose of this definition ravine means a narrow, steep sided valley that is commonly eroded by running water and with slope grades greater than 3:1.

“TOWNHOUSE DWELLING” means residential use of a building comprised of three or more dwelling units separated from one another by party walls extending from foundations to roof, each of which has a separate exterior entrance at grade and shares no more than two party walls with adjacent dwelling units.

“TRANSFER STATION” means a use where solid waste is temporarily stored and sorted.

“USE” means the purpose or activity for which any lot, parcel, tract of land, building or structure is designed, arranged, or intended or occupied or maintained.

“VEHICLE REPAIR GARAGE” means a use in a building providing repair, service and inspection of automobile vehicles including cars, light trucks and community public transportation, and accessory product storage and sales. Vehicle sales, frame repairs, body repairs or painting or other similar industrial type of work are not permitted.

“VESSEL” means any type of watercraft, not including personal watercraft, regardless of the method of propulsion.

“VINEYARD” means the use of land, buildings or structures for the growing of grapes or other fruits and berries for the production of wine from grapes or other fruits and berries at a winery located on the lot where the grapes or other fruits and berries are grown, or for commercial wholesale.

“WATER RESERVOIR” means a natural or man-made body of water that is managed for water supply where water can include domestic water and water for other purposes such as stream flow enhancement, fire fighting, livestock watering and aquaculture.

“WATER RESOURCE PROTECTION AREA” means an area adjacent to a watercourse, lake, pond, wetland, spring or well that links to drinking or irrigation or other approved water supplies and includes both existing and potential sources, aquifers, riparian vegetation and existing and potential upland vegetation that exert an influence on the water supply, the width of which includes the water source and the area measured:

- a. perpendicularly and horizontally:

- i. from the high water mark of a watercourse that is not in a *ravine* to a distance of 30 metres from the top of bank of a watercourse;
- ii. from the high water mark of a watercourse in a *ravine* less than 60 metres wide, to a distance of 30 metres beyond the *top of the ravine bank*; or
- iii. from the high water mark of a watercourse in a *ravine* that is 60 metres wide or greater to a distance of 10 metres beyond the top of the ravine bank;
- b. from the normal high water mark of a lake, pond, wetland or spring to a distance of 30 metres;
- c. from a surface water intake to a distance of 30 metres measured up-gradient from the intake and no closer than 5 m down-gradient or the top of bank of a watercourse; and
- d. for all other surface water bodies used for water supply, an area encompassing the water body and a strip 30 metres around the water body measured from the natural boundary of the water body.

“WATERCOURSE” means any natural or man-made depression with well defined banks and a bed 0.6 metres 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 (2) square kilometres or more upstream from the point of consideration, and excludes a *constructed ditch*.

“WATER WORKS SYSTEM” means a system of water supply including its source, treatment, storage, transmission and distribution facilities, where water is furnished or offered for domestic purposes, but does not include a water supply serving only one *dwelling*.

“WETLAND” means land that is inundated or saturated by surface water or ground water of frequency and duration sufficient to support vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.

“WHOLESALE” means a *use* where goods are kept or offered for sale to retailers, other businesses, or other wholesalers.

“WINERY” means the *use of buildings and structures* for the production of wine, at a *winery* facility licensed by the Liquor Control and Licensing Branch, where at least 50% of the wine production comes from grapes grown at the *vineyard* on the same *lot*, or from another *lot* which is part of the same *vineyard* business. Imported British Columbia grapes used in the *winery* shall be limited to no more than 50% of wine production. A *winery* may include *winery* tours, wine tasting, wine sales, and the sale of *winery* promotional products

“ZONE” means a *zone* as established by this Bylaw.

NUMBERING

1.3 In the numbering system used in this Bylaw, the first number indicates parts of the Bylaw, the second number indicates Sections, the third indicates Subsections as follows:

- 8. Part
- 8.1 Section
- 8.1.1 Subsection

DESCRIPTION OF LAND

1.4 All descriptions of particular land used in this Bylaw are descriptions of land within the area of application as described in Section 2.1 of this Bylaw, all within Group 1, New Westminster District.

INFORMATION NOTES

1.5 Where a paragraph or sentence in this Bylaw is written in italics and 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 the Bylaw.

FIGURES

1.6 Figures 1-1 to 1-9 are provided for the convenience of the reader.

Figure 1-1 Average Finished Grade

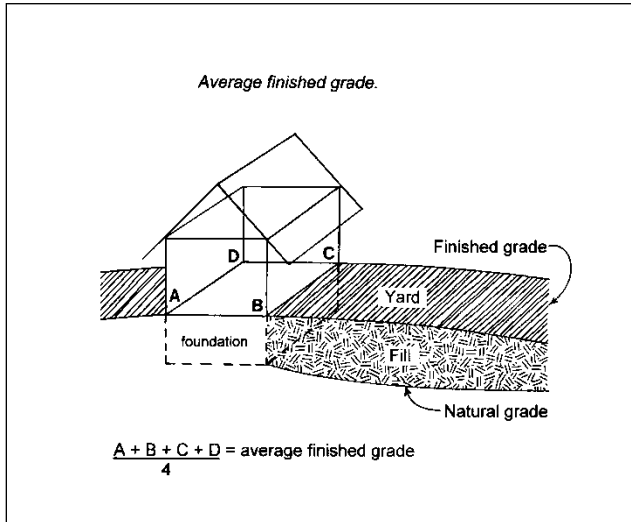


Figure 1-2 Average Natural Grade

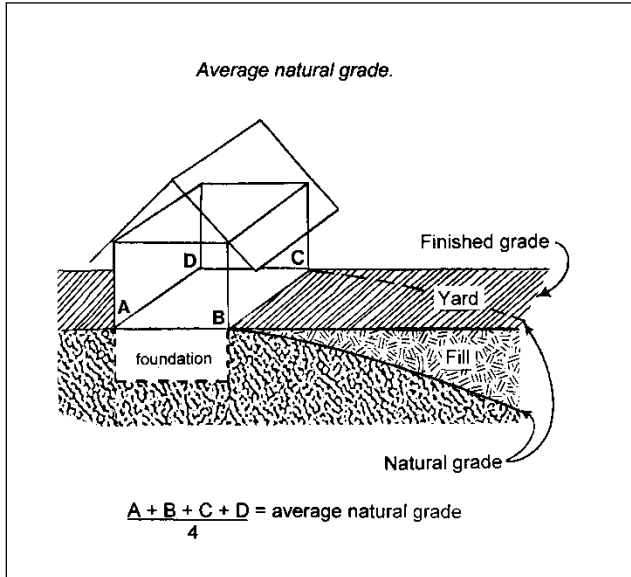


Figure 1-3 Height – flat roof

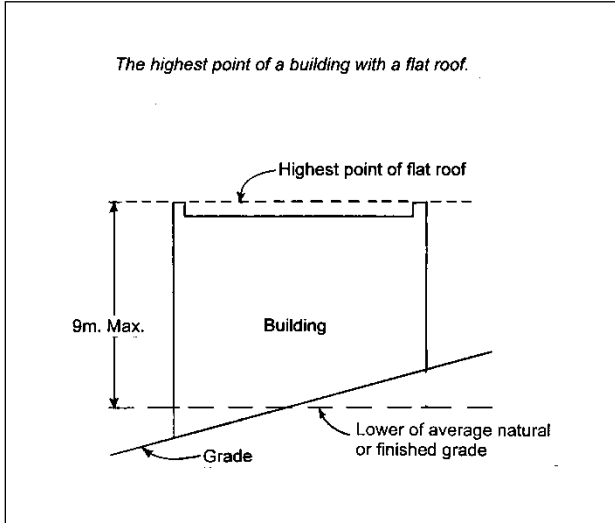


Figure 1-4 Height – pitched roof with attic space

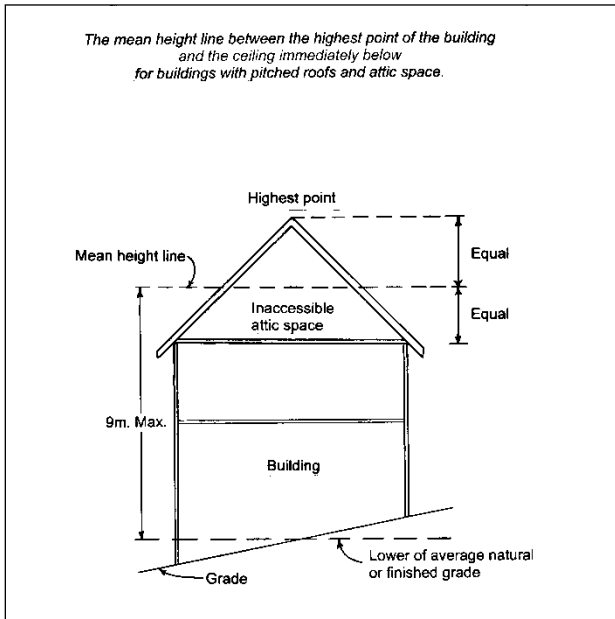


Figure 1-5 Height – pitched roof without ceilings

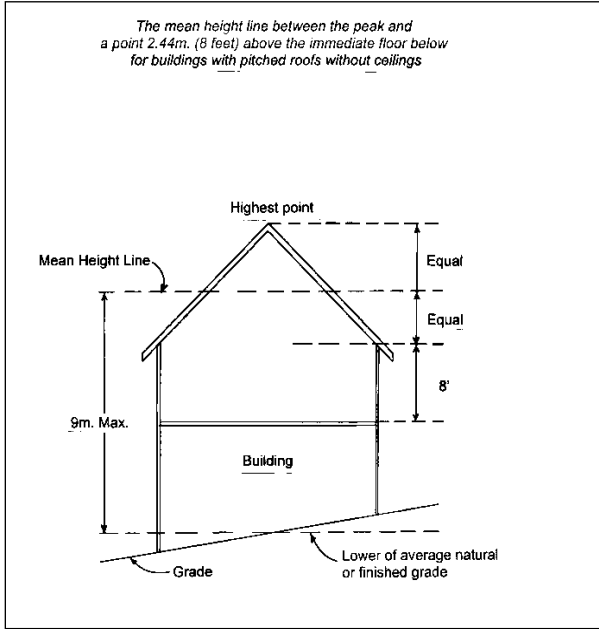


Figure 1-6 Height – combination of pitched and flat elements

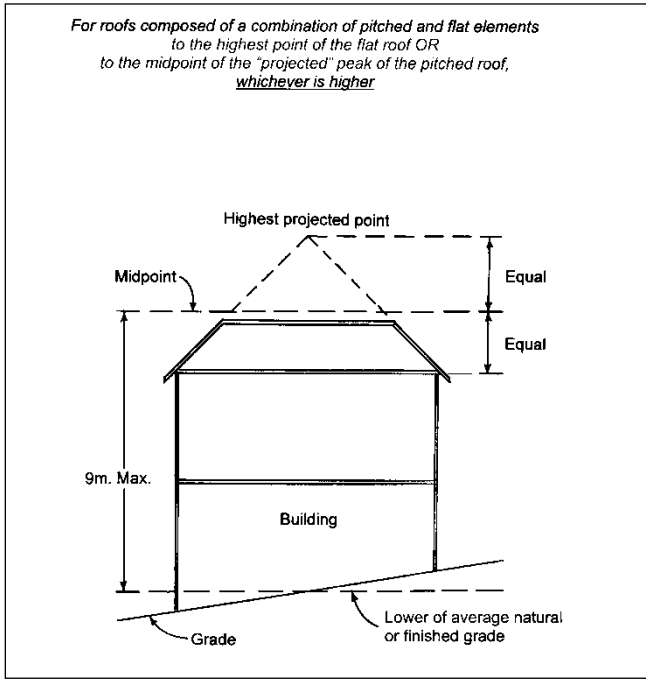


Figure 1-7 Illustration of lot lines

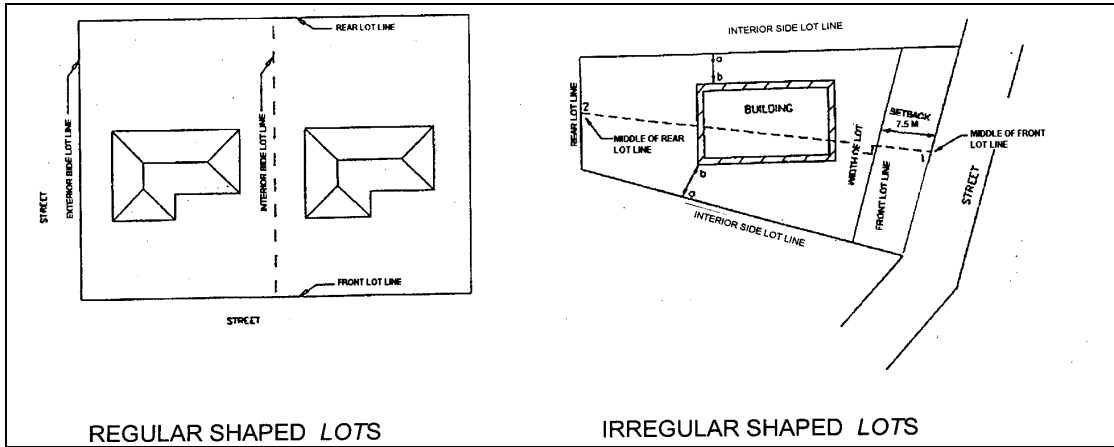
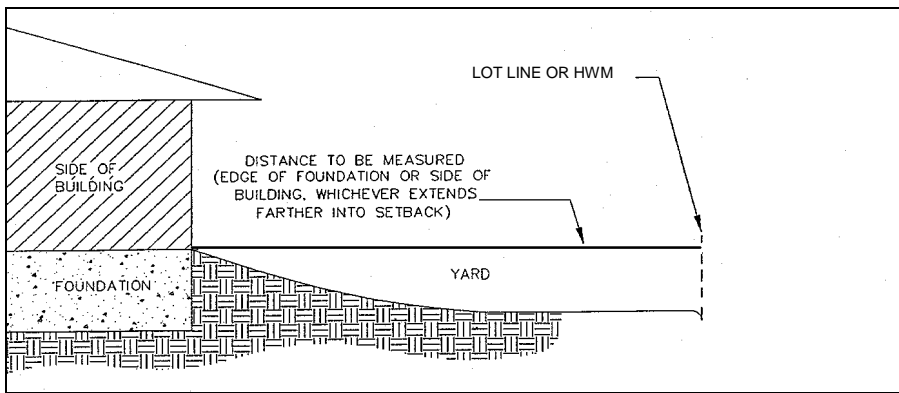


Figure 1-8 Measurement of setback



PART 2 — ADMINISTRATION

APPLICATION

- 2.1 This Bylaw applies to all land, including the surface of water, *buildings* and *structures* within the boundaries of the *Bowen Island Municipality* as shown on the map in Schedule “B,” Land Use Bylaw Map.

CONFORMITY

- 2.2 No person shall use or permit land, including the surface of water, *buildings*, and *structures* to be used except as specifically permitted in this Bylaw.
- 2.3 Any existing *lot* that is less than the minimum *lot area* specified for the applicable *zone* may be used for any *use* permitted in that *zone* unless otherwise specified in this Bylaw.
- 2.4 No person shall subdivide land except as specifically permitted in this Bylaw.
- 2.5 No person shall construct, reconstruct, place, alter, extend or use any *building*, *structure*, or *sign* except as specifically permitted in this Bylaw.

COVENANTS AGAINST BUILDING, SUBDIVISION AND USE

- 2.6 Where an owner of land is required by *Bowen Island Municipality* or volunteers to grant a covenant restricting development, *subdivision*, or the *use* of land, the covenant shall be granted to the *Municipality* and parties thereto in priority to all financial charges, and it shall be delivered in a form satisfactory to the *Municipality* prior to the granting of approval or authorization in respect of which the covenant is required.
- 2.7 The covenant shall include a provision that the covenantor shall indemnify the *Municipality* in respect of any fees or expenses the *Municipality* may incur as a result of a breach of the covenant by the covenantor.
- 2.8 If a covenant registered on the title of a *parcel*, where the covenant was a *requirement of the Municipality* or its predecessor and the Municipality is a grantee, provides regulations with respect to the *subdivision* of land or the *use* of land, *buildings* or *structures* on that *parcel*, and the regulations contained in the covenant are more restrictive than the regulations contained in this Bylaw, the regulations contained in the covenant shall prevail.

INSPECTION

- 2.9 Any *officer*, employee or contractor of the *Bowen Island Municipality* is hereby authorized to enter, during normal working hours on any day of the work week, any *lot* that is subject to the regulations under this Bylaw to ascertain whether there is compliance with the provisions of this Bylaw and to evaluate site specific circumstances for the purposes of development application processing.

VIOLATION

- 2.10 Every person who:
- 2.10.1 violates any of the provisions of this Bylaw;
 - 2.10.2 causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
 - 2.10.3 neglects or omits to do anything required under this Bylaw;
 - 2.10.4 carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw;
 - 2.10.5 fails to comply with an order, direction or notice given under this Bylaw;
 - 2.10.6 prevents or obstructs or attempts to prevent or obstruct the entry of those authorized under Section 2.10,
- shall be deemed to have committed an offence under this Bylaw.

OFFENCE

- 2.11 Each day's continuance of an offence under Section 2.10 constitutes a new and distinct offence.

PENALTY

- 2.12 Every person who commits an offence under this Bylaw, is liable, on summary conviction, to a penalty not exceeding Two Thousand Dollars (\$2,000) plus the costs of prosecution.

SEVERABILITY

- 2.13 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.

OWNER'S COSTS

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

PART 3 – GENERAL REGULATIONS

APPLICABILITY

- 3.1 Part 3 applies to all *zones* established under this Bylaw, except as otherwise specifically stated in this Bylaw.

USES PERMITTED IN ALL ZONES

- 3.2 Unless otherwise stated in this Bylaw, the following *uses* are permitted in all *zones* except Ecological Reserve (G1), Environmentally Sensitive (G2) and Drinking Water (WP 1) *Zones*:
- .1 Bicycle paths, equestrian trails, pedestrian trails or board walks, *open space*, natural parks other than playgrounds and playing fields;
 - .2 Parks and recreation programs offered by the Bowen Island Parks and Recreation Commission;
 - .3 *Public utility or private utility*;
 - .4 *Highways*;
 - .5 Water storage, pumping and treatment;
 - .6 Erosion control; and
 - .7 Short-term milling of timber grown on the *lot* for use on the *lot* by a *portable saw mill* subject to terms and conditions established by business licence or other municipal regulation.

PROHIBITED USES OF LAND, BUILDINGS AND STRUCTURES

- 3.3 The following *uses* are prohibited in all *zones*, except as otherwise specifically stated in this Bylaw:
- .1 Airports, hovercraft ports or heliports except where necessary for emergency services or to service *public utilities*;
 - .2 Campgrounds for recreational vehicles and trailer parks;
 - .3 Manufactured home parks;
 - .4 *Offensive uses*;
 - .5 Rental of *personal watercraft*, allterrain vehicles, or motorcycles;
 - .6 A *use* located partially or totally in a tent trailer, motor home, camper, or other recreation vehicle, without a permanent foundation or permanent service connection, except when a tent trailer, motor home or camper, or other recreation vehicle:

- is otherwise permitted by this Bylaw; or
 - is used for temporary sleeping accommodation for non-paying visitors for a period not exceeding 90 days in any 360 day period.
- .7 Destination casinos and commercial bingo halls;
 - .8 Disposal of sewage and/or solid waste or green waste generated outside of the boundaries of the *Municipality*, except for disposal in *marina* pump-out facilities;
 - .9 Wrecking or storage of more than one *derelict vehicle* on a *lot*;
 - .10 *Intensive agriculture*, except on land located within the Agricultural Land Reserve; and
 - .11 *Dwelling use* of common property within a bare land strata plan.

CONFIRMATION OF LAWFUL USE AND SITING

- 3.4 The *use* and siting of *buildings* or *structures* which exist at the time of adoption of this Bylaw, and are a continuation of *uses* and sitings which:
 - .1 were lawful under a former Zoning or Subdivision Bylaw, or
 - .2 were lawful at the time of enactment of a former Zoning or Subdivision Bylaw,
 are, notwithstanding any other provision of this Bylaw, constituted conforming *uses* and sitings under this Bylaw.
- 3.5 Any changes to *uses* and sitings described in Section 3.4, must meet the provisions of this Bylaw.

RELATIONSHIP TO THE PROVINCIAL AGRICULTURAL LAND RESERVE

- 3.6 Where land is in the Provincial Agricultural Land Reserve, *farm use* is a permitted *use*.
- 3.7 Where *land* is in the Provincial Agricultural Land Reserve, non-*farm uses* permitted within a *zone* are permitted:
 - .1 if also approved by the Provincial Agricultural Land Commission by written order and only to the extent provided by the written order, or
 - .2 if also permitted by the Agricultural Land Reserve, Subdivision and Procedure Regulation in force November 1, 2002 and only to the extent permitted by this Bylaw.

NUMBER OF DWELLINGS ON A LOT AND DWELLING USE

- 3.8 Not more than one (1) *dwelling* shall be permitted on any *lot* that allows a residential *use* unless provided for by specific regulation in this Bylaw.

- 3.9 Despite Subsection 3.3.6, where a *building* permit has been issued for the construction of a *building* or *structure* for a permitted *use*, the owner or builder may use one travel trailer or camper on the *lot* for temporary accommodation during the construction, for a period not to exceed one year from the date of issuance of the *building* permit, subject to approval of the sewage disposal system by the Medical Health Officer.

SITING REQUIREMENTS FOR STRATA AND BARE LAND STRATA LOTS

- 3.10 Siting regulations under this Bylaw also apply to bare land strata *lots*.
- 3.11 The siting requirements of this Bylaw shall not apply in relation to *interior side lot lines* on which a *common wall* is to be constructed.

ACCESSORY BUILDINGS OR STRUCTURES

- 3.12 The total *floor area* of all *buildings* used for a *use* accessory to a *dwelling use* must not exceed the requirement set out in Table 3-1 in respect of the applicable *lot area*.

TABLE 3-1 DWELLING USE ACCESSORY BUILDING FLOOR AREA

| LOT AREA | DWELLING USE ACCESSORY BUILDING MAXIMUM FLOOR AREA |
|---|---|
| Up to 0.4 <i>ha</i> . | 160 square metres |
| Greater than 0.4 <i>ha</i> . to less than 4.0 <i>ha</i> | 4.0% of <i>lot area</i> to a maximum of 400 square metres |
| 4.0 <i>ha</i> and greater | 4.0% of <i>lot area</i> to a maximum of 1,000 square metres |

- 3.13 No part of any *accessory building* or *structure* shall be less than 1.8 metres from the nearest part of any *principal building* or within 1.2 metres of any part of another *accessory building* or *structure*.
- 3.14 A roadside stand for *farm gate sales* of locally produced agricultural products accessory to *agricultural use* that does not exceed 2.5 metres in *height* and 10 square metres in *floor area* shall have a minimum *setback* of 4.6 metres from a *highway*.

HEIGHT EXCEPTIONS

- 3.15 Any of the following may exceed the *height* limitations specified for each *zone* of this Bylaw provided that the *lot coverage* of such *structures* does not exceed 1%

or, if it is located on a *building*, the *structure* does not occupy more than 10% of the roof area of the *building*:

- .1 chimney;
- .2 church spire or church belfry;
- .3 flag pole;
- .4 hose and fire alarm tower;
- .5 lighting pole;
- .6 telephone pole;
- .7 water *storage* tanks;
- .8 wind generators;
- .9 attic vent;
- .10 cupolas; and
- .11 *buildings* and *structures* accessory to agricultural use.

SETBACKS FROM THE SEA

- 3.16 No part of a *building* or *structure* shall be sited within thirty (30) metres of the *natural boundary* of the sea unless otherwise provided for in this Bylaw.

Information Note: *Variances to this Section can be considered by Municipal Council and given through Development Variance Permit.*

- 3.17 The *setback* from the *natural boundary* of the sea for *buildings* and *structures* may be reduced based on the following regulations.

- .1 to a minimum of 15 metres based on the calculation of the average of the existing *setback* from the *natural boundary* of the sea for the *principal building* on the *lot* on either side of the subject *lot*.
- .2 to a minimum of 7.5 metres based on the average of the existing *setback* from the *natural boundary* of the sea for the *principal building* on the *lots* on either side of the subject *lot*, where the *natural boundary* of the sea is protected from erosion by natural bedrock as determined in a report under seal of a Professional Geotechnical *Engineer* or protected from erosion through works designed under seal of a Professional Geotechnical *Engineer*, subject to a report with recommendations from an *environmental consultant* confirming that environmental concerns can be adequately addressed. Such reports shall be submitted at the time of application for a development permit or building permit, whichever comes first.
- .3 Where the subject *lot* abuts a vacant *lot*, a *lot* without a *principal building*, or a *highway*, the existing *setback* for that vacant *lot*, that *lot* without a *principal building*, or that *highway* shall be considered to be 30 metres.

- .4 An existing *setback* for a *principal building* on a *lot* shall be calculated by measuring the average of the distance between the outermost exterior walls of the *principal building*, excluding decks, measured from the point where two perimeter walls contact each other and the ground surface, to the *natural boundary* of the sea.
- .5 Existing *setbacks* shall be determined from a plan signed by a BC Land Surveyor that illustrates the *natural boundary* of the sea and the existing *setback* for a *principal building* on the lots on either side of the subject *lot*.

SETBACKS FROM WATERCOURSES, WATER RESERVOIRS, LAKES, WETLANDS & NEST TREES

- 3.18 No *building* or *structure* shall be sited within thirty (30) metres from the *natural boundary* of any *watercourse* unless otherwise provided for in this Bylaw.
 - .1 Notwithstanding the *setback* requirement in Section 3.18, buildings or structures may be sited within 30 meters (100 feet) of the *natural boundary* of any *watercourse* on land previously zoned Community Water Supply Protection (CWSP) Zone in Bowen Island Zoning Bylaw 36, 1984, provided that a biophysical review prepared by a professional environmental consultant to confirm the necessary environmental protection buffers is undertaken and a covenant and a statutory right of way, pursuant to the *Land Title Act*, in a form acceptable to the Municipality, and with the Municipality as the holder of the charge, is granted based on such review and is registered on the title to the property that:
 - a) restricts the removal of vegetation within a specified area along the watercourse; and
 - b) restricts the siting of buildings, structures, and sewage disposal systems to a particular building envelope on the property,but in no case shall a building or structure be sited within 15 meters (49.2 feet) of the *natural boundary* of any *watercourse* so identified in the covenant.
- 3.19 No *building* or *structure* shall be sited within fifty (50) metres from the *natural boundary* of any *water reservoir* or lake unless otherwise provided for in this Bylaw.
 - .1 Notwithstanding the setback requirement in Section 3.19, buildings or structures may be sited within 50 meters (164 feet) of the *natural boundary* of any *water reservoir* or lake on land previously zoned Community Water Supply Protection (CWSP) Zone in Bowen Island Zoning Bylaw 36, 1984, provided that a biophysical review prepared by a professional environmental consultant to confirm the necessary environmental protection buffers is undertaken and a covenant and a statutory right of way, pursuant to the *Land Title Act*, in a form acceptable to the Municipality, and with the Municipality as

the holder of the charge, is granted based on such review and is registered on the title to the property that:

- a) restricts the removal of vegetation within a specified area along the *water reservoir* or lake; and
- b) restricts the siting of buildings, structures, and sewage disposal systems to a particular building envelope on the property,

but in no case shall a building or structure be sited within 15 meters (49.2 feet) of the *natural boundary* of any *water reservoir* or lake so identified in the covenant.

3.20 *Water works systems* may be sited within the required setback from the *natural boundary* of any *watercourse*, *water reservoir* or lake.

3.21 No *use*, including those *uses* listed below, shall be conducted within thirty (30) metres of the *natural boundary* of any *watercourse*, or fifty (50) metres of the *natural boundary* of any *water reservoir* or lake unless otherwise provided for in this Bylaw.

- .1 burial or storage of wood chip or sawdust piles greater than 3 cubic metres;
- .2 storage of pressure treated wood that is not effectively covered (e.g. minimum requirement is cover by a tarp in good condition)
- .3 storage of solid waste, landfill, or derelict vehicles or machines;
- .4 keeping of livestock or poultry or storage of *agricultural waste*; and
- .5 storage or repair of agricultural or industrial machinery.

3.22 No *building* or *structure*, shall be sited within fifteen (15) metres of a *wetland*.

3.23 New *buildings* and *structures* shall be *setback* a minimum of thirty (30) metres from trees bearing active nests of blue herons, eagles, ospreys, falcons, hawks or owls and vulture roosting trees.

Information Note: *Variances to these Sections can be considered by Municipal Council and given through Development Variance Permit or Development Permit.*

SETBACK EXCEPTIONS

3.24 No *building* or *structure* other than the following projections beyond the face of a *building* may be located in the area of the *setback* required by this bylaw:

- .1 bay windows, chimneys, cornices, eaves, gutters, heating or ventilating equipment, sills, or other similar architectural features, provided that they do not project more than 0.6 metres into the required *setback*, but such reduction applies only to the projecting feature;

- .2 canopies, sunshades, unenclosed balconies, unenclosed decks, unenclosed stairwells, patios, porches, or terraces provided that they do not project more than 1.25 metres into the required *setback*, but such reduction applies only to the projecting feature; and
 - .3 roof overhangs provided that they do not project more than 0.9 metres into the required *setback*, but such reduction only applies to the roof overhang.
- 3.25 *Setback* requirements of this Bylaw shall not apply to:
- .1 *Constructed ditches* or constructed drainage ponds for the purpose of diverting underground or weeping tile water flow that does not replace or divert a natural watercourse; or
 - .2 Self-contained landscaping ponds.
- 3.26 Stairways and walkways not exceeding a *height* of 2.0 metres and any landscape screen or vegetation may be sited on any portion of a *lot*.
- 3.27 Fences or retaining walls not exceeding a *height* of 2.5 metres may be sited on any portion of a *lot*.
- 3.28 Unless otherwise provided for in this Bylaw, *structures* not exceeding a *height* of 0.6 metres, including *signs*, and *parking spaces* may be sited on any portion of a *lot*, except that the siting of sewage disposal systems and fields shall comply with Provincial regulations.
- 3.29 *Accessory buildings* and *structures* not exceeding a *height* of 2.5 metres and not more than 10m² in *floor area* may be sited 0 metres from any *lot line*, subject to *setbacks* from the sea, lakes, *watercourses* and *wetlands* and *highways*.

VISIBILITY

- 3.30 No *building* shall be sited within 4.6 metres of any *lot line* that abuts a *highway*, except in the VC 1 and VC 2 *zones*.
- 3.31 On a corner *lot* within the triangular space formed by the *highway* lines and the line joining the points on the *highway* lines six (6) metres from the point of intersection of the *highway* lines, no landscape screen, landscaping, fences, *building* or *structure* shall be planted or erected to a *height* greater than 1 metre above the established grade of the *highway* and less than three (3) metres.
- 3.32 Utility poles, traffic *signs* and *street signs* shall not be considered as *structures* for the purposes of the above Section.

LANDSCAPE SCREENS

- 3.33 If a landscape screen is required by this Bylaw, it must be provided in the form of:

- .1 existing vegetation of the required *height* that provides a continuous permanent visual screen between the *uses* being separated; or
- .2 a row of drought-tolerant and deer resistant evergreen plants that will attain the required *height*, planted and maintained so as to provide a continuous permanent visual screen between the *uses* being separated.

For the purposes of this Section a continuous permanent visual screen means continuous except for access drives or walks. All vegetation used in a landscape screen shall be maintained in a healthy condition.

HOME OCCUPATIONS

3.34 Where permitted within a *Zone*, *home occupation use* shall comply with the following regulations:

- .1 A *home occupation* shall be operated by a resident of the *dwelling* on the *lot*.
- .2 More than one *home occupation* may be operated in a *dwelling* on the *lot*.
- .3 A maximum of two (2) employees per *dwelling*, other than residents of the *dwelling* shall be permitted to engage in each *home occupation* on the *lot* where the *home occupation* is located. The number of employees engaged in the *home occupation* off the *lot* where the *home occupation* is located is not restricted.
- .4 No *home occupation* shall be permitted if the conduct of the *home occupation* entails or necessitates any alteration of the exterior of the *dwelling* that would change the residential appearance of the *dwelling*.
- .5 No outside *storage* of material or equipment or both shall be permitted unless screened from view by a fence or landscape screen from adjacent *lots* or *streets*.
- .6 The sale of goods or commodities shall be limited to goods or commodities produced, repaired or modified on the premises, or directly related to the home occupation. Home-party or direct sales conducted off the premises are permitted.
- .7 *Bed and breakfast use* is limited to four (4) guest bedrooms on lots less than 2 ha, and five (5) guest bedrooms on lots 2 ha and greater.
- .8 *Bed and breakfast use* may be conducted in the *dwelling* on the *lot* and/or *accessory buildings*. The total floor area of the *accessory buildings* used for *bed and breakfast use* shall be no greater than 93 square metres.
- .9 In a *bed and breakfast* a separate kitchen or cooking facilities for use by guests of the *bed and breakfast* are not permitted.

- .10 The following *uses* shall not be permitted as *home occupations* and will require the appropriate zoning or temporary *use* permit:
- *Kennel*;
 - storage of toxic or flammable materials other than those materials required for the production of articles or provision of services in a *home occupation*;
 - chemical manufacturing;
 - shake manufacture;
 - contractor yards except that two (2) motor vehicles with valid licenses may be parked on the property if it is associated with a contractor business, other business or *home occupation*;
 - *portable saw mill*;
 - welding shop; and
 - salvage yard or automobile repair except that one (1) motor vehicle, licensed or not, may be maintained on a property for purposes of repair either as a hobby or *home occupation* with such repairs to be completed within one (1) year of occupancy the site by the vehicle.

COOKING FACILITIES

- 3.35 In a *guest house* cooking facilities are not permitted in guest bedrooms.
- 3.36 In a *Recreation, Training and Meeting Centre* or *Conference Centre* cooking facilities are not permitted in guest bedrooms.
- 3.37 In a *retreat centre* cooking facilities are not permitted in bedrooms or cabins.

MINIMUM SERVICE LEVEL

- 3.38 Where a minimum service level for the creation of new lots by subdivision is not specified or a *community water system* is not required or proposed, the minimum service level shall be individual septic tank and either spring, individual well or surface water licence.

OFF STREET PARKING REGULATIONS

- 3.39 No land, *building* or *structure* shall be used unless the *off-street parking spaces* required in Part 5 are provided in accordance with the standards set out in Part 5 in respect of that *use*, and are maintained at all times.

BUSINESS LICENCE

- 3.40 Each business and home occupation shall have a valid business licence issued by the Municipality prior to commencement.

SIGN REGULATIONS

- 3.41 Public traffic *signs*, public directional *signs* and public safety *signs* are permitted in any *zone*.
- 3.42 Any commercial, industrial, institutional or civic use shall be permitted up to two *signs* with a total area not exceeding three (3) square metres.
- 3.43 Despite Section 3.42,
- .1 *guest house* and *retreat centre use* shall be permitted one *sign* not exceeding 1 square metre in area, and
 - .2 *commercial marina use* shall be permitted one additional *sign* not exceeding 1.5 square metres in area and only if the sign is located in a WC 1 zoned area.
- 3.44 *Home occupations* shall be permitted a total of one *sign* not exceeding 0.5 square metre in area.
- 3.45 One house, *building* or land “for sale” sign not exceeding 1 square metre in area shall be permitted on a *lot*.
- 3.46 The following types of *signs* are prohibited in all *zones*:
- .1 any *sign* that projects over a *highway* or other public property;
 - .2 flashing or blinking illuminated *signs*;
 - .3 *signs* with moving parts;
 - .4 *signs* that make any noise calculated to attract attention to the *sign*;
 - .5 *signs* that are illuminated by a floodlight or spotlight such that the light from the floodlight or spotlight shines directly into the path of oncoming motor vehicle traffic;

- .6 any *sign* which advertises or pertains to a business, service, or activity which has been discontinued for thirty (30) days or more;
 - .7 any *sign* which advertises or pertains to a commercial *use* not conducted on the same *lot* as the location of the *sign*.
- 3.47 Any *signs* for purposes of *building* numbering or to illustrate a site plan where there is more than one *dwelling unit* on the *lot* shall be in accordance with the requirements of “*Bowen Island Municipality Building Numbering Regulatory Bylaw No. 25, 2000*”.

SUBDIVISION REGULATIONS

- 3.48 Lands located within *Bowen Island Municipality* shall not be subdivided except in accordance with the regulations set out in Part 6 and the *lot* regulations set out in this Bylaw.

ENFORCEMENT OF DENSITY REGULATIONS

- 3.49 If a *building* permit application for a *dwelling* is made in respect of a *lot* on which this Bylaw permits the construction of more than one *dwelling*, the applicant must provide to the *Municipality* a plan signed by a BC Land Surveyor showing the location on the *lot* of all existing *dwellings*, the *lot coverage* of each *dwelling*, and indicating the area of the *lot*.
- 3.50 Where only one *dwelling* is permitted on a *lot*, no occupancy permit for a second *dwelling* on a *lot* shall be issued where another *building* or *structure* on the *lot* has been used, or constructed to be able to be used as a *dwelling*, unless the *building* or *structure* is first made to be not *habitable*.

ENFORCEMENT OF SITING REGULATIONS

- 3.51 Every applicant for a *building* permit must provide to the *building* inspector a plan signed by a BC 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 *building inspector* determines that the provision of such a plan is not reasonably necessary to establish that proposed *buildings*, *structures* and sewage absorption fields comply with the siting requirements of this Bylaw.
- 3.52 Every applicant for a development permit or a development variance permit must provide a plan signed by a BC 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, *natural boundaries* of lakes, *watercourses*, *wetlands*, and the sea, wells, and other *buildings* on the *lot*, unless the *Municipality* determines that the provision of such a plan is not reasonably necessary to establish that proposed *buildings*, *structures* and sewage absorption fields comply with the siting requirements of this Bylaw.

DEVELOPMENT PERMITS

- 3.53 Lands located within a development permit area as designated in Bowen Island Official Community Plan Bylaw No. 139, 1995 shall not be subdivided or developed except in accordance with the guidelines set out in Part 7 and the requirements, conditions or standards issued by development permit.

SECONDARY SUITES

- 3.54** Where permitted in a zone, Secondary Suite shall comply with the following regulations:
- .1 not more than one (1) secondary suite shall be permitted in a dwelling;
 - .2 a secondary suite shall not be permitted on the same lot where there is an accessory residential use;
 - .3 single-family residential building containing a secondary suite shall not be permitted to operate a bed and breakfast as a home occupation or provide commercial guest accommodation;
 - .4 one off-street parking space shall be provided for use by the tenant(s) in addition to the requirements of Part 5 of this Bylaw;
 - .5 Secondary Suite shall not exceed a total floor space of 90 m²;
 - .6 the secondary suite shall not occupy more than 40% of the habitable floor space of the building;
 - .7 That the creation of a strata lot pursuant to the Strata Property Act for a secondary suite shall not be permitted; and
 - .8 the *secondary suite* shall satisfy the requirements of the BC building code.

PART 4 – ZONE REGULATIONS

ESTABLISHMENT OF ZONES

- 4.A The area within the boundaries of *Bowen Island Municipality* is to be divided into the *zones* identified in Column I and described in Column II of Table 4-1.

**TABLE 4-1
Designation of Zones**

| Column I Zones | Column II Title Description |
|---------------------------|--|
| RR 1 | Rural Residential 1 |
| RR 2 | Rural Residential 2 |
| RR 3 | Rural Residential 3 |
| RC 1 | Rural Commercial 1 (Garden Centre) |
| RC 2 | Rural Commercial 2 (Retreat Centre) |
| TC 1 | Tourist Commercial 1 (Guest House) |
| II | Island Institutional |
| SI | Settlement Institutional |
| Ci | Island Civic |
| SR 1 | Settlement Residential 1 |
| SR 2 | Settlement Residential 2 |
| VR 1 | Village Residential 1 (Detached Housing) |
| VR 2 | Village Residential 2 (Attached Housing) |
| VC 1 | Village Commercial 1 |
| VC 2 | Village Commercial 2 (Marina Upland) |
| VI | Village Institutional |
| VCi | Village Civic |
| IM | Industrial Medium |
| IC | Industrial Commercial |
| G1 | Ecological Reserve |
| G2 | Environmentally Sensitive |

Column I Column II

| Zones | Title Description |
|--------------|--|
| G3 | Natural Areas/Watersheds |
| P1 | Passive Park |
| P2 | Multi-Use Activity Park |
| P3 | Neighbourhood Park |
| P4 | Natural Park |
| WP 1 | Drinking Water |
| WP 2 | Natural Water Park |
| WG 1 | Water General 1 (Coastal) |
| WC 1 | Water Commercial 1 (Marina) |
| WCi | Water Civic |
| CD 1 | Comprehensive Development 1 (Artisan Square) |
| CD 2 | Comprehensive Development 2 (Cates Hill) |
| CD 3 | Comprehensive Development 3 (Bowen Bay) |
| CD 4 | Comprehensive Development 4 (Hood Point) |
| CD 5 | Comprehensive Development 5 (Rural Recreation and Service) |
| CD 6 | Comprehensive Development 6 (Cowan Point) |
| CD 7 | Comprehensive Development 7 (Reid / Pass) |
| CD 8 | Comprehensive Development 8 (Malkin Creek) |
| CD 9 | Comprehensive Development 9 (Buchanan) |
| CD 10 | Comprehensive Development 10 (Burgess) |
| CD 11 | Comprehensive Development 11 |
| CD 12 | Comprehensive Development 12 (Greenway West) |
| CD 13 | Comprehensive Development 13 (Works Yard – Gas Station) |
| CD 15 | Comprehensive Development 15 (Seniors Precinct) |

ZONE TITLE

4.B The name of each *zone* provided for in this Bylaw is set out in Column I in Table 4-1 and the inclusion of the description in Column II is for convenience only.

LOCATION OF ZONES

4.C The location of each *zone* is on Schedule “B” the Land Use Bylaw Map.

ZONES BOUNDARIES

- 4.D Where a *zone* boundary is shown on Schedule “B,” the Land Use Bylaw Map, as following a *highway* or *watercourse*, the property line abutting such *highway* right-of-way or *natural boundary* of such *watercourse* shall be the *zone* boundary.
- 4.E Where the *zone* boundary does not follow a legally defined line, the location of the boundary shall be determined by scaling from Schedule “B,” the Land Use Bylaw Map, except for zone boundaries shown as the centre line of a highway right of way which shall be interpreted according to regulation 4.D.
- 4.F Where the *zone* boundary is between land *zones* and water, the *zone* boundary shall be the surveyed *lot line*, where there is a survey plan, or the *natural boundary*, where there is no survey plan.

ZONES REGULATIONS

- 4.G In the interpretation of tables in this Part, a diamond symbol (◆) at the intersection of a particular row and column indicates that the zoning regulation or the *subdivision* standard described in that row applies to the *zone* indicated at the head of the column.

ZONING OF HIGHWAYS

- 4.H For the purposes of this Bylaw, surveyed rights of way for a road may be used for all uses listed in Section 3.2.

4.1 RURAL RESIDENTIAL ZONES (RR 1, RR 2, RR 3)

Information Note: *The purpose of the Rural Residential Zone is to provide regulations for the residential use and agricultural use of land within a rural setting.*

The regulations in the tables in this Section apply to land in the Rural Residential 1 (RR 1), Rural Residential 2 (RR 2) and Rural Residential 3 (RR 3) Zones, as indicated by the column headings.

4.1.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings* and *structures* and no others are permitted in the Rural Residential 1 (RR 1), Rural Residential 2 (RR 2) and Rural Residential 3 (RR 3) Zones:

| | RR 1 | RR 2 | RR 3 |
|---|------|------|------|
| Principal Uses of Land, Buildings and Structures | | | |
| <i>Dwelling</i> | ♦ | ♦ | ♦ |
| <i>Agriculture</i> | ♦ | ♦ | ♦ |
| <i>Horticulture</i> | ♦ | ♦ | ♦ |
| <i>Domestic Agriculture</i> | ♦ | ♦ | ♦ |
| <i>Stable</i> | ♦ | ♦ | ♦ |
| <i>Kennel</i> | ♦ | ♦ | ♦ |
| Accessory Uses of Land, Buildings and Structures | | | |
| <i>Uses accessory to principal uses</i> | ♦ | ♦ | ♦ |
| <i>Home occupation use subject to Part 3</i> | ♦ | ♦ | ♦ |
| <i>Portable Saw Mill on lots 2 ha and larger</i> | ♦ | ♦ | ♦ |
| <i>Mini-storage on lots 2 ha and larger</i> | ♦ | ♦ | ♦ |
| <i>Secondary Suite</i> | ♦ | ♦ | ♦ |
| Permitted Buildings and Structures | | | |
| <i>Dwelling, detached</i> | ♦ | ♦ | ♦ |
| <i>Buildings and Structures accessory to permitted uses</i> | ♦ | ♦ | ♦ |

4.1.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings* and *structures* in the RR 1, RR 2 and RR 3 zones must comply with the following regulations regarding size, siting and density.

| | RR 1 | RR 2 | RR 3 |
|---|------|------|------|
| Lot Coverage | | | |
| Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> calculated as follows: 100 m ² plus 3.5% of <i>lot area</i> to a maximum of 1500 m ² | ♦ | ♦ | ♦ |
| Number of Units and Site Areas | | | |
| Maximum number or <i>dwellings</i> on any <i>lot</i> | 1 | 1 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> for each 0.2 <i>ha</i> of <i>lot area</i> or portion thereof, plus one, subject to Part 3. | 1 | 1 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> that may be used for <i>home occupation use</i> for each 0.2 <i>ha</i> of <i>lot area</i> or portion thereof. | 1 | 1 | 1 |
| Height | | | |
| Maximum <i>height</i> of a permitted <i>building</i> or <i>structure</i> (metres) | 9 | 9 | 9 |
| Setbacks | | | |
| Minimum <i>setback</i> from all <i>lot lines</i> (metres) | 7.5 | 7.5 | 7.5 |
| <i>Portable saw mill use</i> shall not be sited within 30 metres of any <i>watercourse</i> or lake | ♦ | ♦ | ♦ |
| Where <i>portable saw mill use</i> abuts a lot where <i>dwelling use</i> is a permitted use, <i>portable saw mill use</i> shall not be sited within 25 metres of and <i>lot line</i> | ♦ | ♦ | ♦ |
| Conditions of Use | | | |
| <i>Portable saw mill use</i> is subject to terms and conditions established by business licence | ♦ | ♦ | ♦ |

4.1.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Rural Residential 1, Rural Residential 2 and Rural Residential 3 *zones*.

| | RR 1 | RR 2 | RR 3 |
|--|------|------|------|
| Lot Areas for the Creation of New Lots through Subdivision | | | |
| Minimum average <i>lot area (ha)</i> without community water system | - | 4 | 2 |
| Minimum <i>lot area</i> for individual <i>lots (ha)</i> without community water system | 4 | 2 | 1 |

4.1.4 Exceptions in Particular Locations

On those lands in the RR 1, RR 2 and RR 3 zones that are identified on Schedule “B” by RR 1, RR 2 and RR 3 followed by a letter in brackets, the following additional regulations or where there is a conflict within Section 4.1 the following replacement regulations apply.

- (1) Zone Variation – RR 1(a)
 - (a) The maximum number of *dwelling units* shall be one *dwelling unit* per 2 *ha* of *lot area*.
- (2) Zone Variation – RR 1(b)
 - (a) A neighbourhood club house, swimming pool, playground, tennis courts and non-commercial boat storage are permitted *uses*.
- (3) Zone Variation – RR 1(c)
 - (a) *Agriculture use* and *horticulture use* is limited to *lots* 1 hectare (2.47 acres) and larger.
 - (b) Minimum setback from an interior side lot line is 3.0 metres.
- (4) Zone Variation – RR 1(d)
 - (a) The minimum lot area for the creation of new lots through subdivision shall be 16 ha *with minimum service level of individual septic tank and either spring, individual well or surface water licence*.
- (5) Zone Variation – RR 3(a)
 - (a) The maximum number of *dwelling units* shall be one *dwelling unit* per 2 *ha. of lot area*.
- (6) Zone Variation – RR 3(b)
 - (a) The minimum average *lot area* shall not apply.
- (7) Zone Variation – RR 3(c)
 - (a) The minimum average *lot area* shall be 1 ha.
- (8) Zone Variation – RR 3(d)
 - (a) The maximum number of dwelling units shall be one dwelling unit per 2 ha. of lot area.
 - (b) The minimum lot size shall be 8 ha.
- (9) Zone Variation – RR1(e)
 - (a) One caretaker’s residence of up to 100 square metres *floor area* shall be permitted in addition to the provision for one dwelling on any lot.
- (10) Zone Variation – RR 1(f)
 - (a) The minimum *lot area* for individual *lots* without a community water system shall be 3.5 ha.

4.2 RURAL COMMERCIAL ZONES (RC 1, RC 2)

Information Note: The purpose of the Rural Commercial Zones is to provide regulations for the commercial use of land within a rural setting.

The regulations in the tables in this Section apply to land in the Rural Commercial 1 (*Garden Centre*) (RC 1) and Rural Commercial 2 (*Retreat Centre*) (RC 2) Zones, as indicated by the column headings.

4.2.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Rural Commercial 1 (*Garden Centre*) (RC 1) and Rural Commercial 2 (*Retreat Centre*) (RC 2) Zones:

| | RC 1 | RC 2 |
|---|------|------|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Garden Centre</i> | ♦ | |
| <i>Agricultural Retail</i> | ♦ | |
| <i>Retreat Centre</i> | | ♦ |
| <i>Agriculture</i> | ♦ | ♦ |
| <i>Horticulture</i> | ♦ | ♦ |
| <i>Dwelling</i> | ♦ | ♦ |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ♦ | ♦ |
| <i>Dwelling use</i> | ♦ | ♦ |
| <i>Retail use</i> | | ♦ |
| <i>Home Occupation use</i> subject to Part 3 | ♦ | ♦ |
| <i>Bed and breakfast use</i> is not permitted | | ♦ |
| Permitted Buildings and Structures | | |
| <i>Buildings and structures</i> accessory to permitted uses | ♦ | ♦ |

4.2.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the RC 1 and RC 2 zones must comply with the following regulations regarding size, siting and density.

| | RC 1 | RC 2 |
|---|------|------|
| Lot Coverage | | |
| Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (m ²) calculated as follows: 100 m ² plus 5% of <i>lot</i> area to a maximum of 1500 m ² | ♦ | ♦ |
| Number of Units and Site Areas | | |
| Maximum number of <i>dwellings</i> per <i>lot</i> | 1 | 1 |
| Maximum number of <i>retreat centres</i> in District Lot 1627 | - | 1 |
| Maximum number of guest bedrooms per 0.4 ha <i>lot</i> area | 0 | 4 |
| Maximum number of guest bedrooms | 0 | 20 |
| Maximum number of in-residence guests | - | 40 |
| Maximum <i>floor area</i> for accessory <i>retail sales</i> (m ²) | - | 20 |
| Maximum number of accessory <i>buildings</i> for each 0.2 ha of <i>lot</i> area or portion thereof, plus one, subject to Part 3. | 1 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> that may be used for <i>home occupation</i> for each 0.2 ha of <i>lot</i> area or portion thereof. | 0 | 1 |
| Height | | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 | 9 |
| Setbacks | | |
| Minimum <i>setback</i> from all <i>lot lines</i> (metres) | 7.5 | 7.5 |
| Conditions of Use | | |
| All <i>parking areas</i> shall be permeable to water | ♦ | ♦ |
| Any expansion of the footprint or intensity of use on land located in the Agricultural Land Reserve would require written permission by order of the Agricultural Land Commission, subject to the provisions of this Bylaw. | ♦ | |
| Where a lot in the RC 2 zone abuts a lot with a <i>dwelling use</i> , a landscape screen not less than 3.0 metres in <i>height</i> shall be provided within the minimum <i>setback</i> area of the lot in the RC 2 zone adjacent to the <i>lot line</i> | | ♦ |
| Any expansion of the footprint, <i>use</i> or intensity of the <i>retreat centre</i> located in the ALR within D.L. 1627 would require written permission by order of the Agricultural Land Commission, subject to the provisions of this Bylaw. | | ♦ |

4.2.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Rural Commercial 1 and Rural Commercial 2 zones.

| | RC 1 | RC 2 |
|--|------|------|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Minimum average <i>lot</i> area (<i>ha</i>) | - | - |
| Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) without community water | 4 | 4 |

4.3 TOURIST COMMERCIAL ZONES (TC 1)

Information Note: *The purpose of the Tourist Commercial Zones is to provide regulations for the use of land for tourist commercial accommodation and related services.*

The regulations in the tables in this Section apply to land in the Tourist Commercial 1 (*Guest House*) (TC 1) Zone, as indicated by the column headings.

4.3.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Tourist Commercial 1 (*Guest House*) (TC 1) Zone:

| | TC 1 |
|--|------|
| Principal Uses of Land, Buildings and Structures | |
| <i>Guest House</i> | ◆ |
| <i>Agriculture</i> | ◆ |
| <i>Horticulture</i> | ◆ |
| <i>Vineyard</i> | ◆ |
| <i>Cottage Industry</i> | ◆ |
| Accessory Uses of Land, Buildings and Structures | |
| <i>Uses accessory to principal uses</i> | ◆ |
| <i>Dwelling use</i> | ◆ |
| <i>Retail use</i> | ◆ |
| <i>Home Occupation use</i> subject to Part 3 except that <i>bed and breakfast use</i> is not permitted | ◆ |
| Permitted Buildings and Structures | |
| <i>Buildings and structures</i> accessory to permitted uses | ◆ |

4.3.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the TC 1 Zone must comply with the following regulations regarding size, siting and density.

| | TC 1 |
|--|------|
| Lot Coverage | |
| Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (m ²) calculated as follows: 100 m ² plus 5% of <i>lot area</i> to a maximum of 1500 m ² | ◆ |
| Number of Units and Site Areas | |
| Maximum number of <i>dwellings</i> per <i>lot</i> | 1 |
| Number of guest bedrooms permitted on the first 0.4 ha of <i>lot area</i> | 4 |
| Number of guest bedrooms for each 0.4 ha of total <i>lot area</i> | 3 |
| Maximum number of guest bedrooms | 15 |
| Maximum number of in-residence guests | 30 |
| Maximum number of meeting/course/workshop participants calculated as follows: 3 participants per each permitted guest bedroom | 45 |
| Maximum <i>floor area</i> for accessory <i>retail sales</i> (m ²) | 20 |
| Maximum number of accessory <i>buildings</i> for each 0.2 ha of <i>lot area</i> or portion thereof, plus one, subject to Part 3 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> that may be used for <i>home occupation</i> for each 0.2 ha of <i>lot area</i> or portion thereof | 1 |
| Height | |
| Maximum <i>height</i> of a <i>building or structure</i> (metres) | 9 |
| Setbacks | |
| Minimum <i>setback</i> from all <i>lot lines</i> (metres) | 7.5 |
| Conditions of Use | |
| All <i>parking areas</i> shall be permeable to water | ◆ |
| Where a <i>lot</i> in the TC 1 zone abuts a <i>lot</i> with a <i>dwelling use</i> , a landscape screen not less than 3.0 metres in <i>height</i> shall be provided within the minimum <i>setback</i> area of the <i>lot</i> in the TC 1 zone adjacent to the <i>lot line</i> . | ◆ |

4.3.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Tourist Commercial 1 Zone.

| | TC 1 |
|--|------|
| Lot Areas for the Creation of New Lots through Subdivision | |
| Minimum average <i>lot</i> area (<i>ha</i>) with community water system | 1 |
| Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) with community water | 0.4 |
| Minimum average <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) without community water | 1 |
| Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) without community water | 1 |

4.4 ISLAND INSTITUTIONAL, SETTLEMENT INSTITUTIONAL AND ISLAND CIVIC ZONES (II, SI, Ci)

Information Note: The purpose of the Island Institutional, Settlement Institutional and Island Civic Zones is to provide regulations for the use of land for institutional and civic purposes outside of Snug Cove Village.

The regulations in the tables in this Section apply to land in the Island Institutional (II), Settlement Institutional (SI) and Island Civic (Ci) Zones, as indicated by the column headings.

4.4.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses, buildings and structures and no others are permitted in the Island Institutional (II), Settlement Institutional (SI) and Island Civic (Ci) Zones:

| | II | SI | Ci |
|---|----|----|----|
| Principal Uses of Land, Buildings and Structures | | | |
| <i>Indoor Entertainment Facility</i> | | | ◆ |
| <i>Indoor Recreation Facility</i> | | | ◆ |
| <i>Assembly</i> | ◆ | ◆ | ◆ |
| Community or Social Hall | | ◆ | ◆ |
| School | ◆ | | ◆ |
| <i>Daycare</i> | ◆ | ◆ | ◆ |
| Church | ◆ | ◆ | |
| Cemetery | ◆ | ◆ | |
| Summer Camp | ◆ | | |
| <i>Agriculture</i> | ◆ | | |
| <i>Horticulture</i> | ◆ | | |
| Museum, Gallery | | | ◆ |
| Police Station | | | ◆ |
| Fire Hall, Ambulance Hall | | | ◆ |
| Government Offices | | | ◆ |
| Public Library | | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | | |
| <i>Dwelling</i> | ◆ | ◆ | ◆ |
| <i>Retail</i> | | | ◆ |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ | ◆ |
| Permitted Buildings and Structures | | | |
| <i>Dwelling, detached</i> | ◆ | ◆ | ◆ |

| | II | SI | Ci |
|--|----|----|----|
| <i>Buildings and structures accessory to permitted use</i> | ◆ | ◆ | ◆ |

4.4.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the II, SI and Ci zones must comply with the following regulations regarding size, siting and density.

| | II | SI | Ci |
|--|-----|-----|-----|
| Lot Coverage | | | |
| Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (m ²) calculated as follows: 100 m ² plus 5% of <i>lot area</i> to a maximum of 1500 m ² | ◆ | ◆ | ◆ |
| Number of Units and Site Areas | | | |
| Maximum number or <i>dwellings</i> on any <i>lot</i> | 1 | 1 | 1 |
| Maximum <i>floor area</i> for accessory <i>retail sales</i> (m ²) | | | 20 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> for each 0.2 <i>ha</i> of <i>lot area</i> or portion thereof, plus one, subject to Part 3 | 1 | 1 | 1 |
| Height | | | |
| Maximum <i>height</i> of a <i>building or structure</i> (metres) | 9 | 9 | 9 |
| Setbacks | | | |
| Minimum <i>setback</i> from all <i>lot lines</i> (metres) | 7.5 | 7.5 | 7.5 |
| Conditions of Use | | | |
| <i>Dwelling use</i> shall be on a floor above a permitted <i>use</i> | | | ◆ |

4.4.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the Island Institutional, Settlement Institutional and Island Civic zones.

| | II | SI | Ci |
|--|----|----|----|
| Lot Areas for the Creation of New Lots through Subdivision | | | |
| Minimum average <i>lot area</i> (<i>ha</i>) without <i>community water system</i> | 4 | 1 | 1 |
| Minimum <i>lot area</i> for individual <i>lots</i> (<i>ha</i>) without <i>community water system</i> | 4 | 1 | 1 |
| Minimum average <i>lot area</i> (<i>ha</i>) with <i>community water system</i> | - | .4 | 1 |
| Minimum <i>lot area</i> for individual <i>lots</i> (<i>ha</i>) with <i>community water system</i> | - | .2 | .4 |

4.4.4 Exceptions in Particular Locations

On those lands in the II, SI, Ci zones that are identified on Schedule “B” by II, SI, Ci followed by a letter in brackets, the following additional regulations, or where there is a conflict with Section 4.4, the following replacement regulations apply:

- (1) Zone Variation - Ci (a)
 - (a) A Fire Hall shall be the only permitted use.
 - (b) The minimum *setback* from a *lot line* shall be 3 meters.
 - (c) The minimum *lot area* for the creation of a new lot through

subdivision

shall be 0.3 ha without *community water*.”

4.5 SETTLEMENT RESIDENTIAL ZONES (SR 1, SR 2)

Information Note: *The purpose of the Settlement Residential Zones is to provide regulations for the use of land within established residential neighbourhoods.*

The regulations in the tables in this Section apply to land in the Settlement Residential 1 (SR 1) and Settlement Residential 2 (SR 2) Zones, as indicated by the column headings.

4.5.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Settlement Residential 1 (SR 1) and Settlement Residential 2 (SR 2) Zones:

| | SR 1 | SR 2 |
|---|------|------|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Dwelling</i> | ◆ | ◆ |
| <i>Domestic Agriculture</i> | ◆ | ◆ |
| Stable | ◆ | |
| <i>Kennel</i> | ◆ | |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| Mini-storage on lots 1 ha and larger | ◆ | |
| <i>Home Occupation use</i> subject to Part 3 | ◆ | ◆ |
| <i>Secondary Suite</i> | ◆ | ◆ |
| Permitted Buildings and Structures | | |
| <i>Dwelling, detached</i> | ◆ | ◆ |
| <i>Buildings and Structures</i> accessory to permitted uses | ◆ | ◆ |

4.5.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the SR 1 and SR 2 zones must comply with the following regulations regarding size, siting and density.

| | SR 1 | SR 2 |
|--|------|------|
| Lot Coverage | | |
| Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (m ²) calculated as follows: 100 m ² plus 10% of <i>lot</i> area to a maximum of 500 m ² | ♦ | ♦ |
| Number of Units and Site Areas | | |
| Maximum number or <i>dwellings</i> on any <i>lot</i> | 1 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof, plus one, subject to Part 3 | 1 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> that may be used for <i>home occupation</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof | 1 | 1 |
| Height | | |
| Maximum <i>height</i> of a <i>building or structure</i> (metres) | 9 | 9 |
| Setbacks | | |
| Minimum <i>setback</i> from side <i>lots lines</i> (metres) | 3 | 3 |
| Minimum <i>setback</i> from the front and rear <i>lot lines</i> (metres) | 7.5 | 7.5 |

4.5.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the SR 1 and SR 2 zones.

| | SR 1 | SR 2 |
|--|------|------|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Minimum average <i>lot</i> area (<i>ha</i>) – served by <i>community water system</i> | 1 | 0.4 |
| Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) – served by <i>community water system</i> | 0.4 | 0.2 |
| Minimum average <i>lot</i> area (<i>ha</i>) – not served by <i>community water system</i> | 1 | 1 |
| Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) – not served by <i>community water system</i> | 1 | 1 |

4.5.4 Exceptions in Particular Locations

On those lands in the SR 1 and SR 2 zones that are identified on Schedule “B” by SR 1 and SR 2 followed by a letter in brackets, the following additional

regulations or where there is a conflict within Section 4.5 the following replacement regulations apply.

- (1) Zone Variation – SR 1 (a)
 - (a) *Agriculture use and horticulture use are permitted principal uses.*
 - (b) *Minimum lot area for the creation of new lots through subdivision shall be 1.2 hectare with minimum service level of individual septic tank and individual well for Lot 28, Plan 8645, Lot B, Plan LMP10156, Lot 2, Plan 15765 and Lot A, RP1836 all of DL 1628 .*

- (2) Zone Variation – SR 1 (b)
 - (a) *Minimum lot area for the creation of new lots through subdivision shall be 1.2 hectare with minimum service level of individual septic tank and individual well.*

- (3) Zone Variation – SR 2 (a)
 - (a) *Agriculture use and horticulture use are permitted principal uses.*

- (4) Zone Variation – SR 2 (b)
 - (a) *Marina parking, boat storage and fuel storage are permitted principal uses.*

- (5) Zone Variation – SR 2 (c)
 - (a) *The minimum average lot area shall not apply.*

- (6) Zone Variation – SR 2 (d)
 - (b) *The average lot size for individual lots shall be 0.8 ha (2 acres).*

- (7) Zone Variation – SR 1 (c)
 - (a) *Notwithstanding Section 4.5.3, the minimum and average lot area for individual lots not served by community water shall be 0.4 ha and the maximum number of lots created by subdivision shall be subject to the applicable restrictive covenant*

- (8) Zone Variation – SR 3 (a)
 - (b) *Agriculture use and horticulture use are permitted principal uses.*

- (9) Zone Variation – SR2 (e)
 - (a) *The average lot area for individual lots with a community water system shall be 0.25 ha.*

(10)

4.6 VILLAGE RESIDENTIAL ZONES (VR 1, VR 2)

Information Note: The purpose of the Village Residential Zones is to provide regulations for the residential use of land in the form of small lot detached housing and attached housing, including housing designed for special needs with the Snug Cove Village.

The regulations in the tables in this Section apply to land in the Village Residential 1 (Detached Housing) (VR 1) and Village Residential 2 (Attached Housing) (VR 2) Zones, as indicated by the column headings.

4.6.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings* and *structures* and no others are permitted in the Village Residential 1 (Detached Housing) (VR 1) and Village Residential 2 (Attached Housing) (VR 2) Zones:

| | VR 1 | VR 2 |
|--|------|------|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Dwelling</i> | ◆ | ◆ |
| <i>Supportive Housing</i> | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use subject to Part 3</i> | ◆ | ◆ |
| Permitted Buildings and Structures | | |
| <i>Dwelling, detached</i> | ◆ | |
| <i>Dwelling, attached</i> | | ◆ |
| <i>Building and structures accessory to permitted uses</i> | ◆ | ◆ |

4.6.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings* and *structures* in the VR 1 and VR 2 zones must comply with the following regulations regarding size, siting and density.

| | VR 1 | VR 2 |
|---|------|------|
| Lot Coverage | | |
| Maximum <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> | 50% | 50% |

| | VR 1 | VR 2 |
|--|------|------|
| Number of Units and Site Areas | | |
| Maximum number of <i>dwelling units</i> per <i>lot</i> | 1 | - |
| Maximum number of <i>dwelling units</i> per 400m ² <i>lot area</i> | - | 2 |
| Maximum number of house-keeping <i>supportive housing</i> units | - | 24 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> , subject to Part 3 | 2 | 4 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> that may be used for <i>home occupation</i> | 1 | 0 |
| Maximum <i>Floor Space Ratio (FSR)</i> | - | 0.6 |
| Height | | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 | 9 |
| Setbacks | | |
| | Min. | Min. |
| Interior <i>Lot Line</i> (m) | 1.5 | 3.0 |
| <i>Front Lot Line</i> (m) | 0 | 7.5 |
| All Other <i>Lot Lines</i> (m) | 0 | 3.0 |
| Conditions of Use | | |
| <i>Supportive Housing</i> use is subject to a Housing Agreement | | ◆ |

4.6.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the VR 1 and VR 2 zones.

| | VR 1 | VR 2 |
|--|------|------|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Minimum <i>lot</i> area for individual <i>lots</i> (m ²) served by <i>community water system</i> | 370 | 4000 |

4.7 VILLAGE COMMERCIAL ZONES (VC 1, VC 2)

Information Note: The purpose of the Village Commercial Zones is to provide regulations for the commercial use of land within the Snug Cove Village.

The regulations in the tables in this Section apply to land in the Village Commercial 1 (VC 1) and Village Commercial 2 (*Marina Upland*) (VC 2) Zones, as indicated by the column heading.

4.7.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses, buildings and structures and no others are permitted in the Village Commercial 1 (VC1) and Village Commercial 2 (*Marina Upland*) (VC2) Zones:

| | VC 1 | VC 2 |
|--|------|------|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Retail</i> | ♦ | |
| <i>General services</i> | ♦ | |
| <i>Office</i> | ♦ | |
| <i>Restaurant</i> | ♦ | |
| <i>Dwelling</i> | ♦ | |
| <i>Assembly</i> | ♦ | ♦ |
| <i>Indoor Recreation Facility</i> | ♦ | |
| <i>Indoor Entertainment Facility</i> | ♦ | |
| <i>Cottage Industry</i> | ♦ | |
| <i>Land based marina facilities</i> | | ♦ |
| Storage of marine fuel | | ♦ |
| Boat launching | | ♦ |
| Parking Area | ♦ | |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ♦ | ♦ |
| <i>Commercial Guest Accommodation</i> | ♦ | |
| <i>Home Occupation use, subject to Part 3</i> | ♦ | |
| <i>Retail</i> | | ♦ |
| Parking for another commercial use, subject to Subsection 5.10 | ♦ | ♦ |
| Permitted Buildings and Structures | | |
| <i>Dwelling, detached</i> | ♦ | |

| | VC 1 | VC 2 |
|---|------|------|
| <i>Dwelling, attached</i> | ◆ | |
| <i>Buildings and structures accessory to permitted uses</i> | ◆ | ◆ |
| <i>50% open-sided structures</i> | | ◆ |

4.7.2 Size, Siting and Density of Permitted Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the VC 1 and VC 2 zones must comply with the following regulations regarding size, siting and density.

| | VC 1 | VC 2 |
|--|------|------|
| Lot Coverage | | |
| Maximum <i>lot coverage</i> of all <i>buildings and structures</i> | 75% | 50% |
| Floor Space Ratio | | |
| Maximum <i>Floor Space Ratio (FSR)</i> | 1.6 | 1.2 |
| Floor Area | | |
| Maximum <i>floor area</i> (m ²) for <i>buildings and structures</i> for <i>accessory use</i> calculated as follows: 20m ² plus 20 m ² for each 100 linear metres of wharf, or portion thereof, in the contiguous permitted <i>marina</i> | - | 100 |
| Height | | |
| Maximum <i>height</i> of a <i>building or structure</i> (metres) | 9 | 9 |
| Setbacks | | |
| When lot abuts another VC zoned lot | Min. | Min. |
| All <i>Lot Lines</i> (m), except <i>interior side lot line</i> , as determined by Development Permit | 0 | 0 |
| <i>Interior side lot line</i> | 1.5 | 1.5 |
| When lot abuts a non-VC zoned lot | Min. | Min. |
| All <i>Lot Lines</i> (m) | 1.5 | 3.0 |
| Conditions of Use | | |
| <i>Land based marina facilities</i> are subject to the <i>use</i> of a contiguous water area for a permitted <i>marina</i> | | ◆ |
| Servicing, maintenance and repair of <i>vessels</i> and marine equipment is subject to installation of an oil/water separator for the shop drain and a <i>Spill Management Plan</i> . | | ◆ |
| <i>Commercial Guest Accommodation</i> must be located on floors above permitted uses | ◆ | |
| <i>Dwelling, attached</i> must be located on floors above permitted uses | ◆ | |

4.7.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the VC 1 and VC 2 zones.

| | VC 1 | VC 2 |
|--|------|------|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Minimum <i>lot</i> area (m ²) for individual <i>lots</i> served by <i>community water system</i> | 370 | 2000 |

4.7.4 Exceptions in Particular Locations

On those lands in the VC 1 and VC 2 zones that are identified on Schedule “B” by VC 1 or VC 2 followed by a letter in brackets, the following additional regulations or where there is a conflict within Section 4.7 the following replacement regulations apply.

- (1) *Zone Variation – VC 1 (a)*
 (a) *Pub use* is also a permitted use.
- (2) *Zone Variation – VC 1 (b)*
 (a) *Service station use* and *gas station use* are permitted uses.
 (b) *Commercial guest accommodation* is not a permitted use.
 (c) *Bed and breakfast use* is not permitted as a *home occupation*.
 (d) No *building* or *structure* shall be sited within 1.5 metres of any *lot line*.
 (e) No gasoline pump shall be sited within 4.5 metres of any *lot line*.
- (3) *Zone Variation – VC 1 (c)*
 (a) *Commercial guest accommodation* is a principal permitted use.
 (b) *Commercial guest accommodation* is not limited to floors above permitted uses.
- (4) *Zone Variation – VC 2 (a)*
 (a) *Dwelling use* is a permitted use.
 (b) *Bed and breakfast use* is not permitted as a *home occupation*.
 (c) *Commercial Guest Accommodation* is a permitted use.
 (d) *Commercial parking area* is an permitted accessory use.
 (e) Servicing, maintenance and repair of *vessels* and marine equipment within an enclosed *building* is a permitted accessory use subject to installation of an oil/water separator for the shop drain and a *Spill Management Plan*.

- (5) *Zone Variation – VC 2 (b)*
- (a) *Assembly use* in the VC 2(b) and WC 1(b) zones is limited to a total of not more than six separate events in a calendar year, each of a maximum duration of eight hours.
 - (b) Maximum *floor space ratio* is 1.0.
 - (c) Maximum *height* of a *building* or *structure* is 4 metres.
 - (d) *Buildings* and *structures* are limited to one gazebo and those buildings and structures located within the VC 2(b) zone and approved for construction by development permits DP-20-89 and BO-DP-01-95.

4.8 VILLAGE INSTITUTIONAL AND VILLAGE CIVIC ZONES (VI AND VCi)

Information Note: The purpose of the Village Institutional and Village Civic Zones is to provide regulations for institutional use and civic use within Snug Cove Village.

The regulations in the tables in this Section apply to land in the Village Institutional (VI) and Village Civic (VCi) Zones, as indicated by the column headings.

4.8.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses, buildings and structures and no others are permitted in the Village Institutional (VI) and Village Civic (VCi) Zones:

| | VI | VCi |
|---|----|-----|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Indoor Entertainment Facility</i> | ◆ | ◆ |
| <i>Indoor Recreation Facility</i> | ◆ | ◆ |
| <i>Assembly or Social Hall</i> | ◆ | ◆ |
| <i>Community Hall</i> | ◆ | ◆ |
| <i>Daycare</i> | ◆ | ◆ |
| <i>School</i> | ◆ | ◆ |
| <i>Church</i> | ◆ | |
| <i>Public Library</i> | | ◆ |
| <i>Museum, Gallery</i> | | ◆ |
| <i>Police Station, Fire Hall, Ambulance Hall</i> | | ◆ |
| <i>Government Offices</i> | | ◆ |
| <i>Hospital</i> | | ◆ |
| <i>Health Clinic</i> | | ◆ |
| <i>Parking Area</i> | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Dwelling Use</i> | ◆ | ◆ |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Retail Use</i> | ◆ | ◆ |
| <i>Home Occupation use subject to Part 3</i> | ◆ | ◆ |
| Permitted Buildings and Structures | | |
| <i>Dwelling, Detached</i> | ◆ | ◆ |
| <i>Buildings and structures accessory to permitted uses</i> | ◆ | ◆ |

4.8.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the VI and VCi zones must comply with the following regulations regarding size, siting and density.

| | VI | VCi |
|--|------|------|
| Lot Coverage | | |
| Maximum <i>lot coverage</i> of all <i>buildings and structures</i> | 40% | 40% |
| Floor Space Ratio | | |
| Maximum <i>Floor Space Ratio (FSR)</i> | 1.2 | 1.2 |
| Height | | |
| Maximum <i>height</i> of a <i>building or structure</i> (metres) | 9 | 9 |
| Setbacks | | |
| When lot abuts a VI, VCi, or VC zoned lot | Min. | Min. |
| All <i>lot lines</i> (m), except interior side lot line | 0 | 0 |
| <i>Interior side lot line</i> | 1.5 | 1.5 |
| When lot abuts a non-VI, VCi, or VC zoned lot | Min. | Min. |
| All <i>lot lines</i> | 1.5 | 1.5 |

4.8.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the VI and VCi zones.

| | VI | VCi |
|---|------|-----|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Minimum <i>lot area</i> for individual <i>lots</i> (m ²) served by a community water system | 2000 | 370 |

4.8.4 Exceptions in Particular Locations

On those lands in the Village Institutional zone that are identified on Schedule “B” by VI followed by a letter in brackets, the following additional regulations or where there is a conflict within Section 4.8 the following replacement regulations apply.

- (1) *Zone Variation – VI* (a)
- (a) Despite Subsection 4.8.1, *recreation, training and meeting centre use* is the only principal permitted use.
- (b) The maximum number of overnight guests and guest rooms for *recreation, training and meeting centre use* shall be contained in a Section 219 Covenant registered on the title of the *lot*.

- (c) Despite Subsection 4.8.1, *conference centre* and *assembly use* are the only permitted *accessory uses*, are subject to conditions of *use* contained in a Section 219 Covenant registered on the title of the *lot*.
- (d) Despite Subsection 4.8.2, the minimum *setback* from the front lot line shall be 7.5 metres and the minimum *setback* from all other lot lines shall be 3 metres.
- (e) Despite Subsection 4.8.2, the maximum *floor space ratio* shall be 0.75.

4.9 INDUSTRIAL ZONES (IM, IC)

Information Note: *The purpose of the Industrial Zones is to provide regulations for the use of land for community industrial needs.*

The regulations in the tables in this Section apply to land in the Industrial Medium (IM) and Industrial Commercial (IC) Zones, as indicated by the column headings.

4.9.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings* and *structures* and no others are permitted in the Industrial Medium (IM) and Industrial Commercial (IC) Zones:

| | IM | IC |
|---|----|----|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Public Works Yard</i> | ◆ | |
| <i>Transfer Station</i> | ◆ | |
| Recycling Depot | ◆ | |
| Compost Facility | ◆ | |
| <i>Cottage Industry</i> | ◆ | |
| Storage and Warehouse | | ◆ |
| Sale of Propane | | ◆ |
| Sale of Building, Construction, Home Improvement Supplies | | ◆ |
| Welding | | ◆ |
| Milling, Shaping and Finishing of Wood | | ◆ |
| Manufacturing of Wood Products | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| Permitted Buildings and Structures | | |
| <i>Buildings and structures accessory to permitted uses</i> | ◆ | ◆ |

4.9.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings* and *structures* in the IM and IC zones must comply with the following regulations regarding size, siting and density.

| | IM | IC |
|--|------|------|
| Lot Coverage | | |
| Maximum <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> | 30% | 30% |
| Height | | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 12 | 12 |
| Setbacks | | |
| From a <i>Watercourse</i> | Min. | Min. |
| Despite Section 3.18 (metres) | 50 | 50 |
| From <i>Highway</i> | Min. | Min. |
| All <i>lot lines</i> (m) | 10 | 10 |
| When lot abuts a Industrial Zoned lot | Min. | Min. |
| All <i>lot lines</i> (m) | 0 | 0 |
| When lot abuts a non-Industrial Zoned lot | Min. | Min. |
| All <i>lot lines</i> : Same <i>setbacks</i> as <i>Zone</i> of abutting property | ◆ | ◆ |
| Conditions of Use | | |
| Storm water run-off from paved areas must pass through an oil/water separator | ◆ | ◆ |
| Pressure-treated lumber must be covered, at a minimum by a tarp in good condition, to prevent rainwater run-off directly from the treated wood | | ◆ |
| Storage of hazardous materials is subject to a <i>Spill Management Plan</i> | ◆ | ◆ |
| Landscape Screen of 3 m in <i>height</i> to be provided along <i>lot lines</i> adjacent to a <i>Highway</i> | ◆ | ◆ |

4.9.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the IM and IC zones.

| | IM | IC |
|--|----|----|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Minimum <i>lot area</i> for individual <i>lots</i> (<i>ha.</i>) without community water system | 1 | 1 |
| Minimum <i>lot area</i> for individual <i>lots</i> (<i>ha.</i>) with community water system | .4 | .4 |

4.9.4 Exceptions in Particular Locations

On the lands in the IC zone that are identified on Schedule 'B' by IC followed by a letter in brackets, the following additional regulations or where there is a conflict with section 4.9 the following replacement regulations apply:

- (1) Zone Variation – IC (a)
- (a) The Sale of propane is not permitted.

4.10 GREEN ZONES (G 1, G 2, G 3)

Information Note: The purpose of the Green Zones is to provide regulations for the use of land considered to be important for environmental protection, watershed protection, island character and recreational use.

The regulations in the tables in this Section apply to land in the Ecological Reserve (G 1), Environmentally Sensitive (G 2) and Natural Areas/Watersheds (G 3) Zones, as indicated by the column headings.

4.10.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses and no others are permitted in the Ecological Reserve (G 1), Environmentally Sensitive (G 2) and Natural Areas/Watersheds (G 3) Zones:

| | G 1 | G 2 | G 3 |
|---|-----|-----|-----|
| Principal Uses of Land, Buildings and Structures | | | |
| Ecological Reserve | ◆ | | |
| Uses that contribute to the protection of the natural and cultural environment | | ◆ | ◆ |
| Uses that contribute to the protection of the watershed | | | ◆ |
| Open Space | | | ◆ |
| Recreation | | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | | |
| Trails, Interpretative Signage | | ◆ | ◆ |
| Uses accessory to principal uses | | ◆ | ◆ |
| Conditions of Use | | | |
| No human access except by Provincial Permit | ◆ | | |
| Recreation use is limited to informal activities, such as hiking, biking, horse riding, and picnics | | | ◆ |
| Parking areas shall be finished with a permeable surface | | ◆ | ◆ |

4.10.2 Subdivision and Servicing Requirements

- (2) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the G 1, G 2 and G 3 zones.

| | G 1 | G 2 | G 3 |
|--|-----|-----|-----|
| | | | |

| Lot Areas for the Creation of New Lots through Subdivision | | | |
|--|---|----|----|
| Minimum <i>lot</i> area for individual <i>lots</i> (ha.) | - | 16 | 16 |
| Consolidation of <i>lots</i> only is permitted | ♦ | | |

4.10.3 Exceptions in Particular Locations

On those lands in the G 3 *zone* that are identified on Schedule “B” by G 3 followed by a letter in brackets, the following additional regulations or where there is a conflict within Section 4.10 the following replacement regulations apply.

- (1) *Zone* Variation – G 3 (a)
 - (a) processing (including quarrying), storage and sale of sand and gravel; stockpiling and disposal of land-clearing debris via controlled burning and grinding; and a green waste compost facility are permitted uses.

4.11 PARK ZONES (P 1, P 2, P 3, P 4)

Information Note: The purpose of the Park Zones is to provide regulations for the use of public parks.

The regulations in the tables in this Section apply to land in the Passive Park (P 1), Multi-Use Activity Park (P 2), Neighbourhood Park (P 3), and Natural Park (P 4) Zones, as indicated by the column headings.

4.11.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses and no others are permitted in the Passive Park (P 1), Multi-Use Activity Park (P 2), Neighbourhood Park (P 3) and Natural Park (P 4) Zones:

| | P 1 | P 2 | P 3 | P 4 |
|--|-----|-----|-----|-----|
| Principal Uses of Land, Buildings and Structures | | | | |
| <i>Open Space</i> | ◆ | ◆ | ◆ | |
| Interpretative/information Centre | ◆ | ◆ | | ◆ |
| <i>Athletic Park</i> | | ◆ | | |
| <i>Hard Surface Courts</i> | | ◆ | ◆ | |
| <i>Outdoor Assembly</i> | ◆ | ◆ | ◆ | |
| Play Fields | ◆ | ◆ | ◆ | |
| Playgrounds | | ◆ | ◆ | |
| Other Outdoor Recreation Facilities | | ◆ | | |
| Nature Protection | ◆ | ◆ | ◆ | ◆ |
| Accessory Uses of Land, Buildings and Structures | | | | |
| Trails | ◆ | ◆ | ◆ | ◆ |
| Permitted Buildings and Structures | | | | |
| <i>Buildings and Structures accessory to permitted uses</i> | ◆ | ◆ | ◆ | ◆ |
| Interpretative <i>signs</i> | ◆ | ◆ | ◆ | ◆ |
| Conditions of Use | | | | |
| <i>Parking areas shall be finished with a permeable surface</i> | ◆ | ◆ | ◆ | ◆ |
| Shelters shall be 50% open-sided | ◆ | ◆ | ◆ | ◆ |
| <i>Use of Lot 6, D.L. 489, Plan 44190 shall be limited to neighbourhood park uses.</i> | | | ◆ | |
| Use of Rem. DL 489 shall be used only as a <i>natural park</i> . | | | | ◆ |

4.11.2 Subdivision and Servicing Requirements

- (3) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the P 1, P 2, P 3 and P 4 zones.

| | P 1 | P 2 | P 3 | P 4 |
|--|-----|-----|-----|-----|
| Lot Areas for the Creation of New Lots through Subdivision | | | | |
| Minimum <i>lot</i> area for individual lots (ha) | 4 | 4 | 4 | 4 |
| Neither Lot 2, D.L. 489, Plan LMP 49266A or Lot 4, D.L. 489, Plan LMP 49266A, D.L. 489, Plan LMP 44190 shall be subdivided by <i>subdivision</i> plan, strata plan or otherwise howsoever. | | ◆ | | |
| Lot 6, D.L. 489, Plan LMP 44190 shall not be subdivided by <i>subdivision</i> plan, strata plan or otherwise howsoever. | | | ◆ | |
| Rem. D.L. 489 shall not be subdivided by subdivision plan, strata plan or otherwise howsoever. | | | | ◆ |

4.11.3 Exceptions in Particular Locations

On those lands in the P 1 *zone* that are identified on Schedule “B” by P 1 followed by a letter in brackets, the following additional regulations or where there is a conflict within Section 4.11 the following replacement regulations apply.

- (1) *Zone Variation – P 1 (a)*
- (a) The following additional *uses* are permitted *accessory uses* of land, buildings and structures:
- Memorial Garden
 - *Dwelling*
 - Ball Field
- (b) *Dwelling, detached* is a permitted building.
- (c) Maximum number of *dwelling units* shall be 15.
- (d) Minimum lot size requirement for the creation of new lots by subdivision is 1.2 ha with minimum service level of individual septic tank and individual well.
- (e) *Commercial Guest Accommodation*
- (2) *Zone Variation – P 1 (b)*
- (a) The following additional *use* is a permitted *accessory use* of land, buildings and structures:
- Fish hatchery

4.12 WATER PROTECTION ZONES – INLAND (WP 1, WP 2)

Information Note: *The purpose of the Water Protection Zones is to provide regulations for the use of lakes and water reservoirs that are located within a park area or supply water for drinking water purposes.*

The regulations in the table in this Section apply to land in the Drinking Water (WP 1) and Natural Water Park (WP 2) Zones, as indicated by the column headings.

4.12.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses* and no others are permitted in the Drinking Water (WP 1) and Natural Water Park (WP 2) Zones:

| | WP 1 | WP 2 |
|---|------|------|
| Principal Uses of Land, Buildings and Structures | | |
| Water Storage | ◆ | |
| Recreation | | ◆ |
| Permitted Buildings and Structures | | |
| <i>Buildings and structures</i> accessory to permitted uses | ◆ | |
| <i>Structures</i> for water treatment and pumping | ◆ | |
| Conditions of Use | | |
| Structures made of newly-treated wood shall bear the BMP certification mark ensuring that appropriate treatment and post-treatment measures have been employed in producing the preserved wood. | ◆ | ◆ |

4.13 WATER USE ZONES – COASTAL (WG 1, WC 1, WCI)

Information Note: The purpose of the Water Use Zones is to provide regulations for the use of the marine coastal area that extends 300 metres seaward from the natural high water mark of Bowen Island, Finisterre Island and Hutt Island and their associated islets. The purpose of the Water General Coastal 1 Zone is specifically to provide public recreational opportunities, to preserve and protect the natural qualities of Bowen Island's shoreline and provide for the regulation of recreational boat moorage associated directly with upland uses.

The regulations in the tables in this Section apply to land in the Water General (Coastal) 1 (WG 1), Water Commercial (*Marina*) 1(WC 1) and Water Civic (WCI) Zones, as indicated by the column headings.

4.13.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses and no others are permitted in the Water General (Coastal) 1 (WG 1), Water Commercial (*Marina*) 1(WC 1) and Water Civic (WCI) Zones:

| | WG 1 | WC 1 | WCI |
|---|------|------|-----|
| Principal Uses of Land, Buildings and Structures | | | |
| Boat moorage, docking and launching | ◆ | ◆ | ◆ |
| <i>Private Moorage Facility</i> | ◆ | | |
| <i>Group Moorage Facility</i> | ◆ | | |
| <i>Community Dock</i> | ◆ | | ◆ |
| Marine Navigation | ◆ | ◆ | ◆ |
| <i>Marina</i> | | ◆ | |
| Public Wharf | | ◆ | ◆ |
| Ferry Dock | | | ◆ |
| Water Taxi | | ◆ | ◆ |
| Accessory Uses of Land, Buildings and Structures | | | |
| <i>Float House</i> | | ◆ | |
| <i>Live-Aboard</i> | | ◆ | |
| <i>Assembly</i> | | ◆ | ◆ |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ | ◆ |
| Permitted Buildings and Structures | | | |
| <i>Buildings accessory to permitted uses</i> | | ◆ | ◆ |
| <i>Structures accessory to permitted uses</i> | ◆ | ◆ | ◆ |
| Floating Breakwaters | | ◆ | ◆ |
| Marine Navigation Structures | ◆ | ◆ | ◆ |

| | WG 1 | WC 1 | WCi |
|---|------|------|-----|
| Setbacks | | | |
| Minimum setback (m.) for <i>buildings</i> and <i>structures</i> from any <i>lot line</i> | 1.5 | 1.5 | 1.5 |
| Minimum setback (m) for any portion of the structure of a <i>private moorage facility</i> or <i>group moorage facility</i> from any <i>property line projection</i> | 5.0 | | |
| Minimum setback (m) of any portion of the structure of any <i>private moorage facility</i> or <i>group moorage facility</i> from any other <i>private moorage facility</i> or <i>group moorage facility</i> | 10.0 | | |
| Minimum setback (m) of any portion of the structure of any <i>private moorage facility</i> or <i>group moorage facility</i> from the <i>property line projection</i> of any lot abutting public beach access | 10.0 | | |
| Conditions of Use | | | |
| <i>Private Moorage Facilities</i> and <i>Group Moorage Facilities</i> shall be accessory to upland residential use only | ◆ | | |
| <i>Maximum number of Private Moorage Facilities per upland lot - 1</i> | ◆ | | |
| <i>Any Community dock, Private moorage facility</i> or <i>group moorage facility</i> shall be located such that it will not impede pedestrian access along the beach portion of the foreshore, or negatively impact eelgrass meadows, kelp beds, clam beds or mussel beds | ◆ | | ◆ |
| Maximum area (m ²) of all <i>private moorage facilities</i> excluding gangways to access floats | 37 | | |
| Maximum width (m) of all gangways to access floats for a <i>Group Moorage Facility</i> or <i>Private Moorage Facility</i> | 1.5 | | |
| Maximum width (m) of all gangways to access floats for <i>Group Moorage Facility</i> or <i>Private Moorage Facility</i> | 1.5 | | |
| Maximum length (m) of <i>Private Moorage Facilities</i> , measured from the natural high water mark to the extent of all gangways and floats that are accessed by gangways measured at high tide | 40 | | |
| <i>Float house use</i> is only permitted as an accessory use to a <i>marina</i> and is limited to 2% of <i>marina</i> berths available for <i>moorage</i> , subject to a permanent connection to sewer pump-out facilities for land-based sewage disposal. | | ◆ | |
| Each <i>float house</i> shall be limited to 85 m ² in total <i>floor area</i> excluding outside decks at water level, and a <i>height</i> of 5.5 metres from the <i>average finished grade</i> . | | ◆ | |
| <i>Live-Aboard use</i> is only permitted as an accessory use to a <i>marina</i> , subject to provision of a pump-out connection for land-based sewage disposal at a pump-out facility located within 150 metres of the <i>live-aboard vessel</i> . | | ◆ | |
| <i>Assembly use is limited to outdoor use</i> | | ◆ | |
| <i>Buildings</i> or <i>structures</i> shall not exceed one storey (4.6 metres) | | ◆ | |
| Maximum <i>floor area</i> (m ²) for <i>buildings</i> or <i>structures</i> on the water | | 115 | |

| | WG 1 | WC 1 | WCi |
|---|------|------|-----|
| Water area used for marine fuel sales shall be equivalent to no more than 3% of <i>marina</i> berths available for <i>moorage</i> . | | ◆ | |
| Sheds to shelter boats are not permitted | | ◆ | |
| Sale of <i>personal watercraft</i> is not permitted | | ◆ | ◆ |
| All <i>buildings</i> or <i>structures</i> except marine navigation aids and mooring buoys require a development permit | | ◆ | |
| Maximum <i>floor area</i> for the sale of convenience food and tackle associated with <i>Marina use</i> is 30 m ² | | ◆ | |

4.13.3 Exceptions in Particular Locations

On those lands in the WG 1 and WC 1 *zones* that are identified on Schedule “B” by WG 1 and WC 1 followed by a letter in brackets, the following additional regulations or where there is a conflict within Section 4.13 the following replacement regulations apply.

- (1) Zone Variation – WG 1 (a)
 - (a) Water taxi *use* is a permitted *use*.
 - (b) Boat moorage *use* is not limited to upland residential *use*.
 - (c) Floating breakwater is not a permitted *use*.
 - (d) Sheds to shelter boats are not permitted.

- (2) Zone Variation – WC 1 (a)
 - (a) Seaplane and hovercraft *berthage* is a permitted *use*.
 - (b) *Live-aboard use* is limited to 15 *live-aboards*.
 - (c) The maximum floor area and height for a building or structure that contains showers and toilets, a marina office, a suite on the second floor for security personnel, and primary sewage pump-out equipment shall be 230 square metres, and two storeys or 6 metres whichever is less, respectively.”

- (3) Zone Variation – WC 1 (b)
 - (a) *Assembly use* in the WC 1(b) and VC 2(b) *zones* is limited to a total of not more than six separate events in a calendar year, each of a maximum duration of eight hours.
 - (b) *Float house use* is not permitted.
 - (c) *Live-aboard use* is limited to 4 *live-aboards*.
 - (d) *Buildings* and *structures* are limited to those buildings and structures located within the WC 1(b) *zone* and approved for construction by development permits DP-20-89 and BO-DP-01-95.

- (4) Zone Variation – WG 1 (b)

The following uses are not permitted in the marine coastal area that extends 300 m seaward from the natural boundary, sea, fronting the lands known as Cape Roger Curtis, legally described as Lots 1 – 59, District Lot 1548, Group 1, New Westminster District, Plan 43265A:

- i. Community Dock,
- ii. Group Moorage Facility
- iii. Private Moorage Facility
- iv. Permanent Moorage

4.14 COMPREHENSIVE DEVELOPMENT 1 (CD 1) ZONE (ARTISAN SQUARE)

Information Note: The purpose of the CD 1 Zone is to recognize an area called Artisan Square, established in 1993, that encompasses a mix of commercial and residential uses with an artisan and cottage industry focus. Building design is in the Arts and Crafts style.

The regulations in the tables in this Section apply to land in the Comprehensive Development 1 (Artisan Square) Zone, as indicated by the column headings. For the purposes of this zone, different regulations apply to different portions of the zone (Sub Area 1 and Sub Area 2), the boundaries of which are identified on the map attached to this zone as Schedule A, which forms an integral part of this Bylaw as Schedule 1.

4.14.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 1 (Artisan Square) Zone:

| Principal Uses of Land, Buildings and Structures | Sub Area 1 | Sub Area 2 |
|--|-------------------|-------------------|
| <i>Artisan Industry</i> | ◆ | ◆ |
| <i>Assembly</i> | ◆ | |
| <i>Daycare</i> | ◆ | |
| <i>Dwelling</i> | ◆ | ◆ |
| <i>General Services</i> subject to Section 4.14.2 (Conditions of Use – Item 3) | ◆ | |
| <i>Office</i> | ◆ | |
| <i>Retail</i> subject to Section 4.14.2 (Conditions of Use – Item 4) | ◆ | |
| <i>Restaurant</i> | ◆ | |
| <i>Inn</i> | ◆ | |
| <i>Sewage disposal facilities</i> | ◆ | |
| | | |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use</i> subject to Part 3 | ◆ | ◆ |
| <i>Secondary Suite</i> | | ◆ |
| | | |
| Permitted Buildings and Structures | | |
| <i>Dwelling, Detached</i> | ◆ | ◆ |
| <i>Buildings and Structures</i> accessory to permitted uses | ◆ | ◆ |

- (1) The use of the Common Property within the CD-1 zone shall be restricted to roadways, parking areas, trails, open space, and landscaping, and sewage disposal facilities which shall comply with an approved Sewage Disposal Permit.

4.14.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 1 (Artisan Square) *Zone* must comply with the following regulations regarding size, siting and density:

| Floor Space – CD 1 Zone | |
|---|--|
| Maximum <i>floor space</i> for all <i>buildings</i> within CD-1 zone (m ²) | 6020 |
| Floor Space – (Sub Area 1) | |
| Maximum non-residential <i>floor space</i> for all <i>buildings</i> | 4235 |
| Maximum residential <i>floor space</i> for all <i>buildings</i> | 1400 |
| Minimum <i>floor area</i> of <i>artisan industry</i> (m ²) | 1200 m ² with an Inn or 30% of non-residential floor space without an inn |
| Maximum <i>floor area</i> of <i>retail</i> (m ²) | 600 |
| Maximum <i>floor area</i> of both <i>office and general services use</i> (m ²) | 1400 with not more than 350 as <i>General Service</i> floor space |
| Maximum <i>floor area</i> of <i>restaurant</i> (m ²) | 280 |
| Maximum <i>floor area</i> used for <i>artisan industry</i> that may be used for <i>retail use</i> | 30% |
| Average number of <i>dwelling units</i> within a non residential building | 2 Up to maximum of 4 units per building |
| Maximum number of <i>dwelling units</i> | 16 |

| | |
|--|-------|
| Floor Space – (Sub Area 2) | |
| Maximum number of <i>detached dwelling units</i> | 7 |
| Maximum number of <i>dwelling units</i> on each strata lot | 1 |
| Maximum residential <i>floor space</i> for each <i>building</i> on each strata lot (m ²) | |
| Strata Lot 9 | 139.0 |
| Strata Lot 10 | 139.0 |
| Strata Lot 11 | 158.4 |
| Strata Lot 12 | 194.4 |
| Strata Lot 13 | 194.4 |
| Strata Lot 14 | 194.4 |
| Strata Lot 15 | 194.4 |
| Height | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 |

| | |
|--|------|
| Setbacks | |
| Minimum <i>setback</i> from all <i>lot lines</i> (metres) | 1.52 |
| Conditions of Use | |
| 1) <i>Artisan industry</i> shall be conducted entirely within one or more <i>buildings</i> except for: a) accessory buildings and outdoor areas that may be used for storage purposes; and b) outdoor areas that may be used for the temporary display of finished products or for the consumption of food products. | ♦ |
| 2) Residential <i>use</i> shall be permitted within a building only if the residential <i>use</i> is located within a building that contains a permitted non-residential use as outlined in Section 4.14.1.1 | ♦ |
| 3) Notwithstanding that such <i>uses</i> are permitted within the definition of <i>general service use</i> , within the CD-1 zone, a bank, financial institution, or post office shall not be permitted. | ♦ |
| 4) Notwithstanding that such <i>uses</i> are permitted within the definition of <i>retail use</i> , within the CD-1 zone, a grocery store, pharmacy, and liquor store shall not be permitted. | ♦ |
| 5) A <i>gas station use</i> shall be subject to the following conditions: a) Only one above-ground fuel tank having a capacity of not more than 36000 litres and one below ground fuel separator tank of not more than 2200 litres are permitted to operate and shall be located within the area outlined in Schedule 'B' and Schedule 'C' of this zone. b) A concrete pad as shown on Schedule 'C' shall be permitted. c) Only one 8' x 16' building accessory to the gas station use shall be permitted. The building shall be in an "Arts and Crafts" style and shall incorporate natural finishes, the use of native materials and a roof style that is not flat or mono-pitched. | ♦ |

| | |
|---|---|
| <p>d) A convenience store shall not be permitted as part of a gas station use, however items that are typically associated with the sale of gasoline, such as engine oil and food snacks shall be permitted to be sold on site.</p> <p>e) The placement of the tank, installation, upkeep, as well as other provisions as included in the Fire Services Act and Regulations shall be adhered to, to the satisfaction of the Bowen Island Fire Chief.</p> <p>f) Parking shall be located on-site as shown on Schedule 'B'.</p> | |
| <p>6) In the case where a multi-purpose / performing arts centre is developed within a <i>building</i>, not less than 50% of the <i>floor space</i> within that <i>building</i> shall be occupied with the multi-purpose / performing arts centre.</p> | ♦ |

4.14.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 1 Zone.

Lot Areas for the Creation of New Lots through Subdivision

| | |
|--|---|
| Maximum number of <i>lots</i> to be created by <i>subdivision</i> within the CD 1 zone | 18 including 1 lot for sewage disposal purposes |
| Minimum <i>lot area</i> (ha.) with <i>community water system</i> | 0.25 |

4.14.4 Off Street Parking Requirements

- (1) Off street parking shall be provided in accordance with the part of this Bylaw that pertains to off street parking requirements

4.15 COMPREHENSIVE DEVELOPMENT 2 (CD 2) ZONE (CATES HILL)

Information Note: The purpose of the CD 2 Zone is to recognize a comprehensively planned area called Cates Hill Village which includes a residential neighbourhood established in 2000, parks and recreation facilities, nature conservation lands, local commercial services, and community facilities such as a school, church, daycare and teen centre. Covenants were registered on lots within Area 6 in 1999 to protect Terminal Creek.

The regulations in the tables in this Section apply to land in the Comprehensive Development 2 (Cates Hill) Zone, as indicated by the column headings. For purposes of regulation the area within the boundary of the CD 2 Zone is divided into seven separate areas labelled as Area 1 through Area 7 inclusive and the location of each separate area is on Schedule “B” to this Bylaw. Each area boundary within the CD 2 Zone shall be considered a zone boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this Section.

AREA 1 AND AREA 2

4.15.1 Permitted Uses of Land, Buildings and Structures

- (2) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings* and *structures* and no others are permitted in the Comprehensive Development 2 (Cates Hill) Zone – Area 1 and Area 2:

| | Area 1 | Area 2 |
|--|--------|--------|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Dwelling</i> | ◆ | ◆ |
| School | | ◆ |
| <i>Municipal Hall</i> | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use, subject to Part 3</i> | ◆ | ◆ |
| <i>Secondary Suite</i> | ◆ | |
| Permitted Buildings and Structures | | |
| Dwelling, Detached | ◆ | ◆ |
| <i>Dwelling, Attached</i> | | ◆ |
| Buildings and <i>Structures</i> accessory to permitted <i>uses</i> | ◆ | ◆ |

4.15.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- 4.. Subject to Part 3, *uses, buildings* and *structures* in the Comprehensive Development 2 (Cates Hill) Zone – Area 1 and Area 2 must comply with the following regulations regarding size, siting and density.

| | Area 1 | Area 2 |
|---|--------|--------|
| Lot Coverage | | |
| Maximum <i>lot coverage</i> | 30% | 30% |
| Floor Space Ratio (FSR) | | |
| Maximum <i>floor space ratio (FSR)</i> | 0.3 | - |
| Maximum <i>floor space ratio (FSR)</i> for a strata <i>lot</i> shall be the product of 0.3 multiplied by the proportion that the area of that strata <i>lot</i> bears to the sum of the areas of all strata <i>lots</i> in the same strata plan | ♦ | |
| Maximum <i>floor space ratio (FSR)</i> for a strata <i>lot</i> shall bear the same proportion to the maximum floor space permitted by this Bylaw in the entire strata plan of which the strata <i>lot</i> is a part, as the area of the strata <i>lot</i> bears to the sum of the areas of all strata <i>lots</i> in the same strata plan | | ♦ |
| Number of Units and Floor Areas | | |
| Maximum number of <i>dwelling units</i> per <i>lot</i> | 1 | |
| Maximum number of <i>dwelling units</i> per <i>lot</i> if Area 2 is subdivided into 12 <i>lots</i> | | 1 |
| Maximum number of <i>dwelling units</i> on the lands within Area 2 of CD 2 Zone | - | 12 |
| Height | | |
| Maximum <i>height</i> of a building or <i>structure</i> (metres) | 9 | 9 |
| Setbacks | | |
| Minimum <i>setback</i> from front or <i>rear lot line</i> forming a boundary of a <i>lot</i> other than a strata <i>lot</i> (m) | 4.5 | 4.5 |
| Minimum <i>setback</i> from a side <i>lot line</i> forming a boundary of a <i>lot</i> other than a strata <i>lot</i> (m) | 3 | 3 |
| Minimum <i>setback</i> from a boundary of a bare land strata plan (m) | 4.5 | 4.5 |
| Conditions of Use | | |
| No <i>dwelling unit</i> may be occupied unless it is connected to a <i>community water system</i> and a <i>community sewer system</i> | ♦ | ♦ |
| Required parking for <i>municipal hall use</i> shall be finished with a gravel surface or other non-impervious surface. | | ♦ |

4.15.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 2 Zone – Area 1 and Area 2.

| | Area 1 | Area 2 |
|--|--------|--------|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Maximum number of <i>lots</i> that may be created through <i>subdivision</i> | 82 | 12 |
| Minimum <i>lot</i> area for individual <i>lots</i> (m ²) | 670 | 367 |
| Minimum Service Levels | | |
| <i>Community Water System</i> | ◆ | ◆ |
| <i>Community Sewer System</i> | ◆ | ◆ |

AREA 3 AND AREA 4

4.15.4 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings* and *structures* and no others are permitted in the Comprehensive Development 2 (Cates Hill) *Zone* – Area 3 and Area 4:

| | Area 3 | Area 4 |
|---|--------|--------|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Dwelling</i> | | ◆ |
| <i>General Services</i> | ◆ | |
| <i>Office</i> | ◆ | |
| <i>Parking area</i> | ◆ | |
| <i>Retail</i> | ◆ | |
| <i>Restaurant</i> | ◆ | |
| Public Community Facilities such as libraries, museums, art galleries | ◆ | |
| <i>Vehicle Repair Garage</i> | | ◆ |
| <i>Agriculture</i> | | ◆ |
| <i>Horticulture</i> | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Dwelling</i> | ◆ | |
| <i>Home Occupation use</i> subject to Part 3 | ◆ | ◆ |
| <i>Secondary Suite</i> | | ◆ |
| Permitted Buildings and Structures | | |
| Dwelling, Detached | | ◆ |
| <i>Dwelling, Attached</i> | ◆ | |
| Buildings and <i>Structures</i> accessory to permitted <i>uses</i> | ◆ | ◆ |

4.15.5 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 2 (Cates Hill) Zone – Area 3 and Area 4 must comply with the following regulations regarding size, siting and density.

| | Area 3 | Area 4 |
|--|--------|--------|
| Lot Coverage | | |
| Maximum <i>lot coverage</i> | - | 30% |
| Floor Space Ratio (FSR) | | |
| Maximum <i>floor space ratio (FSR)</i> | 0.6 | 0.3 |
| Maximum floor space for a strata <i>lot</i> shall bear the same proportion to the maximum floor space permitted by this Bylaw in the entire strata plan of which the strata <i>lot</i> is a part, as the area of the strata <i>lot</i> bears to the sum of the areas of all strata <i>lots</i> in the same strata plan. | | ♦ |
| Maximum floor space for a strata <i>lot</i> shall bear the same proportion to the maximum floor space permitted by this Bylaw in the entire strata plan of which the strata <i>lot</i> is a part, as the area of the strata <i>lot</i> bears to the sum of the areas of all strata <i>lots</i> in the same strata plan, and despite anything to the contrary of this Bylaw, access routes may be included in the area of a strata plan for purpose of calculating <i>floor space ratio</i> . | ♦ | |
| Number of Units and Floor Areas | | |
| Maximum number of <i>dwelling units per lot</i> | - | 1 |
| Maximum number of <i>dwelling units</i> on the lands within Area 3 of CD2 Zone | 15 | - |
| Height | | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 | 9 |
| Setbacks | | |
| Minimum <i>setback</i> from front or <i>rear lot line</i> forming a boundary of a <i>lot</i> other than a strata <i>lot</i> (m) | 1.5 | 4.5 |
| Minimum <i>setback</i> from a side <i>lot line</i> forming a boundary of a <i>lot</i> other than a strata <i>lot</i> (m) | 1.5 | 3 |
| Minimum <i>setback</i> from a boundary of a bare land strata plan (m) | 1.5 | 4.5 |
| Conditions of Use | | |
| No <i>dwelling unit</i> may be occupied unless it is connected to a <i>community water system</i> | ♦ | ♦ |
| No <i>dwelling unit</i> may be occupied unless it is connected to a <i>community sewer system</i> | ♦ | - |
| <i>Dwelling units</i> must be located above the first storey of a <i>building</i> containing any other permitted <i>use</i> on the first storey | ♦ | - |
| The area shown in light gray tone within Area 3 on Schedule “B” to this Bylaw is restricted to a <i>parking area</i> . | ♦ | - |
| <i>Vehicle Repair Garage use</i> is limited to one such facility. | | ♦ |

| | Area 3 | Area 4 |
|---|--------|--------|
| Outdoor <i>parking areas</i> associated with <i>vehicle repair garage use</i> shall be paved. Drainage from the <i>parking area</i> shall be routed through an oil-water separator separate from the one used for the indoor wet work area drainage with sufficient capacity to deal with outdoor run-off. Drip pans or other suitable barriers shall be used and maintained, where needed, under vehicles that are parked outdoors pending service and repair. | | ◆ |
| A wood or landscape screen at least 1.5m in height shall screen refuse and recycling areas associated with <i>vehicle repair garage use</i> . | | ◆ |
| An oil-water separator shall be installed where the catch basin in Indoor wet work areas associated with <i>vehicle repair garage use</i> discharge from the building, including discharge from the wash basin and other wet work areas. | | ◆ |
| Oil-water separators associated with <i>vehicle repair garage use</i> shall be maintained in good working order through regular inspection and clean-out as needed to ensure effectiveness. | | ◆ |
| Percent of <i>lot</i> area that can be used for sales or consumption of agricultural products to a maximum of 50 m ² | - | 0.5% |

4.15.6 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 2 Zone – Area 3 and Area 4.

| | Area 3 | Area 4 |
|--|--------|--------|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Maximum number of <i>lots</i> that may be created through <i>subdivision</i> | - | 24 |
| Minimum <i>lot</i> area for individual <i>lots</i> (m ²) | 325 | 900 |
| Minimum Service Levels | | |
| <i>Community Water System</i> | ◆ | ◆ |
| <i>Community Sewer System</i> | ◆ | - |
| Individual on-site sewage treatment system per <i>lot</i> | - | ◆ |

AREA 5 AND AREA 6

4.15.7 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 2 (Cates Hill) Zone – Area 5 and Area 6:

| | Area 5 | Area 6 |
|---|--------|--------|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Retreat centre</i> | ◆ | |

| | Area 5 | Area 6 |
|--|--------|--------|
| <i>Assembly</i> | | ◆ |
| Cemetery | | ◆ |
| Church | | ◆ |
| Public community facilities such as libraries, museums, art galleries, <i>indoor entertainment and recreational facilities</i> | | ◆ |
| <i>Daycare</i> | | ◆ |
| Government buildings such as post <i>office</i> , government <i>offices</i> | | ◆ |
| Police Station, Ambulance Hall, Fire Hall | | ◆ |
| Hospital, Health Centre or Clinic | | ◆ |
| <i>Personal care home</i> | | ◆ |
| Summer Camp | | ◆ |
| School | | ◆ |
| <i>Dwelling</i> | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Columbarium</i> | ◆ | |
| <i>Home Occupation use</i> subject to Part 3 | - | ◆ |
| Permitted Buildings and Structures | | |
| Dwelling, Detached | ◆ | ◆ |
| Buildings and <i>Structures</i> accessory to permitted <i>uses</i> | ◆ | ◆ |

4.15.8 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 2 (Cates Hill) *Zone* – Area 5 and Area 6 must comply with the following regulations regarding size, siting and density.

| | Area 5 | Area 6 |
|--|--------|--------|
| Lot Coverage | | |
| Maximum <i>lot coverage</i> , except for summer camp | - | 40% |
| Floor Space Ratio (FSR) | | |
| Maximum <i>floor space ratio (FSR)</i> | 0.1 | - |
| Number of Units and Floor Areas | | |
| Maximum <i>floor area</i> of any guest bedroom (m ²) | 40 | - |
| Maximum number of guest bedrooms | 20 | - |
| Height | | |
| Maximum <i>height</i> of a building or <i>structure</i> (metres) | 9 | 9 |

| | Area 5 | Area 6 |
|--|--------|--------|
| Setbacks | | |
| Minimum <i>setback</i> from <i>front lot line</i> (m) | 7.5 | 7.5 |
| Minimum <i>setback</i> from all other <i>lots</i> lines (m) | 7.5 | 3 |
| Conditions of Use | | |
| Maximum number of <i>retreat centres</i> per <i>lot</i> | 1 | - |
| The area shown in light gray tone within Area 5 on Schedule “B” to this Bylaw shall be kept in its natural state as outlined in restrictive covenant BN320969. | ◆ | |

4.15.9 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 2 Zone – Area 5 and Area 6.

| | Area 5 | Area 6 |
|---|--------|--------|
| Lot Areas for the Creation of New Lots through Subdivision | | |
| Maximum number of <i>lots</i> that may be created through <i>subdivision</i> | 1 | - |
| Minimum <i>lot</i> area for individual <i>lots</i> (ha) | 2 | - |
| Minimum <i>lot</i> area for individual <i>lots</i> (ha) not served by <i>community water system</i> | - | 4 |
| Minimum <i>lot</i> area for individual <i>lots</i> (ha) served by <i>community water system</i> | - | 0.2 |

AREA 7

4.15.10 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings* and *structures* and no others are permitted in the Comprehensive Development 2 (Cates Hill) Zone – Area 7:

| | Area 7 |
|---|--------|
| Principal Uses of Land, Buildings and Structures | |
| <i>Open Space</i> | ◆ |
| <i>Outdoor Assembly</i> | ◆ |
| <i>Play Fields</i> | ◆ |
| <i>Playgrounds</i> | ◆ |
| <i>Hard surface Courts</i> | ◆ |
| <i>Indoor Recreation Facility</i> | ◆ |
| Accessory Uses of Land, Buildings and Structures | |
| <i>Uses accessory to principal uses</i> | ◆ |

| | |
|--|---|
| Permitted Buildings and Structures | |
| Buildings and <i>Structures</i> accessory to permitted <i>uses</i> | ◆ |

4.15.11 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 2 (Cates Hill) *Zone – Area 7* must comply with the following regulations regarding size, siting and density.

| | |
|--|---------------|
| | Area 7 |
| Height | |
| Maximum <i>height</i> of a building or <i>structure</i> (metres) | 9 |
| Setbacks | |
| Minimum <i>setback</i> from all <i>lot lines</i> (m) | 7.5 |

4.15.12 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 2 *Zone – Area 7*.

| | |
|--|---------------|
| | Area 7 |
| Lot Areas for the Creation of New Lots through Subdivision | |
| Average minimum <i>lot area</i> for individual <i>lots</i> (<i>ha</i>) served by a <i>community water system</i> | .3 |

4.15.13 Exceptions in Particular Locations

- (1) *Zone variation – CD2 Area 1 (a)*
 - a. *Dwelling, Two Family (Secondary Dwelling)* is a permitted use
 - b. *Secondary Suite* is not a permitted use in a building containing a *secondary dwelling*
 - c. Maximum floor area of dwelling for *primary dwelling* is 170 sq m
 - d. Maximum floor area of dwelling for *secondary dwelling* is 90 sq m

4.16 COMPREHENSIVE DEVELOPMENT 3 (CD 3) ZONE (BOWEN BAY)

Information Note: *Consistent with Official Community Plan policy that supports the use of comprehensive development zones to recognize historic neighbourhoods, the CD 3 Zone provides regulations for a historic neighbourhood of summer homes established in 1943 now used as year round residences served by a private water system. This zone includes regulations for a 14 lot bare land strata subdivision reflecting established development patterns generally as shown on Schedule “C” to this Bylaw.*

The regulations in the tables in this Section apply to land in the Comprehensive Development 3 (Bowen Bay) Zone, as indicated by the column headings.

4.16.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 3 (Bowen Bay) Zone:

| | CD 3 |
|---|-------------|
| Principal Uses of Land, Buildings and Structures | |
| <i>Dwelling</i> | ◆ |
| <i>Horticulture</i> | ◆ |
| <i>Agriculture</i> | ◆ |
| Accessory Uses of Land, Buildings and Structures | |
| <i>Uses accessory to principal uses</i> | ◆ |
| <i>Home Occupation use</i> subject to Part 3 | ◆ |
| <i>Secondary Suite</i> | ◆ |
| Permitted Buildings and Structures | |
| <i>Dwelling, Detached</i> | ◆ |
| <i>Buildings and Structures</i> accessory to permitted uses | ◆ |

4.16.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 3 (Bowen Bay) *Zone* must comply with the following regulations regarding size, siting and density.

| | CD 3 |
|--|-------------|
| Lot Coverage | |
| Maximum <i>lot coverage</i> (%) for all <i>buildings and structures</i> in the CD 3 <i>Zone</i> | 10% |
| Maximum <i>lot coverage</i> (%) for all <i>buildings and structures</i> , excluding decks, by strata <i>lot</i> generally as shown on Schedule "C" to this Bylaw and listed below. | ◆ |
| SL 1 | 18% |
| SL 2 | 23% |
| SL 3 | 30% |
| SL 4 | 17% |
| SL 5 | 12% |
| SL 6 | 20% |
| SL 7 | 15% |
| SL 8 | 20% |
| SL 9 | 26% |
| SL 10 | 16% |
| SL 11 | 17% |
| SL 12 | 20% |
| SL 13 | 15% |
| SL 14 | 14% |
| Number of Units | |
| Maximum number of <i>dwelling units</i> per 0.55 <i>ha</i> of total <i>lot area</i> (7.8 <i>ha.</i>) within the CD 3 <i>Zone</i> | 1 |
| Maximum number of <i>dwelling units</i> per strata <i>lot</i> | 1 |
| Maximum number of <i>accessory buildings or structures</i> per strata <i>lot</i> that may be used for <i>home occupation</i> | 1 |
| Height | |
| Maximum <i>height</i> of a building or <i>structure</i> (metres) | 9 |
| Setbacks | |
| Minimum <i>setback</i> from all <i>lot lines</i> , except the <i>natural boundary</i> of the sea, for existing <i>dwellings</i> and <i>accessory structures</i> : Generally as shown on Schedule "C" | ◆ |
| Minimum <i>setback</i> (m) from all <i>lot lines</i> , except the <i>natural boundary</i> of the sea, for new <i>dwellings</i> | 3.0 |
| Minimum <i>setbacks</i> (m) from all <i>lot lines</i> , except the <i>natural boundary</i> of the sea, for new <i>accessory structures</i> | 1.5 |
| Despite Section 3.16, minimum <i>setback</i> (m) from the <i>natural boundary</i> of the sea except for SL 14 | 7.5 |

| | |
|---|-------------|
| | CD 3 |
| Despite Section 3.16, minimum <i>setback</i> (m) from the <i>natural boundary</i> of the sea for SL 14. | 15 |
| Conditions of Use | |
| Agricultural <i>use</i> is limited to common property over 2 <i>ha</i> in area | ◆ |

4.16.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 3 Zone.

| | CD 3 |
|--|------|
| Lot Areas for the Creation of New Lots through Subdivision | |
| Maximum number of <i>lots</i> that may be created through <i>subdivision</i> | 14 |
| Minimum average <i>lot</i> area (<i>ha</i>) served by <i>community water system</i> | .4 |
| Minimum <i>lot</i> area (<i>ha</i>) served by <i>community water system</i> | .2 |
| Configuration of a 14-lot bare land strata <i>subdivision</i> served by a <i>community water system</i> : Generally as shown on Schedule “C” | ◆ |

4.17 COMPREHENSIVE DEVELOPMENT 4 (CD 4) ZONE (HOOD POINT)

Information Note: Consistent with Official Community Plan policy that supports the use of comprehensive development zones to recognize historic neighbourhoods, the CD 4 Zone provides regulations for new development within a waterfront residential neighbourhood settled in 1928 and built with established character and development patterns.

The Hood Point neighbourhood includes residential development, neighbourhood-owned community land and facilities and green space and is served by a community water system developed as a neighbourhood initiative. The community land and facilities are owned by the Hood Point Householders' Society. The Society is the forum for neighbourhood decision-making within District Lot 823.

The regulations in the tables in this Section apply to land in the Comprehensive Development 4 (Hood Point) Zone, as indicated by the column headings.

For purposes of regulation the area within the boundary of the CD 4 Zone is divided into three (3) separate areas labelled as Area 1 through Area 3 inclusive and the location of each separate area is on Schedule "B" to this Bylaw. Each area boundary within the CD 4 Zone shall be considered a zone boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this Section.

4.17.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses, buildings and structures and no others are permitted in the Comprehensive Development 4 (Hood Point) Zone:

| | Area 1 | Area 2 | Area 3 |
|---|--------|--------|--------|
| Principal uses of Land, Buildings and Structures | | | |
| <i>Dwelling</i> | ◆ | ◆ | |
| Community Hall | | ◆ | |
| Outdoor Community and Recreational Facilities | ◆ | ◆ | |
| <i>Assembly</i> | | ◆ | |
| <i>Open Space</i> | ◆ | ◆ | ◆ |
| Accessory Uses of Land, Buildings and Structures | | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ | |
| <i>Home Occupation use subject to Part 3</i> | ◆ | | |
| <i>Secondary Suite</i> | ◆ | | |
| Permitted Buildings and Structures | | | |
| <i>Dwelling, Detached</i> | ◆ | ◆ | |
| Buildings and Structures Accessory to permitted uses | ◆ | ◆ | ◆ |

4.17.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- 4.. Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 4 (Hood Point) *Zone* must comply with the following regulations regarding size, siting and density.

| | Area 1 | Area 2 | Area 3 |
|---|--------|--------|--------|
| Lot Coverage | | | |
| Maximum <i>lot coverage</i> (%) | 30% | 40% | 1% |
| Number of Units and Floor Area | | | |
| Maximum number of <i>dwelling</i> units per <i>lot</i> | 1 | 1 | |
| Maximum <i>floor area</i> for an <i>accessory building</i> for vehicle storage (m ²) | 40 | 93 | |
| Maximum number of <i>accessory buildings</i> or <i>structures</i> per <i>lot</i> that may be used for <i>home occupation use</i> | 1 | | |
| Height | | | |
| Maximum <i>height</i> of a principal building or <i>structure</i> (m.) | 9 | 9 | 3 |
| Maximum <i>height</i> of an accessory building or structure (m.) | 9 | 9 | 5 |
| Setbacks | | | |
| Minimum setback from interior <i>side lot line</i> (m.) | 3 | 3 | 3 |
| Minimum setback from <i>exterior side, front or rear lot line</i> (m.) | 7.5 | 7.5 | 7.5 |
| Despite Section 3.16, minimum <i>setback</i> from the <i>natural boundary</i> of the sea | 15 | | |
| Despite Section 3.16, minimum <i>setback</i> from the <i>natural</i> boundary of the sea when the natural boundary of the sea is protected from erosion by natural bedrock as determined in a report under seal of a Professional Geotechnical Engineer or protected from erosion through works designed under seal of a Professional Geotechnical Engineer | 7.5 | | |
| Conditions of Use | | | |
| <i>Home occupations</i> shall be carried on wholly within a <i>building</i> or <i>structure</i> | ◆ | | |

4.17.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 4 *Zone*.

| | Area 1 | Area 2 | Area 3 |
|---|--------|--------|--------|
| Lot Areas for the Creation of New Lots through Subdivision | | | |
| Minimum average <i>lot</i> area (<i>ha.</i>) served by <i>community water system</i> except for Finisterre Island | 0.4 | 0.4 | - |
| Minimum average <i>lot</i> area (<i>ha.</i>) not served by <i>community water system</i> except for Finisterre Island | 1.0 | - | - |
| Minimum <i>lot</i> area (<i>ha</i>) served by <i>community water system</i> except for Finisterre Island | 0.2 | 0.2 | - |
| Minimum <i>lot</i> area (<i>ha.</i>) not served by <i>community water system</i> except for Finisterre Island | 1.0 | 1.0 | 4.0 |
| Minimum average <i>lot</i> area (<i>ha.</i>) for Finisterre Island (Blk. 12, D.L. 823, Plan 9089) | 2.0 | - | - |
| Minimum <i>lot</i> area (<i>ha</i>) for Finisterre Island (Blk. 12, D.L. 823, Plan 9089) | 2.0 | - | - |

4.18 COMPREHENSIVE DEVELOPMENT 5 (CD 5) ZONE (RURAL RECREATION AND SERVICE)

Information Note: *The purpose of the CD 5 Zone is to recognize a rural property with multiple uses and buildings. This property is located adjacent to Terminal Creek and has changed from an industrial site to a recreation and service oriented site. A covenant was registered on the property in 1979 to protect the creek.*

The regulations in the tables in this Section apply to land in the Comprehensive Development 5 (Rural Recreation and Service) Zone, as indicated by the column headings.

4.18.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 5 (Rural Recreation and Service) Zone:

| | CD 5 |
|--|------|
| Principal Uses of Land, Buildings and Structures | |
| <i>Indoor recreation facility</i> | ◆ |
| <i>Indoor entertainment facility</i> | ◆ |
| <i>Cottage Industry</i> | ◆ |
| <i>General Services</i> | ◆ |
| <i>Office</i> | ◆ |
| <i>Dwelling</i> | ◆ |
| Manufacture and distribution of food products | ◆ |
| <i>Restaurant</i> | ◆ |
| Warehouse, storage and <i>wholesale</i> distribution | ◆ |
| Accessory Uses of Land, Buildings and Structures | |
| <i>Uses accessory to principal uses</i> | ◆ |
| <i>Home Occupation use</i> subject to Part 3 | ◆ |
| Permitted Buildings and Structures | |
| <i>Dwelling, Detached</i> | ◆ |
| <i>Buildings and Structures</i> accessory to permitted <i>uses</i> | ◆ |

4.18.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- 4.. Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 5 (Rural Recreation) Zone must comply with the following regulations regarding size, siting and density.

| | |
|---|-------------|
| | CD 5 |
| Lot coverage | |
| Maximum <i>lot coverage</i> (%) | 33% |
| Floor Area | |
| Maximum <i>floor area</i> (m ²) used for <i>cottage industry</i> that may be used for <i>retail use</i> | 50 |
| Height | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 |
| Setbacks | |
| Minimum <i>setback</i> from <i>front lot line</i> (metres) | 7.5 |
| Minimum <i>setback</i> from <i>interior side lot line</i> (metres) | 2.9 |
| Minimum <i>setback</i> from all other <i>lot lines</i> (metres) | 3 |
| Conditions of Use | |
| Where a lot in the CD 5 zone abuts a lot with <i>dwelling use</i> or a <i>highway</i> a landscape screen not less than 1.5 metres in <i>height</i> shall be provided within the minimum <i>setback</i> area of the lot in the CD 5 zone adjacent to the <i>lot line</i> . | ◆ |

4.18.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 5 Zone.

| | |
|---|-------------|
| | CD 5 |
| Lot Areas for the Creation of New Lots through Subdivision | |
| Minimum <i>lot area</i> (ha.) with <i>community water system</i> | 0.8 |

4.19 COMPREHENSIVE DEVELOPMENT 7 (CD 7) ZONE (REID – PASS)

Information Note: The purpose of the CD 7 Zone is to accommodate the subdivision of the lands for a maximum of 9 lots while securing approximately 40% of the subject lands for environmental protection and for park purposes.

The regulations in the tables in this Section apply to land in the Comprehensive Development 7 (Reid / Pass) Zone, as indicated by the column headings. For the purposes of this zone, different regulations apply to different portions of the zone (Sub Area 1 and Sub Area 2), the boundaries of which are identified on the map attached to this zone as Schedule A, which forms an integral part of this Bylaw as Schedule 2.

4.19.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 7 (Reid / Pass) Zone:

| Principal Uses of Land, Buildings and Structures | Sub Area 1 | Sub Area 2 |
|---|-------------------|-------------------|
| <i>Dwelling</i> | ◆ | ◆ |
| <i>Horticulture</i> | ◆ | ◆ |
| <i>Agriculture</i> | ◆ | ◆ |
| <i>Domestic Agriculture</i> | ◆ | ◆ |
| | | |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use subject to Part 3</i> | ◆ | ◆ |
| Mini Storage on lots 1 ha and larger | ◆ | ◆ |
| <i>Secondary Suite</i> | ◆ | ◆ |
| | | |
| Permitted Buildings and Structures | | |
| <i>Dwelling, Detached</i> | ◆ | ◆ |
| <i>Buildings and Structures accessory to permitted uses</i> | ◆ | ◆ |

4.19.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 7 (Reid / Pass) Zone must comply with the following regulations regarding size, siting and density:

| Lot Coverage | Sub Areas 1 and 2 | |
|---|--------------------------|-------------------|
| Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (m ²) calculated as follows: 100 m ² plus 10% of the lot to a maximum of 500 m ² | ♦ | |
| | | |
| Number of Units and Site Areas | Sub Area 1 | Sub Area 2 |
| Maximum number of <i>dwellings</i> on any <i>lot</i> | 1 | 1 |
| Maximum number of <i>dwellings</i> | 3 | 6 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof, plus 1 | 1 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> that may be used for <i>home occupation</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof | 1 | 1 |
| | | |
| Height | Sub Areas 1 and 2 | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 | |
| | | |
| Setbacks | | |
| Minimum <i>setback</i> from side <i>lot lines</i> (metres) | 3 | |
| Minimum <i>setback</i> from front and rear <i>lot lines</i> (metres) | 7.5 | |
| | | |

4.19.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 7 Zone.

| Lot Areas for the Creation of New Lots through Subdivision | Sub Area 1 | Sub Area 2 |
|---|-------------------|-------------------|
| Maximum number of <i>lots</i> to be created by <i>subdivision</i> | 3 | 6 |
| Minimum <i>lot area</i> (ha.) | 1.0 | 0.4 |

4.19.4 Off Street Parking Requirements

- (1) Off street parking shall be provided in accordance with the part of this Bylaw that pertains to off street parking requirements.

4.20 COMPREHENSIVE DEVELOPMENT 8 (CD 8) ZONE (MALKIN CREEK)

Information Note: The purpose of the CD 8 Zone is to accommodate the subdivision of the lands for a maximum of 16 lots while securing approximately 32.5% of the subject lands for environmental and watershed protection purposes.

The regulations in the tables in this Section apply to land in the Comprehensive Development 8 (Malkin Creek) Zone, as indicated by the column headings. For the purposes of this zone, different regulations apply to different portions of the zone (Sub Area 1 and Sub Area 2), the boundaries of which are identified on the map attached to this zone as Schedule A, which forms an integral part of this Bylaw as Schedule 2.

4.20.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 8 (Malkin Creek) Zone:

| Principal Uses of Land, Buildings and Structures | Sub Area 1 | Sub Area 2 |
|---|-------------------|-------------------|
| <i>Dwelling</i> | ◆ | |
| <i>Domestic Agriculture</i> | ◆ | |
| <i>Open Space</i> | | ◆ |
| <i>Neighbourhood Park</i> | ◆ | |
| | | |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use subject to Part 3</i> | ◆ | |
| <i>Secondary Suite</i> | ◆ | |
| | | |
| Permitted Buildings and Structures | | |
| <i>Dwelling, Detached</i> | ◆ | |
| <i>Buildings and Structures accessory to permitted uses</i> | ◆ | |

4.20.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 8 (Malkin Creek) Zone must comply with the following regulations regarding size, siting and density:

| Lot Coverage | Sub Area 1 |
|---|-------------------|
| Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (m ²) calculated as follows: 100 m ² plus 10% of the lot to a maximum of 500 m ² | ♦ |
| | |
| Number of Units and Site Areas | Sub Area 1 |
| Maximum number of <i>dwelling</i> s on any <i>lot</i> | 1 |
| Maximum number of <i>dwelling</i> s | 16 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof, plus 1 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> that may be used for <i>home occupation</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof | 1 |
| | |
| Height | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 |
| | |
| Setbacks | |
| Minimum <i>setback</i> from side <i>lot lines</i> (metres) | 3 |
| Minimum <i>setback</i> from front and rear <i>lot lines</i> (metres) | 7.5 |
| | |

4.20.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the subdivision of land under the Land Title Act or Strata Property Act for the CD 8 Zone.

| Lot Areas for the Creation of New Lots through Subdivision | Sub Area 1 |
|---|-------------------|
| Maximum number of <i>lots</i> to be created by <i>subdivision</i> | 16 |
| Minimum <i>lot area</i> (ha.) | 0.2 |

4.20.4 Off Street Parking Requirements

- (1) Off street parking shall be provided in accordance with the part of this Bylaw that pertains to off street parking requirements.

4.21 COMPREHENSIVE DEVELOPMENT 6 (CD 6) ZONE (COWAN POINT)

Information Note: The purpose of the CD 6 Zone is to recognize a comprehensively planned area called Cowan Point which includes residential areas, a golf course, parks and trails, nature conservation lands, local and tourist commercial services, and a retreat. Covenants have been registered on the lands to further guide the development of the area.

The regulations in the tables in this Section apply to land in the Comprehensive Development 6 (Cowan Point) Zone, as indicated by the column headings. For purposes of regulation the area within the boundary of the CD 6 Zone is divided into nine (9) separate areas labelled as Area 1 through Area 9 inclusive and the location of each separate area is on Schedule “A” to this Bylaw. Each area boundary within the CD 6 Zone shall be considered a zone boundary for the purposes of this Bylaw and separate regulations shall apply to each area as contained in this Section. Minor adjustments to the establishment of the area boundaries will be permitted based upon more detailed site investigations that will be undertaken during the subdivision approval stage.

4.21.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses, buildings and structures and no others are permitted in the CD-6 zone
- (2) Notwithstanding the Permitted Buildings and Structures outlined in Section 4.21.1, the following additional regulations shall apply:
 - a) A retail use shall be restricted to a convenience store.
 - b) A retreat centre use shall be restricted to Area 8.

| | Areas 1-8 | Area 9 |
|---|-----------|--------|
| Principal Uses of Land, Buildings and Structures | | |
| <i>Dwelling</i> | ◆ | ◆ |
| <i>Retail</i> (See Section 4.21.1(2)) | | ◆ |
| Golf Course | | ◆ |
| <i>Office</i> | | ◆ |
| <i>Inn</i> | | ◆ |
| <i>Assembly</i> | | ◆ |
| <i>General Services</i> (See Section 4.21.1(3)) | | ◆ |
| <i>Restaurant</i> | | ◆ |
| <i>Pub</i> | | ◆ |
| <i>Parking Area</i> | | ◆ |
| <i>Retreat Centre</i> (See Section 4.21.1(2)) | ◆ | |

| | Areas 1-8 | Area 9 |
|---|--------------|-----------|
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use, subject to Section 3.34</i> | ◆ | ◆ |
| <i>Secondary Suite</i> | ◆ | |
| Permitted Buildings and Structures | | |
| <i>Dwelling, Detached</i> | ◆ | ◆ |
| <i>Dwelling, Attached</i> | | ◆ |
| <i>Buildings and Structures accessory to permitted uses</i> | ◆ | ◆ |
| <i>Retail</i> (See Section 4.21.1(2)) | | ◆ |
| <i>Golf Course</i> | | ◆ |
| <i>Office</i> | | ◆ |
| <i>Inn</i> | | ◆ |
| <i>Assembly</i> | | ◆ |
| <i>General Services</i> (See Section 4.21.1(3)) | | ◆ |
| <i>Restaurant</i> | | ◆ |
| <i>Pub</i> | | ◆ |
| <i>Retreat Centre</i> (See Section 4.21.1(2)) | ◆ | |

(3) Notwithstanding the Definition of “general service”, a *general service use* within this zone shall not include a bank and financial institution.

(4) Notwithstanding the uses permitted in Area 9, the uses shall be restricted to particular locations as follows:

| Permitted Buildings and Structures in Area 9 | Area 9A | Area 9B | Area 9C |
|---|--------------------|--------------------|--------------------|
| <i>Dwelling, Detached</i> | ◆ | ◆ | |
| <i>Dwelling, Attached</i> | ◆ | ◆ | |
| <i>Retail</i> | | ◆ | |
| <i>Golf Course</i> | | | ◆ |
| <i>Golf Course Club House</i> | | ◆ | ◆ |
| <i>Office</i> | | ◆ | |
| <i>Inn</i> | | ◆ | |

| | | | |
|-------------------------|--|---|--|
| <i>Assembly</i> | | ◆ | |
| <i>General Services</i> | | ◆ | |
| <i>Restaurant</i> | | ◆ | |
| <i>Pub</i> | | ◆ | |

4.21.2 Density of Permitted Uses, Buildings and Structures

(1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 6 (Cowan Point) Zone must comply with the following regulations regarding size, siting and density.

| | Areas 1, 3-8 | Area 2 | Area 9 |
|--|-------------------------|-------------------|----------------------------|
| Lot Coverage | | | |
| Maximum <i>lot coverage</i> | 10% | 30% | 40% |
| Floor Space Ratio and Floor Space | | | |
| Maximum <i>floor space ratio (FSR)</i> for <i>detached dwelling</i> | | 0.3 | 0.3 |
| Maximum <i>floor space ratio (FSR)</i> for <i>attached dwelling</i> | | | 0.75 |
| | Areas 1, 3-8 | Area 2 | Area 9 |
| Maximum <i>floor space</i> for <i>Retail</i> (See Section 4.21.2(4)) | | | 250 sq. m. |
| Maximum <i>floor space</i> for <i>Office</i> (See Section 4.21.2(4)) | | | 250 sq. m. |
| Maximum <i>floor space</i> for <i>Inn</i> | | | 2250 sq. m. |
| Maximum <i>floor space</i> for <i>Assembly</i> (See Section 4.21.2(4)) | | | 250 sq. m. |
| Maximum <i>floor space</i> for <i>General Services</i> (See Section 4.21.2(4)) | | | 350 sq. m. |
| Maximum <i>floor space</i> for <i>Restaurant</i> (See Section 4.21.2(3) & (4)) | | | 300 sq. m. |
| Maximum <i>floor space</i> for <i>Pub</i> (See Section 4.21.2(3) & (4)) | | | 300 sq. m. |
| Maximum <i>floor space</i> for <i>Golf Clubhouse</i> (See Section 4.21.2(4)) | | | 300 sq. m. |
| Maximum <i>floor space</i> for <i>Retreat Centre</i> | 1500 sq. m. | | |
| Number of Dwelling Units | | | |
| Maximum number of <i>dwelling units</i> in CD-6 zone | 90 | 23 | 48 (See Section 4.21.2(2)) |
| Maximum number of <i>dwelling units</i> per <i>lot</i> | 1 | 1 | 4 |
| Height | | | |
| Maximum <i>height</i> of a building or <i>structure</i> (metres) | 9 | 9 | 9 |

| | | | |
|---|--------------------|---------------|---------------|
| Maximum <i>height</i> of an <i>Inn</i> (metres) | | | 12 |
| Setbacks | Area 1, 3-8 | Area 2 | Area 9 |
| Minimum <i>setback</i> from front or <i>rear lot line</i> (metres) | 7.5 | 4.5 | 1.5 |
| Minimum <i>setback</i> from a side <i>lot line</i> (metres) | 3 | 3 | 1.5 |
| Minimum <i>setback</i> from the sea (metres) | 15 | 15 | 15 |
| Conditions of Use | | | |
| No <i>dwelling unit</i> may be occupied unless it is connected to a <i>community water system</i> and a <i>community sewer system</i> | | ◆ | ◆ |
| An <i>inn</i> shall not have more than 20 guest bedrooms | | | ◆ |

- (2) The maximum number of *attached dwelling* units within Area 9 shall not exceed 10. No dwelling units shall be permitted in Area 9C.
- (3) Notwithstanding the maximum amount of *floor space* for a *restaurant* and *pub* permitted in Section 4.21.2, the total amount of *floor space* for a *restaurant* and *pub* shall not exceed 300 square meters.
- (4) Notwithstanding the maximum amount of *floor space* established for particular commercial uses in Section 4.21.2, the following additional requirements shall apply:
- a) *retail, general service, office, restaurant, and pub* use shall not exceed a combined *floor space* of 550 square meters; and
 - b) *assembly* and golf clubhouse use shall not exceed a combined floor space of 550 square meters.

4.21.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 6 Zone

| | Maximum No. of Lots | Minimum Lot Size |
|--------|----------------------------|-------------------------|
| Area 1 | 57 | 0.4 ha |
| Area 2 | 23 | 670 sq. m. |
| Area 3 | 6 | 0.4 ha |
| Area 4 | 2 | 0.4 ha |
| Area 5 | 9 | 0.4 ha |
| Area 6 | 1 | 1.5 ha |
| Area 7 | 1 | 4 ha |
| Area 8 | 15 (See Section 4.21.3(4)) | 0.4 ha |

| | | |
|--------|----|------------|
| Area 9 | 48 | 325 sq. m. |
|--------|----|------------|

- (2) No lot within Area 2 or Area 9 shall be created unless it is connected to a *community water system* and *community sewer system*.
- (3) No lot within Area 1 and Areas 3-8 shall be created unless it satisfies the water supply and sewage disposal requirements of this Bylaw.
- (4) Not more than 14 residential lots shall be created within Area 8.

4.21.4 Definitions

For the purpose of this CD zone, the following definitions shall apply:

- a) ***“INN”*** means a *building* or group of *buildings* that may contain sleeping accommodation, a small kitchen area with *limited cooking facilities* such as a microwave oven, bathrooms, meeting rooms, dining room and kitchen facilities, recreational facilities, and a residential dwelling unit for staff.
- b) ***“LIMITED KITCHEN FACILITIES”*** means an area within the guest rooms of sleeping accommodation that is equipped or capable of being equipped with plug-in countertop cooking appliances, a mini fridge, and a small sink for activities related to the preparation and cooking of food.

4.22 COMPREHENSIVE DEVELOPMENT 9 (CD 9) ZONE (BUCHANAN)

Information Note: The purpose of the CD 9 Zone is to accommodate the subdivision of the lands for a maximum of 9 lots while securing approximately 25% of the subject lands for environmental and creek protection purposes.

The regulations in the tables in this Section apply to land in the Comprehensive Development 9 (Buchanan) Zone, as indicated by the column headings. For the purposes of this zone, different regulations apply to different portions of the zone (Sub Area 1 and Sub Area 2), the boundaries of which are identified on the map attached to this zone as Schedule A, which forms an integral part of this Bylaw as Schedule 2.

4.22.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 9 (Buchanan) Zone:

| Principal Uses of Land, Buildings and Structures | Sub Area 1 | Sub Area 2 |
|---|-------------------|-------------------|
| <i>Dwelling</i> | ◆ | |
| <i>Domestic Agriculture</i> | ◆ | |
| <i>Open Space</i> | | ◆ |
| <i>Neighbourhood Park</i> | | ◆ |
| | | |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use subject to Part 3</i> | ◆ | |
| <i>Secondary Suite</i> | ◆ | |
| | | |
| Permitted Buildings and Structures | | |
| <i>Dwelling, Detached</i> | ◆ | |
| <i>Buildings and Structures accessory to permitted uses</i> | ◆ | |

4.22.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 9 (Buchanan) *Zone* must comply with the following regulations regarding size, siting and density:

| Lot Coverage | Sub Area 1 |
|---|-------------------|
| Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (m ²) calculated as follows: 100 m ² plus 10% of the lot to a maximum of 500 m ² | ♦ |
| | |
| Number of Units and Site Areas | Sub Area 1 |
| Maximum number of <i>dwelling</i> s on any <i>lot</i> | 1 |
| Maximum number of <i>dwelling</i> s | 9 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof, plus 1 | 1 |
| Maximum number of accessory <i>buildings</i> on any <i>lot</i> that may be used for <i>home occupation</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof | 1 |
| | |
| Height | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 |
| | |
| Setbacks | |
| Minimum <i>setback</i> from side <i>lot lines</i> (metres) | 3 |
| Minimum <i>setback</i> from front and rear <i>lot lines</i> (metres) | 7.5 |
| | |

4.22.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the subdivision of land under the Land Title Act or Strata Property Act for the CD 9 Zone.

| Lot Areas for the Creation of New Lots through Subdivision | Sub Area 1 |
|---|-------------------|
| Maximum number of <i>lots</i> to be created by <i>subdivision</i> | 9 |
| Minimum <i>lot area</i> (ha.) | 0.2 |

4.22.4 Off Street Parking Requirements

- (1) Off street parking shall be provided in accordance with the part of this Bylaw that pertains to off street parking requirements.

4.23 COMPREHENSIVE DEVELOPMENT 15 (CD 15) ZONE (SENIORS PRECINCT)

Information Note: The purpose of the CD 15 Zone is to accommodate the development of seniors and supportive housing, in addition to market housing along Miller Road within Snug Cove.

The regulations in the tables in this Section apply to land in the Comprehensive Development 15 (Seniors Precinct) Zone, as indicated by the column headings.

4.23.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 15 (Seniors Precinct) Zone:

| Principal Use of Land, Buildings and Structures | Area 1 | Area 2 | Area 3 |
|---|---------------|---------------|---------------|
| <i>Dwelling</i> | ◆ | ◆ | ◆ |
| <i>Supportive Housing</i> | ◆ | ◆ | ◆ |
| Permitted Buildings and Structures | | | |
| <i>Dwelling, attached</i> | ◆ | ◆ | ◆ |
| <i>Dwelling, detached</i> | | ◆ | ◆ |
| <i>Buildings and structures accessory to principal uses</i> | ◆ | ◆ | ◆ |
| Accessory Uses of Land, Buildings and Structures | | | |
| <i>Uses accessory to principal use</i> | ◆ | ◆ | ◆ |
| <i>Secondary suites</i> | | ◆ | ◆ |
| <i>Home occupation uses subject to Part 3</i> | ◆ | ◆ | ◆ |

4.23.2 Size and Siting of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 15 (Seniors Precinct) Zone must comply with the following regulations regarding size, siting and density:

| Lot Coverage | Area 1 | Area 2 | Area 3 |
|---|---------------|---------------|---------------|
| <i>Maximum lot coverage of all buildings and structures</i> | 50% | 50% | 40% |
| <i>Maximum FSR for all buildings and structures</i> | | | 0.85 |

| Lot Coverage | Area 1 | Area 2 | Area 3 |
|---|---------------|---------------|---------------|
| Maximum lot coverage of all buildings and structures | 50 % | 50% | 40% |
| Maximum FSR for all buildings and structures | | | 0.85 |
| Maximum size for dwelling, attached (square metres) not including one parking space in an attached garage | | 140 | 140 |
| Maximum size for dwelling, detached (square metres) not including one parking space in an attached garage | | 140 | 140 |
| Height | | | |
| Maximum Height of a building or structure (metres) | 9 | 10 | 9 |
| Units | | | |
| Total number of units for area | 19 | 35 | 21 |
| Minimum number of units of supportive housing | | 16 | |
| Maximum number of dwelling, attached units | | 4 | 21 |
| Maximum number of dwelling, detached units | | 2 | 9 |
| Setbacks | | | |
| Minimum setback from front lot line (metres) | 4 | 6 | 3 |
| Minimum setback from side lot line for supportive housing (metres) | | 3 | 3 |
| Minimum setback from side lot line for attached and detached dwelling (metres) | 3 | 1.2 | 1.2 |
| Minimum setback from rear lot line (metres) | 3 | 3 | 3 |

4.23.3 Off Street Parking Requirements

- (1) Off street parking shall be provided in accordance with Part 5 of this Bylaw that pertains to off street parking requirements, except that the off street parking for dwelling, attached units may be reduced from 1 space per unit to 0.75 spaces per u

4.24 COMPREHENSIVE DEVELOPMENT 10 (CD 10) ZONE (BURGESS)

Information Note: The purpose of the CD 10 Zone is to accommodate the development of two residential properties, the density permitted under Bowen Island Municipality Land Use Bylaw No. 57, 2002, at the time of rezoning.

The regulations in the tables in this Section apply to land in the Comprehensive Development 10 (Burgess) Zone, as indicated by the column headings.

4.24.1 Permitted Uses of Land, Buildings and Structures

(1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 10 (Burgess) Zone.

| Principal Uses of Land, Buildings and Structures | Area 1 | Area 2 |
|---|---------------|---------------|
| <i>Dwelling</i> | ◆ | ◆ |
| <i>Agriculture</i> | | ◆ |
| <i>Horticulture</i> | | ◆ |
| <i>Domestic Agriculture</i> | ◆ | ◆ |
| <i>Stable</i> | | ◆ |
| | | |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use subject to Part 3</i> | ◆ | ◆ |
| <i>Secondary Suite</i> | ◆ | ◆ |
| | | |
| Permitted Buildings and Structures | | |
| <i>Dwelling, Detached (subject to the requirement of Section 4.22.2 as outlined)</i> | ◆ | |
| <i>Buildings and Structures accessory to permitted uses shall be as per Section 3.12 (to a maximum total area of 1000m² per residential use)</i> | | ◆ |

4.24.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

(1) *Uses, buildings and structures* in the Comprehensive Development 10 (Burgess) Zone must comply with the following regulations regarding size, siting and density:

| Height | Area 1 | Area 2 |
|--|---------------|---------------|
| Maximum <i>height</i> of a <i>building or structure</i> (metres) | 9 | 9 |

| Setbacks | Area 1 | Area 2 |
|---|---------------|---------------|
| Minimum <i>setback</i> from all <i>lot lines</i> for all <i>structures</i> – 7.5 metres | ◆ | |
| Minimum <i>setback</i> from front and rear <i>lot lines</i> – 7.5 metres | | ◆ |

| | | |
|---|--|--|
| Minimum <i>setback</i> from side lot lines – 3 metres | | |
|---|--|--|

| |
|--|
| Lot Coverage – Area 1 |
| Maximum combined lot coverage of all buildings and structures calculated as follows: 100m ² plus 10% to a maximum of 500 m ² |

| |
|--|
| Lot Coverage – Area 2 |
| Maximum combined lot coverage of all buildings and structures calculated as follows: 100m ² plus 3.5% to a maximum of 1500 m ² |

4.24.3 Subdivision and Servicing Requirements

(1) The regulations in *this* Subsection apply to the *subdivision* of land under the Land Title Act.

Lot Areas for the Creation of New Lots through Subdivision

| | |
|---|-----|
| Minimum lot area (ha) without community water system (Area 1) | 0.6 |
| Minimum lot area (ha) with community water system (Area 1) | 0.6 |
| Minimum lot area (ha) without community water system (Area 2) | 2 |
| Minimum lot area (ha) with community water system (Area 2) | 2 |

4.24.4 Off Street Parking Requirements

(1) Off street parking shall be provided in accordance with Part 5 of the Bowen Island Municipality Land Use Bylaw No. 57, 2002; at the rate of 2 parking spaces per constructed dwelling unit.

4.25 COMPREHENSIVE DEVELOPMENT 11 (CD 11) ZONE (GAS STATION)

Information Note: The purpose of the CD 11 Zone is to accommodate the development of a gas station that is of a size and scale that is consistent with the character of Bowen Island.

4.25.1 Permitted Uses of Land, Buildings and Structures

(1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following uses, buildings and structures and no others are permitted in the Comprehensive Development 11 (Gas Station) Zone:

| | |
|--|---|
| | |
| Principal Uses of Land, Buildings and Structures | |
| <i>Gas Station subject to Section 4.23.3 (Conditions of Use)</i> | ◆ |
| | |
| Accessory Uses of Land, Buildings and Structures | |
| <i>Uses accessory to principal uses</i> | ◆ |
| <i>Dwelling Use</i> | ◆ |
| <i>Retail Use subject to Section 4.23.3 (Conditions of Use)</i> | ◆ |
| | |
| Permitted Buildings and Structures | |
| <i>Gas Station</i> | ◆ |
| <i>Buildings and Structures accessory to permitted uses</i> | ◆ |

4.25.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

(1) Subject to Part 3, uses, buildings and structures in the Comprehensive Development 11 (Gas Station) Zone must comply with the following regulations regarding size, siting and density:

| | |
|--|-----|
| Lot Coverage | |
| Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> | 15% |
| | |
| Number of Units | |
| Maximum number of <i>accessory dwellings</i> units | 1 |
| | |
| Height | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 7 |
| Maximum <i>height</i> of a storage tank (metres) | 3 |

| | |
|---|-----|
| Setbacks | |
| Minimum <i>setback</i> from all <i>lot lines</i> (metres) | 7.5 |
| | |

4.25.3 Conditions of Use

- (1) A gas station use shall be subject to the following conditions:
- a) Only 2 above-ground fuel tanks each having a capacity of not more than 36000 litres and 2 below ground fuel separator tank of not more than 2200 litres shall be permitted.
 - b) The placement of the tanks, installation, upkeep, as well as other provisions as included in the *Fire Services Act* and Regulations shall be adhered to, to the satisfaction of the Bowen Island Fire Chief.
 - c) The maximum size of a building shall not exceed a total of 150 square meters, with not more than 80 square meters on the ground level.
- (2) Notwithstanding the definition of gas station use, a convenience store shall not be permitted as part of a gas station use, however an accessory retail use typically associated with the sale of gasoline, such as engine oil and food snacks shall be permitted. The maximum amount of floor area to be used for accessory retail use shall not exceed 14 square meters.
- (3) An accessory dwelling unit shall not exceed a floor area of 70 square meters.
- (4) Off Street Parking shall be provided in accordance with the requirements for gas stations as specified in Part 5 of this Bylaw.

4.25.4 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the subdivision of land under the Land Title Act or Strata Property Act for the CD 11 Zone.

Lot Areas for the Creation of New Lots through Subdivision

| | |
|---|-----|
| Maximum number of <i>lots</i> to be created by <i>subdivision</i> | 1 |
| Minimum <i>lot area</i> (ha.) | 0.1 |

4.26 COMPREHENSIVE DEVELOPMENT 12 (CD 12) ZONE (GREENWAY WEST)

Information Note: The purpose of the CD 12 Zone is to accommodate the subdivision of the lands for a maximum of 23 lots while securing approximately 50% of the subject lands for parks and trails and for environmental protection purposes.

The regulations in the tables in this Section apply to land in the Comprehensive Development 12 (Greenway West) Zone, as indicated by the column headings. For the purposes of this zone, different regulations apply to different portions of the zone (Sub Areas 1, 2, and 3), the boundaries of which are identified on the map attached to this zone as Schedule A, which forms an integral part of this Bylaw as Schedule 2.

4.26.1 PERMITTED USES OF LAND, BUILDINGS AND STRUCTURES

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 12 (Greenway West) Zone:

| Principal Uses of Land, Buildings and Structures | Sub Area 1 | Sub Area 2 | Sub Area 3 |
|---|-------------------|-------------------|-------------------|
| <i>Dwelling, Detached</i> | ◆ | ◆ | |
| <i>Accessory Residential</i> | ◆ | ◆ | |
| <i>Domestic Agriculture</i> | ◆ | ◆ | |
| <i>Open Space</i> | ◆ | ◆ | ◆ |
| <i>Neighbourhood Park</i> | ◆ | ◆ | ◆ |
| | | | |
| Accessory Uses of Land, Buildings and Structures | | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ | ◆ |
| <i>Home Occupation use subject to Part 3</i> | ◆ | ◆ | |
| <i>Secondary Suite</i> | ◆ | ◆ | |
| | | | |
| Permitted Buildings and Structures | | | |
| <i>Dwelling, Detached</i> | ◆ | ◆ | |
| <i>Buildings and Structures accessory to permitted uses</i> | ◆ | ◆ | |

4.26.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 12 (Greenway West) *Zone* must comply with the following regulations regarding size, siting and density:

| Lot Coverage | Sub Area 1 | Sub Area 2 |
|--|--------------------|-------------------|
| Maximum combined <i>lot coverage</i> of all <i>buildings, structures, and impervious surfaces</i> | 300 m ² | n/a |
| Number of Units and Site Areas | Sub Area 1 | Sub Area 2 |
| Maximum number of <i>principal dwellings</i> on any <i>lot</i> | 1 | 1 |
| Maximum number of <i>principal dwellings</i> | 22 | 1 |
| Maximum number of <i>accessory residential units</i> | 7 | 1 |
| Maximum number of <i>accessory residential units</i> on any <i>lot</i> | 1 | 1 |
| Maximum number of <i>accessory buildings</i> on any <i>lot</i> | 2 | 2 |
| Maximum number of <i>accessory buildings</i> on any <i>lot</i> that may be used for <i>home occupation</i> | 1 | 1 |
| Maximum size of all <i>buildings, excluding garage and uninhabited accessory buildings</i> | 230 m ² | n/a |
| Maximum size of <i>accessory residential units</i> | 75 m ² | 75 m ² |
| | | |
| Height | | |
| Maximum <i>height</i> of a <i>principal building or structure</i> (metres) | 9 | 9 |
| Maximum <i>height</i> of an <i>accessory building or structure</i> (metres) | 9 | 9 |
| | | |
| Setbacks | | |
| Minimum <i>setback</i> from <i>side lot lines</i> (metres) | 3 | 3 |
| Minimum <i>setback</i> from <i>front lot lines</i> (metres) | 3 | 7.5 |
| Minimum <i>setback</i> from <i>rear lot lines</i> (metres) | 7.5 | 7.5 |

4.26.3 Subdivision and Servicing Requirements

- (1) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 12 Zone.

| Lot Areas for the Creation of New Lots through Subdivision | Sub Area 1 | Sub Area 2 |
|---|-------------------|-------------------|
| Maximum number of <i>lots</i> to be created by <i>subdivision</i> | 22 | 1 |
| Minimum <i>lot area</i> (ha.) | 0.2 | 2 ha. |

4.26.4 Off Street Parking Requirements

- (1) Off street parking shall be provided in accordance with the part of this Bylaw that pertains to off street parking requirements.

4.26.5 Definition of Accessory Residential Use

- (1) For the purpose of this zone, an Accessory Residential Use means a self contained dwelling unit within either a principal dwelling or an accessory building that is smaller in size than the principal dwelling unit.

4.27 COMPREHENSIVE DEVELOPMENT 13 (CD 13) ZONE (WORKS YARD – GAS STATION)

Information Note: The purpose of the CD 13 Zone is to accommodate the construction of a gas station on a portion of the works yard off of Mount Gardner Road.

The regulations in the tables in this Section apply to land in the Comprehensive Development 13 (Works Yard – Gas Station) Zone, as indicated by the column headings. For the purposes of this zone, different regulations apply to different portions of the zone (Areas 1 and 2), the boundaries of which are identified on the map attached to this zone as Schedule A, which forms an integral part of this Bylaw.

4.27.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings* and *structures* and no others are permitted in the Comprehensive Development 13 (Works Yard – Gas Station) Zone:

| Principal Uses of Land, Buildings and Structures | Area 1 | Area 2 |
|---|---------------|---------------|
| <i>Public Works Yard</i> | ◆ | ◆ |
| <i>Transfer Station</i> | ◆ | ◆ |
| Recycling Depot | ◆ | ◆ |
| Compost Facility | ◆ | ◆ |
| <i>Cottage Industry</i> | ◆ | ◆ |
| <i>Gas Station</i> | | ◆ |
| Accessory Uses of Land, Buildings and Structures | | |
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Retail Use</i> subject to section 4.25.3 (Conditions of Use) | | ◆ |
| | | |
| Permitted Buildings and Structures | | |
| <i>Gas Station</i> | | ◆ |
| <i>Buildings and Structures</i> accessory to permitted uses | ◆ | ◆ |

4.27.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings* and *structures* in the Comprehensive Development 13 (Works Yard – Gas Station) Zone must comply with the following regulations regarding size, siting and density:

| Lot Coverage | Area 1 | Area 2 |
|---|-------------------|-------------------|
| Maximum combined <i>lot coverage</i> of all <i>building</i> and <i>structures</i> | 30% | 15% |
| Height | | |
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 12 | 7 |
| Maximum <i>height</i> of a storage tank (metres) | 3 | 3 |
| Setbacks | | |
| Minimum <i>setback</i> from all <i>lot lines</i> (metres) | | 1 |
| From a <i>Watercourse</i> | | |
| Despite Section 3.18 (metres) | 50 | |

| | | |
|--|----|--|
| From Highway(m) | | |
| All lot lines (m) | 10 | |
| When lot abuts an Industrial Zoned lot | | |
| All lot lines (m) | 0 | |
| When lot abuts an non-Industrial Zoned lot | | |
| All lot lines: Same setbacks as Zone abutting property | ♦ | |

4.27.3 Conditions of Use

| Conditions of Use | Area 1 | Area 2 |
|---|--------|--------|
| Storm water run-off from paved areas must pass through an oil/water separator | ♦ | ♦ |
| Storage of hazardous materials is subject to a <i>Spill Management Plan</i> | ♦ | ♦ |
| Landscape Screen of 3 metres in <i>height</i> to be provided along <i>lot lines</i> adjacent to a <i>Highway</i> | ♦ | |
| Only 2 above-ground fuel tanks, each having a capacity of not more than 36000 litres, and 2 below ground fuel separator tanks of not more than 2200 litres shall be permitted. | | ♦ |
| The placement of the tanks, installation, upkeep, as well as other provisions as included in the <i>Fire Services Act</i> and Regulations shall be adhered to, to the satisfaction of the Bowen Island Fire Chief. | | ♦ |
| The maximum size of building shall not exceed a total of 25 square metres. | | ♦ |
| Notwithstanding the definition of <i>gas station use</i> , a convenience store shall not be permitted as part of a <i>gas station use</i> , however an <i>accessory retail use</i> typically associated with the sale of gasoline, such a engine oil and food snacks shall be permitted. The maximum amount of floor area to be used for <i>accessory retail use</i> shall not exceed 7 square metres | | ♦ |
| Off street parking shall be provided in accordance with the requirements for gas stations as specified in Part 5 of this Bylaw | ♦ | ♦ |

4.28 COMPREHENSIVE DEVELOPMENT 16 (CD 16) ZONE (BELTERRA)

Information Note: The purpose of the CD 16 Zone is to accommodate the development of a cohousing project.

The regulations in the tables in this Section apply to land in the Comprehensive Development 16 Zone (Belterra), as indicated by the column headings.

4.28.1 Permitted Uses of Land, Buildings and Structures

(1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses*, *buildings* and *structures* and no others are permitted in the Comprehensive Development 16 Zone (Belterra):

| | |
|--|---|
| Principal Uses of Land, Buildings and Structures | |
| <i>Cohousing</i> | • |
| Common Amenity Building | • |
| | |
| Accessory Uses of Land, Buildings and Structures | |
| <i>Uses accessory to principal uses</i> | • |
| <i>Home Occupation use</i> subject to Part 3 | • |
| <i>Domestic Agriculture</i> | • |
| | |
| Permitted Buildings and Structures | |
| <i>Dwelling, Attached</i> | • |
| <i>Buildings and Structures</i> accessory to permitted <i>uses</i> | • |

4.28.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

(1) Subject to Part 3, *uses*, *buildings* and *structures* in the Comprehensive Development 16 Zone (Belterra) must comply with the following regulations regarding size, siting and density:

| | |
|--|-----|
| Lot Coverage | |
| Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> | 15% |
| | |

| | |
|--|------|
| Number of Dwelling Units and Building Footprint | |
| Maximum number of <i>dwelling</i> s | 30 |
| Maximum number of <i>dwelling</i> s in a <i>building</i> | 8 |
| Maximum number of <i>buildings</i> with <i>Cohousing</i> use | 5 |
| Maximum total <i>floor area</i> of all <i>buildings</i> with <i>Cohousing</i> use (square metres) | 1850 |
| Maximum Building footprint of Common Amenity Building use (square metres) | 280 |
| Maximum building footprint of <i>accessory buildings</i> (square metres) | 1250 |
| Height | |
| Maximum <i>height</i> of a <i>principal building</i> or <i>structure</i> (metres) | 9 |
| Height | |
| Maximum <i>height</i> of a <i>principal building</i> or <i>structure</i> (metres) | 9 |
| Maximum <i>height</i> of an <i>accessory building</i> or <i>structure</i> (metres) | 6 |
| Setbacks | |
| Minimum <i>setback</i> from all <i>lot lines</i> (metres) | 7.5 |
| Minimum setback from the property boundary that separates the two lots created by <i>subdivision</i> (metres) | 3 |
| Minimum <i>setback</i> from a <i>lot line</i> that defines a lot within the Agricultural Land Reserve (metres) | 30 |

4.28.3 Subdivision and Servicing Requirements

- (1) The regulations in this section apply to the *subdivision* of land under the Land Title Act or Strata Property Act for the CD 16 Zone.

| | |
|---|------|
| Lot Areas for the Creation of New Lots through Subdivision | |
| Maximum number of <i>lots</i> to be created by <i>subdivision</i> (other than a <i>strata lot</i>) (ha.) | 2 |
| Maximum number of <i>strata lots</i> to be created by <i>subdivision</i> | 30 |
| Minimum <i>lot area</i> of <i>lot</i> being subdivided (other than a <i>strata lot</i>) (ha.) | 0.75 |

4.28.4 Off Street Parking Requirements

Off street parking shall be provided in accordance with the part of this Bylaw that pertains to *off street parking* requirements, except that the number of required *parking spaces* shall be based on the ratio of 1.5 parking spaces per *dwelling unit*.

4.28.5 Conditions of Use

The *development of land* within the CD-16 zone shall take place generally in accordance with the Development Plan which forms an integral component of this zone and is attached to this zone as Schedule A.”

4.29 COMPREHENSIVE DEVELOPMENT 17 (CD 17) ZONE (PROCTOR)”

Information Note: The purpose of the CD 17 Zone is to accommodate the development of two residential properties and an area for preservation as natural habitat and pedestrian trail.

The regulations in the tables in this Section apply to land in the Comprehensive Development 17 (Proctor) Zone, as indicated by the column headings.

4.29.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the uses permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 17 (Proctor) Zone.

| Principal Uses of Land, Buildings and Structures | Area 1 | Area 2 |
|---|---------------|---------------|
| <i>Dwelling</i> | ◆ | |
| <i>Domestic Agriculture</i> | ◆ | |
| <i>Open Space</i> | | ◆ |
| <i>Nature Protection</i> | | ◆ |
| <i>Trails</i> | | ◆ |

| Accessory Uses of Land, Buildings and Structures | Area 1 | Area 2 |
|---|---------------|---------------|
| <i>Uses accessory to principal uses</i> | ◆ | ◆ |
| <i>Home Occupation use subject to Part 3</i> | ◆ | |
| <i>Secondary suite</i> | ◆ | |

| Permitted Buildings and Structures | Area 1 | Area 2 |
|---|---------------|---------------|
| <i>Dwelling, Detached</i> | ◆ | |
| <i>Buildings and Structures accessory to permitted uses</i> | | ◆ |

4.29.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) *Uses, buildings and structures* in the Comprehensive Development 17 (Proctor) Zone must comply with the following regulations regarding size, siting and density:

| Height | Area 1 | Area 2 |
|---|--------|--------|
| Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres) | 9 | 9 |

| Setbacks | Area 1 | Area 2 |
|--|--------|--------|
| Minimum <i>setback</i> from all <i>lot lines</i> for all <i>structures</i> – 7.5 metres | ♦ | ♦ |
| Minimum <i>setback</i> from front and rear lot lines – 7.5 metres Minimum <i>setback</i> from side lot lines – 3 metres | | ♦ |

| Lot Coverage | Area 1 | Area 2 |
|--|--------|--------|
| Maximum combined lot coverage of all buildings and structures calculated as follows: 100m ² plus 10% to a maximum of 500 m ² | ♦ | |
| Maximum combined lot coverage of all buildings and structures shall not exceed 1% of the lot area. | | ♦ |

4.29.3 Subdivision and Servicing Requirements

The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act.

| Lot Areas for the Creation of New Lots through Subdivision | |
|---|-----|
| Minimum lot area (ha) without community water system (Area 1) | 1.0 |
| Minimum lot area (ha) with community water system (Area 1) | 1.0 |
| Minimum lot area (ha) (Area 2) | 2.0 |

4.29.4 Off Street Parking Requirements

Off street parking shall be provided in accordance with Part 5 of the Bowen Island Municipality Land Use Bylaw No. 57, 2007 at the rate of 2 parking spaces per constructed dwelling unit.

4.30 COMPREHENSIVE DEVELOPMENT 18 (CD 18) ZONE– COMMUNITY LANDS LOT 2

Information Note: The purpose of the CD 18 Zone is to accommodate the development of civic facilities and amenities for Bowen Island residents, and to provide for a range of residential dwelling types as well as accessory retail, office and personal service uses in Snug Cove.

The regulations in the tables in this Section apply to land in the *Comprehensive Development 18 Zone*, as indicated by the column headings.

4.30.1 Permitted Uses of Land, Buildings and Structures

- (1) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings* and *structures* and no others are permitted in the Comprehensive Development 18 (Community Lands Parcel 2) Zone:

| Principal Uses of Land, Buildings and Structures | Area 1 | Area 2 | Area 3 |
|---|--------|--------|--------|
| <i>Community Campus</i> | | | ◆ |
| <i>Apartment Dwelling</i> | ◆ | | |
| <i>Townhouse Dwelling</i> | | ◆ | |
| <i>Dwelling, Attached</i> | | ◆ | |
| <i>Supportive Housing</i> | ◆ | | |
| <i>Daycare</i> | | | ◆ |
| | | | |
| Accessory Uses of Buildings and Structures | | | |
| <i>Retail Use</i> | ◆ | | ◆ |
| <i>Restaurant</i> | ◆ | | ◆ |
| <i>General Services</i> | ◆ | | ◆ |
| <i>Office</i> | ◆ | | ◆ |
| Medical Clinic | ◆ | | |
| Apartment dwelling | | | ◆ |
| | | | |
| Accessory Uses of Land, Buildings and Structures | | | |
| Uses accessory to principal uses | ◆ | ◆ | ◆ |
| <i>Home Occupation Use</i> (excluding <i>bed and breakfast</i> use) Subject to Part 3 | | ◆ | |
| | | | |
| Permitted Buildings and Structures | | | |
| Buildings and structures accessory or secondary to permitted uses | ◆ | ◆ | ◆ |
| <i>Apartment Dwelling</i> | ◆ | | ◆ |
| <i>Townhouse Dwelling</i> | ◆ | ◆ | |
| <i>Dwelling, Attached</i> | | ◆ | |

4.30.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings* and *structures* in the Comprehensive Development 18 Zone must comply with the following regulations regarding size, siting and density:

| Lot Coverage | Area 1 | Area 2 | Area 3 |
|--|--------|--------|--------|
| Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> | 50% | 50% | 50% |
| Floor Space Ratio | | | |
| Maximum Floor Space Ratio (FSR) | 1.0 | 0.5 | 1.0 |

| | | | |
|---|-------------------|----------------------|-------------------|
| | | | |
| Maximum Floor Area | | | |
| Maximum floor area of <i>apartment dwellings</i> (square metres) | 1,500 | - | 1,000 |
| Maximum floor area of <i>townhouse and attached dwelling units</i> (square metres) | | 3,000 | - |
| Maximum floor area of all <i>Community Campus Uses</i> use (square metres) | - | - | 2,100 |
| Maximum total <i>floor area of Daycare Use</i> (square metres) | - | - | 500 |
| Maximum floor area of <i>Office, General Service, Medical Clinic, Retail and Restaurant Uses</i> (square metres) | 1,000 | - | 500 |
| Height | | | |
| <i>Maximum height of townhouse dwellings (metres or storeys, whichever is less)</i> | | 9.0 m or 2.5 storeys | - |
| <i>Maximum height of an apartment dwellings (metres or storeys, whichever is less)</i> | 14 m or 3 storeys | | 14 m or 3 storeys |
| Setbacks | | | |
| Minimum <i>setback from front lot lines</i> (metres) | 3.0 | 3.0 | 3.0 |
| Minimum <i>setback from exterior side lot lines</i> (metres) | 3.0 | 3.0 | 3.0 |
| Minimum setback from interior site <i>lot lines</i> (metres) | 1.5 | 1.5 | 1.5 |
| Minimum setback from all interior lot lines for walkways and bridges connecting buildings (metres) | 0 | 0 | 0 |
| Minimum <i>setback from rear lot line</i> (metres) | 3.0 | 3.0 | 3.0 |
| Conditions of Use | | | |
| <i>Retail, Restaurant, General Service, Office Uses and Medical Clinic uses shall be permitted only as secondary uses on the ground floor or second floor of Apartment Dwelling and Community Campus Use buildings.</i> | ♦ | | ♦ |

4.30.3 Off-Street Parking Requirements

Part 5 and Table 5 -1 of this Bylaw – “Minimum Number of Off-Street Parking Spaces” is amended by adding a new heading “COMPREHENSIVE DEVELOPMENT ZONE 18 – COMMUNITY LANDS LOT 2” and the following table.

| LAND USE/ZONE | Number of Off-Street Parking spaces Required |
|---|---|
| <i>Community Campus</i> | 1 per 40 m ² of floor area |
| <i>Apartment dwelling</i> | 0.5 space per unit |
| <i>Townhouse dwelling, Dwelling, Attached</i> | 1 per dwelling unit plus 0.25 spaces per unit for visitor parking |
| <i>Retail, Restaurant, General Service, Office Uses and Medical Clinic uses</i> | 1 per 40 m ² of floor area |
| Supportive Housing | 1 per 2 bedrooms |
| Daycare | 1 per 50 m ² of floor area |
| | |

4. "Bowen Island Land Use Bylaw No. 57, 2002" is amended by changing the zoning classifications for the lands shown outlined in a solid black line on Schedule 1 of this Bylaw from **Passive Park (P1a)** to **Comprehensive Development 18 (Community Lands – Lot 2) Zone** and by making such deletions, adjustments, and consequential annotations on Schedule "B" to Bylaw No. 57, 2002 as are required to give effect to this amendment.

4. "Bowen Island Land Use Bylaw No. 57, 2002" is amended by adding reference in Table 4-1 to Comprehensive Development 18 (Community Lands – Lot 2) Zone.

4.31 COMPREHENSIVE DEVELOPMENT 20 (CD 20) ZONE (BOWEN INVESTMENTS LTD.)

Information Note: *The purpose of the CD-20 Zone is to provide regulations based on the Village Commercial 1 and the Village Commercial 1 (a) zones, which permit a mix of commercial uses including a pub, as well as residential uses at the intersection of Bowen Island Trunk Road and Dorman Road within the Snug Cove Village.*

The regulations in the tables in this Section apply to land in the *Comprehensive Development 20 (CD 20)*, as indicated by the column heading.

4.31.1 Permitted Uses of Land, Buildings and Structures

- (2) In addition to the *uses* permitted in Section 3.2 of this Bylaw, the following *uses, buildings and structures* and no others are permitted in the Comprehensive Development 20 (CD-20) Zone:

| | CD 20 |
|---|-------|
| Principal Uses of Land, Buildings and Structures | |
| <i>Retail</i> | ◆ |
| <i>General services</i> | ◆ |
| <i>Office</i> | ◆ |
| <i>Restaurant</i> | ◆ |

| | CD 20 |
|---|--------------|
| <i>Dwelling</i> | ◆ |
| <i>Assembly</i> | ◆ |
| <i>Indoor Entertainment Facility</i> | ◆ |
| <i>Indoor Recreation Facility</i> | ◆ |
| <i>Cottage Industry</i> | ◆ |
| <i>Pub</i> | ◆ |
| Accessory Uses of Land, Buildings and Structures | |
| <i>Uses accessory to principal uses</i> | ◆ |
| <i>Commercial Guest Accommodation</i> | ◆ |
| <i>Home Occupation use, subject to Part 3</i> | ◆ |
| <i>Parking for another commercial use, subject to Subsection 5.10</i> | ◆ |
| <i>Maximum height of 4m for an accessory building</i> | ◆ |
| Permitted Buildings and Structures | |
| <i>Dwelling, attached</i> | ◆ |
| <i>Buildings and structures accessory to permitted uses</i> | ◆ |
| | |

4.31.2 Size, Siting and Density of Permitted Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 20 (Bowen Island Investments Ltd.) *zone* must comply with the following regulations regarding size, siting and density.

| | CD 20 |
|--|--------------|
| Lot Coverage | |
| Maximum <i>lot coverage</i> of all <i>buildings and structures</i> | 75% |
| Floor Space Ratio | |
| Maximum <i>floor space ratio (FSR)</i> | 1.6 |
| Number of Dwelling Units | |
| Maximum number of <i>dwelling units</i> | 12 |
| Height | |
| Within 20 metres of Bowen Island Trunk Road the maximum <i>height</i> of a <i>principal building or structure</i> (m) from the lower of average natural or finished grade. | 11 |
| Greater than 20 metres from Bowen Island Trunk Road the maximum <i>height</i> of a <i>principal building or structure</i> (m) from the lower of average natural or finished grade. | 13 |

| | |
|---|---|
| Maximum <i>height</i> of an <i>accessory building</i> or <i>structure</i> (m) | 4 |
| Setbacks | |
| Minimum <i>setback</i> from the <i>interior side lot lines</i> (m) | 0 |
| Minimum <i>setback</i> from <i>all exterior lot lines</i> (m), <i>including front and back</i> | 2 |
| Conditions of Use | |
| No <i>dwelling unit</i> or <i>building</i> shall be occupied unless it is connected to a <i>community water system</i> and a <i>community sewer system</i> | ◆ |
| Maximum number of <i>pub</i> establishments | 1 |
| One free-standing <i>sign</i> with a total area not exceeding 2m ² which may include community notices is permitted, in addition to signs permitted in section 3.42. | ◆ |
| Garbage and recycling areas shall be enclosed or screened from view of adjacent uses using a landscape screen | ◆ |
| <i>Retail, general services, office, restaurant, pub, cottage industry, indoor entertainment facility, or indoor recreation facility</i> are the only uses permitted on ground floors accessible off of Bowen Island Trunk Road and Dorman Road | ◆ |

4.31.3 Subdivision and Servicing Requirements

- (2) The regulations in this Subsection apply to the *subdivision* of land under the Land Title Act or the Strata Property Act for the CD 20 zone.

| | |
|---|--------------|
| | CD 20 |
| Lot Areas for the Creation of New Lots through Subdivision | |
| Minimum <i>lot area</i> (m ²) for individual <i>lots</i> served by <i>community water system</i> and a <i>community sewage system</i> | 370 |

4.31.4 Off-Street Parking Requirements

- (1) “Off-street parking shall be provided in accordance with the part of this bylaw that pertains to off street parking requirements.”

PART 5 – PARKING REGULATIONS

REQUIREMENTS FOR OFF-STREET PARKING

- 5.1 The owner or occupier of land must provide and maintain off-street *parking spaces* for automobiles as determined by the *use* or occupancy of a *lot* or *building* according to Table 5-1.
- 5.2 The *floor area* of unenclosed outside patios shall not be included in total *floor area* for the purpose of calculating *parking spaces* required according to Table 5-1.
- 5.3 If a *use* is not listed in Table 5-1, the number of *parking spaces* is to be calculated on the basis of the most similar *use* that is listed.
- 5.4 Where more than one standard may apply to a *use*, the standards requiring the greatest number of *parking spaces* shall be used.
- 5.5 If more than one *use* is located on a *lot* or if a *parking area* collectively serves more than one *use*, the total number of *parking spaces* is to be the sum of the spaces required for each *use*, calculated separately. The *parking spaces* required for one *use* are not to be included in calculations for any other *use*.

Information Note: *Variances to this Section can be considered by Municipal Council and given through Development Variance Permit. For example, uses that require parking at mutually exclusive times (day vs. evening; weekday vs. weekend) could apply to share some or all of their parking spaces.*

- 5.6 Any *use* that was legally in existence at the time of passing of this Bylaw and which did not have the required parking under Zoning Bylaw No. 36, 1984, may continue to operate without the provision of such parking without being non-conforming, however, if said *use* expands, the expansion must conform to the parking requirements of this Bylaw. Any change in *use* must meet the standards of this Bylaw.

LOCATION

- 5.7 *Parking spaces* shall be located on the same *parcel* as the *use* they serve.
- 5.8 All off-street parking for a commercial, industrial, institutional or parking *use* shall be provided on land zoned for commercial, industrial, institutional or parking uses.

- 5.9 If a fraction of a *parking space* less than 0.5 results when calculating parking requirements, the fraction less than 0.5 shall be dropped, except that no *use* shall provide less than one *off-street parking space*.
- 5.10 Despite Sections 5.7 and 5.8, for *retail, general services, office, restaurant and pub uses* within the Village Commercial (VC) *Zones* located within the inset portion of Schedule 'B' of this Bylaw, *off-street parking spaces* may be provided on another *parcel* zoned VC located within the inset portion of Schedule 'B' or on the area shown in grey tone within Area 3 of CD 2 *Zone*, provided that the owner of the *parcel* on which the *parking spaces* are provided grants to the owner of the *lot* in respect of which the spaces are required a licence on terms satisfactory to the *Bowen Island Municipality* ensuring:
- i) A *parking space* deficit is not created;
 - ii) That the licence shall not be cancelled without parking requirements for the *use* being met elsewhere; and
 - iii) On-going public access to the *parking space* while it is under a licence for parking *use*.

STANDARD DIMENSIONS

- 5.11 Despite Sections 5.7 and 5.8 cash in-lieu parking spaces will be accepted for commercial and mixed-use developments in the Village Commercial 1 *Zone* and in Area 3 of Comprehensive Development 2 (Cates Hill) subject to the following provisions:
- i) The amount to be paid in respect of each required parking space not provided is \$20,000.
 - ii) Payment in Lieu of parking is payable when the Building Permit is issued for the building or structure that is being put to the use that requires the parking space specified in this Bylaw, or where no Building Permit is required, the use that requires the parking space specified in this Bylaw is granted a Development Permit.
- 5.12 Each *parking space* shall be not less than 5.5 metres (18 feet) in length and not less than 2.5 metres (8.2 feet) in width, except that parallel *parking spaces* shall be not less than 6.1 metres (20 feet) in length. Each *parking space* required to be marked for *use* by persons with disabilities shall be not less than 3.7 metres (12.14 feet) in width and 6 metres (19.7 feet) in length, and shall be located close to an accessible *building* entrance.
- 5.13 Despite Section 5.11, up to 35% of the total required *off-street parking spaces* may be reduced in size to 5 metres (16.4 feet) in length and not less than 2.4 metres (7.9 feet) in width and signed "compact car only".
- 5.14 Where *floor area* is used as a unit of measurement for the calculation of *parking spaces*, it shall include the *floor area* of accessory *buildings* and basements, except where they are used for parking, heating or storage.

- 5.15 Where seating accommodation is used as a unit of measurement, and such accommodation consists of benches, booths, and the like, each 0.6 metres (2 feet) of width of such seating accommodation shall be counted as one seat.
- 5.16 Where a *parking area* is paved, the width of the line marking *parking spaces* shall be 10 centimetres (4 inches) in width.
- 5.17 Access aisles to all off-street *parking spaces* from a *street* shall be designed as follows:

| | |
|----------------------|---|
| <i>One-way aisle</i> | Not less than 4.0 metres (13.1 feet) wide. |
| <i>Two-way aisle</i> | Not less than 6.0 metres (19.7 feet) wide.” |

- 5.18 Manoeuvring aisles within an off-street *parking area* shall be designed as follows:

| <i>Parking Space Angle to the Manoeuvring Aisle</i> | <i>Minimum Width of Manoeuvring Aisle</i> |
|---|---|
| 90 degrees | 6.7 metres (22 feet) (2-way) |
| 90 degrees | 6.4 metres (21 feet)(1-way) |
| 60 degrees | 5.5 metres (18 feet) (1-way) |
| 45 degrees or less | 3.9 metres (12.8 feet) (1-way) |

- 5.19 Despite the Standard Dimensions in Sections 5.11 to 5.17, for *uses* located in Rural Zones the minimum requirement for the design of *parking spaces* and *parking areas* is that the required number of *parking spaces* be accommodated on the property where the use is located.

PARKING FOR PERSONS WITH DISABILITIES

- 5.20 Commercial *uses* shall provide parking for persons with disabilities as follows:

| <u>Number of required <i>parking spaces</i></u> | <u>Number of spaces to be designed and marked for <i>Use by Persons with Disabilities</i></u> |
|---|---|
| 0-20 | 0 |
| 21 - 39 | 1 |
| 40 + | 2 |

Where more than 1 *off-street parking space* is required to be provided for parking for persons with disabilities, the second space may be a loading space designed for *use* by persons with disabilities but not limited to that *use*.

BICYCLE PARKING FOR COMMERCIAL OR COMMUNITY USES

- 5.21 For each bicycle rack to which five or more bicycles may be securely attached, the number of *parking spaces* for community *use* or commercial *use* that may be replaced with bicycle parking is based on the following formula. However, in no case shall the number of *off-street parking spaces* required be less than one for each *use* per *lot*, nor shall *parking spaces* for persons with disabilities be replaced with bicycle racks, nor shall the bicycle rack be located within a required *parking space*.

| | |
|---|---|
| Up to 20 required <i>parking spaces</i> | 1 bicycle rack may replace 1 required <i>off-street parking space</i> . |
| 21 + required <i>parking spaces</i> | 1 bicycle rack may replace 1 required <i>off-street parking space</i> for each 20 required <i>parking spaces</i> or portion thereof |

TANDEM PARKING

- 5.22 Tandem *parking spaces* shall be no less than the width and two times the length of the applicable *parking space* dimension.
- 5.23 Where Table 5-1 requires parking for employees such spaces may be provided as tandem spaces.
- 5.24 Up to two *parking spaces* required for permitted *uses* on *lots* within the VC Zones that are less than 375 m² in *lot area* may provided as tandem *parking spaces*.

DEVELOPMENT AND MAINTENANCE REQUIREMENTS

- 5.25 If a *parking area* is provided in respect of a *home occupation* and the *parking area* abuts a *lot* on which a residential *use* is permitted, the *parking area* must be screened by a landscape screen that is not less than two (2) metres in *height*.
- 5.26 Every *off-street parking area* provided or required on any *lot* on which a commercial or institutional *use* is permitted must have a *hard surface*, if access is from a *street*, which is *hard surfaced*.
- 5.27 Any lighting provided for a *parking area* must be so arranged as to direct or reflect the light exclusively on the *parking area*.
- 5.28 The lighting in all *parking areas* for *uses* other than residential must be controlled so as to provide continuous lighting only during those times when the *use* being served is in actual operation. For this purpose, lighting controlled by a motion-detecting device does not meet the requirements of this section.

| LAND USE/ZONE | Number of Off-Street Parking spaces Required |
|---------------------------|--|
| DWELLING | |
| Rural Zones | 2 per <i>dwelling unit</i> |
| Settlement Zones | 1 per <i>dwelling unit</i> |
| Village Zones | 1 per <i>dwelling unit</i> |
| CD Zones | 1 per <i>dwelling unit</i> |
| SUPPORTIVE HOUSING | |
| Village Zones | 1 per 2 bedrooms, plus 1 per employee |
| HOME OCCUPATION | |
| Rural Zones | 1 per non-resident employee |
| Settlement Zones | 1 per non-resident employee |
| Village Zones | 0 |
| CD 1 Zone | 0 |
| CD 20 | 0 |
| BED AND BREAKFAST | |
| All Zones | 1 per guest room |
| GUEST HOUSE | |
| Rural Zones | 1 per guest room, plus 1 per 2 non- resident employees, plus 1 per 6 dining room seats |
| All Zones | 1 per <i>dwelling</i> and guest unit |
| RETREAT CENTRE | |
| Rural Zones | 1 per guest room, plus 1 per 2 non- resident employees |
| Village Zones | 1 per guest room, plus 1 per 2 non- resident employees |
| CD 2 Zone | |

1 per guest room, plus 1 per 2 non-resident employees

RECREATION, TRAINING AND MEETING CENTRE

Village Zones 1 per 2 guest rooms, plus 1 per 2 non-resident employees

AGRICULTURE AND HORTICULTURE

All Zones 1 per 2 non-resident employees

STABLES AND KENNELS

Rural Zones 1 per 2 non-resident employees plus 1 per 3 customers

Settlement Zones 1 per 2 non-resident employees plus 1 per 3 customers

GARDEN CENTRE

Rural Zones 1 per 20 m² of indoor *floor area*, plus 1 per 200 m² of outdoor area

GENERAL SERVICE, RETAIL, OFFICE, RESTAURANT, PUB

Village Zones 1 per 40 m² *floor area*

CD 1 Zone 1 per 40 m² *floor area*

CD 2 Zone 1 per 40 m² *floor area*

CD 20 1 per 60 m² *floor area*

MARINA

All Zones 1 per 3 berths

SERVICE STATION, GAS STATION

Village Zones 4, plus 2 per service bay

VEHICLE REPAIR GARAGE

CD 2 Zone 6

INDUSTRIAL

Industrial Medium Zone 1 per employee plus 1 truck space

Industrial Commercial Zone 1 per employee plus one truck space

COTTAGE INDUSTRY, ARTISAN INDUSTRY

Rural Zones 1 per 30m² *floor area*

Settlement Zones 1 per 30m² *floor area*

Village Zones 1 per 40m² *floor area*

| | |
|-----------|-----------------------------------|
| CD 1 Zone | 1 per 30m ² floor area |
| CD 20 | 1 per 60m ² floor area |

SCHOOL

| | |
|-----------|---|
| All Zones | 1 per employee plus 1 per 15 m ² of assembly space |
|-----------|---|

CHURCH, COMMUNITY HALL, ASSEMBLY

| | |
|------------------|------------------------------------|
| Rural Zones | 1 per 15 m ² floor area |
| Settlement Zones | 1 per 15 m ² floor area |
| Village Zones | 1 per 40 m ² floor area |
| CD Zones | 1 per 15 m ² floor area |
| CD 20 | 1 per 60 m ² floor area |

MUNICIPAL HALL

| | |
|-----------|---|
| CD 2 Zone | 2 per 35 m ² net floor area, plus 15 stalls of which at least one stall or 5% of the total number of spaces, whichever is greater, shall be designed and marked for use by persons with disabilities |
|-----------|---|

DAYCARE

| | |
|------------------|----------------------------------|
| Rural Zones | 1 per 2 employees, plus 2 spaces |
| Settlement Zones | 1 per 2 employees, plus 2 spaces |
| Village Zones | 1 space |
| CD 1 Zone | 1 space |

POLICE DEPARTMENT, FIRE HALL

| | |
|-----------|-------------------------------|
| All Zones | 1 per employee, plus 2 spaces |
|-----------|-------------------------------|

LIBRARY

| | |
|---------------|------------------------------------|
| Village Zones | 1 per 40 m ² floor area |
| CD Zone 2 | 1 per 20 m ² floor area |

INDOOR ENTERTAINMENT / RECREATION FACILITY

| | |
|------------------|------------------------------------|
| Rural Zones | 1 per 15 m ² floor area |
| Settlement Zones | 1 for 10 m ² floor area |
| Village Zones | 1 per 40 m ² floor area |
| CD 5 Zone | 1 per 15 m ² floor area |
| CD 20 | 1 per 60 m ² floor area |

NEIGHBOURHOOD PARK/PLAY FIELDS

All Zones 5

COMMUNITY DOCK, WHARF, BOAT LAUNCH

All Zones 4 per boat launch

PART 6 – SUBDIVISION REGULATIONS

LOT AREA, SHAPE, AND DIMENSIONS

- 6.1 The lot size regulations of this Bylaw shall not apply to:
- .1 a *lot* described in Section 11(1)(b) of B.C. Reg. 334/79, being an access *lot* for a *subdivision* containing *lots* not fronting on a *highway*;
 - .2 a *lot* being created for natural *open space*, *highway*, park, public square, *public utility*, fire hall, ambulance station or police station, provided a covenant complying with Sections 2.6 and 2.7 of this Bylaw is registered on title that restricts the *use* of that *lot* to the purpose for which it is being created or the property is designated as *highway*, park or public square on a plan of *subdivision* registered in the Land Title Office;
 - .3 the consolidation of two (2) or more *lots* into one (1) *lot*;
 - .4 *subdivision* solely for the purpose of adding natural accretion to a *lot* or *subdivision* solely to remove areas of natural erosion from a *lot*; or
 - .5 *subdivision* solely for the purpose of dedicating land to the Crown.
- 6.2 *Lot* boundary adjustments shall be permitted subject to the following regulations:
- .1 no additional *lots* are created or could be created as a result of the boundary adjustment,
 - .2 the area of the new *lots* is no less than the minimum *lot area* for that *zone*,
 - .3 if the *lot area* of any of the existing *lots* subject to the boundary adjustment is less than the minimum *lot area* for that *zone* that no further deficiency is created.
- 6.3 For the purposes of this Bylaw, the total number of *lots* that can be created by *subdivision* is determined by dividing the total area of the parent *parcel* less any area for *highways* required by this Bylaw or Provincial Statute, by the minimum average *lot area* or if there is no average by the minimum *lot area*.
- 6.4 The minimum *lot* frontage on a *highway* shall be 10% of the perimeter of the *lot*.
- Information Note:** *An exemption to this regulation from Council may be sought.*
- 6.5 The creation of *lots* double fronting on a *highway* is prohibited, except in cases where such *lots* would be created as a result of topographic conditions.

- 6.6 If a *lot* lies within two or more *zones*, the minimum and average *lot area* requirements specified in this Bylaw apply to the portions of the *lot* lying within each *zone* as if the portions were separate *lots*.
- 6.7 No new *lots* lying within two or more *zones* may be created, except where a *subdivision* consolidates lots or readjusts property lines.
- 6.8 If a *lot* is divided into two or more portions by other land or a *highway*, the minimum and average *lot area* requirements specified in this Bylaw apply to the portions as if they were separate *lots*.
- 6.9 No new *lots* divided into two or more portions, i.e. hooked *lots*, may be created, except when there is no other practical means to subdivide a *lot*.
- 6.10 No *lot* having an area less than twice the area specified by the average *lot* size for the *zone* that the *lot* lies within, or twice the size of the minimum *lot* size if no average *lot* size applies, may be subdivided under Section 946 of the Local Government Act, unless the *lot* is entirely within the Agricultural Land Reserve.
- 6.11 When a *subdivision* is proposed that yields the maximum number of *lots* permitted by the applicable average *lot area* 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 area*; the applicant must grant a covenant complying with Sections 2.6 and 2.7 of this Bylaw in respect of every such *lot* prohibiting further *subdivision* of the *lot*.
- 6.12 Where a *subdivision* is proposed that yields fewer than the maximum number of *lots* permitted by the applicable average *lot areas* 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 area*; the applicant must grant a covenant complying with Sections 2.6 and 2.7 of this Bylaw in respect of every such *lot* prohibiting the further *subdivision* of the *lot* beyond the maximum number of *lots* that could have been created under the first *subdivision*, so that a greater total number of *lots* is not created than would have been created had the first *subdivision* created the maximum number of *lots* permitted by the applicable minimum and average *lot areas* specified by this Bylaw.
- 6.13 If the approval of a bare land strata plan would create common property on which this Bylaw would permit the construction of a residential *dwelling unit*, the applicant must grant a covenant complying with Sections 2.6 and 2.7 of this Bylaw in respect of the common property prohibiting the further *subdivision* of the common property, the construction of any *dwelling unit* on the common property, and the disposition of the common property separately from the strata *lots*.
- 6.14 If a *panhandle lot* is not capable of being further subdivided under the provisions of this Bylaw, the minimum width of the access strip at any point must be 6 metres.

- 6.15 If a *panhandle lot* is capable of being further subdivided under the provisions of this Bylaw, the minimum width of the access strip at any point must be at least 10 metres, and may need to be increased to no more than 20 metres depending on the *subdivision* potential of adjacent *parcels*.

WATER SUPPLY

- 6.16 No new *community water system* may be established or existing *community water system* expanded to serve more than 1 *lot* without completion of a water management review undertaken by an *Engineer* with experience in the field of water management which examines the following:
- the options available for water supply given the development density;
 - the potential impacts of each water system option on existing *potable* water sources, ground-water supplies and watersheds, both in the short and long term;
 - the operational characteristics of the system;
 - the costs of installing, maintaining and operating such systems;
 - the management requirements to maintain such a system;
 - the feasibility, consequences and remedies available in the event of a failure of the water supply; and
 - the recharge capability of the water source relative to anticipated maximum water demand of the proposed system;

and which concludes that given these factors that the best means for delivery of *potable* water is through a *community water system*.

- 6.17 All proposed *lots* not required to be served by a *community water system* must have proof of a *potable* water supply.
- 6.18 Where a *community water system* is proposed, the water system must be metred and comply in all respects with applicable Provincial Regulations and *Bowen Island Municipality* bylaws, and the applicant must provide the written certification and seal of an *Engineer* with experience in groundwater hydrology that there is in respect of each *building, structure, or use* of land permitted by this Bylaw on each proposed *lot* an available supply of *potable* water in the amounts set out in Table 6-1, and that the proposed *community water system* will not adversely affect the quantity or quality of water obtainable from any existing well or surface water supply when used as a source of *potable* water or water supply for fire protection, or lead to salt water intrusion into the groundwater table.
- 6.19 Where a water source other than a *community water system* is proposed as a source of *potable* water for a proposed *subdivision*, the applicant must provide to the *Municipality* the written certification under seal of an *Engineer* with experience in groundwater hydrology that there is in respect of each *building, structure, or use* of land permitted by this Bylaw on each proposed *lot* an available supply of *potable* water in the amounts set out in Table 6-1, and that the extraction from the groundwater table or diversion from a spring of that amount of water in respect of each permitted *building, structure or use* will not adversely affect the quantity or quality of *potable* water or water supply for fire

protection obtainable from any existing well, spring or surface water, or lead to salt water intrusion into the groundwater table.

| TABLE 6-1: POTABLE WATER SUPPLY STANDARDS | |
|---|---|
| USE | VOLUME (litres per day) |
| <i>Dwelling excluding Bed and Breakfast.</i> | 1100 |
| Commercial excluding <i>Guest House, Retreat Centre, Restaurants or Pubs.</i> | 1670 |
| Industrial, <i>Restaurant, Pub.</i> | 2670 |
| <i>Guest House, Bed and Breakfast, Retreat Centre</i> | 1100 plus an additional 440 litres per day for each guest bedroom |
| All other <i>uses</i> | 1670 |

- 6.20 The Approving Officer may deny the approval of *subdivision* if the water supply certification is deemed insufficient on the grounds of the duration or location of testing or is otherwise unacceptable.
- 6.21 The certification referred to in Section 6.19 shall be provided to the *building inspector* if an application for a *building* permit is made, or to the *Municipality* if there is a change of *use* where no *building* permit is required, and the certification has not previously been provided in respect of the *subdivision* of the *lot* on which the *building* is proposed to be constructed, and the provisions of Sections 6.22 and 6.23 apply, except that the certification need only be provided in respect of the *building* that is the subject of the permit application or to the *use* if no *building* permit is required in accordance with the standards of Table 6-1.
- 6.22 If the certification referred to in Section 6.19 cannot be made, the approving officer may nonetheless approve the *subdivision* in the following circumstances:
- .1 if the applicant provides a *community water system* complying with the requirements of this Bylaw; or
 - .2 if the applicant grants a covenant to the *Municipality* restricting the development of the *subdivision* to the *buildings, structures and uses* in respect of which a certification has been made under Section 6.21.
- 6.23 For the purposes of the certification referred to in Section 6.19, the *Engineer* must supply supporting documentation and if a pump test has been conducted the *Engineer* 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.

- 6.24 If an *Engineer* provides a certification under Section 6.19 as to the quality of a proposed source of *potable* water, the certificate 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.

SEWAGE DISPOSAL STANDARDS

- 6.25 Each *lot* proposed shall contain an area or areas of sufficient size and appropriate characteristics to satisfy the requirements of the Sewage Disposal Regulation under the Health Act for conventional septic tank or package treatment plant sewage disposal systems in respect of the *buildings, structures and uses* that are permitted on the *lot* by this Bylaw.
- 6.27 Where a *community sewer system* is proposed for a *subdivision*, Section 6.25 shall not apply, and the sewer system must comply in all respects with applicable Provincial Regulations and *Bowen Island Municipality* Bylaws.
- 6.28 Information regarding the location and size of the area referred to in Section 6.25 must be provided to the *building inspector* where an application for a *building* permit is made and has not previously been provided in respect of the *subdivision* of the *lot* on which the *building* is proposed to be constructed, except that it need only be provided in respect of the *building* or *structure* that is the subject of the permit application.
- 6.29 No new ocean out-fall may be established without completion of a liquid waste management review as outlined below. Discharge from an ocean out-fall shall only be permitted from community sewage disposal systems provided the system includes advanced secondary and tertiary treatment, or equivalent levels of treatment through innovative technology. The liquid waste management plan must be undertaken by an *Engineer* with experience in the field of liquid waste management, and it must examine and find the following:
- that soil conditions demonstrate that land-based disposal methods would, on balance, be inferior to ocean outfall;
 - alternative disposal measures are found to be unsatisfactory;
 - there will be improved overall public health and environmental quality when compared to land based systems;
 - the system capacity will not exceed the requirements generated by permitted uses and lot density; and
 - effluent will not be embayed or directed into land oriented currents.
- 6.30 No sewage may be disposed of on a *lot* other than on which it was generated, except where:
- .1 the *lot* is used only for the purpose of sewage disposal or for acceptably designed outdoor recreation, or
 - .2 where the owner of the second *lot* grants an easement on terms satisfactory to the *Municipality* to the owner of the *building lot* to provide permanent

access to the sewage disposal facilities, and grants to the *Municipality* a covenant subject to Sections 2.6 and 2.7 restricting the use of the easement area to sewage disposal facilities for the *building lot*.

STORM DRAINAGE STANDARDS

- 6.31 Every *subdivision* shall be designed and constructed so as to maximize the proportion of precipitation which is percolated into the ground and to minimize direct overland runoff and the erosion of ditch banks.
- 6.32 Every surface drainage system shall be designed to provide for the continuity of any existing surface drainage system serving the drainage basin in which the *lot* to be subdivided is located.
- 6.33 Every surface drainage system shall be designed to convey the peak rate of runoff from a 1:100 year storm event from the proposed *subdivision* or development to the system outfall of the drainage basin, under written certification and seal of an *Engineer*.
- 6.34 All drainage works, ditches, culverts and appurtenances, other than those servicing a *lot* or a strata plan exclusively, shall be located in statutory rights-of-way granted to the *Municipality*, or in dedicated *highways*.
- 6.35 If storm water is discharged from the surface drainage system to the ocean or a *watercourse* on or adjacent to the land being subdivided or developed, the system shall be constructed and designed to retain storm water for the period of time necessary to allow for the settling of silt and other suspended solids through the use of surge tanks, dry wells, holding ponds or other similar engineered devices and to meet Provincial and Federal regulations.
- 6.36 Every applicant for *subdivision* shall provide the written certification under seal of an *Engineer* with experience in drainage engineering that the drainage system for the *subdivision* has been designed in accordance with the requirements of Sections 6.33 through 6.37.
- 6.37 The certification required in Section 6.36 shall be provided to the *building inspector* if an application for *building* permit is made and the certification has not previously been provided in respect of the *subdivision* of the *lot* on which the *building* is proposed to be constructed, and the provisions of Sections 6.33 through 6.37 apply, except that the certification need only be provided in respect of the *lot* that is the subject of the permit application.

HIGHWAY AND STREET STANDARDS

- 6.38 The minimum width of a *highway*, excluding access routes as part of a bare land strata plan, dedicated in connection with the *subdivision* of land is 15 metres and the minimum width of an access route as part of a bare land strata plan is 8

metres. The minimum width may be increased to accommodate bicycle, equestrian and pedestrian traffic, and may be varied by the Approving Officer based on the Letter of Agreement between the Ministry of Transportation and Highways and Islands Trust on Road Standards and Classification dated October 20, 1992.

6.39 A *highway* may be dedicated having one-half or more of the width specified in Section 6.40 along the boundary of a *lot* if the regulations contained in this Bylaw allow for the *subdivision* of an adjacent *lot* which will result in the dedication of the remaining portion of the *highway* right of way.

6.40 The minimum diameter of the terminal end of any cul de sac is 14 metres.

Information Note: *Highway and street widths in this Section may be varied by development variance permit issued by Council. This Section will be reviewed upon completion of new Municipal highway and street standards.*

6.41 *Streets* shall be constructed to meet *Bowen Island Municipality* road standards and specifications and the Land Title Act.

6.42 No *street* may be located or constructed so as to connect any island subject to this Bylaw to any other island.

6.43 Where access to a *lot* is to be provided by an easement registered in the Land Title Office, *Bowen Island Municipality* must be a party to the easement.

6.44 If a *subdivision* with water access only is approved on an island within *Bowen Island Municipality*, the owner of land being subdivided must provide *parking spaces* in accordance with Part 5 of this Bylaw for each *dwelling* permitted by this Bylaw in respect of each *lot* being created.

- .1 Such *parking spaces* must be located at the most reasonable location on Bowen Island giving access by water to the island, and
- .2 the owner of the *lot* on which the *parking spaces* are provided must grant to the owner of the *lot* in respect of which the spaces are required a licence on terms satisfactory to the *Bowen Island Municipality* ensuring that:
 - i) a *parking space* deficit is not created for the Bowen Island *lot*; and
 - ii) that the licence shall not be cancelled without parking requirements for the *dwelling* being met elsewhere.

OWNER'S COSTS

6.45 All works and services shall be constructed and installed in accordance with the requirements of Part 6 at the expense of the owner of the *lots* proposed to be subdivided.

- 6.46 Where an easement, right-of-way or covenant is required, the *lot* owner shall pay all costs associated with the preparation, execution and regulation of the instrument.

PART 7 – DEVELOPMENT PERMIT GUIDELINES AND EXEMPTIONS

Information Note: Section 919.1 of the Local Government Act currently provides that an Official Community Plan may designate areas for the protection of the natural environment, its ecosystems and biological diversity; revitalization of an area in which a commercial use is permitted; and establishment of objectives for the form and character of commercial, industrial or multi-family residential development. The Bowen Island Official Community Plan establishes such areas.

When land is designated as a Development Permit Area, no land within the designated area shall be subdivided nor construction of, addition to or alteration of a building or structure commenced unless the owner first obtains a development permit or is exempted under a condition that specifies when a development permit would not be required. Land within areas for the protection of the natural environment, its ecosystem and biological diversity or revitalization of an area in which a commercial use is permitted must not be altered without first obtaining a development permit.

Development permit guidelines and conditions under which a development permit would not be required are provided below.

7.1 CAPE ROGER CURTIS DEVELOPMENT PERMIT AREA

Guidelines

The following guidelines apply to the Cape Roger Curtis Development Permit Area.

- 1) Construction shall be avoided on slopes over 25 degrees (approximately 46%) where possible.
- 2) On slopes over 30 per cent septic fields are not permitted and on slopes over 12 per cent the applicant shall be required to furnish at their expense, a report, certified by a Professional Engineer with experience in geo-technical engineering, to determine if any hazards arise from the installation of a septic field or whether there will be degradation of water and whether conditions addressing such installation should be incorporated into the development permit.
- 3) All natural water courses shall be dedicated at the time of registration of a subdivision plan.
- 4) Disturbance to wetlands and watercourses and their riparian zone should be avoided or mitigated wherever possible. Where wetland or watercourses are disturbed, subject to approval of other agencies having jurisdiction, compensation equal to 100% of the disturbed area shall be provided.
- 5) Areas within an average of 30 metres above the natural boundary of a watercourse and no less than 15 metres in any location from the top of a bank of any watercourse shall remain free of development except in accordance with

conditions of the development permit which are determined from the following guidelines:

- a) Development permit applications in this category should include a report prepared by an *Environmental Consultant* including the following information:
 - mapping to a more detailed scale identifying the environmentally sensitive areas within the site;
 - criteria used to define the boundaries of environmentally sensitive areas;
 - inventory of fisheries species and related habitat classification within the site and a statement of significance;
 - impact statement describing effects of proposed development on natural conditions;
 - guidelines for mitigating habitat degradation, including limits of proposed leave strips;
 - habitat compensation alternatives, where compensation is approved based on no net loss of fish habitat.
- b) The application shall include design details of the proposed mitigating measures in an environmental management plan.
- c) Guidelines as provided in Schedule "D" Land development Guidelines for the Protection of Aquatic Habitat shall apply.
- d) Clearing, unless requested by the Minister of Water, Land and Air Protection, and grubbing or altering of grades in the proposed leave area is not permitted. Grades shall be feathered and rounded immediately outside the leave area to meet existing adjacent grade. Slopes adjacent to the leave area shall not exceed 3:1 for a distance of 5 metres from the leave area boundary.
- e) Access shall be restricted or fencing provided to environmentally sensitive areas in accordance with the report of the *Environmental Consultant*.
- f) An erosion and sedimentation plan designed in accordance with Schedule "D" Land Development Guidelines shall be provided as part of the application. Erosion control measures might include retention of existing vegetation, revegetation, diversion swales, silt fence, settlement ponds and careful scheduling of construction.
- g) Storm-water detention for the site shall meet the minimum requirements of Schedule "D" Land Development Guidelines.
- h) Storm-water outflows to the stream or leave area shall have water quality and erosion control features included in accordance with Schedule "D" Land Development Guidelines.
- i) If storm drain inlets are located within this Development Permit Area they shall be marked in accordance with the DFO storm drain marking program.

- j) Instream work and stream crossings shall meet the requirements of Schedule "D" Land Development Guidelines and the *B.C. Water Act*.
 - k) Timing of works in and about a stream and construction practices should be in accordance with Schedule "D" Land Development Guidelines, the *B.C. Water Act*, and requires specific written approval granted by Planning and Assessment of Ministry of Water, Land and Air Protection in addition to any development permit issued before work begins.
 - l) Applications should include a vegetation management plan indicating the extent of proposed leave strip, and any proposed management of the vegetation in the leave areas. Clearing, grubbing or removal of trees or undergrowth from the leave area of the site requires approval of the Department of Fisheries and Oceans and the Minister of Water, Land and Air Protection when requested.
 - m) Revegetation within and adjacent to leave areas should be with native species appropriate to the site.
 - n) Bonding or other acceptable security may be required for up to 100 percent of the value of the erosion control and environmental management work.
 - o) A report may be required from a qualified Environmental Monitor that the required measures have been implemented substantially as designed.
- 6) Bridges should be provided across all watercourses and where they are not feasible, culvert installation or other alternatives shall only be permitted where approved by Ministry of Water, Land and Air Protection.
 - 7) Roadbanks shall be regraded to a maximum of 10 metres in vertical height.
 - 8) Cut and fill for road construction shall be within 10% of "balanced"
 - 9) Development shall be phased in accordance with the terms of a development permit to alleviate impacts upon the special conditions of this site including but not limited to:
 - limitation of works that may impact established seasonal habitat of wildlife;
 - minimizing land disturbance in areas subject to possible erosion during seasonal periods of high rainfall;
 - 10) All telephone, power, community sewer and water services, except storage tanks if required, will be provided underground.

Exemptions

A development permit shall not be required in the Cape Roger Curtis Development Permit Area for the following conditions:

- 1) A proposed subdivision:

- that consolidates lots; or
 - is subject to a covenant to which the Municipality is a grantee that establishes that there shall be no alteration of the land from that which existed prior to the subdivision.
- 2) There is a proposed alteration of an existing building or structure for purposes of maintenance and repair, any alteration of the interior of a building or structure, any addition of exterior features to a building or structure that does not require an additional alteration or support of the land, any unenclosed stairwell, any open deck not exceeding 25 per cent of the existing building footprint, or any construction that is not subject to a requirement for a building permit.

7.2 WATERSHED, AQUIFER AND STREAM PROTECTION DEVELOPMENT PERMIT AREA.

Guidelines

A Development Permit may be required for development activities proposed within Watershed, Aquifer and Stream Protection Areas as identified on Schedules B-3, B-3A, B-4 and B-4A of *Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010* or as identified in an evaluation report prepared by a *qualified professional*. Development permits issued for properties containing Watershed, Aquifer and Stream Protection Areas as identified on Schedules B-3, B-3A, B-4 and B-4A of *Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010* shall be in accordance with the guidelines set out in sections A and B below.

If the property is located in more than one Development Permit Area, only one Development Permit, containing conditions based on guidelines in all applicable Development Permit Areas, is required.

A. Fish and Riparian Protection Area

- 1) The terminology used in Section A of Part 7.2 follows the definitions contained within the Province of British Columbia's *Riparian Areas Regulation* of the *Fish Protection Act*.
- 2) This designation follows the *Riparian Areas Regulation* of the *Fish Protection Act*. The *fish and riparian protection area* designation applies to any *riparian assessment areas* and, without limitation, includes areas within and adjacent to those mapped *streams* shown on Schedules B-3 and B-3A of the *Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010* and to all mapped and unmapped *streams* that either provide *fish habitat* or flow to a freshwater body that provides *fish habitat*, including the following *stream riparian assessment areas*:
 - a. For a *stream* that is not in a *ravine*, the 30 metre wide strip on both sides of the *stream*, measured from the high water mark;
 - b. For a *ravine* less than 60 metres wide, a strip on both sides of the *stream* measured from the high water mark to a point that is 30 metres beyond the *top of the ravine bank*;
 - c. For a *ravine* 60 metres wide or greater, a strip on both sides of the *stream* measured from the high water mark to a point that is 10 metres beyond the *top of the ravine bank*;
 - d. For all other water bodies, an area encompassing the water body and a strip 30 metres around the water body measured from the natural boundary of the water body; and
 - e. Where there is uncertainty or a discrepancy regarding the width of *ravine* or the presence of an unmapped *stream*, this shall be determined by a *qualified environmental professional (QEP)* and a licensed British Columbia Land Surveyor at the expense of the applicant.

- 3) The *Riparian Areas Regulation* establishes the *riparian assessment areas* as described above for the following *streams* and lakes known to have fish present: Davies Creek, Terminal Creek, Grafton Lake, Bowen Brook, Harding Creek, Killarney Creek, Killarney Lake, Guild Creek, Grafton Creek, Malkin Creek, Explosives Creek, Josephine Creek, Lee Creek, and their tributaries.
- 4) An *assessment report* prepared by a *qualified environmental professional* in accordance with the *Riparian Areas Regulation* is required in support of a development permit application and for issuance of a Development Permit where development, as defined in the *Riparian Areas Regulation*, is proposed for land that includes a *riparian assessment area*. The *assessment report* must identify the width of the *streamside protection and enhancement area* (SPEA) to be protected, and describe measures necessary to protect the integrity of the *streamside protection and enhancement area*. The *qualified environmental professional* must:
 - a. Certify he or she is qualified to conduct the assessment;
 - b. Certify he or she has followed the assessment methods set out in the Schedule to the *Riparian Areas Regulation*;
 - c. Provide:
 - i. an opinion that, if the development is implemented as proposed, no natural features, functions or conditions that support fish life processes in the riparian assessment area will be harmfully altered, disrupted or destroyed; and
 - ii. a copy of the assessment report to Fisheries and Oceans Canada and the British Columbia Ministry of Environment;
 - d. If the *qualified environmental professional* is of the opinion that a development, if implemented as proposed, is likely to result in a Harmful Alteration, Disruption or Destruction (HADD) of natural features, functions, and conditions that support fish life processes in the *riparian assessment area*, authorization from Fisheries and Oceans Canada must be obtained in accordance with the *Fisheries Act* in order for the development to proceed;
- 5) The proposed developments and timing of construction should:
 - a. avoid and minimize any damaging impact on the natural features, functions and conditions of the *streamside protection and enhancement areas*; and
 - b. avoid and minimize the area of encroachment into the *streamside protection and enhancement areas*;
- 6) Where the proposed development activity is limited to the limbing, pruning, cutting, falling or removal of one or more trees within a *streamside protection and enhancement area*, the only development permit guideline applicable is the presentation of a supporting report by a *qualified environmental professional* acceptable to the Municipality.
- 7) Development permits issued may require that:
 - a. areas of land, specified in the permit, must remain free of development, except in accordance with any conditions contained in the permit;

- b. specified natural features or areas be preserved, protected, restored or enhanced in accordance with the permit;
 - c. works be constructed to preserve, protect, restore or enhance streams or other specified natural features of the environment;
 - d. protection measures be implemented, including that vegetation or trees be planted or retained in order to preserve, protect, restore or enhance fish habitat or riparian areas, control drainage, control erosion or protect banks; and
 - e. a reference plan prepared by a BC Land Surveyor that delineates the identified *streamside protection and enhancement area*; and
- 8) In the event that the assessment report outlined above confirms that the water body does not provide fish habitat, it is not necessary for the *qualified environmental professional* to file his or her report with the Ministry of Environment to the extent set out under the *Riparian Areas Regulation*.

B. Water Resource Protection Areas

- 1) For the purpose of Section B of Part 7.2, the terms *riparian* and *stream*, in addition to their definitions under the *Riparian Areas Regulation* of the *Fish Protection Act*, also apply to water bodies that do not contain fish habitat.
- 2) This designation includes all *water resource protection areas* shown on Schedules B-4 and B-4A of the *Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010* and to all mapped and unmapped *water resource protection areas*. Where there is uncertainty or a discrepancy regarding the presence of an unmapped *water resource protection area*, this shall be determined by a *qualified professional* retained by the applicant.
- 3) Disturbance to wetlands, lakes, ponds, springs and watercourses and their watersheds and riparian zones, and groundwater recharge areas, must be avoided or mitigated wherever possible. Where riparian areas are disturbed, subject to approval of other agencies having jurisdiction, compensation equal to at least 100% of the disturbed area or functional equivalent may be required, in accordance with the requirements of applicable Provincial and Federal legislation.
- 4) Areas within this Development Permit Area designation shall remain free of development except in accordance with conditions of the Development Permit which are subject to the following guidelines:
 - a. Bowen Island Municipality recognizes that trees and other forest vegetation are a renewable natural resource that can be managed sustainably. Land owners are encouraged to manage the trees and other native vegetation - including harvesting for firewood or other uses, or limbing, pruning, cutting, falling or removal of trees to create or maintain views, protect utility cables, and other such purposes - in a manner that is consistent with the *sustainable use of natural resources*.

- b. In order to assist the Municipality in determining conditions or requirements to be included in a Development Permit, the applicant may be required to provide, at the owner's expense, a report prepared by a *qualified professional* to indicate that any proposed buildings, structures, land alteration, roads, driveways, parking areas, excavation or other proposed development which may cause an impermeable surface or alteration to an existing drainage pattern shall not:
 - i. increase the rate of water drainage beyond that existing prior to any new development of the land;
 - ii. introduce a volume of material whether solids, suspended material, or dissolved material into existing surface water in levels above that existing prior to any new development of the land;
 - iii. introduce new or different material into existing surface water or groundwater;
 - iv. cause any potential erosion of soil or contribute to any land slip, rock fall, mud flow or debris torrents which may adversely affect the quality or quantity of water resources or supplies.
- c. The *qualified professional's* report, if required, should include an inventory of site characteristics and assessment of the proposed development including:
 - i. location of all surface water, water intakes and wells;
 - ii. terrain characteristics, including groundwater recharge areas;
 - iii. an impact statement describing the effects of the proposed development on natural conditions in relation to the maintenance of water resources and supplies;
 - iv. an *environmental management plan* including guidelines for mitigating impacts on water quality and quantity, including limits of recommended *leave strips*; and
 - v. recommendations for restoring, providing compensation or enhancing *water resource protection areas* where such needs or opportunities are identified.
- d. Clearing, unless requested by the BC ministry responsible for environment, and grubbing or altering of grades in the proposed *leave strip* are not permitted unless exempted under this bylaw or any prevailing Provincial and Federal legislation.
- e. The application shall include design details of the proposed mitigating measures in an *environmental management plan*.
- f. Current Provincial and Federal guidelines regarding erosion and sedimentation control, storm water management, work in or about a watercourse, construction practices, construction timing and re-vegetation shall apply, where appropriate.
- g. If recommended as part of a report by a *qualified professional*, restriction of access to sensitive *water resource protection areas*, or the provision of fencing around them, may be required.

- h. The *environmental management plan* provided as part of the application shall, where appropriate, describe:
 - i. erosion and sedimentation controls to be employed. Measures might include retention of existing vegetation, re-vegetation, use of diversion swales, silt fencing, settlement ponds, temporary tarping or other ground covers, careful scheduling of any construction, and other measures;
 - ii. storm water management measures to be employed. Storm water detention for the site and outfalls to the receiving environment shall meet the minimum requirements of any current Provincial and Federal guidelines, as appropriate. Storm water management should use infiltration systems that provide retention of runoff through groundwater recharge, where possible, in addition to runoff peak flow control; and
 - iii. a vegetation management plan indicating the extent of proposed *leave strip* around the *water resource protection area*, and any proposed management of the vegetation in the *leave strip*. Re-vegetation within and adjacent to *leave areas* should be carried out with native or non-invasive species appropriate to the site.
 - i. Existing ditches constructed for storm water management purposes that flow into watercourses may be reviewed for compliance with any Provincial and Federal guidelines and remediated where necessary, based on the recommendations of a *qualified professional* acceptable to the Municipality.
 - j. Instream work and watercourse crossings shall meet or exceed the requirements of any prevailing Federal and Provincial regulations and guidelines.
 - k. Bonding or other acceptable security may be required for up to 150 percent of the value of the erosion control and environmental management work.
 - l. Environmental monitoring during construction followed by presentation of a report by a *qualified professional*, confirming that the necessary mitigation measures have been implemented substantially as designed, may be required.
- 5) Development shall be phased in accordance with the terms of a Development Permit to alleviate impacts upon the special conditions of this site, including but not limited to:
- a. minimizing land disturbance in areas subject to possible erosion during periods of high rainfall or surface runoff;
 - b. minimizing diversion of existing surface watercourses and flows; and
 - c. maximizing groundwater recharge where appropriate.
- 6) Variances to the siting of development in relation to the distance from a *water resource protection area* boundary may be included in a Development Permit subject to the recommendations of a *qualified professional*, compliance with any Provincial and Federal laws and regulations, and the approval of the Municipality.

Exemptions

Where an owner/applicant asserts that his or her property does not contain a fish-bearing stream or tributary as shown on Schedule B-3 and B3-A, or a *water resource protection area* as shown on Schedule B-4 and B4-A, a Development Permit will not be required if this assertion is confirmed through an inspection by Municipal staff or by a *qualified environmental professional* or *qualified professional* retained by the Municipality.

The following activities in a Watershed, Aquifer and Stream Protection Development Permit Area are exempted from the requirements to obtain a Development Permit:

- 1) Subdivision of land that:
 - a. consolidates lots;
 - b. is subject to a covenant to which the Municipality is a grantee that establishes that there shall be no alteration of the land from that which existed prior to the subdivision; and/or
 - c. is subject to a conservation covenant satisfactory to and in favour of Bowen Island Municipality, Government of British Columbia, Government of Canada, the Islands Trust Fund, or another conservation agency which is registered for the protection of aquatic and riparian habitat or water resources.
- 2) Alterations to an existing building or structure if construction involves interior renovations or exterior renovations that do not change the structural footprint or disturb the existing grade and natural soil conditions, and provided that the construction does not intrude upon the required *leave strip*.
- 3) Clearing of trees and other vegetation within a *water resource protection area*, for fire protection within 30 metres from a dwelling, creating or expanding a residential vegetable garden or orchard regardless of size, and farming in agriculturally designated lands, provided that water resources are not adversely affected. (See also Exemption 10 below.)
- 4) Planting of native trees, shrubs, or groundcovers for the purpose of enhancing the habitat values and/or soil stability within the development permit area.
- 5) Ecological restoration and enhancement projects undertaken or authorized by Bowen Island Municipality or another public body.
- 6) Any maintenance activities carried out by, or on behalf of, Bowen Island Municipality that are designed to protect and enhance existing road networks and public trails.
- 7) The repair and maintenance of existing private roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing, and the stability of the watercourse bank is maintained or enhanced.

- 8) Emergency actions to prevent, control, or reduce immediate threat to life or property, including, without limitation: the removal of any hazardous trees; fire suppression; flood protection; erosion protection; land slip events; and the clearing of any obstruction in a watercourse if the action is reported to the Municipality within two business days. Post-emergency rehabilitative planting may be required in accordance with other provisions of this Bylaw.
- 9) Development of land where a conservation covenant satisfactory to and in favour of Bowen Island Municipality, Government of British Columbia, Government of Canada, the Islands Trust Fund or another conservation agency is registered for the protection of aquatic and riparian habitat or water resources and the proposed development is outside of and does not adversely affect the covenant area or another *fish and riparian protection area* or *water resource protection area*.
- 10) Agricultural use conducted in a manner consistent with “normal farm practice” as defined in the *Farm Practices Protection (Right to Farm) Act*.
- 11) Quarrying activities regulated by the *Mines Act*.
- 12) The Provincial public health authority directs that a sewage disposal system shall be upgraded, altered or repaired to remedy a health hazard as defined by the Sewage Disposal Regulation or Health Act.
- 13) The Provincial public health authority or *qualified professional* supervises the digging of soil percolation test pits to determine in-ground sewage disposal system capacity.”

7.3 VILLAGE REVITALIZATION DEVELOPMENT PERMIT AREA

Guidelines

The following guidelines apply to the Village Revitalization Development Permit Area.

- 1) When parking is provided off-site, maximum site coverage should be 40-50% and maximum floor space ratio should be 0.6 - 0.8. Where parking is provided on-site, such maximum site coverage and FSR will have to be reduced. Cluster off-street parking of small groupings should be encouraged.
- 2) Building height should be up to 2 or 2.5 storeys.
- 3) The Old Union Steamship General Store and other examples of the "Arts and Crafts" theme should be preserved and maintained as well as perpetuated in future development projects.
- 4) Siting and massing of new buildings should be designed to give the impression of smaller blocks which respect to scale and proportion of neighbouring forms, rather than large boxy slab-like structures. New buildings and structures should not be more than 2.5 storeys.
- 5) Hand painted, carved, or three dimensional signs of the generic or symbolic kind shall be used.
- 6) The use of natural tones which lend a thread of continuity between buildings and structures along the street is required. Transparent stains, clear oil and treated wood are compatible finishes.
- 7) New buildings or structures should be located so as to not dominate views of Snug Cove and the mountains.
- 8) The use of native vegetation and ground cover should be utilized in landscaping.
- 9) The use of native vegetation and built forms of screening is required around enclosures and parking areas.
- 10) Pedestrian walks shall be segregated from vehicular traffic. An integrated network of pedestrian corridors linking the Regional Park and the Village and adjoining residential neighbourhoods shall be established.
- 11) The use of pedestrian amenities such as benches, arbours, rest areas; decorative lighting and surface treatment of pathways shall be incorporated.
- 12) Siting variances may be included in a development permit subject to the approval of Council.
- 13) Guidelines as provided in the Schedule "E" *Design Guidelines, Snug Cove* shall apply.

7.4 VILLAGE PERIPHERY DEVELOPMENT PERMIT AREA

Guidelines

The following guidelines apply to the Village Periphery Development Permit Area.

- 1) Landscaping proposals should generally incorporate native vegetation that produces a green landscape to the maximum extent possible and should include additional vegetation where appropriate in order to maintain a green rural backdrop to the village.
- 2) Design of buildings and landscaping should minimize the obstruction of views from existing properties; blend in well with existing natural features; give the impression of small scale building forms; and connect with the proposed pathway system for the village;
- 3) Parking areas in new development should be effectively set back and screened from adjacent properties, roads or pathways;
- 4) Buildings should reflect the character of the nearby village commercial areas through appropriate choice of finishes, materials and natural colours.
- 5) Siting variances may be included in a development permit subject to the approval of Council.

Exemptions

A development permit shall not be required in the Village Periphery Development Permit Area for the following land use activities and conditions.

- a) Subdivision of land when the use intended is single family residential use, civic use or institutional use;
- b) Construction of, addition to, or alteration of a building or structure for single family residential use, civic use or institutional use.

7.5 TOURIST COMMERCIAL (ACCOMMODATION) DEVELOPMENT PERMIT AREA

Guidelines

Schedule "F" Tourist Commercial (Accommodation) Development Permit Guidelines shall apply.

Exemptions

A development permit shall not be required in the Tourist Commercial (Accommodation) Development Permit Area for the following conditions.

1. Interior alterations to an existing guest house or small inn with an approved Tourist Commercial (Accommodation) Development Permit which do not result in an increase in the total number of guests who can be accommodated within;
2. Alterations that do not affect the exterior appearance of an existing guest house or small inn with an approved Tourist Commercial (Accommodation) Development Permit, including without limiting the generality of the foregoing exterior repair or conservation of an existing guest house or small inn. For the purposes of this provision of the plan, "exterior repair or conservation" includes replacement of wood siding with new siding material of the same style and colour; replacement of damaged windows or doors with new windows or doors of the same size, shape, materials and appearance, and repainting or restaining the exterior walls with paint or stains matching the original paints and stains.;
3. Construction or alteration of any building or structure not used or intended to be used for a tourist commercial (accommodation) use; or
4. Removal of a tree that is dead, diseased or hazardous to persons or property or that is less than 15 cm in trunk diameter measured 1.5 metres above grade.

Schedule B

Land Use Bylaw Map

Schedule C

Comprehensive Development 3 (CD 3)

Zone Map

Schedule D

Land Development Guidelines for the Protection of the Aquatic Habitat

Schedule E

Design Guidelines, Snug Cove

Schedule F

Tourist Commercial (Accommodation)

Development Permit Guidelines

METRIC CONVERSION CHART

The following metric conversions are provided for the convenience of the reader of this Bylaw and do not form a part of this Bylaw.

| Hectare (ha.) | Acre |
|---------------|-------|
| 16 | 39.54 |
| 4 | 9.88 |
| 2 | 4.92 |
| 1 | 2.47 |
| 0.5 | 1.2 |
| 0.4 | 0.988 |
| 0.3 | 0.75 |
| 0.2 | 0.494 |

| Metres (m.) | Feet |
|-------------|------|
| 30 | 98.4 |
| 20 | 65.6 |
| 15 | 49.2 |
| 14 | 45.9 |
| 10 | 32.8 |
| 9 | 29.5 |
| 8 | 26.2 |
| 7.5 | 24.6 |
| 6.0 | 19.7 |
| 4.6 | 15 |
| 4.0 | 13.1 |
| 3.0 | 9.8 |
| 2.5 | 8.2 |
| 2.0 | 6.6 |
| 1.52 | 5 |
| 1.5 | 4.9 |
| 1.25 | 4.1 |
| 0.6 | 2 |

| Square Metres (m ²) | Square Feet |
|---------------------------------|-------------|
| 0.5 | 5.4 |
| 3 | 32.3 |
| 10 | 107.6 |
| 15 | 161.5 |
| 20 | 215.3 |
| 30 | 322.9 |
| 35 | 376.7 |
| 40 | 430.6 |
| 74 | 800 |
| 93 | 1000 |
| 110 | 1184.1 |
| 115 | 1237.9 |
| 120 | 1291.7 |
| 200 | 2152.9 |
| 300 | 3229.3 |
| 325 | 3498.4 |
| 367 | 3950.5 |
| 370 | 3982.8 |
| 375 | 4,036.6 |
| 418 | 4500 |
| 571.3 | 6150 |
| 670 | 7212.1 |
| 900 | 9687.8 |
| 1,500 | 16,146.4 |
| 2000 | 21528.5 |
| 5000 | 53821.3 |

| Litres | Gallons |
|--------|---------|
| 440 | 116 |
| 1100 | 290 |
| 1670 | 441 |
| 2670 | 705 |