

BOWEN ISLAND MUNICIPALITY

BYLAW NO. 433, 2017

A Bylaw to amend Land Use Bylaw No. 57, 2002

WHEREAS, “Bowen Island Land Use Bylaw No. 57, 2002” establishes regulations for the use of land and buildings; and

WHEREAS, Council wishes to amend “Bowen Island Land Use Bylaw No. 57, 2002” to provide for the a new “CD 22” zoning category in the Land Use Bylaw and to apply the new zone to Lot 1 of the Community Lands;

THEREFORE be it resolved that the Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1.0 Citation

- 1.1 This Bylaw may be cited for all purposes as the “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 433, 2017”

2.0 Definition

- 2.1. “Bowen Island Land Use Bylaw No. 57, 2002” is amended by adding the following new definition to PART 1, Section 1.1, alphabetically as follows:

“LIVE/WORK UNIT” means a single unit, designed for and consisting of both artisan and/or office use and a residential dwelling unit component, where both spaces occupied by the same person and the dwelling component is the primary dwelling of the occupant.

3.0 Amendments

- 3.1 “Bowen Island Land Use Bylaw No. 57, 2002” is amended by adding the new zone Comprehensive Development 22 (Community Lands Lot 1) following Comprehensive Development 21 on Schedule B – Land Use Map
- 3.2. “Bowen Island Land Use Bylaw No. 57, 2002” is further amended by adding Section 4.32 to the Bylaw as follows:

“4.34 COMPREHENSIVE DEVELOPMENT 22 (COMMUNITY LANDS – LOT 1)

Information Note: The purpose of the CD 22 Zone is to accommodate the land use designations for Lot 1 of the Community Plans, and which includes residential areas, tourist commercial uses, and a light industrial site.

The regulations in the tables in this Section apply to land in the *Comprehensive Development 22 (Community Lands Lot 1) Zone*, as indicated by the column headings.

For purposes of regulation the area within the boundary of the CD 21 Zone is divided into four (4) separate areas labelled as Area 1 through Area 4 inclusive.

4.34.1 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 22 zone:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2	Area 3	Area 4
<i>Agriculture</i>				♦
<i>Artisan Industry</i>	♦			
<i>Cottage Industry</i>	♦			
<i>Dwelling</i>	♦	♦	♦	♦
<i>General Services</i>	♦			
<i>Horticulture</i>				♦
<i>Indoor Entertainment Facility</i>	♦			
<i>Indoor Recreational Facility</i>	♦			
<i>Live/Work Unit</i>	♦			
Manufacturing, assembling, processing and repair, including food and beverage products	♦			
Machinery and tool repair and rental, excluding motor vehicle repair	♦			
<i>Office</i>	♦			
<i>Restaurant</i>	♦			
<i>Retail Use</i>	♦			
Storage and warehousing	♦			
<i>Supportive Housing</i>		♦		
Accessory Uses of Land, Buildings and Structures				
Uses accessory to principal uses	♦	♦	♦	♦
<i>Home Occupation use</i> subject to Part 3 except that <i>bed and breakfast use</i> is not permitted	♦	♦	♦	
<i>Home Occupation use</i> subject to Part 3				♦
Permitted Buildings and Structures				
<i>Dwelling, detached</i>			♦	♦
<i>Dwelling, attached</i>	♦	♦		
Buildings and structures accessory or secondary to permitted uses	♦	♦	♦	♦

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

- (1) Subject to Part 3, *uses, buildings and structures* in the CD22 must comply with the following regulations regarding size, siting and density:

	Area 1	Area 2	Area 3	Area 4
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Lot Coverage				
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i>	35%	30%	5%	100 sq. m. plus 10% of the lot area
Floor Space Ratio				
Maximum Floor Space Ratio (FSR)	0.7	0.7		
Maximum Floor Area				
Maximum <i>floor area</i> of a residential component of a live/work unit (square metres)	90			
Maximum <i>floor area</i> per <i>artisan industry, cottage industry, manufacturing, assembly, processing</i> or repair use.	400			
Maximum <i>floor area</i> of any primary building (square metres)	1,000			
Maximum average <i>floor area</i> for a dwelling unit (square metres)		115		
Maximum <i>floor area</i> for a dwelling unit (square metres)		140		
Number of Units				
Maximum number of dwelling units		20	1	1
Maximum number of accessory <i>buildings</i> , subject to Part 3				3
Height				
<i>Maximum building height (metres)</i>	12	9	9	9
Setbacks				
Minimum <i>setback</i> from front <i>lot lines</i> (metres)	7.5	4.0	7.5	7.5
Minimum <i>setback</i> from exterior side <i>lot lines</i> (metres)	3.0	7.5	7.5	3.0
Minimum setback from interior site <i>lot lines</i> (metres)	1.5	3.0	7.5	3.0
Minimum setback from all interior lot lines for walkways and bridges connecting buildings (metres)	0			
Minimum <i>setback</i> from rear <i>lot line</i> (metres)	7.5	7.5	7.5	7.5
Minimum <i>setback</i> from land in the Agricultural Land Reserve (metres)		30.0	30.0	30.0

Conditions of Use	Area 1	Area 2	Area 3	Area 4
All <i>uses</i> must not be noxious or offensive to any	♦			

adjacent property or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration, or hazard				
All manufacturing, processing, assembly, repair and storage shall take place within an enclosed building.	♦			
No outside <i>storage</i> of material or equipment or both shall be permitted unless screened from view by a fence or landscape screen from adjacent <i>lots</i> or <i>streets</i> .	♦			

4.34.3 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 “Light Industrial” and the following table.

LAND USE/ZONE	Number of Off-Street Parking spaces Required
<i>All non-residential uses</i>	1 per 40 m ² of <i>floor area</i> 1 loading bay per building
<i>Residential dwelling</i>	0.5 space per unit

3.3 “Bowen Island Land Use Bylaw No. 57, 2002” is further amended by adding Section 7.6 to the Bylaw as follows:

7.7 LIGHT INDUSTRIAL DEVELOPMENT PERMIT AREA

Guidelines

The following guidelines apply to the Light Industrial Development Permit Area to provide for building design consistent with the form and character of Bowen Island, the compatible mixing of artisan, light industrial and residential, live/work and commercial uses, and the landscaping and buffering of the site to provide a high quality of development adjacent to Crippen Park:

1. Architectural compatibility shall be encouraged among rooflines and finishing material.
2. Where possible significant trees shall be retained and landscaping shall be provided along Mount Gardner Road, to enhance the appearance of buildings and provide an attractive transition to Crippen Park. All areas not used for buildings, parking, access and specified outdoor storage shall be landscaped or left in a natural state.

3. All garbage, recycling and any storage of material enclosed within a primary or accessory building.
4. For live/work units, work areas shall be adequately sized and tied in tenure to the living space.
5. A pedestrian sidewalk and or trail system shall link all buildings.
6. The design, siting and massing of buildings shall be encouraged to give the impression similar blocks in terms of scale and built form.
7. Signage shall be incorporated into building facades and coordinated with the architecture of the buildings. No signs will be permitted above the lowest roof eave on the building. A coordinated sign plan will be required for each multi tenant building.
8. Parking spaces for businesses, residents and visitors shall be clearly identified.
9. Multi-modal or shipping containers are discouraged outside of a building.
10. Lighting shall be attached to a building and downward facing. Pedestrian scale lighting shall be considered and provided for at each stage of development.

Exemptions

A development Permit shall not be required in the Light Industrial Development Permit Area for the following conditions:

1. Indoor alterations to a work space or living unit that do not increase the amount of floor area and which do not affect the exterior appearance of the building.
 2. Outdoor maintenance and repair of buildings, which does not change the footprint of or materially change the exterior appearance, massing or roofline of the building, and replacement of exterior finishes.
 3. The repair and maintenance of driveways, paths, trails, sidewalks, parking areas, or landscaping.
 4. Replacement of sign faces with no change to the size, location or type of sign.
- 3.4 “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 Rural (Rural - R) to the **Comprehensive Development 22 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.

- 3.5 “Bowen Island Land Use Bylaw No. 57, 2002” is amended by adding reference in Table 4-1 to Comprehensive Development 22 (Community Lands – Lot 1) Zone.

READ A FIRST TIME this 13th day of February, 2018.

READ A SECOND TIME this 25th day of June, 2018.

PUBLIC HEARING HELD this 30th day of July, 2018.

SECOND PUBLIC HEARING this 4th day of September, 2018

READ A THIRD TIME this 24th day of September, 2018.

RECONSIDERED AND FINALLY ADOPTED this 22nd day of October, 2018.

(ORIGINAL SIGNED BY)

Murray Skeels
Mayor

(ORIGINAL SIGNED BY)

Sophie Idsinga
Interim Deputy Corporate Officer

Schedule 1

