

BOWEN ISLAND MUNICIPALITY

BYLAW NO. 61, 2002

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

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

WHEREAS, Council wishes to amend “Bowen Island Land Use Bylaw No. 57, 2002” in order to reflect the existing and future mix of uses in Artisan Square within the context of the planning for Snug Cove,

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

1. This Bylaw may be cited for all purposes as the “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 61, 2002.”
2. “Bowen Island Land Use Bylaw No. 57, 2002” is amended by deleting Section 4.14 in its entirety and replacing it with the following as Section 4.14:

“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>Gas Station</i> subject to Section 4.14.1(2) & 4.14.2 (Conditions of Use – Item 5)		
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>	◆	◆

- (2) The use of the Common Property within the CD-1 zone shall be restricted to roadways, parking areas, trails, open space, and landscaping, except for a gas station use which shall comply with Conditions of Use specified in Section 4.14.2 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)	5270
Maximum <i>floor space</i> for all <i>buildings</i> within CD-1 zone (m ²) should a multi purpose / performing arts centre be developed subject to Section 4.14.2 (Conditions of Use – Item 6)	5640
Floor Space – (Sub Area 1)	
Maximum non-residential <i>floor space</i> for all <i>buildings</i>	3485
Maximum residential <i>floor space</i> for all <i>buildings</i>	1200
Minimum <i>floor area</i> of <i>artisan industry</i> (m ²)	30% of non-residential floorspace
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> floorspace
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%
Maximum number of <i>dwelling units</i> within a non residential building	2
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 <i>buildings</i> 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 <i>gas station use</i> shall be permitted. The building shall be in an "Arts and Crafts" style and shall incorporate natural finishes, the use of native materials	♦

<p>and a roof style that is not flat or mono-pitched.</p> <p>d) A convenience store shall not be permitted as part of a <i>gas station use</i>, 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

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	16
Minimum <i>lot area</i> (ha.) with <i>community water system</i>	0.25

4.14.4 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.

- 3 “Bowen Island Land Use Bylaw No. 57, 2002” is amended by adding the following definition to Part 1 of the Bylaw:

“**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.

- 4 “Bowen Island Land Use Bylaw No. 57, 2002” is amended by making the following changes to Table 5.1 (Minimum Number of Off Street Parking Spaces):

- a) adding “Artisan Industry” to the classification “Cottage Industry”;
- b) adding “CD 1 Zone - 1 space” to the classification “Daycare”;
- c) adding “CD 1 Zone - 1 per 40 m² *floor area*” to the classification “General Service, Retail, Office, Restaurant, Pub”; and
- d) adding “CD 1 Zone - 0” to the classification “Home Occupation.”

5. "Bowen Island Land Use Bylaw No. 57, 2002" is amended by including Schedule 1 of this Bylaw within the Comprehensive Development 1 (CD 1) Zone (Artisan Square) entitled "Schedules A, B, and C to Comprehensive Development 1 (CD 1) Zone (Artisan Square)"

READ A FIRST TIME this 15th day of October, 2002.

PUBLIC HEARING HELD this 5th day of November, 2002.

READ A SECOND TIME this 12th day of November, 2002.

READ A THIRD TIME this 12th day of November, 2002.

RECONSIDERED AND FINALLY ADOPTED this 13th day of January, 2003.

(Original signed)

Lisa Barrett
Mayor

(Original signed)

Isabell Hadford
Clerk

Certified to be a true and correct copy of the "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 61, 2002" adopted by the Council of Bowen Island Municipality this 13th day of January, 2003.

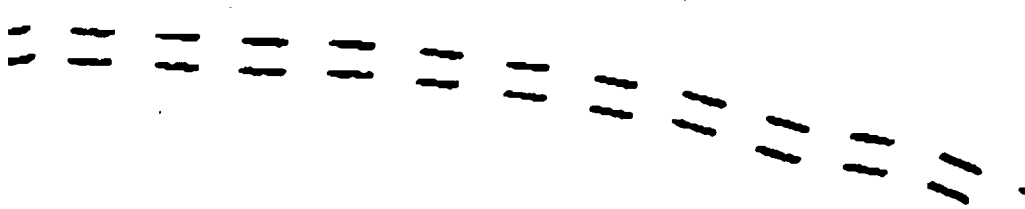
(Original signed)

Isabell Hadford
Clerk

Schedule 1 to Bylaw 61

Schedule A to CP-1 Zone

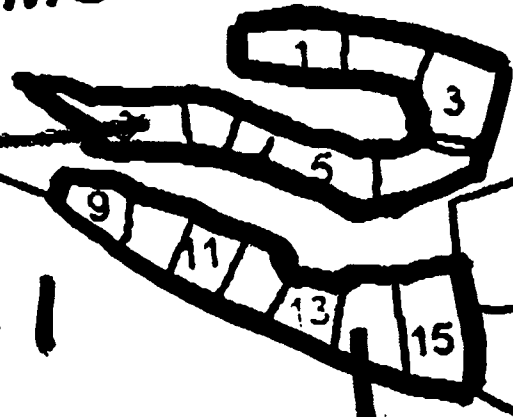
A
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CP



LMP 347

Sub Area 1

489

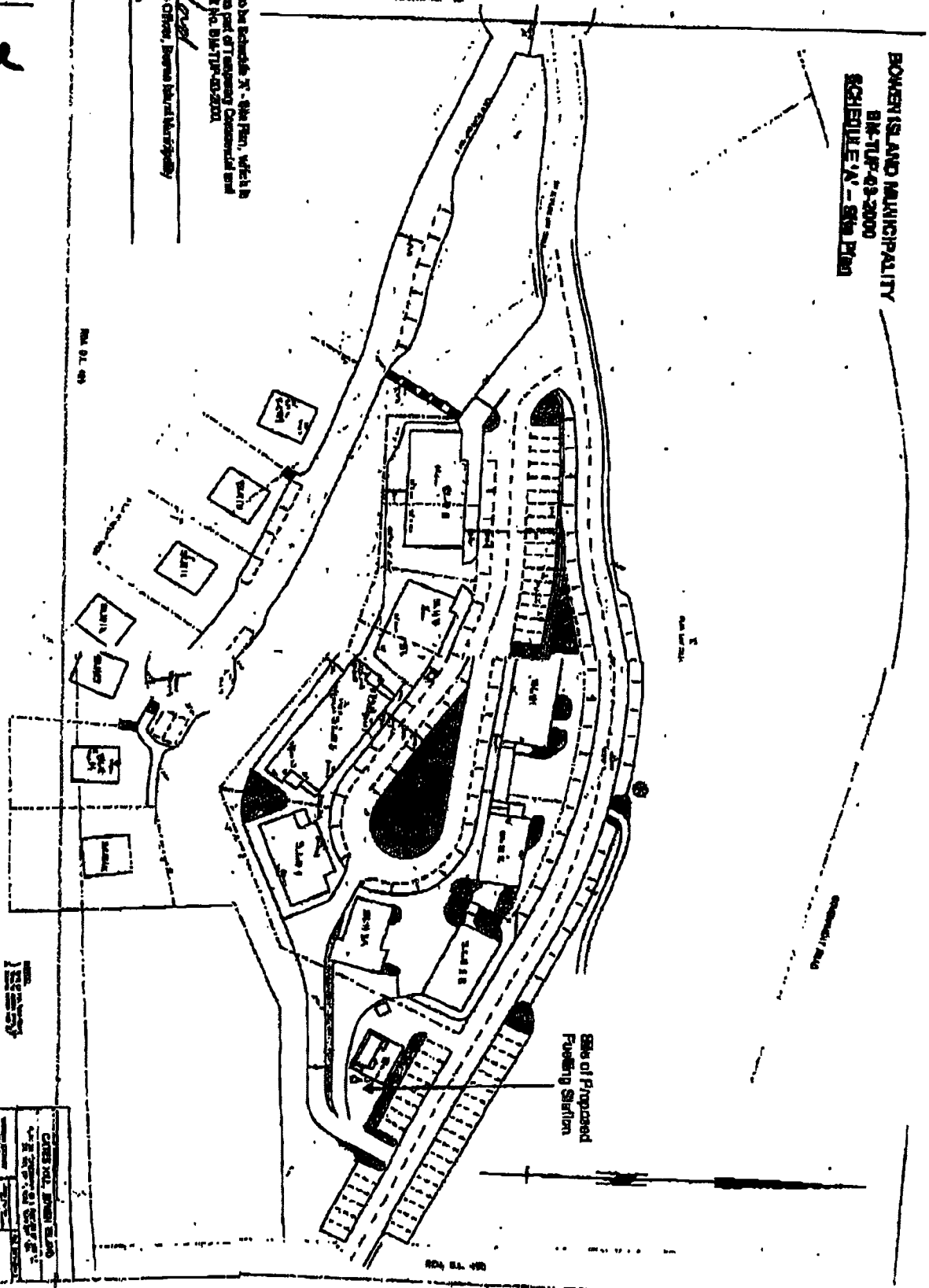
Sub Area 2

5884

Schedule B to CO-1 Zone

Schedule 1 to Bylaw 61

BOYSEN ISLAND MUNICIPALITY
 BM-TUP-03-2000
 SCHEDULE 1 - S1A Plan



I hereby certify this to be Schedule 1 - S1A Plan, which is attached to and forms part of the proposed Comprehensive Zoning Use Permit No. BM-TUP-03-2000.

Shirley A. ...
 Chief Administrative Officer, Bowen Island Municipality

November 14, 2000
 Date of Issuance

BM 02-09

DATE	BY	REVISION

FUELING STATION PLAN (BOWEN ISLAND)
 APPROVAL SERVICE, BOWEN ISLAND
 SIGNED PLAN WAS 3037, D. L. 1997
 EXPIRES 08/1/2000
 SCALE 1" = 1'

Schedule 1
 to Bylaw 61

Schedule C
 to
 CO-1 Zone

I hereby certify this to be Schedule 'B' - Fueling Station Plan,
 which is required to our terms part of Temporary Commercial
 and Industrial Use Permit No. 03B-TR-03-2000.
H. H. H. H.
 Chief Administrator, Bowen Island Municipality
 November 14, 2000
 Date of Issuance

