

BOWEN ISLAND MUNICIPALITY

BYLAW NO. 53, 2002

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 in order to accommodate a comprehensive development plan that provides for a mix of uses and community amenities,

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 “Bowen Island Land Use Bylaw No. 57, 2002 Amendment Bylaw No. 53, 2002.”
2. Bowen Island Land Use Bylaw No. 57, 2002 is amended by adding the following as Section 4.21:

“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))	♦	
Accessory Uses of Land, Buildings and Structures		
<i>Uses accessory to principal uses</i>	♦	♦
<i>Home Occupation use</i> , subject to Section 3.34	♦	♦
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	♦	♦
<i>Dwelling, Attached</i>		♦
Buildings and <i>Structures</i> accessory to permitted <i>uses</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>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>			
Golf Course			
Golf Course Club House			
<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) for detached dwelling</i>		0.3	0.3
Maximum <i>floor space ratio (FSR) for attached dwelling</i>			0.75
	Areas 1, 3-8	Area 2	Area 9
Maximum <i>floor space for Retail</i> (See Section 4.21.2(4))			250 sq. m.
Maximum <i>floor space for Office</i> (See Section 4.21.2(4))			250 sq. m.
Maximum <i>floor space for Inn</i>			2250 sq. m.
Maximum <i>floor space for Assembly</i> (See Section 4.21.2(4))			250 sq. m.
Maximum <i>floor space for General Services</i> (See Section			350 sq. m.

4.21.2(4))			
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			
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 <small>(See Section 4.21.3(4))</small>	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.
3. “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 Settlement Residential 1 (SR1) and Rural Residential 1 (RR1) to **Comprehensive Development 6 (CD 6) Zone (Cowan Point)**, 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 6 (Cowan Point) Zone.

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

PUBLIC HEARING HELD this 18th day of July, 2002.

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

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

RECONSIDERED, FINALLY PASSED AND ADOPTED this 14th day of April, 2003.

(Original signed) _____

Lisa Barrett
Mayor

(Original signed) _____

Isabell Hadford
Clerk

Certified to be a true and correct copy of the Bowen Island Land Use Bylaw No. 57, 2002 Amendment Bylaw No. 53, 2002 adopted by the Council Bowen Island Municipality this 14th day of April, 2003.

(Original signed) _____

Isabell Hadford
Clerk

