

BOWEN ISLAND MUNICIPALITY

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

CONSOLIDATED FOR CONVENIENCE – November 2025

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.

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

Bylaw No. 301, 2011	September 26, 2011
Bylaw No. 311, 2011	July 11, 2012
Bylaw No. 330, 2013	June 10, 2013
Bylaw No. 339, 2013	July 30, 2013
Bylaw No. 335, 2013	November 25, 2013
Bylaw No. 332, 2013	January 27, 2014
Bylaw No. 354, 2013	March 10, 2014
Bylaw No. 344, 2013	July 28, 2014
Bylaw No. 353, 2014	November 24, 2014
Bylaw No. 372, 2014	January 26, 2015
Bylaw No. 345, 2013	April 13, 2015
Bylaw No. 381, 2015	May 25, 2015
Bylaw No. 315, 2012	June 22, 2015
Bylaw No. 376, 2015	July 13, 2015
Bylaw No. 367, 2015	December 14, 2015
Bylaw No. 397, 2015	March 14, 2016
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. 426, 2016	November 28, 2016
Bylaw No. 423, 2016	January 9, 2017
Bylaw No. 422, 2016	January 23, 2017
Bylaw No. 399, 2016	February 14, 2017
Bylaw No. 414, 2016	July 10, 2017
Bylaw No. 438, 2017	December 4, 2017
Bylaw No. 445, 2017	May 28, 2018
Bylaw No. 455, 2018	September 4, 2018

Bylaw No. 466, 2018	October 9, 2018
Bylaw No. 433, 2017	October 22, 2018
Bylaw No. 440, 2018	October 29, 2018
Bylaw No. 461, 2018	May 13, 2019
Bylaw No. 473, 2018	October 15, 2019
Bylaw No. 468, 2018	November 12, 2019
Bylaw No. 501, 2020	July 13, 2020
Bylaw No. 499, 2019	October 13, 2020
Bylaw No. 530, 2020	October 12, 2021
Bylaw No. 528, 2020	November 22, 2021
Bylaw No. 562, 2022	June 13, 2022
Bylaw No. 564, 2022	June 13, 2022
Bylaw No. 581, 2022	July 25, 2022
Bylaw No. 653, 2024	July 8, 2024
Bylaw No. 652, 2024	September 23, 2024
Bylaw No. 660, 2024	October 28, 2024
Bylaw No. 674, 2024	March 10, 2025

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**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 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

TABLE OF CONTENTS – SCHEDULE A

	PAGE
PART 1 – INTERPRETATION.....	1
DEFINITIONS.....	1
Numbering	15
Description of Land	15
Information Notes.....	16
PART 2 – ADMINISTRATION.....	17
Application	17
Conformity	17
Covenants Against Building, Subdivision and Use	17
Inspection.....	18
Violation.....	18
Offence.....	18
Penalty	18
Severability.....	18
OWNER’S COSTS	18
PART 3 – GENERAL REGULATIONS	19
Applicability.....	19
Uses Permitted in All Zones	19
Prohibited Uses of Land, Buildings and Structures.....	19
Confirmation of Lawful Use and Siting	20
Relationship to the Provincial Agricultural Land Reserve	20
NUMBER OF Dwellings on a Lot AND DWELLING USE	21
Siting Requirements for Strata and Bare Land Strata Lots	21
AVERAGE GRADE CALCULATING FOR BUILDING HEIGHT	21
Accessory BuildingS or StructureS	22
Height Exceptions	22
Setbacks from the Sea	23
SETBACKS FROM WATERCOURSES, WATER RESERVOIRS, LAKES, WETLANDS & NEST TREES	23
Setback Exceptions	24
Visibility.....	25
Landscape Screens	25
Home occupationS.....	26
COOKING FACILITIES	27
MINIMUM SERVICE LEVEL	27
Off Street Parking Regulations.....	27
BUSINESS LICENCE	28
Sign Regulations.....	28
Subdivision Regulations	29

Enforcement of Density Regulations	29
Enforcement of Siting Regulations	29
DEVELOPMENT PERMITS	30
ACCESSORY RESIDENTIAL USE.....	30
PART 4 – ZONE REGULATIONS	32
ESTABLISHMENT OF ZONES	32
ZONE TITLE	34
LOCATION OF ZONES	34
ZONES BOUNDARIES	34
ZONES REGULATIONS.....	34
ZONING OF HIGHWAYS.....	34
4.1 RESIDENTIAL ZONES (RR 1, RR 2, RR 3)	35
4.1.1 Permitted Uses of Land, Buildings and Structures.....	35
4.1.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	35
4.1.3 Subdivision and Servicing Requirements	36
4.1.4 Exceptions in Particular Locations	36
4.2 RURAL COMMERCIAL ZONES (RC 1, RC 2).....	38
4.2.1 Permitted Uses of Land, Buildings and Structures.....	38
4.2.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	38
4.2.3 Subdivision and Servicing Requirements	39
4.3 TOURIST COMMERCIAL ZONES (TC 1).....	40
4.3.1 Permitted Uses of Land, Buildings and Structures.....	40
4.3.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	40
4.3.3 Subdivision and Servicing Requirements	41
4.4 ISLAND INSTITUTIONAL, SETTLEMENT INSTITUTIONAL AND ISLAND CIVIC ZONES (II, SI, Ci).....	42
4.4.1 Permitted Uses of Land, Buildings and Structures.....	42
4.4.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	43
4.4.3 Subdivision and Servicing Requirements	43
4.4.4 Exceptions in Particular Locations	43
4.5 SETTLEMENT RESIDENTIAL ZONES (SR 1, SR 2).....	44
4.5.1 Permitted Uses of Land, Buildings and Structures.....	44
4.5.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	44
4.5.3 Subdivision and Servicing Requirements	45
4.5.4 Exceptions in Particular Locations	45
4.6 VILLAGE RESIDENTIAL ZONES (VR 1, VR 2).....	46
4.6.1 Permitted Uses of Land, Buildings and Structures.....	46
4.6.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	47
4.6.3 Subdivision and Servicing Requirements	48
4.7 VILLAGE COMMERCIAL ZONES (VC 1, VC 2).....	48
4.7.1 Permitted Uses of Land, Buildings and Structures.....	48
4.7.2 Size, Siting and Density of Permitted Buildings and Structures	49
4.7.3 Subdivision and Servicing Requirements	50
4.7.4 Exceptions in Particular Locations	50
4.8 VILLAGE INSTITUTIONAL AND VILLAGE CIVIC ZONES (VI AND VCi)	51
4.8.1 Permitted Uses of Land, Buildings and Structures.....	51
4.8.2 Size, Siting, Density of Permitted Uses, Buildings and Structures.....	52

4.8.3	Subdivision and Servicing Requirements	52
4.8.4	Exceptions in Particular Locations	53
4.9	INDUSTRIAL ZONES (IM, IC)	53
4.9.1	Permitted Uses of Land, Buildings and Structures.....	53
4.9.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	54
4.9.3	Subdivision and Servicing Requirements	55
4.9.4	Exceptions in Particular Locations	55
4.10	GREEN ZONES (G1, G2, G3).....	55
4.10.1	Permitted Uses of Land, Buildings and Structures.....	55
4.10.2	Subdivision and Servicing Requirements	56
4.10.3	Exceptions in Particular Locations	56
4.11	PARK ZONES (P1, P2, P3, P4).....	56
4.11.1	Permitted Uses of Land, Buildings and Structures.....	57
4.11.2	Subdivision and Servicing Requirements	57
4.11.3	Exceptions in Particular Locations	58
4.12	WATER PROTECTION ZONES – INLAND (WP1, WP2)	58
4.12.1	Permitted Uses of Land, Buildings and Structures.....	58
4.13	WATER USE ZONES – coastal (WG 1, WC 1, WCI)	59
4.13.1	Permitted Uses of Land, Buildings and Structures.....	59
4.13.2	Exceptions in Particular Locations	61
4.14	COMPREHENSIVE DEVELOPMENT 1 (CD 1) ZONE (ARTISAN SQUARE)	64
4.14.1	Permitted Uses of Land, Buildings and Structures.....	64
4.14.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	65
4.14.3	Subdivision and Servicing Requirements	67
4.14.4	Off Street Parking Requirements	67
4.15	COMPREHENSIVE DEVELOPMENT 2 (CD 2) ZONE (CATES HILL)	68
	<u>Area 1 and Area 2</u>	68
4.15.1	Permitted Uses of Land, Buildings and Structures.....	68
4.15.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	68
4.15.3	Subdivision and Servicing Requirements	69
	<u>Area 3 and Area 4</u>	70
4.15.4	Permitted Uses of Land, Buildings and Structures.....	70
4.15.5	Size, Siting and Density of Permitted Uses, Buildings and Structures	71
4.15.6	Subdivision and Servicing Requirements	72
	<u>Area 5 and Area 6</u>	72
4.15.7	Permitted Uses of Land, Buildings and Structures.....	72
4.15.8	Size, Siting and Density of Permitted Uses, Buildings and Structures	73
4.15.9	Subdivision and Servicing Requirements	73
	<u>AREA 774</u>	
4.15.10	Permitted Uses of Land, Buildings and Structures.....	74
4.15.11	Size, Siting and Density of Permitted Uses, Buildings and Structures	74
4.15.12	Subdivision and Servicing Requirements	75
4.15.13	Exceptions in Particular Locations	75
4.16	COMPREHENSIVE DEVELOPMENT 3 (CD 3) ZONE (BOWEN BAY)	76
4.16.1	Permitted Uses of Land, Buildings and Structures.....	76
4.16.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	76

4.16.3	Subdivision and Servicing Requirements	78
4.17	COMPREHENSIVE DEVELOPMENT 4 (CD 4) ZONE (HOOD POINT)	79
4.17.1	Permitted Uses of Land, Buildings and Structures.....	79
4.17.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	80
4.17.3	Subdivision and Servicing Requirements	80
4.18	COMPREHENSIVE DEVELOPMENT 5 (CD 5) ZONE (ORCHARD RECOVERY CENTRE)	83
4.19	COMPREHENSIVE DEVELOPMENT 6 (CD 6) ZONE (COWAN POINT)	85
4.19.1	Permitted Uses of Land, Buildings and Structures.....	85
4.19.2	Density of Permitted Uses, Buildings and Structures.....	87
4.19.3	Subdivision and Servicing Requirements	88
4.20	COMPREHENSIVE DEVELOPMENT 7 (CD 7) ZONE (REID – PASS)	90
4.20.1	Permitted Uses of Land, Buildings and Structures.....	90
4.20.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	90
4.20.3	Subdivision and Servicing Requirements	91
4.21	COMPREHENSIVE DEVELOPMENT 8 (CD 8) ZONE (MALKIN CREEK)	92
4.21.1	Permitted Uses of Land, Buildings and Structures.....	92
4.21.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	92
4.21.3	Subdivision and Servicing Requirements	93
4.22	COMPREHENSIVE DEVELOPMENT 9 (CD 9) ZONE (BUCHANAN)	94
4.22.1	Permitted Uses of Land, Buildings and Structures	94
4.22.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	94
4.22.3	Subdivision and Servicing Requirements.....	95
4.23	COMPREHENSIVE DEVELOPMENT 10 (CD 10) ZONE (RUDDY POTATO)	96
4.23.1	Permitted Uses of Land, Buildings and Structures	96
4.23.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	96
4.23.3	Subdivision and Servicing Requirements.....	97
4.24	COMPREHENSIVE DEVELOPMENT 11 (CD 11) ZONE (GAS STATION).....	98
4.24.1	Permitted Uses of Land, Buildings and Structures	98
4.24.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	98
4.24.3	Conditions of Use	98
4.24.4	Subdivision and Servicing Requirements.....	99
4.25	COMPREHENSIVE DEVELOPMENT 12 (CD 12) ZONE (GREENWAY WEST)	100
4.25.1	Permitted Uses of Land, Buildings and Structures	100
4.25.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	100
4.25.3	Subdivision and Servicing Requirements.....	101
4.26	COMPREHENSIVE DEVELOPMENT 13 (CD 13) ZONE (WORKS YARD – GAS STATION)	102
4.26.1	Permitted Uses of Land, Buildings and Structures	102
4.26.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	102
4.26.3	Conditions of Use	103
4.27	COMPREHENSIVE DEVELOPMENT 15 (CD 15) ZONE (SENIORS PRECINCT).....	104
4.27.1	Permitted Uses of Land, Buildings and Structures	104
4.27.2	Size and Siting of Permitted Uses, Buildings and Structures	104
4.27.3	Off Street Parking Requirements	105
4.28	COMPREHENSIVE DEVELOPMENT 16 (CD 16) ZONE (BELTERRA).....	106
4.28.1	Permitted Uses of Land, Buildings and Structures	106
4.28.2	Size, Siting and Density of Permitted Uses, Buildings and Structures	106

4.28.3 Subdivision and Servicing Requirements.....	107
4.28.4 Conditions of Use	107
4.28.5 Off Street Parking Requirements	107
4.29 COMPREHENSIVE DEVELOPMENT 17 (CD 17) ZONE (PROCTOR)	108
4.29.1 Permitted Uses of Land, Buildings and Structures	108
4.29.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	108
4.29.3 Subdivision and Servicing Requirements.....	109
4.29.4 Off Street Parking Requirements	109
4.30 COMPREHENSIVE DEVELOPMENT 18 (CD 18) ZONE (ARBUTUS RIDGE)	110
4.30.1 Permitted Uses of Land, Buildings and Structures	110
4.30.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	111
4.30.3 Subdivision and Servicing Requirements.....	112
4.30.4 Off-Street Parking Requirements	112
4.31 COMPREHENSIVE DEVELOPMENT 19 (CD 19) ZONE (COMMUNITY LANDS LOT 2).....	113
4.31.1 Permitted Uses of Land, Buildings and Structures	113
4.31.2 Size Siting and Density of Permitted Buildings and Structures	114
4.32 COMPREHENSIVE DEVELOPMENT 20 (CD 20) ZONE (BOWEN INVESTMENTS LTD.)	116
4.32.1 Permitted Uses of Land, Buildings and Structures	116
4.32.2 Size, Siting and Density of Permitted Buildings and Structures	116
4.32.3 Subdivision and Servicing Requirements.....	119
4.33 COMPREHENSIVE DEVELOPMENT 21 (CD 21) ZONE – GRAFTON LAKE.....	120
4.33.1 Permitted Uses of Land, Buildings and Structures	120
4.33.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	121
4.33.3 Subdivision and Servicing Requirements.....	124
4.34 COMPREHENSIVE DEVELOPMENT 22 (CD 22) ZONE (COMMUNITY LANDS LOT 1).....	125
4.34.1 Permitted Uses of Land, Buildings and Structures	125
4.34.2 Size, Siting and Density of Permitted Uses, Buildings and Structures	126
4.34.3 Off-Street Parking Requirements	127
PART 5 – PARKING REGULATIONS	128
REQUIREMENTS FOR OFF-STREET PARKING	128
LOCATION.....	128
STANDARD DIMENSIONS	129
PARKING FOR PERSONS WITH DISABILITIES	130
BICYCLE PARKING FOR COMMERCIAL OR COMMUNITY USES	131
TANDEM PARKING	131
DEVELOPMENT AND MAINTENANCE REQUIREMENTS.....	131
PART 6 – SUBDIVISION REGULATIONS.....	136
LOT AREA, SHAPE, AND DIMENSIONS.....	136
WATER SUPPLY.....	138
SEWAGE DISPOSAL STANDARDS.....	140
STORM DRAINAGE STANDARDS.....	141
HIGHWAY AND STREET STANDARDS	142
OWNER’S COSTS	143
PART 7 – DEVELOPMENT PERMIT GUIDELINES AND EXEMPTIONS	144
7.1 CAPE ROGER CURTIS DEVELOPMENT PERMIT AREA	144
7.2 WATERSHED, AQUIFER AND STREAM PROTECTION DEVELOPMENT PERMIT AREA.....	148

7.3	VILLAGE REVITALIZATION DEVELOPMENT PERMIT AREA.....	155
7.4	VILLAGE PERIPHERY DEVELOPMENT PERMIT AREA.....	156
7.5	TOURIST COMMERCIAL (ACCOMMODATION) DEVELOPMENT PERMIT AREA.....	157
7.6	DETACHED SECONDARY SUITE DEVELOPMENT PERMIT AREA.....	158
7.7	LIGHT INDUSTRIAL DEVELOPMENT PERMIT AREA.....	160

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 RESIDENTIAL USE” means a *detached secondary suite* or a *secondary suite*.

“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, plants, 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*.

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

“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.

“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 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 of creative arts or performance skills and the use of associated venues for exhibition; and allows as *accessory uses*:

- *general service 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 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.

“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.

“BED AND BREAKFAST” means the provision of sleeping accommodation, toilet facilities and a breakfast meal to transient paying guests as a *home occupation*.

“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* at least 1.5 metres in height and, for purposes of this Bylaw, up to two *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.

“CEMETERY” means land or buildings that are set apart or used as a place of interment or memorial, including for related solemn rites and gatherings.

“COHOUSING” means a housing model that fosters an inclusive, mutually supportive, yet independent living environment. Projects consist of clustered, attached and/or detached *dwellings* that are individually owned and completely self-contained yet incorporate commonly owned land, *buildings*, and *structures*.

“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 *water works system* that serves more than one lot, and which is owned, operated and maintained by Bowen Island Municipality, Water Users’ Community defined under the Water Users’ Communities Act or a Water Utility defined under the Water Utility Act.

“COMMUNITY WATERSHED” means all or part of the drainage area that is upslope of the lowest point from which water is diverted for human consumption by 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 RESIDENTIAL DEVELOPMENT” means a development providing supportive housing to individuals as defined through a registered Housing Agreement, consisting of attached or detached dwellings and a caretaker’s residence, and which may include accessory uses, buildings and structures including: a common amenity building; *domestic agriculture* and *agriculture* uses; workshops and studios; meeting rooms and instruction areas.

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

“DAYCARE” means a facility providing care for children licensed under the Community Care Facility Act.

“DERELICT VEHICLE” means a vehicle that is not driveable or has been unlicensed for 12 months, with the exception of vehicles which are stored in a building or fully covered by a tent or similar structure in good repair, with a means underneath to catch any fluid drips or leaks to prevent environmental contamination, and that is not visible from highway or adjacent properties.

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

“DWELLING, ATTACHED” means a *building* used for residential purposes that consists of two (2) or more primary *dwelling units* and for the purposes of this Bylaw, includes *supportive housing*.

“DWELLING, DETACHED” means a detached building used for residential purposes that consists of one (1) primary *dwelling unit*, and where permitted by this Bylaw, one (1) *secondary suite*.

“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*.

“EMERGENCY SERVICES” means public facilities that provide for community safety and security including police stations, fire halls, and ambulance services.

“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 ecosystem function and structure; and a plan for monitoring the proper implementation of said measures.

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

“FENCE” means a vertical structure used as an enclosure or a screen of all or part of a site, not exceeding 0.2 metres in thickness, excluding posts and rails.

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

“FLOATING ATTACHED DWELLING” means a *building* containing two to four *dwelling units* 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 inner surface of exterior walls and windows, 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 1.5 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, doors, and windows shall be included in the calculation 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, home gardening supplies, supplies for agriculture and the care and feeding of animals, and related goods and services including related seasonal sales and related equipment rental.

“GAS STATION” means a use providing for the retail sale and storage of petroleum products and other fuels, energy charging, 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 including and not limited to bank and financial institution, post office, instructional service, film processing, photocopying service, rentals, barber shop, or beauty salon;
- b) activities of an accounting, administrative, clerical, consulting, professional or record keeping nature conducted for monetary gain or for benefit of the public;
- c) 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 motor vehicle sales and repairs.

“GOVERNMENT OFFICE” means a use that provides for conducting government business, services and activities and related public services and activities, such as within *offices*, meeting rooms or *Council chambers*.

“GRADE, AVERAGE” means the measurement around the perimeter of the building or structure at or directly above or below the outermost projection of the exterior walls. See Section 3.12

“GRADE, FINISHED” means the ground level after any changes to *natural grade* due to construction, placement of fill, or removal of soil

“GRADE, NATURAL” means the natural undisturbed ground level formed without human intervention.

“GREENHOUSE” means a *structure* covered with translucent material, used for the purpose of growing plants, and is of sufficient size for persons to work within the *structure*.

“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, recreational facilities, and a *dwelling unit* for the owner-operator or staff and their family.

“ha. or ha” means hectare(s).

“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.

“HEALTH AND WELLNESS CENTRE” means a use providing facilities for the operation of spiritual, cultural, education, and wellness programs for single-day or in-residence guest use, and may include shared kitchen and eating area; meeting areas; bathrooms; and accessory buildings.

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

- a) the highest point of a *building* with a flat roof);
- b) the mean *height* line between the highest point of the *building* and the ceiling immediately below for *buildings* with pitched or shed roofs and attic space);
- c) the mean *height* line between the peak and a point 2.44 metres above the immediate floor below for *buildings* with pitched or shed roofs without ceilings); 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.
- e) (See Section 3.12)

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

“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.

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

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

“INDOOR ENTERTAINMENT FACILITY” means a *use* conducted primarily indoors, including a performing arts facility, auditorium, studio, movie theatre, arena, bowling alley, curling rink, fitness club, gymnasium, indoor skating rink, racquet court, swimming pool, and other similar types of indoor entertainment and recreational *uses*, and can include a refreshment facility for the patrons of the facility.

“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, other than a *Limited Kitchen Facility* 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.

“LIGHT MANUFACTURING” means a use providing for the processing, fabricating, assembly, storing, transporting, distributing, wholesaling, testing, servicing, repairing, or repurposing of goods, materials, or things. This use excludes bulk gas and fuel loading and fuel storage facilities.

“LIMITED KITCHEN FACILITIES” means an area 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.

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

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

“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 or area of the *lot area* covered by *buildings* and *structures* over 0.6 meters in height; and excluding eaves to a maximum depth of 1.25 meters.

“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 that is greater than 20 metres in length shall be considered the *front lot line*; if no *lot line* greater than 20 metres, the longest line abutting the *highway* is the front. 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.

“m. or m” means metre(s).

“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 use providing for the care of sick or injured, including a medical, dental, physiotherapy or similar practice for in-patient and/or out-patient services, emergency care, medical services, therapy, mental services, laboratories and other accessory services.

"MINI-STORAGE" means accessory units of a maximum floor area of 30 square metres per unit for the purpose of storing nonhazardous items indoors.

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

"MOTOR VEHICLE" means a vehicle, that is designed to be self-propelled but does not include mobile equipment, a motor assisted cycle or a regulated motorized personal mobility device;

"MOTORCYCLE" means a motor vehicle that runs on 2 or 3 wheels and has a saddle or seat for the driver to sit astride;

"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 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.

"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*.

"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 parking area access aisles and ramps. It may also include electrical vehicle charging.

“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*.

“PRINCIPAL RESIDENCE” means the residence in which an individual resides for a longer period of time in a calendar year than any other place.

“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.

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

“PROPERTY HOST” means a person

- (a) Who is legally entitled to possession of a property where the short-term rental accommodation services are provided, and
- (b) Who has responsibility for arranging for the short-term rental offer.

“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.

“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 COMMUNITY FACILITY” means a public venue, including public libraries, museums, art galleries, theatres, and other arts and cultural venues.

“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.

“RECOVERY CARE HOUSING” means a use for in-residence guests of a Health and Wellness Centre, and may include sleeping accommodations in single or multiple buildings, including overnight guest facilities and shared eating facilities; and one dwelling for the manager of the centre.

“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.

“RESIDENTIAL GUEST ACCOMMODATION” means an *accessory use* of a *dwelling unit*, a portion of one, or other accessory residential unit on a property that is ordinarily occupied as a principal residence, as temporary accommodation for a paying guest for a period of less than 90 consecutive days, and for clarity does not include a *bed and breakfast*, *commercial guest accommodation*, *guest house*, *inn*, or *retreat centre*.

“RESTAURANT” means a *use* where food and beverages are prepared and 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 or rental to the public.

“RETAINING WALL” means a vertical structure constructed to hold back rock or soil.

“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; *staff accommodation*; one residence for the manager or owner of the *retreat centre*; and *accessory buildings*.

“SECONDARY SUITE” means a self-contained *dwelling unit* that is secondary, incidental and associated with a *primary dwelling* located within the same building.

“SECONDARY SUITE, DETACHED” means a self-contained *dwelling unit*, located within an *accessory building*, that is secondary, incidental and associated with a *primary detached dwelling* on the same *lot*.

“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.

“SHORT-TERM RENTAL ACCOMMODATION SERVICE” means the service of accommodation in the property of a property host, in exchange for a fee, that is provided to members of the public for a period of time of less than 90 consecutive days and includes a *bed and breakfast* and a *residential guest accommodation*.

“SHORT-TERM RENTAL OFFER” means, in respect of a property host, an offer by a supplier host to provide short-term rental accommodation services at the property.

“SIGN” means any identification, description, illustration or device, illuminated or unilluminated, whether or not containing words or symbols, which is visible from any public street and which directs attention to a product, place, activity, person, institution, business or other solicitation, and includes any temporary or permanent installation;

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

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

“STAFF ACCOMMODATION” means the use of a *dwelling unit* for occupation only by employees of a business operating on the *lot*, or individuals related by blood, adoption, common-law marriage, or foster parenthood to an employee or cohabiting with an employee in a spousal relationship.

“STORAGE AND WAREHOUSE” means a building or buildings with one or more separate units for the sole purpose of storing nonhazardous items indoors.

“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 construction less than 0.6 metres in *height*.

“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.

“SUPPLIER HOST” means in respect of a short-term rental offer, means

- (a) the property host, and
- (b) the following persons, if applicable:
 - (i) a person who, acting on behalf of, under the direction of or as agent of the property host, has responsibility for arranging for the short-term rental offer, which may include managing the short-term rental accommodation services;
 - (ii) a prescribed person.

“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*, tract of land, *building* or *structure* is designed, arranged, or intended or occupied or maintained.

"VEHICLE" means a device in, on or by which a person or thing is or may be transported or drawn on a highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks, mobile equipment, a motor assisted cycle or a regulated motorized personal mobility device.

"VEHICLE REPAIR" means any work on vehicles, including inspection, maintenance, repair, restoration, customization, disassembly, parting out, or any similar task to driveable or nondriveable vehicles or components thereof.

"VEHICLE REPAIR GARAGE" means a use in a building providing vehicle repair as a primary commercial use, and/or associated accessory product storage and sales. Commercial 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.

"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.

“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*.

“WATERCOURSE” means any natural or artificial channel through which water flows seasonally or permanently, and may include a ditch connected by surface flow to another watercourse or body of water, a natural stream, or a channelized stream, but excludes a *constructed ditch*.

“WETLAND” means land that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, plant species that are typical of inundated or 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 production of wine, at a facility licensed by the Liquor & Cannabis Regulation Branch, where at least 50% of the wine production comes from grapes grown on the same *lot*, or from another *lot* which is part of the same business. A *winery* may include *winery* tours, wine tasting, wine sales, and the sale of *winery* promotional products.

“WOOD PROCESSING” means the milling, shaping, and finishing of wood products, excluding the production of sawdust or mulch other than as incidental by-products resulting from the production of other wood products.

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

NUMBERING

- 1.2 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

- 1.3 All descriptions of 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

- 1.4 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.

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 *lot*, 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 *lot*, 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 2.9,

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, educational interpretive signage, *open space*, and *natural parks*;
 - .2 Parks and recreation programs offered by the Bowen Island Parks and Recreation Commission;
 - .3 *Public utility or private utility*;
 - .4 *Highways*;
 - .5 *Water Works Systems*;
 - .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 Campgrounds for recreational vehicles and trailer parks;
 - .2 Manufactured home parks;
 - .3 *Offensive uses*;
 - .4 Rental of *personal watercraft*, all terrain vehicles, or motorcycles;
 - .5 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 on a residential *lot* for a period not exceeding 90 days in any 360-day period.
- .6 Destination casinos and commercial bingo halls;
 - .7 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;
 - .8 Wrecking or storage of more than one *derelict vehicle* on a *lot*;
 - .9 *Intensive agriculture*, except on land located within the Agricultural Land Reserve; and
 - .10 *Dwelling use* of common property within a bare land strata plan.
 - .11 The cultivation, production, packaging, storage, distribution, dispensing, trading or selling of cannabis is prohibited in all zones except:
 - (a) as a farm use permitted by the Agricultural Land Commission Act Regulations and Policies within the Agricultural Land Reserve; or
 - (b) within a dwelling as specifically permitted under federal legislation;
 - (c) as specifically permitted for medical purposes by Health Canada; or
 - (d) if recommended by Council under the Cannabis Control and Licensing Act and Cannabis Licensing Regulation 202/2018, and licensed by the Liquor & Cannabis Regulation Branch, as a specifically permitted principal retail use.

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 *sittings* 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 *sittings* under this Bylaw.
- 3.5 Any changes to *uses* and *sittings* 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 Use, 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 3.3.5, 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.

AVERAGE GRADE CALCULATING FOR BUILDING HEIGHT

- 3.12
- 1. *Average grade* (natural and finished) is measured around the perimeter of a building at or directly above the outermost projections of the exterior walls. A deck attached to a building is not considered in determining the perimeter.
 - 2. The lower of the average *natural grade* or average *finished grade*, each calculated separately, will be used in building height and floor area ratio calculations.
 - 3. To calculate the average *finished grade* and *natural grade* for the building:
 - a. calculate the *average grade* elevation for each wall section having a constant grade along the finished and natural wall section by dividing the grade elevation at each end by 2 [(grade 'x' + grade 'y') ÷ 2 = average], then multiply this average grade elevation by the length of that wall section;
 - b. add the resulting numbers for each section of wall;
 - c. divide this total number by the total perimeter wall length of the building. This will be the *average grade*, natural or finished.

4. Where the undisturbed ground level of natural grade cannot be ascertained because of existing landscaping, buildings or structures, and appears to have been significantly altered, the level of natural grade shall be determined by the Municipal Building Inspector, who may rely on the professional opinion of a British Columbia Land Surveyor on the determination of natural grade at the cost of the property owner.

ACCESSORY BUILDINGS OR STRUCTURES

- 3.13 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

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 solar and photovoltaic panels
 - .10 attic vent;
 - .11 cupolas; and

- .12 *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 or wetland unless otherwise provided for in this Bylaw.

- 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.
- 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 wetland, 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, fuels, tires, chemicals, construction materials, or derelict vehicles or machines;
 - .4 keeping of livestock or poultry or storage of agricultural waste;
 - .5 Storage or repair of motor vehicles; and
 - .6 Storage or repair of agricultural or industrial machinery.
- 3.22 No building or structure shall be sited within thirty (30) metres from any tree bearing active nests of blue herons, eagles, ospreys, falcons, hawks or owls and vulture roosting trees.

SETBACK EXCEPTIONS

- 3.23 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, heating or ventilating equipment, sills, or other similar architectural features, to a maximum length of 2.5 metres, provided that they do not project more than 0.6 metres into the required setback;
 - .2 uncovered and unenclosed projections, such as decks provided that they do not project more than 1.25 metres into a required front, side, or rear setback, and to a maximum of 20% of the required side yard setback;
 - .3 roof overhangs, eaves, and gutters provided that they do not project more than 1.0 metres into the required setback; and
- 3.24 .4 Exterior Wall thickness to a maximum length of 0.25 metres where the excluded wall thickness is utilized for the provision of insulating materials and/or for the

protection against wind, water, and vapour. *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 watercourse; or
 - .2 Self-contained landscaping ponds to a maximum depth of 1.5 metres at any part of the pond and to a maximum length of 3 metres.
- 3.27 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*.
- 3.28 Retaining walls not exceeding a height of 1.5 metres may be sited on any portion of a lot, subject to setbacks to the sea, lakes, watercourses, and wetlands.
- 3.29 Fences not exceeding a height of 2.5 metres may be sited on any portion of a lot,
- 3.30 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.
- 3.31 *Accessory buildings* and *structures* not exceeding a *height* of 2.5 metres, not more than 10 sq. m. in horizontal footprint, and not more than 10 sq. m. 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

- 3.32 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.
- 3.33 Utility poles, traffic *signs* and *street signs* shall not be considered as *structures* for the purposes of the above Section.

LANDSCAPE SCREENS

- 3.34 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

- 3.35 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* shall be operated by a *property host* of a *dwelling* on the *lot* which contains their *principal residence*.
- .8 *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.
- .9 *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.
- .10 In a *bed and breakfast* a separate kitchen or cooking facilities for use by guests of the *bed and breakfast* are not permitted, with the exception of *limited kitchen facilities*.

- .11 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.

COOKING FACILITIES

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

MINIMUM SERVICE LEVEL

- 3.39 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

- 3.40 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

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

SIGN REGULATIONS

- 3.42 Public traffic *signs*, public directional *signs* and public safety *signs* are permitted in any *zone*.
- 3.43 Any commercial, industrial, institutional or civic use shall be permitted up to two *signs* with a total area not exceeding three (3) square metres.
- 3.44 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.
- 3.45 Any residential *use* shall be permitted one *sign* with a total area not exceeding one (1) square metre.
- 3.46 *Home occupations* shall be permitted a total of one *sign* not exceeding 0.5 square metre in area.
- 3.47 One *sign* which advertises or pertains to a temporary business, service, or activity conducted on the *lot*, not exceeding one square metre in area, shall be permitted on a *lot*, for a maximum duration of 30 days.
- 3.48 One house, *building* or land “for sale” sign not exceeding 1 square metre in area shall be permitted on a *lot*.
- 3.49 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*.
- 3.50 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

- 3.51 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

- 3.52 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*.
- 3.53 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

- 3.54 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.
- 3.55 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

- 3.56 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.

ACCESSORY RESIDENTIAL USE

- 3.57 Where permitted in a zone, an accessory residential use shall comply with the following regulations:
- .1 not more than one (1) *accessory residential use* shall be permitted on a *lot*;
 - .2 in addition to the parking requirements set out in Part 5 of this Bylaw, at least one *parking space* must be provided on the *lot* for each *secondary suite* or *detached secondary suite*;
 - .3 a *detached secondary suite* shall not exceed a total floor area of 65 square metres plus 0.625% of lot area to a maximum of 140 square metres;
 - .4 a *secondary suite* shall not exceed the greater of either: a total *floor area* of 90 square metres, or a total *floor area* of 65 square metres plus 0.625% of *lot* area to a maximum of 140 square metres.
- 3.58 Subject to the exemptions set out in Section 7.6 of this Bylaw, a development permit shall be required for the construction of, addition to or alteration of a detached secondary suite in those areas of Bowen Island designated under Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010 as Detached Secondary Suite Permit Area and the issuance of such a development permit shall be subject to the guidelines set out in Section 7.6 of this Bylaw;

RESIDENTIAL GUEST ACCOMMODATION

- 3.59 Where permitted in a zone, a dwelling unit must not be used as a *residential guest accommodation*:
- .1 for more than 120 days in total any calendar year;
 - .2 by more than two adults per bedroom in the *residential guest accommodation* during any rental period, or
 - .3 for more than one booking at a time.

- .4 except in one or both of the following:
 - .1 in the *property host's principal residence*; or
 - .2 in not more than one *accessory residential use* on the *lot* which contains the *property host's principal residence*.

VEHICLE REPAIR GARAGE

- 3.60 Where permitted in a zone, a *Service Station* or *Vehicle Repair Garage use*, or a Motor Vehicle repair as a home occupation *use* shall comply with the following regulations:
 - .1 Outdoor *parking areas* shall be paved. Drainage from the *parking area* 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.
 - .2 A wood or landscape screen at least 1.5m in height shall screen refuse and recycling areas.
 - .3 An oil-water separator shall be installed where the catch basin in Indoor wet work areas associated with *vehicle repair garage use* discharge from the building, including discharge from the wash basin and other wet work areas.
 - .4 Oil-water separators shall be maintained in good working order through regular inspection and clean-out as needed to ensure effectiveness.

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	Column II
Zones	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

Column I	Column II
Zones	Title Description
G1	Ecological Reserve
G2	Environmentally Sensitive
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 (Ruddy Potato)
CD 11	Comprehensive Development 11 (Gas Station)
CD 12	Comprehensive Development 12 (Greenway West)
CD 13	Comprehensive Development 13 (Works Yard – Gas Station)
CD 15	Comprehensive Development 15 (Seniors Precinct)
CD 16	Comprehensive Development 16 (Belterra)
CD 17	Comprehensive Development 17 (Proctor)
CD 18	Comprehensive Development 18 (Arbutus Ridge)
CD 19	Comprehensive Development 19 (Community Lands Lot 2)

Column I	Column II
Zones	Title Description
CD 20	Comprehensive Development 20 (Bowen Investments Ltd.)
CD 21	Comprehensive Development 21 (Grafton Lake)
CD 22	Comprehensive Development 22 (Community Lands Lot 1)

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 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 RR 1, RR 2 and RR 3 Zones:

Principal Uses of Land, Buildings and Structures	RR 1	RR 2	RR 3
<i>Dwelling</i>	♦	♦	♦
<i>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</i> subject to Part 3	♦	♦	♦
<i>Portable Saw Mill</i> on lots 2 ha and larger	♦	♦	♦
<i>Mini-storage</i> on lots 2 ha and larger	♦	♦	♦
<i>Accessory Residential Use</i>	♦	♦	♦
<i>Residential Guest Accommodation</i>	♦	♦	♦
<i>Domestic Agriculture</i>	♦	♦	♦
Permitted Buildings and Structures			
<i>Dwelling, Detached</i>	♦	♦	♦
<i>Buildings and Structures</i> accessory to permitted uses	♦	♦	♦

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*:

Lot Coverage	RR 1	RR 2	RR 3
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 primary <i>dwelling</i> s on any <i>lot</i>	1	1	1
Maximum number of accessory <i>building</i> s 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>building</i> s 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 RR 1, RR 2, and RR 3 *Zones*:

Lot Areas for the Creation of New Lots through Subdivision	RR 1	RR 2	RR 3
Minimum average <i>lot area</i> (<i>ha</i>) without community water system		4	2
Minimum <i>lot area</i> for individual <i>lots</i> (<i>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)*
 - (b) 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 – RR 1(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.
- (11) *Zone Variation – RR 3(e)*
 - (a) Despite Section 3.57.3, the maximum floor area for a detached secondary suite shall be 132 sq. m.
 - (b) The minimum setback from the east property line for a detached secondary suite shall be 3 metres

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 RC 1 and RC 2 Zones:

Principal Uses of Land, Buildings and Structures	RC 1	RC 2
<i>Garden Centre</i>	◆	
<i>Retreat Centre</i>		◆
<i>Agriculture</i>	◆	◆
<i>Dwelling</i>	◆	◆
Accessory Uses of Land, Buildings and Structures		
<i>Accessory Residential Use</i>	◆	◆
<i>Uses accessory to principal uses</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	◆	◆
<i>Dwelling, Detached</i>	◆	◆

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:

Lot Coverage	RC 1	RC 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 5% of <i>lot</i> area to a maximum of 1500 m ²	♦	♦
Number of Units and Site Areas		
Maximum number of <i>dwelling</i> s 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</i> sales (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
Maximum number of <i>dwelling units</i> for <i>staff accommodation</i> per 10 guest bedrooms	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 Agricultural Land Reserve 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 RC 1 and RC 2 Zones:

Lot Areas for the Creation of New Lots through Subdivision	RC 1	RC 2
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 TC 1 Zone:

Principal Uses of Land, Buildings and Structures	TC 1
<i>Guest House</i>	♦
<i>Agriculture</i>	♦
<i>Artisan Industry</i>	♦
Accessory Uses of Land, Buildings and Structures	
<i>Accessory Residential Use</i>	♦
<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 accessory to permitted uses</i>	♦
<i>Dwelling</i>	♦
<i>Dwelling, Detached</i>	♦

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*:

Lot Coverage	TC 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 5% of <i>lot</i> area to a maximum of 1500 m ²	♦
Number of Units and Site Areas	
Maximum number of primary <i> dwellings</i> per <i>lot</i>	1
Number of guest bedrooms permitted on the first 0.4 ha of lot area	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</i> sales (m ²)	20
Maximum number of accessory <i>buildings</i> for each 0.2 <i>ha</i> of <i>lot</i> area 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 <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 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 <i>zone</i> 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 <i>zone</i> 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 TC 1 *Zone*:

Lot Areas for the Creation of New Lots through Subdivision	TC 1
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 II, SI, and Ci Zones:

Principal Uses of Land, Buildings and Structures	II	SI	Ci
<i>Indoor Entertainment Facility</i>			♦
<i>Assembly</i>	♦	♦	♦
<i>Community Hall</i>		♦	♦
<i>School</i>	♦		♦
<i>Daycare</i>	♦	♦	♦
<i>Church</i>	♦	♦	
<i>Cemetery</i>	♦	♦	
<i>Summer Camp</i>	♦		
<i>Agriculture</i>	♦		
<i>Public Community Facility</i>			♦
<i>Emergency Services</i>			♦
<i>Government Offices</i>			♦
Accessory Uses of Land, Buildings and Structures			
<i>Accessory Residential Use</i>	♦	♦	♦
<i>Dwelling</i>	♦	♦	♦
<i>Retail</i>			♦
<i>Uses accessory to principal uses</i>	♦	♦	♦
Permitted Buildings and Structures			
<i>Buildings and structures accessory to permitted use</i>	♦	♦	♦
<i>Dwelling</i>	♦	♦	♦
<i>Dwelling, Detached</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*:

Lot Coverage	II	SI	Ci
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>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 primary <i> dwellings</i> per <i>lot</i>	1	1	1
Maximum <i>floor area</i> for accessory <i>retail</i> sales (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</i> area or portion thereof, plus one, subject to Part 3	1	1	1
Height			
Maximum <i>height</i> of a <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
Conditions of Use			
<i>Dwelling use</i> shall be sited 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 II, SI, and Ci Zones:

Lot Areas for the Creation of New Lots through Subdivision	II	SI	Ci
Minimum average <i>lot</i> area (<i>ha</i>) without <i>community water system</i>	4	1	1
Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) without community water system	4	1	1
Minimum average <i>lot</i> area (<i>ha</i>) with <i>community water system</i>		0.4	1
Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) with community water system		0.2	0.4

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) Emergency Services shall be the only permitted use.

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 SR 1 and SR 2 Zones:

Principal Uses of Land, Buildings and Structures	SR 1	SR 2
<i>Dwelling</i>	♦	♦
<i>Stable</i>	♦	
<i>Kennel</i>	♦	
Accessory Uses of Land, Buildings and Structures		
<i>Uses accessory to principal uses</i>	♦	♦
<i>Mini-storage on lots 1 ha and larger</i>	♦	
<i>Home Occupation Use subject to Part 3</i>	♦	♦
<i>Accessory Residential Use</i>	♦	♦
<i>Residential Guest Accommodation</i>	♦	♦
<i>Domestic Agriculture</i>	♦	♦
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	♦	♦
<i>Buildings and Structures accessory to permitted uses</i>	♦	♦

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*:

Lot Coverage	SR 1	SR 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 <i>lot</i> area to a maximum of 500 m ²	◆	◆
Number of Units and Site Areas		
Maximum number of primary <i>dwelling</i> s 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</i> or <i>structure</i> (metres)	9	9
Setbacks		
Minimum <i>setback</i> from side <i>lot lines</i> (metres)	3	3
Minimum <i>setback</i> from the front and rear <i>lot lines</i> (metres)	7.5	7.5
Minimum setback for a building from any lot line that abuts a highway (metres)	4.6	4.6

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:

Lot Areas for the Creation of New Lots through Subdivision	SR 1	SR 2
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)
 - (e) *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 – SR 2 (e)
 - (a) *The average lot area for individual lots with a community water system shall be 0.25 ha.*

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 VR 1 and VR 2 Zones:

Principal Uses of Land, Buildings and Structures	VR 1	VR 2
<i>Dwelling</i>	♦	♦
<i>Supportive Housing</i>		♦
Accessory Uses of Land, Buildings and Structures		
<i>Accessory Residential Use</i>	♦	
<i>Uses accessory to principal uses</i>	♦	♦
<i>Home Occupation Use</i> subject to Part 3	♦	♦
<i>Residential Guest Accommodation</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*.

Lot Coverage	VR 1	VR 2
Maximum <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i>	50%	50%
Number of Units and Site Areas		
Maximum number of primary <i>dwelling</i> s on any <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		
Minimum <i>setback</i> from interior <i>lot line</i> (metres)	1.5	3.0

Minimum setback for a building from any lot line that abuts a highway (metres)		4.6
Minimum <i>setback</i> from front <i>lot line</i> (metres)	0	7.5
Minimum <i>setback</i> from all other <i>lot lines</i> (metres)	0	3.0
Conditions of Use		
<i>Supportive Housing use</i> 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.

Lot Areas for the Creation of New Lots through Subdivision	VR 1	VR 2
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 VC 1 and VC 2 Zones:

Principal Uses of Land, Buildings and Structures	VC 1	VC 2
<i>Retail</i>	◆	
<i>General services</i>	◆	
<i>Restaurant</i>	◆	
<i>Dwelling</i>	◆	
<i>Assembly</i>	◆	◆
<i>Indoor Entertainment Facility</i>	◆	
<i>Artisan Industry</i>	◆	
<i>Land based marina facilities</i>		◆

Storage of marine fuel		♦
Boat launching		♦
<i>Parking Area</i>	♦	
<i>Medical Clinic</i>	♦	
Daycare	♦	♦
Accessory Uses of Land, Buildings and Structures		
<i>Accessory Residential Use</i>	♦	
<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 area, subject to Subsection 5.10	♦	♦
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	♦	
<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:

Lot Coverage	VC 1	VC 2
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		

Minimum <i>setback</i> from all <i>lot lines</i> (metres), except <i>interior side lot line</i> , as determined by Development Permit	0	0
Minimum <i>setback</i> from interior side <i>lot line</i>	1.5	1.5
When lot abuts a non-VC zoned lot		
Minimum <i>setback</i> from all <i>lot lines</i> (metres) which abut a non-VC zoned lot	1.5	3.0
Conditions of Use		
<i>Land based marina facilities</i> are subject to the use 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:

Lot Areas for the Creation of New Lots through Subdivision	VC 1	VC 2
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) *Parking area* is a 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 VI and VCi Zones:

Principal Uses of Land, Buildings and Structures	VI	VCi
<i>Indoor Entertainment Facility</i>	◆	◆
<i>Assembly or Community Hall</i>	◆	◆
Community Hall	◆	◆
Daycare	◆	◆
School	◆	◆
Church	◆	

Public Community Facility		◆
Emergency Services		◆
Government <i>Offices</i>		◆
Medical Clinic		◆
<i>Parking Area</i>		◆
Accessory Uses of Land, Buildings and Structures		
<i>Accessory Residential Use</i>	◆	◆
<i>Dwelling Use</i>	◆	◆
<i>Uses accessory to principal uses</i>	◆	◆
<i>Retail Use</i>	◆	◆
<i>Home Occupation</i> use subject to Part 3	◆	◆
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	◆	◆
<i>Buildings and structures accessory to permitted uses</i>	◆	◆

4.8.2 Size, Siting, 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*:

Lot Coverage	VI	VCi
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		
Minimum <i>setback</i> from all <i>lot lines</i> (metres), except interior side <i>lot line</i>	0	0
Minimum <i>setback</i> from interior side <i>lot line</i> (metres)	1.5	1.5
When lot abuts a non-VI, VCi, or VC zoned lot		
Minimum <i>setback</i> from all <i>lot lines</i> (metres)	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:

Lot Areas for the Creation of New Lots through Subdivision	VI	VCi
Minimum <i>lot</i> area 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.
- (2) *Zone Variation – VCi(a)*
 - (a) Despite Subsection 4.8.1, *general services use* is a permitted use, however the only business type permitted under this use will be an insurance office.

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 IM and IC *Zones*:

Principal Uses of Land, Buildings and Structures	IM	IC
<i>Public Works Yard</i>	♦	

<i>Transfer Station</i>	♦	
Recycling Depot	♦	
Compost Facility	♦	
<i>Artisan Industry</i>	♦	
Storage and Warehouse		♦
Sale of Propane		♦
Sale of Building, Construction, Home Improvement Supplies		♦
Welding		♦
Wood Processing		♦
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*:

Lot Coverage	IM	IC
Maximum <i>lot coverage</i> of all <i>buildings and structures</i>	30%	30%
Height		
Maximum <i>height</i> of a <i>building or structure</i> (metres)	12	12
Setbacks		
From a Watercourse		
Minimum <i>setback</i> despite Section 3.18 (metres)	50	50
From Highway		
Minimum <i>setback</i> from all <i>lot lines</i> (metres)	10	10
When lot abuts an Industrial Zoned lot		
Minimum <i>setback</i> from all <i>lot lines</i> (metres)	0	0
When lot abuts a non-Industrial Zoned lot		
Minimum <i>setback</i> from all <i>lot lines</i> (metres): Same <i>setbacks</i> as <i>Zone of abutting property</i>	♦	♦
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:

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

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 (G1, G2, G3)

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:

Principal Uses of Land, Buildings and Structures	G1	G2	G3
--	----	----	----

Ecological Reserve	◆		
<i>Uses that contribute to the protection of the natural and cultural environment</i>		◆	◆
<i>Uses that contribute to the protection of the watershed</i>			◆
<i>Open Space</i>			◆
Recreation			◆
Accessory Uses of Land, Buildings and Structures			
Trails, Interpretative Signage		◆	◆
<i>Uses accessory to principal uses</i>		◆	◆
Conditions of Use			
No human access except by Provincial Permit	◆		
Recreation <i>use</i> is limited to informal activities, such as hiking, biking, horse riding, and picnics			◆
<i>Parking areas</i> 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:

Lot Areas for the Creation of New Lots through Subdivision	G1	G2	G3
Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha.</i>)	-	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 (P1, P2, P3, P4)

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 P1, P2, P3, and P4 *Zones*:

Principal Uses of Land, Buildings and Structures	P1	P2	P3	P4
<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</i> accessory to permitted <i>uses</i>	♦	♦	♦	♦
Interpretative <i>signs</i>	♦	♦	♦	♦
Conditions of Use				
<i>Parking areas</i> shall be finished with a permeable surface	♦	♦	♦	♦
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

- (2) 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*:

Lot Areas for the Creation of New Lots through Subdivision	P1	P2	P3	P4
--	----	----	----	----

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 (WP1, WP2)

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 WP 1 and WP 2 Zones:

Principal Uses of Land, Buildings and Structures	WP1	WP2
Water Works System	◆	
Recreation		◆
Permitted Buildings and Structures		
<i>Buildings and structures</i> accessory to permitted <i>uses</i>	◆	
<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 WG 1, WC 1, and WCI Zones:

Principal Uses of Land, Buildings and Structures	WG 1	WC 1	W Ci
Boat <i>moorage</i> , 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		◆	◆
<i>Floating Attached Dwelling</i>		◆	
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	◆	◆	◆
Setbacks			
Minimum <i>setback</i> for <i>buildings</i> and <i>structures</i> from any <i>lot line</i> (metres)	1.5	1.5	1.5
Minimum <i>setback</i> 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> (metres)	5		
Minimum <i>setback</i> 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> (metres)	10		
Minimum <i>setback</i> 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 (metres)	10		
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>	◆		
Any <i>Community dock</i> , <i>private moorage facility</i> or <i>group moorage facility</i> shall be located such that it will not: (a) Physically divide a beach, except for Community docks which may physically divide a beach; (b) Impede pedestrian access along the beach portion of the foreshore; (c) Limit or restrict public use of a beach; (d) Negatively impact eelgrass meadows, beds or patches; or (e) Negatively impact 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 or Private Moorage Facility</i>	1.5		
Maximum width (m) of all gangways to access floats for <i>Group Moorage Facility or 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> .		♦	
Assembly use is limited to outdoor use		♦	
<i>Buildings or structures</i> shall not exceed one storey (4.6 metres)		♦	
Maximum <i>floor area</i> (m ²) for <i>buildings or structures</i> on the water		115	
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 or 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		♦	

4.13.2 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) Despite 4.13.1 (1), Maximum number of *float homes* 3
 - (d) Maximum number of *Floating Attached Dwellings*: 6
 - (e) Maximum number of dwelling units in *Floating Attached Dwellings*: 16
 - (f) *Floating Attached Dwelling and Float Home use* is only permitted as an accessory use to a *marina*, and is subject to a permanent connection to sewer pump-out facilities for land-based sewage disposal, or a sewage disposal system approved by Vancouver Coastal Health
 - (g) Each *Floating Attached Dwelling* shall be limited to 65 sq. m. in total *floor area* and a *height* of 6.0 metres from the deck. Each *Floating Attached Dwelling* may be used for *commercial guest accommodation* for the months of October, November, December, January, February, and March.
 - (h) Maximum of 1 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, to a maximum *floor area* shall be 160 square metres, and a maximum height of 7.5 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.
 - (e) *Floating Attached Dwelling use* is not permitted.
- (4) *Zone Variation – WG 1 (b)*
- Despite any other provision in this Bylaw, the following structures, facilities and uses are not permitted in the marine coastal area that extends 300 metres 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:
- (a) a dock, pier, wharf, piling or other structure or facility connected or affixed to the seabed or connected or affixed to the shoreline or an upland lot by any means, whether or not
 - i. consisting of or including one or more floats, ramps or *gangways* on or over the surface of the water;
 - ii. consisting of or including a vessel lifting device;

iii. allowing for pedestrian access to and from the shore or an upland lot;

iv. a *community dock, group moorage facility* or *private moorage facility* as defined in this Bylaw;

v. as a principal use or structure; or

vi. as an accessory use or structure.

but not including a buoy, anchor or other navigational aid that is normally carried in the vessel to be moored; or

(b) moorage, other than moorage that is necessary or incidental to a navigational purpose or to deal with a life safety incident or other emergency situation.

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 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 (Area 1 and 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 CD 1 Zone:

Principal Uses of Land, Buildings and Structures	Area 1	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>Retail</i> subject to Section 4.14.2 (Conditions of Use – Item 4)	◆	
<i>Restaurant</i>	◆	
<i>Guest House</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>Accessory Residential Use</i>		◆
<i>Residential Guest Accommodation</i>		◆
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	◆	◆
<i>Buildings and Structures</i> accessory to permitted uses	◆	◆

- (2) 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 CD 1 Zone must comply with the following regulations regarding *size, siting and density*:

Floor Space	CD 1
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 primary <i>dwellings</i> on any <i>lot</i>	16
Floor Space	Area 2
Maximum number of <i>detached dwelling units</i>	7
Maximum number of primary strata <i>dwellings</i> on any 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	Area 2
Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres)	9
Setbacks	Area 2
Minimum <i>setback</i> from all <i>lot lines</i> (metres)	1.52
Conditions of Use	Area 2
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 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</i> use 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. 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. 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.	◆

6) Parking shall be located on-site as shown on Schedule 'B'.	
7) 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.	◆

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	CD 1
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

- (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 2 Zone – Area 1 and Area 2:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2
<i>Dwelling</i>	♦	♦
School		♦
<i>Government Office</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>Accessory Residential Use</i>	♦	
<i>Residential Guest Accommodation</i>	♦	♦
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	♦	♦
<i>Dwelling, Attached</i>		♦
<i>Buildings and Structures accessory to permitted uses</i>	♦	♦

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

- (2) Subject to Part 3, *uses, buildings and structures* in the CD 2 Zone – Area 1 and Area 2 must comply with the following regulations regarding *size, siting and density*:

Lot Coverage	Area 1	Area 2
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 primary <i>dwellings</i> on any <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 rear <i>lot line</i> forming a boundary of a <i>lot</i> other than a strata <i>lot</i> (metres)	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> (metres)	3	3
Minimum <i>setback</i> from a boundary of a bare land strata plan (metres)	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>Government Office 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.

Lot Areas for the Creation of New Lots through Subdivision	Area 1	Area 2
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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 CD 2 Zone – Area 3 and Area 4:

Principal Uses of Land, Buildings and Structures	Area 3	Area 4
<i>Dwelling</i>		♦
<i>General Services</i>	♦	
<i>Parking area</i>	♦	
<i>Retail</i>	♦	
<i>Restaurant</i>	♦	
Public Community Facility	♦	
<i>Vehicle Repair Garage</i>		♦
<i>Agriculture</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>Accessory Residential Use</i>		♦
<i>Residential Guest Accommodation</i>		♦
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>		♦
<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*:

Lot Coverage	Area 3	Area 4
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 primary <i>dwellings</i> on any <i>lot</i>		1
Maximum number of <i>dwelling units</i> on the lands within Area 3 of CD 2 <i>Zone</i>	15	
Height		
Maximum <i>height</i> of a <i>building or 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> (metres)	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> (metres)	1.5	3
Minimum <i>setback</i> from a boundary of a bare land strata plan (metres)	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.		◆
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.

Lot Areas for the Creation of New Lots through Subdivision	Area 3	Area 4
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 CD 2 Zone – Area 5 and Area 6:

Principal Uses of Land, Buildings and Structures	Area 5	Area 6
<i>Retreat centre</i>	◆	
<i>Assembly</i>		◆
Cemetery		◆
Church		◆
Public Community Facility		◆
Indoor entertainment facility		◆
<i>Daycare</i>		◆
Government Office		◆
Emergency Services		◆
Medical Clinic		◆
<i>Personal care home</i>		◆

Summer Camp		♦
School		♦
<i>Dwelling</i>		♦
Accessory Uses of Land, Buildings and Structures		
<i>Accessory Residential Use</i>		♦
<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 CD 2 – Area 5 and Area 6 must comply with the following regulations regarding *size, siting and density*:

Lot Coverage	Area 5	Area 6
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
Setbacks		
Minimum <i>setback</i> from <i>front lot line</i> (metres)	7.5	7.5
Minimum <i>setback</i> from all other <i>lots lines</i> (metres)	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:

Lot Areas for the Creation of New Lots through Subdivision	Area 5	Area 6
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> (<i>ha</i>)	2	
Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) not served by <i>community water system</i>		4
Minimum <i>lot</i> area for individual <i>lots</i> (<i>ha</i>) 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 CD 2 Zone – Area 7:

Principal Uses of Land, Buildings and Structures	Area 7
<i>Open Space</i>	◆
<i>Outdoor Assembly</i>	◆
<i>Play Fields</i>	◆
<i>Playgrounds</i>	◆
<i>Hard surface Courts</i>	◆
<i>Indoor Entertainment Facility</i>	◆
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>	◆

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

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

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

Lot Areas for the Creation of New Lots through Subdivision	Area 7
Average minimum <i>lot area</i> for individual <i>lots</i> (<i>ha</i>) served by a <i>community water system</i>	0.3

4.15.13 Exceptions in Particular Locations

- (1) Zone variation – CD 2 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 m²
 - (d) Maximum floor area of *dwelling* for *secondary dwelling* is 90 m²

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 CD 3 Zone:

Principal Uses of Land, Buildings and Structures	CD3
<i>Dwelling</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>Accessory Residential Uses</i>	◆
<i>Residential Guest Accommodation</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 CD 3 Zone must comply with the following regulations regarding *size, siting and density*.

Lot Coverage	CD 3
Maximum <i>lot coverage</i> (%) for all <i>buildings and structures</i> in the CD 3 Zone	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%

Lot Coverage	CD 3
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 primary strata <i>dwelling units</i> on any <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>dwelling</i> s and <i>accessory structures</i> : Generally, as shown on Schedule “C”	◆
Minimum <i>setback</i> from all <i>lot lines</i> , except the <i>natural boundary</i> of the sea, for new <i>dwelling</i> s (metres)	3.0
Minimum <i>setbacks</i> from all <i>lot lines</i> , except the <i>natural boundary</i> of the sea, for new <i>accessory structures</i> (metres)	1.5
Despite Section 3.16, minimum <i>setback</i> from the <i>natural boundary</i> of the sea except for SL 14 (metres)	7.5
Despite Section 3.16, minimum <i>setback</i> from the <i>natural boundary</i> of the sea for SL 14 (metres)	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:

Lot Areas for the Creation of New Lots through Subdivision	CD 3
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>	0.4
Minimum <i>lot</i> area (<i>ha</i>) served by <i>community water system</i>	0.2
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 CD 4 (Hood Point) Zone:

Principal uses of Land, Buildings and Structures	Area 1	Area 2	Area 3
<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>Accessory Residential Use</i>		◆	
<i>Uses accessory to principal uses</i>	◆	◆	
<i>Home Occupation use</i> subject to Part 3	◆		
<i>Accessory Residential Use</i>	◆		
<i>Residential Guest Accommodation</i>	◆		
Permitted Buildings and Structures			

<i>Dwelling, Detached</i>	◆	◆	
Buildings and <i>Structures</i> Accessory to permitted <i>uses</i>	◆	◆	◆

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

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

Lot Coverage	Area 1	Area 2	Area 3
Maximum <i>lot coverage</i> (%)	30%	40%	1%
Number of Units and Floor Area			
Maximum number of primary <i> dwellings</i> on any <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> (metres)	9	9	3
Maximum <i>height</i> of an accessory building or structure (metres)	9	9	5
Setbacks			
Minimum <i>setback</i> from interior <i>side lot line</i> (metres)	3	3	3
Minimum <i>setback</i> from <i>exterior side, front or rear lot line</i> (metres)	7.5	7.5	7.5
Minimum setback for a building from any lot line that abuts a highway (metres):	4.6	4.6	4.6
Despite Section 3.16, minimum <i>setback</i> from the <i>natural boundary</i> of the sea (metres)	15		
Despite Section 3.16, minimum <i>setback</i> from the <i>natural boundary</i> 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 (metres)	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:

Lot Areas for the Creation of New Lots through Subdivision	Area 1	Area 2	Area 3
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 (ORCHARD RECOVERY CENTRE)

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.

The regulations in the tables in this Section apply to land in the Comprehensive Development 5 (Orchard Recovery Centre) 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 (Orchard Recovery Centre) Zone:

	CD 5
Principal Uses of Lands, Buildings and Structures	
<i>Health and Wellness Centre</i>	♦
<i>Recovery Care Housing</i>	♦
<i>Artisan Industry</i>	♦
<i>General Services</i>	♦
<i>Recreation, Training and Meeting Centre</i>	♦
Accessory Uses of Lands, Buildings and Structures	
<i>Accessory Residential Use</i>	♦
Uses accessory to the principal uses	♦
Home Occupation use, Subject to Part 3	♦
<i>Dwelling</i>	♦
<i>Retail</i>	♦
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

Lot Coverage	CD 5
Maximum <i>lot coverage</i> (%)	33%
Number of Units and Site Area	
Maximum number of primary <i>dwellings</i> per <i>lot</i>	1
Maximum number of guest bedrooms	9
Maximum number of in-residence guests	18
Maximum number of accessory <i>buildings</i> for each 0.2 <i>ha</i> of <i>lot</i> area or portion thereof, 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</i> area or portion thereof	1
Floor Area	
Maximum <i>floor area</i> that may be used for <i>retail use</i> (sq. m.)	50
Height	
Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres)	11
Setbacks	
Minimum <i>setback</i> from <i>front lot line</i> (metres)	7.5
Minimum <i>setback</i> from <i>interior lot line</i> (metres)	2.9
Conditions of Use	
Where a lot in the CD 5 zone abuts a <i>lot</i> 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 <i>lot</i> in the CD 5 zone adjacent to the <i>lot line</i>	♦

4.18.3 Subdivision and Servicing Requirements

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

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

4.19 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.

4.19.1 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 CD-6 zone:

Principal Uses of Land, Buildings and Structures	Areas 1-8	Area 9
<i>Dwelling</i>	♦	♦
<i>Retail</i> (See Section 4.19.1(2))		♦
<i>Golf Course</i>		♦
<i>Guest House</i>		♦
<i>Assembly</i>		♦
<i>General Services</i> (See Section 4.19.3(3))		♦
<i>Restaurant</i>		♦
<i>Pub</i>		♦
<i>Parking Area</i>		♦
<i>Retreat Centre</i> (See Section 4.19.1(2))	♦	
Accessory Uses of Land, Buildings and Structures		
<i>Accessory Residential Use</i>		♦
<i>Uses accessory to principal uses</i>	♦	♦
<i>Home Occupation use, subject to Section 3.34</i>	♦	♦
<i>Accessory Residential Use</i>	♦	
<i>Residential Guest Accommodation</i>	♦	
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 4.19.1(2))		♦
Golf Course		♦
<i>Inn</i>		♦
<i>Assembly</i>		♦
<i>General Services</i> (See Section 4.19.3(3))		♦
<i>Restaurant</i>		♦
<i>Pub</i>		♦
<i>Retreat Centre</i> (See Section 4.19.1(2))	♦	

(2) Notwithstanding the Permitted Buildings and Structures outlined in Section 4.19.1, 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.

(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:

Principal Uses of Land, Buildings and Structures	Area 9A	Area 9B	Area 9C
<i>Dwelling, Detached</i>	♦	♦	
<i>Dwelling, Attached</i>	♦	♦	
<i>Retail</i>		♦	
Golf Course			♦
Golf Course Club House		♦	♦
<i>Guest House</i>		♦	
<i>Assembly</i>		♦	
<i>General Services</i>		♦	
<i>Restaurant</i>		♦	
<i>Pub</i>		♦	
Accessory Uses of Land, Buildings and Structures			
<i>Uses accessory to principal uses</i>	♦	♦	
<i>Accessory Residential Use</i>	♦	♦	
<i>Home Occupation use</i> , subject to Section 3.34	♦	♦	

4.19.2 Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 3, *uses, buildings and structures* in the CD 6 Zone must comply with the following regulations regarding *size, siting and density*:

Lot Coverage	Areas 1, 3-8	Area 2	Area 9
Maximum <i>lot coverage</i>	10%	30%	40%
Floor Space Ratio			
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
Floor Space			
Maximum <i>floor space</i> for <i>Retail</i> (See Section 4.19.2(4))			250 m ²
Maximum <i>floor space</i> for <i>Guest House</i>			2250 m ²
Maximum <i>floor space</i> for <i>Assembly</i> (See Section 4.19.2(4))			250 m ²
Maximum <i>floor space</i> for <i>General Services</i> (See Section 4.19.2(4))			600 m ²
Maximum <i>floor space</i> for <i>Restaurant</i> (See Section 4.19.2(3) & (4))			300 m ²
Maximum <i>floor space</i> for <i>Pub</i> (See Section 4.19.2(3) & (4))			300 m ²
Maximum <i>floor space</i> for <i>Golf Clubhouse</i> (See Section 4.19.2(4))			300 m ²
Maximum <i>floor space</i> for <i>Retreat Centre</i>	1500 m ²		
Number of Dwelling Units			
Maximum number of primary <i>dwelling units</i> in CD-6 zone	90	23	48 (See Section 4.19.2(2))
Maximum number of primary <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 rear <i>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 setback for a building from any lot line that abuts a highway (metres):	4.6		
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 4.19.2, the total amount of *floor space* for a *restaurant* and *pub* shall not exceed 300 square metres.
- (4) Notwithstanding the maximum amount of *floor space* established for particular commercial uses in Section 4.19.2, 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 metres; and
 - b) *assembly* and golf clubhouse use shall not exceed a combined floor space of 550 square metres.

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 6 Zone:

Area	Maximum No. of Lots	Minimum Lot Size
Area 1	57	0.4 ha
Area 2	23	670 m ²
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 4.19.3(4))	0.4 ha
Area 9	48	325 m ²

- (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.

4.20 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 (Area 1 and 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 CD 7 Zone:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2
<i>Dwelling</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	♦	♦
Mini Storage on lots 1 ha and larger	♦	♦
<i>Accessory Residential Uses</i>	♦	♦
<i>Residential Guest Accommodation</i>	♦	♦
<i>Domestic Agriculture</i>	♦	♦
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	♦	♦
<i>Buildings and Structures</i> accessory to permitted <i>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 CD 7 Zone must comply with the following regulations regarding *size*, *siting* and *density*:

Lot Coverage	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	♦
Height	Areas 1 and 2
Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres)	9

Setbacks	Areas 1 and 2	
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	
Minimum setback for a building from any lot line that abuts a highway (metres):	4.6	
Number of Units and Site Areas	Area 1	Area 2
Maximum number of primary <i>dwelling</i> s on any <i>lot</i>	1	1
Maximum number of <i>dwelling</i> s	3	6
Maximum number of accessory <i>building</i> s 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>building</i> s 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

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 7 Zone:

Lot Areas for the Creation of New Lots through Subdivision	Area 1	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

4.21 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 (Area 1 and 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.

4.21.1 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 8 Zone:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2
<i>Dwelling</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</i> subject to Part 3	♦	
<i>Accessory Residential Use</i>	♦	
<i>Residential Guest Accommodation</i>	♦	
<i>Domestic Agriculture</i>	♦	
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	♦	
<i>Buildings and Structures</i> accessory to permitted <i>uses</i>	♦	

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

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

Lot Coverage	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	
Maximum number of primary <i> dwellings</i> on any <i> lot</i>	1
Maximum number of primary <i> dwellings</i>	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
Minimum setback for a building from any lot line that abuts a highway (metres)	4.6

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 8 Zone.

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

4.22 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 (Area 1 and 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 CD 9 Zone:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2
<i>Dwelling</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</i> subject to Part 3	◆	
<i>Accessory Residential Use</i>	◆	
<i>Residential Guest Accommodation</i>	◆	
<i>Domestic Agriculture</i>	◆	
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	◆	
<i>Buildings and Structures</i> accessory to permitted <i>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	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	Area 1
Maximum number of primary <i> dwellings</i> on any <i> lot</i>	1
Maximum number of <i> dwellings</i>	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
Minimum setback for a building from any lot line that abuts a highway (metres)	4.6

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	Area 1
Maximum number of <i> lots</i> to be created by <i> subdivision</i>	9
Minimum <i> lot area</i> (ha.)	0.2

4.23 COMPREHENSIVE DEVELOPMENT 10 (CD 10) ZONE (RUDDY POTATO)

Information Note: *The purpose of the CD 10 Zone is to provide opportunities for artisan industry and residential mixed-use, including affordable rental housing, in a rural setting.*

The regulations in the tables in this Section apply to land in the CD 10 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 CD 10 Zone:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2
<i>Dwelling</i>	♦	♦
<i>Agriculture</i>	♦	♦
<i>Artisan Industry</i>	♦	
<i>Stable</i>		♦
Accessory Uses of Land, Buildings and Structures		
<i>Uses accessory to principal uses</i>	♦	♦
<i>Home Occupation</i>	♦	♦
<i>Accessory Residential Use</i>	♦	♦
<i>Dwelling, subject to 4.24.1(2) & 4.24.1(3)</i>	♦	
<i>Residential Guest Accommodation</i>	♦	♦
<i>Domestic Agriculture</i>	♦	♦
Permitted Buildings and Structures		
<i>Dwelling, Detached</i>	♦	♦
<i>Buildings and Structures accessory to permitted uses</i>	♦	♦

- (2) *Accessory dwelling* use shall only be permitted within a building that contains a *artisan industry use*

- (3) *Accessory dwelling* use shall be subject to a Housing Agreement.

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

- (1) Subject to Part 3, *uses, buildings and structures* in the CD 10 Zone must comply with the following regulations regarding *size, siting and density*:

Lot Coverage	Area 1	Area 2
Maximum combined lot coverage of all <i>buildings</i> and <i>structures</i> (m ²) calculated as follows:	100 m ² plus 5% of lot area to maximum of 1500 m ² , plus an additional 2% of lot area to maximum of 100 m ² for greenhouse use only	100 m ² plus 3.5% of lot area to maximum of 1500 m ²
Number of Dwelling Units		
Maximum number of accessory dwelling units	1	
Height		
Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres)	9	9
Setbacks		
Minimum <i>setback</i> from front and rear <i>lot lines</i> (metres)	7.5	7.5
Minimum <i>setback</i> from side <i>lot lines</i> (metres)	7.5	3
Minimum setback for a building from any lot line that abuts a highway (metres):		4.6

4.23.3 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	CD 10
Minimum <i>lot</i> area (ha) for individual <i>lots</i> without <i>community water system</i>	2
Minimum <i>lot</i> area (ha) for individual <i>lots</i> with <i>community water system</i>	2

4.24 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.

4.24.1 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 CD 11 Zone:

Principal Uses of Land, Buildings and Structures	CD 11
<i>Gas Station</i> , subject to Section 4.24.3 (Conditions of Use)	♦
Accessory Uses of Land, Buildings and Structures	
<i>Uses</i> accessory to <i>principal uses</i>	♦
<i>Dwelling Use</i>	♦
<i>Retail Use</i> , subject to Section 4.24.3 (Conditions of Use)	♦
Permitted Buildings and Structures	
<i>Gas Station</i>	♦
<i>Buildings</i> and <i>Structures</i> accessory to permitted <i>uses</i>	♦

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

- (1) Subject to Part 3, *uses*, *buildings* and *structures* in the CD 11 Zone must comply with the following regulations regarding *size*, *siting* and *density*:

Lot Coverage	CD 11
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

4.24.3 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 metres, with not more than 80 square metres 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 metres.
- (3) An accessory dwelling unit shall not exceed a floor area of 70 square metres.

4.24.4 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	CD 11
Maximum number of <i>lots</i> to be created by <i>subdivision</i>	1
Minimum <i>lot area</i> (ha)	0.1

4.25 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 (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.

4.25.1 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 CD 12 Zone:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2	Area 3
<i>Dwelling, Detached</i>	♦	♦	
<i>Accessory Residential</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>Accessory Residential Use</i>	♦	♦	
<i>Residential Guest Accommodation</i>	♦	♦	
<i>Domestic Agriculture</i>	♦	♦	
Permitted Buildings and Structures			
<i>Dwelling, Detached</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 CD 12 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>buildings</i> , <i>structures</i> , and impervious surfaces	300 m ²	

Number of Units and Site Areas	Area 1	Area 2
Maximum number of primary <i> dwellings</i> on any <i> lot</i>	1	1
Maximum number of primary <i> dwellings</i>	22	1
Maximum number of accessory <i> secondary suites</i> or <i> detached secondary suites</i>	22	1
Maximum number of accessory <i> buildings</i> on any <i> lot</i>	2	2
Maximum number of accessory <i> buildings</i> on any <i> lot</i> that may be used for <i> home occupation</i>	1	1
Maximum size of all <i> buildings</i> , excluding garage and uninhabited accessory <i> buildings</i>	230 m ²	
Despite subsections 3.54.4 and 3.54.5, maximum size of detached secondary suite	75 m ²	75 m ²
Height		
Maximum <i> height</i> of a <i> primary building</i> or <i> structure</i> (metres)	9	9
Maximum <i> height</i> of an <i> accessory building</i> or <i> 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

4.25.3 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	Area 1	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

4.26 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.

4.26.1 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 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>Artisan 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 4.26.3 (Conditions of Use)		♦
Permitted Buildings and Structures		
<i>Gas Station</i>		♦
<i>Buildings and Structures</i> accessory to permitted <i>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 CD 13 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	Area 1	Area 2
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 (metres)		
All <i>lot lines</i> (metres)	10	
When lot abuts an Industrial Zoned lot		
All <i>lot lines</i> (metres)	0	
When lot abuts a non-Industrial Zoned lot		
All <i>lot lines</i> : Same <i>setbacks</i> as <i>Zone</i> abutting property	♦	

4.26.3 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 as 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	♦	♦

4.27 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 CD 15 Zone, as indicated by the column headings.

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 CD 15 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, Detached</i>			♦
<i>Dwelling, Attached</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>Accessory Residential Use</i>			♦
<i>Home Occupation Uses</i> subject to Part 3	♦		♦
<i>Residential Guest Accommodation</i>			♦

4.27.2 Size and Siting of Permitted Uses, Buildings and Structures

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

Lot Coverage	Area 1	Area 2	Area 3
Maximum <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i>	50%	55%	60%
Maximum <i>FSR</i> for all <i>buildings</i> and <i>structures</i>			0.85
Maximum size for <i>Dwelling, Detached</i> , or <i>Dwelling, Attached</i> (square metres) not including one parking space in an attached garage			140
Height			

Maximum Height of a <i>building</i> or <i>structure</i> shall be the lesser of 3 stories or (metres)	9	14	11
Units			
Total number of primary <i> dwellings</i> for area	19	24	27
Minimum number of units of <i>Supportive Housing</i>		16	
Maximum number of <i>Dwelling, Attached units</i>		8	
Maximum number of <i>Dwelling, Detached and Dwelling, Attached units</i>			27
Setbacks			
Minimum <i>setback</i> from front <i>lot line</i> (metres)	4	4	3
Minimum <i>setback</i> from front <i>lot line</i> for <i>garage</i> (metres)			2.1
Minimum <i>setback</i> from front <i>lot line</i> for carport (metres)			0.3
Minimum <i>setback</i> from side <i>lot line</i> for <i>Supportive Housing</i> (metres)	3	3	
Minimum <i>setback</i> from side <i>lot line</i> for attached and detached dwelling (metres)	3	1.2	1.2
Minimum <i>setback</i> from rear <i>lot line</i> (metres)	3	3	2.4

4.27.3 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, except that the off-street parking for *Supportive Housing* and for *Dwellings, Attached* in Area 2 shall be a minimum of 0.6 spaces per unit.

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 CD 16 Zone:

Principal Uses of Land, Buildings and Structures	CD 16
<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>	♦
<i>Residential Guest Accommodation</i>	♦
Permitted Buildings and Structures	
<i>Dwelling, Attached</i>	♦
<i>Buildings and Structures accessory to permitted 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 CD 16 must comply with the following regulations regarding size, siting and density:

Lot Coverage	CD 16
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i>	15%
Number of Dwelling Units and Building Footprint	
Maximum number of <i>dwellings</i>	30
Maximum number of <i>dwellings</i> in a <i>building</i>	8
Maximum number of <i>buildings</i> with <i>Cohousing</i> use	5
Maximum building footprint 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
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	CD 16
Maximum number of <i>lots</i> to be created by <i>subdivision</i> (other than a <i>strata</i> lot) (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 Conditions of Use

- (1) 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.

4.28.5 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, except that the number of required parking spaces shall be based on the ratio of 1.5 parking spaces per dwelling unit.

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 CD 17 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 CD 17 Zone:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2
<i>Dwelling</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>Accessory Residential Use</i>	♦	
<i>Residential Guest Accommodation</i>	♦	
<i>Domestic Agriculture</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 CD 17 Zone must comply with the following regulations regarding size, siting and density:

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

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

4.29.3 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	CD 17
Minimum <i>lot area</i> (ha) without community water system (Area 1)	1
Minimum <i>lot area</i> (ha) with community water system (Area 1)	1
Minimum <i>lot area</i> (ha) (Area 2)	2

4.29.4 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, at the rate of 2 parking spaces per constructed dwelling unit.

4.30 COMPREHENSIVE DEVELOPMENT 18 (CD 18) ZONE (ARBUTUS RIDGE)

Information Note: The purpose of the CD 18 Zone is to provide regulations for the subdivision and comprehensive development of approximately 38 hectares of land as four separate areas. Area 1 permits 34 lots for detached residential dwellings in “clusters” of development. Area 2 permits a “cottage residential development” providing special needs housing and a range of accessory uses. Area 3 will provide for parkland consisting of a combination of natural areas, trails and a neighbourhood park. Area 4 permits 4 lots for detached residential dwellings, each with an accessory residential use permitted.

The regulations in the tables in this Section apply to land in the CD 18 Zone, as indicated by the column headings. For the purposes of this zone, different regulations apply in Area 1, 2, 3, and 4. The Area boundaries are identified on the map attached as Schedule A to this Bylaw. Minor adjustments to the establishment of the area boundaries will be permitted based upon more detailed site investigations that will be undertaken at the subdivision approval stage.

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 CD 18 Zone:

Principal Uses of Land, Buildings and Structures	Area 1	Area 2	Area 3	Area 4
<i>Dwelling, Detached</i>	◆			◆
<i>Cottage Residential Development</i>		◆		
Open Space	◆	◆	◆	◆
<i>Neighbourhood Park</i>			◆	◆
Public Trails	◆	◆	◆	◆
Accessory Uses of Land, Buildings and Structures				
<i>Accessory Residential Use</i>	◆			
<i>Uses accessory to principal uses</i>	◆	◆	◆	◆
<i>Domestic Agriculture</i>	◆	◆		◆
<i>Agriculture</i>		◆		
<i>Home Occupation use subject to Part 3</i>		◆		
<i>Artisan Industry</i>		◆		
Restaurant		◆		
<i>Accessory residential use</i>		◆		◆
Permitted Buildings and Structures				
<i>Dwelling, Detached</i>	◆	◆		◆
<i>Common Amenity Building</i>		◆		

<i>Buildings and Structures accessory to Cottage Residential Development</i>	◆	◆		
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4.30.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

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

Lot Coverage and Maximum Floor Area	Area 1	Area 2	Area 3	Area 4
Maximum lot coverage	25%	15%	1%	25%
Maximum total <i>floor area</i> of common amenity building (m ²)		200		
Maximum total <i>floor area</i> of <i>accessory buildings</i> used for <i>Domestic Agriculture and Horticulture</i> (m ²)		350		
Maximum total <i>floor area</i> of <i>accessory buildings</i> , other than the community amenity building, used for workshops, studios and meeting rooms (m ²)		360		
Maximum total floor area of accessory <i>retail</i> uses (m ²)		50		
Maximum total floor area of accessory <i>restaurant</i> use (m ²)		70		
Maximum <i>floor area</i> of all buildings on a lot excluding garages and accessory buildings				
Maximum <i>floor area</i> of all buildings on a lot excluding garages and accessory buildings	260	2130		
Maximum <i>floor area</i> of all buildings, including <i>accessory residential use</i> , excluding garages and accessory buildings				260
Additional <i>floor area</i> permitted on a <i>lot</i> containing an <i>accessory residential use</i> (m ²)				40
Maximum <i>floor area</i> of caretaker's residents in <i>cottage residential development</i> (m ²)		300		
Maximum size of <i>floor area</i> of detached dwellings in <i>cottage residential development</i> (m ²)		250		
Number of Units and Site Areas				
<i>Maximum number of dwellings</i>	34	14		4
Maximum number of detached dwellings on any lot	1	14		1
Maximum number of accessory buildings on any lot	2	6		2
Height				
Maximum height of a principal building or structure (metres)	9	9		9
Maximum height of an accessory building or structure (metres)	9	9		9
Setbacks				

Minimum setback from side lot lines (metres)	3	3		3
Minimum setback from front lot lines (metres)	3	7.5		3
Minimum setback for a building from any lot line that abuts a highway (metres)		4.6		
Minimum setback from rear lot lines (metres)	3	3		3

4.30.3 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 18 Zone:

Lot Areas for the Creation of New Lots through Subdivision	Area 1	Area 2	Area 4
Maximum number of lots to be created by subdivision	34	1	4
Minimum lot area (hectares)		3	
Minimum lot area (m ²)	1500		

4.30.4 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.

4.31 COMPREHENSIVE DEVELOPMENT 19 (CD 19) ZONE (COMMUNITY LANDS LOT 2)

Information Note: The purpose of the CD 19 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 19 Zone (CD 19), as indicated by the column headings.

4.31.1 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 19 Zone:

	Area 1	Area 2	Area 3
Principal Uses of Land, Buildings and Structures			
<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 Land, Buildings and Structures			
<i>Retail Use</i>	♦		♦
<i>Restaurant</i>	♦		♦
<i>General Services</i>	♦		♦
<i>Office</i>	♦		♦
<i>Medical Clinic</i>	♦		
<i>Apartment Dwelling</i>			♦
Accessory Uses of Land, Buildings and Structures			
Uses Accessory to principal uses	♦	♦	♦
<i>Home Occupation Use, (excluding bed and breakfast use) Subject to Part 3</i>		♦	
Permitted Buildings and Structures			
Buildings and structures accessory or secondary to permitted uses	♦	♦	♦
<i>Apartment Dwelling</i>	♦		♦

	Area 1	Area 2	Area 3
<i>Townhouse Dwelling</i>	♦	♦	
<i>Dwelling, Attached</i>		♦	

4.31.2 Size Siting and Density of Permitted Buildings and Structures

(1) Subject to Part 3, uses, buildings and structures in the CD 19 Zone must comply with the following regulations regarding *size*, *siting* and *density*:

	Area 1	Area 2	Area 3
Lot Coverage			
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)	1,000 plus 4 sq. m. for every 1 sq. m. floor area of <i>Office, General Service, Medical Clinic, Retail or Restaurant Uses</i> , to a maximum of 2,200 sq. m.	-	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</i> of <i>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
Maximum floor area of all buildings and structures (square metres)	2,500		
Height			
<i>Maximum height</i> of <i>townhouse dwellings</i> (metres or storeys, whichever is less)		9.0 m or 2.5 storeys	-

	Area 1	Area 2	Area 3
<i>Maximum height of an apartment dwellings (metres or storeys, whichever is less)</i>	14 m		14 m or 3 storeys
Setbacks			
Minimum <i>setback</i> from front <i>lot lines</i> (metres)	3.0	3.0	3.0
Minimum <i>setback</i> from exterior side <i>lot lines</i> (metres)	0.0	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</i> from rear <i>lot line</i> (metres)	3.0	3.0	3.0
Conditions of Use			
<i>Retail, Restaurant, General Service, Office Uses and Medical Clinic</i> uses shall be permitted only as secondary uses on the ground floor or second floor of <i>Apartment Dwelling</i> and <i>Community Campus Use</i> buildings.	♦		♦
Despite the definition of <i>Floor Area</i> , in this CD 19 Zone only, the calculation shall exclude a storey that consists of a parking garage, including a portion of such storey used for Parking, Short-Term and Secure Bicycle Parking, or providing vehicular, bicycle, or common pedestrian access to Parking areas.	♦	♦	♦

4.32 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.

4.32.1 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 20 Zone:

Principal Uses of Land, Buildings and Structures	CD 20
<i>Retail</i>	♦
<i>General services</i>	♦
<i>Restaurant</i>	♦
<i>Dwelling</i>	♦
<i>Assembly</i>	♦
<i>Indoor Entertainment Facility</i>	♦
<i>Artisan 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 Area, 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>	♦

4.32.2 Size, Siting and Density of Permitted Buildings and Structures

(1) Subject to Part 3, *uses, buildings and structures* in the CD 20 Zone must comply with the following regulations regarding *size, siting and density*:

	Area 1	Area 2	Area 3	Area 4	Area 5
Lot Coverage					
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (sq. m.) calculated as follows:	5% of lot area	5% of lot area to a maximum of 300 sq. m.	5% of lot area to a maximum of 300 sq. m.	30% of lot area	100 sq. m. plus 30% of lot area to a maximum of 500 sq. m.
Maximum number of primary <i>dwelling units</i>			1		22
Maximum number of primary <i>dwelling units</i> per <i>lot</i>			1		6
Maximum number of primary <i>dwelling units</i> with maximum <i>Floor Area</i> , excluding garage, of 105 sq. m.					10
Maximum number of primary <i>dwelling units</i> with maximum <i>floor area</i> , excluding garage, of 171 sq. m.					11
Maximum number of primary <i>dwelling units</i> with maximum <i>floor area</i> of 465 sq. m.					1
Height					
Maximum <i>height</i> of a <i>building or structure</i> (metres)	9	9	9	9	11
Setbacks					
Minimum <i>setback</i> from front or rear <i>lot line</i> (metres)	7.5	7.5	7.5	7.5	3
Minimum <i>setback</i> from the surveyed right of way for a road	4.6	4.6	4.6	4.6	4.6
Minimum <i>setback</i> from side <i>lot line</i> (metres)	7.5	7.5	7.5	7.5	3
Conditions of Use					
Despite Section 3.54, maximum number of detached secondary suites permitted on <i>lots</i> smaller than 0.36 hectares					2

	Area 6	Area 7	Area 8	Area 9	Area 10
Lot Coverage					

Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (sq. m.) calculated as follows:	100 sq. m. plus 30% of lot area to a maximum of 500 sq. m.	100 sq. m. plus 30% of lot area to a maximum of 500 sq. m.	100 sq. m. plus 30% of lot area to a maximum of 500 sq. m.	100 sq. m. plus 10% of lot area to a maximum of 1500 sq. m.	100 sq. m. plus 15% of lot coverage to a maximum of 1500 sq. m.
Maximum number of primary <i>dwelling units</i>	70	80	12		
Maximum number of primary <i>dwelling units</i> with maximum <i>floor area</i> , excluding garage, of 115 sq. m.	3	15	12		
Maximum number of primary <i>dwelling units</i> with maximum <i>floor area</i> , excluding garage, of 171 sq. m.	65	61	0		
Maximum number of primary <i>dwelling units</i> with maximum <i>floor area</i> of 465 sq. m.	2	4	0		
Maximum <i>floor area</i> for <i>general services</i> (square metres)	300	600			
The maximum number of total units in Area 6 & 7 shall not exceed 131	◆	◆			
Number of Units and Site Areas					
Maximum number of primary <i>dwelling units</i> per <i>lot</i>	6	6	12	1	1
Maximum number of guest bedrooms per 0.4 ha <i>lot area</i>				12	12
Maximum number of guest bedrooms per <i>lot</i>				12	12
Maximum number of in-residence guests per <i>lot</i>				24	24
Maximum <i>floor area</i> for accessory <i>retail sales</i> (m ²)				20	20
Maximum number of meeting/course/workshop participants calculated as follows: 3 participants per each permitted guest bedroom				36	
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	1
Maximum number of accessory <i>buildings</i> on any lot that may be used for <i>home</i>				1	1

<i>occupation</i> for each 0.2 ha of <i>lot</i> area or portion thereof.					
Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres)	11	11	9	11	11
Setbacks					
Despite Section 3.30, minimum <i>setback</i> from front or rear <i>lot line</i> (metres)	3	3	3	3	3
Minimum <i>setback</i> from surveyed right of way for a road	4.6	4.6	4.6	4.6	4.6
Minimum <i>setback</i> from side <i>lot line</i> (metres)	2	2	2	3	3
Conditions of Use					
Despite Section 3.54, maximum total number of detached secondary suites permitted on <i>lots</i> smaller than 0.36 hectares	5	5			

4.32.3 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 CD 20 Zone:

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

4.33 COMPREHENSIVE DEVELOPMENT 21 (CD 21) ZONE – GRAFTON LAKE

Information Note: The purpose of the CD 21 Zone is to accommodate the comprehensively planned area around Grafton Lake, which includes residential areas, a nature preserve, parks and trails, offices, daycares, a guest house, and retreat centres.

The regulations in the tables in this Section apply to land in the *Comprehensive Development 21 (Grafton Lake) Zone*, as indicated by the column headings. For purposes of regulation the area within the boundary of the CD 21 Zone is divided into ten (10) separate areas labelled as Area 1 through Area 10 inclusive.

4.33.1 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 Grafton Lake Zone:

	Area 1	Area 2	Area 3	Area 4	Area 5
Principal Uses of Lands, Buildings and Structures					
<i>Dwelling</i>					♦
Playgrounds			♦		
Water Works System				♦	
<i>Agriculture</i>	♦	♦	♦		
Accessory Uses of Lands, Buildings and Structures					
Uses accessory to the principal uses	♦	♦	♦	♦	♦
Home Occupation use, Subject to Part 3					♦
Accessory Residential Use					♦
<i>Dwelling</i>			♦		
<i>Domestic Agriculture</i>					♦
Permitted Buildings and Structures					
<i>Dwelling, detached</i>			♦		♦
<i>Dwelling, attached</i>			♦		♦
<i>Buildings and Structures</i> accessory to permitted uses	♦	♦	♦	♦	♦

	Area 6	Area 7	Area 8	Area 9	Area 10
Principal Uses of Lands, Buildings and Structures					
<i>Dwelling</i>	♦	♦	♦		
<i>General Services</i>					
<i>Daycare</i>	♦	♦			
Playgrounds	♦	♦	♦		

Play Fields	♦	♦	♦		
<i>Agriculture</i>				♦	
<i>Retreat Centre</i>					♦
<i>Guest House</i>				♦	
Accessory Uses of Lands, Buildings and Structures					
Uses accessory to the principal uses	♦	♦	♦	♦	♦
Home Occupation use, Subject to Part 3	♦	♦	♦	♦	♦
Accessory Residential Use	♦	♦	♦		
<i>Dwelling</i>				♦	♦
<i>Retail</i>					♦
<i>Domestic Agriculture</i>	♦	♦	♦		♦
Permitted Buildings and Structures					
<i>Dwelling, detached</i>	♦	♦	♦	♦	♦
<i>Dwelling, attached</i>	♦	♦	♦	♦	♦
<i>Buildings and Structures accessory to permitted uses</i>	♦	♦	♦	♦	♦

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

- (1) Subject to Part 3, *uses, buildings and structures* in the Comprehensive Development 21 Zone must comply with the following regulations regarding size, siting and density:

	Area 1	Area 2	Area 3	Area 4	Area 5
Lot Coverage					
Maximum combined <i>lot coverage</i> of all <i>buildings and structures</i> (sq. m.) calculated as follows:	5% of lot area	5% of lot area to a maximum of 300 sq. m.	5% of lot area to a maximum of 300 sq. m.	30% of lot area	100 sq. m. plus 30% of lot area to a maximum of 500 sq. m.
Maximum number of dwelling units			1		22
Maximum number of dwellings per lot			1		6
Maximum number of Dwelling units with maximum <i>Floor Area</i> , excluding garage, of 105 sq. m.					10
Maximum number of Dwelling units with maximum <i>Floor Area</i> , excluding garage, of 171 sq. m.					11

Maximum number of Dwelling units with maximum <i>Floor Area</i> of 465 sq. m.					1
Height					
Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres)	9	9	9	9	11
Setbacks					
Minimum <i>setback</i> from front or rear lot line (metres)	7.5	7.5	7.5	7.5	3
Minimum <i>setback</i> from the surveyed right of way for a road	4.6	4.6	4.6	4.6	4.6
Minimum <i>setback</i> from side lot line (metres)	7.5	7.5	7.5	7.5	3
Conditions of Use					
Despite Section 3.54, maximum number of detached secondary suites permitted on lots smaller than 0.36 hectares					2

	Area 6	Area 7	Area 8	Area 9	Area 10
Lot Coverage					
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (sq. m.) calculated as follows:	100 sq. m. plus 30% of lot area to a maximum of 500 sq. m.	100 sq. m. plus 30% of lot area to a maximum of 500 sq. m.	100 sq. m. plus 30% of lot area to a maximum of 500 sq. m.	100 sq. m. plus 10% of lot area to a maximum of 1500 sq. m.	100 sq. m. plus 15% of lot coverage to a maximum of 1500 sq. m.
Maximum number of dwelling units	70	80	12		
Maximum number of Dwelling units with maximum <i>Floor Area</i> , excluding garage, of 115 sq. m.	3	15	12		
Maximum number of Dwelling units with maximum <i>Floor Area</i> , excluding garage, of 171 sq. m.	65	61	0		
Maximum number of Dwelling units with maximum <i>Floor Area</i> of 465 sq. m.	2	4	0		

Maximum <i>Floor Area</i> for General Services (square metres)	300	600			
The maximum number of total units in Area 6 & 7 shall not exceed 131	♦	♦			
Number of Units and Site Areas					
Maximum number of <i>dwelling</i> s per <i>lot</i>	6	6	12	1	1
Maximum number of guest bedrooms per 0.4 ha <i>lot</i> area				12	12
Maximum number of guest bedrooms per <i>lot</i>				12	12
Maximum number of in-residence guests per <i>lot</i>				24	24
Maximum <i>floor</i> area for accessory <i>retail</i> sales (m2)				20	20
Maximum number of meeting/course/workshop participants calculated as follows: 3 participants per each permitted guest bedroom				36	
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.				1	1
Maximum <i>height</i> of a <i>building</i> or <i>structure</i> (metres)	11	11	9	11	11
Setbacks					
Despite Section 3.30, minimum <i>setback</i> from front or rear lot line (metres)	3	3	3	3	3
Minimum <i>setback</i> from surveyed right of way for a road	4.6	4.6	4.6	4.6	4.6
Minimum <i>setback</i> from side lot line (metres)	2	2	2	3	3
Conditions of Use					
Despite Section 3.54, maximum total number of detached secondary suites permitted on lots smaller than 0.36 hectares	5	5			

4.33.3 Subdivision and Servicing Requirements

- (1) The regulations in *this* Subsection apply to the *subdivision* of land under the Land Title Act and the Strata Property Act

	Area 1	Area 2	Area 3	Area 4	Area 5
Lot Areas for the Creation of New Lots Through Subdivision					
Minimum <i>lot</i> area for individual <i>lots</i> (sq. m.) served by <i>community water system</i>	4,000	4,000	4,000	1,100	367
Minimum <i>lot</i> area for individual <i>lots</i> (ha) not served by <i>community water system</i>	1	1	1	1	1
	Area 6	Area 7	Area 8	Area 9	Area 10
Lot Areas for the Creation of New Lots Through Subdivision					
Maximum number of lots that may be created through subdivision			12		
Minimum lot area for individual lots (sq. m.) served by community water system	367	367	275	1,100	367
Minimum lot area for individual lots (ha) without community water	1	1	1	1	0.4

4.34 COMPREHENSIVE DEVELOPMENT 22 (CD 22) ZONE (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>Artisan Industry</i>	♦			
<i>Dwelling</i>	♦	♦	♦	♦
<i>General Services</i>	♦			
<i>Indoor Entertainment Facility</i>	♦			
<i>Indoor Recreational Facility</i>	♦			
<i>Live/Work Unit</i>	♦			
<i>Light Manufacturing</i>	♦			
Machinery and tool repair and rental, excluding motor vehicle repair	♦			
	♦			
<i>Restaurant</i>	♦			
<i>Retail Use</i>	♦			
<i>Storage and warehousing</i>	♦			
<i>Supportive Housing</i>		♦		
Accessory Uses of Land, Buildings and Structures				
<i>Accessory Residential Use</i>			♦	♦
Uses accessory to principal uses	♦	♦	♦	♦
<i>Home Occupation use, subject to Part 3 except that bed and breakfast use is not permitted</i>	♦	♦	♦	

Home Occupation use, subject to Part 3				♦
Permitted Buildings and Structures				
Dwelling, detached			♦	♦
Dwelling, attached	♦	♦		
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 CD 22 Zone must comply with the following regulations regarding *size, siting and density*:

Lot Coverage	Area 1	Area 2	Area 3	Area 4
Maximum combined lot coverage of all buildings and structures	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, manufacturing, assembly, processing or repair</i> use (square metres)	400			
Maximum <i>floor area</i> of any primary building (square metres)	1000			
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 primary <i>dwelling</i> units		20	1	1
Maximum number of accessory <i>buildings</i> , subject to Part 3				3
Height				
Maximum <i>building height</i> (metres)	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 <i>setback</i> from interior side <i>lot lines</i> (metres)	1.5	3.0	7.5	3.0
Minimum <i>setback</i> from all interior <i>lot lines</i> for walkways and bridges connecting <i>buildings</i> (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 uses must not be noxious or offensive to any adjacent property or the general public by reason of emitting odours, dust, smoke, gas, 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 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	♦			

4.34.3 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 motor vehicles 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 *lot* 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, medical clinic, 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 *lot* 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 *lot* 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*.
- 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.

STANDARD DIMENSIONS

- 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 a *parking area* is paved, the width of the line marking *parking spaces* shall be 10 centimetres (4 inches) in width.

5.16 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.

5.17 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)

5.18 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

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

Number of required <i>parking spaces</i>	Number of spaces to be designed and marked for <i>Use</i> by Persons with Disabilities
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

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

TANDEM PARKING

- 5.21 Tandem *parking spaces* shall be no less than the width and two times the length of the applicable *parking space* dimension.
- 5.22 Where Table 5-1 requires parking for employees such spaces may be provided as tandem spaces.
- 5.23 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

- 5.24 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.
- 5.25 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*.
- 5.26 Any lighting provided for a *parking area* must be so arranged as to direct or reflect the light exclusively on the *parking area*.
- 5.27 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.

TABLE 5-1 MINIMUM NUMBER OF OFF-STREET PARKING SPACES

LAND USE / ZONE	Number of Off-Street <i>Parking spaces</i> Required
	AGRICULTURE
<i>All Zones</i>	1 per 2 non-resident employees
	BED AND BREAKFAST AND RESIDENTIAL GUEST ACCOMMODATION
<i>All Zones</i>	1 per guest room
	CHURCH, COMMUNITY HALL, ASSEMBLY
<i>Rural Zones</i>	1 per 15 m ² <i>floor area</i>
<i>Settlement Zones</i>	1 per 15 m ² <i>floor area</i>
<i>Village Zones</i>	1 per 40 m ² <i>floor area</i>
<i>CD Zones</i>	1 per 15 m ² <i>floor area</i>
<i>CD 20 Zone</i>	1 per 60 m ² <i>floor area</i>
	COMMUNITY DOCK, WHARF, BOAT LAUNCH
<i>All Zones</i>	4 per boat launch
	ARTISAN INDUSTRY
<i>Rural Zones</i>	1 per 30m ² <i>floor area</i>
<i>Settlement Zones</i>	1 per 30m ² <i>floor area</i>
<i>Village Zones</i>	1 per 40m ² <i>floor area</i>
<i>CD 1 Zone</i>	1 per 30m ² <i>floor area</i>
<i>CD 20 Zone</i>	1 per 60m ² <i>floor area</i>
	DAYCARE
<i>Rural Zones</i>	1 per 2 employees, plus 2 spaces
<i>Settlement Zones</i>	1 per 2 employees, plus 2 spaces
<i>Village Zones</i>	1 space
<i>CD 1 Zone</i>	1 space
<i>CD 19 Zone</i>	1 per 50 m ² of floor area
	DWELLING
<i>Rural Zones</i>	2 per <i>dwelling unit</i>
<i>Settlement Zones</i>	1 per <i>dwelling unit</i>

Village Zones	1 per <i>dwelling unit</i>
CD 10 Zone	2 per <i>dwelling unit</i>
Area 1 CD 19 Zone	0.5 per <i>dwelling unit</i>
Area 2 & 3 CD 19 Zone	1 per <i>dwelling unit</i> , plus 0.25 spaces per unit for visitor parking
All other CD Zones	1 per <i>dwelling unit</i>
GARDEN CENTRE	
Rural Zones	1 per 20 m ² of indoor <i>floor area</i> , plus 1 per 200 m ² of outdoor area
GENERAL SERVICE, RETAIL, RESTAURANT, PUB	
Village Zones	1 per 40 m ² <i>floor area</i>
CD 1 Zone	1 per 40 m ² <i>floor area</i>
CD 2 Zone	1 per 40 m ² <i>floor area</i>
CD 20 Zone	1 per 60 m ² <i>floor area</i>
GUEST HOUSE	
Rural Zones	1 per guest room, plus 1 per 2 non-resident employees, plus 1 per 6 dining room seats
All Other Zones	1 per <i>dwelling</i> and guest unit
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
INDOOR ENTERTAINMENT FACILITY	
Rural Zones	1 per 15 m ² <i>floor area</i>
Settlement Zones	1 for 10 m ² <i>floor area</i>
Village Zones	1 per 40 m ² <i>floor area</i>
CD 5 Zone	1 per 15 m ² <i>floor area</i>
CD 20	1 per 60 m ² <i>floor area</i>
INDUSTRIAL	
Industrial Medium Zone	1 per employee plus 1 truck space

Industrial Commercial Zone	1 per employee plus one truck space
	PUBLIC COMMUNITY FACILITY AND COMMUNITY CAMPUS
Village Zones	1 per 40 m ² <i>floor area</i>
CD 2 Zone	1 per 20 m ² <i>floor area</i>
CD 19 Zone	1 per 40 m ² of floor area
	LIGHT INDUSTRIAL
All non-residential uses	1 per 40 m ² of <i>floor area</i> 1 loading bay per building
Residential dwelling	0.5 space per unit
	MARINA
All Zones	1 per 3 berths
	MEDICAL CLINIC
Village Zones	1 per 40 m ² <i>floor area</i>
CD 19 Zone	1 per 40 m ² <i>floor area</i>
	GOVERNMENT OFFICE
All Zones	2 per 40 m ² <i>floor area</i> , 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
	NEIGHBOURHOOD PARK / PLAY FIELDS
All Zones	5
	EMERGENCY SERVICES
All Zones	1 per employee, plus 2 spaces
	RECREATION, TRAINING AND MEETING CENTRE
All Zones	1 per 2 guest rooms, plus 1 per 2 non-resident employees
	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
	SCHOOL
All Zones	1 per employee plus 1 per 15 m ² of <i>assembly space</i>
	SERVICE STATION, GAS STATION

All Zones	4, plus 2 per service bay
	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
	SUPPORTIVE HOUSING
CD 19	1 per 2 bedrooms
All Zones	1 per 2 bedrooms, plus 1 per employee
	VEHICLE REPAIR GARAGE
All Zones	6

COMPREHENSIVE DEVELOPMENT ZONE 19 – COMMUNITY LANDS LOT 2

LAND USE/ZONE	Number of Off-Street Parking spaces Required
<i>Community Campus</i>	1 per 40 m ² of <i>floor area</i>
<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 <i>floor area</i>
Supportive Housing	1 per 2 bedrooms
Daycare	1 per 50 m ² of <i>floor area</i>

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*, or *emergency services*, 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 *lot* 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 *lots*.

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

<i>USE</i>	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, Restaurant, Pub.	2670
<i>Guest House, Bed and Breakfast, Retreat Centre</i>	1100 plus an additional 440 litres per day for each guest bedroom
All other uses	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 488 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; establish objectives for the form and character of intensive residential development; 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) Road banks 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 Protection Regulation* of the *Fish Protection Act*.
- 2) This designation follows the *Riparian Areas Protection 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 Protection 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 Protection 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 Protection 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 Protection 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 Protection 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 Protection 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 Conservancy, 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 Conservancy, 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 and any *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

1. The Schedule “E” Snug Cove Design Guidelines shall apply.
 - a) A development permit shall be required in the Village Revitalization Development Permit Area for the following land use activities and conditions.
 - i. Construction of new buildings and/or structures.
 - ii. Additions, renovations or alterations to existing buildings and/or structures.
 - iii. Changes to the exterior appearance of a property that is visible from a public area.

Exemptions

1. A development permit shall not be required in the Village Revitalization Development Permit Area for the following land use activities and conditions.
 - a) Alterations that do not affect the exterior appearance of an existing building or structure.
 - b) Replacement of siding; replacement of windows or doors, and repainting or re-staining of the exterior with a matching colour, design or material to what is currently in place.
 - c) Outdoor maintenance and repair of buildings or structures, which does not change the footprint of nor materially change the exterior appearance of the building or structure.
 - d) Replacement of sign faces with no change to the size, location or type of sign.
 - e) Landscaping or gardening work where the work is restoring native plantings, conducting habitat creation or maintenance in similar design to existing.

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 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 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. 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 re-staining 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.

7.6 DETACHED SECONDARY SUITE DEVELOPMENT PERMIT AREA

Information Note: The purposes of the Detached Secondary Suite Development Permit Area are to maintain neighbourhood character and minimize potential impacts to adjacent neighbours. Landscaping plays an important part in maintaining privacy, enhancing the visual aesthetics of the lot and character of the neighbourhood, as well as managing passive energy gain and water conservation.

Guidelines:

The following guidelines apply to the Detached Secondary Suite Development Permit Area:

Layout and Design

- 1) With respect to site layout, building orientation and design, the *detached secondary suite* shall:
 - a) Reflect the form and character of the primary dwelling in terms of design, scale and proportion and through appropriate choice of finishes, materials and colours.
 - b) Establish and maintain privacy with respect to the adjacent lots through the siting of the detached secondary suite, location and orientation of decks, external stairs, doors, windows and balconies.

Be sensitive to existing development on adjacent lots to minimize over view and shadowing, and to minimize impacts on established views.
 - c) Be unobtrusive and not compete visually with the primary dwelling unit.

Landscaping and Screening

- 2) Landscaping should blend with existing natural features to achieve site unity, coherence and balance.
- 3) Existing mature trees and significant landscape features on the property shall be kept wherever possible.
- 4) Alteration of existing grade and natural site features to accommodate the *detached secondary suite* should be minimized.
- 5) Private outdoor space such as a patio deck or garden area should include landscaping and screening to ensure privacy.
- 6) Additional landscape screening between the detached secondary suite and neighbouring lots should be considered, especially where the neighbouring lot has a primary dwelling that overlooks the detached secondary suite.

- 7) Landscape screening shall include a range of vegetation, including, but not limited to, evergreen trees, hedges, bushes as well as ground cover vegetation like grasses and flowers. Vegetation should be native and drought tolerant.
- 8) Additional landscape and screening shall screen garbage storage areas from being directly viewed from the street or adjacent lots.

Exemptions:

- 9) A development permit shall not be required in the Detached Secondary Suite Development Permit Area for the following conditions:
 - a) Interior alterations to an existing *detached secondary suite* with an approved Detached Secondary Suite Development Permit that do not result in changes to the exterior;
 - b) Alterations that do not affect the exterior appearance of an existing *detached secondary suite* with an approved Detached Secondary Suite Development Permit including, but not limited to, replacement of siding; replacement of windows or doors, and repainting or re-staining the exterior;
 - c) Expansion of an existing *detached secondary suite* with an approved Detached Secondary Suite Development Permit, where the expansion does not increase the floor area by more than 10% of the original floor area, and any new addition complies with the terms of the approved Detached Secondary Suite Development Permit;
 - d) Replacement of a *detached secondary suite* with an approved Detached Secondary Suite Development Permit where the *detached secondary suite* was destroyed by natural causes and where the replacement complies with the terms of the approved Detached Secondary Suite Development Permit;
 - e) Creation of a *detached secondary suite* in an accessory building constructed with a valid Building Permit before December 2016;
 - f) A *detached secondary suite* constructed a minimum of 30 metres from any lot line;
 - g) A *detached secondary suite* not exceeding 5 metres in height and constructed a minimum of 10 metres from any lot line;

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 of 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 of the building.
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.

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

Snug Cove Design Guidelines

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 (m²)	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

