



Executive Committee Agenda Addendum

Date: Wednesday, October 30, 2024

Time: 9:15 a.m.

Location: Electronic Meeting, and a physical location to view the livestream of the meeting:
Islands Trust Victoria Office
#200 - 1627 Fort Street
Victoria, BC V8R 1H8

	Pages
6. BYLAWS FOR APPROVAL CONSIDERATION	2 - 26
<i>6.1 Bowen Island Municipality – Land Use Bylaw Amendment No. 666 and Official Community Plan Bylaw Amendment Bylaw No. 667 - Request for Decision</i>	

REQUEST FOR DECISION

ISLAND MUNICIPALITY BYLAW SUBMISSION

08-3020-20-01

DATE OF MEETING: October 30, 2024
TO: Islands Trust Executive Committee
FROM: Trust Area Services
SUBJECT: Bowen Island Municipality – Land Use Bylaw Amendment No. 666 and Official Community Plan Bylaw Amendment Bylaw No. 667

RECOMMENDATION

- 1) **THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 666, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” and Bylaw No. 667, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024” may be contrary to, or at variance with, the following policies of the Islands Trust Policy Statement:**
 - **4.4.2 – Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure that:**
 - Neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater;
 - Water quality is maintained; and
 - Existing, anticipated and seasonal demands for water are considered and allowed for.
 - **5.3.7 – Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and intercommunity transportation systems that reduce dependency on private automobile use.**
- 2) **THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 666, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” and Bylaw No. 667, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024” can be made consistent with the Islands Trust Policy Statement by providing the following information:**
 - **Confirmation that the applicant has received a non-domestic water license as required under the *Water Sustainability Act*.**
- 3) **THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 666, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” can be made consistent with the Islands Trust Policy Statement by the following amendment:**
 - **That the total floor area of the school use on the subject property be limited to that which was extant when the rezoning application was made.**

IMPLICATIONS OF RECOMMENDATION

Organizational: Advising Bowen Island Municipality that the proposed bylaws may be contrary or at variance with the Islands Trust Policy Statement will set in motion the Bylaw Referral and Approval Process described in Schedule A of the [Island Trust/Bowen Island Municipality Protocol Agreement](#). This will require additional staff and Executive Committee time.

Financial: None

Policy: None

Implementation/Communications: Communication to Bowen Island Municipality regarding Executive Committee's decision by November 10, 2024.

Other - None

PURPOSE

Bowen Island Municipality Bylaws No. 666 (Attachment 1) and 667 (Attachment 2) are amendments to the BIM land use bylaw and official community plan respectively to allow for the permanent operation of a school on a Rural Residential-zoned property where it has been, for the last three years, authorized by temporary use permit.

The Islands Trust Council/Bowen Island Municipality Protocol Agreement sets out both agency's obligations regarding bylaw referrals. It states:

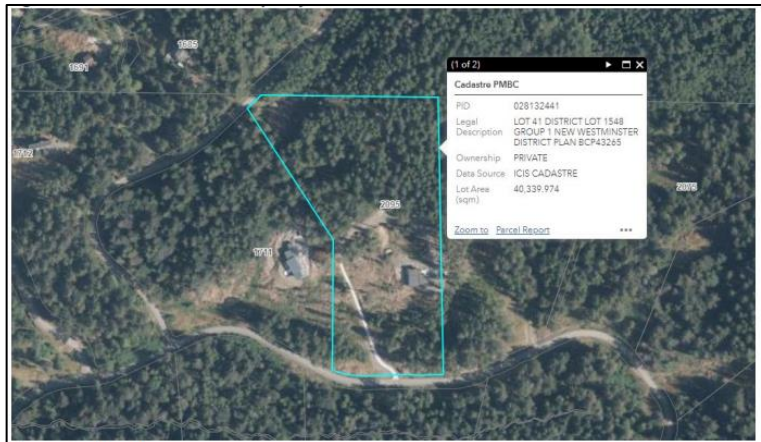
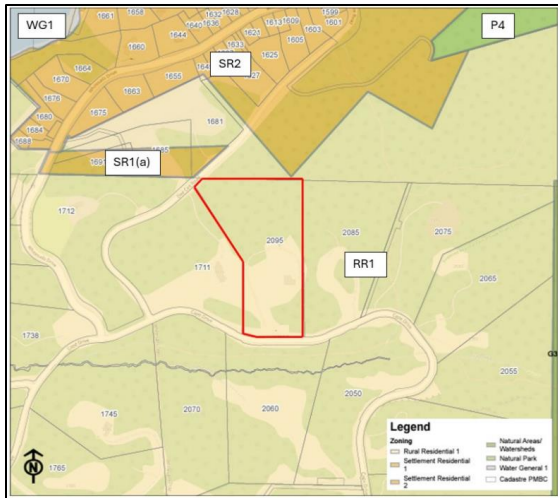
3.4 In recognition of its obligations under Section 14.3.c of the *Bowen Island Letters Patent*, the Municipality will not schedule a public hearing regarding a bylaw referred to the Islands Trust at Step 1 of Schedule A until it has received the Islands Trust Executive Committee's comments about the bylaw, or until 45 days have elapsed from the date of referral, whichever is earlier.

BACKGROUND

An applicant has applied to amend the Bowen Island Land Use Bylaw to add "school" as a permitted principal use on a four-hectare Rural Residential (RR1) zoned property in the Cape Roger Curtis area. This new use would retain the 1,500 m² lot coverage maximum that currently applies in the RR1 zone. In the near-term, the school plans to continue operations from a 303 m² floor area residential dwelling on the site.

A second amending bylaw is required to the Bowen Island Official Community Plan in order to allow the aforementioned Land Use Bylaw amendment. A new Rural Institutional (R/I) designation is proposed to enable institutional uses of rural land on a case-by-case basis, as this was not previously acknowledged under the Rural nor Institutional land use designations. A reference to the institutional use of land is also added to the section on the Cape Roger Curtis area, stating that institutional uses can be contemplated in this area provided that access routes are considered.

The subject property is located as follows:



Bowen Island staff reports related to this matter are available here:

- Staff Report September 9, 2024 meeting: <https://bowenisland.civicweb.net/document/316182/#page=75>
- Staff Report June 24, 2024 meeting: <https://bowenisland.civicweb.net/document/313388/#page=37>

Bowen Island Municipality Bylaw No. 666

Bylaw No. 666 would amend the BIM Land Use Bylaw by:

- Creating a site-specific Rural Residential 1(g) zone variant that allows school as a permitted principal use on the subject property.

Bowen Island Municipality Bylaw No. 667

Proposed Bowen Island Municipality (BIM) Bylaw No. 667 would amend the Bowen Island Official Community Plan by:

- Creating a site-specific Rural/Institutional (R/I) land use designation for the subject property;
- Adding the following text under the “Rural Institutional Land Use Management” section: “Properties designated as Rural Institutional include one lot in the Cape Roger Curtis area. Objective 64: To provide lots that allow for rural institutional uses in functional locations that are accessible to the public while preserving the unique amenities and environment of the island.”
- Adding the following text: “Policy 155: The Municipality may consider approving institutional uses within the Cape Roger Curtis site to uphold access to education for locals. Transportation access routes must be a consideration in approving new institutional uses.”

Issues Relating To First Nation Interest

The BIM staff report does not indicate that any First Nations engagement occurred. The Islands Trust Policy Statement does not contain directive policies about engagement with First Nations.

Public Comments

As of the date of this Request for Decision (RFD), Islands Trust Staff have not received any public comments.

If the proposed bylaws advance, Bowen Island Municipality will host a public hearing to solicit community feedback.

Staff Comments

The purpose of this RFD is to advise whether the proposed bylaws may be contrary to, or at variance with, the Islands Trust Policy Statement (ITPS). Bowen Island Municipality has considered the Islands Trust Policy Statement Directives Policies Checklist (Attached to Appendix 1).

BIM staff have identified four relevant Islands Trust Council policies, BIM staff and Islands Trust staff comment follow.

5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
<u>BIM staff comments:</u> The proposed amendment will encourage an efficient use of the land base by allowing the education institution to continue operating at 2095 Cape Drive, rather than being forced to seek out a new facility, or to have one built.	
<u>Islands Trust staff comments:</u> In the absence of detailed information about the commuting patterns of children and staff attending the school, it is difficult to assess the efficiency of this land use. However, the current school is small, limited to 20 students and three staff, and so the impact of any inefficiency created by the isolated location of the school is currently modest. However, the 1,500 m ² lot coverage maximum in the subject zone means there is opportunity for the school to become significantly larger in the future, which would increase the number of car trips to this more isolated area of the island. As such, staff recommend that the future floor area of the school be limited by a regulation in the proposed amending bylaw.	
5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and intercommunity transportation systems that reduce dependency on private automobile use.
<u>BIM staff comments:</u> The rezoning process will involve discussions around the transportation of students to the school, such as by the bus or via car sharing.	

<u>Islands Trust staff comments:</u> BIM staff’s June 2024 report states that “Most families have arranged carpooling, reducing the number of cars by half to an average of around seven cars/day.” The nearest public transit stop to the school is approximately one kilometre from the front property line of the site. However, Bowen Island planning staff suggest that approximately half of the students do take the bus, short-cutting the otherwise long walk from the bus stop by entering a path at the northwest corner of the subject property on Dee Cee Road. This reduces the distance from the bus stop to a little more than 500 metres, which falls within the 400 to 800 metre radius generally cited in land use planning as a “walkable” distance to services and amenities. The subject property is not located on the any of the routes identified in the proposed cycling network set out in the Bowen Island Transportation Plan. As noted in staff’s comments on 5.2.5 above, the floor area of the school should be limited in order to minimize its expansion and the attendant car traffic that would result.	
5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
<u>BIM staff comments:</u> The educational institute in this case has been operating for several years on Bowen Island. The provision of on-island services, such as a school, helps the self-sufficiency of Bowen Islanders in providing services and amenities locally without the need for islanders to commute to the mainland.	
<u>Islands Trust staff comments:</u> The subject application does not appear related to economic opportunities.	
5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community’s current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.
<u>BIM staff comments:</u> Supporting the IDLC in their continued operations at 2095 Cape Drive ensures that access to education remains in an accessible location available to island residents.	
<u>Islands Trust staff comments:</u> BIM planning staff indicate that the subject property is not identified as a future school site in the municipality and school district’s long-term plans. Rather, consideration of this site for school use is prompted by a rezoning application.	

Island Trust staff have identified the following additional relevant policy that was not included in BIM’s Policy Statement review:

4.4.2	Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure • neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, • water quality is maintained, and • existing, anticipated and seasonal demands for water are considered and allowed for.
<u>Islands Trust staff comments:</u> BIM staff reports indicate that the subject property is serviced by on-site water. A 2014 hydrogeology report provided at the time of subdivision indicates that the well on the property was capable of providing approximately, 20,000 litres per day over the course of the 24-hour pumping test that was conducted. However, In order to ensure that policy 4.4.2 is adequately addressed, Islands Trust should require more contemporary information about the water source used to service the school. Particularly, the <i>Water Sustainability Act</i> now requires that non-domestic ground-and-surface water users obtain a license from the Province, and through that process appropriate professional reports must be obtained that assess the viability, both quantitatively and qualitatively, of the water source relative to the use and any impacts to other users or the environment. As such, staff recommend that Islands Trust consideration of the proposed bylaws be subject to confirmation from Bowen Island Municipality that the applicant has received a non-domestic water license from the Province.	

Based on a review of proposed Bylaw Nos. 666 and 667, the BIM staff reports, and the ITPS Checklist, Islands Trust staff conclude that, at present, the proposed bylaws may be contrary to, or at variance with, the Islands Trust Policy Statement. However, this can be remedied with a modest amendment to proposed land use bylaw No. 666 and further information about the licensing status of freshwater use on the subject property.

KEY ISSUES/CONCEPTS

- Referral of Land Use Bylaw Nos. 666 and 667 under s.15 of the [Letters Patent](#)
- Written response to Bowen Island Municipality required by November 10, 2024 (45 days after date of receipt of the referral on September 26, 2024)
- Staff consider that further information/amendments are required before EC should resolve that the proposed bylaws are not contrary to, or at variance with, the Islands Trust Policy Statement

RELEVANT POLICY

- [Islands Trust Policy 1.3.1](#) [Policy Statement Implementation]
- [Bowen Island Municipality Letters Patent](#)
- [Islands Trust Council/Bowen Island Municipality Protocol Agreement, 2014](#)

ATTACHMENTS

1. BIM Staff Report dated September 9, 2024 (with proposed Bylaws 666 and 667 and Islands Trust Policy Statement Checklist attached to the report)

RECOMMENDATIONS

1. *THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 666, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” and Bylaw No. 667, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024” may be contrary to, or at variance with, the following policies of the Islands Trust Policy Statement:*
 - *4.4.2 – Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure that:*
 - *Neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater;*
 - *Water quality is maintained; and*
 - *Existing, anticipated and seasonal demands for water are considered and allowed for.*
 - *5.3.7 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and intercommunity transportation systems that reduce dependency on private automobile use.*
2. *THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 666, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” and Bylaw No. 667, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024” can be made consistent with the Islands Trust Policy Statement by providing the following information:*
 - *Confirmation that the applicant has received a non-domestic water license as required under the Water Sustainability Act.*
3. *THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 666, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” can be made consistent with the Islands Trust Policy Statement by the following amendment:*
 - *That the total floor area of the school use on the subject property be limited to that which was extant when the rezoning application was made.*

ALTERNATIVES

Determine that one or both of the bylaws are not contrary to, or at variance with, the Islands Trust Policy Statement:

1. *THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 666 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” is not contrary to, or at variance with, the Islands Trust Policy Statement.*

2. *THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 667, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024” is not contrary to, or at variance with, the Islands Trust Policy Statement.*

NEXT STEPS

If Executive Committee determines that Bylaw No. 666 (LUB bylaw amendment) may be contrary or at variance with the Islands Trust Policy Statement, this will trigger either further amendment to the bylaw by BIM, or potentially notification to the Minister by BIM and the Minister’s direction to BIM and EC about how the issue should be resolved. See non-OCP bylaw referral flow chart [here](#).

If Executive Committee determines that Bylaw No. 667 (OCP bylaw amendment) may be contrary or at variance with the Islands Trust Policy Statement, this will trigger either further amendment to the bylaw by BIM, or a meeting between BIM and EC. See OCP bylaw referral flow chart [here](#).

If Executive Committee determines that Bylaw Nos. 666 and 667 are consistent with the Islands Trust Policy Statement, staff will communicate this to Bowen Island Municipality.

Submitted By:	Senior Policy Advisor, Trust Area Services	October 23, 2024
Reviewed By:	Director, Planning Services	October 28, 2024
Reviewed By:	Director, Trust Area Services	October 24, 2024



To: Mayor Leonard and Council

From: Drew Bakken, Island Community Planner

Date: September 9, 2024 Meeting Date: September 23, 2024

Subject: **2095 Cape Drive**
Allan Saugstad
LOT 41 DISTRICT LOT 1548 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP43265
File No. RZ-2024-0073

RECOMMENDATION

That Bylaw No. 666, 2024 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” be read a first time;

That Bylaw No. 667, 2024 cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024” be read a first time;

That Council refer Bylaw No. 666, 2024, Bylaw No. 667, 2024, and attached Island Trust Policy Statement to the Islands Trust; and

That Council advise staff to return with the results of those referrals.

PURPOSE

The purpose of this report is to provide details regarding a rezoning application 2095 Cape Drive, for consideration of First Reading.

BACKGROUND

An application has been received to amend the zoning designation of the Rural Residential (RR1) zone to include School as a principal permitted use. This amendment would permit the existing Island Discovery Learning Community (IDLC) school to continue operations indefinitely without the need of a Temporary Use Permit.

This application was introduced to Council at the June 24, 2024 regular meeting. Full details of the application are outlined in the [staff report](#) on that agenda. At that meeting Council made the following motion:

RES#24-302 – That Council refer application RZ-2024-0073 to the Advisory Planning Commission; and
 That Council direct staff to prepare a bylaw to amend the Land Use Bylaw to allow for the development of proposal presented by Allan Saugstad outlined in the June 24, 2024 Council meeting.

This report bring the results of that referral and staff discussion on the Committee recommendations.

Figure 1 – Location and Zoning Map

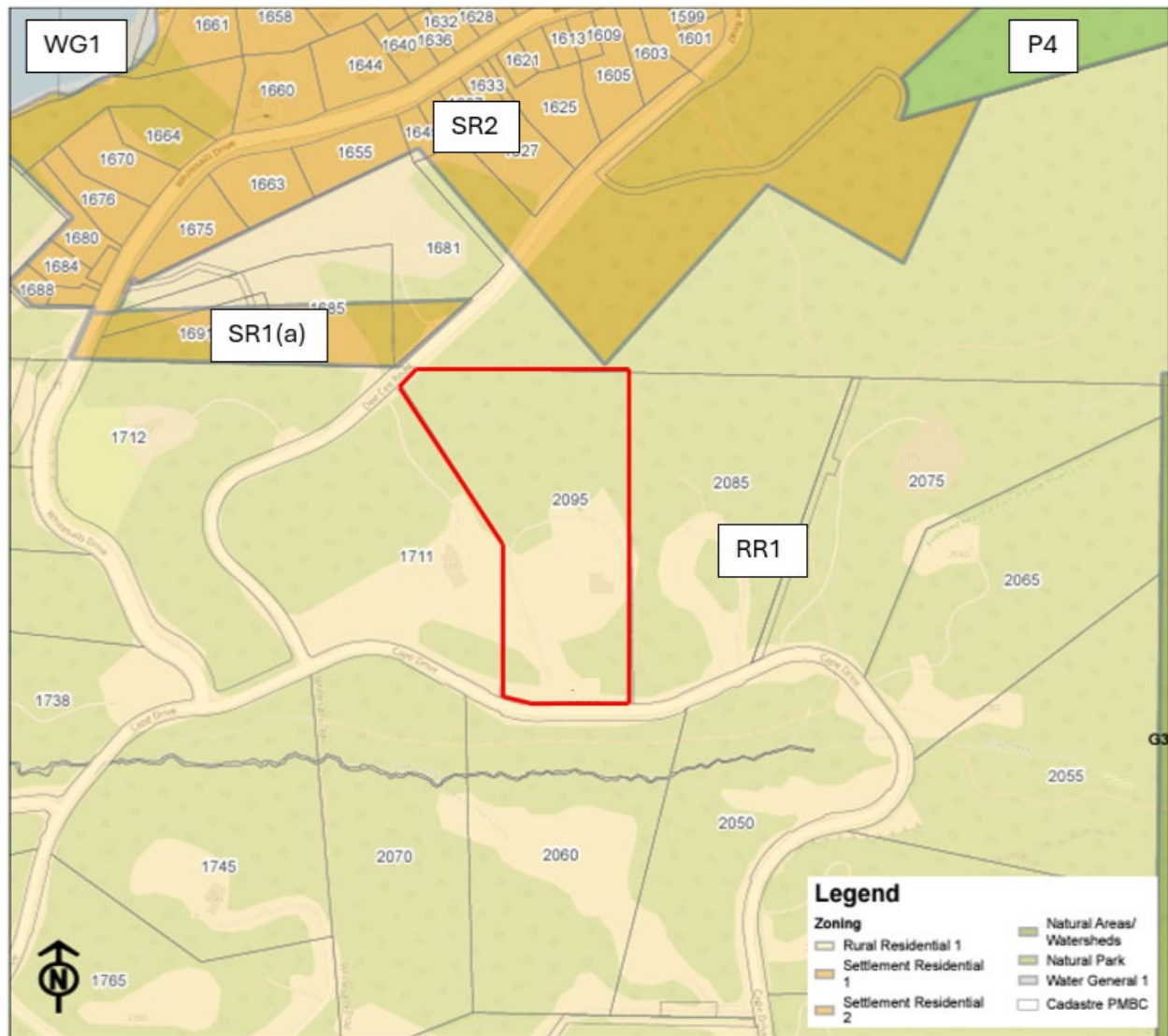


Figure 2 – Aerial Photo of Property

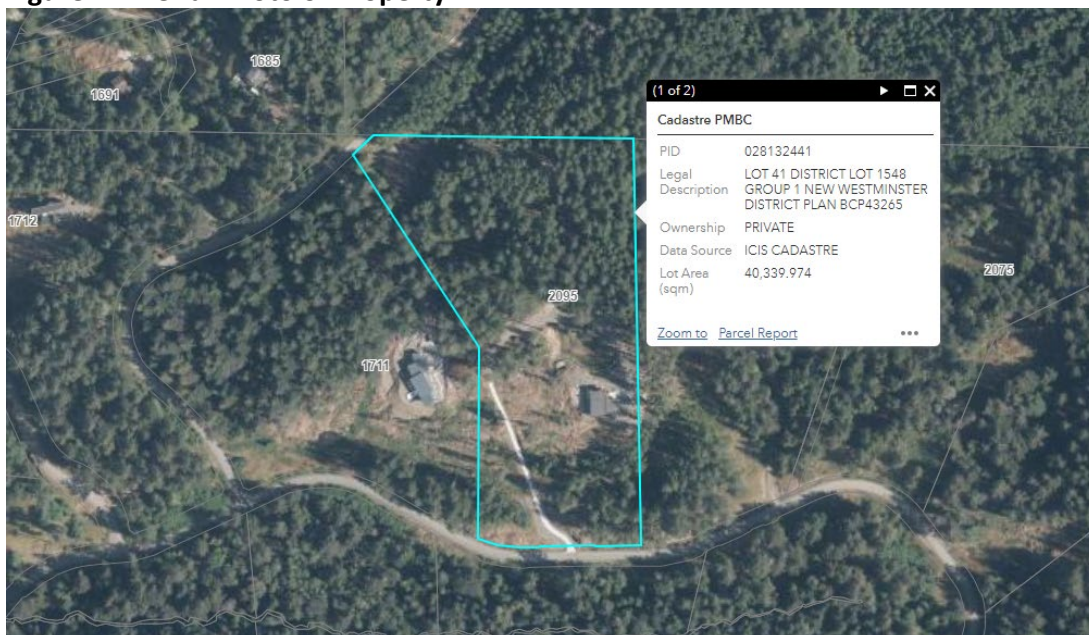
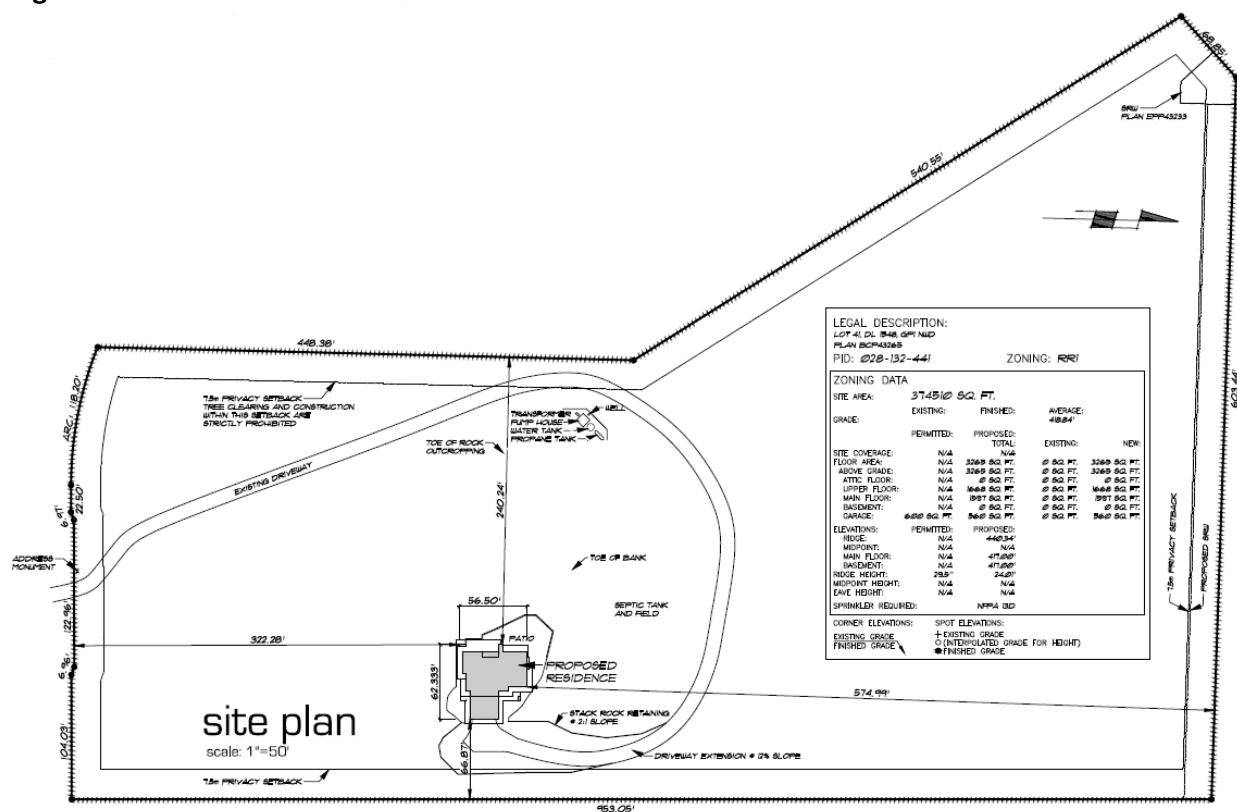


Figure 3 – Current Site Plan



EXISTING ZONING

The property is zoned Rural Residential 1 (RR1), which permits the following:

Uses		Permitted Buildings & Structures	Max Lot Coverage	Max # of Primary Dwellings	Max # of Accessory Buildings	Max height	Min Setback
Principal	Accessory						
• Dwelling • Agriculture • Stable • Kennel	• Uses accessory to principal uses • Home occupation use subject to Part 3 • Portable Saw Mill on lots 2 ha and larger • Mini-storage on lots 2 ha and larger • Accessory Residential Use • Residential Guest Accommodation • Domestic Agriculture	• Dwelling, detached • Buildings and Structures accessory to permitted uses	100 m ² + 3.5% of lot area to a maximum of 1500 m ²	1	1 for each 0.2 ha of lot area or portion thereof, plus one	9 m	7.5 m from all lot lines

PROPOSED AMENDMENT

The applicant has requested to amend the RR1 zone to permit 'School' as a principal permitted use at 2095 Cape Drive. The applicant has applied for this amendment in order to seek permanent land use permission for the 'School' use on the property, which is currently covered under a Temporary Use Permit. He has requested that the School use be added to the list of permitted principal uses on the property.

Staff have recommended a Land Use Bylaw amendment to create a zone variation to permit a School use solely at 2095 Cape Drive. As the RR1 zoning applies to the majority of rural residential lands on the island, care must be taken not to carry out amendments that would lead to wide-spread changes. While educational institutions are supported for the community, they should be considered on a case-by-case basis to ensure that potential conflicts are addressed.

A second amending bylaw is recommended to make changes to the Official Community Plan in order to allow the aforementioned Land Use Bylaw amendment. A new Rural Institutional (R/I) designation is proposed to permit institutional uses on rural land, as this was not previously acknowledged under the Rural nor Institutional designations. A reference to the institutional use of land is also added to the section on the Cape Roger Curtis area, stating that institutional uses can be contemplated in this area provided that access routes are a consideration.

INTERNAL REVIEW

The application was referred to the Advisory Planning Commission (APC) and discussed at their meeting on July 3, 2024. The APC did not have concerns with the proposed land use bylaw amendment, and adopted the following motion:

It was Moved and Seconded

Therefore it be resolved that the Advisory Planning Commission supports Rezoning Application RZ-2024-0073 for 2095 Cape Drive (Allan Saugstad) and provide the following comments:

- The impact of access through Dee Cee Road and otherwise be considered.
- A Rural/Institutional land use designation be applied.

CARRIED UNANIMOUSLY

As seen in the motion, the APC supported the amendment to allow the school to operate permanently in the community in order to uphold access to education on Bowen. They discussed the issue around the private ownership of Dee Cee Road, and agreed that staff should address the access issue during the rezoning process and ensure that school traffic is not being directed through private property. They also discussed the original construction of the school building and the new OCP designation to be drafted by staff.

PUBLIC HEARING

As required for an amendment to both the *Land Use Bylaw* and *Official Community Plan*, a public hearing will be held after First Reading of the bylaw. The public will be notified of the public hearing through mailout notices to neighboring properties as well as advertisements online and in the Undercurrent. A public information hearing is also to be held by the applicant at a later time.

ISLANDS TRUST POLICY CHECKLIST

✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
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Staff Comment:

The proposed amendment will encourage an efficient use of the land base by allowing the education institution to continue operating at 2095 Cape Drive, rather than being forced to seek out a new facility, or to have one built.

✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
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Staff Comment:

The rezoning process will involve discussions around the transportation of students to the school, such as by the bus or via car sharing.

✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
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Staff Comment:

The educational institute in this case has been operating for several years on Bowen Island. The provision of on-island services, such as a school, helps the self-sufficiency of Bowen Islanders in providing services and amenities locally without the need for islanders to commute to the mainland.

✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.
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Staff Comment:

Supporting the IDLC in their continued operations at 2095 Cape Drive ensures that access to education remains in an accessible location available to island residents.

FINANCIAL IMPLICATIONS

This application is not anticipated to have significant financial implications for the municipality.

COMMUNICATION STRATEGY

Following First Reading, staff recommend referral to the Islands Trust. Additionally, the Development Approval and Procedures Bylaw requires that the applicant hold an information meeting following First Reading of an amendment bylaw, unless waived by Council. Staff recommend that the meeting is held in order to hear out potential concerns from the community, such as regarding access.

Notice of Council's decision at this meeting will be provided in the Council minutes and the Council highlights circulated following the meeting.

SUMMARY / CONCLUSION

The applicant from Island Discovery Learning Community wishes to amend their zoning to allow for a school use at 2095 Cape Drive. Staff have presented two amendment bylaws to enact the proposed changes for Council's consideration, along with a recommended referral to Island Trust prior to the bylaws returning for consideration of Second Reading. Staff have also prepared the Island Trust Policy Statement Checklist for Council's review for confirmation that the proposed change aligns with the Islands Trust Policy Statement.

ALTERNATIVES

Council has the following options available as alternatives to the recommendation:

1. That Council refer the proposal back to staff for further information;
2. That Council direct staff to not pursue the proposal any further; or
3. Other options as determined by Council.

Attachments and References:

Attachment 1 – [Staff Report, June 24, 2024 Council Meeting](#)
Attachment 2 – Bylaw No. 666, 2024
Attachment 3 – Bylaw No. 667, 2024
Attachment 4 – Islands Trust Policy Statement

SUBMITTED BY:

Drew Bakken
Island Community Planner

REVIEWED/APPROVED BY:

Liam Edwards
Chief Administrative Officer

DEPARTMENTAL REVIEW:

Bylaw Services	☐
Fire & Emergency	☐
Planning	☒
Public Library	☐
Public Works	☐
Recreation & Community Services	☐
Finance	☐
Corporate Services	☐



**Bowen Island Municipality
Bylaw No. 666, 2024**

A Bylaw to amend Land Use Bylaw No 57. 2002

WHEREAS, “Bowen Island Land Use Bylaw No. 57, 2002” regulates the use of land, buildings, and structures within the Bowen Island Municipality

AND WHEREAS, Council wishes to amend “Bowen Island Land Use Bylaw No. 57, 2002” to amend existing regulations on the property legally described as:

LOT 41 DISTRICT LOT 1548 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP43265

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

1.0 Citation

- 1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024”.

1.2 Amendments

- 1.3 “Bowen Island Municipality Land Use Bylaw No. 57, 2002,” is amended at Section 4.1.4 – Exceptions in Particular Locations by inserting section 4.1.4(12) to read as follows:
- 4.8.4(2) *Zone Variation – RR1(g)*
- (a) Despite Subsection 4.8.1, school use is a permitted use.
- 1.4 Schedule “B” to “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by changing the description of the lands labelled “A” on Schedule “A” to this Bylaw from Rural Residential 1 (RR1) to Rural Residential 1 (g) (RR1(g))

READ A FIRST TIME this ____ day of _____, _____;

READ A SECOND TIME this ____ day of _____, _____;

READ A THIRD TIME this ____ day of _____, _____;

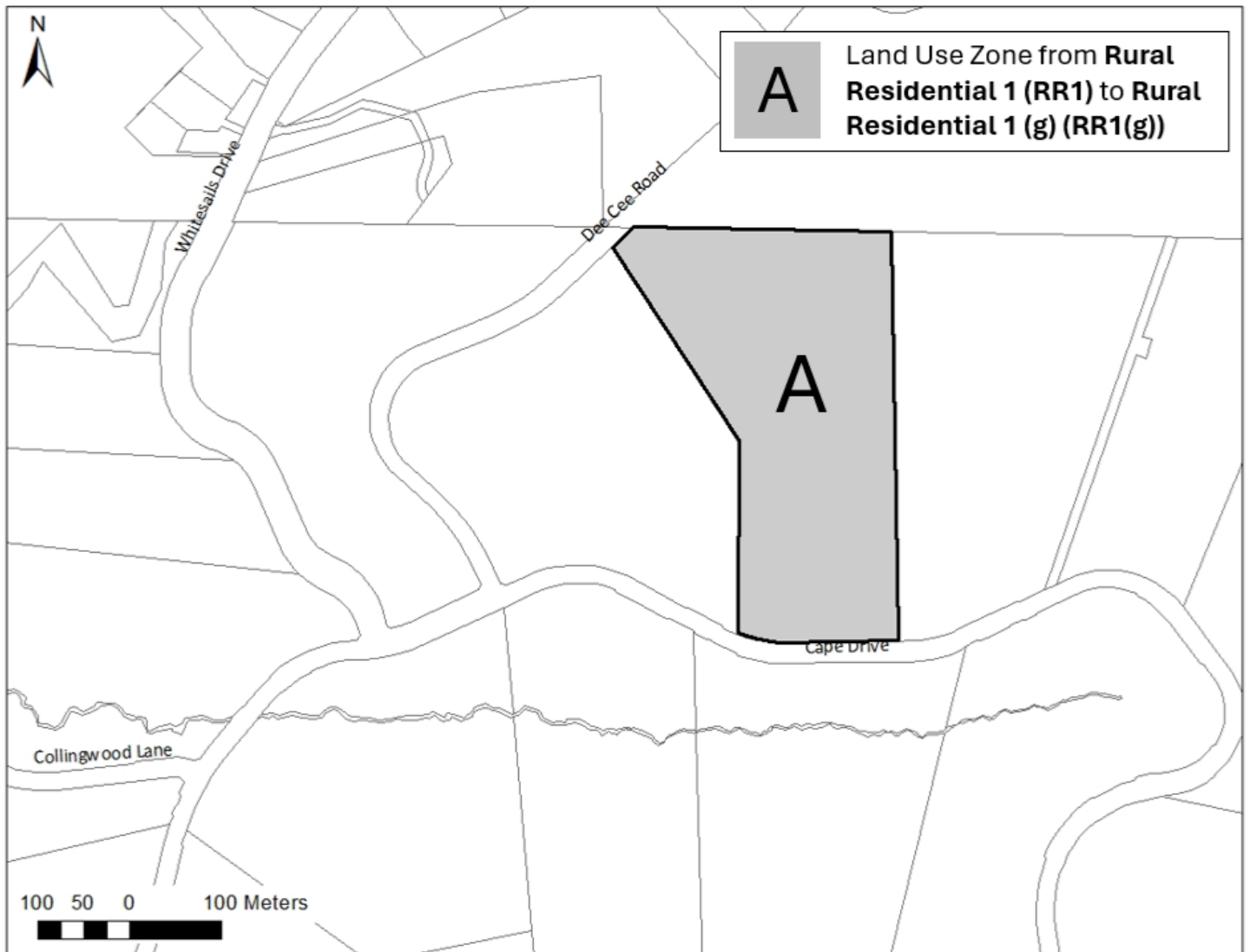
FINALLY ADOPTED this ____ day of _____, _____;

Andrew Leonard
Mayor

Sophie Idsinga
Corporate Officer

Bowen Island Municipality Land Use Bylaw No 57, 2002

Amendment Bylaw No. 666, 2024 – Schedule A





**Bowen Island Municipality
Bylaw No. 667, 2024**

A Bylaw to amend Official Community Plan Bylaw No. 282, 2010

WHEREAS, “Bowen Island Official Community Plan Bylaw No. 282, 2010” establishes Present and Proposed Land Use Designations

AND WHEREAS, Council wishes to amend “Bowen Island Official Community Plan Bylaw No. 282, 2010” to amend existing regulations on the property legally described as:

LOT 41 DISTRICT LOT 1548 GROUP 1 NEW WESTMINSTER DISTRICT PLAN BCP43265

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

1.0 Citation

- 1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024”.

1.2 Amendments

- 1.3 “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010” is amended by amending “Schedule C – Present and Proposed Land Use Designations” to rezone the lands outlined in heavy black outline on “Bowen Island Municipality Official Community Plan Amendment Bylaw No. 498, 2018. – Schedule A” as follows:
- a) Area labelled ‘A’ to **R/I – Rural Institutional**
- 1.4 “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010” is amended by inserting Section 3.4.4 “Rural Institutional Land Use Management” and subsequent text: “Properties designated as Rural Institutional include one lot in the Cape Roger Curtis area. *Objective 64*: To provide lots that allow for rural institutional uses in functional locations that are accessible to the public while preserving the unique amenities and environment of the island.” Subsequent sections are re-numbered.
- 1.5 “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010” is amended by amending Section 3.4.6 by adding the following text: “Policy 155: The Municipality may consider approving institutional uses within the Cape Roger Curtis site to uphold access to education for locals. Transportation access routes must be a consideration in approving new institutional uses.” Subsequent policies are re-numbered.

READ A FIRST TIME this ____ day of _____, _____;

READ A SECOND TIME this ____ day of _____, _____;

READ A THIRD TIME this ____ day of _____, _____;

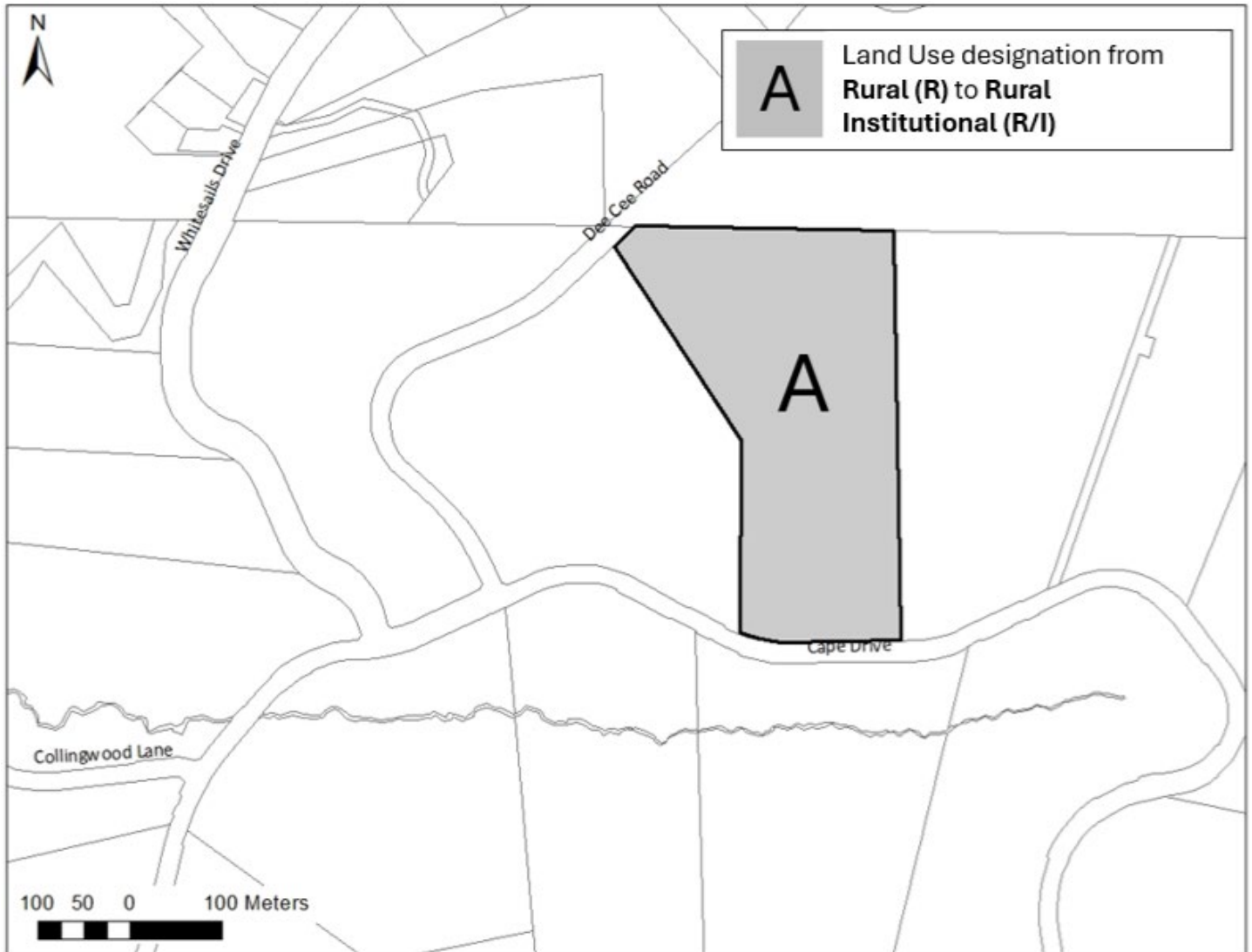
FINALLY ADOPTED this ____ day of _____, _____;

Andrew Leonard
Mayor

Sophie Idsinga
Corporate Officer

Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010

Amendment Bylaw No. 667, 2024 – Schedule A





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No. 666, 2024 – File: RZ-2024-0073 2095 Cape Drive

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation

N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons: