

# PROPOSED

## GABRIOLA ISLAND LOCAL TRUST COMMITTEE

### BYLAW NO. 259

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#### A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW NO. 177

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The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Committee Area under the *Islands Trust Act*, enacts as follows:

1. That Bylaw No. 177 cited as "Gabriola Island Land Use Bylaw, 1999" is amended by adding a new section, D.2.8 Gabriola Commons (GC) Comprehensive Development Zone as follows:

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#### **D.2.8 Gabriola Commons (GC) Comprehensive Development Zone**

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##### **D.2.8.1 Permitted Uses**

The uses permitted in Article B.1.1.1 plus the following uses and no others are permitted in the Gabriola Commons Comprehensive Development Zone:

##### **a. Permitted Principal Uses**

- i. Commons agriculture
- ii. Commons institutional

##### **b. Permitted Accessory Uses**

- i. Single family residential, excluding home occupation
- ii. Commons accessory commercial
- iii. Commons accessory food depot
- iv. Commons accessory public assembly
- v. Commons accessory office and storage

##### **D.2.8.2 Buildings and Structures**

The buildings and structures permitted in Article B.1.1.2 plus the following buildings and structures and no others are permitted in the Gabriola Commons Comprehensive Development Zone:

##### **a. Permitted Buildings and Structures**

- i. Maximum of:
  - one single family dwelling;
- ii. Other non-residential buildings and structures to accommodate the

principal and accessory uses permitted subject to:

- Accessory commercial to a maximum of 175 sq. m. (1,884 sq. ft.);
- Accessory public assembly to a maximum of 600 sq. m. (6,458 sq. ft.);
- Accessory office and storage uses to a maximum of 400 sq. m. (4,305 sq. ft.); and
- Accessory food depot to a maximum of 200 sq. m. (2,152 sq. ft.)

*(For clarification, the definition of “accessory” in the Gabriola Island Land Use Bylaw is provided: “in relation to a use, building or structure, means ancillary, secondary and exclusively devoted to a principal use, building or structure, expressly permitted by this Bylaw on the same lot or, where the accessory use is located on common property in a bare land strata plan, on a strata lot in the same strata plan.”)*

### **D.2.8.3 Regulations**

The general regulations in Part B plus the following regulations apply in the Gabriola Commons (GC) Comprehensive Development Zone:

#### **a. Building and Structures Siting Requirements**

- i. Except for a sign, fence, or pump/utility house:
  - The minimum setback for any building or structure housing a residential use is 4.5 metres (14.8 feet) from the front lot line.
- ii. Despite items D.2.8.3.a.i:
  - The minimum setback for buildings and structures except Agriculture, is 10.0 metres (32.8 feet) from any other lot line.
  - The minimum setback for all Agriculture buildings and structures is 20 metres (65.6 feet) from any lot line.
  - The minimum setback for agriculture waste storage is 30.0 metres (98.4 feet) from any lot line.

#### **b. Building and Structures Height Requirements**

- i. Except as regulated by Article B.2.3.2:
  - The maximum height for non-residential, non-agriculture and non-forestry building or structure is 9.0 metres (29.5 feet).

#### **c. Lot Coverage Limitations**

- The maximum combined lot coverage of buildings and structures, including greenhouses, is 12 percent of the lot area.

#### **d. Other Regulations**

- Subdivision of lands within the Gabriola Commons (GC) Comprehensive Development Zone area is prohibited.
- All other regulations, including the Regional District of Nanaimo Noise Bylaw, as it applies to Gabriola Island, apply to lands within the Gabriola Commons (GC) Comprehensive Development Zone.

2. That Section F.1 of Bylaw No. 177 cited as "Gabriola Island Land Use Bylaw, 1999" is amended by adding the following new terms in alphabetic order:

<i>commons agriculture</i>	means community based agricultural uses that include; growing, rearing, producing or harvesting agricultural crops, livestock and other animals and includes the processing on a <i>lot</i> of primary agricultural products harvested, reared or produced on that <i>lot</i> , plus the storage of machinery, implements and agricultural supplies for the farm, and includes the sale of agricultural products grown or raised on the lot, but specifically excludes intensive agriculture;
<i>commons institutional</i>	means the provision of special purpose services including educational and interpretive activities, without the purpose of gain, provided by non-profit or not for profit enterprise for the benefit of residents of Gabriola Island, and includes a skateboard park;
<i>commons accessory commercial</i>	means commercial activity that is ancillary, secondary and exclusively devoted to a <i>principal</i> use, and that is intended solely for the benefit and support of community initiatives and organizations based on the property;
<i>commons accessory food depot</i>	means an establishment for the distribution of food produced on the property or obtained from off the property for distribution to the public at no charge;
<i>commons accessory public assembly</i>	means indoor and outdoor gatherings, meetings, and events, and includes infrastructure necessary to support these activities, such as washroom facilities, dining hall space, and commercial kitchen facilities;
<i>commons accessory office and storage</i>	means space identified for the management and direction of activities on the parcel and the provision of administration space for other non-profit or not for profit enterprises, including the storage of materials necessary for conducting activities on the parcel, but excludes such uses as retail sales or manufacturing;

3. That the Gabriola Island Land Use Bylaw, No. 177, Schedule B, North Sheet, be amended to show Lot 1, Section 19, Nanaimo District Plan 27281 rezoned from

Agriculture (AG) Zone, to Gabriola Commons (GC) Comprehensive Development Zone, as shown on Schedule 1 attached to and forming part of this bylaw.

4. This Bylaw may be cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2010".

READ A FIRST TIME THIS     \_30\_ DAY OF     \_\_March\_\_     , 2010

READ A SECOND TIME THIS   \_10\_ DAY OF     \_\_June\_\_     , 2010

PUBLIC HEARING HELD THIS   \_\_\_ DAY OF     \_\_\_\_\_     , 2010

READ A THIRD TIME THIS     \_\_\_ DAY OF     \_\_\_\_\_     , 2010

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS  
  \_\_\_ DAY OF     \_\_\_\_\_     , 2010

ADOPTED THIS                \_\_\_ DAY OF     \_\_\_\_\_     , 2010

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
CHAIRPERSON

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE**

**BYLAW NO. 259**

**Schedule 1**

