

BOWEN ISLAND MUNICIPALITY

Minutes of the **Public Hearing** regarding Bylaw No. 190, 2006 (Gas Station Rezoning) of **Bowen Island Municipal Council** held Monday, September 11, 2006 at 7:15 p.m. at Municipal Hall, 981 Artisan Lane, Bowen Island, B.C.

COUNCIL IN ATTENDANCE

Mayor Bob Turner
Councillor Lisa Barrett
Councillor Peter Frinton
Councillor Dave Hocking
Councillor Alison Morse
Councillor Lisa Shatzky

REGRETS

Councillor David Wrinch

STAFF IN ATTENDANCE

Isabell Hadford, Chief Administrative Officer
Kathy Lalonde, Deputy Clerk (*Minute-Taker*)
Jason Smith, Planner
Brad Hawthorn, Public Works Superintendent

OTHERS IN ATTENDANCE

The Public
Michael Rosen, Planning Consultant
Alan Whitehead, Whitehead Environmental Consultants Ltd.
Chris Buchanan, Bylaw Enforcement Officer

CALL TO ORDER

Mayor Turner called the meeting to order at 7:19 p.m.

OPENING REMARKS

Mayor Turner described the procedure for the Public Hearing as follows:

“This Public Hearing is being convened pursuant to Section 890 of the Local Government Act in order to consider and receive submissions regarding proposed Bylaw No. 190, 2006, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 190, 2006.

All persons present who believe that their interest in property is affected by the proposed bylaw will be given a reasonable opportunity to be heard, make representations, or to present written submissions respecting matters contained in the proposed bylaw. Please sign the Speakers’ List if you wish to address Council in this regard.

Members of Council may, if they wish, ask questions of you following your presentation. However, the main function of Council members is to listen to the views of the public. It is not the function of Council at this time to debate the merits of the proposed bylaw.

Your only opportunity to comment on the proposed bylaw will be during this Hearing as members of Council are not

permitted to receive further submissions, verbal or in writing after the Hearing is closed.

Everyone will be given a reasonable opportunity to be heard at this Hearing. No one will be discouraged or prevented from making his or her views heard.

In consideration of the proposed bylaw, Council has received documents, which may influence its decision. These documents are available for review during this Hearing. Any person who wishes to present a written submission to Council may do so and all written submissions must be received by Council before the close of this Hearing.

After the Public Hearing has concluded, Council may, without further notice, make whatever decision it deems proper with respect to the bylaw that is the subject of this Public Hearing.”

Mayor Turner proceeded to outline the rules of procedures for those members of public wishing to speak at the meeting.

PROPOSED BYLAW

Bowen Island Municipality Land Use Bylaw No. 57, 2003, Amendment Bylaw No. 190, 2006

- **Affected Lands:** 1060 Mt. Gardner Road, legally described as Block 1, Plan 12372 Except Plan 18417, District Lot 491.
- **Purpose:** In general terms, the purpose of Bylaw No. 190, 2006 is to accommodate the development of a commercial gas station on a portion of the Public Works Yard along Mount Gardner Road.

In specific terms, the purpose of Bylaw No. 190, 2006 is to amend Bowen Island Municipality Land Use Bylaw No. 57, 2002 by rezoning the subject property from Industrial Medium (IM) to anew Comprehensive Development Zone 13 (CD13).

Jason Smith, Planner outlined the outlined the following relevant particulars regarding the conditions of use for the gas station:

- storm-water run through oil water separator;
- environmental integrity;
- limitations on type of retail use.

Regarding concerns expressed by Council members about the setbacks from Carter Road, the Planner confirmed that it's not a public right of way and therefore wouldn't trigger setbacks.

Alan Whitehead, Whitehead Environmental Engineering Consultants Ltd., outlined the on-table report he provided to Council as follows:

- Visited the site in 2005 and last week, assessing risk of a retail gas station on the site. The latest site visit corroborated the previous findings: the lot is already developed; no significant vegetation; run off drains away from Terminal Creek.
- Lay of the land – the riparian corridor is not affected by the proposed project.
- Existing fuel facility – no record of an environmental incident of any kind when the operator was up at Artisan Square.
- Conclusion – no significant environmental risks. Series of measures recommended to increase certainty of no environmental risk, which are outlined in his report.

WRITTEN SUBMISSIONS

Mayor Turner read the written submission received (on-table) as follows:

1. Berni Claus, Woods Road, dated September 11, 2006.

VERBAL SUBMISSIONS

Bill Riddell, 1661 Tunstall Boulevard, noted his support of the rezoning.

Mayor Turner called three times for any further submissions on Bylaw No. 190, 2006. There being none, Mayor Turner declared the Public Hearing, with respect to Bowen Island Municipality Land Use Bylaw No. 57. 2003, Amendment Bylaw No. 190, 2006, closed.

ADJOURNMENT

The meeting adjourned at 7:44 p.m.

Certified Correct:

Bob Turner
Mayor

Isabell Hadford
Chief Administrative Officer