

BOWEN ISLAND MUNICIPALITY

BYLAW NO. 178, 2006

A Bylaw to amend Land Use Bylaw No. 57, 2002

WHEREAS, "Bowen Island Land Use Bylaw No. 57, 2002" establishes minimum and average lot size areas for the purpose of new subdivisions; and

WHEREAS, Council wishes to amend "Bowen Island Land Use Bylaw No. 57, 2002" to enable the creation of new parcels of land while at the same time securing land for parks and trails and for environmental protection purposes;

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

1. This Bylaw may be cited for all purposes as the "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 178, 2006."
2. "Bowen Island Land Use Bylaw No. 57, 2002" is further amended by adding Section 4.20 to the Bylaw as follows:

"4.24 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 (Sub 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.

4.24.1 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 Comprehensive Development 12 (Greenway West) Zone:

Principal Uses of Land, Buildings and Structures	Sub Area 1	Sub Area 2	Sub Area 3
<i>Dwelling, Detached</i>	♦	♦	
<i>Accessory Residential</i>	♦	♦	
<i>Domestic Agriculture</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>	♦	♦	
Permitted Buildings and Structures			
<i>Dwelling, Detached</i>	♦	♦	
<i>Buildings and Structures accessory to permitted 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 Comprehensive Development 12 (Greenway West) Zone must comply with the following regulations regarding size, siting and density:

Lot Coverage	Sub Area 1	Sub Area 2
Maximum combined <i>lot coverage</i> of all <i>buildings, structures, and impervious surfaces</i>	300 m ²	n/a

Number of Units and Site Areas	Sub Area 1	Sub Area 2
Maximum number of <i>principal dwellings</i> on any <i>lot</i>	1	1
Maximum number of <i>principal dwellings</i>	22	1
Maximum number of <i>accessory residential units</i>	7	1
Maximum number of <i>accessory residential units</i> on any <i>lot</i>	1	1
Maximum number of <i>accessory buildings</i> on any <i>lot</i>	2	2
Maximum number of <i>accessory 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 <i>accessory buildings</i>	230 m ²	n/a
Maximum size of <i>accessory residential units</i>	75 m ²	75 m ²
Height		
Maximum <i>height</i> of a <i>principal 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

4.24.3 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	Sub Area 1	Sub 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 ha.

4.24.4 Off Street Parking Requirements

Off street parking shall be provided in accordance with the part of this Bylaw that pertains to off street parking requirements.

4.24.5 Definition of Accessory Residential Use

For the purpose of this zone, an Accessory Residential Use means a self contained dwelling unit within either a principal dwelling or an accessory building that is smaller in size than the principal dwelling unit.

3. "Bowen Island Land Use Bylaw No. 57, 2002" is amended by changing the zoning classifications for the lands shown outlined in a solid black line on Schedule 1 of this Bylaw from **Rural Residential 1 (RR1)** to **Comprehensive Development 12 (Greenway West) Zone**, and by making such deletions, adjustments, and consequential annotations on Schedule "B" to Bylaw No. 57, 2002 as are required to give effect to this amendment.
4. "Bowen Island Land Use Bylaw No. 57, 2002" is amended by adding reference in Table 4-1 to Comprehensive Development 12 (Greenway West) Zone.

READ A FIRST TIME this 23rd day of May, 2006.

PUBLIC HEARING HELD this 26th day of June, 2006.

READ A SECOND TIME this 31st day of July, 2006.

READ A THIRD TIME this 31st day of July, 2006.

RECONSIDERED, FINALLY PASSED AND ADOPTED this day of , 2006.

Bob Turner
Mayor

Isabell Hadford
Clerk

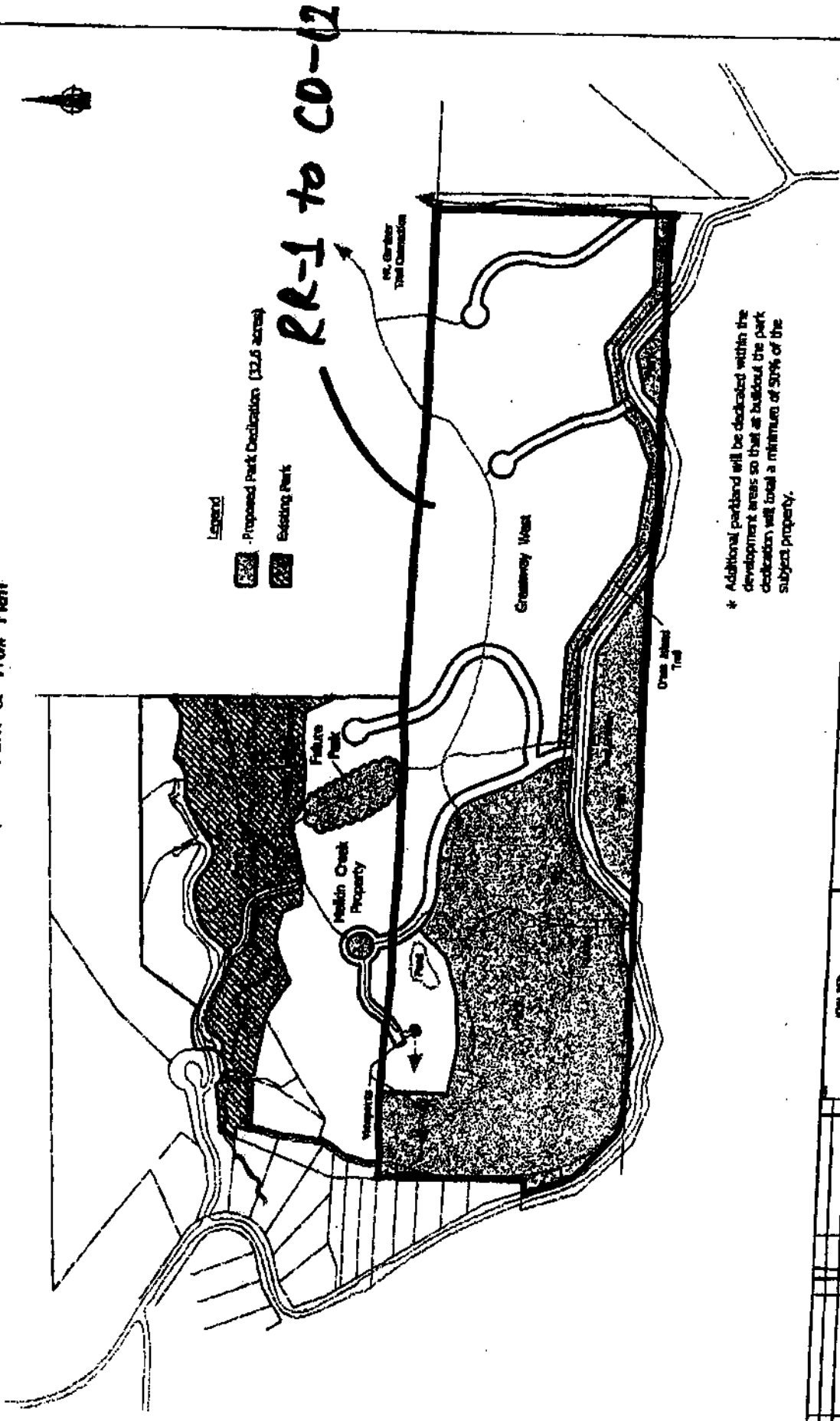
Certified to be a true and correct copy of the "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 178, 2006 adopted by the Council of Bowen Island Municipality this day of , 2006.

Isabell Hadford
Clerk

BOWEN ISLAND MUNICIPALITY
SCHEDULE "1" TO BYLAW NO. 178

Schedule 1 to Bylaw No. 2006

Greenway West Conceptual Park & Trail Plan



* Additional parkland will be dedicated within the development areas so that at buildout the park dedication will total a minimum of 30% of the subject property.

<p>APPROVED BY: _____</p> <p>DATE: _____</p>		<p>WESTER</p>	<p>REVISIONS MAP</p>
<p>APPROVED BY: _____</p> <p>DATE: _____</p>			

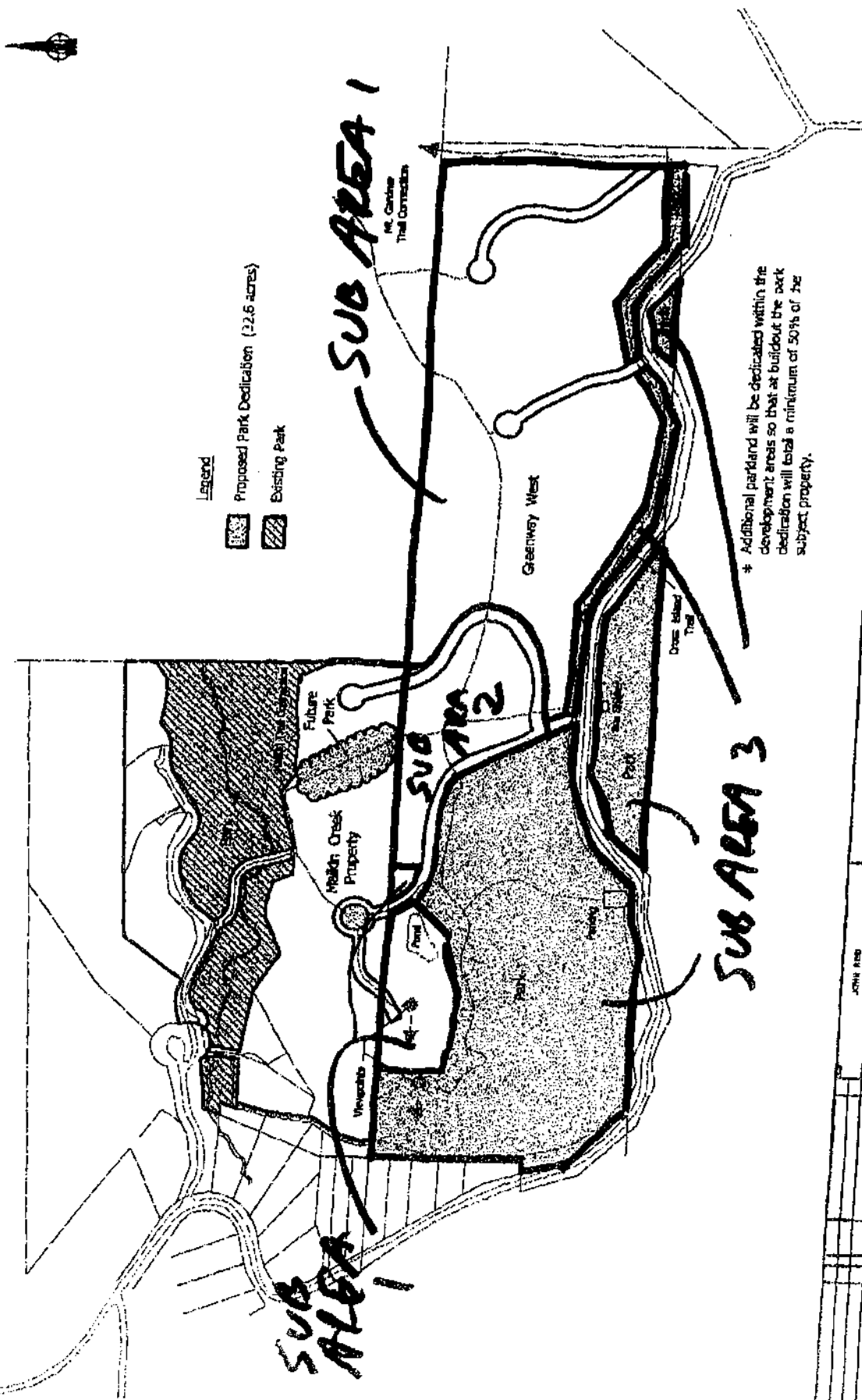
BOWEN ISLAND MUNICIPALITY

SCHEDULE "2" TO BYLAW NO. 178

SCHEDULE "A" to Comprehensive Development 12 (Greenway West) Zone

Schedule 2 to Bylaw 175, 2006

Greenway West
Conceptual Park & Trail Plan



JOHN AIRD GREENWAY WEST PLANNING UNIT 1000 WEST 10TH STREET VANCOUVER, BC V6H 2G6 TEL: 604-273-1111 FAX: 604-273-1112 WWW.AIRDCONCEPTS.COM		WESTER CONSULTANTS LTD. 1000 WEST 10TH STREET VANCOUVER, BC V6H 2G6 TEL: 604-273-1111 FAX: 604-273-1112 WWW.WESTERCONSULTANTS.COM		REZONING MAP 3032 1000 WEST 10TH STREET VANCOUVER, BC V6H 2G6
---	--	--	--	--

SCHEDULE A

REZONING CONDITIONS

FILE NO: BM-RZ-01-2005 (Greenway West)

- 1) Require the registration of a 219 Restrictive Covenant that would contain the following obligations for the developer to follow:
 - i) dedicate a minimum 15.9 ha (39.25 acres) of land as municipal park land as offered by the applicant. (*Applicant has offered to include a third party on a covenant that would prevent use other than as natural park and to fence off the existing Bowen Bay Holdings water system and provide an access easement*);
 - ii) provide the Municipality with either a lump sum payment of \$300,000 upon adoption of the the bylaw, or paying an amenity charge of \$20,000 per lot at the time of subdivision, the option to rest with the Municipality, to be allocated towards the planning and design of community facilities as offered by the applicant;
 - iii) restrict the number of houses that can be built in any one calendar year to 4 as offered by the applicant;
 - iv) restrict the total number of lots to be created for residential purposes to 23;
 - v) require that all houses to be built in accordance with Sustainability Guidelines developed by the applicant in consultation with the Municipality as offered by the applicant;
 - vi) construct a trail from the Malkin Creek subdivision through the Greenway West subdivision to connect to the trail, system on the adjacent Crown land as offered by the applicant. If the subdivision does not proceed within 1 year, an interim trail will be constructed;
 - vii) construct a roadside trail along Bowen Bay Road to tie into the Cross Island Trail as offered by the applicant;
 - viii) provide a 3 – 4 car parking area on Bowen Bay Road for access to the trail system as offered by the applicant;
 - ix) provide a bus shelter on Bowen Bay Road as offered by the applicant;
 - x) require the Greenway West subdivision to comply with the recommendations of the Whitehead Report dated 7 April 2005; and
 - xi) require the Greenway West subdivision to provide its own water supply and that a report be prepared by a professional engineer with expertise in hydrogeology to confirm that water can be supplied to each of the lots within the proposed subdivision without unduly impacting upon the water supply of existing water supplies in the area.

- 2) Require that prior to final reading of Bylaw 178:
 - i) the 219 Restrictive Covenant pertaining be registered in the Land Title Office, or the owner's Solicitor provide an undertaking to register same; and
 - ii) any issues that surface as a result of the Public Hearing be addressed to the satisfaction of the Council.