

BOWEN ISLAND MUNICIPALITY

BYLAW NO. 190, 2006

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

WHEREAS, "Bowen Island Land Use Bylaw No. 57, 2002" establishes permitted uses for land; and

WHEREAS, Council wishes to amend "Bowen Island Land Use Bylaw No. 57, 2002" to enable the construction of a gas station on part of the existing works yard;

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. 190, 2006."
2. "Bowen Island Land Use Bylaw No. 57, 2002" is further amended by adding Section 4.25 to the Bylaw as follows:

"4.25 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.

4.25.1 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 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>	◆	◆
<i>Recycling Depot</i>	◆	◆
<i>Compost Facility</i>	◆	◆
<i>Cottage Industry</i>	◆	◆
<i>Gas Station</i>		◆

Accessory Uses of Land, Buildings and Structures		
<i>Uses accessory to principal uses</i>	♦	♦
<i>Retail Use subject to section 4.25.3 (Conditions of Use)</i>		♦
Permitted Buildings and Structures		
<i>Gas Station</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 Comprehensive Development 13 (Works Yard – Gas Station) 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 and structures</i>	30%	15%
Height		
Maximum <i>height</i> of a <i>building or 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 Watercourse		
Despite Section 3.18 (metres)	50	
From Highway(m)		
All <i>lot lines</i> (m)	10	
When lot abuts an Industrial Zoned lot		
All <i>lot lines</i> (m)	0	
When lot abuts an non-Industrial Zoned lot		
All <i>lot lines</i> : Same <i>setbacks</i> as Zone abutting property	♦	

4.25.3 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 a 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	◆	◆

4.25.4 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 13 Zone.

Lot Areas for the Creation of New Lots through Subdivision	Area 1	Area 2
Minimum <i>lot area</i> (ha.) without a community water system	1	1
Minimum <i>lot area</i> (ha.) with a community water system	0.4	0.4

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 A of this Bylaw from **Industrial Medium (IM)** to **Comprehensive Development 13 (Works Yard-Gas Station) Zone**, legally described as Block 1, Plan 12372 Except Plan 18417, District Lot 491, 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 13 (Works Yard – Gas Station) Zone**.

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

PUBLIC HEARING HELD this 11th day of September, 2006.

READ A SECOND TIME as amended this 11th day of September, 2006.

READ A THIRD TIME as amended this 11th day of September, 2006.

RECONSIDERED AND FINALLY ADOPTED as amended this 11th day of September, 2006.

(Original signed) _____
Bob Turner
Mayor

(Original signed) _____
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. 190,
2006 adopted by the Council of Bowen Island
Municipality this 11th day of September, 2006.

(Original signed) _____
Isabell Hadford
Clerk

**BOWEN ISLAND MUNICIPALITY
SCHEDULE "A" TO BYLAW NO. 190**

