

## BOWEN ISLAND MUNICIPALITY

Minutes of the **Public Hearing** held Saturday September 7, 2002 at 1:00 p.m. at the Bowen Island Community School, Bowen Island, B.C.

### **COUNCIL IN ATTENDANCE**

Mayor Lisa Barrett  
Councillor Peter Frinton  
Councillor Alan Leigh  
Councillor Alison Morse  
Councillor Richard Underhill

### **REGRETS**

Councillor Ross Carter  
Councillor Bob Turner

### **STAFF IN ATTENDANCE**

Isabell Hadford – Chief Administrative Officer  
Felicity Adams – Senior Planner

### **OTHERS IN ATTENDANCE**

Gayle Ferguson – Minute Taker

### **PUBLIC IN ATTENDANCE**

Approximately 31

### **CALL TO ORDER**

Mayor Barrett called the meeting to order at 1:05 p.m.

The Mayor noted that the Public Hearing today, September 7, 2002 was the final opportunity for public input regarding Bylaw No. 56, 2002 cited as “Bowen Island Municipality Bylaw No. 56, 2002 – Bowen Island Official Community Plan Bylaw No. 139, 1995, Amendment No. 3, 2002” and Bylaw No. 57, 2002 cited as “Bowen Island Municipality Bylaw No. 57, 2002”.

Felicity Adams, Senior Planner re: changes to Bylaws since the Public Information Meeting July 27, 2002

The Senior Planner provided a summary of Bylaw No. 56 and Bylaw No. 57, 2002.

Ms. Adams noted the comments received from the review of the bylaws by the various federal, provincial and local agencies.

### **Public Comments**

Bernie Claus congratulated Council on its decision to implement changes as a result of listening to the concerns expressed at previous meetings by members of the public. He noted the following concerns:

- Too many significant changes to the Official Community Plan (Bylaw No. 56) could undermine earlier years’ efforts in which there was a comprehensive public process;

- New definition of “water course” based on a six month flow should be replaced with the current definition or improved upon – watercourses need to be examined on a site specific basis rather than a 6 month definition for all watercourses;
- Official Community Plan *Section 3.1.m* increases density, by not including in the calculation, areas required for parks. It has adverse affects particularly for the Snug Point neighbourhood;
- Private docks - increased numbers of docks is undesirable from an environmental and aesthetic point of view;
- Transfer Stations - reference to transfer stations should be deleted as they are unsightly, smell and breed rats;
- Reshaping the contours of land and creeks, to suit property owners desires, creates serious environmental and neighbourhood impacts that should be dealt with in the Land Use Bylaw;
- Seaplane moorage in Snug Cove – Bylaws should be silent on this issue. The current wording seems to promote seaplane use;
- Spill Management Plans need to define criteria and standards. The reference should be expanded to include “*Preparedness*” and Spill Management Plans;
- References to water resources - recognition in the bylaws should be given to climate change which will have significant, future implications for Bowen Island;
- Inadequacy of measures to regain and protect some of the rural character being lost on Bowen – increased development, paved and wider roads, road signs;
- Official Community Plan Schedule A-11 the change of ALR land on Mount Gardner Road, opposite the Recycling Depot, to Civic Use. This land was once parkland and should remain part of Crippen Park.
- Mapping of Mt. Gardner Dock needs correction.

Dale Read agreed with Mr. Claus’s comments regarding the definition for watercourses. He noted the following concerns:

- Garbage – permitted to be buried outside of 30 metre setback for watercourse. Garbage should be split into compostable and other items. The other items should not be in a watershed area;
- Sawmills and piles of wood waste being allowed 30 metres away from watercourse is not a good idea;
- Swimming in Grafton Lake, the main source of potable water on Bowen Island, should not be permitted.

Pat Adams, Snug Point Resident read a letter from Mr. Fodchuk, (381 Cardena Drive) in his absence, regarding Council's denial of the unanimous voiced objection by Snug Point residents to increased commercial development in Snug Point. He questioned the rationale for the decision to withhold legal opinions obtained by the Municipality from the public. His letter urged Council to reconsider the proposed changes affecting the Snug Point community.

Eric Pugash, a Snug Point resident expressed his concerns regarding the effectiveness of the proposed Restrictive Covenant between the CNIB and the Municipality to alleviate the concerns of Snug Point residents. He felt that frequent, large gatherings would generate noise and traffic problems which would be disruptive to the neighbourhood. He believed that the CNIB's plans for development would lead to years of confrontation, acrimony and probably legal action in future years.

Peter Jarvis, director of CNIB for British Columbia, reiterated that the CNIB does not contemplate having groups of hundreds of people. He noted that the assembly use of 150 people has been limited to 13 occasions with restrictive guidelines that the CNIB has agreed to follow. He further noted that it is in CNIB's interests to ensure that clients follow these guidelines and not behave in a rowdy and obnoxious manner.

Ian Henley, a Sealeigh Park resident expressed his disappointment with Council for renegeing on its previous decision to regulate accessory building use in the Land Use Bylaw. He noted the following:

- Setbacks from the ocean - 30 metres is too far;
- A suggestion to have pipes carry water from the mainland should be investigated as a possible solution to water shortage problems on Bowen Island;
- People are Bowen Island's most important resource. Council should find ways to encourage people to come and enjoy Bowen Island.

Eric Sherlock noted his agreement with the majority of changes made to the Official Community Plan (Bylaw No. 56). He commented on the following:

- Hazardous Lands Development Permit Area -moving the Development Permit protection measures to the Land Use Bylaw is a mistake as the Islands Trust Council would no longer be required to review and comment. Land alteration should be dealt with before subdivision takes place and is a

- risk to landowners living below hazardous slopes;
- Land Use Bylaw Sign provisions - should prohibit neon signs;
- A suggestion to contact Qualicum Beach regarding how they proceeded to prohibit fast food establishments;
- Difference in allowable density levels between the Official Community Plan and the Land Use Bylaw was a good decision as it made possible a contribution of land to the public. He felt that those Councillors who favoured the decision for different levels of allowable density should be commended.

Norma Dallas asked about the regulation of weeds growing on private properties.

Graeme Dinsdale noted the importance of having a Bowen Island based bylaw. He felt that the process of developing Bowen Island Land Use Bylaws had provided a great deal of public input in which issues, for the most part, had been dealt with. He thanked and congratulated Council for the effort and time devoted to the development of these bylaws.

Dennis Dallas noted that Bowen Island Marina were glad to have received recognition for what has been historically a Marina. He felt that amenities such as a public golf course could make Bowen Island a more sustainable community. He hoped that Council would continue to provide the community with adequate amenities that would entice families to remain on Bowen Island.

Angelyn Toth, founder of the Xenia Retreat Centre, expressed appreciation to Council for the long process required to develop Bowen Island bylaws. She felt that Bowen Island is an amazing place where people take responsibility for their creations. She believed that continued communication would ensure that Bowen Island would remain the most exquisite place on the planet.

Jeff Scouten, speaking on behalf of Elaine and John MacLeod, proprietors of Meadowbrook Corner Nursery noted that the land had been designated as *RC 1*. The MacLeods are concerned with a designation that limits use of the property to garden and related uses. He believed that long standing commercial uses should be taken into account when designating the Meadowbrook Corner property. He reviewed the historical uses prior to 1991 when the land was purchased by the MacLeods. In 1991 the MacLeods obtained permission from the Agricultural Land Commission to operate as a diverse business with permission for a large retail space of 2,000 square feet. The present approach restricts the

operation to a garden centre only. He noted that diversification of activities would make the property more economically viable. He suggested that Council consider a properly defined mid-island commercial use which is consistent with the character of Bowen Island.

Dale Read noted his objection to Mr. Scouten's suggestion for diversified commercial use in a watershed area.

Pat Adams commented that developers should respect the climate of acceptance or non acceptance of the neighbourhood. She noted that considerable efforts had been made by Snug Point residents to submit comments for consideration by Council regarding their position on further development in the Snug Point area. She believed that it was Council's responsibility to look after individual efforts and their interests as well as those of developers.

## **ADJOURNMENT**

The meeting adjourned at 2:35 p.m.

### **Certified Correct:**

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Lisa Barrett  
Mayor

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Isabell Hadford  
Chief Administrative Officer