

BOWEN ISLAND MUNICIPALITY

Minutes of the Public Hearing Meeting (Hikers Trail) of the **Municipal Council** of Bowen Island Municipality held Monday August 8, 2005 at 7:00 p.m. in the Municipal Hall, 981 Artisan Lane, Bowen Island, and B.C.

COUNCIL IN ATTENDANCE

Acting Mayor David Wrinch
Councillor Alan Leigh
Councillor Terry Cotter
Councillor Peter Frinton
Councillor Alison Morse

REGRETS

Mayor Lisa Barrett
Councillor Neil Boyd

STAFF IN ATTENDANCE

Isabell Hadford– Chief Administrative Officer
Gina MacKay – Island Community Planner
Michael Rosen – Planning Consultant

OTHERS IN ATTENDANCE

Approximately 26 members of the Public
Jacqueline Massey – *The Undercurrent*
Gayle Ferguson – Minute Taker

CALL TO ORDER

Acting Mayor Wrinch called the meeting to order at 7:04 p.m.

OPENING REMARKS

Acting Mayor Wrinch noted that the Public Hearing was being convened in order to consider Bylaw No. 157, 2005 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 157, 2005” - The purpose of the Public Hearing was to allow members of the public to make representations to Council. Everyone who was interested would be given a reasonable opportunity to be heard or to present written presentations.

Acting Mayor Wrinch noted that the Public Hearing would be the last opportunity for the public to comment on Bylaw No. 157. Council would listen to all presentations and at the end of the process, Council could give, without further notice, any decision it deemed proper regarding Bylaw No. 157.

PROPOSED BYLAW

Bowen island Municipality
Land Use Bylaw No. 57. 2003-
Amendment Bylaw No. 157,
2005

Michael Rosen, Planning Consultant reviewed the rezoning conditions of a 219 Restrictive Covenant as laid out in Schedule A of Bylaw No. 157, 2005.

John Reid, one of the applicants of the Hikers Trail rezoning application commented on the following:

- The history of the application;
- The desirability of a connection from Anastasia Road into the Bowen Island Greenways project- Cove to Cape trail through a Density Transfer mechanism;
- Buying the land from the applicants for \$40,000 - could be used to buy future trail access across a property and were requesting that the fund be set aside somewhere to be accessible for Conservancy greenways projects;
- Walkabouts resulted in changes to the original proposal;
- Donating of land was removed to 3 one acre lots (Boyd/Otter) and a 4 acre park dedication;
- Advantages to combining separate applications into one and using density transfer.

WRITTEN SUBMISSIONS

Michael Rosen, Planning Consultant reported that he had recently received the following written submissions:

1. Dale Wilcox - a letter dated July 12, 2005 and two recent submission dated August 7, 2005 and August 8, 2006 (On Table items)
2. A letter dated July 13, 2005 from B. MacNeil;
3. A letter dated July 28, 2005 from Paul Sander;
4. A letter from Susie Proctor (On table item).

VERBAL SUBMISSIONS

Isabel Otter, commented that the rezoning application was a result of long term residents (15-25 years) having a vision for the neighbourhood, which respected individual privacy, tree corridors to protect the neighborhood privacy, and included parking and trails dedication. As it would be undesirable to have people build in front, a request for a tax break for donation of the land had been made.

Ms. Otter made the following comments in response to a recent letter that appeared in *The Undercurrent*:

- The letter writer lived more than a mile away from her property;
- The writer was opposed to all rezoning on Bowen Island as a matter of principle;
- The writer expressed opposition to a removal of a restrictive covenant on Anastasia Road yet Council had removed two previous covenants;
- Reviewed the processes gone through to date;
- Intention to donate 7.5 acres to the Islands Trust to protect more land;
- Taking away three lots from the Official Community Plan thus reducing serious impacts on Bowen Island's limited resources;

- The financial rationale being applied by the writer to public amenities was a concern as the financial importance of walking trails or protection of sensitive ecosystems was not at all a clear concept to be used in determining the importance of protection of sensitive ecosystems and the provision of trails.

Dale Wilcox, resident at 424 Sunset Road expressed his concern for a further increase in density for the Sunset Park Estates subdivision. Originally the total lots was 16 with 8 greater than ten acres. Since the Municipality has existed there has been a constant chipping away beginning with the McLeod property subdivision and the removal of restrictive covenants. Next was the Pass property with 15 acres divided into three new lots, of which two were smaller than the 5-acre minimum. He noted his opposition to the present application as it would reduce the lot size to less than 2.5 acres, which was not what was bought into.

Mr. Wilcox commented on the following:

- Increased number of lots by 44% which was a significant change to the original subdivision;
- Purchasers of the property were told lots would be estate size lots;
- Water concerns - well gets pumped dry in the summer months and the addition of more properties could adversely affect the water supply;
- Parkland - looking at a paltry amenity package;
- Official Community Plan - this type of development was not what was contemplated;
- Public Hearing Notice - not one of neighbours got a proper notice and have been told by Municipal staff that if a neighbour was not within a hundred meters no notice would be sent;
- Suggestion to include a statutory building scheme to place restrictions on further subdivision of lands;
- Density Transfer – not necessary in this proposal;
- Amenity package – suggestion to request cash to acquire more property for trails.

Rick Erickson, one of the applicants of the Hikers Trail rezoning application noted that he wanted to build one more house on property he has owned for 17 years. He believed there was a real sense of community regarding planning to save trees and green spaces and that the rezoning application was in the vision of Bowen Island and hoped Council would approve it.

Richard Lipse resident at 5431 Sunset Road, abutting the Tanner property, commented on the following:

- Adequacy of covenants to protect large lots. He believed that a covenant was only as good as long as a particular Council wished to keep it. Now many Sunset Park Subdivision residents were finding themselves to be in an area that was becoming more populated than purchasers were led to believe;
- Development was happening piecemeal instead of planning for the whole area;
- Want to know where the piecemeal process was heading.

Nancy Patrick resident of Hikers Road for 10 years commented on the intention of the neighbourhood rezoning application was to keep the land as it is in its natural state. She noted that she was happy to have the neighbours come together on the rezoning process for Hikers Trail.

Harry Patrick, resident of Hikers Road affirmed his wife's comments and their love of the property.

Neil Reid, resident of Hikers Road noted that he had purchased the Hikers Trail property 36 years ago when it was zoned farmland. Later the land was zoned into five-acre lots. Present plans were to build another house for his son on the eight-acre property. There was an abundant water supply.

Doug Reid reiterated the Hiker's Road neighbourhood theme and the intention of building only one additional house on the Reid property. Wells had been dug and land had been cleared and landscaped.

A neighbour to the north of the Patrick's inquired regarding the location of Hikers Trail, which was not detailed in the plan.

Bernie Klaus read from his letter to The Undercurrent regarding the following issues:

- Disproportionate benefit to the community from a financial perspective – provided Council with copies of a balance sheet showing value/cost of increased density for the Boyd/Tanner Rezoning. Difference between value of rezoning and benefits provided to the community was \$1,602;
- Believed it would be good to try to value ecological benefits;
- Density Transfer into Anastasia Road property - cost of transferring into the watershed three new lots. Rezoning should only be granted when there were overwhelming benefits to the community;

- Anastasia Road property and restrictive covenant now existing - what was the point if a covenant could be changed by a future Council. Problem with developments was who would pay for increased infrastructure costs?
- Boyd Conservation lands - need a mechanism to ensure the donation of these lands;
- Road frontage - Dunster Report recommended road not be in that location - should be positioned so it causes the minimal damage;
- Letters and submissions - suggestion that letters become part of the package as it was difficult to provide meaningful comments if the entire package was not available.

Dawn Riley believed that the proposed trails for the Mount Garner area would be a great benefit to Mount Gardener residents, especially at the sharp corner near the Bolton Trail.

Stacey Leigh resident of Mount Gardner reiterated the benefits of the proposed trails in the Mount Gardner area. She questioned the need for the Municipality to receive more amenities in an area where residents were happy with the rezoning of the lands.

Mike Lightbody provided information regarding the development of the Anastasia Road property. He noted the following:

- Density Transfer was an intricate connection
- Property was owned by three individuals two of them long time Bowen Island residents and the third partner had recently purchased property on Millers Landing;
- Lot sizes and process – the owners would like to disseminate information that people were looking for.
- Belief that the lot sizes would be 2.5 acres;
- Three separate lots with frontage on Anastasia Road at the moment;
- Trail access - looking to see where trail access would go;
- Rationale for development was a way to work locally for the three owners.

Peter Montgomery, long time resident on Mount Gardner Road, expressed his love for the area for what it was - parcels of land of different sizes, which made the land inaccessible to large-scale development.

Regarding density transfer, Mr. Montgomery questioned the need to transfer density which would change the character of an area. Trails were a red herring trying to break up land into smaller chunks, which changed the whole nature of areas, especially on Sunset Road. He believed that the amenities would be greater if each individual property applied for a rezoning. A land transfer made no sense and was not required.

John Reid responded to comments made by the previous speakers regarding:

- Location of the right of way road allowance,
- Location of Hikers Trail,
- The ineffectiveness of covenants to protect land from development and the development of Sunset Estates;
- Statutory building scheme – if done properly it was a good idea but if done incorrectly such as Sunset Estates it was difficult to change.

Acting Mayor Wrinch called for further submissions.

Mr. Lipse reiterated that that Sunset Road residents wanted the watershed protected but not in a piecemeal fashion.

Acting Mayor Wrinch called again for further submissions.

Mike Lightbody believed that a 2.5-acre parcel of land was not a small property.

Clive Jones, Sunset Estate resident, inquired whether discussion could take place regarding a way the Sunset Estates community could get something similar to the Hikers Road neighbourhood proposal.

Acting Mayor Wrinch called three times for any further submissions on Bylaw No. 157. Since there were none, Acting Mayor Wrinch declared the Public Hearing, with respect to Bowen Island Municipality Land Use Bylaw No. 57. 2003, Amendment Bylaw No. 157, 2005, closed.

ADJOURNMENT

The meeting adjourned at 8:47 p.m.

Certified Correct:

David Wrinch
Acting Mayor

Isabell Hadford
Chief Administrative Officer