

TO: ISABELL HADFORD – CHIEF ADMINISTRATIVE OFFICER  
GINA MACKAY – COMMUNITY PLANNER

FROM: MICHAEL ROSEN – PLANNING CONSULTANT

RE: MUNICIPAL PLANNING FRAMEWORK – CAPE ROGER CURTIS  
UPDATED VERSION

DATE: FEBRUARY 7, 2006

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At the Committee of the Whole meeting on 6 February 2006, the Committee reviewed the Planning Consultant's report dated 1 February 2006, and recommended to Council to adopt the *Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands* dated February 2006 with the insertion of the resolutions pertaining to "public interest". Attached to this report is the updated framework with the resolutions so included.

Subsequent to the Committee of the Whole meeting, Councillor Morse identified a few minor typographical errors in the document that have been corrected as follows:

- 1) Subdivision Application  
The word "will" has been removed after the word "Council" in the second and third lines, and after the word "Approving Officer" in the fourth line. The word "revised" has been added before the word "subdivision" in the sixth line.
- 2) Subdivision Application - Preliminary Layout Review (PLR)  
The word "issuance" has been replaced with the word "submission" after the word "withheld" in the fourth line.

Michael Rosen

*Attachments:*

- 1) *Appendix 1 - Proposed Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands dated February 2006*
- 2) *Report from Planning Consultant – 1 February 2006*

**MUNICIPAL FRAMEWORK FOR PLANNING THE FUTURE USE OF THE CAPE  
ROGER CURTIS LANDS  
February 2006**

The community is expecting strong leadership from its Council in managing a process to determine the future use of the Cape Roger Curtis lands. For the benefit of the community at large, the owners of the Cape Roger Curtis lands (CRC Joint Venture (CRCJV)), and Municipal staff, Council has established the following framework that it will utilize to guide the Cape Roger Curtis planning process.

□ **Council Resolution on Defining the Public Interest**

The following resolution establishes Council's initial perspective on the future use and development of the Cape Roger Curtis lands:

*Whereas:*

- *The current property owners at Cape Roger Curtis envision a development that could significantly affect, in one way or another, all members of the Bowen community;*
- *Cape Roger Curtis is one of the last remaining undeveloped coastlines of great beauty and ecological sensitivity in the Vancouver region;*
- *Cape Roger Curtis has been treasured by generations of Bowen Islanders for its remarkable shorelines, viewsapes and natural characteristics;*
- *Bowen Island has very limited opportunity for public access to its shorelines along waterfront trails, other than at Cape Roger Curtis;*
- *The coastal ecosystem of Cape Roger Curtis is rare for the east side of Georgia Strait, and includes environmentally sensitive areas and rare species;*
- *Large scale development at Cape Roger Curtis could have significant and negative transportation impacts on Bowen Island, including on adjacent neighbourhoods.*

*BE it resolved that Council consider, subject to a public process, the public interest at Cape Roger Curtis to include the following:*

- a. Conserving the majority of the coastline for eco-system protection;*
- b. Developing public, waterfront, walking trails along the majority of the coastline, where there are no adverse ecological impacts, connecting to the cross-island greenways;*
- c. Environmental protection of the land including environmentally sensitive areas and rare species;*
- d. Clustering of homes and any other structures in any new development to reduce land disturbance, maximize green space and the opportunity for trails, and facilitate transportation alternatives;*
- e. Minimizing and mitigating any negative impacts from any Cape Roger Curtis development on the adjacent neighbourhoods and on the Bowen Island community as a whole.*

❑ **Council Resolution on Action Plan**

The following resolution outlines a course of action established by Council regarding the next steps in the Cape Roger Curtis planning process:

*Whereas:*

- *Council has identified its view of the public interest for Cape Roger Curtis;*
- *There is no comprehensive plan for Cape Roger Curtis that identifies and responds to the public interest;*
- *There is an application for road access by the Cape Roger Curtis owners across Crown Land that could negatively impact the public interest; and whereas the Water, Land and Air Protection Ministry has provided an extension to February 17, 2006 for Council to respond to this application;*
- *There has been an application for road access from Whitesails Drive that could negatively impact that neighbourhood; and*
- *Both Bowen Island Municipality and the land owner have expressed interest in GVRD participation in negotiations.*

*BE it resolved*

*That staff be directed to meet with the applicant to discuss a comprehensive rezoning application consistent with these principles.*

❑ **Rezoning Application**

Should a rezoning application be submitted by CRCJV, the Municipality will initiate its application review process that will involve engaging in dialogue with Council's advisory committees, neighbourhood organizations, and the general public, the details of which will be outlined in Municipal staff's first report to Council. Council views the rezoning process as an opportunity to advance the public interest values as articulated and to secure tangible community amenities for the community.

❑ **Subdivision Application**

Should a revised subdivision application be submitted by CRCJV either before or during the rezoning process, Council requests that the Approving Officer inform Council, accordingly. Council requests that the Approving Officer utilize the elements of the definition of the public interest in the review and processing of a subdivision application. Having said this, Council would prefer that CRCJV **not** submit a revised subdivision application until after the rezoning process has concluded or is near conclusion.

❑ **Response to Third Party Applications or Referrals**

Until the CRCJV rezoning process has been concluded or is near completion, Council and staff will not be finalizing any decisions on any applications or referral requests from third parties pertaining to issues related to the Cape Roger Curtis lands in order not to compromise or unduly influence the rezoning process.

**Commitment to Process**

Council recognizes that the rezoning process will be controversial and at times will cause friction between the Municipality and CRCJV, and between the Municipality, CRCJV, and other interested parties. The Municipality is committed to an open and inclusive process, and will navigate its way through the process no matter how difficult it may become. The Municipality hopes that the CRCJV will show the same commitment to the process.

**Project Timing and Planning Resources**

Council will utilize the rezoning process to engage in dialogue with the community. The process will be similar to that followed with other rezoning applications, however the public consultation component will be augmented due to the enhanced interest within the community regarding the fate of the Cape Roger Curtis lands. The Municipality believes that a 9 month period to complete the rezoning process is a more realistic target than 6 months, however no commitments can or will be made as far as final date is concerned. The Municipality's planning consultant, Michael Rosen, has been appointed as the planner in charge of the project, and as offered by CRCJV, consultant fees will be the subject of a cost recovery arrangement.

**Crown Land Referral for Thompson Road Extension**

Regarding the referral from the Provincial Government's Integrated Land Management Bureau regarding the Thompson Road extension, Council believes that taking a position on the referral at this point in the process is premature, and that the Municipality will wait until the rezoning and / or subdivision process is further advanced prior to establishing its position on the proposed road alignment. The Municipality will inform the Bureau accordingly and will convene a meeting with Bureau staff and representatives of CRCJV to discuss the Municipality's approach to this issue.

**Subdivision Application - Preliminary Layout Review (PLR)**

Regarding CRCJV's interest in obtaining a Preliminary Layout Review (PLR) letter from the Approving Officer for a proposed subdivision that is consistent with the current regulations of the Land Use Bylaw, Council would prefer that CRCJV withheld submission of a subdivision application until the rezoning process ran its course. Given CRCJV's interest in securing a back-up position in case the rezoning process does not work out, Council will defer this matter to the Approving Officer with the understanding that the definition of public interest will be considered. Council agrees that it would be desirable for the solicitors for the Municipality and CRCJV to meet along with their respective clients to work out a mutually acceptable solution to this matter.

TO: ISABELL HADFORD – CHIEF ADMINISTRATIVE OFFICER  
GINA MACKAY – COMMUNITY PLANNER

FROM: MICHAEL ROSEN – PLANNING CONSULTANT

RE: MUNICIPAL PLANNING FRAMEWORK – CAPE ROGER CURTIS

DATE: FEBRUARY 1, 2006

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## RECOMMENDATIONS

- 1) THAT Bowen Island Council consider passing a resolution outlining Council's preliminary statement related to "public interest" as it pertains to the Cape Roger Curtis lands;
- 2) THAT Bowen Island Council endorse the proposed *Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands* dated February 2006, as contained in Appendix A of the report entitled "Municipal Planning Framework – Cape Roger Curtis" dated 1 February 2006 from the Planning Consultant, including the insertion of the resolution pertaining to "public interest"; and
- 3) THAT Bowen Island Council request the Planning Consultant to report back to Council regarding follow up discussions with the Cape Roger Curtis Joint Venture and the Integrated Land Management Bureau.

### 1. PURPOSE

The purpose of this report is to provide Council with a proposed framework to manage the Cape Roger Curtis development initiative from the Cape Roger Curtis Joint Venture.

### 2. BACKGROUND

The Council is in receipt of a number of items pertaining to the Cape Roger Curtis lands, namely:

- 1) Notice of Motion from Councillor Hocking and proposed amendments by Councillor Frinton;
- 2) Notice of Motion from Councillor Barrett;
- 3) Draft Letter from the Island Community Planner to Integrated Land Management Bureau regarding the Crown Land application (January 26, 2006); and
- 4) Letters from Cape Roger Curtis Joint Venture dated January 9, 2006 and January 17, 2006.

Given the interrelated nature of these submissions and the need for a Council response, a proposed *Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands* has been prepared and is attached as Appendix A of this report. The purpose of the framework is twofold, described as follows:

- to outline Council's preliminary statement of the "public interest" in regards to the use of the Cape Roger Curtis lands, and

- to outline a series of action statements regarding the processing of potential rezoning and subdivision applications.

### 3. COUNCIL OPTIONS

The following options are provided for Council's consideration:

- a) Option 1: Endorse the proposed *Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands* dated February 2006; or
- b) Option 2: Not endorse the proposed *Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands* dated February 2006 and request staff to propose an alternative approach.

### 4. CONCLUSION

The proposed *Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands* is intended to be a proactive statement of Council's initial perspectives on the use of the Cape Roger Curtis lands, both in terms of defining the community's interest in general, and establishing the foundation for the processing of rezoning and subdivision applications. The framework is intended to provide certainty to the community, to the Cape Roger Curtis Joint Venture, and to Municipal staff regarding the Council's vision and expectations. It will function as a compass as the community, the Municipality, and the Joint Venture jointly navigate through the process.

Michael Rosen

Chief Administrative Officer's Comments:

*I concur with the recommendations of the Planning Consultant.*

*Isabell Hadford*  
*Chief Administrative Officer*

*Attachments: Appendix 1 - Proposed Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands dated February 2006*