



Bowen Island Municipality

An island municipality within the Islands Trust

Mission Statement

In carrying out its mandate, Bowen Island Municipality will work towards conducting operations in a way that:

- *Improves the economic, environmental and social well-being for present and future generations;*
 - *Encourages and fosters community involvement;*
 - *Enhances the small, friendly, caring character of the community;*
 - *Maintains an open, accountable and effective operation; and*
 - *Preserves and enhances the unique mix of natural ecosystems and green spaces that Bowen Island possesses.*
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NOTICE: That a Public Hearing regarding the following Bylaws will be held at Bowen Island Community School (Gym), 1041 Mt. Gardner Road on Saturday, July 9, 2011 at 12:00 p.m. (noon) for the transaction of business listed below:

- **Bylaw No. 282, 2010 Official Community Plan (OCP)**
- **Bylaw No. 296, 2011 (Steep Slope Development Permit Areas)**
- **Bylaw No. 299, 2011 (Environmentally Sensitive Development Permit Areas)**
- **Bylaw No. 301, 2011 (Watershed, Aquifer, and Stream Protection Development Permit Areas)**

To view an individual item, click on its coloured link

{ORIGINALLY SIGNED}
Kathy Lalonde, Corporate Officer

PUBLIC HEARING AGENDA

**Public Hearing re: Bylaw No. 282, 2010, Bylaw No. 296, 2011, Bylaw No. 299, 2011 and Bylaw No. 301, 2011
Saturday, July 9, 2011 at 12:00 p.m. (noon)**

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1. CALL TO ORDER

2. PUBLIC HEARING PROCEDURE

[Mayor Turner will describe the procedure for the Public Hearing.](#) 1

NOTE - INFORMATION FOR THE PUBLIC: At the Public Hearing, the public is given an opportunity to be heard. If a member of the public wishes to address Council, they will be asked sign the Speakers' List provided at the meeting. Speakers will be called from the list. --

Speakers should begin by stating their name and address for the record. Comments should be related to the subject bylaw and be directed to Council. The Public Hearing is not the venue to debate points of view expressed by other speakers at the Public Hearing.

Council may ask questions following a Speaker's comments to seek clarification on points raised. However, the main function of a Public Hearing is for Council to listen to the public's views. Council will not debate the merits of the proposed bylaws nor enter into dialogue with Speakers at the Public Hearing.

After a Public Hearing is closed:

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- Council is not permitted to receive any further submissions on the proposed bylaws;
- Council can determine when the proposed bylaws will be scheduled for consideration;
- Council may either adopt or defeat the bylaws, or alter and then adopt the bylaws provided that the alteration does not alter the use; increase the density, or without the owner's consent, decrease the density, of any area from that originally specified in the bylaws.

3. PUBLIC HEARING BACKGROUND

The Director of Planning will describe the proposed bylaws (Bylaws No. 282, 2010, No. 296, 2011, No. 299, 2011 and No. 301, 2011) 2-3

3.1 Bylaw No. 282, 2010, cited for all purposes as "Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010" 4-6

Schedules A through E of the Official Community Plan Bylaw ([click to view page](#)).

PURPOSE: In general terms, the purpose of the OCP is to repeal the existing OCP Bylaw and adopt an entirely new Official Community Plan that will contain objectives, policies and guidelines, including approximate locations, types and density of present and future residential, commercial, industrial, institutional, agricultural, recreational and public utility uses, other matters required by the Local Government Act and designation of various areas as development permit areas, that will govern future development and land use applications throughout the Municipality.

AFFECTED AREA: The area affected by the OCP is the entire Municipality. --

PUBLIC HEARING SUBMISSIONS:

3.1.1. Public Hearing submissions: --

a) Public comments are included in the Concordance Table (*refer to Section 3.1.6.a.*) --

b) [Email from Wolfgang Duntz, dated June 23, 2011](#) 7-9

REPORTS AND ASSOCIATED INFORMATION:

3.1.2. [Relevant OCP Steering Committee Minutes:](#) 10-83

- a) [OCP Steering Committee – June 3, 2009](#)
- b) [OCP Steering Committee – June 10, 2009](#)
- c) [OCP Steering Committee – July 7, 2009](#)
- d) [OCP Steering Committee – August 4, 2009](#)
- e) [OCP Steering Committee – September 2, 2009](#)
- f) [OCP Steering Committee – October 14, 2009](#)

g)	OCP Steering Committee – November 4, 2009	
h)	OCP Steering Committee - November 19, 2009	
i)	OCP Steering Committee – November 30, 2009	
j)	OCP Steering Committee – January 6, 2010	
k)	OCP Steering Committee – February 10, 2010	
l)	OCP Steering Committee – February 24, 2010	
m)	OCP Steering Committee – March 24, 2010	
n)	OCP Steering Committee – March 30, 2010	
o)	OCP Steering Committee – March 31, 2010	
p)	OCP Steering Committee – April 14, 2010	
q)	OCP Steering Committee – April 15, 2010	
r)	OCP Steering Committee – April 22, 2010	
s)	OCP Steering Committee – April 24, 2010	
t)	OCP Steering Committee – May 18, 2010	
3.1.3.	Relevant Council Minutes:	84-141
a)	Special Council Meeting – July 19, 2010	
b)	Special Council Meeting – September 7, 2010	
c)	Regular Council Meeting – September 13, 2010	
d)	Special Committee of the Whole Meeting – Oct. 12, 2010	
e)	Special Council Meeting - November 23, 2010	
f)	Special Council Meeting – November 29, 2010	
g)	Regular Council Meeting – December 13, 2010	
h)	Regular Council Meeting – January 10, 2011	
i)	Committee of the Whole Meeting – March 21, 2011	
j)	Special Council Meeting – May 24, 2011	
k)	Special Council Meeting – May 2, 2011	
l)	Special Council Meeting – June 6, 2011	
3.1.4.	Reports and Comments:	--
a)	Planning Dept. report dated November 15, 2010 from Hap Stelling to Mayor & Councillors	142-209
b)	Planning Dept. report dated December 10, 2010 from Jasmine Jawanda to Mayor & Councillors	210-223
c)	Planning Dept. report dated March 2, 2011 from Chris Buchanan to Mayor & Councillors	224-229
d)	Planning Dept. report dated June 1, 2011 from Hap Stelling to Mayor & Councillors	230-235
e)	Planning Dept. report dated June 3, 2011 from Chris Buchanan to Mayor & Councillors	236-241
f)	Planning Dept. report dated June 6, 2011 from Chris Buchanan to Mayor & Councillors	242-247

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3.1.5. Consultants Reports: N/A	--
3.1.6. Associated Information:	--
a) Concordance Table of Council Resolutions/Recommendations - Actions taken by Staff	248-312
3.1.7. Agency Comments: Agency comments are incorporated into Item No. 3.1.6.a above.	--
3.2 Bylaw No. 296, 2011, cited for all purposes as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 296, 2011” (Steep Slope Development Permit Areas)	313-316
 PURPOSE: In general terms, the Steep Slopes Development Permit Area will be to establish guidelines to govern application for and issuance of development permits, including conditions where a development permit will not be required, to help to better manage development within lands which present a high hazard for slope instability, landslip, rock fall, or soil erosion.	
AFFECTED AREA: The geographic area affected by this Bylaw is depicted in Schedule B-2 of Bylaw No 282, 2010 (OCP)	317
 PUBLIC HEARING SUBMISSIONS:	
3.2.1. Public Hearing submissions:	--
a) Email from Hugh Freeman dated February 17, 2011	318-320
b) Letter from Richard Underhill dated February 28, 2011	321-324
c) Email from Peter Taggart dated March 28, 2011	325
d) Submission from Richard Underhill and Wolfgang Duntz dated April 1, 2011	326-331
e) Letter from The Cape on Bowen Community Development Limited dated April 11, 2011	332-344
f) Submission re: Steep Slopes Bylaw dated April 11, 2011	345
 REPORTS AND ASSOCIATED INFORMATION:	
3.2.2. Relevant Council Minutes:	346-359
a) Special Council Minutes November 23, 2010	
b) Regular Council Minutes January 31, 2011	
c) Special Council Minutes March 7, 2011	
d) Special Council Minutes April 4, 2011	
e) Regular Council Minutes April 11, 2011	
f) Special Council Minutes April 18, 2011	

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g) Special Council Minutes June 20, 2011	
3.2.3. Relevant Greenways Advisory Committee Minutes:	--
a) Greenways Advisory Committee Minutes March 3, 2011	360-361
3.2.4. Reports and Comments:	--
a) Planning Dept. report dated February 24, 2011 from Hap Stelling to Mayor & Councillors	362-373
b) Planning Dept. report dated March 29, 2011 from Hap Stelling to Mayor & Councillors	374-375
c) Planning Dept. report dated April 14, 2011 from Hap Stelling to Mayor & Councillors	376-378
d) Planning Dept. report dated June 17, 2011 from Hap Stelling to Mayor & Councillors	379-384
3.2.5. Consultants Reports: N/A	--
3.2.6. Associated Information:	--
a) Relevant excerpt from Section 11.4 of the OCP Update	384a-384b
3.2.7. Agency Comments: N/A	--
3.3 Bylaw No. 299, 2011, cited for all purposes as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 299, 2011” (Environmentally Sensitive Development Permit Areas)	385-392
 PURPOSE: In general terms, the Environmentally Sensitive Development Permit Area will be to establish guidelines to govern application for and issuance of development permits , including conditions where a development permit will not be required, to help to better manage development within lands which are environmentally sensitive as containing ecosystems and habitats that are fragile or rare, or are ecologically important because of the biological diversity they support, and are sensitive to disturbances by human activity.	
AFFECTED AREA: The geographic area affected by this Bylaw is depicted in Schedule B-1 of Bylaw No 282, 2010 (OCP)	393
 PUBLIC HEARING SUBMISSIONS:	
3.3.1. Public Hearing submissions:	--
a) Letter from John Reid dated June 20, 2011	394-395

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b) Letter from Joan Wood dated June 21, 2011	396
 REPORTS AND ASSOCIATED INFORMATION:	
3.3.2 Relevant Council Minutes:	--
a) Committee of the Whole Minutes Feb. 21, 2011	397-398
b) Special Council Meeting Minutes May 24, 2011	399
c) Regular Council Meeting Minutes June 13, 2011	400
3.3.3 Relevant Greenways Advisory Committee Minutes:	--
a) Greenways Advisory Committee Minutes February 10, 2011	401-402
b) Greenways Advisory Committee Minutes March 3, 2011	403-404
3.3.4 Reports and Comments:	--
a) Planning Dept. report dated February 10, 2011 from Jasmine Jawanda to Mayor & Councillors	405-415
b) Planning Dept. report dated May 18, 2011 from Hap Stelling to Mayor & Councillors	416-426
c) Planning Dept. report dated June 10, 2011 from Hap Stelling to Mayor & Councillors	427-436
3.3.5 Consultants Reports: N/A	--
3.3.6 Associated Information:	--
a) Relevant excerpt from Section 11.4 of the OCP Update	436a
3.3.7 Agency Comments: N/A	--
3.4 Bylaw No. 301, 2011, cited for all purposes as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 301, 2011” (Watershed, Aquifer and Stream Protection Development Permit Areas)	437-445
 PURPOSE: In general terms, the Watershed, Aquifer and Stream Protection Development Permit Area will be to establish guidelines to govern application for and issuance of development permits, including conditions where a development permit will not be required, to help to better manage development within lands which are environmentally sensitive, including areas that are within the community watershed or contain streams.	
 AFFECTED AREA: The geographic area affected by this Bylaw is depicted in	 446-447

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Schedules B-3, B -3A, B-4 and B-4A of Bylaw No 282, 2010 (OCP)	
PUBLIC HEARING SUBMISSIONS:	
3.4.1. Public Hearing submissions:	--
a) Letter to Hap Stelling from Ed Weismiller and Donna Pringle dated April 10, 2011	448-449
b) Submission re: BIM Watershed and Stream Protection Regulation Authority dated April 11, 2011	450-451
REPORTS AND ASSOCIATED INFORMATION:	
3.4.2. Relevant Council Minutes:	--
a) Regular Council Minutes April 11, 2011	452-453
b) Special Council Meeting Minutes May 24, 2011	454
c) Regular Council Meeting Minutes June 13, 2011	455-456
3.4.3. Relevant Advisory Planning Commission Minutes:	--
a) Advisory Planning Commission Minutes June 7, 2011	457-459
3.4.4. Reports and Comments:	--
a) Planning Dept. report dated April 7, 2011 from Hap Stelling to Mayor & Councillors	460-462
b) Planning Dept. report dated May 19, 2011 from Hap Stelling to Mayor & Councillors	463-476
c) Planning Dept. report dated June 10, 2011 from Hap Stelling to Mayor & Councillors	477-487
d) Advisory Planning Commission comments dated June 13, 2011 from Paul Tennant, Chair, Advisory Planning Commission	488
3.4.5. Consultants Reports: N/A	--
3.4.6. Associated Information:	--
a) Relevant excerpt from Section 11.4 of the OCP Update	489-490
3.4.7. Agency Comments: N/A	--

4. PUBLIC INPUT

- 4.1 Written submissions received as of Wednesday, June 29, 2011: --
- 4.1.1 Bylaw No. 282, 2010 (OCP): --
- a) Public comments received as of June 29, 2011 - included in the Concordance Table of Council Resolutions/Recommendations (*see Section 3.1.6.a*). --
- b) Wolfgang Duntz dated June 23, 2011 (*see Section 3.1.1.b*) --
- 4.1.2 Bylaw No. 296, 2011 (Steep Slopes Development Permit Areas) - Written submissions received as of Wednesday, June 29, 2011 (*see Section 3.2.1.a – f*): --
- a) Hugh Freeman dated February 17, 2011 --
- b) Richard Underhill dated February 28, 2011 --
- c) Peter Taggart dated March 28, 2011 --
- d) Richard Underhill & Wolfgang Duntz dated April 1, 2011 --
- e) Cape On Bowen Community Development Limited, dated April 11, 2011 --
- f) Submission re: Steep Slopes Bylaw dated April 11, 2011 --
- 4.1.3 Bylaw No. 299, 2011 (Environmentally Sensitive Development Permit Areas) - Written submissions received as of Wednesday, June 29, 2011 (*see Section 3.3.1.a – b*): --
- a) John Reid dated June 20, 2011 --
- b) Joan Wood, dated June 21, 2011 --
- 4.1.4 Bylaw No. 301, 2011 (Watershed, Aquifer and Stream Protection Development Permit Areas) - Written submissions received as of Wednesday, June 29, 2011 (*see Section 3.4.1.a – b*): --
- a) Ed Weismiller & Donna Pringle dated April 10, 2011 --
- b) Submission re: BIM Watershed and Stream Protection Regulation Authority dated April 11, 2011 --
- 4.2 Mayor Turner will call for **PUBLIC INPUT**: --

- a. Verbal submissions --
- b. Written submissions --
- 4.3 Mayor Turner will call two more times for any further submissions regarding Bylaws No. 282, 2010, No. 296, 2011, No. 299, 2011 and No. 301, 2011 --

5. CLOSURE/ADJOURNMENT OF THE PUBLIC HEARING

- 5.1 If there is no further public input and Council does not wish to have a further staff report, then: --

Recommendation:

That all written and verbal submissions regarding Bylaws No. 282, 2010, No. 296, 2011, No. 299, 2011 and No. 301, 2011 up to and including July 9, 2011 be received and that the Public Hearing be adjourned.

Recommendation:

THAT staff report back to Council regarding the July 9, 2011 Reconvened Public Hearing regarding Bylaws No. 282, 2010, No. 296, 2011, No. 299, 2011 and No. 301, 2011 and that the Public Hearing/Public Meeting be adjourned to _____ (date, time, location).

Members of Council are not permitted to receive further submissions regarding the proposed Bylaws once the Public Hearing is closed.