

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
PUBLIC HEARING RECORD
REGARDING**

**PROPOSED BYLAW NO. 109 CITED AS “GAMBIER ASSOCIATED ISLANDS
OFFICIAL COMMUNITY PLAN”**

**HELD ON MONDAY, APRIL 19, 2010
AT 5:30PM AT THE GLENEAGLES GOLF COURSE BANQUET ROOM,
6190 MARINE DRIVE, WEST VANCOUVER BC**

PRESENT:	Louise Bell	Chair
	Joyce Clegg	Local Trustee
	Jan Hagedorn	Local Trustee
	Sonja Zupanec	Island Planner
	Brodie Porter	Regional Planning (Projects) Manager, Salt Spring Island
	Kate-Louise Stamford	Recorder

There were twenty-seven (27) members of the public present

CALL TO ORDER

The Chair called the meeting to order at 5:34 p.m.

The Chair gave an opening statement and read the opening statement stating that the primary purpose of the Public Hearing is for the Local Trust Committee to listen to the public not debate the issues. She also outlined the speaking procedure for a public hearing including timing of first, second, third speakers, speaking lists and expectations of basic decorum.

Island Planner Zupanec acknowledged that the Notice of Public Hearing had been posted as per regulations of the *Local Government Act* and that the documents had been made available to the public in various locations. She also cited the government agencies that had provided comments on the proposed Bylaw.

First List of Speakers

Reg Tupper, Vancouver spoke about the potential negative effects of policy 1.3 specifically regarding the statements of traditional First Nation’s territories within the

Associated Islands region. He also expressed concern that the proposed down zoning has been issued in an arbitrary manner and is derived from a document that actually makes no stipulation of dwelling numbers. Mr Tupper stated that there have been no planning issues with the Sunshine Coast Regional District (SCRD) and the Municipality of Sechelt.

Dan Grice outlined the history of his family on East Trail Island. He noted that his family purchased the property with the specific understanding that they could have two dwellings. The idea was to be able to build slowly as the need arose and in a manner in keeping with the nature of East Trail Island. Mr Grice stated that small dwellings are more energy efficient than big homes. He said that the Trustees should only impose zoning changes when there is a clear benefit to public interest.

Ken White, Gibsons – believed this proposed Official Community Plan (OCP) is the worst in the province. He suggested that because the Trustees do not live on the Associated Islands they do not care about how the Official Community Plan affects residents. Mr. White further noted that the Public Record binder was not available at the Gibsons Library on the date promised, and when he did obtain the binder, he noted there were no letters from residents supporting policy 3.2.6. Mr White also said the proposed Official Community Plan does not have provisions for long-term social housing plans which is a requirement under the Local Government Act. Finally, Mr. White presented the Local Trust Committee with a coffee filter to represent how they “filter” information from land-owners.

Graeme Wickham, Gambier Island, stated that he was currently serving as Chair of the Gambier Island Local Trust Advisory Planning Commission. Mr. Wickham said he believes in the Islands Trust’s mandate to preserve and protect but considers the structure of the organization in need of a radical review. He noted that the 2010 budget has increased by 4.7% and that in his opinion, the Islands Trust is going in the opposite direction of where it should be going and its credibility is at stake.

Mark Schad, Vancouver and West Trail Island, said that this is an issue that incites strong emotions. He considers the proposed density restrictions as possibly designed for the larger islands where development is more rampant but does not see the same sort of growth on the Associated Islands. Mr Schad also noted that there doesn’t seem

to be any statistical analysis of the over-development that this down zoning is supposed to prevent. He said the wording of the proposed Official Community Plan is too rigid. Mr. Schad said if the proposed Official Community Plan is passed then he will not be able to accomplish his plans on his property and therefore requests that the Local Trust Committee not proceed to second reading.

Bruce Bingham gave his support for Graeme Wickham and his comments. He stated that the Local Trust Committee withdrew financial support of the Advisory Planning Committee thereby preventing their ability to complete their review of the proposed Official Community Plan. Mr Bingham stated that the only land owners that support this proposed Official Community Plan are ones who paid for professional comprehensive planning. He noted his opposition to the statement regarding First Nations territories and the green house gas reduction policies. Mr. Bingham said he believes that the decisions made in the document are political and noted that the administrative complaint against the Chair has not been concluded. Finally, Mr. Bingham stated that the Trustees do not have the moral authority to continue with the process.

Lynn Leboe said that this process has impacted her work life and it has been noted by her US business partners. Her experience has cooled them to the possibility of investing in Canada. Although the Islands Trust provided written confirmation that she could build two dwellings on her property, she said now the Trustees do not seem to notice that land-owners property rights are being stripped. Ms. Leboe outlined the problem of gentrification and the lack of opportunities for younger people if lower zoning is passed for East Trail Island. She suggested that this document should be an election issue and she would applaud the Trustees if they had the courage to run on it.

John from British Columbia stated his strong opposition and noted that down zoning would make it difficult for young people to live on the Associated Islands.

Bill Binnie, North Thormanby, considered the proposed Official Community Plan as restricting property rights and reducing property value. Specifically, in policy 4.3.15 he does not want to floor area restriction and in 4.3.15 the development permit areas which Mr Binnie considered inappropriate for his specific island. He opposed going ahead with second reading.

Karl Gustavson, North Thormanby, spoke in favour of the proposed Official Community Plan and considered it very inclusive. He stated that the Trustees had been to North Thormanby. The Associated Islands Official Community Plan looks to the preservation and protection of the islands for the future.

Steve Grice, Langley stated that it feels as though the Official Community Plan is being shoved down land owner's throats. His family was planning to build two small dwellings and Mr. Grice would like to see the density grandfathered. He concluded that East Trail never had running water and was never populated by First Nations people.

Susan Barton, North Thormanby said she supported the proposed Official Community Plan.

Pearl Vavra, Trail Island stated that the Official Community Plan had a lot of opposition and that land owners seemed to have little faith that their issues will be addressed in the Land Use Bylaw.

Dag Meyer, stated his, and his family's, opposition to the proposed Official Community Plan. He noted that the density restrictions would threaten their plans to build small cabins to accommodate the several families that have enjoyed the islands for many years. Mr. Meyer clarified that he speaks for about eight to ten people in his opposition.

Second List of Speakers

Dan Grice noted that the proposed Official Community Plan covers not only 22 different islands but 22 different communities. He considered it imperative that more details be included in the Official Community Plan and not just left for the Land Use Bylaw. Regarding the greenhouse gas reduction policies, Mr. Grice stated that the small islands already had a very small environmental profile.

Lynn Leboe asked why there was no tourism policy despite provincial government statements promoting it. She said she has contracts with companies to provide eco-tours and wants to see an Official Community Plan that supports light, sustainable

commercial nodes for economically viable ventures. Currently, Ms. Leboe sees the Official Community Plan as a one size fits all plan. She asked the Trustees to make a commitment to consider the uniqueness of each island.

Ken White noted that in the first draft of the proposed Official Community Plan 3.2.6. read small lots would have one house and large lots get could have two houses and no actual sizing was inserted until this year. He said the trustees and staff told land owners not to worry as nothing would change during the Official Community Plan process and yet property rights are being restricted. He suggested that the trustees visit the Trail Islands and see how much room there is.

Bruce Bingham said that Vaucroft community issues have possibly been addressed by the proposed Official Community Plan but there are still six distinct communities that are not fully recognized in the document and we need community plans for all of them. On the topic greenhouse gas reduction policies, he encouraged the Trustees not to pass them out of fear, but on sound science. Mr. Bingham criticized the process noting that the citizens committee was “ripped out” and the Advisory Planning Committee was denied funding. He stated that this must be an election issue and an opportunity for wise people to admit their mistake. If the proposed Official Community Plan passes as currently written, Mr. Bingham said there will be ten years of hostility and problems.

Third List of Speakers

Lynn Leboe said that as an environmental educator her view is that the greenhouse gas reduction policies should be based on science.

Reg Tupper asked why the Local Trust Committee did not recognize the Small Island Steering Committee as an official citizens committee. Mr. Tupper said there had been very little investigation as to what the facts on the ground are. The zoning freeze imposed from 1969 has been cherry picked to use for this process and he does not understand what the rational is.

Ken White noted that the minimum ten acre restriction is a choice that the Islands Trust has committed to without consideration of its impact on small islands. He noted that Clause 5.8.3 recognizing individual islands self determination within the Islands Trust structure was not included in the final draft despite a similar policy in the Keats Official Community Plan.

Bruce Bingham - said that when land owners met with staff and presented wording for policy 5.8.3 it seemed to be well received yet it was rejected by the Trustees despite staff support. He noted that the Small Islands Steering Committee has debunked several policies and yet the Trustees have been selective in how they have applied this knowledge.

Dan Grice read through a published legal opinion regarding reasoning of down zoning. Mr. Grice stated that the proposed density restrictions in the proposed Official Community Plan do not meet the legal requirements.

Ken White outlined further errors in the document and asked if the Local Trust Committee was going to reject the use of a citizens committee for the Land Use Bylaw process. He encouraged the Committee to do things the correct way.

Lynn Leboe stated that she has not felt she has been heard or acknowledged and that the Trustees were not honest.

Ken White said that originally staff and trustees stated that nothing would change for land owners in the Official Community Plan process; now their statement has changed to allowing people to keep what they have.

Dan Grice said he has been involved in political parties and university councils and he hasn't seen the level of community involvement in the Associated Islands Official Community Plan process. He said it was unfortunate that there is so much fear based language.

Ken White noted that after this Public Hearing there is a gag order preventing any further commentary. He then compared this process to the McCarthy hearings.

Kevin Vaverro suggested that there be an on-the-spot referendum for support of the proposed Official Community Plan.

Dag Meyer stated he hasn't been as active in his opposition of this Official Community Plan as his brothers. He noted that only two people had spoken in favour of the document at the Public Hearing.

Lynn Leboe said she feels like a broken record yet cannot become disengaged from the issue despite the lack of response from the Islands Trust.

The Chair called three times for further submissions on the aforementioned proposed bylaws. There were no further submissions.

The Chair closed the Public Hearing at 6:52 p.m.

I CERTIFY THAT THIS IS A FAIR AND ACURRATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

Recorder

Date