



News Release

200 - 1627 Fort Street Victoria BC V8R 1H8

Telephone **250.405.5151** FAX: 250.405.5155

Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC **1.800.663.7867**

information@islandstrust.bc.ca www.islandstrust.bc.ca

June 11, 2012

2012-10-IT

ROCK WALL ON KEATS ISLAND'S MAPLE BEACH TO BE REMOVED

VICTORIA — The Gambier Island Local Trust Committee has reached an agreement with Joan and Ken Pedersen, who built a stone wall in the area of Keats Island's Maple Beach in 2010. The agreement commits the Pedersens to promptly remove the portion of the wall that the Local Trust Committee considers to be on the public part of Maple Beach. In recognition of the Pedersens' commitment, the Local Trust Committee has adjourned the summary trial scheduled for June 13. The Pedersens have also agreed to pay the Islands Trust for its costs to date in the litigation.

"The Pedersens have agreed to remove a portion of the wall as an interim measure to avoid going to court this week," said Miles Drew, Islands Trust Bylaw Enforcement Manager. "This will also allow them more time to prepare a shore stabilization plan, and to get Archaeology Branch approvals for work in this area. Ultimately, the goal is to ensure that the wall meets the requirements of the local zoning bylaw and that is what the legal action is about."

When the Pedersens constructed their retaining wall in the summer of 2010 without any permits, Keats Islanders expressed great concern about construction they felt encroached on one of the island's most popular public beaches. Survey information commissioned by the Gambier Island Local Trust Committee confirmed that a large portion of the wall was on public land. After giving the Pedersens several opportunities to comply with the bylaw by removing the retaining wall, the Gambier Island Local Trust Committee initiated legal proceedings against them in August 2010.

"I'm really pleased we are now making progress on an issue that has been of so much concern to Keats Islanders," said Kate-Louise Stamford, a local trustee for the Gambier Island Local Trust Area. "This is definitely a step in the right direction. Our preference is always to seek voluntary compliance with our community bylaws. If we can't achieve that, we do feel a responsibility to uphold them and protect island shorelines."

"The illegal construction of shoreline walls is a growing concern on the islands and the bylaws are in place for good reasons," said Linda Adams, Chief Administrative Officer of the Islands Trust. "Waterfront property owners sometimes decide to build a wall along the shoreline to protect their property from erosion, but they can do a lot of damage if they do it the wrong way. Poorly designed seawalls not only damage fish habitat and archaeological sites, they interrupt natural shoreline processes. Waterfront owners can actually increase erosion on their own and neighbouring properties. In this case, there were also significant impacts on a popular public beach, which caused a lot of community concern."

In accordance with the Islands Trust policies, enforcement actions are primarily triggered when the Islands Trust receives complaints from community members that indicate that individuals or corporations are not complying with the land use regulations that their locally-elected representatives have adopted. Efforts are then made to investigate complaints, educate violators and obtain voluntary compliance with a community's bylaws. In most cases, violators have a variety of options, including ceasing or amending their operations, or applying for variances or required permits.

Islands Trust staff estimate that more than 90% of its bylaw investigation files are resolved before legal action is required. Court action is only taken after other avenues to achieve compliance have failed.

- more -

Rock wall on Keats Island's Maple Beach to be removed...2

The Islands Trust is a federation of local government bodies representing 25,000 people living within the Islands Trust Area. The Islands Trust is responsible for preserving and protecting the unique environment and amenities of the Islands Trust Area through planning and regulating land use, development management, education, cooperation with other agencies, and land conservation. The area covers the islands and waters between the British Columbia mainland and southern Vancouver Island. It includes 13 major and more than 450 smaller islands covering 5200 square kilometres.

- 30 -

CONTACT

Miles Drew
Bylaw Enforcement Coordinator
250.405.5175
Cell: 250.886.6716

Linda Adams
Chief Administrative Officer
250.405-5160

