



Thetis Island Local Trust Committee Regular Meeting Addendum

Date: August 11, 2015
Time: 9:30 am
Location: Thetis Island Community Centre (Forbes Hall)
North Cove Road, Thetis Island, BC

	Pages
10. APPLICATIONS AND REFERRALS	10:20 AM - 10:40 AM
10.1 TH-DVP-2015.1 (Giesbrecht - Ruxton Island)	
10.1.2 <u>Correspondence received</u>	2 - 30

Teresa Rittemann

From: rfeschuk [REDACTED]
Sent: Thursday, August 06, 2015 9:44 AM
To: 'Dan Giesbrecht'
Cc: Teresa Rittemann
Subject: RE: My DVP Application for Lot 7

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

We are neighbours of Giesbrechts and have absolutely no issue with the structures on their property. As a matter of fact, we have had occasion to use the structure in an emergency situation (a spine board was required to move a 240 pound man) to access a water ambulance following a life-threatening fall by a friend last year. We feel that all construction on the Giesbrecht property has been done in an attractive and thoughtful manner and suggest his request for variance be allowed.

The phone numbers here if you want to speak to us personally are [REDACTED] and [REDACTED] in Nanaimo.
Pete & Rita and Kurt & Astrid Feschuk

I/We _____ Feschuks _____ are registered owners of property on Ruxton Island. Please accept this written email as our confirmation that we have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

Furthermore, with respect Schedule A, attached to and forming part of the Proposed development permit, we see that a portion of the waterfront walk is being considered as an excepted structure under S.2.4 c, while the remainder is not. We fail to understand how the waterfront walk can be arbitrarily determined that one portion complies, while the other does not when, in fact, it is all one and the same structure. The remainder portion of the waterfront walk showing as "not permitted" IS the portion we utilize to gain access to and from the walk and the Giesbrechts' foreshore. It is a necessary and integral part of the entire waterfront walk structure. We consider the entire waterfront walk to be an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13.

The Giesbrechts' have an open invitation where we and Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access our own foreshore or public access areas. We do not want to see this valuable resource taken away from the Giesbrecht's and our community.

Respectfully,

Pete, Rita and Kurt Feschuk

2.4 Siting Exceptions

(c) Fences, walks or waterfront stairways, not exceeding two metres in height may be situated on any portion of a lot.

The previous bylaw enforcement officer had considered it to be an excepted structure and now the new bylaw enforcement officer says it is not. The planning department has looked at it and will consider part of it as conforming and have arbitrarily determined the remainder is not.

I have drafted and attached a canned response to assist in drafting an email response to Teresa Rittemann. Her email address is: tritemann@islandstrust.bc.ca

Responses to the DVP have to be submitted to Islands Trust by **no later than August 10** as the trust council meets on August 11th. If you do respond to Teresa would you mind also cc'ing me a copy?

Thank you Rita for taking the time to review the above and attached.

All the best to you and Pete,

Dan

Dan W. Giesbrecht, CPA, CGA

Principal | GIESBRECHT & ASSOCIATES

3994 Shelbourne Street, Suite 203, Victoria BC, V8N 3E2

IMPORTANT NOTICE:

This e-mail and any attachments are confidential and are intended solely for the use of the named addressee.

Teresa Rittemann

From: Stuart Brundrige [REDACTED]
Sent: Friday, August 07, 2015 7:38 AM
To: Teresa Rittemann
Subject: TH-DVP-2015.1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Hello Teresa;

We have been trying to make contact regarding this DVP for the last few weeks.

We are the neighbor of the Giesbrecht's, we own Lot 6, which the one deck is within 0.8m of our property line. We have had numerous discussion with the Giesbrecht's regarding this deck, and we have come to an agreement that we would support the variance provided they build a privacy fence, to the maximum height permitted to provide some privacy for our lot. The length of the fence will be determined on site, but would at a minimum be the length of their cabin and deck.

We have one other question, if they are being considered to get a variance for the side deck, that directly affects a neighboring property, why wouldn't they get a variance for the deck/walkway on the seaward side? The seaward deck/walkway has less impact on any neighbors, does not affect the foreshore, and in fact provides access for other residents to use their dock facility, which we have used many times this year unloading heavy items like flooring, and this weekend, our kitchen cabinets. It is also unclear to us, why one part of this deck/walkway is considered acceptable, but an adjacent part is not, it is all the same structure.

Please consider us supporting this variance, as well, we would support granting a variance on the seaward deck/walkway.

If you have any questions regarding this, please contact me at the numbers below, or via email.

Regards,

Stuart Brundrige, A.Sc.T, GSC
President
Brunnell Construction Ltd.



Teresa Rittemann

From: Kim Buchanan
Sent: Friday, August 07, 2015 12:42 PM
To: Teresa Rittemann
Cc: dan
Subject: Ruxton Island-Lot 7 Variance Application

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Teresa,

We, Richard Poulin and Kim Buchanan, are registered owners of property on Ruxton Island (Otter Bay). Please accept this written email as our confirmation that we have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

Furthermore, with respect Schedule A, attached to and forming part of the Proposed development permit, we see that a portion of the waterfront walk is being considered as an excepted structure under S.2.4 c, while the remainder is not. The remainder portion of the waterfront walk showing as "not permitted" is the portion we utilize to gain access to and from the walk and the Giesbrechts' foreshore. It is a necessary and integral part of the entire waterfront walk structure. We consider the entire waterfront walk to be an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13.

The Giesbrechts' have an open invitation where we and Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access our own foreshore or public access areas. It is generally accepted that the route around the foreshore be made as accessible as possible to the entire community. We do not want to see this valuable resource taken away from the Giesbrecht's and other community members.

Respectfully,

Kim Buchanan and Richard Poulin.

Teresa Rittemann

From: None [REDACTED]
Sent: Friday, August 07, 2015 1:47 PM
To: Teresa Rittemann
Cc: Giesbrecht Dan; Ijm
Subject: Untitled.PDF
Attachments: Untitled.PDF; ATT00001.txt

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Good afternoon Teresa. Please find enclosed my support the Giesbrecht variance request for their property on Ruxton isl.

I/We C-REG VAN DER KROGT are registered owners of property on Ruxton Island. Please accept this written email as our confirmation that we have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

Furthermore, with respect Schedule A, attached to and forming part of the Proposed development permit, we see that a portion of the waterfront walk is being considered as an excepted structure under S.2.4 c, while the remainder is not. We fail to understand how the waterfront walk can be arbitrarily determined that one portion complies, while the other does not when, in fact, it is all one and the same structure. The remainder portion of the waterfront walk showing as "not permitted" IS the portion we utilize to gain access to and from the walk and the Giesbrechts' foreshore. It is a necessary and integral part of the entire waterfront walk structure. We consider the entire waterfront walk to be an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13.

The Giesbrechts' have an open invitation where we and Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access our own foreshore or public access areas. We do not want to see this valuable resource taken away from the Giesbrecht's and our community.

Respectfully,

C-Reg Van der Krogt Lot 10

Teresa Rittemann

From: Olaf Knezevic [REDACTED]
Sent: Friday, August 07, 2015 2:17 PM
To: Teresa Rittemann; Lynda Knezevic; Dan [REDACTED]; Kristine Knezevic
Subject: TH-DVP-2015.1 (Giesbrecht)
Attachments: Ruxton Residents Email response.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Attached please find my comment regarding the application.

I Olaf Knezevic co own Lot 23 Ruxton Island. Please accept this written email as confirmation that I have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

I fully support the application [REDACTED]
[REDACTED]

Furthermore, with respect Schedule A, attached to and forming part of the Proposed development permit, I see that a portion of the waterfront walk is being considered as an excepted structure under S.2.4 c, while the remainder is not. We fail to understand how the waterfront walk can be arbitrarily determined that one portion complies, while the other does not when, in fact, it is all one and the same structure. The remainder portion of the waterfront walk showing as "not permitted" IS the portion I utilize to gain access to and from the walk and the Giesbrechts' foreshore. It is a necessary and integral part of the entire waterfront walk structure. I consider the entire waterfront walk to be an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13.

The Giesbrechts' have an open invitation where I and Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access our own foreshore or public access areas. I do not want to see this valuable resource taken away from the Giesbrecht's and our community.

Respectfully,
Olaf Knezevic

Teresa Rittemann

From: Kristine Knezevic [REDACTED]
Sent: Friday, August 07, 2015 3:53 PM
To: Teresa Rittemann
Cc: dan [REDACTED].com
Subject: TH-DVP-2015.1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

I, Kristine Knezevic am the daughter of the owners of Lot 23 on Ruxton Island. Please accept this written email as confirmation that I have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

Furthermore, I consider the entire waterfront walk to be an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13.

The Giesbrechts' have an open invitation where I and Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access my own foreshore or public access areas. I do not want to see this valuable resource taken away from the Giesbrecht's and our community.

Respectfully,

Kristine Knezevic

Teresa Rittemann

From: Lisa De Nato [REDACTED]
Sent: Saturday, August 08, 2015 8:10 AM
To: Teresa Rittemann
Subject: DVP App. TH-DVP-2015.1
Attachments: Ruxton Residents Email response.pdf

Follow Up Flag: Follow up
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Categories: My Files

Dear Ms. Rittemann;

It has come to our attention that a variance application has been made on Ruxton Island and that the Islands Trust. We are property owners of Lot 38 on the north end of the island (commonly known as North Bay).

We support this application per the attached pdf.

Further, we are interested to know if this application was the result of a complaint by another property owner or a third party. Having reviewed the recent work to revise the bylaws, I would imagine that there are more than a few non conformities currently on Ruxton. My understanding was that these would be grandfathered as part of the process to prevent undue hardships.

Please let us know if the attached pdf satisfies your requirements

Regards

Justin Steele
Lisa De Nato

I/We _Justin Steele and Lisa De Nato_ are registered owners of property on Ruxton Island. Please accept this written email as our confirmation that we have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

Furthermore, with respect Schedule A, attached to and forming part of the Proposed development permit, we see that a portion of the waterfront walk is being considered as an excepted structure under S.2.4 c, while the remainder is not. We fail to understand how the waterfront walk can be arbitrarily determined that one portion complies, while the other does not when, in fact, it is all one and the same structure. The remainder portion of the waterfront walk showing as "not permitted" IS the portion we utilize to gain access to and from the walk and the Giesbrechts' foreshore. It is a necessary and integral part of the entire waterfront walk structure. We consider the entire waterfront walk to be an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13.

The Giesbrechts' have an open invitation where we and Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access our own foreshore or public access areas. We do not want to see this valuable resource taken away from the Giesbrecht's and our community.

Respectfully,

____Justin Steele and Lisa De Nato_____

Teresa Rittemann

From: Mike Richards
Sent: Monday, August 10, 2015 9:14 AM
To: Marnie Eggen; Teresa Rittemann
Subject: FW: Contact Form Submission

Follow Up Flag: Follow up
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From: [REDACTED]
Sent: Saturday, August 08, 2015 12:18 PM
To: thltcwebmail
Subject: Contact Form Submission

Contact: Thetis Island Local Trust Committee

Name: Denise and Larry Lowry

Email: [REDACTED]

If you would like to be contacted using a different method than E-mail, please enter the details:

Write your message: Regarding FILE NO. TH-DVP-2015.1 (GIESBRECHT) We strongly disagree with granting a variance on the above property. Here are some reasons: -application for variance comes after the structure has been built - [REDACTED] -Setting a precedence, build what you want, then apply for a variance. Thankyou, Denise and Larry Lowry Lot 35 North Bay Ruxton Island

[REDACTED]

Teresa Rittemann

Subject:

FW: Ruxton Island Giesbrechts DVP APP: TH-DVP-2015.1

From: Lori Winkler [REDACTED]
Sent: Monday, August 10, 2015 1:22 PM
To: Teresa Rittemann
Cc: dan [REDACTED]
Subject: Ruxton Island Giesbrechts DVP APP: TH-DVP-2015.1

As registered owners of Lot 11, Otter Bay, Ruxton Island, please accept this as our confirmation that we have no objection to the issuance of the above mentioned DVP: for the south east portion of the existing patio/deck that is currently within the 5 metre set back.

We are also in support that the trust council consider that the Giesbrecht's entire waterfront walk as an excepted structure under section 2.4.c of our current Ruxton Island bylaw 13.

The Giesbrechts is an existing structure that has been deemed to be acceptable in previous inspections and can provide a safe access to or exit from the island in emergency situations.

If you have any further questions or concerns we can be contacted at the following;

Lori Winkler can be reached at [REDACTED] or at [REDACTED]

I can be reached at [REDACTED] or [REDACTED]

Mike Bunch

Teresa Rittemann

From: Dyane Gjesdal [REDACTED]
Sent: Monday, August 10, 2015 1:57 PM
To: Teresa Rittemann
Subject: Fwd: Giesbrechts' DVP App. TH-DVP-2015.1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Dear Teresa Rittemann,

We are registered owners of property on Ruxton Island. Please accept this written email as our confirmation that we have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

Furthermore, with respect Schedule A, attached to and forming part of the Proposed development permit, we see that a portion of the waterfront walk is being considered as an excepted structure under S.2.4 c, while the remainder is not. We do not agree with the determination that one portion of the Walk complies, while the other does not when, in fact, it is all one and the same structure. The remainder portion of the waterfront walk showing as "not permitted" IS the portion utilized to gain access to and from the walk and the Giesbrechts' foreshore. It is a necessary and integral part of the entire waterfront walk structure. The entire waterfront walk should be considered as an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13. If you will not consider it as an excepted structure under S.2.4.c then you should allow a variance for it under the Giesbrechts' current variance application. We have no objection to their waterfront walk structure.

The Giesbrechts' have an open invitation where Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access their own foreshore or public access areas. We do not want to see this valuable resource taken away from the Giesbrechts and our community.

Respectfully,

Dyane and Are Gjesdal

Teresa Rittemann

From: Jane Hurlburt [REDACTED]
Sent: Monday, August 10, 2015 5:02 PM
To: Teresa Rittemann
Subject: Fwd: TH-DVP-2015.1 Giesbrecht (Ruxton Island zoning variance request)

Follow Up Flag: Follow up
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Categories: My Files

Hi Teresa - this is the same letter as earlier with a couple of very minor changes. If it's not too late could you submit this one instead? If not, that's OK.
Jane

Begin forwarded message:

From: Jane Hurlburt [REDACTED]
Subject: Re: TH-DVP-2015.1 Giesbrecht (Ruxton Island zoning variance request)
Date: August 10, 2015 at 2:17:26 PM PDT
To: Trittenmann@islandstrust.bc.ca
[REDACTED]

Attention: Thetis Island Local Trust Committee:

This email is regarding the DVP request by the Giesbrecht family on lot 7 of Ruxton Island. We own Lot 8 on Ruxton which is one lot north of the Giesbrechts.

[REDACTED]
[REDACTED] The BBQ patio on the southeast side of the property in question has been in place for about 4 years. Considering that the Giesbrechts have several hundred square feet of deck, losing about 70 sq.ft of high use deck doesn't seem like a hardship.

Having said that, because we are not directly affected by the patio, and understand the Giesbrechts have discussed the patio with their lot 6 neighbour who has supported the DVP given some conditions around future fences etc. if necessary, we are not opposed to granting the DVP for the patio.

We do **not** support the request for a variance for the Waterfront Walk. Besides appearing to be non-conforming according to the Ruxton Island Bylaw No. 13 (1984), [REDACTED]

[REDACTED] In fact they have never spoken to us about the dock/wharf or the Waterfront Walk, before, during or after construction, which is surprising considering it has a direct and significant impact on us. We can see it and hear the traffic up and down to the dock from our east deck and our

kitchen/living area window. In Section 10 of their submission they state they have spoken to the Lot 6 neighbour as well as "many of their fellow Ruxton residents" but curiously, not once have they consulted the neighbours who it impacts the most - i.e. us.

The Giesbrechts have renovated one building and built a sleeping cabin, building permits? [REDACTED] They were half way through installing a septic field before [REDACTED] getting the proper permits. Their dock has been a dock, then a boat, now probably a dock again! For which they were granted foreshore approval two or three years after its installation, and about to be questioned again pending the Ruxton by-law enactment. And now they also want to legitimize a walkway and stairs that have been in place for 3 or 4 years [REDACTED]
[REDACTED]

Please don't hesitate to contact us if you have any questions.

Yours Sincerely,

Michael Higgins and Jane Hurlburt
[REDACTED]

Lot 8 Ruxton Island

Teresa Rittemann

From: Jane Hurlburt [REDACTED]
Sent: Monday, August 10, 2015 2:17 PM
To: Teresa Rittemann
Cc: Mike
Subject: Re: TH-DVP-2015.1 Giesbrecht (Ruxton Island zoning variance request)

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Attention: Thetis Island Local Trust Committee:

This email is regarding the DVP request by the Giesbrecht family on lot 7 of Ruxton Island. We own Lot 8 on Ruxton which is one lot north of the Giesbrechts.

[REDACTED]
[REDACTED] The BBQ patio on the southeast side of the property in question has been in place for about 4 years. Considering that the Giesbrechts have several hundred square feet of deck, losing about 70 sq.ft of high use deck doesn't seem like a hardship.

Having said that, because we are not directly affected by the patio, and understand the Giesbrechts have discussed the patio with their lot 6 neighbour who has supported the DVP given some conditions around future fences etc. if necessary, we are not opposed to granting the DVP for the patio.

We do **not** support the request for a variance for the Waterfront Walk. Besides appearing to be non-conforming according to the Ruxton Island Bylaw No. 13 (1984), [REDACTED]

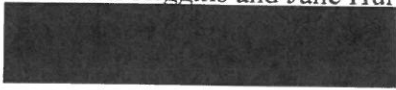
[REDACTED] In fact they have never spoken to us about the dock/wharf or the Waterfront Walk, before, during or after construction, which is surprising considering it has a direct and significant impact on us. We can see it and hear the traffic up and down to the dock from our east deck and kitchen/living area window. In Section 10 of their submission they state they have spoken to the Lot 6 neighbour as well as "many of their fellow Ruxton residents" but curiously, not once have they consulted the neighbours who it impacts the most.

The Giesbrechts have renovated one building and built a sleeping cabin, building permits? [REDACTED] They were half way through installing a septic field before [REDACTED] getting the proper permits. Their dock has been a dock, then a boat, now probably a dock again! For which they were granted foreshore approval two or three years after its installation, and about to be questioned again pending the Ruxton by-law enactment. And now they also want to legitimize a walkway and stairs that have been in place for 3 or 4 years [REDACTED]
[REDACTED]

Please don't hesitate to contact us if you have any questions.

Yours Sincerely,

Michael Higgins and Jane Hurlburt



Lot 8 Ruxton Island

Teresa Rittemann

From: Tammy Norgard [REDACTED]
Sent: Monday, August 10, 2015 2:47 PM
To: Teresa Rittemann
Cc: dan [REDACTED]; Stan Nakagawa
Subject: Giesbrecht DVP application: TH-DVP-2015.1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Dear Teresa Rittemann,

We are registered owners of property on Ruxton Island. Please accept this written email as our confirmation that we have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

Furthermore, with respect Schedule A, attached to and forming part of the Proposed development permit, we see that a portion of the waterfront walk is being considered as an excepted structure under S.2.4 c, while the remainder is not. We do not agree with the determination that one portion of the Walk complies, while the other does not when, in fact, it is all one and the same structure. The remainder portion of the waterfront walk showing as "not permitted" IS the portion we utilize to gain access to and from the walk and the Giesbrechts' foreshore. It is a necessary and integral part of the entire waterfront walk structure. The entire waterfront walk should be considered as an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13. If you will not consider it as an excepted structure under S.2.4.c then you should allow a variance for it under the Giesbrechts' current variance application. We have no objection to their waterfront walk structure.

The Giesbrechts' have an open invitation where we and Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access our own foreshore or public access areas. We do not want to see this valuable resource taken away from the Giesbrechts and our community.
Respectfully,

Tammy Norgard and Stan Nakagawa lot 10

Teresa Rittemann

From: Anne Follows [REDACTED]
Sent: Monday, August 10, 2015 2:49 PM
To: Teresa Rittemann
Cc: dan [REDACTED]
Subject: Giesbrechts' DVP App. TH-DVP-2015.1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Dear Teresa Rittemann,

I am a registered owner of property on Ruxton Island. Please accept this written email as my confirmation that I have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

Furthermore, with respect Schedule A, attached to and forming part of the Proposed development permit, we see that a portion of the waterfront walk is being considered as an excepted structure under S.2.4 c, while the remainder is not. I do not agree with the determination that one portion of the Walk complies, while the other does not when, in fact, it is all one and the same structure. The remainder portion of the waterfront walk showing as "not permitted" IS the portion utilized to gain access to and from the walk and the Giesbrechts' foreshore. It is a necessary and integral part of the entire waterfront walk structure. The entire waterfront walk should be considered as an excepted structure under S.2.4.c of Ruxton Island Zoning Bylaw #13. If you will not consider it as an excepted structure under S.2.4.c then you should allow a variance for it under the Giesbrechts' current variance application. I have no objection to their waterfront walk structure.

The Giesbrechts' have an open invitation where Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access their own foreshore or public access areas. I do not want to see this valuable resource taken away from the Giesbrechts and our community.

Respectfully,

Anne Follows

Teresa Rittemann

From: Dana Haggarty [REDACTED]
Sent: Monday, August 10, 2015 4:06 PM
To: Teresa Rittemann
Subject: Emailing: Giesbrecht.pdf
Attachments: Giesbrecht.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Dear Teresa,

Please see attached letter re. our support for the Giesbrecht's variance application.

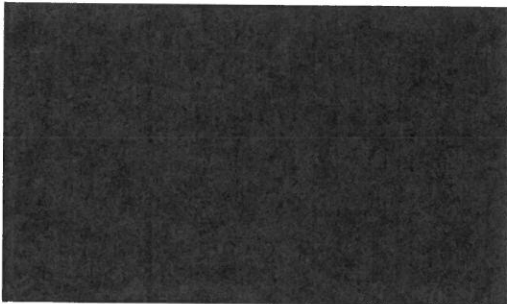
We have used the Giesbrecht's ramp and float to load our boat during inclement weather and greatly appreciated them allowing us to do so.

Sincerely,

Dana Haggarty and Omi Fontaine

Your message is ready to be sent with the following file or link
attachments:
Giesbrecht.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



We, Dana Haggarty and Omi Fontaine, are registered owners of property on Ruxton Island. Please accept this written email as our confirmation that we have no objection to the issuance of the Giesbrechts' DVP App. TH-DVP-2015.1 for the southeast portion of the existing patio/deck that is currently within the 5 m setback. The patio/deck has no visible impact from the roadway, Otter Bay or the waterfront.

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The Giesbrechts' have an open invitation where we and Ruxton Island residents may use their waterfront walk and foreshore especially in those circumstances where it is not feasible or safe to access our own foreshore or public access areas. We do not want to see this valuable resource taken away from the Giesbrecht's and our community.

Respectfully,

Teresa Rittemann

From: Robert McAllister [REDACTED]
Sent: Monday, August 10, 2015 4:55 PM
To: Teresa Rittemann
Cc: Louise Beltgens
Subject: Re: Letter to Oppose Development Variance Permit TH-DVP-2015.1

Follow Up Flag: Follow up
Flag Status: Completed

Categories: My Files

Hello Teresa,

Thank you very much. Please use the letter that I attached in my previous email to you (instead of one that was faxed earlier). It's pretty much the same but had a few small changes (I've cc'd Louise).

All the best,

Rob
(Louise's son-in-law)

On Mon, Aug 10, 2015 at 4:42 PM, Teresa Rittemann <trittemann@islandstrust.bc.ca> wrote:

Good afternoon Robert,

Thank you for your submission on behalf of Louise Beltgens.

I also received the letter from Louise a few moments ago, so I will be sure to make note of this and bring her concerns to the attention of the Local Trust Committee tomorrow.

Kind regards,

Teresa Rittemann, B.Sc., M.Pl.

Planner 1

Islands Trust

700 North Road

Gabriola Island, BC V0R 1X3

Tel: 250.247.2200

Fax: 250.247.7514

www.islandstrust.bc.ca

Toll Free through Enquiry BC:

1.800.663.7867 or 604.660.2421 from Vancouver

trittermann@islandstrust.bc.ca

Preserving Island communities, culture and environment



Please consider the environment before printing this email

From: Robert McAllister [REDACTED]
Sent: Monday, August 10, 2015 4:38 PM
To: Teresa Rittermann
Subject: Fwd: Letter to Oppose Development Variance Permit TH-DVP-2015.1

Please see the attached letter to Oppose Development Variance Permit TH-DVP-2015.1.

Kind regards,

Robert McAllister on behalf of Louise Beltgens

Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3
trittemann@islandstrust.bc.ca

August 10th, 2015

Dear Ms. Ritteman:

Re: Development Variance Permit TH-DVP-2015.1 (Giesbrecht)

I am writing this letter to strongly oppose the issuance of a Development Variance Permit requested by Daniel, Renee, and Heidi Giesbrecht and Alexander Mendeleev regarding an exception to Subsection 3.1(a) of the Ruxton Island Zoning Bylaw No. 13 3.1.

Ruxton Island Zoning Bylaw No. 13 has steadfastly existed for over thirty years. Like other zoning bylaws, they have always been freely available and accessible to the public and created for a variety of protective purposes. When purchasing a new property, it is the responsibility of the potential owner to avail him or herself of these bylaws and, upon purchase, to adhere to them or face potential penalty [Subsection 1.3(a & b)].

Furthermore, the sequence of events to receive a Development Variance Permit seems backwards in this case with the property owners breaking bylaw No. 13 by building a nonconforming structure *and only afterward* seeking a permit.

Ruxton Island Zoning Bylaw No. 13 is important because it protects the inherent beauty of the island. Without numerous non-conforming structures blocking the beach, the landscape offers a natural aesthetic that most of the property owners of the island desire. In fact, to allow structures to be built on regions protected by bylaw No. 13 is to undermine the investments made by the owners of property on Ruxton Island. Many people have bought property on this island in particular precisely because its beaches are clear of man-made structures and assumed that, because of bylaw No. 13, this would remain the case in perpetuity. If this Development Variance Permit is allowed, it may open the doors for others to seek their own ways to break bylaw No. 13, which would both tarnish the landscape and possibly drive property values downward.

Additionally, the presence of structures that breach bylaw No. 13 can make it very difficult to walk and enjoy the island's shared spaces that are open to the public. Many of Ruxton Island's property owners and visitors are not physically able to climb non-conforming structures that may block the beach, and so by allowing these structures to be built

Naturally occurring obstacles are inherent to

the land and are unavoidable. Unnecessary, man-made structures most definitely are avoidable.

A main argument supporting the Development Variance Permit centers on an owner's right to access his or her property in a safe manner, but it should be noted that common access points are available on Ruxton Island and discussions for developing those sites are currently underway.

As you can see, the issuance of a Development Variance Permit regarding an exception to Subsection 3.1(a) of the Ruxton Island Zoning Bylaw No. 13 3.1 would negatively impact the beauty of the island, undermine property owner investment, and provide unneeded physical obstacles in public spaces. Please continue to allow Ruxton Island's beaches to remain natural and unobstructed, as they have been for decades.

Sincerely,

Louise Beltgens
Owner, Lot 27
Ruxton Island

Teresa Rittemann

From: Louise [REDACTED]
Sent: Monday, August 10, 2015 4:28 PM
To: Teresa Rittemann
Subject: Letter to Islands Trust.docx
Attachments: Letter to Islands Trust.docx; ATT00001.txt

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: My Files

Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3
trittemann@islandstrust.bc.ca

August 10th, 2015

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Louise Beltgens
Owner, Lot 27
Ruxton Island