

North Pender Island Local Trust Committee Record of a Public Hearing Proposed Bylaw No. 198

Date: Thursday, June 18, 2015

Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Members Present: George Grams, Chair
Dianne Barber, Local Trustee
Derek Masselink, Local Trustee

Staff Present: Justine Starke, Island Planner
Miles Drew, Bylaw Enforcement Manager
Zorah Staar, Recorder

Members of the Public and Media Present: Twenty-eight (28) members of the public

Chair Grams called the Public Hearing to order at 10:41 am, as part of a regular Local Trust Committee Meeting of the same date. The purpose of the Public Hearing was to receive community input regarding Proposed Bylaw No. 198 (cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 04, 2014”). This Public Hearing immediately followed a Community Information Meeting on the same bylaw.

Chair Grams noted that the local newspaper had inserted the wrong notice for the second required publication of the Notice of Public Hearing. Therefore, a Public Hearing would still occur today, but a second Public Hearing would have to occur at the July 30 Local Trust Committee Meeting, and additional comments could be received until then.

Island Planner Starke confirmed that Proposed Bylaw No. 198 was a bylaw to rezone the water zone around Wallace Point, to allow an oversized dock that was 83.6 m². The Notice of the Public Hearing had been circulated to neighbours, other government agencies, and First Nations as required. Agency and First Nations’ notification resulted with no comments, one set of questions, and no objections.

Chair Grams read out the procedures and rules for Public Hearings, pursuant to the Local Government Act, and invited members of the public to comment about Proposed Bylaw No. 198.

Eleanor Brownlee spoke on behalf of the Pender Islands Conservancy Association, as follows:

- PICA had sponsored various sensitive shoreline, forage fish and eelgrass-related events;
- Docks did have negative ecosystem impacts, and larger docks had larger impacts;
- This large dock was not a community dock, and it set a precedent for oversized docks;
- PICA requested that the Local Trust Committee think long and hard about the environmental impacts in this case.

Jim Burrows, 5931 Pirates Road, said that there was a bigger principle at stake here, which was the time and effort this community had spent to create an Official Community Plan and Land Use Bylaw with certain restrictions. Most people asked permission in advance if they wanted something different, and this is what should happen, instead of building first and asking later.

Derek Groels, 3718 Schooner Way, said that it looked to him like there had been due diligence by the planner here, and he himself supported the Applicant because he had done a lot of work regarding his property, and there had been only one complaint about the dock.

Michael Sketch made a written submission and said the dock rezoning should be refused because:

- Applicant built it for a larger boat which he no longer had, and he also built it larger than he said he would in his application for provincial Crown Land tenure;
- If subdivision occurred in future, no additional docks would likely be built regardless;
- A NAPTEP covenant benefitted the owner, and does not mitigate an oversize dock;
- RE: natural marine environment, Staff Report interpreted Biologist's Report as saying that large dock's shading of sea floor was less than impact that would occur from removal, but Biologist actually talked about the disturbance that could occur by removal;
- Dock could be floated away, replaced with a smaller one, without environmental disturbance.

Chair Grams called three times for additional comments or written submissions about Proposed Bylaw No. 198. There being none, he declared the Public Hearing closed at 11:24 am.

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

RECORDER

DATE