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Development permitting discussed on North Pender

A special North Pender LTC meeting was held at St Peter's Parish Hall on Thursday, July 20 to discuss Section 5, Development Permit Areas (DPA) in Draft 5 of the Official Community Plan revision. Due to pressure from some of the approximately 40 people attending, Chair Giselle Rudischer allowed 30 minutes of general discussion to precede the published agenda. During this brief 'town hall' session, which resumed afterwards, six people spoke and a fifty-signature petition to remove development permitting from the OCP document was submitted. Concerns raised including 'the maps are inaccurate' and 'landowners don't want their property rights interfered with.'

During the session, Trustee Gary Steeves pointed out that North Pender was in the middle of an OCP Review process and that speakers were commenting on a draft. He stated that he and Trustee Ken Hancock were 'looking at extensive revisions' and were a 'long way off from final decisions.' He also said that the intent of development permitting was to deal with *bona fide* environmental and hazard issues that affect the whole community. (See related article on page 3 for a detailed explanation of development permitting.)

Back on the scheduled agenda, trustees spent most of the meeting reviewing a staff report entitled 'Development Permit Area Revision Options', prepared by planner Robert Kojima.

The report addressed many of the concerns of the early speakers noting that, '...the wording of the provisions have raised comment and concern particularly with respect to views that designation in a DPA could effectively preclude development... and that many minor activities would result in a requirement to apply for a permit.' The report went on to provide a number of solutions with respect to concerns raised by the public.

Commenting on his report, planner Kojima stated that Islands Trust policy strongly encouraged the inclusion of development permitting in OCPs. He thought that revision to the provision in North Pender's draft OCP—not omission—was the route to take.

Suggestions included in the report were to separate DPA areas into different ecosystems; to revise activity exemptions within the DPA area; to improve the base mapping through public consultation; and to consider lowering DPA application fees.

Sensitive Ecosystem DPA - More Detail Needed

Most discussion focussed on the differentiation of DPA into a variety of different areas with different requirements. For

example, rather than all sensitive ecosystem areas labelled and treated the same, the DPAs would be classified according to 'mature forest', 'steep slope,' 'wetland', etc.

Trustee Steeves pointed out that the environmental mapping carried out on North Pender showed that if you take 'mature forest' out of the DPA, only 6% of the Island is considered sensitive. (Mature forest is any forest where the trees are predominately over 80 years old.) Such variables are why trustees are considering specific classification and guidelines.

In regard to mature forest guidelines, Trustee Steeves agreed that having to pay '\$500 to cut down a tree would be crazy' (a rumour circulating in the community), considering some tree thinning is good forest management. He assured the meeting attendees that such a requirement would not materialize. Other activities that should not require permitting in a mature forest were discussed, including well drilling, tree topping, limbing, and trimming and trail construction.

It was reiterated many times by trustees and the planner that the designation of a development permit area cannot override existing zoning designation of a property—it can only mitigate the effects of development in the area to which it applies. For example, if your property is zoned for a house and a cottage and is also designated a development permit area, you can still build a house and a cottage. However you may have to site the dwellings in areas of the property that are less environmentally sensitive and not on a steep slope.

Steeves reminded meeting attendees that recent landslides onto houses in North Vancouver had resulted in provincial legislation that makes local governments legally responsible for taking reasonable measures to protect homeowners against development on or under hazardous slopes.

Trustee Hancock mentioned that community members have given him examples of why development permitting is important—one person's neighbour had clear-cut and damaged the common watershed, another person spoke of the clearing (destabilizing) of a steep, loose shale slope on an adjacent property, lying directly above his property.

A difficult decision has been made to include raptor nests in DPA mapping; traditionally this information has been kept private but is now being made public to encourage stewardship.

An idea introduced by Trustee Steeves, based on a submission from the public, was the possibility of creating a second advisory planning commission, consisting of volunteer qualified professionals, who could advise a property owner on requirements for his/her property before starting an application process.

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Trustee Steeves agreed with public criticism of the inaccuracy and inadequacy of the current mapping and said 'people need to know we are serious about cleaning up the map.' A meeting will be held for this purpose on August 12. *(For opportunities to review the current map and indicate changes, see advertisement on page 3.)*

After lengthy discussion, the trustees instructed the planner

to redraft Section 5 in the Draft OCP in accordance with input and recommendations, and then reopen the town hall session. The meeting ended on a positive note with a supportive speech reminding the audience that the Trust Area is the most biologically diverse in the province and that development permitting is an opportunity 'to put right a lot of wrongs.' ✍

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