

Bowen Island Improvement Association
Submission to the Official Community Plan Update Steering Committee
October 11, 2009

We have two concerns to bring before the Committee: (1) property rights, and (2) the promotion of economic sustainability.

Property Rights

We are especially concerned about the facilitation of informed decisions about property acquisitions. It is self-evident that potential purchasers should know as precisely as possible the advantages and disadvantages associated with the ownership of any particular property. It doesn't matter here whether the purchasers are, for example, families looking for new homes, small businesses seeking new offices or workshops, or developers who plan to build additional homes or more business accommodation. They all need such knowledge so that they can make an informed decision about the prospective purchase. And to meet that need, zoning including the associated regulatory designations – and the municipality's subsequent honouring of that zoning – are manifestly necessary conditions. Thus, at a minimum, the Official Community Plan (OCP) and the Land Use Bylaw must be treated as a guarantee of the zoning and regulatory provisions specified therein. This means that these provisions must not be changed, overridden or dismissed to property owners' disadvantage by either Council decisions or the administrative staff's interpretations of those decisions.

It might well be that such changes are necessary for the benefit of the general public. However, in that event the public should, through the municipality, fully compensate any property owners incurring a consequent loss. In our view, anything else would be public larceny.

Our general concern has been much reinforced by the recent experience with the proposed development of Cape Roger Curtis (CRC). Here there was no formal re-zoning of the property to the detriment of the owner, but we have seen two attempts to achieve the same result by other means. First was the contention that the municipality has no obligation to honour approved zoning to which there has been any public opposition. In our view, this contention is grossly misguided. For if accepted, it would mean that any vocal group that came along could effectively over-ride the zoning decisions taken by elected officials in a structured public process defined by provincial statute.

Second, and much more insidious, were the extensive demands contained in the Council's statement of the "public interest" in CRC. If accepted, these demands effectively constituted a dramatic change, through the back-door, of zoning that had been in place for over 30 years and had been reaffirmed by Council as recently as 2002. Council's intention was that, if the owners were unwilling to accept the financial loss inherent in the demands, then the approving officer could make them a condition for approval of the CRC sub-division. And who is the municipal approving officer? None other than the municipality's Chief Administrative Officer (CAO). True, in the role of approving officer, the CAO legally takes no direction from Council regarding any specific sub-division, and in fact, Council was at pains to assert that its statement did not constitute a direction to that official. But this is extraordinarily unconvincing. The CAO is dependent on Council for his/her livelihood and career progression. At the very least, Council's statement on the public interest placed the approving officer in an acute conflict of interest, one that profoundly damaged the appearance, if not necessarily the

reality, of independence from Council. It was thus contrary to the spirit, and perhaps even the letter, of the relevant provincial statute (the Land Title Act).

In light of this experience, we believe that the introduction or preamble to any updated OCP should include a statement along the following lines:

The Bowen community believes that the members of a just society - individuals, families, businesses - should be able to make informed decisions about property acquisitions. This implies that the municipality will make no change in approved land use that would place residents or property owners in a worse financial position. The only exception will be where full compensation, decided by an independent arbiter acceptable to both parties, is paid to those negatively affected.

Economic Sustainability

Economic sustainability goes hand in hand with environmental sustainability. The object of economic sustainability is to become more self-sufficient: to depend on local resources, reduce the need for imports – to the extent that is economically feasible – and enhance opportunities for local enterprise.

The economy of Bowen Island is dependent on three basic, overlapping sectors: (1) those who choose to live here but make their living off-island and use the ferry to get to work; (2) those who make their living from an off-island clientele but work primarily somewhere on-Island or at home on Bowen; (3) those who work on-island and are solely dependent on the local population as their primary source of income. All three overlap to some degree depending on the type of work, but those in group (3) are solely dependent on the growth of those in groups (1) and (2).

The determination of future sustainable economic growth should have the future growth of the island's population as a basic premise, for as has been clearly shown over the past three decades the sheer number of businesses, accompanied by increasing diversification, have expanded at a much faster rate than population growth itself. The more the population, the more diverse a commercial base that can be supported – and the more sustainable we can become. Methods to enhance economic sustainability should be based on the “image” of Bowen Island as a green, safe, supportive community with a wide range of social activities based on the arts. A recent survey of Bowen realtors has shown that people locate here for those reasons as well as proximity to Vancouver. Bowen is also seen as a good location to raise children.

To become more economically sustainable, the OCP should incorporate means to encourage the types of employment that will make the Island more self sufficient and thus more sustainable. An insightful study of the composition of the local economy and local employment needs to be undertaken, perhaps in cooperation with the Chamber of Commerce. Such information would provide some understanding of the purely local economy (group 3), a significant portion of which is home-based but with a significant component in commercial buildings in the Cove, Cates Corner and Artisan Square, together with the outlying Building Centre. These businesses are predominantly dependent on the local population. Also included are Municipal employees, Crippen Park employees, the Ambulance Service and others. Examples of opportunities for growth in this group include increasing local food production, enhancing social services both public and private and improving and expanding medical services, among others.

Examples of type (2) businesses include the Recovery Centre, Island Pacific School (in part), Rivendell and of course the many bed and breakfast establishments on the Island. These types of activities depend on an off-Island clientele primarily and imply

ideas for future growth in this category. An on-Island college has been suggested as well as other concepts including creation of an internet centre catering to internet based developers and firms seeking a more rural environment nearby Vancouver. Such actions would require appropriate planning and zoning bolstered by a Council dedicated to encouraging businesses that “fit” with the Bowen life style but which have little negative impact on the natural environment and which may offer tax revenue benefits. Similarly, building on the bed and breakfast idea, tourism and perhaps a small Inn or hotel could be economically beneficial without creating excessive demands on community services. Also along these lines, the promotion of Bowen as a retirement location can be beneficial because demands for municipal services can be comparatively low while tax benefits may be high. Further, economic sustainability should also include appropriate commercial or light industrial (service) zoning to encourage local enterprise with an off-island clientele – and provide supportive services those services may need. Appropriate tax policies to encourage investment and promote economic activities that enhance sustainability should also be considered.

Last, for those in group (1) who commute to work off-Island, an investigation needs to be made to determine whether those who commute can undertake some of their work at home on Bowen. In addition it would be very useful to understand what kinds of businesses employ Bowen commuters. In some instances it may be possible to encourage at least some of them to relocate here, thus lessening the need for commuting in the first place.

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