

How to Participate in a Public Hearing

October 1, 2015, 7 pm in the gym at Elphinstone High School.

Background

The Local Government Act requires councils to conduct public hearings before adopting or amending Official Community Plans (OCP). Since the George application does not comply with the OCP in terms of its height and density, an amendment must be made to the OCP to accommodate the project. This hearing will also cover the proposed amendments to Zoning Bylaw 1065 in support of proposed OCP changes.

The Purpose of a Public Hearing

This is an open forum in which anyone who believes they will be affected by the bylaw change may make a statement to Council. Council must hear all of the community input and then make a decision.

The Process of a Public Hearing

Public hearings are carefully regulated and scripted. Communication is one-way—i.e., Council does not answer questions or comment. The meeting must be run in an evenhanded and fair way. The mayor is allowed to set time limits and other procedural rules for the conduct of the hearing. Speakers' lists and speaking time limits are commonly used in British Columbia.

Written Submissions*

The Corporate Officer will announce at the beginning of the hearing how many written submissions were received. Those submissions will have been given to Council members. A written submission can be an excellent way to make sure that Council members understand and remember your points.

5 pm

If you plan to make a written submission, it should be submitted before the end of the hearing on October 1, 2015. Submissions can be sent by email c/o Selina Williams slwilliams@gibsons.ca, as well as to mayorandcouncil@gibsons.ca. You can also provide a hard copy at Town Hall.

Oral Submissions*

You may choose to speak at the Public Hearing. If you do, be prepared to be clear and concise. Have a copy of what you are going to say and hand it to the Corporate Officer immediately afterwards for the record. Don't wait until the end of the meeting as Council can only receive input up to the end of the hearing.

Council Action After the Hearing

After the hearing, Council may no longer hear from or receive correspondence from interested parties relating to the bylaw changes. They can only hear from their own staff, lawyers and consultants.

Once the submission process is finished, Council will vote. If they choose, Council can alter the text before adopting the bylaw. But they cannot change or alter the use, nor can they increase or decrease the project's density.

Examples of interests and reasons for making a written or verbal submission at the George public hearing:

CONFLCIT OF INTEREST

- ★ In my view, the mayor has an appearance of conflict of interest with regard to this development application therefore he should declare a conflict of interest and recuse himself from any discussion or decision making relating to the George Hotel and Residences application.

IMPROPER PROCESS

- ★ I am concerned that Council is not approaching this Public Hearing with an open mind but rather that the outcome is a foregone conclusion regardless of community input.
- ★ I believe this development application has been consistently treated with bias on behalf of the developer, and against the interests of citizens. I do support the proposed re-zoning and OCP amendment bylaws because I do not believe they will benefit Gibsons taxpayers.

AQUIFER PROTECTION

- ★ Two professional peer review reports reviewed the George development plans and raised serious issues about protection of the Gibsons aquifer, particularly in the Northwest corner of the building site and in the harbour where a restaurant will be constructed on a pier. Although the developer assures us that plans have been modified to address concerns, we had already been assured by the developer's engineer that there were no issues of concern prior to conducting the peer review. Clearly, the impartiality of the developer's consultant is in question, and Town's consultants, Levelton and Waterline, need to review the recent changes and advise Council and the community of the level of risk to our drinking water source. **I cannot support these bylaws until and unless the Town's geotechnical and hydrogeological consultants have assured the Town that the project will NOT risk the aquifer.**
- ★ By agreeing to allow the required dredging despite the serious reservations expressed in the two peer reviews, the Town has refused repeated requests to invite the peer reviewers to present their findings to the public or to be present at the Information Session, although the developer's experts will be there. It is my understanding that the purpose of retaining the peer reviewers was to look out of the community's interests, yet they have apparently not been asked to evaluate the revised plans. I am concerned that Council is not approaching this Public Hearing with an open mind but rather that the outcome is a foregone conclusion regardless of community input. **I cannot support these bylaws until and unless the Town's consultants have assured the Town that the project will NOT risk the aquifer.**

TOXIC CONTAMINATION

- ★ A portion of the development site has already been designated as a contaminated site, and Levelton raised issues about how well that contamination would be contained and remediated during construction. One of the contaminants, **tributyltin**, is highly toxic and also highly resistant to remediation. We need a full environmental assessment and remediation plan to ensure contaminants will not escape into the water or affect the aquifer – **BEFORE** we support this rezoning that requires dredging the foreshore. **I cannot support these bylaws until and unless the town undergoes a full environmental assessment for this site.**
- ★ **I do not support these bylaws because** I do not believe the town has met or will meet the regulatory requirements for environmental remediation of this site.

OFFICIAL COMMUNITY PLAN

- ★ The George is three times the height and density allowed in the Official Community Plan (OCP). **I do not support these bylaws because they completely and disrespectfully contravene the Town of Gibsons Official Community Plan (OCP), Harbour Area Plan and Zoning bylaw 1065 and undermine 10 years of community planning in Gibsons.**
- ★ The OCP stipulates that any development must provide a 15 metre, park walkway above high tide along the waterfront. **I do not support these bylaws because they remove the requirement to provide a park walkway on a minimum of 15 metres of land as required in the OCP Harbour Plan.**

FORM AND CHARACTER

- ★ The Harbour Area Plan promotes “village scale” development with policies that protect form and character by limiting building height and massing, and favouring building designs that blend into the hillside. **I do not support this project because its design does not fit the form and character policies in the OCP, Harbour Area Plan.**

VIEWS

- ★ The Gibsons OCP includes specific policies with regard to view protection, and the Zoning Bylaw contains a map with boundaries designating a “view protection area.” The height and mass of this development would block the view of the water, Keats Island, and the mountains in significant ways. **I do not support these bylaws because they contravene the view protection and massing requirement in Zoning Bylaw 1065; the height and massing of the buildings will block views.**
- ★ Even for those not residing near the view protection area, the height of the George development makes it visible from all sides and will block views of the harbour and change the small-town character of Gibsons forever. I do not

support these bylaws because they contravene the form and character policies in the OCP and the buildings would block views.

- ★ The view corridor looking down Winn Road from Gower Point Road will be blocked by the “plaza” which will rise up above Gower Point, much as the Sechelt Watermark development’s plaza blocks the view to the ocean from street level. **I do not support these bylaws because they contravene the Official Community Plan as the plaza area would block views to the waterfront.**

PUBLIC SPACES

- ★ Winegarden Park borders one side of the George site and the developer is asking to have building set-backs waived. This means the condominium tower will be built right to the edge of the Park and not set back a few meters as is currently required in the zoning bylaw. Building setbacks are used to create a buffer area between properties, especially where they form a border between two distinctly different uses of the land. **I do not support this project because it is not setback from the Park and it’s size and massing will tower over a valued public space.**
- ★ The OCP emphasizes the importance of mature trees, yet the developer is planning to remove the trees that form a green space and natural buffer along the edge of the Park. **I do not support this project because it’s size and massing requires the removal of existing trees and encroaches on our community’s public space.**
- ★ Winegarden Park is a place where public events and concerts are commonly held. This could be a source of conflict for residents living in the condominium who may not tolerate the noise or disruption from regular community events. There does not appear to be plans to have a covenant in the development agreement to ensure that the community can enjoy public events into the evening at Winegarden Park or on the Holland lands. **I do not support this project because it will negatively affect public enjoyment of this space.**
- ★ The George developer is requesting to extend the water lease in front of Winegarden Park in order create slips for luxury yachts. This will block the view from the Park out to Keats Island. Please ensure that the view is preserved. **I do not support giving or selling the water lot in front of Winegarden Park for this or any development project.**
- ★ The George developer is planning to restructure the marine area to accommodate luxury yachts in a manner that will decrease the already limited mooring space available for residents and their visitors. Please ensure that the community can continue to enjoy use of mooring facilities. **In my opinion, restructuring the marina for luxury yachts is contrary to the agreement made by the Province and the Town when the Crown approved the water-lot lease required for Gibsons public marina. I cannot support this bylaw or this project until the Town ensures that Gibsons marina will not be**

restructured in a way that limits mooring space for residents, visitors and other public uses.

- ★ The public right of way to the water at Winn Road will be blocked to vehicle traffic forever. This will severely limit access for those with physical mobility issues who cannot walk comfortably to the water. The Community Charter requires that any transfer of the road to the plaza ensure there is “at least equal benefit to the public.” Council should ensure that the redesign will accommodate vehicle traffic, parking and access to the foreshore. **In my opinion, replacing Winn Road with a pedestrian plaza in the middle of a private commercial/residential development does not equate to access of “at least equal benefit to the public.” I cannot support this project until the Town acquires a replacement water access of “at least equal benefit to the public.”**