

OCP Redraft—Public Hearing
Re: View Protection

One of the issues of major concern to the community was that of view protection.

One aspect of the weakening of view protection in the draft OCP is dealt with in the link to the Notwithstanding clause. Briefly, when the offending notwithstanding sentence was removed from the redrafted OCP, the whole paragraph disappeared, not just the sentence. The whole paragraph contained some of the strongest protection of views in the OCP document.

But there is another place where view protection has been diluted, possibly inadvertently, but possibly not. An Information Note has been added to the draft OCP: “Where a rezoning is **not** being proposed, applicants should also refer to Part 5 View Protection and Massing Regulations set out in the Town of Gibsons Zoning Bylaw.” [emphasis ours]

No rationale is offered for this addition. It did not form part of the community consultations and remains in the draft despite requests for its removal.

It needs to be removed because of its implications. It implies that only when a rezoning is **not** being proposed does a proponent have to (or “should”) refer to the view protection regulations. But the implication is also that if a rezoning **is** being proposed, the proponent doesn’t need to refer to the regulations.

In effect this note is a replacement for the notwithstanding clause the public wanted removed.

If the weakening of view protection concerns you, please consider **submitting your comments to the formal hearing process**. Submissions must be written and delivered between February 17 and March 10 by the end of the public hearing.

Example:

To: mayorandcouncil@gibsons.ca

Re: View Protection

I note with alarm that view protection has been severely weakened in the draft OCP.

Two areas in the draft OCP need cleaning up.

In one area, language vital to the protection of views has been deleted. When the “notwithstanding clause” was deleted, the entire paragraph disappeared. The notwithstanding clause was surrounded by these sentences: “Height, setbacks and

massing of buildings should be guided by the Building Heights and Setbacks regulations set out in the Town of Gibsons Zoning Bylaw.” and “Note that, as stated in the Zoning Bylaw, Section 808 of Part 8 of the bylaw – “View Protection” takes precedence.”

These sentences must be re-inserted.

In a second area (page 115) of the draft OCP, text has been added in the form of an “Information Note,” as follows: “Where a rezoning is not being proposed, applicants should also refer to Part 5 View Protection and Massing Regulations set out in the Town of Gibsons Zoning Bylaw.” This note implies that when a rezoning is being proposed, applicants do not need to abide by or even refer to the view protection regulations. It is unacceptable.

Please reinsert the deleted language (in DPA 5) in the first instance and in the second instance remove the information note at the bottom of page 115.

Yours sincerely,
I. B. Citizen
Gibsons