



# BOWENIAN

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BOWEN ISLAND, B.C.

FALL 2009

## Eco-Alliance Urges Action on Cape Roger Curtis

**To Hendrik Slegtenhorst,**  
Approving Officer, Bowen Island Municipality

Thank you for this opportunity for the Bowen Island Eco-Alliance to address you about the current subdivision application for Cape Roger Curtis, the most important and immediate challenge facing our community.

Our organization believes that this particular subdivision application is substantially deficient, and there are ample legitimate grounds for you to turn it down.

As the various review studies commissioned by you point out (Dayton and Knight Ltd., June, 2009, on infrastructure; SNC Lavalin, August, 2009, on environment, and others), there are significant inadequacies in the reports that have been submitted by the developer to support the subdivision application.

Let us mention only a few of the points that these reviews raise:

- 1) The number of public access points to the waterfront is less than there should be.
- 2) There seems to be insufficient proof of potable water to meet the standard required in the Land Use Bylaw.
- 3) The Bowen Island municipal planner himself recommends that the application be turned down.

Cape Roger Curtis is the most ecologically precious land that is left in proximity to the lower mainland. In your capacity as Chief Administrative Officer, you will be acting for our municipal council, to either approve or withhold the Development Permit for Protection of the Natural Environment at Cape Roger Curtis. This responsibility imposes a special onus on you to require that sound ecological research has been conducted to protect the natural values of the property. The SNC Lavalin review demonstrates that adequate research has not been done as part of the existing subdivision application and this alone provides reason enough for you to turn down the application.

There is a long-standing and demonstrated public desire to establish a park at Cape Roger Curtis, including a public trail network along the coastline of the property. Since 1996 – for over thirteen years - Schedule C of the OCP has designated areas of the Cape as “proposed park” lands and shown the route for a proposed trail system. Case law in BC (*Simpson vs. Vancouver*) clearly demonstrates that the Approving Officer may reject a subdivision on the grounds that it is against the public interest to allow development in an area part of which is proposed by municipal council for public park areas.

We would like to point out as well that when considering the sufficiency of roadways to be dedicated in a subdivision, the Approving Officer must also consider the likely or possible role of the roadway in a future road network serving the area

to be subdivided. The *Land Titles Act* indicates that a “public trail” is part of any proposed roadway system. We therefore believe that the Approving Officer must take into consideration in this case the public’s clearly demonstrated desire for a public trail along the waterfront that connects to the existing or future proposed municipal trail network.

On these grounds, our organization believes that the municipal Approving Officer should reject this application.

As soon as this application has been properly declined, a new realm of possibility opens up for Bowen’s municipal council to take leadership on Cape Roger Curtis. The possibility emerges for council to assert a solution that truly conserves the ecosystems along the coastline, with hiking trails that connect to the cross-island greenway. Our community representatives would have a chance to achieve what the community wants for Cape Roger Curtis: a conservation purchase of all or a sizeable part of the property. And if development is to occur, it would be possible to ensure that the housing is clustered and there are minimum impacts on the Tunstall Bay neighbourhood, and elsewhere on the island.

Mr. Slegtenhorst, we look to you for hope and direction to break the log jam. If reliable studies show that it is ecologically sustainable, the Eco-Alliance would support a municipal initiative to implement a comprehensive development plan for Cape Roger Curtis in a way that is consistent with the OCP, to achieve greater environmental protection, including dedication of a large natural area. Turning down the existing subdivision application is the crucial first-step in that process.

For 35 years, since 1974, when Bowen Island residents petitioned the provincial government to join the newly established Islands Trust, our community has been steadfast in its commitment to “preserve and protect” the natural beauty and amenity of this island for all the people of the province.

We ask you, to whom our community has entrusted

the responsibility to carry forward that commitment, to remember the words of Bowen Island’s Letters Patent, the founding document granted by the Province to our “island municipality”. The Letters Patent assert a positive duty on our local government to “support the object of the Islands Trust”. And in the Trust’s legally binding Policy Statement, it is written that “an island municipality in all of its actions shall have regard for the object of the Islands Trust”. That object is to “preserve and protect” Bowen Island’s natural environment both for its residents and for the people of British Columbia.

Sincerely,

**Directors, Bowen Island Eco-Alliance,**  
Luz Budzinski, Pam Dicer, Ross McDonald,  
Sigurd Sabathil, Eric Sherlock, Jack Silberman

**Annual General Meeting**  
**“What Now for Cape  
Roger Curtis?”**

**Bowen Island Eco-Alliance**

***The leader in local  
environmental activism***

**September 26, (Sat.), 1:00 PM**  
**Collins Hall**

**62  
Years**

**BOWEN ISLAND  
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