

Dear Island Trust

I want to take the opportunity of the pending Public hearing on the Keats Shoreline Protection Project, and bylaws 153 and 154 to provide a few comments for consideration in the decision process.

I own recreational property in Plumper Cove on Keats island. Our family has owned this property and made annual summer and shoulder season use of it since 1946. As such, i feel we have some context on which to comment on the proposed bylaws. The comments are not presented in order of importance.

I want to start by indicating I support protection of the environment and investing in measures that soften the impact from human activity. I like to think that it is an common sentiment in the Plumper Cove community. We have a stake in maintaining the quality of life for the environment, which includes human, in the long term. Over the last 80 years we have tried to eliminate some of the damaging historic practices (e.g use of creosote pilings, styrofoam floats). While we can all work harder and better at managing our impact to environmental values, I think the biggest opportunity is guidance or direction on new development and in areas without a historical human presence. I also think that regulatory agencies, including the Island Trust, need to explore ways and means to incentivize (the carrot) environmental performance and turn to punitive measures (the stick) only when required.

So my comments:

- While this first comment may seem trivial, it is a chronic issue is many quasi-technical documents. The Bylaw 153 states some statistics about the Keats shoreline but in several different units (% , km, #). From P3, *Since the adoption of the OCP, there has been an increase in residential development on Keats Island along the shoreline. As of 2020, there were over 120 individual parcels fronting the natural boundary of the sea on Keats Island. The subdivision and development of these parcels in combination with the development that has already occurred, may, cumulatively, have a detrimental impact on the 13.72 km of shoreline habitat and function. In 2013, approx. 9% of the Keats shoreline was identified to have been modified by 30% or more by development, principally by boat ramps, seawalls, rip rap and revetments.*

This makes comparison and inference difficult. What is the total amount of Keats shoreline of which 13.72km may have had impacts to?

- The seaward edge of the DPA is located at the “natural boundary of the sea”. I am not aware if this has been mapped, but I doubt this historical landmark is reflected in many sections of the current shoreline. While bedrock slopes are unlikely unchanged from time immemorial, non-rock shorelines have been modified to accommodate trails and other features. This boundary is likely to change as the consequences of climate change affect sea level and storm intensity. Some thought should be given on how to “practically” define and locate this boundary.
- Bylaw 154 requires a Development Permit (DP) in the proposed 15 m Development Permit Area (DPA) for (paraphrasing) new or altered structures or land alteration. There are exemptions for some features (e.g. trails (2j), small platforms (2a), existing protection structure (5f)). It is challenging to project a 15 horizontal setback on the steep topography of our property shore front. However, it is likely some portion of the “disturbed” and currently occupied or used portion of the property is in the DPA. “Disturbance” can range from cabins (or portions thereof), boat houses, wooden decks, landscaped terraces and garden, trails or steps, and woodsheds. I think the bylaw should be modified to allow previously disturbed land to be “redisturbed” to accommodate management, use and enjoyment of the property. For example, a bedroom or bathroom being enlarged into an area that had previously been cleared for a garden or path. The disturbance is not the same in kind, but is likely to be the same in consequence. Any “damage” done to ecological, cultural or heritage values during the original disturbance is unlikely to be worsened.
- In a somewhat related comment, there are a number of exemptions that apply to work in the DPA (again e.g. septic field (2d), trails (2j), small platforms (2a), existing protection structure (5f)). However, alteration of structures etc are only exempted from 7.5 to 15m (the proposed DPA width). Part 2 (a) nearly all works within 7.5m of the natural water boundary require a DP. I am aware of 3 or more boat houses and boat deck within 7.5 m of the natural boundary of the sea just in Plumper Cove. Some provision is needed to enable practical minor repairs (e.g. reroofing, damage repair) to structure within 7.5 m of natural water

boundary. Timely and modest repair helps avoid more significant failures and needs for more massive repairs.

- Section 2(m) refers to removing a tree that poses an “immediate threat to life or property” and the need for an arborist/forester sign off. I think if there is an immediate threat, there is no time to arrange a professional to visit the site, write up and submit a report. I think this situation should be treated more akin to a proactive need to address fire or flood hazard (2(n))
- Further, for 4(c), I understand the connection between sunlight to eelgrass. There is an ecological limitation to eel grass growth under most wharf/pier because the the beach dewatered under most wharfs. Eelgrass requires essentially permanent and constant water cover. So 4c should likely say “Dock decking material” as only a floating dock can block sunlight to eelgrass. This guideline also need to be mindful that dock decks are supported by floatation devices (e.g. sealed tanks). These are never transparent and so block any light coming through the deck. As dock size/surface area is proposed to shrink (e.g. 1.9 part 4, 1.11 part 4, 1.15 part4) there is less ability to achieve a light penetration target (i.e. most of the dock area is supported by a sunlight blocking floatation device).

I look forward to conclusion of this bylaw approval process and hope that my can contribute to a solid set of documents.

Regards

Chris Ritchie