
From: Lorna Winckers <[REDACTED]>
Sent: Wednesday, November 12, 2025 1:28 PM
To: northinfo; Susan Yates; Tobi Elliott; laptrick@islandstrust.bc.ca
Cc: 'Marc Winckers'
Subject: Shoreline Buffer Zone concerns

To Islands Trust – Northern Office & Gabriola Island Local Trust Committee,

We are writing in response to the Islands Trust’s “Reimagining Growth – The Shoreline Buffer Conversation” discussion paper and online materials. While we appreciate and concur with most of the Trust’s intention to preserve shoreline ecosystems and cultural values, we believe this initiative, even if presented as a “planning consideration,” introduces a policy mechanism that is poorly substantiated, jurisdictionally redundant, and potentially beyond the Trust’s statutory authority under the Islands Trust Act. Additionally, such a “planning consideration” will add further costs to the Islands Trust’s Annual taxpayer funded budget, increasing property taxes which contradicts affordable housing options on Gabriola.

Legal and Jurisdictional Overreach

Federal and provincial agencies already regulate most matters cited as rationale for the buffer—including fish habitat, erosion, foreshore works, runoff, and archaeological site protection—through instruments such as the Federal Fisheries Act, the Provincial Riparian Areas Protection Regulation, the Federal Environmental Management Act, and the Provincial Heritage Conservation Act. By proposing a broad 200 m landward buffer to address shoreline protection, the Trust risks duplicating senior government regulation and exceeding its enabling powers under the Islands Trust Act, which confers authority over land use, density, siting and size of buildings, and leads to unintended generalized environmental zoning.

Lack of Evidentiary Basis

No scientific justification is provided for a 200 m buffer. Provincial riparian and foreshore protection guidelines typically range from 15–30 m, occasionally 100 m for highly sensitive areas. A 200 m buffer would capture large portions of many residential parcels—in many cases 100% of total lot area—without any supporting data on erosion, habitat loss, or risk. A blanket, one-size-fits-all buffer ignores major differences in shoreline type, slope, exposure, and existing armouring. Such an arbitrary approach would be disproportionate and unscientific.

Policy Inconsistencies

The Reimagining Growth framework elsewhere discusses infill housing, secondary suites, and flexible development forms to address community needs. A sweeping 200 m shoreline restriction would contradict these housing objectives, sterilizing developable land and pushing growth pressure inland. The Trust already possesses effective, legally sound tools—such as Development Permit Areas (DPAs) and site-specific setbacks—to protect sensitive shorelines without imposing a symbolic buffer zone.

Socio-Economic and Property Rights Impacts

On smaller lots, a 200 m buffer could encompass entire parcels, rendering them effectively unbuildable even if formally “non-regulatory.” This raises legitimate concerns of constructive expropriation and uncompensated reduction in reasonable use. By layering vague “considerations” over existing zoning the buffer zone proposal reduces public trust in the fairness of the planning process.

In conclusion, we respectfully recommend that the Local Trust Committee:

1. Suspend further policy development on the 200 m shoreline buffer until scientific, jurisdictional, and economic analyses are completed.
2. Consult with existing Governmental Agencies to avoid duplication of existing regulation.
3. Reaffirm commitment to evidence-based planning, relying on established Development Permit Area guidelines, rather than symbolic buffer distances.

4. Provide transparent reporting on how public feedback from this “conversation” will be summarized, published, and incorporated into future bylaw or OCP amendments.

The preservation of Gabriola’s shoreline ecosystems is a goal most residents share. However, achieving that objective requires measured, lawful, and evidence-based planning, not symbolic gestures that risk overreach, regulatory duplication, and increased costs to taxpayers. The Shoreline Buffer Conversation, as presently framed, lacks the scientific and legal foundation necessary to support sound policy.

We urge the Committee to reconsider this initiative within the framework of its statutory purpose, existing environmental regulation, and the need to balance protection with responsible land use.

Respectfully submitted,

Marc & Lorna Winckers

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