



# PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

Thursday, April 13, 2017  
SCRD Boardroom, 1975 Field Road, Sechelt, B.C.

## AGENDA

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**CALL TO ORDER**                      **9:30 a.m.**

### AGENDA

1. Adoption of Agenda

### PETITIONS AND DELEGATIONS

### REPORTS

2. GM, Planning and Community Development – Planning and Community Development Department 2017 Q1 Report  
**(Planning and Community Development Services) (Voting – All)**                      Annex A  
pp. 1 - 16
3. Planner – Update on BC Timber Sales Operations (2017–2021)  
**(Regional Planning Services) (Voting – All)**                      Annex B  
pp. 17 - 29
4. Park Planning Coordinator – Keats Island Park Dedication District Lot 696  
**(Regional Planning Services) (Voting – All)**                      Annex C  
pp. 30 - 68
5. Manager, Planning and Community Development – Egmont/Pender Harbour Official Community Plan Bylaw No. 708, 2017  
**Electoral Area A (Rural Planning Services) (Voting – A, B, D, E, F)**                      Annex D  
pp. 69 - 139
6. Senior Planner – Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016 and Sunshine Coast Regional District Electoral Area A Zoning Bylaw Amendment 337.87, 2016 – Public Hearing Report and Consideration of Third Reading  
**Electoral Area A (Rural Planning Services) (Voting – A, B, D, E, F)**                      Annex E  
pp. 140 - 216
7. Senior Planner – Roberts Creek Official Community Plan Amendment Bylaw No. 641.6 and Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.167 for a Camping and Temporary Accommodation Establishment  
**Electoral Area D (Rural Planning Services) (Voting – A, B, D, E, F)**                      Annex F  
pp. 217 - 229
8. Senior Planner – Elphinstone Official Community Plan Amendment Bylaw No. 600.5 (Road Closure and Redevelopment Policies for Ocean Beach Esplanade) – Consideration for First Reading  
**Electoral Area E (Rural Planning Services) (Voting – A, B, D, E, F)**                      Annex G  
pp. 230 - 239
9. Senior Planner – Crown Referral CRN00027 (Pacific Mountain Hydro) Investigative Licence for Water Power – Electoral Area F  
**Electoral Area F (Rural Planning Services) (Voting – A, B, D, E, F)**                      Annex H  
pp. 240 - 250

- |  |                          |
|--|--------------------------|
| 10. Planning Technician – Development Variance Permit DVP00010 (Tymo) –<br>Electoral Area B<br><b>Electoral Area B (Rural Planning Services) (Voting – A, B, D, E, F)</b>      | Annex I<br>pp. 251 - 283 |
| 11. Planning Technician – Development Variance Permit DVP00011 (All Tides) –<br>Electoral Area B<br><b>Electoral Area B (Rural Planning Services) (Voting – A, B, D, E, F)</b> | Annex J<br>pp. 284 - 303 |
| 12. Senior Planner – Natural Resource Advisory Committee Revised Terms of<br>Reference<br><b>(Regional Planning Services) (Voting – All)</b>                                   | Annex K<br>pp. 304 - 315 |
| 13. Planner – Recruitment of Agricultural Advisory Committee Members<br><b>(Rural Planning Services) (Voting – A, B, D, E, F)</b>  | Annex L<br>pp. 316 - 322 |
| 14. Parks Planning Coordinator – Recycling Program at Katherine Lake<br>Campground<br><b>(Community Parks Services) (Voting – A, B, D, E, F)</b>                               | Annex M<br>pp. 323 - 325 |
| 15. Electoral Area A (Egmont/Pender Harbour) APC Minutes of March 28, 2017<br><b>Electoral Area A (Rural Planning Services) (Voting – A, B, D, E, F)</b>                       | Annex N<br>pp. 326 - 327 |
| 16. Electoral Area B (Halfmoon Bay) APC Minutes of Feb. 28 and Mar. 28, 2017<br><b>Electoral Area B (Rural Planning Services) (Voting – A, B, D, E, F)</b>                     | Annex O<br>pp. 328 - 335 |
| 17. Electoral Area D (Roberts Creek) APC Minutes of March 20, 2017<br><b>Electoral Area D (Rural Planning Services) (Voting – A, B, D, E, F)</b>                               | Annex P<br>pp. 336 - 337 |
| 18. Electoral Area E (Elphinstone) APC Minutes of March 23, 2017<br><b>Electoral Area E (Rural Planning Services) (Voting – A, B, D, E, F)</b>                                 | Annex Q<br>pp. 338 - 339 |
| 19. Electoral Area F (West Howe Sound) APC Minutes of March 28, 2017<br><b>Electoral Area F (Rural Planning Services) (Voting – A, B, D, E, F)</b>                             | Annex R<br>pp. 340 - 343 |

## COMMUNICATIONS

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| 20. <u>Keeping it Rural 2017 Conference Notice</u><br>Regarding June 20 – 21, 2017 Conference in Kelowna. | Annex S<br>pp. 344 |
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## NEW BUSINESS

### IN CAMERA

That the public be excluded from attendance at the meeting in accordance with Section 90 (1) (f) and (k) of the *Community Charter* – “law enforcement...” and “negotiations and related discussions respecting the proposed provision of a municipal service...”.

## ADJOURNMENT

**SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT**

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**TO:** Planning and Community Development Committee – April 13, 2017  
**AUTHOR:** Ian Hall, General Manager, Planning and Community Development  
**SUBJECT:** **PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT - 2017 Q1 REPORT**

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**RECOMMENDATION**

**THAT the report titled Planning and Community Development Department - 2017 Q1 Report be received.**

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**BACKGROUND**

The purpose of this report is to provide an update on activity in the Planning and Community Development Department for the First Quarter (Q1) of 2017: January 1 to March 31, 2017.

The report provides information from the following divisions: Planning and Development, Building, Facility Services and Parks, Recreation and Community Partnerships and Pender Harbour Aquatic & Fitness Centre.

**PLANNING AND DEVELOPMENT DIVISION [FUNCTIONS 500, 504, 540]*****Regional Planning [500]*****PROJECTS**BURNCO Environmental Assessment (EA)

BURNCO provided responses to all comments provided for the public comment period for review. A report was provided to the March 9 PCD regarding responses to comments provided by the SCRD Board and the Natural Resources Advisory Committee (NRAC). Additional Board input was forwarded to the BC Environmental Assessment Office and BURNCO on March 24.

Narrows Inlet Hydro Project

A report was considered at the March 9 PCD regarding amendments to the environmental assessment certificate and Crown tenure. SCRD Board comments were forwarded to the BC EAO and MFLNRO on March 10.

Invasive Plant Management

Staff obtained an extension for the use of the grant funds from MFLNRO awarded for the purpose of developing a regional invasive plant strategy.

## ***Rural Planning [504]***

### **PROJECTS**

#### Egmont/Pender Harbour Official Community Plan Review

Work was conducted in Q1 to review comments received during the public engagement period in Q4 2016. A revised draft was circulated to the advisory group for additional review. Additional editorial comments were received from group members and a draft is now in place and ready for conversion into a bylaw and referrals to government agencies and advisory groups.

#### Twin Creeks Official Community Plan Review

The Twin Creeks OCP Review Committee met on January 20, February 17, and March 17. The following chapters were reviewed and discussed: Rural and Rural Residential Chapters, Industry Chapters, and Parks, Recreation and the Natural Environment Chapters. The Vision and Goals were reviewed. Staff are planning to complete the first draft in late Q2 2017.

#### Residential Intensification Strategies for Affordable Housing

A report was considered at February 16 PCD. The Board approved the recommendation of a comprehensive review of all OCPs and zoning bylaws to create consistent policies and standards for affordable housing and infill development. The report is currently being referred to agencies and First Nations. Staff began work on the comprehensive review in March.

#### Short Term Rentals

A report was received at the February 16 PCD setting out the issues and options. Staff are drafting an engagement strategy and a report will be provided in Q2 for consideration.

#### Vaucroft Park Management Strategies

Management Strategies for Vaucroft Park on North Thormanby Island was considered at the March 9 PCD. The report is currently in the referral process. Staff will begin work with Vaucroft Improvement District in April to implement recommendations of the report.

### **ZONING BYLAW NOS. 310 AND 337 / OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATIONS**

#### Bylaw 337.87 and OCP 432.25 (Ruby Lake Resort)

A report was provided at the January 12 PCD and Second Reading was given at the subsequent Board meeting. A public hearing was held on February 21. A report will be provided at April 13 PCD regarding the public hearing, consideration of Third Reading and conditions to be met prior to consideration for adoption.

#### Bylaw 640.1 (WHS OCP), 641.4 (RC OCP) and 600.6 (E OCP) - Geotech Development Permit Areas

A report was provided at the January 12 PCD. Third Readings with amendments were approved and the bylaws were adopted on March 9, 2017.



Bylaw 310.170 and OCP 600.7 (Shazach Holdings Inc.)

A public information meeting was held on February 15. Referrals were sent out and the applicant submitted a drainage plan for review. A report will be provided in Q2.

Bylaw 310.168 (Penonzek)

Application to separate one parcel of land from a future bare land strata subdivision and mobile home park at 1327 Fitchett Road and to donate one piece of land on the west side of the ravine as part of a larger park dedication. A report was provided to the December 8 PCD. Planning and Infrastructure staff met with the applicants on March 1 to discuss sewage considerations and covenant amendments. Further consultation has been conducted with the Vancouver Coastal Health Authority regarding sewage treatment options.

Bylaw 337.114 and OCP 432.33 (West Coast Wilderness Lodge)

West Coast Wilderness Lodge applied to convert the grounds and building of a vacant fish processing plant into a health and wellness spa with accommodations. The Egmont/Pender Harbour Advisory Planning Commission supported the proposal. A Public Information Meeting was held on March 8. A report was considered at the March 9 PCD.

Bylaw 310.171 (Green for DL 1312)

The SCRD received an application to rezone a portion of District Lot 1312 (fronting Sullivan and Ranch Roads in the Roberts Creek Electoral Area) from RU4 (Rural Forest) to AG (Agriculture). A report was considered at the March 9 PCD. The bylaw received First and Second Readings on March 23, referrals were sent and a public hearing is scheduled for April 20 in the SCRD Board Room.

Bylaw 310.167 and OCP 641.6 (Camping Accommodation)

Application is to establish a camping and temporary accommodation facility at 2089 Lockyer Road in Roberts Creek. The application was considered by the Roberts Creek OCP Committee and the Area D Advisory Planning Commission, and was generally supported by these groups. A report for consideration of first reading of the bylaw will be presented to the April 13 PCD.

Bylaw 310.172 and OCP 641.7 (Artisan Craft Distillery)

An OCP and zoning bylaw amendment application was received for establishing a craft distillery at 2042 Porter Road in Roberts Creek, located outside of the ALR. A report for consideration is expected to be presented in Q2.

OCP 600.5 (Ocean Beach Esplanade Road Closure and Redevelopment Policies)

This OCP amendment proposes new policies to guide road closure and redevelopment proposals on Ocean Beach Esplanade in Electoral Area E. A report will be presented to the April 13 PCD.

## AGRICULTURAL LAND COMMISSION APPLICATIONS AND DECISIONS

### ALR00002 Subdivision (Gurney)

An application was received to permit a two-lot subdivision in the ALR, consistent with the Elphinstone OCP designations. The SCRD Board resolved to support the proposal and staff forwarded the resolution to the ALC for a final decision. The ALC decision (Resolution #65/2017) was received on March 17, 2017 which refused permission to subdivide for the purposes of estate settlement.

### ALR00003 Non-Farm Use for a Distillery (Bottieri)

An application was received to permit a craft distillery that produces less than 50% of its grain used for the distilled spirits on site. The SCRD Board did not support the application. Staff forwarded the application to the ALC for decision.

## OPERATIONS

### Development Applications Statistics

Applications Received	A	B	D	E	F	2017 Q1 Total	2016 Q1 Total
Development Permit		2	3	1		6	2
Development Variance Permit	2	2				4	5
Subdivision	1		1			2	3
Rezoning/OCP			3			3	2
Board of Variance	1	1				2	1
Agricultural Land Reserve						0	1
<b>Total</b>	<b>4</b>	<b>5</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>17</b>	<b>14</b>

There were 17 Development Applications received in Q1 2017 compared to 14 in Q1 2016.

The 2016 total for Development Applications was 57. The 2015 total for Development Applications was 51.

### Crown and Local Government Referrals

Referrals	DoS	ToG	SIGD	Isld Trst	SqN	Crown	2017 Q1 Total	2016 Q1 Total
Referrals						10	10	7

There were 10 Crown and Local Government Referrals received in Q1 2017 compared to 7 in Q1 2016.

The 2016 total for Referrals was 34. The 2015 total for Crown Referrals was 48.

### Building Permit Reviews Completed by Planning

BP Review	A	B	D	E	F	2017 Q1 Total	2016 Q1 Total
Building Permit Reviews by Planning	18	12	8	8	9	55	65

There were 55 Building Permit Reviews Completed by Planning in Q1 2017 compared to 65 in Q1 2016.

The 2016 total for Building Permit Reviews Completed was 293. The 2015 total for Building Permit Reviews Completed by Planning was 215.

#### Development Applications Revenue

Revenue Stats	A	B	D	E	F	2017 Q1 Total	2016 Q1 Total
DP		\$1,000	\$1,400	\$500		\$2,900	\$1,150
DVP	\$1,500	\$1,500				\$3,000	\$2,500
Subdivision	\$700		\$865			\$1,565	\$3,090
Rezoning/OCP			\$5,300			\$5,300	\$5,800
BoV	\$500	\$500				\$1,000	\$500
ALR						\$0	\$300
Total	\$2,700	\$3,000	\$7,565	\$500	\$0	\$13,765	\$13,340

The Development Applications Revenue was \$13,765 in Q1 2017 compared to \$13,340 in Q1 2016.

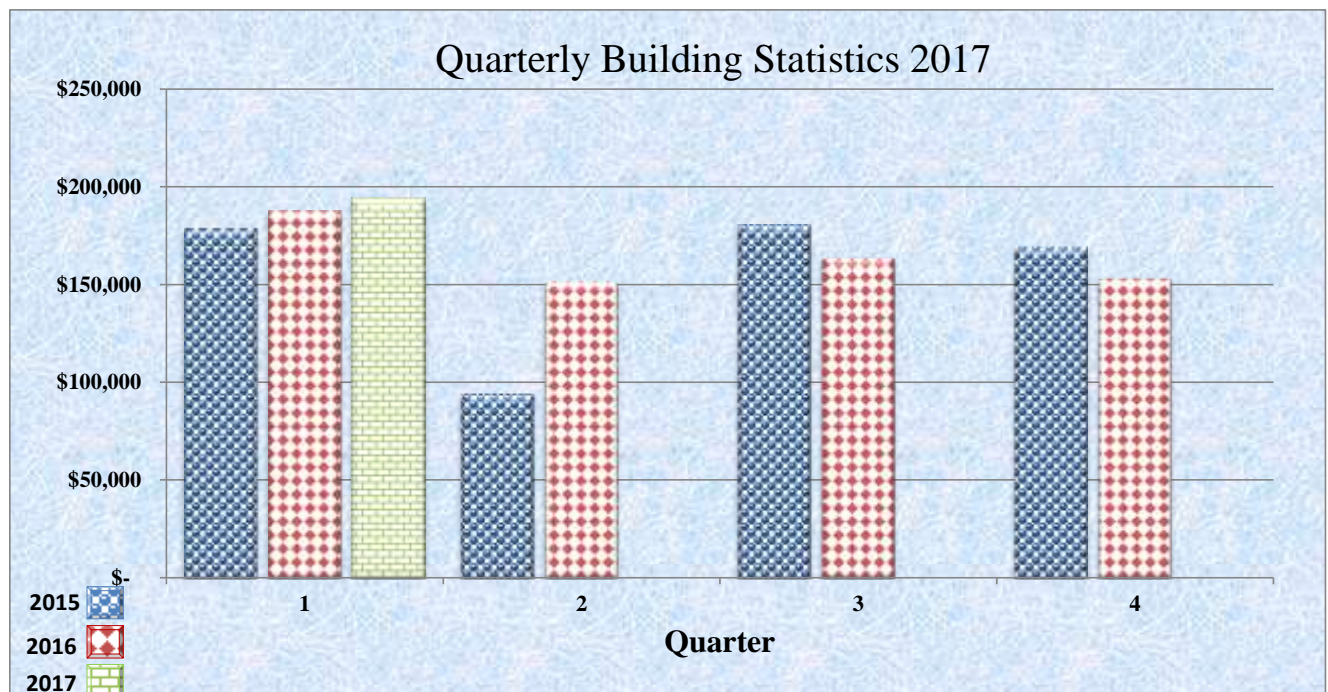
The 2016 total for Development Application Revenue was \$54,505.

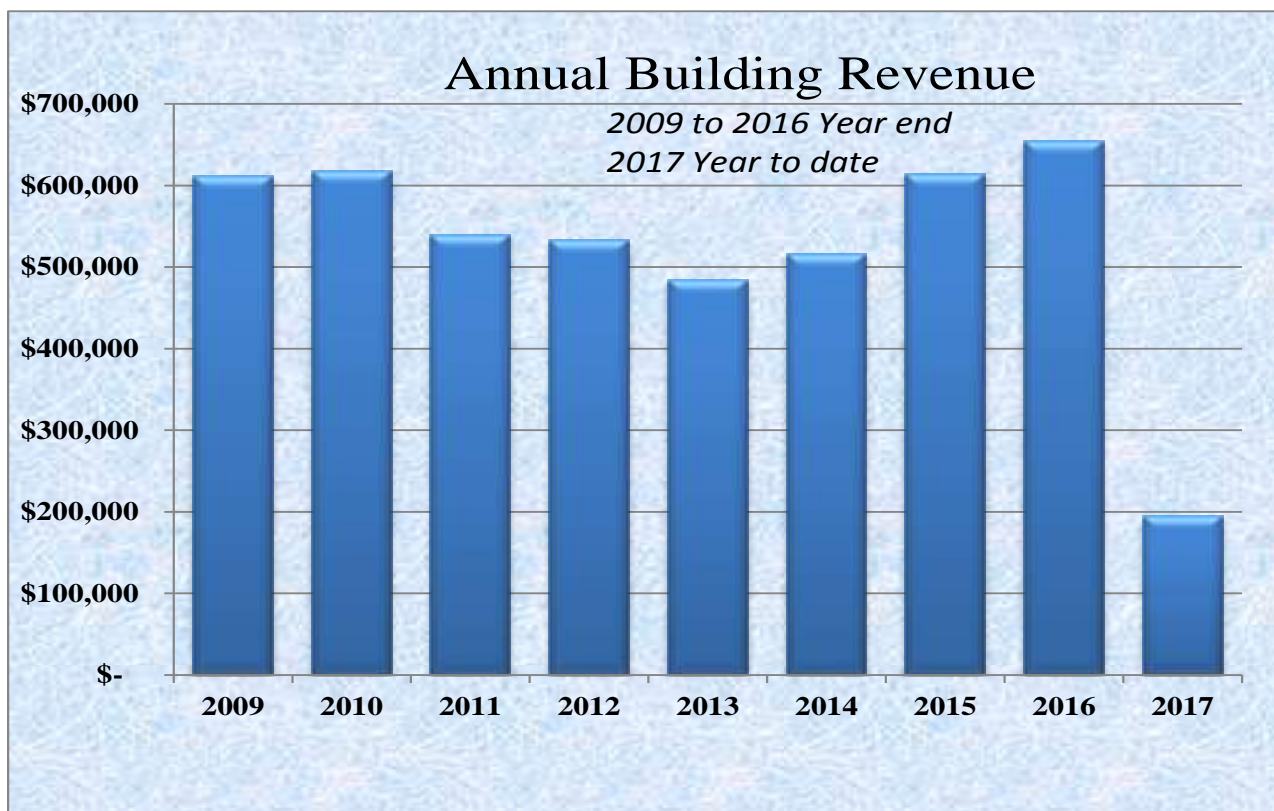
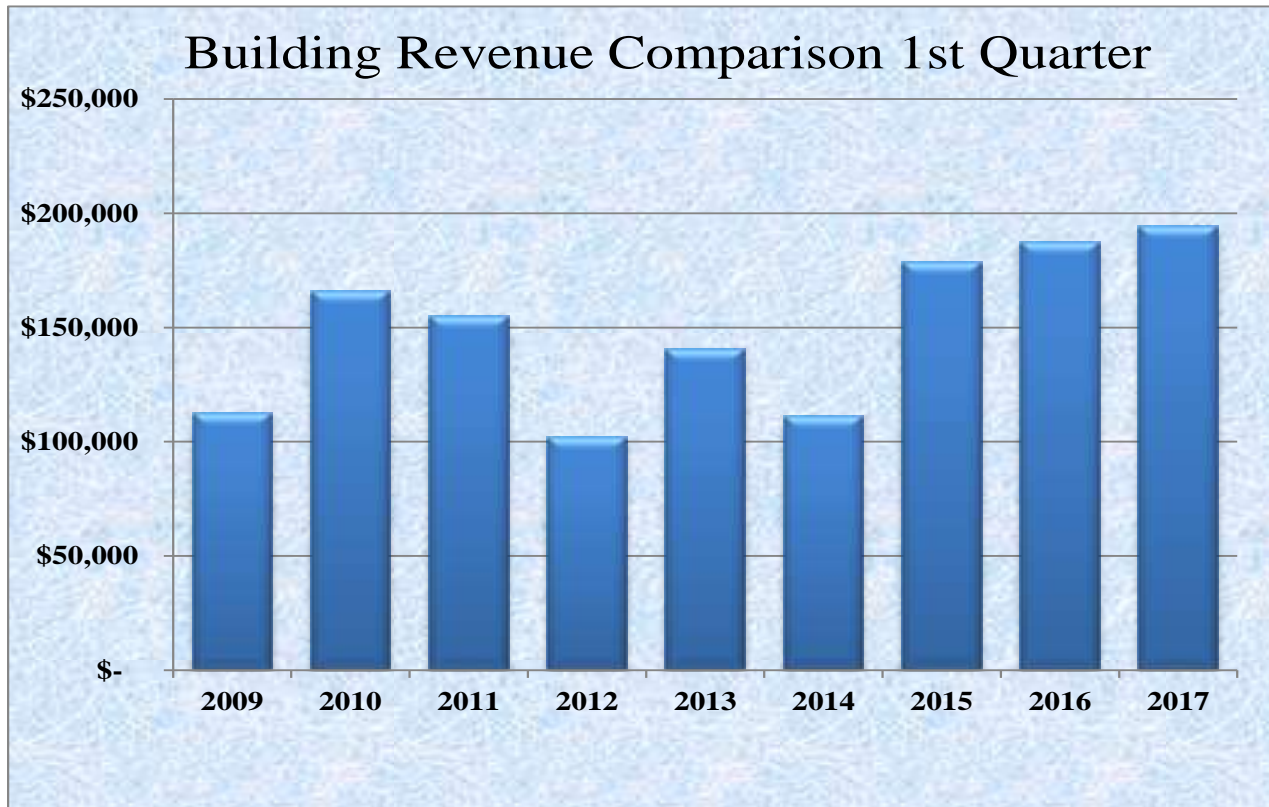
#### BUILDING DIVISION [FUNCTION 520]

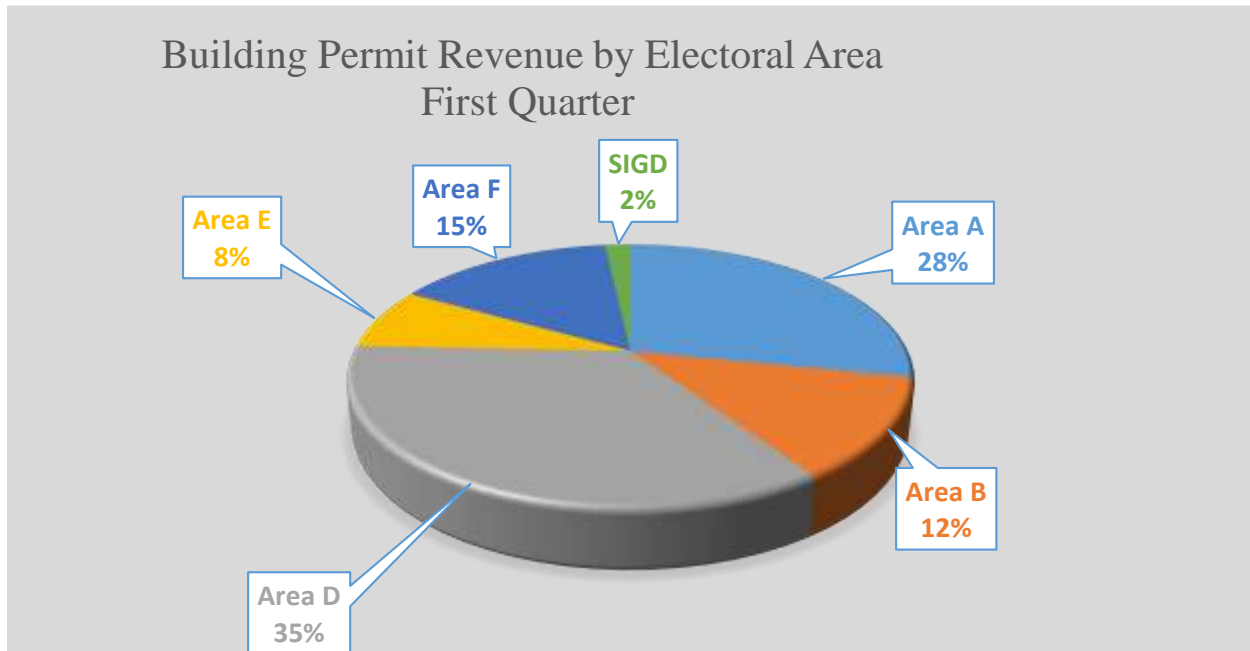
##### Building [520]

##### OPERATIONS

Building permit revenue for the first quarter of 2017 has shown a slight increase over the previous year with Electoral Area D generating the largest amount of revenue.







## **FACILITY SERVICES DIVISION [FUNCTION 313]**

### ***Building Maintenance [313]***

#### **PROJECTS**

##### Major Projects:

- Goodwin House: Installed concrete footing, replaced support posts for roof over deck and inspected lintel beam. Removed old section of deck and modified existing railings to align with current deck layout.

##### Statistics

<b>Building Maintenance Tickets</b>	<b>Jan - March</b>
Tickets received Jan 1 <sup>st</sup> – March 22 <sup>nd</sup>	85
Tickets resolved Jan 1 <sup>st</sup> – March 22 <sup>nd</sup>	81
Open (unresolved) tickets as of March 31, 2017*	73

\*Includes tickets from previous years (2015-2016) as well as Q1 2017.

#### **BUILDING CONDITION AUDITS**

Building Condition Audits were conducted January through March 2017.

##### Field Rd. Administration Building

- 56 repairs identified – 6 completed, 50 unresolved
- Estimates received for remaining repairs

##### Field Rd. IT Building

- 5 repairs identified and unresolved - 3 completed, 2 unresolved
- Estimates received for remaining repairs

Gibsons Fire Hall

- 25 repairs identified – 3 completed, 22 unresolved
- Estimates received for remaining repairs (except resurfacing roof façade, in progress)

Roberts Creek Fire Hall

- 27 repairs identified and unresolved
- Estimates received for repairs

Halfmoon Bay Fire Hall (Main)

- 24 repairs identified and unresolved
- Estimates received for repairs (except detailed inspection of front roof façade, in progress)

Mason Rd. – Waterworks Building

- 21 repairs identified and unresolved
- Estimates received on 62% of repairs (awaiting material location and contractor pricing)

Building Condition Audits:

Contract awarded to FCAPX to perform Building Condition Audits. Initial project kick off meeting scheduled for March 31. Site visits tentatively scheduled for April 24 to 28 and reports should be received within one to two weeks after completion of site visits. The following 8 buildings are included in this project:

- Gibsons and District Aquatic Facility
- Sunshine Coast Arena
- Mason Rd Fleet Maintenance Building
- Mason Rd Infrastructure Building
- Eric Cardinal Hall
- Chaster House
- Frank West Hall
- Coopers Green Hall

**PREVENTATIVE MAINTENANCE PROGRAM**

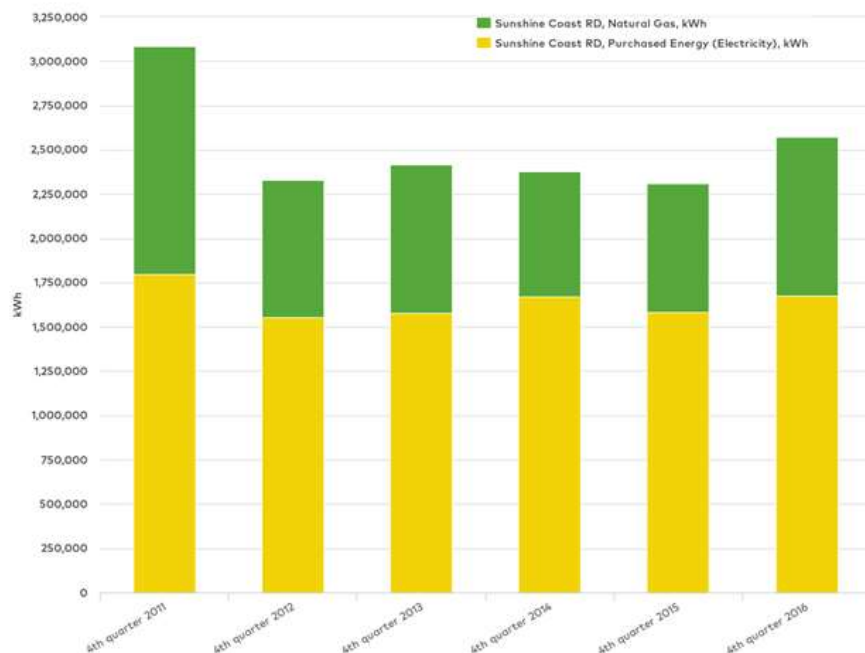
Preventative maintenance plans will be implemented following budget approval.

## Corporate Sustainability [135]

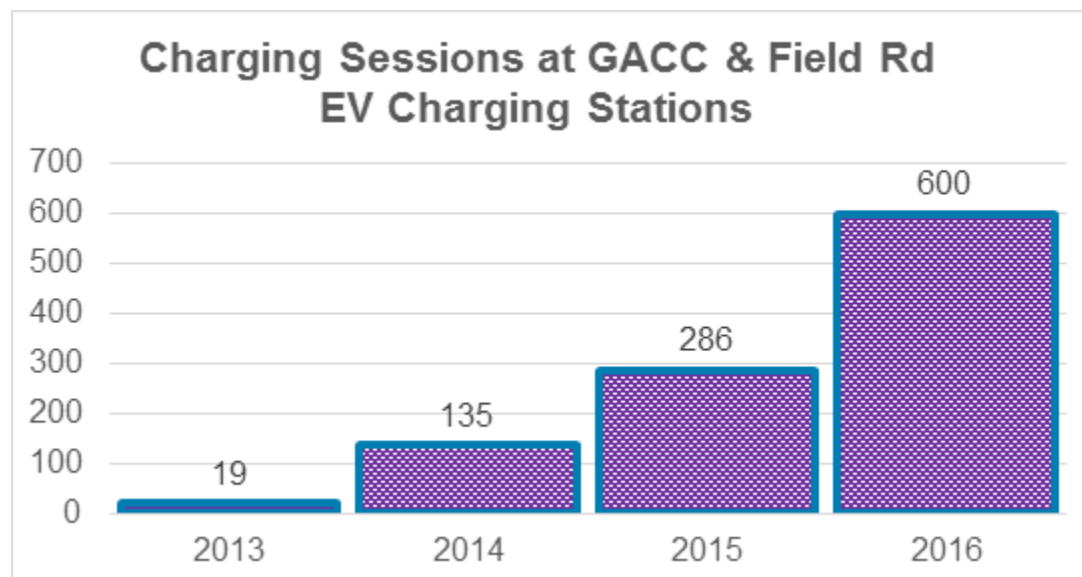
### OPERATIONS

#### Statistics

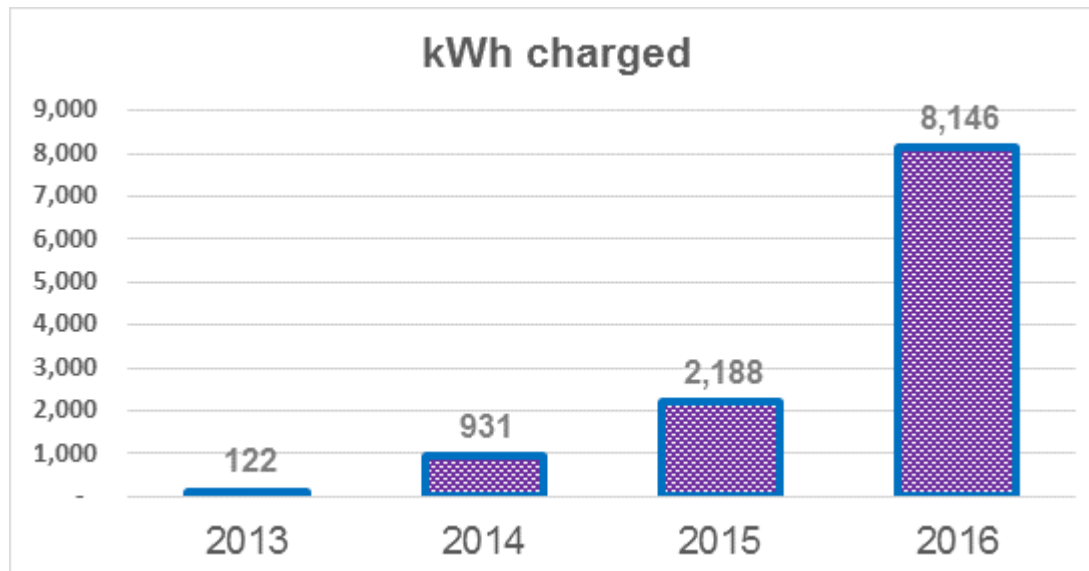
The SCRD has the goal of reducing energy use by 12% by 2018 and 30% by 2025 from the 2011 baseline. Q4 is presented in this report due to a few months delay in processing data. Q4 2016 saw a reduction of 17% from 2011 with regards to natural gas and electricity. This data is not temperature correlated and excludes gasoline, diesel, and propane.



#### Electric Vehicle Charging







## PARKS DIVISION [FUNCTIONS 400, 650, 665, 667]

### ***Cemeteries [400]***

#### *Statistics*

	2017 Q1	2016 Q1	2017 Q1	2016 Q1
Service	Burials	Burials	Cremations	Cremations
Plots Sold	2	14	1	4
Niches Sold	N/A	N/A	2	0
Interments	6	5	4	7
Inurnments (Niche)	N/A	N/A	2	1

## OPERATIONS

There is currently an RFP out for the 3 year maintenance contract of Seaview Cemetery.

### ***Parks [650]***

#### PROJECTS

#### ***Parks, Trails and Beach Access***

##### Lily Lake Trail

Split rail fencing and an access gate have been constructed along the section bordering private property. Final landscaping including grass seeding and planting Nootka Rose bushes will be completed in April.

##### Phase 2 Suncoaster Trail

Two open houses were held in late February with approximately 75 people attending. The community provided useful feedback on the trail alignment and what purpose the trail is intended to serve. Feedback will be used to refine the trail alignment with results being posted to the SCRDC website for further comments. Additional public engagement will occur prior to finalization of the route. Research with land managers will take place in Q2, with target of a draft trail plan in Q3.



### Gambier Island

Staff are currently receiving applications for a Trails Network Task Force for the South West Peninsula of Gambier Island.

#### **OPERATIONS**

Key Q1 activities included:

- Snow removal from community hall parking lots
- Road work required in some parks due to deep freeze
- Routine inspection of community halls
- All sports fields closed for two weeks due to snow and freezing
- All sports fields sliced and fertilized
- Fencing at Lily Lake
- Closed trail in John Daly Park due to danger trees work to be conducted
- Continued bridge inspections
- Tree work at Soames Hill and Cliff Gilker Park
- There is currently an RFP out for the 3 year maintenance contract of Sunnyside Park

### **Community Halls**

#### **OPERATIONS**

##### *Statistics*

Number of bookings in Community Halls in 2017 Q1 compared to 2016 Q1 bookings:

<b>Community Hall</b>	<b>2017 Q1 Bookings</b>	<b>2016 Q1 Bookings</b>
Eric Cardinall	57	65
Frank West Hall	96	55
Coopers Green	17	21
Chaster House	43	49

A review of hall operations is substantially complete. A report on work done in Q1 is being developed for Q2 timed with results from the building condition assessment project.

Coopers Green Hall Replacement Design Task Force establishment is planned for Q2, with coincident selection of a design partner through an RFP process.

### **Sports Fields**

#### **OPERATIONS**

All sports fields were fertilized and seeded in Q1.

##### *Statistics*

Number of bookings per sports field in 2017 Q1 compared to 2016 Q1 bookings:

<b>Sports Field</b>	<b>2017 Q1 Bookings</b>	<b>2016 Q1 Bookings</b>
Lions Field	63	64
Cliff Gilker	191	176
Connor Park	168	141
Maryanne West	126	115
Shirley Macey Park	108	116

### ***Dakota Ridge [680]***

#### **OPERATIONS**

- Staff coordinated Volunteer Trail Hosts and Groomers who had donated over 2200 hours of volunteer time towards the Dakota Ridge Winter Season;
- Staff conducted routine ski, snowshoe, and sledding trail maintenance, inspections and other winter operations throughout season;
- Dakota Ridge concluded the winter season on April 2.

#### **SPECIAL EVENTS**

- Dakota Ridge Jackrabbits – 72 children, their families, volunteers and coaches participated in this youth ski program on Dakota Ridge each Sunday for seven weeks in January and February;
- Sunshine Coast Loppet – 60 racers registered in “fun” ski races in on February 4;
- School Groups – Many local schools, such as École du Pacifique, incorporated Dakota Ridge recreation into their curriculum.

### **RECREATION AND COMMUNITY PARTNERSHIPS DIVISION [FUNCTIONS 616, 617, 620, 621, 625]**

#### ***Gibsons and District Aquatic Centre [616]***

#### **PROJECTS**

- Complete rebuild of drain line for boiler neutralizing tank
- Complete inspection and assessment of insulation needed for attic areas to reduce water heat loss
- Order and set up for Main pool circulation, Tots pool circulation and Tots pool water feature pump replacements
- Completed assessment for feasibility of installing remote grease fitting for greasing rear RTU pillow block bearing
- Completed valve tag location, documentation and recorded all
- Performed ongoing preventative maintenance
- GDAF hot tub replacement construction management request for proposals released April 7. Preferred project timeline (subject to bids received) makes maximal use of facility shutdown to limit program impacts, with completion in October. A project information board will be installed at GDAF shortly.

#### **OPERATIONS**

##### Admissions and Program Registrations

<b>GDAF</b>	<b>Year 2017</b>	<b>Year 2016</b>
Admission Visits	4,379	4,817
Program Registrations	1,322	1,676

These numbers include 320 L.I.F.E Admissions for those on low income for 2017.  
This represents a decrease of 438 admission visits for the January - March, 2017 period.  
This represents a decrease of 354 program registration for this period.

### ***Gibsons and Area Community Centre [617]***

#### **PROJECTS**

- Ice season completed on March 12
- Summer maintenance commencing, obtaining quotes for this has begun
- Dry Floor programs commence March 20
- Roof top HVAC unit repairs. Replaced fan motor, capacitor, contactor and wire
- Lower entrance door repair, threshold and programming adjustments
- Hot water storage tank failed, replaced with spare replacement tank
- Lighting repairs. Exterior bollards and stair lighting required ballasts, tombstones and bulbs. Where possible and cost effective, lighting was upgraded to energy efficient LED lighting.
- Youth center – Garden project (in initial planning stages)
- Gym stereo repairs and reprogramming
- AED battery replacement, new weekly procedure. Purchase of new battery and spare
- Zamboni door repair, new wheels and brackets installed
- Semi-annual Generator service
- Starting to develop work plan for annual maintenance
- Performed ongoing preventative maintenance

#### **OPERATIONS**

##### Admissions and Program Registrations

<b>GACC</b>	<b>Year 2017</b>	<b>Year 2016</b>
Admission Visits	22,623	22,499
Program Registrations	1,807	2,239

Included in this admission total are 409 L.I.F.E admissions for those on low income for 2017 and arena facility rental attendance.

This represents an increase of 124 admission visits in the January – March period.

This represents a decrease of 432 program registration.

#### **PROGRAM HIGHLIGHTS**

The Gibsons and Area Community Centre was the host facility for a number of Special Events in the first quarter. Most of these events were well attended and included off coast visitors as a benefit to the local business community.

Peewee C Tournament (ages 11 & 12)	January 13 - 15
Novice Tournament (ages 7 & 8)	February 4 & 5
Atom (A) Final Four Tournament (ages 9 & 10)	March 4 & 5
Elvis Stojko Rocks the Coast (Community Event)	March 10 & 12

#### **Dry floor**

The dry floor programs started on March 18 at the Gibsons and Area Community Centre. Programs include Drop in roller skating, pickle ball and stay and play. Dry floor users include Youth Lacrosse and Roller Girls.

### ***Sunshine Coast Arena [620]***

#### **PROJECTS**

- The AHU fan motor failed for community room, an AHU procurement process started for a replacement motor
- The gas fired hot water tank failed for lobby area and 2 change rooms, currently operating on one tank only. Quotes are coming in for replacement hot water tank
- New rubber matting ordered to replace worn areas on players benches
- Starting to develop work plan for annual maintenance
- Performed ongoing preventative maintenance

#### **OPERATIONS**

##### Admissions and Program Registrations

<b>SCA</b>	<b>Year 2017</b>	<b>Year 2016</b>
Admission Visits	6,444	12,106
Program Registrations	327	374

This represents a decrease of 5,662 for the January – March period. With further investigation, the largest difference was with respect to facility and school rentals for this time period. There were changes to the way stats were tracked in March 2016 which may have resulted in inaccurate comparisons to this year.

This represents a decrease of 47 for the January – March period.

#### **PROGRAM HIGHLIGHTS**

The Sunshine Coast Arena co- hosted the Peewee C Tournament and hosted a Girls Hockey Day as well as the annual Hitmen 7-A-Side Tournament to complete the season.

Peewee C Tournament (ages 11 & 12)	January 13 - 15
Girl's hockey Day (all ages)	March 21
Hitmen 7-A-Side (Adult)	March 31 - April 2

#### **Dry floor**

The dry floor programs will commence on April 10 at the Sunshine Coast Arena. Pickle ball will return this spring. Youth Lacrosse and the Roller Girls will also use the dry floor.

### ***Sechelt Aquatic Centre [621]***

#### **PROJECTS**

- Main water supply PRV failed, replaced with rebuilt PRV
- Upgrading failed lighting fixtures to LED lighting in the high moisture areas. Waterslide tower and steam room completed so far
- Annual maintenance preparation
- In discussion with DoS to add an additional handicap parking spot
- Performed ongoing preventative maintenance

## OPERATIONS

### Admissions and Program Registrations

SAC	Year 2017	Year 2016
Admission Visits	42,734	39,324
Program Registrations	6,024	5,706

Included in this total are 2,754 L.I.F.E admissions for those on low income for 2017.  
This represents an increase of 3,410 admission visits.  
This represents an increase of 318 Program Registrations for the January – March period.

### ***Pender Harbor Aquatic and Fitness Centre [625]***

## PROJECTS

- Hot tub filter was replaced. Service was closed for 9 days for this repair to take place.

## PROGRAM HIGHLIGHTS

In honour of Canada's 150 Birthday, 2017 special events have a Canadian theme.

Cycle Across Canada Challenge began January 3 and is a joint effort for all who ride any one of the stationary cycles in the facility. Each person records their mileage and a large map of Canada is displayed in the facility lobby to track progress. It has been positively received and currently the group is cycling through Ontario. Destination: Cape Spear Newfoundland.

Other Canadian Events have included Polar Bear Night (Cold water safety); Northern Lights; Caribbean Resort Night (escape the Canadian winters); March Nutrition Month (featuring lentils and maple syrup as a focus).

### Admissions and Program Registrations

PHAFC	Year 2017	Year 2016
Admission Visits	3,934	4,470
Program Registrations	1,164	1,345

Included in this total are 124 L.I.F.E admissions for those on low income for 2017.  
This represents a decrease of 536 visits for the January- March period.

\*Note: Weather did play a factor in attendance numbers this quarter.

This represents a decrease of 181 Program Registrations for the period.

### Summary

SCRD Recreation Services saw a total of 96,653 visits to Recreation Facilities from January - March 2017 as detailed below:

<b>2017 SCR D Recreation Facility</b>	<b>Front Desk Admissions*</b>	<b>Program Attendance</b>	<b>Spectators</b>	<b>1<sup>st</sup> Quarter Attendance</b>
Gibsons & District Aquatic Facility	4,379	1,322	n/a	<b>5,701</b>
Gibsons & Area Community Centre	22,623	1,807	8,989	<b>33,419</b>
Sunshine Coast Arena	6,444	327	476	<b>6,771</b>
Sechelt Aquatic Centre	42,734	6,024	n/a	<b>48,758</b>
Pender Harbour Aquatic & Fitness Centre	3,934	1,164	n/a	<b>5,098</b>

\*Includes Rentals

Year-over-Year comparison: Includes Winter session Programs plus admissions.

<b>January - March</b>	<b>SAC</b>	<b>GDAF</b>	<b>GACC</b>	<b>SA</b>	<b>PHAFC</b>
<b>Year 2016</b>	45,030	6,493	24,175	12,480	5,815
<b>Year 2017</b>	48,758	5,701	33,419	6,771	5,098

Reviewed by:			
Manager	X – K. Preston X – A. Allen X – D. Cole X – K. Robinson	Finance	
GM	X – I. Hall	Legislative	
CAO	X – J. Loveys	Other	

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** Lesley-Ann Staats, Planner

**SUBJECT:** UPDATE ON BC TIMBER SALES OPERATIONS (2017-2021)

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### RECOMMENDATIONS

**THAT** the report titled Update on BC Timber Sales Operations (2017-2021) be received;

**AND THAT** the SCRD responds to the BCTS referral with the following comments:

1. The SCRD does not support logging license A91376 located on District Lot 1313, which should be reserved for environmental protection as per ongoing discussions with the Ministry of Forests, Lands and Natural Resource Operations and the Squamish Nation;
2. A strategy for the protection and/or restoration of trails surrounding cut blocks G041C4F6 (West Sechelt), G042C4F8 (Mt. Elphinstone), G043C3ZJ (Mt. Elphinstone), and Licence A93884 (Mt. Elphinstone) be confirmed with local trail groups;
3. Public safety measures be implemented to communicate forestry activity to recreational users, including signage posted on all recreational trails leading to cut blocks, specifically G041C4F6 (West Sechelt), G042C4F8 (Mt. Elphinstone), G043C3ZJ (Mt. Elphinstone), Licence A93884 (Mt. Elphinstone) and the Rainy River blocks;
4. The SCRD does not support logging in Community Watersheds for the purpose of protecting drinking water quality. Should BCTS continue to propose cut blocks within Community Watersheds in order to meet its mandate, the following conditions should be met:
  - a. Define a management strategy for proposed forestry operations to protect drinking water; and
  - b. Implement forest practices and Best Management Practices with the goal of achieving zero turbidity, sediment and pathogen input to nearby creeks or streams from forestry activities;

**AND THAT** staff continue to work cooperatively with BC Timber Sales to identify future opportunities for community consultation.

**AND FURTHER THAT** this report be referred to the Advisory Planning Commissions and Natural Resources Advisory Committee and comments be considered in a supplemental report to the May Planning and Community Development Committee.

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## **BACKGROUND**

On February 23, 2017, the SCRD received a referral from the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) Sunshine Coast Natural Resource District regarding BC Timber Sales (BCTS) Sunshine Coast 2017-2021 Operational Plan Information Sharing (see Attachment A).

On March 10, 2017 SCRD staff met with BCTS Planning Forester, Woodlands Supervisor and Woodlands Manager to discuss updates to the BCTS 2017-2021 operating area plans for the Sunshine Coast region. Staff prepared two maps that include the proposed cut blocks in the SCRD (see Attachments B and C). The original BCTS referral maps can be viewed online at <https://www.for.gov.bc.ca/BCTS/areas/TCH/FSPDSC-IS-2-2017.htm>.

As with previous referrals, some proposed cut blocks continue to be located within Community Watersheds in order for BCTS to meet its mandate to harvest 313,027 m<sup>3</sup> of timber annually within the Sunshine Coast Natural Resource District.

The purpose of this report is to obtain direction on the following:

- comments on the 2017 BCTS referral; and
- timber harvesting in Community Watersheds.

## **DISCUSSION**

BCTS has a mandate to provide credible representative price and cost benchmarks through auctions of timber harvested from public land in British Columbia using sound forest management practices.

For the Sunshine Coast Natural Resource District (within the SCRD and Powell River Regional District), BCTS has a mandate to harvest 313,027 m<sup>3</sup> of timber annually (this includes timber within Community Watersheds). To meet its harvest level using sound forest management practice, BCTS attempts to spread out the cut blocks across the Sunshine Coast, rather than harvesting 313,027 m<sup>3</sup> in one area at one time. The harvest level is averaged over a five-year period and if not met each year, the level accumulates each successive year until it is met.

BCTS staff noted that it is most helpful to receive comments on cut blocks proposed for auction three to five years in advance in order to address comments during forest engineering and planning phases.

### *Update on BCTS Operations in the SCRD*

A spreadsheet outlining the current status of BCTS cut blocks within the SCRD is provided in Attachment D.

Previously referred cut blocks:

- Ten cut blocks remain in the Dakota and McNair community watersheds, scheduled for auction 2018-2020.



- The Mt. Elphinstone cut block (A91376) located on DL 1313 has been delayed (another year) to enable the SCRD to continue dialogue with the Squamish Nation and FLNRO to determine how to protect the lot from timber harvesting. It is scheduled for auction 2018.

In 2016, the Board resolved that the SCRD maintain its position that it does not support logging license A91376 located on District Lot 1313, which should be reserved for environmental protection as per ongoing discussions with the Ministry of Forests, Lands and Natural Resource Operations and the Squamish Nation. Staff recommend maintaining this position and continuing dialogue with the Squamish Nation and FLNRO.

It was noted that delaying harvest of DL 1313 increases pressure to harvest timber in other areas within the 1,500 hectare “proposed Mt. Elphinstone park” identified in the Roberts Creek Official Community Plan (OCP) Map No. 2. Provincial staff have advised SCRD staff that the proposed provincial Mt. Elphinstone park expansion is no longer an option.

- Cut block G041C4F6 in West Sechelt, scheduled for auction in 2019, surrounds a portion of a mountain biking trail called DD Connector (or Pooch Perfect).
- The cut blocks under licence A93884, scheduled for auction this year, are surrounded by mountain biking trails, including Horseshoe, Trailfest Wagon Road, Jones, Davie, Svern’s Sortie, Plus Vite, and a few more.
- The cut blocks G042C4F8, scheduled for auction in 2020, are near mountain biking trails Hijacked, Amuse Bouche, and Plus Vite.

New proposed cut blocks referred this year are scheduled for auction in 2021:

- Cut block G043C3ZJ is located on Mt. Elphinstone, between mountain biking trails Hwy 103, Viper, and Pachenko Street, off the Sechelt Roberts Forest Service Road (FSR) (shown on Attachment A). Engineering is expected to be complete this year;
- Three cut blocks (G053C4J6-8) along Rainy River are accessed by the Rainy River FSR. The northern block is near the Tetrahedron Peak trail (shown on Attachment A). Field work for these block has not yet been initiated;
- Seventeen cut blocks (K010B4’s) are located along Brittain River in Jervis Inlet (shown on Attachment B). Major maintenance on the Brittain River FSR will begin one to two years prior to 2021 advertising.

Staff recommends that the response to the BCTS referral includes a strategy for the protection and/or restoration of trails surrounding cut blocks G041C4F6 (West Sechelt), G042C4F8 (Mt. Elphinstone), G043C3ZJ (Mt. Elphinstone), and Licence A93884 (Mt. Elphinstone) be confirmed with local trail groups; and public safety measures be implemented to communicate forestry activity to recreational users, including signage posted on all recreational trails leading to cut blocks, specifically G041C4F6 (West Sechelt), G042C4F8 (Mt. Elphinstone), G043C3ZJ (Mt. Elphinstone), Licence A93884 (Mt. Elphinstone) and the Rainy River blocks, as these are highly used recreational areas in West Sechelt, Roberts Creek, and near the Tetrahedron Provincial Park.

*SCRD's position on timber harvesting in Community Watersheds*

In January 2000, the Board adopted resolution 27/00, Recommendation No. 13 which declared that the SCRD is not in favour of logging in designated community watersheds or watershed reserves. Since then, staff have endeavoured to review resource referrals with this resolution as a guiding principle.

In March 2011, the Board adopted resolution 147/11, Recommendation No. 9 which stated (in part) that the SCRD does not support logging in the Dakota Community Watershed.

In 2016, the SCRD adopted resolution 255/16, Recommendation No. 1, which maintained the SCRDs position that it does not support logging in the community watersheds or watershed reserves for the purpose of protecting water used for drinking.

This long-standing position has been held for the purpose of protecting water quality to drinking water standards.

*Protecting water quality in the Chapman Creek drinking watershed*

In 2006, the SCRD hired a consultant to identify the risks to the Chapman Creek Watershed, which provides a primary source of potable water for 90% of the residents within the Regional Water Service Area in the SCRD (approximately 10,000 properties).

Forestry activity was identified as a risk to water quality. The report notes that forestry and associated activities, such as road construction, have the potential to affect runoff patterns and stream flow as well as increase the risk of erosion, landslides and mass wasting, thus increasing sediment loading in the stream system and increasing turbidity levels in receiving waters.

In 2012, the Chapman Creek Source Assessment Response Plan was commissioned by the SCRD and developed by a consultant with technical input from First Nations and stakeholders. It was adopted by the SCRD Board to respond to hazards and associated risks identified for the Chapman Creek Watershed.

Included in the plan are specific responses to reduce or eliminate sources of sediment from future forestry activities that could enter Chapman Creek. Two of the responses include (1) defining "the management strategy for any proposed forestry operations to protect drinking water" and (2) implementing "forest practices and Best Management Practices with the goal of achieving zero turbidity, sediment and pathogen input to nearby creeks or streams from forestry activities". In order to meet these targets, sound erosion and sediment controls must be in place and monitored.

In spite of the SCRD's opposition to logging in community watersheds, the Board may choose to request that BCTS meet conditions on water quality protection for timber harvesting in community watersheds.

*Refining the SCRD's position on logging in community watersheds*

As BCTS must meet its timber harvesting mandate and it is important for the SCRD to protect water quality in community watersheds, staff suggests refining the SCRD's position to provide water quality targets that BCTS can incorporate into its mandate.

Noting the SCRD's long-standing opposition to logging within Community Watersheds for the purpose of protecting drinking water quality and noting that BCTS will continue to propose and auction cut blocks in Community Watersheds, staff recommends responding to the BCTS referral with the following comment:

The SCRD does not support logging in Community Watersheds for the purpose of protecting drinking water quality. Should BCTS continue to propose cut blocks within Community Watersheds in order to meet its mandate, the following conditions should be met:

- a. Define a management strategy for proposed forestry operations to protect drinking water; and
- b. Implement forest practices and Best Management Practices with the goal of achieving zero turbidity, sediment and pathogen input to nearby creeks or streams from forestry activities;

Alternatively, the Board may maintain its position that does not support logging in community watersheds without defining conditions.

*Organization and Intergovernmental Implications*

The SCRD and BCTS signed a communication protocol on June 2, 2014. The protocol ensures that BCTS provides timely information about its operational plans and that the SCRD can provide comments back. Each successive year builds on previous year's plans as new field survey information is collected and stakeholder information is considered.

Staff will continue to work cooperatively with BCTS to identify future opportunities for community consultation.

*Consultation*

This report will be referred to the Advisory Planning Commissions and the Natural Resources Advisory Committee for comment in April. A supplemental report including referral comments may be provided at the May Planning and Community Development Committee.

*Timeline for next steps or estimated completion date*

As per the Communication Protocol, the SCRD has 90 days to comment, which provides a deadline of May 24, 2017 to comment on the referral.

## STRATEGIC PLAN AND RELATED POLICIES

*Strategic Plan Values: Enhance Collaboration, Embed Environmental Leadership and Support Sustainable Economic Development*

The SCRD is working cooperatively with FLNRO and BCTS staff to provide comments and feedback on its proposed timber harvesting plans.

Forestry is part of the SCRD's strategic priority to support sustainable economic development.

## CONCLUSION

The SCRD received a referral from FLNRO Sunshine Coast Natural Resource District regarding BCTS 2017-2021 timber harvesting plans. SCRD staff met with BCTS staff to discuss the updates and receive technical information.

Licence A91376 located on DL 1313 is scheduled for 2018 auction. Staff recommends not supporting this licence which should be reserved for environmental protection as per ongoing discussions with FLNRO and the Squamish Nation.

Other cut blocks remain in the Dakota and McNair Watersheds. Since cut blocks will be proposed and auctioned regardless of the SCRD's long-standing opposition to logging in community watersheds, staff are recommending that the SCRD maintains its position that does not support logging in Community Watersheds for the purpose of protecting drinking water quality. Should BCTS continue to propose cut blocks within Community Watersheds in order to meet its mandate, the following conditions should be met:

- a. Define a management strategy for proposed forestry operations to protect drinking water; and
- b. Implement forest practices and Best Management Practices with the goal of achieving zero turbidity, sediment and pathogen input to nearby creeks or streams from forestry activities.

Further recommendations of this report include protecting/restoring mountain biking trails near cut blocks; ensuring public safety measures are implemented to communicate forestry activity to recreational users, including signage posted on all recreational trails leading to cut blocks in highly used recreational areas; and referring this report to Advisory Groups.

## Attachments

- Attachment A – Letter from Planning Forester dated February 23, 2017
- Attachment B – South Map
- Attachment C – North Map
- Attachment D – BCTS cut block status update spreadsheet

viewed by:			
Manager	X – A. Allen	Finance	
GM	X – I. Hall	Legislative	
CAO	X – J. Loveys	Other	X – S. Walkey

File: 18046-40/DSC/03-Annual Op Plans

February 23<sup>rd</sup>, 2017

Sunshine Coast Regional District  
1975 Field Road  
Sechelt, British Columbia  
V0N 3A1

*Transmitted via Email:* [info@scrd.bc.ca](mailto:info@scrd.bc.ca)

**Re: BC Timber Sales Sunshine Coast 2017-2021 Operational Plan Information Sharing**

Dear Board Members:

The purpose of this letter is to initiate referral of BC Timber Sales (BCTS) operations, consistent with our shared communication protocol, within the Sunshine Coast Natural Resource District. BCTS is seeking comments from stakeholders with respect to our operations.

BCTS plays an integral role in the implementation of government's Forestry Revitalization Plan and supports Ministry of Forests Lands and Natural Resource Operations (FLNRO) goal of providing British Columbians with sustainable benefits from the commercial use of public forests. High-quality forest and environmental management practices are integral to the BCTS mandate and the way it conducts business.

In conjunction with this information sharing process, digital spatial information (google earth and shapefiles) and maps have been provided at: <https://www.for.gov.bc.ca/BCTS/areas/TCH/FSP-DSC-IS-2-2017.htm> Map sheets of specific interest to your organization include:

- Hotham
- Jervis
- Osgood
- Deserted
- McNeill
- West Sechelt
- Chapman
- McNair\_Rainy
- McNab\_Potlatch

Page 1 of 2

- Elphinstone

The proposed forestry operations illustrated on the 1:20,000 scale maps associated with this plan display planned cutblocks, road locations and ancillary log handling sites. Cut-blocks are illustrated with a solid color that corresponds to a planned year of harvest. The planned year of harvest is an approximation and subject to change to allow for scheduling flexibility. Cut-blocks that have appeared on previous BCTS operational plans are shown with a solid border. New (proposed) cut-blocks are shown with a dashed border, where we seek to solicit any comment you would like to provide early in the planning process.

Where more information is sought, please don't hesitate to contact me directly at the email address listed below. Consistent with the communication protocol between our organizations, referral of this plan is open through May 24<sup>th</sup>, 2017 (90 days). I hope to meet with your staff prior to this date to review our exiting communication protocol and the outcomes of the SCRDS comments from previous years.

Sincerely,

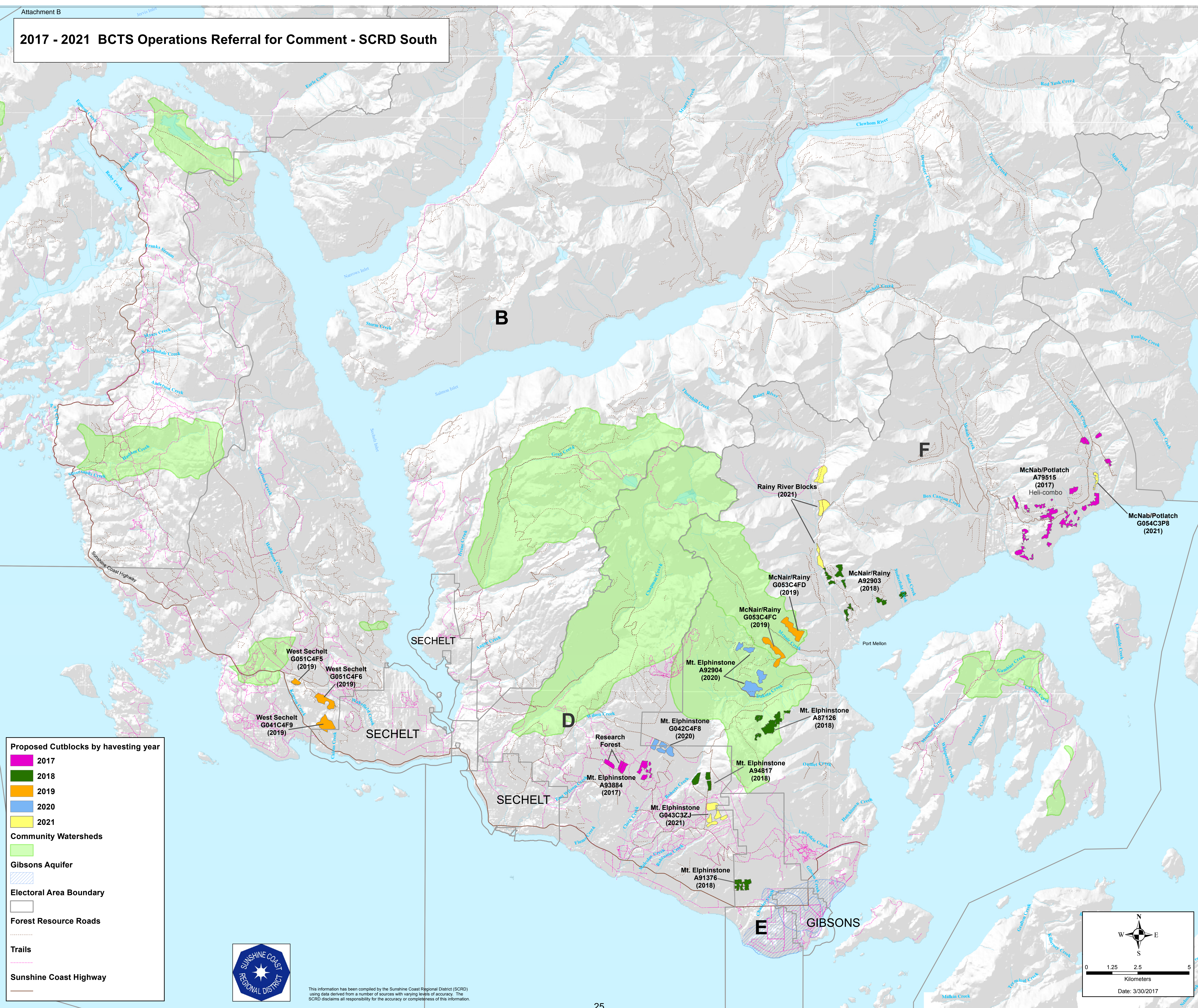


Adam Hockin, RPF  
Planning Forester, BCTS Chinook  
Email: Adam.Hockin@gov.bc.ca

cc: Lesley-Ann Staats, SCRDS; Janette Loveys, SCRDS; Kerry Grozier, BCTS



2017 - 2021 BCTS Operations Referral for Comment - SCRD South





2017 - 2021 BCTS Operations Referral for Comment - SCRD North

Proposed Cutblocks by harvesting year

2017

2018

2019

2020

2021

Community Watersheds

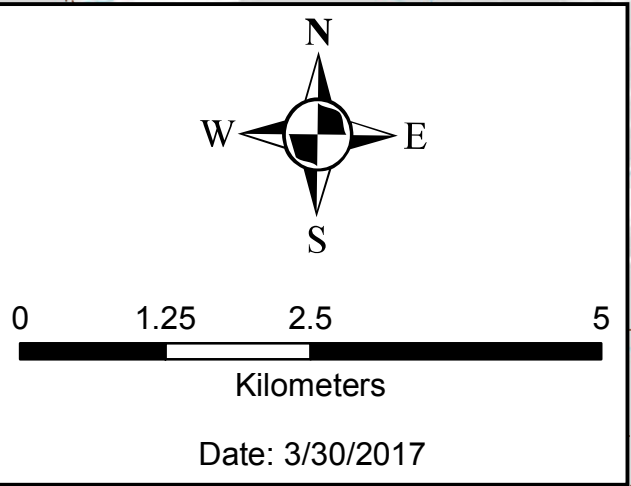
Electoral Area Boundary

Forest Resource Roads

Sunshine Coast Highway



This information has been compiled by the Sunshine Coast Regional District (SCRD) using data derived from a number of sources with varying levels of accuracy. The SCRD disclaims all responsibility for the accuracy or completeness of this information.





Assigned Timber sale Licence	Cutblock Name	Anticipated Advertismment Date	Status	Mapsheet	Notes
A79515	G054C3P9	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C39T	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C39U	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C3PB	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C39W	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C39Z	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G064C3NX	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G064C3A4	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G064C34N	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C4AC	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C3P2	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C3P7	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C39Y	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054MB066	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A79515	G054C4A0	2017	Previous Referral	MCNAB POTLATCH	Helicopter harvest system, planned for 2017 advertismment.
A81131	G081C3BA	2017	Previous Referral	HOTHAM	Planned for 2017, but likely to be deferred for further planning and assessment 'till at least 2018.
A93884	G042C3MY	2017	Previous Referral	MT ELPHINSTONE	Block includes some stip shelter wood harvest system, and will enable funding for treatment of G042C46N (discussed below).
A93884	G042C46N	2017	Previous Referral	MT ELPHINSTONE	Part of the extended rotation experiment associated with the Robert's Creek Research Forest (see enclosed report), harvesting is associated with a periodically scheduled treatment associated with the original experimental design. Remeasurement of the area will occur after harvesting.
A87126	G043DK044B	2018	Previous Referral	MT ELPHINSTONE	Originally delayed in 2015. BCTS may elect to construct road into this area in early 2018, archaeological assessments are ongoing.
A87126	G043DK043	2018	Previous Referral	MT ELPHINSTONE	Originally delayed in 2015. BCTS may elect to construct road into this area in early 2018, archaeological assessments are ongoing.
A87126	G043DK044	2018	Previous Referral	MT ELPHINSTONE	Originally delayed in 2015. BCTS may elect to construct road into this area in early 2018, archaeological assessments are ongoing.
A87126	G043DK042	2018	Previous Referral	MT ELPHINSTONE	Originally delayed in 2015. BCTS may elect to construct road into this area in early 2018, archaeological assessments are ongoing.
A91376	G043C3ZD	2018	Previous Referral	MT ELPHINSTONE	Originally delayed in 2015. BCTS may elect to construct road into this area in early 2018, archaeological assessments are ongoing.
A92903	G053C4JA	2018	Proposed	MCNAIR RAINY	Newly proposed shape associated with previously referred Timber Sale A92903.
A92903	G053C45F	2018	Previous Referral	MCNAIR RAINY	Engineering ongoing.
A92903	G053C45D	2018	Previous Referral	MCNAIR RAINY	Engineering ongoing.
A92903	G053C45E	2018	Previous Referral	MCNAIR RAINY	Engineering ongoing.
A94817	G043C3ZP	2018	Previous Referral	MT ELPHINSTONE	Area is previously logged, engineering is ongoing.
not assigned - foley head	G081B47T	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47P	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47Q	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.

Assigned Timber sale Licence	Cutblock Name	Anticipated Advertisment Date	Status	Mapsheets	Notes
not assigned - foley head	G081B47K	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47S	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47H	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47M	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47N	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47R	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47F	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47G	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47J	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47L	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - foley head	G081B47U	2018	Proposed	HOTHAM	Newly proposed helicopter sale near Foley Head, engineering is ongoing.
not assigned - mt calder	F090C4FA	2018	Previous Referral	HOTHAM	Anticipated to be a helicopter harvest system, engineering is ongoing
not assigned - mc nab	G053C4FD	2019	Previous Referral	MCNAIR RAINY	Engineering ongoing, expected to be primarily helicopter harvesting but may also involve some conventional harvesting.
not assigned - mc nab	G053C4FC	2019	Previous Referral	MCNAIR RAINY	Engineering ongoing, expected to be primarily helicopter harvesting but may also involve some conventional harvesting.
not assigned - west sechelt	G041C4F9	2019	Previous Referral	WEST SECHELT	Engineering is ongoing.
not assigned - west sechelt	G041C4F6	2019	Previous Referral	WEST SECHELT	Adjacent to power line, engineering is ongoing.
not assigned - west sechelt	G051C4F5	2019	Previous Referral	WEST SECHELT	Adjacent to power line, engineering is ongoing.
A92904	G053C42W	2020	Previous Referral	MT ELPHINSTONE	Engineering ongoing, BCTS is not aware of any current domestic water consumption in the Dakota watershed. We would appreciate any information the SCR D can share on anticipated future usage.
A92904	G053C42X	2020	Previous Referral	MT ELPHINSTONE	Engineering ongoing, BCTS is not aware of any current domestic water consumption in the Dakota watershed. We would appreciate any information the SCR D can share on anticipated future usage.
Not assigned	F100C3GU	2020	Previous Referral	JERVIS	Existing log dump at Lena Bay will be reactivated.
not assigned - desserted	J012C3FN	2020	Previous Referral	DESSERTED	Engineering ongoing, likely to be coupled with C3FK and C3FJ as a single timber sale.
not assigned - desserted	J012C3FK	2020	Previous Referral	DESSERTED	Cutblocks originally issued in 2014 and surrendered unharvested; helicopter harvest system.
not assigned - desserted	J012C3FP	2020	Previous Referral	DESSERTED	Engineering ongoing, likely to be coupled with C3FK and C3FJ as a single timber sale.
not assigned - desserted	J012C3FJ	2020	Previous Referral	DESSERTED	Cutblocks originally issued in 2014 and surrendered unharvested; helicopter harvest system.
not assigned - gough creek	G042C4F8	2020	Previous Referral	MT ELPHINSTONE	Engineering ongoing, area is previously logged.
not assigned - brittain	K010B46Z	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B46Y	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B471	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B46W	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B46U	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B474	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B476	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B46V	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B46S	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.
not assigned - brittain	K010B473	2021	Proposed	BRITTA IN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisment.

Assigned Timber sale Licence	Cutblock Name	Anticipated Advertisement Date	Status	Mapsheet	Notes
not assigned - brittain	K010B478	2021	Proposed	BRITTAIN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisement.
not assigned - brittain	K010B46R	2021	Proposed	BRITTAIN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisement.
not assigned - brittain	K010B479	2021	Proposed	BRITTAIN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisement.
not assigned - brittain	K010B472	2021	Proposed	BRITTAIN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisement.
not assigned - brittain	K010B46T	2021	Proposed	BRITTAIN	Major maintenance on Brittain FSR anticipated one to two years prior to 2021 advertisement.
not assigned - brittain	K010B46P	2021	Proposed	JERVIS	Major maintenance on Brittain FSR anticipated ont to two years prior to advertisement.
not assigned - brittain	K010B46Q	2021	Proposed	JERVIS	Major maintenance on Brittain FSR anticipated ont to two years prior to advertisement.
not assigned - potlatch	G054C3P8	2021	Previous Referral	MCNAB POTLATCH	Was originally planned as part of A79515 advertisement in 2017. Delayed for further planning and assessment.
not assigned - robinson creek	G043C3ZJ	2021	Proposed	MT ELPHINSTONE	Engineering expectd to be completed this year, large portions of area were pre-commercial thinned after being logged.
not assigned - upper rainy	G053C4J7	2021	Proposed	MCNAIR RAINY	Field work has not yet been intiated, shapes are projection only.
not assigned - upper rainy	G053C4J8	2021	Proposed	MCNAIR RAINY	Field work has not yet been intiated, shapes are projection only.
not assigned - upper rainy	G053C4J6	2021	Proposed	MCNAIR RAINY	Field work has not yet been intiated, shapes are projection only.

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** Sam Adams – Parks Planning Coordinator

**SUBJECT:** KEATS ISLAND PARK DEDICATION DISTRICT LOT 696 – ELECTORAL AREA F

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### RECOMMENDATIONS

**THAT** the report titled Keats Island Park Dedication District Lot 696 – Electoral Area F be received;

**AND THAT** the SCRD accept the proposed 1.1 hectare park dedication as proposed in Option 1;

**AND THAT** Islands Trust be requested to amend the proposed Bylaw 143, Schedule 1, Part 4 – Zone Regulation Section 4.9 Community Service 1 (CS1) Zone by:

- a) Delete “*outdoor recreation use is not permitted;*”
  - b) Increase the maximum floor area of a community hall to 200 square metres
  - c) Add “Trails and associated day use infrastructure is permitted”
  - d) Add “Camping and fires are not permitted”
- 

### BACKGROUND

The following recommendation was adopted by the board at the January 26, 2017 Regular Board meeting:

044/17 cont. **Recommendation No. 5** *Islands Trust Bylaw Amendment Nos. 143 and 144 Subdivision of D.L. 696, Keats Island*

THAT the report titled Islands Trust Bylaw Amendment Nos. 143 and 144 – Subdivision of D.L. 696, Keats Island be received;

AND THAT the SCRD accept the proposed 1.1 hectare park dedication, subject to a site visit prior to Second Reading of the bylaws;

Currently over 90% of Keats Island is privately owned; therefore, the dedication of park land is considered to be important. Park dedication from subdivision is a rarity on Keats Island and this appears to be the first time since 1981 that land has been dedicated for park. Attachment A shows the current and proposed parks and nature areas on Keats Island.

An application for land use contract amendments to provide opportunity for subdivision was submitted to Islands Trust by the Convention of the Baptist Churches of British Columbia

(CBCBC), and subsequent referral to the SCRD triggered the request for park dedication. A staff report dated January 12, 2017, recommended accepting a proposed 1.1 hectare park dedication, subject to a site visit and prior to Second Reading of the bylaw.

SCRD staff conducted a site visit on February 22<sup>nd</sup> to examine the proposed park locations. In the most recent iteration of this referral received by the SCRD, and through discussions with the CBCBC, two alternatives to the original triangle Keats Landing Park proposal have been put forward for consideration.

The purpose of this report is to obtain direction on the proposed 1.1 hectare park dedication on DL 696 on Keats Island in response to a land use contract amendment and subdivision referral from the Islands Trust.

## **DISCUSSION**

In previous referrals the proposed park dedication in question was referred to as “Triangle Park” and the most recent referral from Islands Trust (dated February 8, 2017) refers to the parks as “Keats Landing Park”. For the purpose of this report, the proposed park options are referred to as Park Option 1, 2, and 3 respectively.

Figure 1, on the following page, shows the three proposed park option locations as submitted by the proponent’s representative. All the park options are 1.1 hectares in area.

- Park Option 1 – (in green) Proposed to the SCRD in 2005 bylaw referral
- Park Option 2 – (in red) Alternate proposal
- Park Option 3 – (in blue) Alternate proposal

Park Option 1 is located on the south side of the main road which runs east west on Keats Island (see Figure 1). The park is bounded by the main road to the north, a half road right-of-way (10 metres wide, instead of 20 metres wide) to the west and another road right-of-way to the east. The land gently slopes in a westerly direction. The land is dominated by mature second growth Douglas-fir forest and a variety of associated tree species. There is also a small wetland complex in the western portion of this proposed park location.

Park Option 2 is on the north side of the main road which runs east west on Keats Island (see Figure 1). The park is bounded by a hydro utility corridor to the south, CBCBC property to the north-west and the septic system for a pod of proposed subdivided CBCBC home properties to the north-east (see Figure 1). The land is dominated by mature second growth Douglas-fir forest and a variety of associated tree species.

Park Option 3 is bisected by power lines and contains a large wet area covering most of the property adjacent to the road (see Figure 1).



Figure 1 – Proposed Park Locations

### Options

This Committee may consider the following options:

**Option 1: Accept Park Option 1 with amended land use regulations.**

Staff recommend this option.

**Option 2: Accept Park Option 2 with land use regulations.**

The septic field and the overall accessibility of the park limit the future possibilities of this location. This land holds lesser environmental qualities for a park.

**Option 3: Accept Park Option 3 with land use regulations.**

Staff do not recommend accepting Park Option 3 as it is not suitable as park due to the wet location, and power lines running through its center. This land holds little environmental or functional value for a park.

*Analysis*

Site Selection

A community hall has emerged as a possible future use of the proposed park land. There is no imminent plan to construct a hall or develop the park. However, if a community hall proposal is presented in the future, staff would recommend drafting an agreement with the Islands Trust and community for hall development principles as a first step prior to engagement.

The CBCBC commissioned two environmental reports for Park Options 1 and 2 respectively (attached as Attachment B and Attachment C). Both reports were written by a registered professional biologist and the reports proposed identical recommendations to manage the two properties from an environmental perspective.

The first recommendation from the reports is to prevent the spread of invasive species. This aligns with the SCRD's direction to develop a corporate strategy for invasive plant management. The second and third recommendations are to avoid vehicle/bicycle access to the sites and protect any wetlands. The SCRD has no current plans to develop the sites and vehicle and bicycle access are not anticipated to be issues. The SCRD also adheres to any environmental legislation with regards to the wetland in the west corner of the park. The final recommendation is to post signage, which aligns with the SCRD's anticipated management of the proposed park lands.

Both Park Options 1 and 2 could potentially accommodate a future community hall and parking.

Park Option 1 would benefit from the half right-of-way which would be registered with the Ministry of Transportation and Infrastructure (MOTI). The small road/trail currently runs along the site's west and south boundaries and acts as a community access connecting the western portion of Keats with Hard to Come By Cove and other island destinations. The road would also act as a buffer between the park and the CBCBC property. The original park proposal also has the advantage of the 20 metre wide main road right-of-way running the length of its northwestern boundary. The proposed property has a wetland running through the western corner of the property which potentially limits future development in that section of the property.

Park Option 2 has an existing trail already running through it. Future development and usage of the site could be limited due to the proposed septic system to the northeast and the utility corridor to the south. The adjacent land (essentially Park Option 3) is also covered by a large wetland which could also limit future development.

The CBCBC indicated a preference for Park Option 2 due to additional separation offered by the utility corridor and the 20 metre road right-of-way from the Keats summer camp main areas. Both options are separated from the CBCBC main camp area by road rights-of-way.

The SCRD received ten letters and emails from the public subsequent to the January 2017 staff report. Eight indicated general support of the creation of a natural park area with the possibility of a future hall development. They generally cited the lack public property on the island, in particular public property located in a flat area as a reason for accepting the park. There was also support offered from one local association to help keep a park area clear of invasive species.

Two pieces of correspondence received did not support the location of the park due to concerns about overnight camping, fires, and garbage issues that may arise as a result of any dedication of park lands. These same concerns were expressed to SCRD staff by the CBCBC during the February 22<sup>nd</sup> site visit earlier this year.

The Gambier Island Trust Council Committee supports park dedication for a possible future community hall.

#### Land Use Limitations

In 2005 the SCRD Board recommended the acceptance of Parks Option 1 but did not accept land use limitations proposed in the bylaws. Those bylaws were not adopted at that time by Islands Trust.

Staff concur with the concerns expressed by the CBCBC and some residents that camping and fires should not be permitted uses in the park. Garbage has for the most part not been an issue in SCRD Keats Island parks in the past.

Staff highlight the fact the proposed land already contains invasive species.

#### Zoning

The Gambier Island Trust Committee proposes to amend zoning regulations for the proposed park dedication. The purpose of the amendment is to accommodate the desire for a future community hall and at the same time address the concerns of the CBCBC and other community members with regards to park usage.

Proposed Gambier Island Local Trust Committee Bylaw No. 143 Schedule 1 section 2.5 PART 4 – Zone Regulations, Section 4.9 Community Service 1 is proposed to be amended by a new section which is intended accommodate the park as follows:

#### *Site Specific Use and Density Regulations*

*.10 On land shown on Schedule B as site-specific zone CS1(a) [Keats Landing Park]:*

- 1. Despite Subsection 4.9.1, outdoor recreation use is not permitted;*
- 2. Despite subsection 4.9.2, neither a fire hall nor a community recreational playing field are permitted;*
- 3. A community hall is permitted;*
- 4. The maximum floor area of a community hall is 93 square metres (1000 square feet).”;*



Staff support the amendment subject to implementing the following changes:

Staff recommend the following changes:

- a) Delete “*outdoor recreation use is not permitted;*”
- b) Increase the maximum floor area of the community hall to 200 m<sup>2</sup>
- c) Add “Trails and associated day use infrastructure is permitted”
- d) Add “Camping and fires are not permitted”

Realistic consideration of future park usages should allow for limited trail development and other activities associated with passive public day usage. Currently the road to the west meets pedestrian needs in the area, but that could change if, for example, a community hall is built on the site and the community desires walking connectivity from the hall to other areas.

Fires and camping should specifically be excluded from park usages as public recreation camping needs on Keats Island are currently met by the Plumper Cove Provincial Marine Park and fires are not an appropriate activity within Keats Island SCRD parks.

Staff note that the 4.9.4 limits the halls potential floor area to 93 square meters which may be too small for a community hall to serve the future needs of the Keats community. It is therefore recommended to be increased the maximum floor area to 200 square metres.

#### *Organizational and Intergovernmental Implications*

The Gambier Island Local Trust Committee has indicated that it supports the park dedication option with the land owned by the SCRD. If the land is accepted future planning between the SCRD and Islands Trust will be required to determine if or when the park is developed, including the potential construction of a community hall.

In the future if a local community association wishes to construct a community hall on the island there could be partnership opportunities with the SCRD. If the park dedication is approved, the land can be accepted with the understanding that there is no imminent plan to construct a hall.

#### *Financial Implications*

SCRD Park service levels in the proposed park are planned to be very limited and correspond with standards for a wilderness/natural type area. Service levels will include the installation of signage at the appropriate park boundaries informing public of the parks current purpose as a natural area. Also necessary will be a danger tree assessment and one or two SCRD staff site visits per year.

Staff would coordinate the site visits with other SCRD parks on Keats Island. In addition the park could be under the supervision of a locally based contractor who could act on behalf of the SCRD should it be necessary and assist with maintenance of other SCRD parks on Keats Island. The cost would depend on the amount of work needed, based on an estimate of \$50 per hour.

If the Board moves forward with the park dedication then staff would include this parks management and the requisite resources outlined above as part of an overall asset management program currently under development. Once developed that asset management plan would be brought forward in a future report to the Board. Staff note that park land dedications engender ongoing maintenance costs and that, subject to confirming service levels, will drive a need for increased base budget.

## **STRATEGIC PLAN AND RELATED POLICIES**

The SCRCD Parks and Recreation Master Plan (2014) sets out the following key recommendation:

Establish criteria and acquire additional parkland where environmental and recreation resources need to be protected and where there are gaps in park-related services.

## **CONCLUSION**

The CBCBC has offered three choices of park land to dedicate through subdivision of DL 696.

Islands Trust and members of the community support the acquisition of park property that leaves open the future opportunity for the development of a community hall on Keats Island.

Park Option 1, located on the south side of the main Keats road and bounded on three sides by public rights-of-way is recommended by staff to be the most suitable property of the three options.

The SCRCD has no current plans to develop the park and it would remain in its natural state until such time as there was a community need to develop the property and not before extensive community consultation.

## ***Attachments***

Attachment A – Keats Island Proposed and Existing Parks and Nature Areas Locations

Attachment B – Environmental Report – South Parcel (Option 1) – July 2, 2016

Attachment C – Environmental Report – North Parcel (Option 2) – July 4, 2016

Reviewed by:			
Manager	X - A. Allen	Finance	
GM	X - I. Hall	Legislative	
CAO	X - J. Loveys	Other	X - K. Robinson





July 2, 2016

Kevin Healey  
Creus Engineering Ltd.  
Suite 200 - 901 West 16th Street  
North Vancouver, British Columbia  
V7P 1R2

Dear Mr. Healey,

**Re: Wildlife and Vegetation Assessment of Keats Road South Parcel, Keats Island, BC**

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## **1.0 BACKGROUND**

Sartori Environmental Services (SESL) along with Bianchini Biological Services (BBS) conducted a terrestrial environmental assessment of an approximately 1.6 hectare (ha) proposed park situated southeast of the intersection of Keats Road and a BC Hydro (BCH) right-of-way (ROW), Keats Island, BC (Attachments 1 and 2).

Field work was undertaken for this assessment on April 15, 2016. The site was assessed for occurrences of species listed under the federal *Species at Risk Act* (SARA), provincially Red and Blue-listed species and for general wildlife and vegetation species as well as raptor/heron nests and current wildlife use.

The study area fell within the Georgia Depression Ecoprovince, Lower Mainland Ecoregion, Georgia Lowland Ecoregion. The study area was situated in the Eastern Very Dry Maritime Coastal Western Hemlock Biogeoclimatic subzone (CWHxm1).

## **2.0 METHODS**

Prior to the field assessment, a literature search was conducted covering the western Keats Island area, including British Columbia Conservation Data Centre (BCCDC) searches, BC Geographic Warehouse online iMap, South Coast Conservation Program (SCCP) and local knowledge. The BCCDC website was searched for all species listed under the SARA, Committee on the Status of Endangered Wildlife in Canada (COSEWIC), Provincial Identified Wildlife and the Provincial Wildlife Act that are suspected to occur within habitats identified within 2.0 km of the study area. In addition, species listed as Red and Blue-listed by the BCCDC but not specifically covered under legislation were also included.

Random transects were surveyed through the study area during the site assessment. Vegetation species within the site was identified and recorded. In addition, the presence of coarse woody debris (CWD), wildlife trees, dens, burrows and other habitat features were also recorded.

Potential raptor/heron nest trees were scanned visually with binoculars. All wildlife and wildlife sign encountered was recorded.

### 3.0 FEDERALLY AND PROVINCIALLY LISTED SPECIES OF CONCERN

Six federally and/or provincially listed species whose geographic ranges overlap the subject property and preferred habitats may occur within the Keats Island study area. These species are listed in Table 1.

**Table 1: Federally and/or provincially listed species that occur or may occur within the study area based on BCCDC records and local knowledge (SARA 2016 and BCCDC 2016). Likelihood of occurrence within the study area based on the field assessment results is also indicated.**

Species	Federal/ Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA*	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use
<b>Vertebrates: Birds</b>						
Great Blue Heron ( <i>Ardea herodias fannini</i> )	SC (Mar 2008)	Blue	SC (Feb 2010)	Yes (May 2004)	X	<b>Suitable</b> – Mature trees within the study area provided potential nesting sites.
Northern Goshawk, ( <i>Accipiter gentilis laingi</i> )	T (Apr 2013)	Red	T (Jun 2003)	Yes (May 2004)	X	<b>Potential</b> - Mature trees within the study area provided limited potential nesting sites.
Band-tailed Pigeon ( <i>Patagioenas fasciata</i> )	SC (Nov 2008)	Blue	SC (Feb 2011)		X	<b>Suitable</b> - Breeding habitat may occur within the within the study area and adjacent conifer-dominated forests.
Western Screech-Owl ( <i>Megascops kennicottii kennicottii</i> )	T (May 2012)	Blue	SC (Jan 2005)		X	<b>Potential</b> - Breeding habitat may occur within the within the study area and adjacent conifer-dominated forests.
Olive-sided Flycatcher ( <i>Contopus cooperi</i> )	T (Nov 2007)	Blue	T (Feb 2010)		X	<b>Suitable</b> – Have been recorded on Keats Island. Potential breeding habitat may occur along habitat edges.
<b>Vertebrates: Mammals</b>						
Little Brown Myotis ( <i>Myotis lucifugus</i> )	E (Nov 2013)	Yellow	-	-	X	<b>Suitable</b> - Have been recorded on Keats Island. Potential roosting

						habitat may occur within the mature trees of the study area.
*SC=Special Concern	T=Threatened		E=Endangered			NAR=Not at Risk
**Red= Extirpated, Endangered or Threatened			Blue= Special Concern			Yellow=Not at Risk

## 4.0 RESULTS

### 4.1 Vegetation Overview

The Conifer Forest Vegetation Type (CFVT) was identified within the study area. Representative photographs of the CFVT can be found in Attachment 3. A list of observed vegetation is included in Attachment 4.

The CFVT was upland forest dominated by mature second-growth Douglas-fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*) and western hemlock (*Tsuga heterophylla*) with lesser components of bigleaf maple (*Acer macrophyllum*), red alder (*Alnus rubra*) and grand fir (*Abies grandis*). The dense tree canopy (>50%) in most areas resulted in sparse shrub cover (<5%) with salmonberry (*Rubus spectabilis*) and red huckleberry (*Vaccinium parvifolium*). The herbaceous understorey in these areas were dominated by sword fern (*Polystichum munitum*). The edges and openings within this vegetation type were very shrubby and included species such as salal (*Gaultheria shallon*), thimbleberry (*Rubus parviflorus*) and dull Oregon-grape (*Mahonia nervosa*) (Attachment 3; Photographs 1 and 2). Invasive species such as English holly (*Ilex aquifolium*) and Himalayan blackberry (*Rubus armeniacus*) were also detected. Moderate (10%) CWD cover and occasional wildlife trees were observed within this vegetation type (Attachment 3; Photograph 3).

Within the CFVT a skunk cabbage (*Lysichiton americanus*) wetland complex was observed near the west end of the study area (Attachment 2: Attachment 3; Photograph 4) this linear wetland originated near the centre of the study area and extended for approximately 180 m west where it ended at Keats Road.

### 4.2 Potential Vegetation Species and Ecological Communities with Special Federal/Provincial Status that May Occur in the Study Area

#### 4.2.1 Vegetation Species

A comprehensive search of the BCCDC database for Red-listed, Blue-listed or SARA-listed vegetation species was conducted. No BCCDC or SARA listed vegetation species were detected or are known to occur within the study area.

#### 4.2.2 Ecological Communities

The forested portions within the study area were second growth stands. Of the 15 forested ecological communities identified within the CWHxm1, 14 have been identified as either Red or Blue-listed by the BCCDC. The study area was classified as the Blue-listed Western Redcedar / Sword Fern (Site Series 05) ecological community.

#### 4.2.3 Sensitive Ecosystem Inventory (SEI) Mapping

Keats Island was mapped as part of the Bowen/Gambier Trust Areas SEI Project. One polygon (H1872A) encompassed the study area and was mapped as Second-growth:mixed (SG:mx) (Attachment 5).

#### 4.2.4 General Wildlife Observations

Wildlife sign and activity was recorded throughout the study area during the field assessment. Songbirds were observed flying and feeding and individuals were detected singing in vegetation throughout the site. Extensive Pileated Woodpecker (*Dryocopus pileatus*) foraging sign was observed on several wildlife trees (Attachment 3; Photograph 3). One Coastal Black-tailed Deer (*Odocoileus hemionus columbianus*) was observed within the subject property during the site assessment. Deer sign observed at the site included beds, browse and pellets (Attachment 3; Photograph 5). All wildlife species detected are listed in Attachment 6.

### 4.3 Wildlife Habitat Assessment

Habitats were assessed for the six wildlife species listed in Table 1. The following are the results of the habitat assessment for each of the six species.

#### 4.3.1 Great Blue Heron

Great Blue Heron's occur on Keats Island. Although breeding has not been reported on Keats Island, the mature forested stands of the study area provided potential breeding habitat.

#### 4.3.2 Band-tailed Pigeon

No Band-tailed Pigeons were detected during the field program. The varied canopy structure of the stands within the study area provided potential breeding habitat for this species.

#### 4.3.3 Northern Goshawk

Northern Goshawks were not observed during the site assessment. The second-growth stands of the study area provided limited breeding habitat for this species. Goshawks may occasionally occur within the study area during the breeding, migratory or wintering seasons.

#### 4.3.4 Western Screech-Owl

No Western Screech-owls have been detected during the field assessment. Although Western Screech-owl have not been reported on Keats Island, the mature forest of the study area provided potential breeding and roosting habitat for this owl species.

#### 4.3.5 Olive-sided Flycatcher

Although not detected during the site assessment, Olive-sided Flycatcher have been reported on Keats Island (Beard 2012). No breeding records for this species occur within the islands in Howe Sound. The Olive-sided Flycatcher is an edge-associated species and potential nesting habitat would occur along the edges of the study area.

#### 4.3.6 Little Brown Myotis

This bat species has been reported on Keats Island (Beard 2012). The mature trees of the study area provide potential roosting habitat for this species.

### 4.4 Wildlife Corridors

Wildlife corridors were observed along the skunk cabbage wetland complex within the study area.

## 5.0 CONCLUSIONS AND DISCUSSION

### 5.1 Vegetation, Ecological Communities and SEI Mapping

No SARA listed vegetation species were detected during the field program. Most of the study area was classified as the Blue-listed Western Redcedar / Sword Fern (Site series 05) ecological community. The study area was also identified as a sensitive ecosystem under the Bowen/Gambier SEI Project which classified the site as mainly mixed second-growth habitat.

### 5.2 Wildlife

Potential breeding habitat for the SARA and provincially listed Band-tailed Pigeon was identified within the study area. In addition, the mature trees may provide breeding habitat for Great Blue Heron, Northern Goshawk, Western Screech-owl and Little Brown Myotis. Edge habitats and open areas may provide breeding habitat for Olive-sided Flycatcher. Sign of passerines and woodpeckers were also detected within the study area.

In addition, the skunk cabbage wetland complex provide suitable rearing habitat for amphibians such as Pacific chorus frog (*Pseudacris regilla*) and ensatina salamander (*Ensatina eschscholtzii*). Both species have been recorded on Keats Island (Beard 2012).

### 5.3 Wildlife Corridors

Wildlife corridors were observed within the study area, particularly along the skunk cabbage wetland complex. These corridors provided mammals access to foraging sites and secure areas from potential predators and human disturbance.

### 5.4 Legislation

Under the provincial *Wildlife Act* all native wildlife species listed in the Act are protected. Under the SARA all listed wildlife and plants are protected. In addition, defined critical habitats on federal lands are also protected. Although the SARA does not protect habitats on private lands *The Canada-BC Agreement on Species at Risk* (2005) gives the province and local governments, the first opportunity to prevent the up-listing of any species listed in the Act. If local governments do not prevent the up-listing of a species then the Minister of Environment may order that the provisions of Sections 32 and 33 of SARA apply to the species of concern. To date no critical habitats have been defined for the above mentioned species and as such management options are suggested in the most recent BMPs available for each species.

## 6.0 RECOMMENDATIONS

The following recommendations should be implemented by a Qualified Environmental Professional (QEP).

### 6.1 Vegetation and Ecological Communities

The following recommendations should be implemented to protect habitat for sensitive vegetation species and ecosystems:

- Prevent the spread of invasive species through public education and consider removing, where possible, all invasive plant species such as English holly and Himalayan blackberry. If replanting of vegetation is required then use only native plant species. These measures



will protect the values of the Blue-listed Western Redcedar / Sword Fern ecological community.

## **6.2 Terrestrial Wildlife**

The following recommendations should be implemented to protect and improve habitat for the above mentioned species as well as all other terrestrial wildlife species:

- Avoid vehicle and bicycle access into the area to limit disturbance to wildlife.
- Protect the skunk cabbage wetland complex from disturbance to protect habitat for amphibians and other wildlife.
- Post signage to describe the environmental values if the area is to be considered for any type of development.

I trust that this wildlife and vegetation assessment is sufficient for your purposes at this time. If you have any questions or concerns, please contact Claudio Bianchini at (604) 219-9699 or Alex Sartori at (604) 987-5588.

Sincerely,



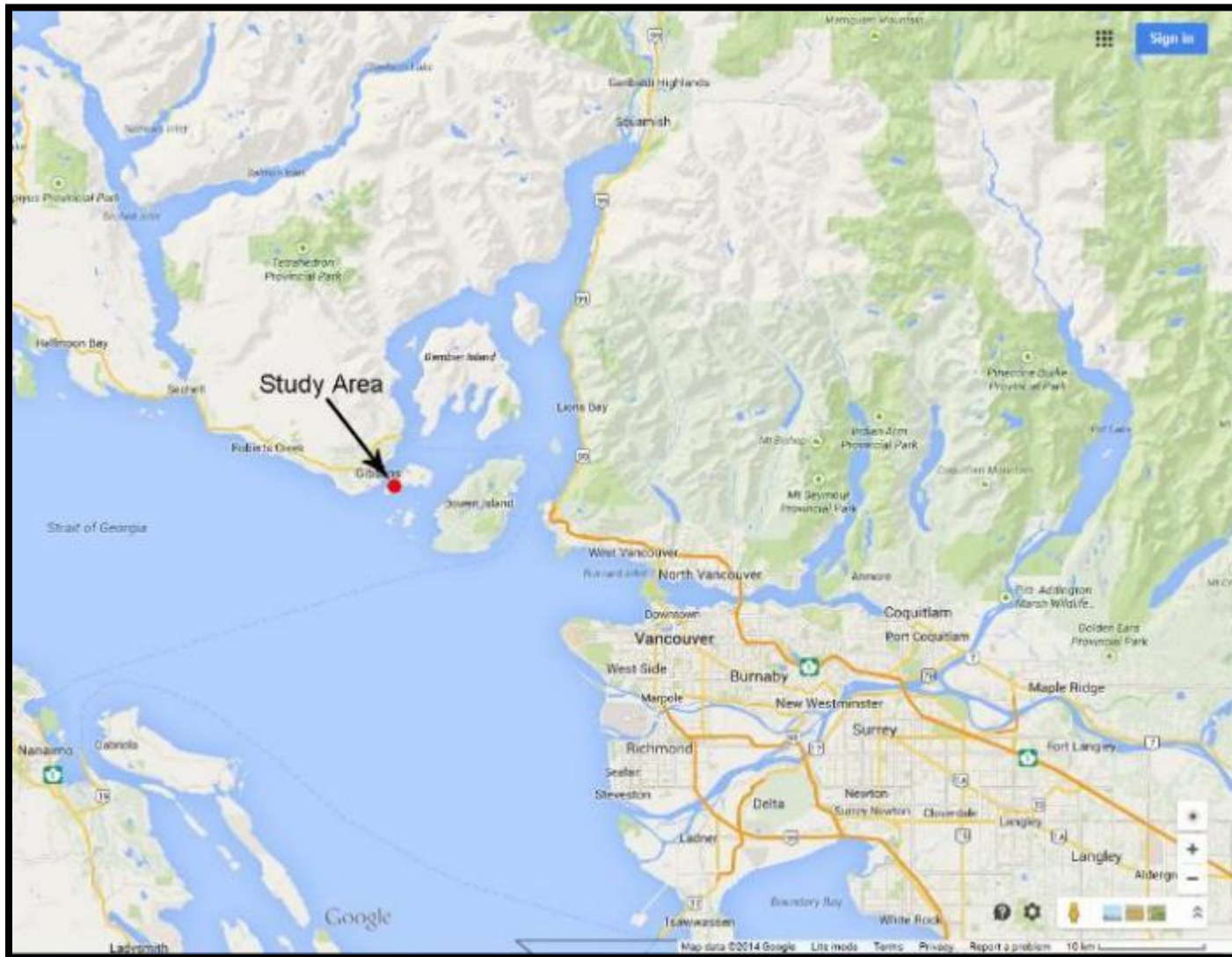
**J. Alex Sartori, RP Bio.**

## 7.0 REFERENCES

- Beard, Richard. 2012. Condensed Assessment of Community Park #5 (also known as 33 acre park) on Keats Island, British Columbia Submitted August 11th, 2012. Unpublished report to Keats Island Conservation Group (KICG). 10pp
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## ATTACHMENTS

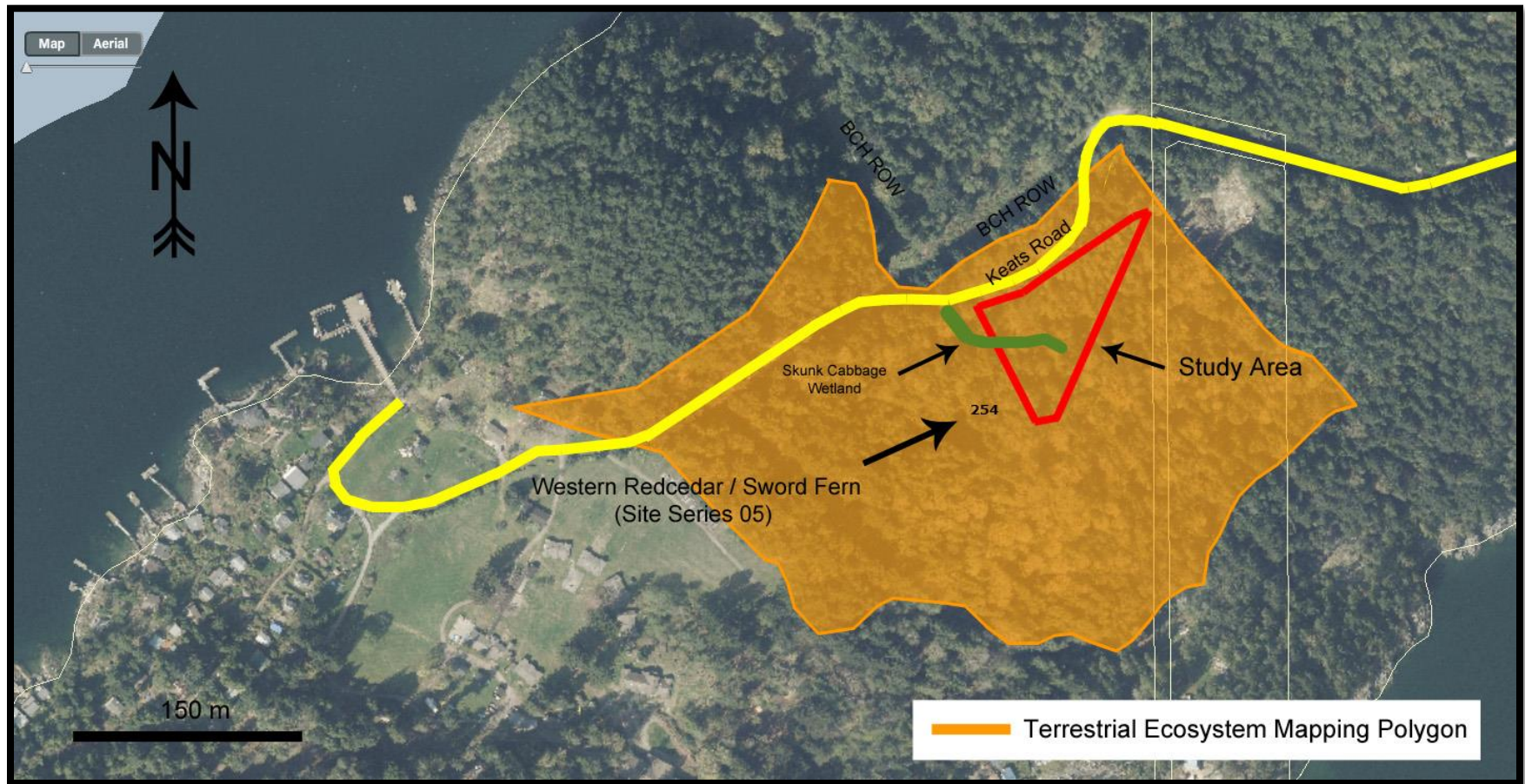
### Attachment 1: General Location



General location of the study area in relation to the Lower Mainland and Sunshine Coast (Google Maps 2014).



## Attachment 2: Terrestrial Ecosystem Mapping



Modified graphic showing Terrestrial Ecosystem Mapping Polygon (254) that overlaps the study area (Islands Trust 2016).



### Attachment 3: Photographs



Photograph 1. CFVT within the study area (April 15, 2016).



Photograph 2. Typical understorey of the CFVT within the study area (April 15, 2016).



**Attachment 3 (continued)**



Photograph 3. Wildlife trees with Pileated Woodpecker forage sign observed within the CFVT (April 15, 2016).



Photograph 4. Skunk cabbage wetland complex observed within the study area (April 15, 2016).



**Attachment 3 (concluded)**



Photograph 5. Coastal Black-tailed deer bed observed within the study area (April 15, 2016).



## Attachment 4: Vegetation Species Detected

Vegetation species detected within the study area during the spring field assessment (April 15, 2016).

Species	Scientific Name*
<b>Tree Layer<sup>1</sup>:</b>	
Bigleaf Maple	<i>Acer macrophyllum</i>
Douglas-fir	<i>Pseudotsuga menziesii</i>
Grand Fir	<i>Abies grandis</i>
Red Alder	<i>Alnus rubra</i>
Western Hemlock	<i>Tsuga heterophylla</i>
Western Redcedar	<i>Thuja plicata</i>
<b>Shrub Layer<sup>2</sup>:</b>	
Douglas-fir	<i>Pseudotsuga menziesii</i>
English Holly**	<i>Ilex aquifolium</i>
Grand Fir	<i>Abies grandis</i>
Himalayan Blackberry**	<i>Rubus armeniacus</i>
Oceanspray	<i>Holodiscus discolor</i>
Red Elderberry	<i>Sambucus racemosa</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Salal	<i>Gaultheria shallon</i>
Salmonberry	<i>Rubus spectabilis</i>
Western Redcedar	<i>Thuja plicata</i>
<b>Herb Layer:</b>	
Bunchberry	<i>Cornus canadensis</i>
Common Foxglove	<i>Digitalis purpurea</i>
Common Horsetail	<i>Equisetum arvense</i>
Dull Oregon-grape	<i>Mahonia nervosa</i>
Grasses	<i>Gramnoids spp.</i>
Lady Fern	<i>Athyrium filix-femina</i>
Rush	<i>Scirpus sp.</i>
Sedge	<i>Carex Sp.</i>
Skunk Cabbage	<i>Lysichiton americanus</i>
Spiny Wood Fern	<i>Dryopteris expansa</i>
Sweet-scented Bedstraw	<i>Galium triflorum</i>
Sword Fern	<i>Polystichum munitum</i>

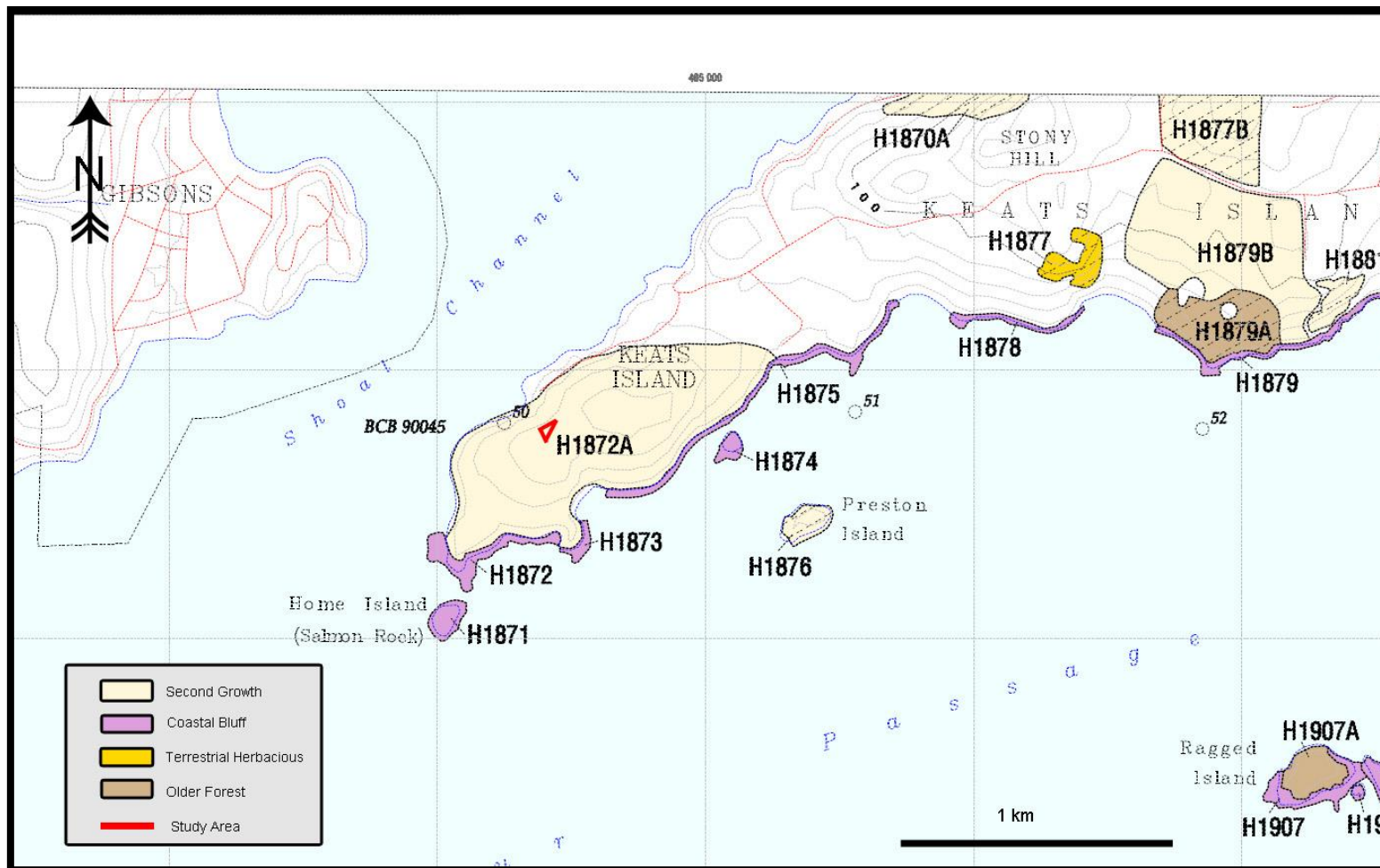
<sup>1</sup> Tree Layer: Woody plants >2m in height

<sup>2</sup> Shrub Layer: Woody plants 0-2m in height

\* Scientific and common names from Klinkenberg 2006 (E-Flora BC)

\*\*Introduced/Invasive Species

## Attachment 5: SEI Mapping



SEI Mapping for the Bowen/Gambier Trust Areas (BCCDC 1998).

## Attachment 6: Wildlife Species Detected

Wildlife species detected within the study area (April 15, 2016).

Species	Scientific Name
<b>Birds:</b>	
American Robin <sup>1,2</sup>	<i>Turdus migratorius</i>
Black-throated Gray Warbler <sup>2</sup>	<i>Setophaga nigrescens</i>
Brown Creeper <sup>2</sup>	<i>Certhia Americana</i>
Chestnut-backed Chickadee <sup>1,2</sup>	<i>Poecile rufescens</i>
Common Raven <sup>2,3</sup>	<i>Corvus corax</i>
Golden-crowned Kinglet <sup>2</sup>	<i>Regulus satrapa</i>
Pacific Wren <sup>2</sup>	<i>Troglodytes pacifica</i>
Pileated Woodpecker <sup>2,4</sup>	<i>Dryocopus pileatus</i>
Red-breasted Sapsucker <sup>4</sup>	<i>Sphyrapicus ruber</i>
Rufous Hummingbird <sup>1,2</sup>	<i>Selasphorus rufus</i>
Spotted Towhee <sup>1,2</sup>	<i>Pipilo maculatus</i>
Steller's Jay <sup>2</sup>	<i>Cyanocitta stelleri</i>
Yellow-rumped Warbler <sup>2</sup>	<i>Dendroica coronata</i>
<b>Mammals:</b>	
Coastal Black-tailed Deer <sup>4,5,6</sup>	<i>Odocoileus hemionus columbianus</i>
Douglas' Squirrel <sup>1,2</sup>	<i>Tamiasciurus douglasii</i>
<b>Invertebrates:</b>	
Banana Slug <sup>1</sup>	<i>Ariolimax columbianus</i>

<sup>1</sup>Heard

<sup>2</sup>Seen

<sup>3</sup>Overflight

<sup>4</sup> Foraging Sign

<sup>5</sup> Tracks

<sup>6</sup> Scats/Pellets



July 4, 2016

Kevin Healey  
Creus Engineering Ltd.  
Suite 200 - 901 West 16th Street  
North Vancouver, British Columbia  
V7P 1R2

Dear Mr. Healey,

**Re: Wildlife and Vegetation Assessment of Keats Road North Parcel, Keats Island, BC**

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## **1.0 BACKGROUND**

Bianchini Biological Services (BBS) was retained by Sartori Environmental Services Limited (SESL) to conduct a terrestrial environmental assessment of an approximately 1.2 hectare (ha) proposed park situated northeast of the intersection of Keats Road and a BC Hydro (BCH) right-of-way (ROW), Keats Island, BC (**Attachments 1 and 2**).

BBS undertook the field work for this assessment on April 15, 2016. The site was assessed for occurrences of species listed under the federal *Species at Risk Act* (SARA), provincially Red and Blue-listed species and for general wildlife and vegetation species as well as raptor/heron nests and current wildlife use.

The study area fell within the Georgia Depression Ecoprovince, Lower Mainland Ecoregion, Georgia Lowland Ecoregion. The study area was situated in the Eastern Very Dry Maritime Coastal Western Hemlock Biogeoclimatic subzone (CWHxm1).

## **2.0 METHODS**

Prior to the field assessment, a literature search was conducted covering the western Keats Island area, including British Columbia Conservation Data Centre (BCCDC) searches, BC Geographic Warehouse online iMap, South Coast Conservation Program (SCCP) and local knowledge. The BCCDC website was searched for all species listed under the SARA, Committee on the Status of Endangered Wildlife in Canada (COSEWIC), Provincial Identified Wildlife and the Provincial Wildlife Act that are suspected to occur within habitats identified within 2.0 km of the study area. In addition, species listed as Red and Blue-listed by the BCCDC but not specifically covered under legislation were also included.

Random transects were surveyed through the study area during the site assessment. Vegetation species within the site was identified and recorded. In addition, the presence of coarse woody debris (CWD), wildlife trees, dens, burrows and other habitat features were also recorded.

Potential raptor/heron nest trees were scanned visually with binoculars. All wildlife and wildlife sign encountered was recorded.

### 3.0 FEDERALLY AND PROVINCIALY LISTED SPECIES OF CONCERN

Six federally and/or provincially listed species whose geographic ranges overlap the subject property and preferred habitats may occur within the Keats Island study area. These species are listed in Table 1.

**Table 1: Federally and/or provincially listed species that occur or may occur within the study area based on BCCDC records and local knowledge (SARA 2016 and BCCDC 2016). Likelihood of occurrence within the study area based on the field assessment results is also indicated.**

Species	Federal/ Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA *	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use
<b>Vertebrates: Birds</b>						
Great Blue Heron ( <i>Ardea herodias fannini</i> )	SC (Mar 2008)	Blue	SC (Feb 2010)	Yes (May 2004)	X	<b>Suitable</b> – Mature trees within the study area provided potential nesting sites.
Northern Goshawk, ( <i>Accipiter gentilis laingi</i> )	T (Apr 2013)	Red	T (Jun 2003)	Yes (May 2004)	X	<b>Potential</b> - Mature trees within the study area provided limited potential nesting sites.
Band-tailed Pigeon ( <i>Patagioenas fasciata</i> )	SC (Nov 2008)	Blue	SC (Feb 2011)		X	<b>Suitable</b> - Breeding habitat may occur within the within the study area and adjacent conifer-dominated forests.
Western Screech-Owl ( <i>Megascops kennicottii kennicottii</i> )	T (May 2012)	Blue	SC (Jan 2005)		X	<b>Potential</b> - Breeding habitat may occur within the within the study area and adjacent conifer-dominated forests.
Olive-sided Flycatcher ( <i>Contopus cooperi</i> )	T (Nov 2007)	Blue	T (Feb 2010)		X	<b>Suitable</b> – Have been recorded on Keats Island. Potential breeding habitat may occur along habitat edges.
<b>Vertebrates: Mammals</b>						
Little Brown Myotis ( <i>Myotis lucifugus</i> )	E (Nov 2013)	Yellow	-	-	X	<b>Suitable</b> - Have been recorded on Keats Island. Potential roosting habitat may occur within the mature trees of the study area.

\*SC=Special Concern

T=Threatened

E=Endangered

NAR=Not at Risk

\*\*Red= Extirpated, Endangered or Threatened

Blue= Special Concern

Yellow=Not at Risk

## 4.0 RESULTS

### 4.1 Vegetation Overview

The Conifer Forest Vegetation Type (CFVT) was identified within the study area. Representative photographs of the CFVT can be found in Attachment 3. A list of observed vegetation is included in Attachment 4.

The CFVT was upland forest dominated by mature second-growth Douglas-fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*) and western hemlock (*Tsuga heterophylla*) with lesser components of bigleaf maple (*Acer macrophyllum*), red alder (*Alnus rubra*) and grand fir (*Abies grandis*). The dense tree canopy (>50%) in most areas resulted in sparse shrub cover (<5%) with salmonberry (*Rubus spectabilis*) and red huckleberry (*Vaccinium parvifolium*). The herbaceous understorey in these areas were dominated by sword fern (*Polystichum munitum*). The edges and openings within this vegetation type were very shrubby and included species such as salal (*Gaultheria shallon*), thimbleberry (*Rubus parviflorus*) and dull Oregon-grape (*Mahonia nervosa*) (**Attachment 3; Photographs 1 and 2**). Invasive species such as English holly (*Ilex aquifolium*) and Himalayan blackberry (*Rubus armeniacus*) were also detected. Moderate (10%) CWD cover and occasional wildlife trees were observed within this vegetation type (**Attachment 3; Photograph 3**). Recreation trails were observed within the CFVT (**Attachment 3; Photograph 4**). No watercourses or wetted areas were observed within the study area.

### 4.2 Potential Vegetation Species and Ecological Communities with Special Federal/Provincial Status that May Occur in the Study Area

#### 4.2.1 Vegetation Species

A comprehensive search of the BCCDC database for Red-listed, Blue-listed or SARA-listed vegetation species was conducted. No BCCDC or SARA listed vegetation species were detected or are known to occur within the study area.

#### 4.2.2 Ecological Communities

The forested portions within the study area were second growth stands. Of the 15 forested ecological communities identified within the CWHxm1, 14 have been identified as either Red or Blue-listed by the BCCDC. The study area was classified as the Red-listed Western Hemlock - Douglas-fir / Oregon-beaked Moss (Site Series 01) ecological community.

#### 4.2.3 Sensitive Ecosystem Inventory (SEI) Mapping

Keats Island was mapped as part of the Bowen/Gambier Trust Areas SEI Project. One polygon (H1872A) encompassed the study area and was mapped as Second-growth:mixed (SG:mx) (Attachment 5).

## 4.3 Wildlife Habitat Assessment

Habitats were assessed for the six wildlife species listed in Table 1. The following are the results of the habitat assessment for each of the six species.

#### 4.3.1 Great Blue Heron

Great Blue Herons occur on Keats Island. Although breeding has not been reported on Keats Island, the mature forested stands of the study area provided potential breeding habitat.

#### 4.3.2 Band-tailed Pigeon

No Band-tailed Pigeons were detected during the field program. The varied canopy structure of the stands within the study area provided potential breeding habitat for this species.

#### 4.3.3 Northern Goshawk

Northern Goshawks were not observed during the site assessment. The second-growth stands of the study area provided limited breeding habitat for this species. Goshawks may occasionally occur within the study area during the breeding, migratory or wintering seasons.

#### 4.3.4 Western Screech-Owl

No Western Screech-owls have been detected during the field assessment. Although Western Screech-owl have not been reported on Keats Island, the mature forest of the study area provided potential breeding and roosting habitat for this owl species.

#### 4.3.5 Olive-sided Flycatcher

Although not detected during the site assessment, Olive-sided Flycatcher have been reported on Keats Island (Beard 2012). No breeding records for this species occur within the islands in Howe Sound. The Olive-sided Flycatcher is an edge-associated species and potential nesting habitat would occur along the edges of the study area.

#### 4.3.6 Little Brown Myotis

This bat species has been reported on Keats Island (Beard 2012). The mature trees of the study area provide potential roosting habitat for this species.

#### 4.3.7 General Wildlife Observations

Wildlife sign and activity was recorded throughout the study area during the field assessment. Songbirds were observed flying and feeding and individuals were detected singing in vegetation throughout the site. Extensive Pileated Woodpecker (*Dryocopus pileatus*) foraging sign was observed on several wildlife trees (**Attachment 3; Photograph 3**). Sign of coastal black-tailed deer (*Odocoileus hemionus columbianus*), raccoon (*Procyon lotor*) and Douglas' squirrel (*Tamiasciurus douglasii*) were observed within the subject property during the site assessment. All wildlife species detected are listed in **Attachment 6**.

#### 4.3.8 Wildlife Corridors

Wildlife corridors were observed along recreation trails within the study area.

### 5.0 CONCLUSIONS AND DISCUSSION

#### 5.1 Vegetation, Ecological Communities and SEI Mapping

No SARA listed vegetation species were detected during the field program. Most of the study area was classified as the Red-listed Western Hemlock - Douglas-fir / Oregon-beaked Moss (Site Series 01) ecological community. The study area was also identified as a sensitive ecosystem under the Bowen/Gambier SEI Project which classified the site as mainly mixed second-growth habitat.



## 5.2 Wildlife

Potential breeding habitat for the SARA and provincially listed Band-tailed Pigeon was identified within the study area. In addition, the mature trees may provide breeding habitat for Great Blue Heron, Northern Goshawk, Western Screech-owl and Little Brown Myotis. Edge habitats and open areas may provide breeding habitat for Olive-sided Flycatcher. Sign of deer, raccoon, squirrel, passerines and woodpeckers were also detected within the study area.

## 5.3 Wildlife Corridors

Wildlife corridors were observed within the study area, particularly along the recreation trails. These corridors provided mammals access to foraging sites and secure areas from potential predators and human disturbance.

## 5.4 Legislation

Under the provincial *Wildlife Act* all native wildlife species listed in the Act are protected. Under the SARA all listed wildlife and plants are protected. In addition, defined critical habitats on federal lands are also protected. Although the SARA does not protect habitats on private lands *The Canada-BC Agreement on Species at Risk* (2005) gives the province and local governments, the first opportunity to prevent the up-listing of any species listed in the Act. If local governments do not prevent the up-listing of a species then the Minister of Environment may order that the provisions of Sections 32 and 33 of SARA apply to the species of concern. To date no critical habitats have been defined for the above mentioned species and as such management options are suggested in the most recent BMPs available for each species.

## 6.0 RECOMMENDATIONS

The following recommendations should be implemented by a Qualified Environmental Professional (QEP).

### 6.1 Vegetation and Ecological Communities

The following recommendations should be implemented to protect habitat for sensitive vegetation species and ecosystems:

- Prevent the spread of invasive species through public education and consider removing, where possible, all invasive plant species such as English holly and Himalayan blackberry. If replanting of vegetation is required then use only native plant species. These measures will protect the values of the Red-listed Western Hemlock - Douglas-fir / Oregon-beaked Moss (Site Series 01) ecological community.

### 6.2 Terrestrial Wildlife

The following recommendations should be implemented to protect and improve habitat for the above mentioned species as well as all other terrestrial wildlife species:

- Avoid vehicle and bicycle access into the area to limit disturbance to wildlife.
- Protect the skunk cabbage wetland complex from disturbance to protect habitat for amphibians and other wildlife.



- Post signage to describe the environmental values if the area is to be considered for any type of development.

I trust that this wildlife and vegetation assessment is sufficient for your purposes at this time. If you have any questions or concerns, please contact Claudio Bianchini at (604) 219-9699 or Alex Sartori at (604) 987-5588.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Alex Sartori', with a stylized flourish at the end.

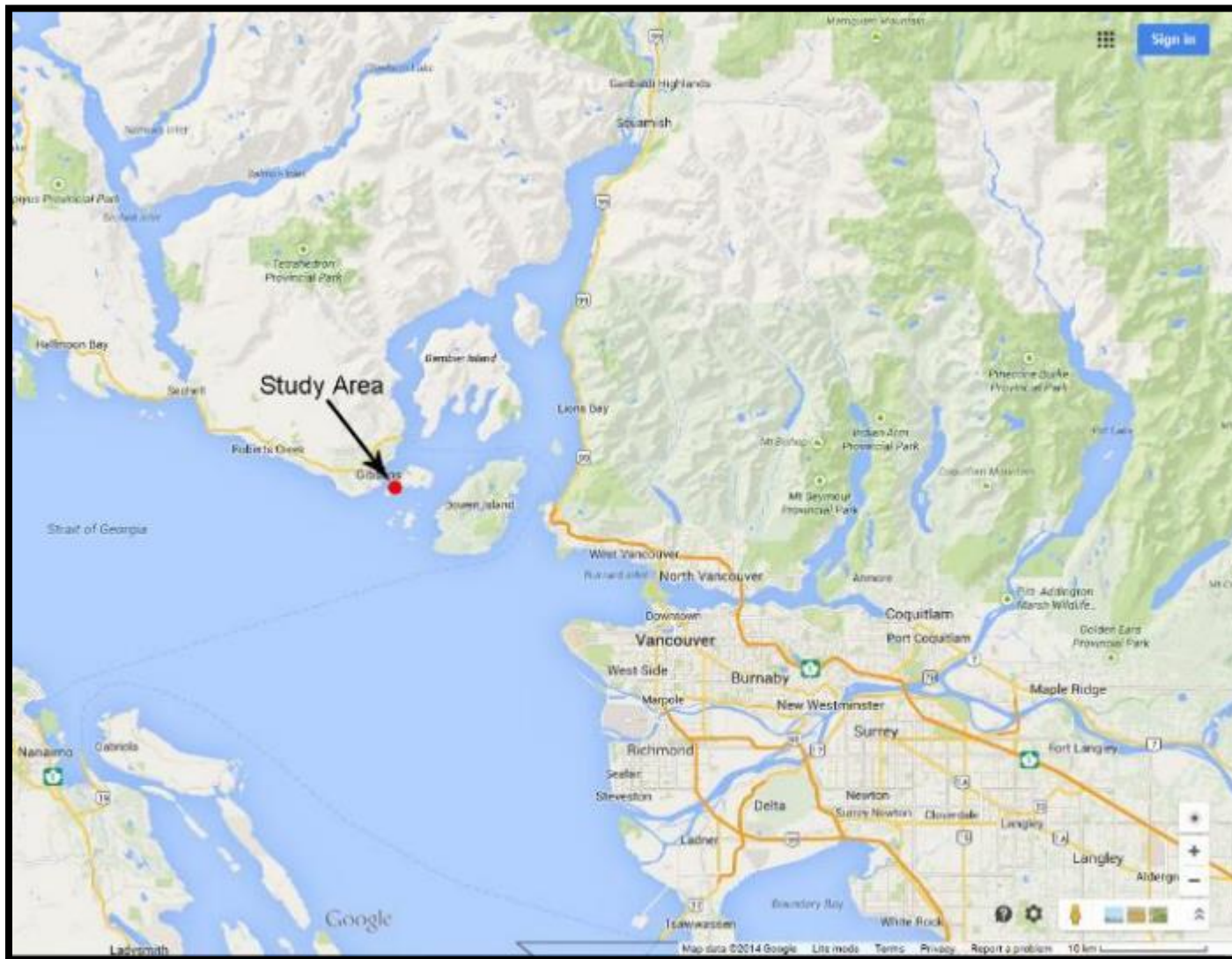
**J. Alex Sartori, RP Bio.**

## 7.0 REFERENCES

- Beard, Richard. 2012. Condensed Assessment of Community Park #5 (also known as 33 acre park) on Keats Island, British Columbia Submitted August 11th, 2012. Unpublished report to Keats Island Conservation Group (KICG). 10pp
- BC Conservation Data Centre (BCCDC) 2016. BC Species and Ecosystems Explorer. Victoria, BC, Canada. <http://srmapps.gov.bc.ca/apps/eswp/>.
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- Klinkenberg, Brian. (Editor) 2006. E-Flora BC: Electronic Atlas of the Plants of British Columbia [www.eflora.bc.ca]. Lab for Advanced Spatial Analysis, Department of Geography, University of British Columbia, Vancouver.
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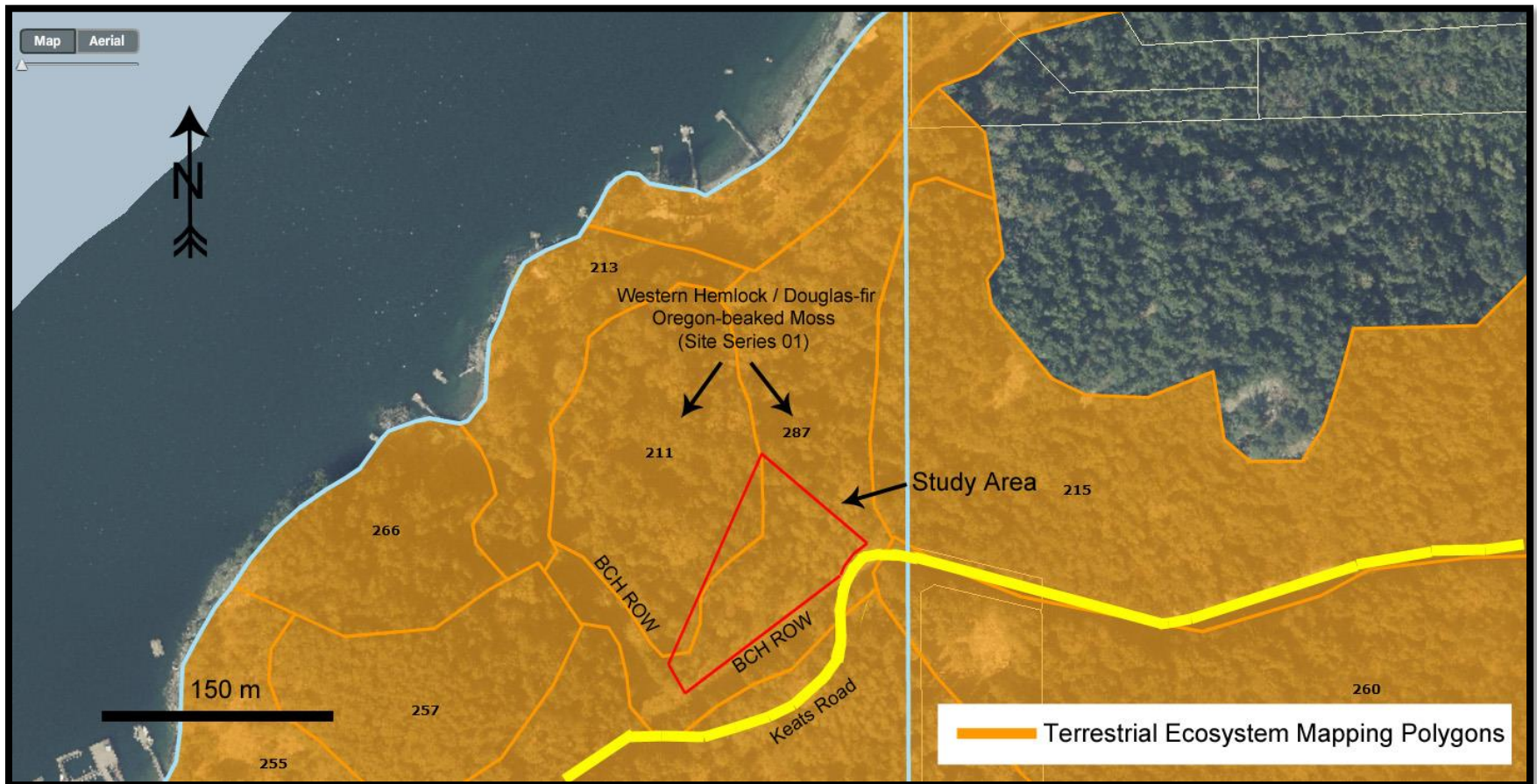
## ATTACHMENTS

### Attachment 1: General Location



General location of the study area in relation to the Lower Mainland and Sunshine Coast (Google Maps 2014).

## Attachment 2: Terrestrial Ecosystem Mapping



Modified graphic showing Terrestrial Ecosystem Mapping polygons (211 and 287) that overlaps the study area (Islands Trust 2016).



### Attachment 3: Photographs



Photograph 1. CFVT within the study area (April 15, 2016).



Photograph 2. Typical understorey of the CFVT within the study area (April 15, 2016).



**Attachment 3 (concluded)**



Photograph 3. Wildlife trees with woodpecker forage sign observed within the CFVT (April 15, 2016).



Photograph 4. Recreation trail observed within the study area (April 15, 2016).

#### Attachment 4: Vegetation Species Detected

Vegetation species detected within the study area during the spring field assessment (April 15, 2016).

Species	Scientific Name*
<b>Tree Layer<sup>1</sup>:</b>	
Bigleaf Maple	<i>Acer macrophyllum</i>
Douglas-fir	<i>Pseudotsuga menziesii</i>
Grand Fir	<i>Abies grandis</i>
Red Alder	<i>Alnus rubra</i>
Western Hemlock	<i>Tsuga heterophylla</i>
Western Redcedar	<i>Thuja plicata</i>
<b>Shrub Layer<sup>2</sup>:</b>	
Douglas-fir	<i>Pseudotsuga menziesii</i>
English Holly**	<i>Ilex aquifolium</i>
Grand Fir	<i>Abies grandis</i>
Himalayan Blackberry**	<i>Rubus armeniacus</i>
Oceanspray	<i>Holodiscus discolor</i>
Red Elderberry	<i>Sambucus racemosa</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Salal	<i>Gaultheria shallon</i>
Salmonberry	<i>Rubus spectabilis</i>
Western Redcedar	<i>Thuja plicata</i>
<b>Herb Layer:</b>	
Bunchberry	<i>Cornus canadensis</i>
Common Foxglove	<i>Digitalis purpurea</i>
Common Horsetail	<i>Equisetum arvense</i>
Dull Oregon-grape	<i>Mahonia nervosa</i>
Grasses	<i>Gramnoids spp.</i>
Lady Fern	<i>Athyrium filix-femina</i>
Rush	<i>Scirpus sp.</i>
Sedge	<i>Carex Sp.</i>
Skunk Cabbage	<i>Lysichiton americanus</i>
Spiny Wood Fern	<i>Dryopteris expansa</i>
Sweet-scented Bedstraw	<i>Galium triflorum</i>
Sword Fern	<i>Polystichum munitum</i>

<sup>1</sup> Tree Layer: Woody plants >2m in height

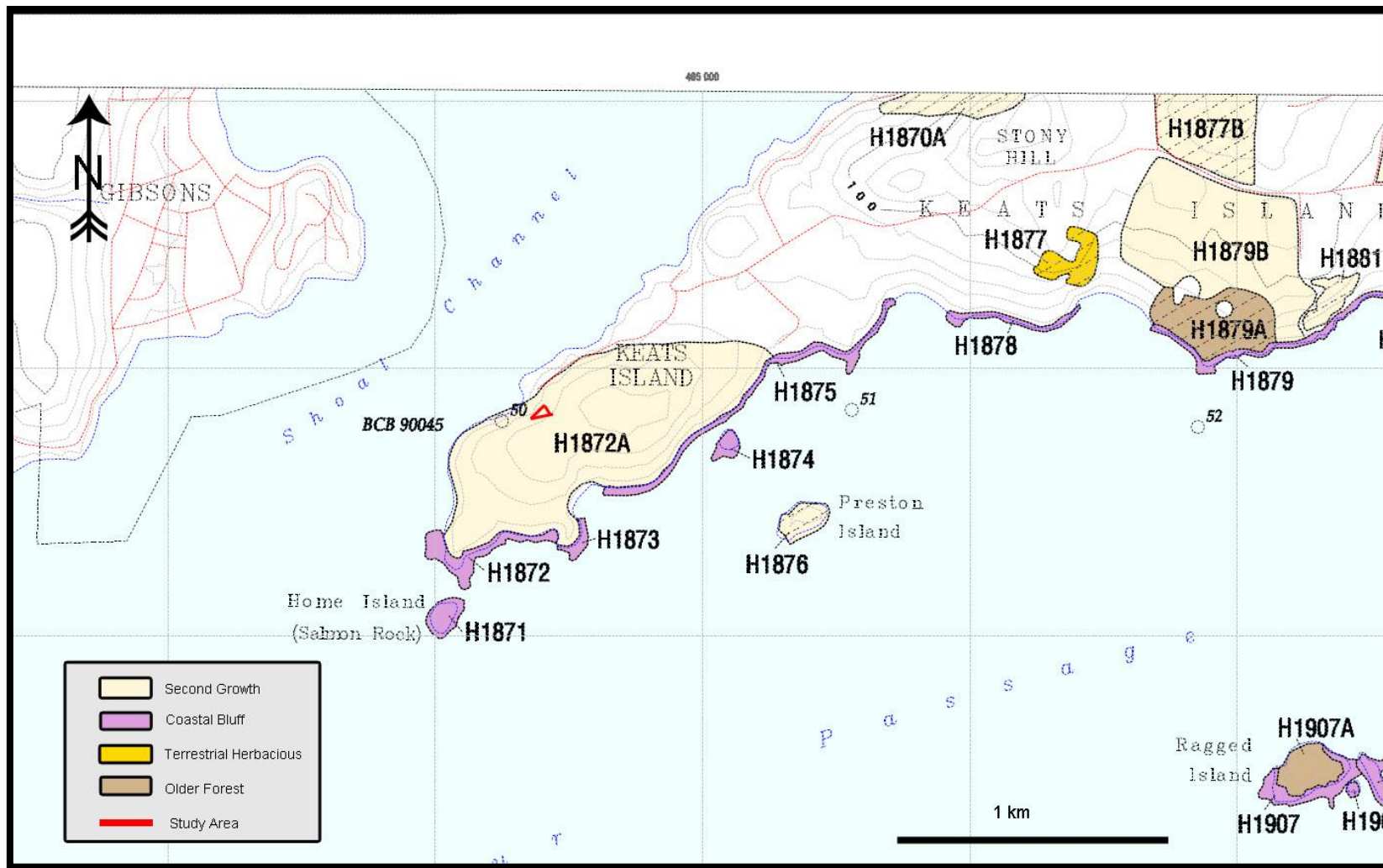
<sup>2</sup> Shrub Layer: Woody plants 0-2m in height

\* Scientific and common names from Klinkenberg 2006 (E-Flora BC)

\*\*Introduced/Invasive Species



## Attachment 5: SEI Mapping



SEI Mapping for the Bowen/Gambier Trust Areas. Polygon H1872A was mapped as Second-growth:mixed (SG:mx) (BCCDC 1998).

## Attachment 6: Wildlife Species Detected

Wildlife species detected within the study area (April 15, 2016).

Species	Scientific Name
<b>Birds:</b>	
American Robin <sup>1,2</sup>	<i>Turdus migratorius</i>
Black-throated Gray Warbler <sup>2</sup>	<i>Setophaga nigrescens</i>
Brown Creeper <sup>2</sup>	<i>Certhia Americana</i>
Chestnut-backed Chickadee <sup>1,2</sup>	<i>Poecile rufescens</i>
Common Raven <sup>2,3</sup>	<i>Corvus corax</i>
Golden-crowned Kinglet <sup>2</sup>	<i>Regulus satrapa</i>
Pacific Wren <sup>2</sup>	<i>Troglodytes pacifica</i>
Pileated Woodpecker <sup>2,4</sup>	<i>Dryocopus pileatus</i>
Red-breasted Sapsucker <sup>4</sup>	<i>Sphyrapicus ruber</i>
Rufous Hummingbird <sup>1,2</sup>	<i>Selasphorus rufus</i>
Spotted Towhee <sup>1,2</sup>	<i>Pipilo maculatus</i>
Steller's Jay <sup>2</sup>	<i>Cyanocitta stelleri</i>
Yellow-rumped Warbler <sup>2</sup>	<i>Dendroica coronata</i>
<b>Mammals:</b>	
Coastal Black-tailed Deer <sup>4,5,6</sup>	<i>Odocoileus hemionus columbianus</i>
Raccoon <sup>5</sup>	<i>Procyon lotor</i>
Douglas' Squirrel <sup>1,2</sup>	<i>Tamiasciurus douglasii</i>
<b>Invertebrates:</b>	
Banana Slug <sup>1</sup>	<i>Ariolimax columbianus</i>

<sup>1</sup>Heard

<sup>2</sup>Seen

<sup>3</sup>Overflight

<sup>4</sup>Foraging Sign

<sup>5</sup>Tracks

<sup>6</sup>Scats/Pellets

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development – April 13, 2017

**AUTHOR:** Andrew Allen, Manager, Planning and Development

**SUBJECT:** EGMONT/PENDER HARBOUR OFFICIAL COMMUNITY PLAN BYLAW NO. 708, 2017

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### RECOMMENDATIONS

**THAT the report titled Egmont/Pender Harbour Official Community Plan Bylaw No. 708, 2017 be received;**

**AND THAT Egmont/Pender Harbour Official Community Plan Bylaw No. 708, 2017 be considered by the Board for First Reading;**

**AND THAT pursuant to Section 475 of the *Local Government Act*, Bylaw No. 708, 2017 be referred to the following as part of the early and on-going consultation:**

- i. Egmont/Pender Harbour Advisory Planning Commission
- ii. Ministry of Transportation and Infrastructure
- iii. Vancouver Coastal Health Authority
- iv. Ministry of Forests Lands and Natural Resource Operations
- v. School District #46 and
- vi. *shíshálh* Nation

**AND FURTHER THAT pursuant to Section 477 of the *Local Government Act*, Bylaw No. 708, 2017 is consistent with the SCRD's 2017-2021 Financial Plan and 2011 Solid Waste Management Plan.**

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### BACKGROUND

The review of the Egmont/Pender Harbour Official Community Plan (OCP) process began in early 2015. Two initial kick-off meetings were held in January and February of that year; one in Madeira Park and the other in Egmont. The intent of the kick-off meetings was to publicly announce the OCP review and to scope out emerging issues.

Shortly after the kick-off meetings advertising was conducted to seek members to join the OCP review advisory group. There were several applicants, which signaled a strong interest in the process. A diverse team was selected which assisted greatly throughout the process. The group was representative of each geographical area within the OCP boundary and also contained a member from the *shíshálh* Nation who also served on the advisory committee for the initial OCP creation in the 1990's.

The advisory committee met periodically over an 18 month period to review the policies within the existing OCP, recommend new policies and refine a draft in an effort to assist SCRD planners in creating the document which is attached for consideration of first reading.

## **DISCUSSION**

### *Options and Analysis*

The draft official community plan, attached to this report is intended to replace the existing plan. The strategy during review was to use the existing OCP as a reference and use it as a lens wherever possible for current planning. However, it was recognized that the original OCP was approaching 20 years old and it was time for an update. Efforts were also made to simplify the new plan. For example the original OCP contained 40 distinct land use designations and the new OCP contains 14. This is designed to make the document more meaningful and easier to understand for its users, both the community and the SCRD, while still respecting the unique qualities of neighbourhoods.

Other key improvements and modifications to the new OCP include:

- Introduction of a Community Vision and modified and updated Community Goals
- A minor extension to the boundary of the OCP along the eastern edge to reflect the boundary of Electoral Area A
- Recommendation for an additional planning process to create zoning on the water (fresh and salt)
- Updated geotechnical hazard reconnaissance conducted by Kerr Wood Leidel Consulting Engineers and conversion of Geotechnical Assessment Areas to Development Permit Areas
- Removal the Marine Study and Marine Upland Study areas and replaced with land use designations similar to existing zoning and uses
- Recommendation for a Harbour Management Plan for the entire Plan area - with focus on the harbour areas of Pender Harbour, Earls Cove and Egmont
- Southeast portion of Francis Peninsula changes from Comprehensive Residential A to Residential A to reflect the settlement pattern of this area
- Many rural residential and lake watershed protection designations amalgamated into Rural Residential A and B, and
- Introduction of a chapter referencing the *shíshálh* Nation Strategic Land Use Plan.

Issues that the advisory group gave detailed consideration to during the review process included:

- environmental protection
- supporting economic development
- zoning on the water

- marinas on fresh water
- campgrounds in rural areas
- integration of the *shíshálh* Nation Strategic Land Use Plan, and
- geotechnical hazard areas.

#### *Organizational and Intergovernmental Implications*

As the OCP moves toward the adoption process there will be several referrals. Many of the referrals to provincial ministries and first nations are prescribed by the *Local Government Act*. Other referrals to the Egmont/Pender Harbour Advisory Planning Commission and departments within the SCRD are conducted as matter of effective planning practice.

When drafting the OCP every effort is made to create a plan that is consistent with plans, studies and requirements of other agencies and groups. The Planner's role is to be familiar with land development requirements from other agencies. This helps create an effective plan and to reduce unexpected comments during the referral process. The same can be said for internal co-ordination with other departments within the organization.

Cross-functional opportunities were explored in drafting many of the chapters, including the Solid Waste, Water Service, Regional Sustainability and Climate Action chapters.

#### *Financial Implications*

Staff consider that the OCP is consistent with the SCRD's 2017-2021 Financial Plan and 2011 Solid Waste Management Plan.

The new OCP continues to provide a mix of residential, commercial and industrial properties to balance the financial inputs from the tax base. All commercial and industrial designations remain in place from the existing OCP. An effective, accurate and user-friendly OCP supports sustainable economic development.

#### *Timeline for next steps or estimated completion date*

Upon first reading the OCP can be sent to agencies for referral. This process can be 60-90 days for a lengthy and detailed document such as the OCP. Ideally this timeframe allows for agency review and time for staff to consider changes that could be made to strengthen the OCP and consider suggestions.

After this process the OCP will be further considered for second reading and scheduling of the public hearing. A public hearing may potentially occur late in the second quarter or possibly third quarter, depending upon the summer schedule. At this time consideration can also be given toward further consultation if it is deemed to be warranted or if there are significant comments from referral agencies, which require amendments to the OCP.

### *Communications Strategy*

In addition to the two initial kick off meetings there have been other occasions throughout the process where the OCP review and preliminary findings have been shared with the public.

In September of 2015 members of the public were invited to an open OCP review meeting to hear a presentation from Kerr Wood Leidel (KWL) Engineering on the geotechnical hazard area updates. There was an opportunity after the presentation for dialogue with KWL and SCRD staff.

The preliminary draft and maps were on display at the Community Dialogue event in Madeira Park in May, 2016. A number of residents viewed the information at that time.

In July 2016 Chair of the OCP review group and staff attended Pender Harbour Days in Madeira Park. A booth was set up with maps indicating the proposed land use and development permit area mapping. A draft was not in place at that time, though the public were able to learn about the highlights of the OCP and potential changes.

In September 2016 Chair of the OCP review group and staff attended the annual general meeting of the Pender Harbour Advisory Council as a delegation. The highlights of the new OCP were covered in a presentation as well as who to contact with further questions. This was well received.

In November 2016 there were two additional engagement events. The primary event was the information session where several members of planning staff and the advisory group were on hand to introduce the draft OCP. This event was run in the community dialogue fashion, with a sign in table and stations for various themes. There was also a questionnaire with open ended questions based on the highlights of the draft. This was a successful event with close to 100 people through the doors. Much of the feedback was both positive and constructive. Detailed suggestions for changes to the OCP were received and in many cases changes were incorporated. An interview and detailed follow up article was also presented in the following edition of the Harbour Spiel.

In November staff travelled to the Dellbrook Community Centre in North Vancouver to present the OCP at the annual general meeting of the Sakinaw Lake Community Association. Again, similar to other engagement events, the OCP and presentation were well received.

Further community outreach can be achieved through a referral to the Advisory Planning Commission.

A public hearing will also be conducted prior to adoption. Other engagement opportunities can be explored upon direction from the Board.

### **STRATEGIC PLAN AND RELATED POLICIES**

Many of the values from the Board Strategic Plan are directly reflected in the OCP and development process, including: collaboration, environmental leadership and transparency.

Along this same line many of the key strategic priorities of the plan are reflected within the OCP, including: supporting sustainable economic development, enhanced collaboration with *shíshálh* Nation and community development.

The OCP reflects many of the values found within the Strategic Plan and will stand as an example of success and achievement.

## **CONCLUSION**

The Egmont/Pender Harbour Community plan review has been underway for two years now. Development of the new plan has been aided by the assistance of a hard-working and diverse advisory committee comprised of members from all parts of the plan area.

A draft was produced in September of 2016 and it was subsequently announced to the public at the Pender Harbour Advisory Council AGM. In November a community conversation was held in the form of an information session. Feedback received at the session and in the weeks after was used to create further refinement and improvements to the plan.

At this time staff recommend that the OCP document be considered for first reading as Bylaw 708. Upon receipt of first reading referrals to advisory groups and government agencies can commence, after which further refinements could be made to the document. Additional changes to the document can be formally endorsed at the time of second reading. At the time of second reading a public hearing will be scheduled and additional consultation can be considered.

Reviewed by:			
Manager	X- A. Allen	Finance	X-T. Perreault
GM	X- I. Hall	Legislative	X- A. Legault
CAO	X-J. Loveys	Other	X- R. Cooper

## **Attachment A: Bylaw No. 708 and the Egmont/Pender Harbour Official Community Plan**



# Egmont/Pender Harbour Official Community Plan

Draft April 2017

Photo Credit: Jeff Dyck



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# Part One: Introduction

## 1.1 Acknowledgements

The Sunshine Coast Regional District (SCRD) acknowledges the time and valuable contribution made by the following residents in preparing the Egmont/Pender Harbour Official Community Plan (OCP). An advisory group was established to assist in guiding the public engagement process and providing insight into the vision, goals, objective and policies which shape this plan.

## 1.2 Egmont/Pender Harbour Official Community Plan Advisory Group

Peter Robson, Chair

Les Falk

Karen Dyck

Joe Harrison

Bob Fielding

Sid Quinn, *shíshálh* Nation and returning  
OCP advisory group member

Kal Helyar

Gordon Littlejohn

Maureen Juffs

Catherine McEachern

Steve Luchkow

Din Ruttelynck

Patti Soos

The Official Community Plan was prepared during the elected term of Director for Electoral Area A: Egmont/Pender Harbour, Frank Mauro, who attended as an ex officio member and guide to the Advisory Group.

The Advisory Group would like thank of Andrew Allen, SCR D Manager, Planning and Development for the meeting preparation and writing of this document.

This current OCP builds on the work of the original Egmont/Pender Harbour OCP that was also created with the assistance of a public advisory group. The current advisory group and SCR D thank the public advisory group which helped create the original OCP, which provided a foundation for this OCP.

## 1.3 Introduction

Official Community Plans (OCPs) are described in the *Local Government Act* and must contain a number of goals, objectives and policies pertaining to community planning and development. An OCP is a high level document which guides decision making on land use, water and sewer service, road development, parks and use of Crown land. Ultimately an OCP forms recommendations for land use and zoning but is not to be used as zoning bylaw. Zoning bylaws implement the ideas of an OCP and provide details to carry out the intent of the OCP.

An OCP also provides specific detail on the development of sensitive properties in the Development Permit Areas chapter. Development Permit Areas are in place for a variety of reasons, including environmental protection and geotechnical safety.

Official Community Plans must have policies suitable for at least five years and are often valid for upward of 15 to 20 years. The first OCP for Egmont/Pender Harbour was adopted in 1998, and remained in place through to the adoption of this OCP. In 2005 there were several changes made to Zoning Bylaw 337 to implement many of the policies within the OCP and as well there have been other changes throughout the years to accommodate community growth and changes in provincial legislation.

In the years since the initial OCP completion, Egmont/Pender Harbour has seen a modest population increase and a sharper increase in the average age. The average age in Egmont/Pender Harbour is higher than the average on the Sunshine Coast as a whole, which is significantly higher than the provincial rate.

According to the 2011 Census, the percentage of the population over the age of 15 years was 91.1% within the Plan area. This compares to 87% for the Sunshine Coast as a whole and close to 85% across British Columbia. It is evident that the population in Egmont/Pender Harbour is growing older. Efforts need to be made to create a more balanced community to ensure a prosperous and sustainable future.

Another indicator of local settlement and population is the distinction between full and part time residents within the community. From the most recent census data in 2016, there were 2,329 dwellings and 1,381 or 59% of these were occupied by full time residents, this is compared to an average of 80% for the Sunshine Coast and 91% for the province. Again, this indicates a unique character of the community, a real mix between full time and part time residents, indicating the seasonal population differences.

The OCP serves as the guiding document for land use and community development and provides options for moving forward into the future and reflects the values of the community. An effective OCP is based on a mix of science and community preference and which meets values of the community at the time of adoption and that is flexible enough to move into the future.

The goal of an OCP is to steer the community in a favourable and sustainable direction that can assist in creating a balanced community; which can manage the best possible mix of land uses in both a cost effective and environmentally sensitive manner.

A balanced community aims to provide sustainable social and economic growth and this starts with an effective OCP.

The Egmont/Pender Harbour Plan area includes the more settled and partially serviced portion of Electoral Area A covering close to 25,000 hectares including a 300 metre off-shore buffer area into the ocean. The entire Plan area is within the *shíshálh* Nation territory and includes private *shíshálh* Nation land holdings in Bargain Harbour, Madeira Park, Kleindale, Garden Bay, Sakinaw Lake and Skookumchuck Narrows.

The Plan area extends north and west of Electoral Area B (Halfmoon Bay) near Wood Bay to the northern end of the Sechelt Peninsula at Egmont and across the water into East Egmont and the surrounding hillside. Within the Plan area there are several distinct neighbourhood areas including Middlepoint, Francis Peninsula, Madeira Park, Kleindale, Garden Bay, Irvines Landing, Daniel Point, Sakinaw and Ruby lakes, Earls Cove and Egmont.

The Plan area is blessed with numerous lakes, ranging in size from less than 10 hectares in area to 686 hectares for Sakinaw Lake. From smallest to largest, the more accessible lakes include Katherine Lake, Lily (Paq) Lake, Ambrose Lake, McNeil Lake, Hotel Lake, Klein Lake, North Lake, Mixal Lake, Garden Bay Lake, Waugh Lake, Ruby Lake and Sakinaw Lake. These lakes and their shore areas provide many benefits for natural fish and wildlife habitat, in some cases community water supply, recreational and seasonal settlement. Multiple demands and uses are put on many of the lakes within the Plan area.

The primary commercial services and focal points for the community are located in Garden Bay and Madeira Park for the Pender Harbour area; and Egmont.

Recognizing that the Egmont/Pender Harbour area falls within the territory of the *shíshálh* Nation, the OCP goals and policies offer respect and recognition to the *shíshálh* Nation and their land use planning. This OCP includes a chapter dedicated to a description of the *shíshálh* Nation strategic land use plan and how it relates to this OCP and decision making at the SCRD.

The OCP starts with the community vision and goals and is followed by the land use designations in Part 2. Parts 3 and 4 comprise community and regional planning initiatives.

## 1.4 Egmont/Pender Harbour OCP: Community Vision and Goals

### COMMUNITY VISION

Our vision is to foster a unified, vibrant, healthy, safe, and diverse community within our unique lake, mountain, and marine coastal landscapes that balances economic opportunities with the natural environment.

### COMMUNITY GOALS

- To build a strong sense of community based on respect and understanding amongst plan area residents, the *shíshálh* Nation, and the SCRD.
- To promote and attract a thriving, diverse and balanced community which allows economic and employment opportunities able to support healthy lifestyles for current and future generations.
- To recognize and preserve the area's historical, heritage and archaeological sites.
- To protect the quality and quantity of all water sources.
- To ensure that there are sufficient and efficient infrastructure and services available to support the community interests and values.
- To respect and enhance our environment and recognize it as the foundation of our past, present, and future.

## Part Two: Land Use Designations

### 2.1 Residential, Comprehensive Residential, Rural Residential and Multi-Family

According to the *Local Government Act* an Official Community Plan must contain statements and land use designations to indicate the location, amount, type and density of residential development to meet anticipated needs for a period of at least 5 years. The objectives and policies within this chapter meet this requirement.

Part two is the land use designation chapter, which outlines where certain uses can occur and distinguishes between residential, rural and commercial areas. Within the different land use designations there are specific objectives and policies which outline current and future land uses. The policies are to be reflected in the zoning bylaw, which provides the details and specifics. The land use designations provide direction for current and future land uses.

In some cases the zoning bylaw permits the uses noted with the specific land use designation, whereas in other cases amendments to the zoning are required to implement the policies.

Parcel size designations in this plan have attempted to strike a balance between soil suitability for on-site sewage disposal, the community's desire for an affordable supply of land as well as protection of important environmental features, including the Plan area's lakes.

Variability of soil and slope conditions make it difficult to assign exact minimums for parcel size designations. Therefore plan designations only generally reflect soil capability for on-site sewage disposal.

Availability of community water, community sewer, road access, historical settlement patterns, habitat conditions, and proximity of geotechnical assessment areas are all additional factors influencing parcel size designations in this part of the OCP.

A variety of dwelling and building types are permitted in residential zones. The definitions and parameters of the dwellings and buildings are described within the SCRD zoning bylaw for the Plan area.

#### 2.1.1 Objectives

- (a) To focus future residential growth in appropriate community areas.
- (b) To minimize residential conflicts by establishing appropriate buffer zones to industrial and resource activities, including forestry and agriculture.
- (c) To minimize residential impact on sensitive habitat by establishing buffers to significant natural habitat features.
- (d) To minimize the impact of residential development activity on community watersheds within the Plan area.

- (e) To encourage subdivision design and development which provides a variety of parcel sizes.
- (f) To minimize, where possible, land clearing activity at all phases of residential development.
- (g) To encourage dwelling design and siting which takes advantage of opportunities for energy efficient homes including passive solar heating.
- (h) To encourage the building of a range of housing types and opportunities to address affordable, rental, seniors and special needs housing.
- (i) To provide for cluster housing opportunities in appropriate residential areas.
- (j) To discourage additional driveway access onto the Sunshine Coast Highway.
- (k) To provide for home occupation employment opportunities compatible in scale and character with residential and rural neighbourhoods.
- (l) To provide rural lifestyle opportunities through larger parcel sizes and compatible rural land uses.
- (m) To provide for auxiliary small scale commercial and light industrial activity in appropriate areas.
- (n) To provide for a greater variety of agricultural activities, including local food production and sales.
- (o) To reduce the risk of wildfire hazard in residential areas.
- (p) To encourage sustainable development of the land.

### **2.1.2 Policies**

- (a) Opportunities for affordable rental, seniors and special needs housing shall be made available through zoning providing for auxiliary dwellings, duplexes, suites within houses, mobile homes, special rental housing, transition homes, and full size second dwellings in most parts of the Plan area subject to parcel size and other requirements.
- (b) Through the subdivision review process for subdivisions and building permit applications, homeowners or developers are encouraged to organize their projects to capitalize on available opportunities for passive and active solar energy, particularly in off-grid areas.
- (c) Homeowners are encouraged to practice careful vegetation management in proximity of their homes in order to reduce the spread of forest fire and to reduce the threat of property damage from wildfire. This may include the removal of ladder fuels such as low branches on trees and fuel on the ground. Non-combustible finishing on houses and buildings may be considered to reduce the threat of spreading fire.
- (d) Map 1 designates select residential lands as Residential A & B, for which the principal use shall be single family detached housing and associated auxiliary uses, including



auxiliary structures, limited commercial opportunities such as bed and breakfasts, home based business and food production and sales.

- (e) Parcel size and land use requirements for the residential land use designation, to be regulated within the zoning bylaw as described in the specific land use designations described below.

### **2.1.3 Residential A**

- (a) This designation is primarily located within neighbourhood and community core areas which are primarily serviced by community water supply systems. The average size of new subdivided lots shall be 2,000 square metres subject to subdivision approval.
- (b) Provision for a second single family dwelling requires a minimum parcel area of 4,000 square metres in areas served by on-site septic disposal systems. A duplex, auxiliary dwelling or suite within a dwelling are supported for the provision of affordable housing options.
- (c) Additional land uses include a home-based business, as defined in the zoning bylaw, and bed and breakfast home.
- (d) Subdivisions and cluster homes with higher density can potentially be created with an average parcel size of 1,000 square metres to provide a housing and community benefit where approved septic treatment technology has been established to treat the effluent from the development.
- (e) The ability to create areas of higher density will likely require community sewage treatment and disposal facilities to be developed in accordance with the policies in Part 3.6.

### **2.1.4 Residential B**

- (a) This designation is located primarily along Highway 101 and outside of community water supply areas and has a larger parcel size pattern. The minimum size of new subdivided lots shall be 1 hectare, subject to subdivision approval, due in part, to moderate constraint of soil types and terrain characteristics for on-site sewage disposal common to residential acreage properties, generally located outside of community and neighbourhood core areas.
- (b) Consideration may be given to smaller parcels in waterfront areas where additional highway accesses are not required.
- (c) Specific land uses may include a variety of housing forms, including second dwellings or duplexes, as well as bed and breakfast home and home-based business. Bed and breakfast inn (maximum five bedrooms) and transition houses may serve as additional uses.

### **2.1.5 Comprehensive Residential**

- (a) Map 1 designates select residential lands as Comprehensive Residential for which the principal use is residential but may include auxiliary commercial uses and auxiliary light industry, as defined in the zoning bylaw.
- (b) The average parcel size for newly subdivided lots shall be 2,000 square metres in areas served by a community water system and 10,000 square metres in areas not yet served by a community water system.
- (c) Subdivisions with higher density will be considered, with an average parcel size of 1,000 square metres, in neighbourhood areas where there is an affordable housing component and a community benefit. High density developments shall be serviced by community water supply and approved septic treatment technology.
- (d) Actual parcel size shall be determined on site at time of subdivision approval and the ability to create an average of 2,000 square metre parcels on a broad basis will likely require community sewage treatment and disposal facilities to be developed in accordance with the policies in Part 3.6.
- (e) Compatible land use include a variety of housing types as well as bed and breakfast home and home-based business. Light industry, bed and breakfast inn, mixed housing types, a broad range of auxiliary commercial activities, sleeping units, and campground may be permitted as additional uses depending on parcel size.
- (f) The density for sleeping units and campgrounds shall be 10 units per hectare up to a maximum of 30 units on properties.

### **2.1.6 Rural Residential**

- (a) Map 1 designates as Rural Residential A and Rural Residential B. These areas provide a transition zone from the more dense residential areas to the less dense rural areas and encourage a range of land uses to promote community diversity while also providing a buffer to the lakeshore and watershed protection.
- (b) The minimum size of new subdivided lots with Rural Residential A shall be 1.75 hectares along the lakeshores and 1 hectare for other properties, subject to subdivision approval, and a minimum of 4 hectares within Rural Residential B. Both designations require a minimum lakeshore frontage of 60 metres.
- (c) Lakefront properties may be permitted to have a second single family dwelling or a bed and breakfast home on parcels exceeding 2 hectares.
- (d) Terrain characteristics and soil types pose mainly moderate development constraints for on-site sewage disposal, road development and site preparation. Geotechnical reviews may be required during future development.
- (e) Development in proximity to lakeshores is subject to Development Permit Area #4 and the policies contained within Part 3.1.3: The Aquatic Environment.

- (f) Additional land uses may include up to two detached single family dwellings, a variety of housing types as well as bed and breakfast home, agriculture, and home-based business. Auxiliary light industry, bed and breakfast inn, garden nursery, riding stable, transition house, storage, and campground may be permitted as additional uses depending on parcel size. The density for sleeping units and campgrounds shall be 10 units per hectare up to a maximum of 30 units.
- (g) Existing non-conforming lakefront campgrounds, such as Hotel Lake shall be enabled to maintain operations, pursuant to the provisions of the *Local Government Act*. Future expansion of the campsite may be subject to a zoning bylaw amendment to accurately reflect the use and will be subject to riparian and sewage treatment reviews.
- (h) A 30 metre assessment area for structures and land development and alteration from the natural boundary of all lakes and creeks in the Plan area is required pursuant to the Riparian Areas Regulation for the purpose of habitat protection, vegetation retention, water quality protection and geotechnical constraints, and as further described in Development Permit Area 4: Riparian Assessment Areas. The 30 metre assessment is in addition to the recommended 20 metre building setback.
- (i) Ecological interpretive assemblies and related field study centres operated on a non-profit or public basis may also be a compatible use on sites where there is no conflict with community water supply and where such use demonstrates environmental stewardship within the watershed protection area.
- (j) Subdivision approval for water access only properties is contingent upon off-site parking on suitably zoned lands. Properties located at the north end of Sakinaw Lake in proximity to the boat launch on Sakinaw Lake Road and Lakeshore Road have been identified as properties within the Rural Residential A designation that may be suitable in the future for off-site parking subject to a zoning bylaw amendment.
- (k) Other properties within the Rural Residential designations may be considered in the future for off-site parking on water access lakefront properties, subject to review by the SCRD and the community in the zoning bylaw amendment process. A future bylaw amendment for on-site parking must consider nearby creeks and spawning areas as well as other important environmental considerations. Stormwater management, visual and noise buffering shall also be considered.

### **2.1.7 Multi-Family**

- (a) Map 1 designates as Multi-Family, land where existing zoning recognizes established multi-family housing opportunities, at densities no less than one unit per 500 square metres of land, providing alternative and affordable housing opportunities, such as cluster housing, town houses and apartments and mobile home parks.
- (b) Market restricted affordable housing may also be considered as part of a development approval for future multi-family developments.
- (c) The existing mobile home park located at 12248 Sunshine Coast Highway shall remain as a mobile home park.

- (d) Proposals for additional multi-family sites may be considered in residential areas except for properties fronting Highway 101, unless alternative access is readily available, and will be evaluated on criteria that includes the following site selection considerations and information requirements which are subject to development approval information, pursuant to the *Local Government Act* and SCRD Procedures and Fees Bylaw 522:
- i. served by on-site sewage disposal and community water service;
  - ii. in proximity to facilities and services such as convenience shopping and commercial retail areas;
  - iii. the proposed development will not pose a detrimental impact on environmentally sensitive areas and watercourses and geotechnical hazard areas as indicated on Map 2: Development Permit Areas;
  - iv. in proximity to a major collector road forming part of the Major Road Network as shown on Map 3 in order that traffic generated by the development does not adversely affect established residential properties;
  - v. access to the proposed development is acceptable to the Ministry of Transportation and Infrastructure in terms of safety and efficiency of traffic flows;
  - vi. vehicular access to a proposed development will be provided in a location which, through sensitive siting and design, causes minimal impact on adjacent properties;
  - vii. the traffic demand and impact from the proposed development will be compatible with the capacity, character and traffic patterns of adjacent roads and with the character of the area;
  - viii. liquid waste disposal from the overall development must be acceptable to the SCRD (for community sewer systems under SCRD ownership) or Vancouver Coastal Health Authority or Ministry of Environment (depending upon sewage volume);
  - ix. developments that compensate for increased density by dedicating areas not to be built on as green space or open space will be encouraged;
  - x. a proposed development in residential or rural areas should respect existing neighbourhood character through compatible architectural design and landscaping, sensitive siting of all buildings and an appropriate overall scale;
  - xi. building height and building mass shall be reviewed in relation to the impact on the surrounding properties.
  - xii. a community amenity shall be provided for those residing in the cluster housing development, such as a tennis court, exercise room, public meeting or green spaces.

## 2.2 Resource

This land use designation is focused primarily on Crown resource lands typically used for either resource development or without a present identified use, which includes forest lands and managed provincial forest. These resource lands provide employment opportunities to the region through forestry and are also used for recreation and non-timber harvesting of foraged food product. Land use controls which have been introduced seek to protect this land base and its resource, while offering a level of protection and certainty to nearby residents.

Large blocks of private land in East Egmont where resource uses are most appropriate also fall within this designation.

This land base is within the territory of the *shíshálh* Nation and resource and land use decisions will be reviewed in the context of this OCP and shall be referred to the *shíshálh* Nation respecting the consistency with the Strategic Land Use Plan.

### 2.2.1 Objectives

- (a) To provide for forestry related and other compatible resource activities, including non-timber harvesting within and adjacent to the managed Provincial Forest.
- (b) To preserve managed forest lands for forestry and other compatible resource uses.
- (c) To support uses such as outdoor recreation and education.
- (d) To allow for sand and gravel processing activities, subject to zoning allowance, in appropriate locations within this designation where significant recoverable deposits of these materials exist.
- (e) To minimize conflicts between sand and gravel processing operations, forestry related operations and adjacent land uses.
- (f) To provide adequate protection to watersheds which contribute to water supplies and overall health of the forests.
- (g) To minimize residential conflicts within the Resource designation.
- (h) To review all land uses with Resource Designation compatibility with the *shíshálh* Nation Strategic Land Use Plan.
- (i) To encourage the protection of important ecological and recreation areas on both public and private lands.

### 2.2.2 Policies

- (a) Map 1 designates select parcels and other land as Resource, for which the principal use shall be resource activities such as the establishment, management, and harvesting of the forest cover for timber and other forest products and values, silviculture practices and integrated resource management.

- (b) The minimum size of new subdivided lots shall be 100 hectares to limit residential development and to minimize the potential for alienation of land from the working forest land base.
- (c) Compatible land use will include management and harvesting of the forest cover, silviculture, agriculture, forest or wilderness recreation, outdoor natural science education or research, and non-timber harvesting.
- (d) Pursuant to the 2104 SCRD and BC Timber Sales communication protocol forest stewardship plans and operational plans are to be shared with the SCRD and the community well in advance of the proposed harvest date to ensure suitable feedback and comments on the proposed forest harvesting operations.
- (e) Gravel extraction opportunities must be consistent with the *Mines Act* and any assembly and sorting of gravel on-site may be subject to zoning requirements.
- (f) Expansion and new facilities for gravel extraction and related operations in this designation will be considered consistent with the OCP. Bylaw amendment approvals will consider the following development approval information:
  - i. community consultation;
  - ii. noise and dust control;
  - iii. visual buffers from adjacent and nearby properties;
  - iv. protection of nearby recreational, cultural and environmental values including water resources; and
  - v. reclamation plans.
- (g) Referrals from the Provincial Government for resource extraction on Crown land within the *shíshálh* Nation territory shall be referred to the *shíshálh* Nation Rights and Title Department prior to providing input to the Province.
- (h) Outdoor recreation is permitted within the Resource designation, where appropriate and site specific zoning allowances may be required along with a license of occupation from the Provincial Government if located on Crown land.
- (i) Pursuant to the *Local Government Act*, land within the Resource designation on Map 1 is designated as a Temporary Use Permit Area.



## 2.3 Agriculture

The agricultural lands within the Plan area are located in two areas: Kleindale and in the McNeil Lake community watershed area. With improvability to Class 2, 3, and 4 (Canada Land Inventory) these lands are comparable to other useable agricultural soils on the Sunshine Coast. Commercial agricultural operations take place on privately owned Agricultural Land Reserve properties in the Kleindale area on Garden Bay Road. The McNeil Lake area is within the Crown Provincial Forest and within the watershed of the South Pender Harbour water service area. Overlapping priorities are recognized in the McNeil Lake area and water quality from the lake shall not be compromised by agriculture, or any other use.

The OCP provides input into land uses within the Agricultural Land Reserve and provides direction for the SCRD and the provincial Agricultural Land Commission in their role as decision makers for agricultural land.

The use of agricultural land is subject to both the local zoning bylaw and the land use regulations of the Agricultural Land Commission. In the future the zoning bylaw can be amended to more explicitly permit agricultural uses within the agricultural land reserve to support an increase in local food production.

### 2.3.1 Objectives

- (a) To protect agricultural land and support agricultural opportunities.
- (b) To preserve agricultural land by maintaining large parcel sizes.
- (c) To provide for a greater variety of agricultural activities, including the opportunity for marketing locally produced agricultural products.
- (d) To protect existing and future agricultural activities from potential conflicting non-agricultural uses within and adjacent to the Agricultural Land Reserve.
- (e) To encourage the inclusion of quality arable land into the Agricultural Land Reserve.
- (f) To ensure that agricultural activities do not adversely impact water quality and quantity within lake, watercourse corridors and foreshore areas.
- (g) To support the development of small scale business opportunities consistent with the provisions of the *Agricultural Land Commission Act*.

### 2.3.2 Policies

- (a) Map 1 designates select parcels and other non-parcelized land as Agricultural.
- (b) Land is to remain in the Agricultural Land Reserve with a minimum parcel size designation of 4 hectares in the Kleindale area and 100 hectares around McNeil Lake.
- (c) Subdivision of land within the ALR is not normally supported. It may be considered where the intent is to improve the agricultural production of the land. The subdivision

district zoning is a guideline for minimum parcel size and is not necessarily relied upon for subdivision within the ALR.

- (d) The Regional District may consider permanent second dwellings within the ALR in accordance with policies established in the zoning bylaw, providing that the second dwelling is a benefit to the on-site agricultural operation.
- (e) The zoning bylaw shall contain policies specifically applicable to the ALR for the purposes of regulating land uses and parcel sizes within the ALR.
- (f) The Regional District shall allow sale of farm products through on-site small produce stands.
- (g) Any land considered for inclusion into the ALR shall have proven agricultural potential, based on the findings of a detailed capability assessment, and shall be either of significant size or contiguous with an existing parcel in the agricultural designation.
- (h) Future roads and major utility or communication corridors, where possible, are to be directed away from the ALR.
- (i) The use, storage and management of agricultural waste shall take place in accordance with the provisions of the Code of Agricultural Practice for Waste Management.
- (j) To protect aquatic habitat and improve marine and freshwater water quality the Regional District encourages the following restrictions:
  - i. Agricultural buildings and storage areas to be setback a minimum of 30 metres from the natural boundary of any watercourse, wetland, lake, ocean, or top of bank;
  - ii. Confined livestock areas and manure storage structures must be located at least 30 metres back from the natural boundary of any watercourse, wetland, lake, ocean, or top of bank;
  - iii. Storage sites for petroleum, pesticides, and other chemicals to be located a minimum of 30 metres from any well and from the natural boundary of any watercourse, wetland, lake, ocean, or top of bank;
  - iv. Maintain groves of trees, or provide some shade such as a roofed shelter beyond the natural boundary of any watercourse, wetland, lake or the ocean to draw livestock from these sensitive areas;
  - v. Manure should not be applied within 30 metres horizontal from the natural boundary of any watercourse, wetland, lake, ocean, or top of bank;
  - vi. The quality and quantity of the drinking water supply at McNeil Lake and surrounding area is a priority over agriculture; and
  - vii. Agricultural use shall be undertaken in a careful manner which does not create additional water run-off onto adjacent properties, nor should it impede the existing natural run-off.

## 2.4 Industrial

Industrial land use activity contributes to the economic diversity of the community. The presence of industries such as fishing, forestry, wood processing, aggregate extraction, barge loading and marine facilities recall the area's early history and contribute to the social fabric of the overall community.

The policies within this chapter recognize the industrial areas within the Plan area boundary and provide an opportunity for an expansion of industrial zoning and temporary industrial use permits.

### 2.4.1 Objectives

- (a) To recognize water and land areas currently zoned or utilized for industrial and marine industrial activities.
- (b) To support the creation and expansion of industrial and marine industrial activities where the expansion will have a minimal impact on properties designated for residential purposes.
- (c) To support industries that will not have a deleterious impact on sensitive habitat areas or the natural environment due to air, water or land pollution.
- (d) To encourage and protect the continued presence of the fishing community.
- (e) To encourage higher value manufacturing and the establishment of new industrial businesses.
- (f) To recognize existing opportunities for light industry in appropriate areas, provided that impact on adjacent and nearby properties is minimized.
- (g) To recognize existing opportunities for small scale industrial activity in all areas as home-based business, as defined in the zoning bylaw.
- (h) To consider temporary use permits for industrial activity located within a different designation that is temporary in nature, likely due to a construction project, such as a mobile plant during highway construction or works project.

### 2.4.2 Policies

- (a) Map 1 designates land for industrial uses. Industrial uses shall be permitted except where they will have a deleterious impact on sensitive habitat areas or the natural environment due to air, water or ground pollution. Land use requirements in the industrial areas for a variety of uses shall be as follows:
  - i. Light Industrial:

The minimum size of new subdivided lots shall be 2,000 square metres in areas served by community water and 1.0 hectare in areas not served by community water, subject to Provincial ministry approvals.

Properties designated as Light Industrial are recognized as having potential for activities such as light industry – as defined in the zoning bylaw – such as retail or wholesale sales, gasoline service station, general repair outlet, office, restaurant, moving and light storage, marina and boat building. One caretaker residence is permitted as a benefit to the industrial operation.

ii. Heavy Industrial:

The minimum size of new and existing parcels subdivided lots shall be 2.0 hectares, subject to Provincial ministry approvals.

Properties designated as Heavy Industrial are recognized as having potential for activities such as mineral, aggregate, asphalt, concrete or wood processing, log booming, shakemill, sawmill, auto wrecking, auto storage yards, landfill, refuse transfer station and recycling depot, airport, heliport, marine freight handling facility as well as all uses permitted in the Light Industrial designation.

iii. Aquaculture:

The minimum size of new subdivided lots shall be 2.0 hectares, subject to Provincial ministry approvals.

Properties designated as aquaculture are recognized as having potential for activities such as the storage, processing and distribution of fish, shellfish and other marine products as well as one caretaker residence is permitted as a benefit to the industrial operation.

The Regional District may support applications for shellfish tenures over marine foreshore areas where upland conflicts are minimized and where natural habitat conditions are least impacted. Upland developments related to such a tenure will require appropriate zoning.

- (b) Land within this designation shall remain within the industrial land base.
- (c) The area between Menacher Road and Garden Bay Road at Kleindale is well suited as an alternate primary commercial centre for the Plan area. Map 1 designates land as General Commercial; however light industrial uses may also be suitable.
- (d) The scale of development may be limited due to lack of water servicing. Any large scale development involving habitable or combustible buildings may require an on-site reservoir to provide fire protection.
- (e) The extension of zoning to permit additional facilities described in the Industrial designations may be considered for land located in proximity to existing industrial uses. Any proposed rezoning will be evaluated on the site selection considerations and information requirements which are subject to development approval information, pursuant to the *Local Government Act* & SCRD Procedures and Fees Bylaw 522:
  - i. The proposed development does not pose a detrimental impact on environmentally sensitive areas and geotechnical hazard areas as indicated on Map 2: Development Permit Areas;

- ii. access to the proposed development is acceptable to the Ministry of Transportation and Infrastructure;
  - iii. sewage disposal from the proposed development is acceptable to the Regional District and to the Provincial authority, either the Vancouver Coastal Health Authority or the Ministry of Environment;
  - iv. availability of off-street parking; and
  - v. ability to buffer proposed commercial and industrial uses from adjacent residential uses.
- (f) Under certain circumstances it may be advisable to consider allowing establishment of an industrial or commercial use on a temporary basis. This enables the SCRD to put a maximum time limit on certain uses. Issuance of a temporary use permit may be accomplished by an examination of the following guidelines:
- i. Pursuant to the *Local Government Act*, land within Industrial designation on Map 1 is designated as a Temporary Use Permit Area.
  - ii. Applications for temporary use permits will be evaluated in terms of their consistency with the policies of this plan respecting the scale, type and location of industrial development; the expected duration of the use; potential impacts on adjacent uses; and the environmental suitability of the land for the use proposed.
  - iii. These temporary use provisions are intended to accommodate heavy industrial uses such as asphalt manufacturing or high impact commercial outdoor recreation ventures. Uses such as PCB storage, chromium manufacturing and other high impact chemical plants; fish/animal rendering plants; and noxious industries are deemed to be incompatible uses within the Plan area and therefore will not be considered for temporary industrial permits.
  - iv. No additional permanent structures are to be constructed in conjunction with a temporary industrial use. Financial security shall be required to ensure that temporary structures are removed upon expiration of a permit and that the land is restored to a satisfactory condition if it has been altered.
  - v. All applications for temporary uses must conform with the Ministry of Transportation and Infrastructure access requirements; Vancouver Coastal Health Authority sewage disposal regulations for small sewage systems, and Ministry of Environment for large scale sewage systems; Ministry of Environment/Federal Fisheries habitat protection guidelines and any other agency regulations as may be necessary.
- (g) Efforts are to be made to secure the former maintenance yard on Francis Peninsula Road owned by the Ministry of Transportation and Infrastructure for public use or ownership for a variety of community level industrial opportunities.

## 2.5 Public Use and Utilities

Institutional uses are those which provide for community, social and educational services within the Plan area. These essential services contribute greatly to the character of the community.

### 2.5.1 Objectives

- (a) To recognize established institutional uses.
- (b) To provide for additional institutional uses that can be appropriately located in the Plan area to serve existing and future residents.
- (c) To ensure the protection of cemeteries and other known burial sites.

### 2.5.2 Policies

- (a) Map 1 designates land and buildings as Institutional for public and community uses in facilities such as schools, community halls, churches, fire halls and training, educational and science and research facilities.
- (b) The Pender Harbour Fire Protection District and the Egmont and District Volunteer Fire Department provide fire and emergency response within the Plan area and provide mutual aid for the ambulance service, emergency fire and rescue with one another and with the Provincial Government.
- (c) A heliport with safe landing sites should be developed to enhance access to the Plan area in the event an emergency.
- (d) School District 46 and the SCRD shall maintain the Egmont School site for public use.
- (e) School District 46 is strongly encouraged to maintain full K-12 school facilities in the Plan area.
- (f) Community schools are supported for the purpose of promoting community access to schools and resources, with a priority of providing for additional programs for youth
- (g) Institutional uses such as public offices, training centres, colleges and research facilities are encouraged.
- (h) Pender Harbour Health Centre shall be maintained and expansion supported if required.
- (i) Existing and future community projects, current examples include the Egmont Heritage Centre and Sarah Wray Hall in Irvines Landing should be supported.
- (j) Government services with strong marine capabilities such as RCMP, DFO, Conservation, Coast Guard, RCM SAR, and *shíshálh* Nation are encouraged to maintain their presence in the Plan area.
- (k) Increased communication options such as high speed internet, cable and telephone are encouraged throughout the Plan area for emergency communications.



- (l) The provision of public washroom and laundry facilities at public wharves and marinas, shopping areas and swimming areas are encouraged.
- (m) Provision of electric vehicle charging stations at public and community facilities is encouraged.
- (n) Cemeteries are managed by the SCRD Parks Function and first nation burial sites are protected by the *shíshálh* nation heritage policy and the *Heritage Conservation Act*.
- (o) BC Hydro is encouraged to take measures to reduce the noise and light pollution at transmission sub-stations.
- (p) Public Utilities and businesses are encouraged to comply with the SCRD Outdoor Lighting Guidelines.
- (q) Shared use of transmission corridors for low-impact recreational purposes is encouraged and will be explored where practical.

## 2.6 Community Recreation and Conservation

The Community Recreation and Conservation designation includes properties that are formally designated parks as well as Crown lands used for recreation and conservation purposes. This includes SCRD parks: Pender Hill, Katherine Lake, Dan Bosch Park, and smaller neighbourhood parks; Provincial Parks: Garden Bay Marine Park, Francis Point and Skookumchuck.

Within this designation not all lands are used exclusively for recreation or conservation; therefore possible future uses must also be recognized.

The Parks and Recreation Master Plan is the guiding document that provides direction on site specific planning for parks owned and managed by the SCRD. The OCP provides additional direction for parks and indoor and outdoor recreation areas in the Plan area.

### 2.6.1 Objectives:

- (a) To recognize the need for park opportunities at neighbourhood, community, regional and provincial levels to fulfill the recreational needs of residents and visitors.
- (b) To support outdoor recreational opportunities and public access to the backcountry throughout the Plan area.
- (c) To increase public access to the waterfront of both lakes and the ocean, for example, by pursuing the development of road rights-of-way.
- (d) To recognize that major watercourse areas are a valuable environmental, economic and recreation resource that need to be protected to preserve land and water areas with natural recreational potential for public use.
- (e) To enhance public access and use of water resources in a manner that minimizes detrimental effects on the environment and adjacent land uses.
- (f) To develop relations with the community and in particular community groups that can provide stewardship and oversight for beach access trails and road accesses;
- (g) To support additional recreation opportunities such as pickle ball, tennis and gyms.

### 2.6.2 Policies:

- (a) SCRD and Provincial Parks within the Plan area as shown on Map 1 are designated as Community Recreation and Conservation.
- (b) Existing waterfront accesses shall be maintained and enhanced and remain viable into the future.
- (c) The SCRD will not support a request to close or alienate roads leading to the waterfront.
- (d) In areas noted Future Park/Trail Opportunity on Map 1, dedication of land at the time of subdivision for park purposes shall be a priority for the SCRD.

- (e) Dan Bosch Park shall continue to provide day use beach access at Ruby Lake.
- (f) Lions Park shall provide a sports field for the Plan area.
- (g) Future dedication of land within the Katherine, Mixal and Sakinaw Lake area should be explored to complete hiking trail circuits.
- (h) The SCRD and *shíshálh* Nation should explore means of acquiring District Lot 4700 between Ruby Lake and Sakinaw Lake. Future plans to construct a public boat launch, campground or any other use would be subject to an environmental assessment conducted by a Registered Professional Biologist and public consultation with both Ruby and Sakinaw Lake landowners and the general community.
- (i) Bicycle and walking paths should be developed in the Plan area.
- (j) Access to the waterfront is to be secured at the time of subdivision or other development approval, where applicable.
- (k) Park acquisition during subdivision and development stage shall be consistent with the Parks and Recreation Master Plan and the SCRD Board Parks Acquisition Policy.
- (l) Map 1: Land Use Designations show areas where park dedication would be favourable during subdivision development. These areas are marked by insignias on the map and are general locations of potential future park dedications. Any land accepted in this area would be subject to on-site analysis, general agreement with land developer and approval from SCRD Board.
- (m) The Ministry of Forests, Lands and Natural Resource Operations is encouraged to decommission only those roads that are urgently required to be decommissioned due to safety concerns. Existing logging roads and forest recreational trails continue to provide multi-purpose recreation routes and back-country activities.
- (n) An alternative route shall be developed for the portion of the Suncoaster Trail that is located on the highway.
- (o) To support community groups that can provide stewardship and oversight for beach accesses and trails.

## 2.7 General Commercial

The general commercial designation applies to the commercial areas, particularly the Madeira Park commercial core and to the expanding commercial area in Kleindale in proximity to the intersection of Highway 101 and Garden Bay Road. There are other spot designations throughout the Plan area which identify commercial uses.

There is support for a mix of commercial uses and a pedestrian friendly street market appeal, particularly within Madeira Park.

The Kleindale area is an area with a mix of rural residential, light industrial and commercial uses. The existing land use zoning shall remain in place and, as residential properties transition into industrial or commercial properties individual zoning bylaw amendment applications may be required to implement commercial uses.

### 2.7.1 Objectives

- (a) To maintain existing commercial facilities on land and water areas, and to provide for additional facilities and a variety of commercial enterprises in appropriate areas.
- (b) To provide for smaller commercial outlets to allow for small scale neighbourhood commercial opportunities.
- (c) To encourage the development of centralized street markets in the commercial areas.
- (d) To consider the impact from traffic, noise and visual pollution on the surrounding area.

### 2.7.2 Policies

- (a) Map 1 designates select lands as General Commercial, for land and water parcels for commercial facilities which include retail sales, commercial marinas, motels, gasoline service stations, and food and drink sales amongst other commercial uses.
- (b) Land within this designation shall remain within the general commercial land base.
- (c) The minimum size of new subdivided lots shall be 2,000 square metres in areas served by community water, and 1 hectare in areas not served by community water. Smaller parcel sizes may exist within historical subdivision patterns. The creation of smaller parcels is contingent upon advanced sewage treatment systems.
- (d) The SCRD and business community shall investigate options and funding for a central sewage treatment system as described within Part 3.6.
- (e) The area between Menacher Road and Garden Bay Road at Kleindale is located within a transition zone where there is a mix of industrial, commercial and residential properties. The area shall be designated as commercial, though rural residential zoning in the zoning bylaw will remain in place until such time that amendments to the zoning bylaw are requested through applications by property owners.

- (f) The extension of zoning to permit additional facilities described in the Commercial designation is to be considered for land located in proximity to existing commercial uses. Any proposed rezoning will be evaluated on the site selection considerations and information requirements which are subject to development approval information, pursuant to the *Local Government Act* and SCRD Procedures and Fees Bylaw 522:
- i. the proposed development will not pose a detrimental impact on environmentally sensitive areas, as determined by a qualified environmental professional;
  - ii. if the proposed development is located within or in proximity to identified geotechnical hazard areas the property must be considered safe for the use intended and within the parameters of the SCRD risk assessment hazard threshold policy;
  - iii. the access to the proposed development is acceptable to the Ministry of Transportation and Infrastructure;
  - iv. liquid waste disposal from the overall development must be acceptable to the SCRD (for community sewer systems under SCRD ownership) or Vancouver Coastal Health Authority or Ministry of Environment (depending upon sewage volume);
  - v. availability of off-street parking;
  - vi. ability to buffer proposed commercial uses from adjacent residential uses; and
  - vii. the development will be referred to the *shíshálh* Nation for review.
- (g) Madeira Park has a commercial core as shown on Map 1. The Madeira Park commercial area has historically been used for commercial purposes. In the long term additional commercial development will require a strategy for stormwater and liquid waste disposal if more intensive development is proposed. Short term development will be constrained by existing septic field disposal limitations. Stormwater management is further described in Section 3.8.
- (h) The development of new commercial facilities and the redevelopment of existing facilities within the Madeira Park and Egmont commercial area is to be consistent with local character to promote business growth and to foster community identity.
- (i) Open markets with mobile vending and locally grown agricultural produce, fresh seafood and/or crafts shall be supported for the Madeira Park, Kleindale and Egmont commercial areas.

## 2.8 Tourist Commercial

The tourist commercial properties are an important part of the Egmont/Pender Harbour community. They provide an economic and social benefit are frequented by residents and tourists alike for boating, camping and dining out opportunities.

Future expansion of existing facilities or establishment of new facilities requires careful consideration of the surrounding properties and the natural environment.

### 2.8.1 Objectives

- (a) To recognize existing tourist commercial services and facilities throughout the Plan area, including historic uses with residential and rural areas.
- (b) To encourage additional marine oriented and land based commercial recreational activities that have minimal impact on residential properties and on sensitive habitat areas.
- (c) To preserve public spaces within the Plan area, including public meeting spaces located within commercial properties and businesses.
- (d) To consider the impact from traffic, noise, light and visual pollution from commercial areas on the surrounding area.

### 2.8.2 Policies

- (a) Map 1 designates select lands as Tourist Commercial, for land and water parcels providing services for tourist commercial purposes, such as: accommodations, including lodges, motels, sleeping units and campgrounds, restaurants/pubs, general stores and marinas.
- (b) Land within this designation shall remain within the tourist commercial land base.
- (c) The minimum size of new subdivided lots shall be 2,000 square metres in areas serviced by community water supply, and 1 hectare in areas not served by community water supply. Smaller parcel sizes may exist within historical subdivision patterns. The creation of smaller parcels is contingent upon advanced sewage treatment systems.
- (d) A maximum of 30 campsites per parcel.
- (e) Future Tourist Commercial sites not yet designated on Map 1 may be considered consistent with the OCP. A proposed amendment to the zoning bylaw will be evaluated on the site selection considerations and information requirements which are subject to development approval information, pursuant to the *Local Government Act* and SCRD Procedures and Fees Bylaw 522:
  - i. the proposed development will not pose a detrimental impact on environmentally sensitive areas, as determined by a qualified environmental professional;



- ii. if the proposed development is located within or in proximity to identified geotechnical hazard areas the property must be considered safe for the use intended and within the parameters of the SCRD risk assessment hazard threshold policy;
- iii. the proposed expansion over tidal waters will not pose a navigational hazard;
- iv. the access to the proposed development is acceptable to the Ministry of Transportation and Infrastructure;
- v. vehicular access to the property and on-site parking shall be provided in a location which, through siting and design, causes minimal impact on adjacent properties;
- vi. the development will be referred to the *shíshálh* Nation for review;
- vii. consideration be given to the traffic and noise from tourist commercial areas impact on the surrounding area;
- viii. liquid waste disposal from the overall development must be acceptable to the SCRD and Vancouver Coastal Health Authority or Ministry of Environment (depending upon sewage volume); and
- ix. proposed developments in residential or rural areas shall respect existing neighbourhood character through compatible architectural design and landscaping, sensitive siting of all buildings, parking and an appropriate overall scale.

## Part Three: Community Planning

### 3.1 Natural Environment

The Natural Environment chapter provides broad level policies that apply to all lands and waters throughout the Plan area. Further on into this document there are more specific policies which apply to certain land use designations or even particular properties. However, the objectives and policies in this chapter provide general direction for the use of land and water within the Plan area. The chapter is divided into the 'Upland Environment' and the 'Aquatic Environment'.

The upland environment includes all lands within the Plan area from neighbourhood areas, rural properties, to the resource lands and the slopes of the Caren Range. The aquatic environment includes all of the tidal, non-tidal, and watercourse areas.

#### UPLAND ENVIRONMENT

##### 3.1.1 Objectives

- (a) To focus settlement and related facilities as well as commercial and industrial development on terrain most suitable for such developments so that constraints such as land slip, flooding, detrimental marine processes, and environmental problems are least likely to occur.
- (b) To maintain and improve the existing environmental quality within the Plan area.
- (c) To encourage a sense of community pride and to make provisions to ensure generally tidy and attractive neighbourhoods, while recognizing the nature of a 'working harbour' community.
- (d) To develop a program to recognize and manage invasive species. To recognize the unique environment of the Plan area and to encourage homeowners and developers to manage for the retention of indigenous trees and vegetation for aesthetic, natural habitat, and erosion control reasons.
- (e) To develop a program to stop illegal dumping and support the SCR D Good Samaritan program of free dumping at the transfer station for community clean up events.

##### 3.1.2 Policies

- (a) Policies within this OCP, particularly geotechnical hazard areas and riparian areas, shall be used to protect watercourses and adjacent areas during the course of development.
- (b) Development applications or referrals which include the release of smoke, noxious chemicals or odours shall be carefully assessed with the objective of maintaining air quality in the community.

- (c) Applicants shall be encouraged to design residential subdivisions in a manner that maintains and enhances the natural attributes of the site, including the retention of indigenous vegetation and providing walking links within the neighbourhoods and existing trails.
- (d) The use of cosmetic pesticides is prohibited on SCRD property and discouraged on all lands within the Plan area, with the exception of pesticide use on noxious weeds or invasive species that pose significant risk to the environment, economy, or public health per the SCRD Pesticide Use and Invasive Species Policy.
- (e) Federal and Provincial agencies shall be discouraged from using pesticides for cosmetic purposes.
- (f) Restore and protect habitats that support native species of both plants and animals and address threats to biodiversity from invasive species and land development in sensitive areas.
- (g) Work with the community to build awareness on the impact of invasive species through developing mitigation measures, best practices and opportunities to participate in volunteer eradication programs; and co-ordinate efforts with the Invasive Species Council.
- (h) Effective enforcement of the noise bylaw is a priority for the Plan area, particularly where there are conflicting land uses within close proximity.
- (i) Outdoor storage of personal materials on parcels shall be appropriately screened through the use of fencing or a natural vegetation buffer, pursuant to the zoning bylaw.
- (j) During subdivision or other property developments, wherever possible, stormwater shall be managed by creating permeable surfaces and using retention measures rather than directing onto adjacent lands and roads.
- (k) Land developers are required to ensure that natural drainage conditions are retained, including subsurface flows to springs, wells, wetlands and streams.
- (l) Illegal dumping on public land shall be reported to the BC Conservation service.
- (m) Illegal dumping and storage of trash on private property shall be reported to the SCRD Bylaw Compliance Officer.
- (n) The SCRD should consider continuing to offer the Good Samaritan Program to support free tipping fees for the proper disposal of trash collected from illegal dump sites.

## AQUATIC ENVIRONMENT

### 3.1.3 Objectives

- (a) To protect the quality and quantity of tidal, non-tidal and watercourse areas and groundwater sources and surrounding riparian areas for the purpose of maintaining the natural environment as well as drinking water supply sources.
- (b) To provide direction and oversight through zoning and information to regulatory government agencies with respect to the private use of waterbodies for moorage and other tenures.

### 3.1.4 Policies

- (a) Approval for treated shared sewage ocean outfalls will only be considered where a minimum of a high level secondary treatment meeting the Regional District Subdivision and Servicing Bylaw 320 is proposed. Treated sewage should only be disposed of into the ocean in areas with high flush capacity in a tidal waterbody. Effort is to be made to re-use water for on-site irrigation or retention to reduce to amount of effluent discharge.
- (b) Working together with provincial agencies the SCRD will assist in identifying solutions for individual sewage outfalls to be eliminated and ground disposal and alternate solutions are to be utilized.
- (c) Malfunctioning septic systems, particularly adjacent to waterbodies, shall be reported to the Vancouver Coastal Health Authority for appropriate action.
- (d) The flushing of holding tanks, boat heads, and bilges shall be prohibited in low flush tidal areas, such as Pender Harbour and densely populated and ecologically sensitive zones be prohibited pursuant to the Vessel Pollution and Dangerous Chemicals Regulation.
- (e) The Vancouver Coastal Health Authority shall be encouraged to continue water quality monitoring in the lakes and watercourses.
- (f) Foreshore tenures shall match the upland use zoning and use in terms of the size and the scale of the facility. Consideration is to be given to creating a zoning designation on the foreshore to enable the Regional District to provide specific comments to the provincial government and *shíshálh* Nation and other organizations when there are applications for moorage or other tenure on the water and foreshore area.
- (g) Development of zoning on water bodies is to take place in a separate process after adoption of the OCP. The process of creating zoning over the water shall be a local solution that works for the community complete with input and guidance from a community advisory group. The intent of the zoning is to ensure that the foreshore use is an appropriate match for the upland use and to determine that there may be limits on the size and use of moorage structures. The development zoning shall review existing uses and recognize the difference between fresh and salt water and include the entire Plan Area. Fresh water zoning is considered to be a priority.

- (h) Private moorage structures shall not obstruct use and access in foreshore areas used by the public nor be detrimental to existing aquatic habitat.
- (i) Vessels used as dwellings shall be prohibited on non-tidal waters and shall be permitted on tidal water only in accordance with all Transport Canada holding tank and sewage discharge requirements and comply with the requirement to use an approved pump out station for sewage discharge, as described in Part 4.3.
- (j) Setbacks, and use of toxic substances on fresh and salt water bodies shall follow provincial and federal moorage best practices guidelines.
- (k) A 30 metre assessment area for structures and land development and alteration from the natural boundary of all lakes and creeks in the Plan area is required pursuant to the Riparian Areas Regulation for the purpose of habitat protection, vegetation retention, water quality protection and geotechnical constraints, and as further described in Part 4.9.10: Development Permit Area 4: Riparian Assessment Areas
- (l) If a development permit has been issued within the 30 metre assessment area, the setback shall be no less than 20 metres for new construction adjacent to all lakes.
- (m) The Regional District may give consideration to additions to existing lakefront dwellings that do not conform to the established lakefront setbacks under development variance permit application to a maximum of 28 square metres, including deck space, subject to the following considerations:
  - i. the addition does not encroach any closer to the lake;
  - ii. the parcel complies with current standards and requirements for a septic disposal system pursuant to the Sewerage System Regulation;
  - iii. a qualified environmental professional in accordance with the Riparian Areas Regulation assesses the proposal, provides recommendations and identifies the streamside protection and enhancement area;
  - iv. a covenant is registered on the title of the property to protect the native vegetation within the Streamside Protection and Enhancement Area (SPEA) and to confirm that the addition is on a one-time-only basis and all additional buildings and structures shall meet the setbacks established within the zoning bylaw.
- (n) Marinas and related commercial facilities, in particular fuel sales, shall not be permitted on lakes and fresh water within the Plan area.
- (o) The Regional District will investigate options for additional boat launches, parking areas and public access to the lakes in the Plan area. The preservation of the natural environment will be a priority in the consideration of additional access points, along with enhanced public access and neighbourhood/traffic safety.
- (p) Properties that are subdivided along a lakeshore shall have a minimum frontage of 60 metres along the lake.

- (q) It is recommended to add Pender Harbour to the list of designated Marine Areas as a no sewage discharge area as defined in the Pleasure Craft Sewage Regulation of the *Canada Shipping Act*.
- (r) The Regional District shall work with community associations around the lake areas to agree upon best practices for water craft operations to ensure safe use and best practices on the lake.
- (s) Support for any future referrals from the Ministry of Environment respecting outfall renewals and permits and renewals shall be contingent upon a high level of sewage treatment.



## 3.2 Land Transportation System

Planning the road network is a collaborative effort between the SCRD and the Ministry of Transportation and Infrastructure (MOTI). The hierarchy of road types in the Plan area consists of trunk highways, major collector roads, minor collector roads and local roads. The ministry has jurisdiction over all public roads throughout the Plan area and makes the final decision on road dedication, construction and maintenance considerations. However, the OCP and other guiding documents such as the Integrated Transportation Study (2011) guide the decision making process to ensure the development of an efficient and multi-modal transportation system.

The Integrated Transportation Study is primarily focused on the Highway 101 corridor and the intersections leading into neighbourhoods. Additional objectives and policies within this chapter apply to neighbourhood roadways.

Future transportation planning must include more than consideration of private automobiles; public transit, cycling and walking also form a part of transportation decisions.

### 3.2.1 Objectives

- (a) To utilize the SCRD Integrated Transportation Study in future road improvements and planning
- (b) To encourage the development of a balanced system of roads that safely and efficiently provides for through traffic and for the needs of residents and visitors, while having minimal impact on the rural residential character of the Plan area.
- (c) To work with various partners such as the Ministry of Transportation and Infrastructure, developers and community groups to coordinate bicycle and walking path routes along road ways that will promote safe and efficient bicycle and pedestrian movement.
- (d) To encourage the development of local transportation options to serve the Plan area, including ride shares and other public and private transportation options.
- (e) To assure the provision of adequate off street parking and safe access to serve residential, commercial, and industrial activities in order to ensure no parking spillover onto the Sunshine Coast Highway and other major roads.
- (f) To encourage property owners to maintain a vegetative treed buffer between their property and the adjacent road.
- (g) To consider social and environmental impacts in the planning of future bypass highways.
- (h) To provide opportunities within road allowances to be used as bicycle and pedestrian access corridors.
- (i) To co-operate with land owners, visitors and the Ministry of Transportation and Infrastructure to ensure that roads remain safe and accessible for emergency vehicles.
- (j) To work together with the Ministry of Transportation and Infrastructure when considering approval of subdivisions in difficult to access locations.

- (k) To support park and ride locations in proximity to the highway and collector roads.
- (l) Support the creation of private facilities for public parking to accommodate water access only properties.
- (m) Parking facilities should contain washroom facilities for customers.

### **3.2.2 Policies**

- (a) The Ministry of Transportation and Infrastructure is encouraged to maintain and improve their existing standards of road development.
- (b) The Major Road Network Plan shown on Map 3 is intended to integrate major roads with the Provincial Highway to ensure efficient traffic movement and safety.
- (c) Through the Major Road Network Plan the SCRD and Ministry of Transportation and Infrastructure shall facilitate the provision of efficient and safe transit, ride share, pedestrian and bicycle traffic and on-street parking.
- (d) Paved shoulders, with a minimum 1.5 metre width, and paved driveway aprons shall be provided along highways and major roads for bicycles and pedestrians.
- (e) All future major realignments along the Sunshine Coast Highway shall be done in a safe and efficient manner and take into account the recommendations contained within the 2011 SCRD Integrated Transportation Study.
- (f) Any future highway bypass around Pender Harbour shall be planned in consultation with the community. It must also be constructed and located in a manner that does not have an overall negative impact on the community water supply from McNeil Lake and the environment in general.
- (g) The Ministry of Transportation and Infrastructure and the SCRD shall cooperate to enforce on-street parking infractions in high priority areas such as boat launches and community cores.
- (h) Parking plans are to be developed for the community core areas to minimize the impact of vehicle parking.
- (i) Off-street parking and staging areas for water access only subdivisions in lake areas are required.
- (j) A multi-use pedestrian and bicycle bridge link across Gunboat Bay from Madeira Park to Garden Bay shall be considered by the Ministry of Transportation and Infrastructure and SCRD in consultation with the local community.
- (k) Where feasible subdivision developments shall contain linkages and connectivity to neighbourhoods and amenities for bicycles and pedestrians.
- (l) View areas and rest stops should be provided along Sunshine Coast Highway 101 as well as along local roads for public foreshore access.

- (m) The Ministry of Transportation and Infrastructure shall be encouraged to consider flexibility of road access and design requirements during the development approval stage.

### 3.3 Marine Transportation System

The marine transportation system is an integral part of the Plan area. There are harbours in the Plan area, which are both working harbours and destinations for pleasure crafts and tourists.

The Harbour Authority of Pender Harbour manages three docks within Pender Harbour: Madeira Park Government Wharf, Hospital Bay Government Wharf and Gerran's Bay Government Wharf.

Key considerations in this OCP include a recommendation for zoning on the water as well as an integrated harbour use management plan to determine management of harbours within the Plan area.

#### 3.3.1 Objectives

- (a) To recognize existing marine public transportation facilities throughout the Plan area.
- (b) To promote marine safety initiatives, including oil spill response and other environmental concerns.
- (c) To recognize the need for diverse marine transportation facilities located in appropriate areas.
- (d) To support the Harbour Authority of Pender Harbour in its jurisdiction of the three public wharves for the benefit of the fishing industry as well as the general public throughout the Plan area.
- (e) To explore ways to increase access to the foreshore throughout the Plan area.
- (f) To provide better access to docks and enable the docks to be shared, which will enable the harbour areas to be more attractive for marine tourism and business.
- (g) To work with stakeholders from all levels of government, as well as the community to develop an integrated harbour use action and management plan, which will create a needs assessment for harbour and marine uses within the Plan area.

#### 3.3.2 Policies

- (a) Map 3 highlights the existing public wharves and the Earl's Cove ferry terminal. These facilities shall continue to be utilized for this purpose, with upgrading or expansion being undertaken as required.
- (b) Marine transport safety is encouraged through recognition of Department of Transport and Canadian Coast Guard regulations and co-operation and collaboration with these and other senior government agencies and the local Royal Canadian Marine Search and Rescue.

- (c) Crown leases for existing government wharves and other public facilities should be for the benefit of both the commercial marine industry and the general public.
- (d) Harbour areas shall continue to be used by the local pleasure craft, commercial and tourist commercial industry as well as other resource-based industries.
- (e) Parking shall be provided by marina facilities to provide pick up and drop off areas for passengers and supplies.
- (f) Derelict vessels shall not be left anywhere within the Plan area and the SCRD shall work with senior levels of government to come to a resolution on this issue.
- (g) Sewage discharge into local waters from live-aboard vessels shall not be permitted.
- (h) Vessels and boats shall not be moored in the harbour areas for the purpose of advertising billboards and signs.
- (i) The Harbour Authority of Pender Harbour should be granted the authority to manage mooring buoys.
- (j) Additional marine service facilities, public docks and boat ramps are supported, subject to being located and constructed in a manner that reduces conflict with surrounding properties and reduces the impact on the foreshore environment.
- (k) An integrated harbour use action and management plan shall be considered the entire Plan area, with a focus on the harbour areas, such as Pender Harbour, Earl's Cove and Egmont.

The study shall create a vision for marine use as well as a needs assessment. An integrated harbour use management study would be undertaken in conjunction and cooperation from other harbour users and stakeholders including government, *shíshálh* Nation and industry.

The study shall reflect adjacent upland uses as well as collect the aquatic and biophysical information of the harbour areas and provide an action plan to protect and enhance the environmental qualities of the harbour areas.

- (l) Future commercial or high density residential developments in the Oyster Bay area shall require an individual on-site environmental study as a condition of development approval.

## 3.4 Service Utilities

Utilities include hard infrastructure such as community water and waste-water systems, hydro, telephone, cellular, fibre optics and natural gas supply lines. This form of service is essential to the development of a community.

### 3.4.1 Objectives

- (a) To recognize existing public utilities.
- (b) To maintain the environmental qualities and aesthetics by utilizing common utility corridors.
- (c) To promote efficient energy supplies to facilitate cost effective residential, commercial and industrial development.
- (d) To support the expansion of natural gas into the Plan area.
- (e) To support the expansion of high speed internet and mobile phone service and other technological improvements.
- (f) To support the development of renewable and small scale green energy production.

### 3.4.2 Policies

- (a) Utilities such as the major BC Hydro power transmission line, cellular transmission towers, natural gas line, public water supply lines and water storage facilities will be permitted throughout the Plan area subject to impact assessment requirements and consultation with the community.
- (b) Service providers, such as BC Hydro are strongly encouraged to share vegetation and pest management plans prior to implementation.
- (c) Utilities be it private or public shall be strongly encouraged to share in the use of transmission corridors in an effort to reduce costly duplication of poles, roadside hazards, and visual clutter.
- (d) The SCRD shall engage the public as new policies and bylaws pertaining to local energy production are established.

## 3.5 Water Service

Community drinking water supply is provided by the SCRD through the North and South Pender Harbour, Earls Cove and Egmont water service areas. Individual parcels outside water service areas are served by surface or ground supplies.

Impacts from growth on surface water quality, limited summer-time reserves, and the detection of ground water arsenic have all raised community concerns. Additional domestic water sources need to be investigated to accommodate expected growth into the future. Water master plans are developed by the SCRD to determine the needs for infrastructure growth. This official community plan points to the areas within the community that are considered most suitable for community growth.

### 3.5.1 Objectives

- (a) To identify and protect surface and ground water supply sources from contamination and diversion.
- (b) To supply sufficient quality and quantity of Regional District water for domestic consumption and fire protection purposes in areas serviced by a Regional District water system that are guided by water supply master plans.
- (c) To support future integration of water systems in the Plan area.

### 3.5.2 Policies

- (a) Develop and maintain reservoirs and storage, water supply mains and other facilities required to provide clean and sufficient water to the water service areas.
- (b) A comprehensive water supply and management strategy shall be updated for the Plan area that identifies potential community ground and surface water supply sources to serve existing residents and future growth and identify any expansion and system connection opportunities.
- (c) A water supply and management system shall be practical, cost effective and supported by the community.
- (d) The lakes within the Egmont and Pender Harbour area shall be viewed as a system, which can feed one another and provide flexibility in the supply side.
- (e) Demand reduction is a priority for new and existing developments.
- (f) Protection of water supply is a priority for the community and the SCRD.
- (g) If an expansion of a water system is required to serve a development, this expansion must be conducted by the developer with approval from the SCRD.

## 3.6 Liquid Waste Management

The method of sewage disposal within the Plan area includes the standard septic tank and drain field system, private package treatment plants, community sewer systems, and ocean outfalls. Higher density areas and commercial areas such as Madeira Park and Garden Bay will require liquid waste management planning to accommodate redevelopment and future growth.

Replacement of aging septic systems and implementation of modern systems consistent with current Vancouver Coastal Health Authority standards will assist in environmental protection for both marine, lake and watercourse areas.

Consideration must be given as to how a community sewage system can benefit core neighbourhood and commercial areas. This is to be investigated for higher density areas such as Madeira Park and Garden Bay to be utilized for both existing connections and new developments.

### 3.6.1 Objectives

- (a) As a priority to develop and adopt a liquid waste management strategy for the Plan area.
- (b) To support proven and reliable new technologies for individual on-site sewage disposal for both new installations and for replacement systems.
- (c) To design and maintain common sewage disposal systems to the standards of the SCRD for community sewage disposal systems as established by the SCRD Bylaw in a way that reinforces the desired settlement pattern, provides cost efficiency, and protects the health of the community.

### 3.6.2 Policies

- (a) On-site sewage treatment systems shall continue to be the preferred method of effluent disposal in the Plan area and be subject to the requirements of the appropriate governing authority be it the Vancouver Coastal Health Authority or Ministry of Environment along with the SCRD.
- (b) A liquid waste management study will identify where any future community sewer systems could be developed, and to confirm areas to be serviced by on-site septic systems. Attention is to be given to the provision of community sewer to serve the community commercial centres and higher density neighbourhoods.
- (c) The Vancouver Coastal Health Authority through the Municipal Sewage Regulation is responsible to establish, maintain, and enforce a non-pollution standard for septic effluent disposal in all areas including lake watersheds, along all watercourses, and in marine waterfront areas for both existing and new dwellings.
- (d) The Vancouver Coastal Health Authority is encouraged to consider proven and reliable alternate sewage disposal systems for single parcels as either replacement systems or for properties with limited soil for conventional systems.



- (e) Community sewage treatment systems shall be constructed to SCRD subdivision servicing bylaw standards and maintained by either the SCRD or a strata corporation, with a vision of integration with an overall community system developed in compliance with a liquid waste management strategy.
- (f) Support for sewage ocean outfalls will only be considered where a minimum of high level secondary treatment/tertiary treatment, pursuant to SCRD subdivision servicing bylaw standards is proposed to serve existing developments with an understanding that any approved facility be integrated into a future community sewer system recommended by an SCRD Liquid Management strategy.
- (g) Sewage discharge into local waters from live-aboard vessels shall not be permitted.

## 3.7 Solid Waste

Solid waste planning and services are guided by the SCRD Solid Waste Management Plan (2011). The plan identifies opportunities for waste reduction and diversion.

### 3.7.1 Objectives

- (a) To provide for the disposal of solid waste at the transfer station.
- (b) To encourage and facilitate waste reduction activities including source reduction, reuse and repair of items, and recycling of materials within the Plan area.
- (c) To encourage safe and responsible backyard composting within the Plan area that will minimize conflict with wildlife.
- (d) To support a commercial composting operation.

### 3.7.2 Policies

- (a) The Pender Harbour transfer station will continue to be the major disposal site for refuse from the Plan area as shown on Map 1.
- (b) Residents and commercial enterprises are encouraged to reduce the amount of waste they generate through waste reduction activities including source reduction, reuse and repair of items, and recycling of materials in order to meet the SCRD waste reduction and diversion target, as noted in the Solid Waste Management Plan.
- (c) Residents/property owners are encouraged, where safe, to undertake residential backyard composting of yard, garden, and food waste in order to meet the SCRD waste reduction and diversion target, as noted in the Solid Waste Management Plan.
- (d) To reduce the impact of illegal dumping the SCRD shall investigate options for local collection of invasive plants and other similar hard to dispose of products.

## 3.8 Stormwater Management

Management of drainage and stormwater in the SCRD has traditionally been overseen by the Ministry of Transportation and Infrastructure; however its mandate is focused on protecting the road system against flooding and damage rather than on the overland flow of stormwater which may impact properties.

The guiding principle for dealing with on-site stormwater is to not increase flow from the site and to return a property to its natural condition post development. Stormwater infrastructure should not funnel water into streams, particularly where there are geotechnical and environmental concerns. Managing stormwater on-site by creating permeable surfaces and using detention measures is the preferred approach to stormwater management. Soft solutions are preferred to hard engineered solutions such as planted swales over hard pipes.

Climate change predictions include the possibility of more numerous precipitation events of greater intensity and extended hot and dry periods. On-site management of stormwater, particularly through landscaping, must account for the possibility of more extreme weather events.

The SCRD will continue to work with the Ministry of Transportation and Infrastructure in their role of subdivision approving authority to ensure that adequate drainage management systems are implemented at the time of subdivision and development approval.

### 3.8.1 Objectives

- (a) To maintain the existing natural flow characteristics of watersheds within the Plan area by taking into account the cumulative impacts of development within the watershed areas.
- (b) To minimize the negative effects of stormwater runoff on streams and other watercourses and properties located below new developments.
- (c) To limit the percentage of total impervious area surfaces on properties.
- (d) To minimize the impact of stormwater and drainage at the subdivision and development stage.

### 3.8.2 Policies

- (a) Amend current zoning bylaws to include provisions limiting the percentage of impervious paving and building areas on a development to encourage on-site retention and to reduce surface runoff.
- (b) Through development approval consideration, require stormwater treatment and management strategies that prevent hydro-carbon run-off into nearby waterbodies.
- (c) Establish a protocol with the MoTI regarding requirements for site specific drainage plans to minimize the impact of stormwater at the time of subdivision both on the site and on properties downstream.

- (d) Amend the Subdivision Servicing Bylaw to ensure that developments requiring building permit or subdivision applications meet on-site and off-site stormwater management criteria. The criteria shall support the above stormwater objectives and address the following types of development:
- i. a dwelling unit, duplex, multi-family unit development, expansion or development of a mobile home park;
  - ii. auxiliary buildings with a floor area exceeding 200 square metres;
  - iii. a commercial, industrial or institutional building; and
  - iv. Subdivisions that would result in a net increase in three or more parcels for any type of land use.
- (e) At the time of rezoning and other discretionary development applications, the retention of native trees and vegetation may be required to reduce the effect of rainfall on stormwater flows.
- (f) Where retention of native vegetation is not possible, re-vegetation using the Naturescape B.C. guidelines shall be undertaken to reduce the effect of rainfall on stormwater flows.
- (g) Stormwater planning shall take into account the full spectrum of rainfall events to maintain or replicate natural systems to the greatest possible extent.
- (h) Stormwater infrastructure shall relate to the size of the development and its potential impact on the area.
- (i) Stormwater infrastructure shall be planned and implemented in a way that does not negatively impact adjacent properties.
- (j) Development shall not result in the pollution of surface or groundwater supplies. Particular care shall be taken to ensure that there are no detrimental impacts to agricultural land, water wells or streams due to water pollution.

### 3.9 Development Permit Areas

In 2015 Kerr Wood Leidel Associates Ltd. Consulting Engineers (KWL) conducted an inventory of hazardous lands within the Egmont/Pender Harbour Official Community Plan area including creek flow areas and coastal and open slopes. In addition to the inventory of hazardous lands, KWL provided recommendations on the safe use of these lands.

Coastal zone hazards include flooding of lower-lying terrain (DPA 1A) and erosion and instability of oceanfront slopes (DPA 1B). Provincial Guidelines prepared by Ausenco Sandwell in 2011 establish the flood control guidelines and are further described below.

Creek hazards include flooding (DPA 2A), debris floods (DPA 2B), debris flow (DPA 2C) and slope instability associated with ravine sidewalls (DPA 2D). There are three categories within this DPA: creek corridor, ravines, and floodplain. Creeks in the Plan area were examined by the Kerr Wood Leidel consulting engineers; each creek contains its own set of potential hazards.

Slope hazards (DPA 3) include slope failure/landslides and rock falls. It is important to note that this DPA encompasses areas in the OCP where slope hazards have the highest probability to occur. However, slope hazards may occur in other areas not identified here due to changes in land use, land disturbance or extreme precipitation events.

Seismic-initiated slope hazards (earthquakes) need to be considered under the current guidelines for assessment of slope hazards developed by the Association of Professional Engineers and Geoscientists BC (2008). No map-based screening tool is currently available to identify seismic slope hazard areas and therefore is not an identified development permit area for this purpose.

Riparian Assessment Areas (DPA 4) applies to lakes and creeks pursuant to the Provincial Riparian Areas Regulation. There is a 30 metre assessment area along watercourses, which must be considered by a Qualified Environmental Professional prior to land alteration and development.

A development permit on lands identified on Map 2 as being within a development permit area is required for the following activities:

- (a) Subdivision as defined in the *Land Title Act* and *Strata Property Act*;
- (b) Building permits; and
- (c) Land alteration, which includes, but is not limited to, the removal and deposition of soils and aggregates, paving, removal of trees, and the installation of septic fields.

Forestry development subject to the *Forest Range and Practices Act* or *Private Managed Forest Land Act* is regulated separately and not subject to development permit requirements.



## COASTAL ZONE HAZARDS

### 3.9.1 DEVELOPMENT PERMIT AREA 1A: COASTAL FLOODING

Rising sea level has been considered in the development of DPA 1A, but the impact of sea level rise on ocean slope erosion and stability is difficult to anticipate. Consideration shall be given to a regional study to define future coastal flood construction levels incorporating sea level rise.

DPA 1A extends from the ocean to eight metres Canadian Geodetic Datum (CGD - national reference standard for heights across Canada). Within this DPA, development applications require a coastal flood hazard assessment to define the coastal flood components, namely wave runup, wave setup and wind setup.

Guidelines to address coastal flood hazard and sea level rise have been released by the provincial Ministry of Forests, Lands and Natural Resource Operations. The guidelines define the coastal flood construction level (FCL) as the sum of a number of components, such as tide, sea level rise, storm surge, wave effects and freeboard.

A coastal flood hazard assessment within this development permit area would estimate the FCL for construction on a property. The following chart summarizes the components that make up the flood construction level:

COMPONENT	NOTE
<b>Tide</b>	Higher high water large tide
<b>Sea Level Rise</b>	Recommended allowance for global sea level rise: 1 m for year 2100, 2 m for year 2200
<b>Storm Surge</b>	Estimated storm surge associated with design storm event
<b>Wave Effects</b>	50% of estimated wave run up for assumed design storm event. Wave effect varies based on shoreline geometry and composition
<b>Freeboard</b>	Nominal allowance = 0.6 m
<b>Flood Construction Level = Sum of all components.</b>	

If areas on the property are below 8 metres CGD a coastal flood hazard assessment is required, that would include: estimation of coastal flood levels, consideration of future sea level rise and wave run-up effects as outlined in the Provincial Guidelines.

A report within DPA 1A shall include an analysis of the coastal flood hazard including the following:

- (a) An estimation of coastal flood levels for the expected life of the development; and

- (b) An outline all protective measures required to achieve the FCL (e.g. engineered fill or foundations or coastal bank protection or building envelope design).

### **3.9.2 DEVELOPMENT PERMIT AREA 1B: COASTAL SLOPES**

Slope stability issues on oceanfront slopes have been considered in the development of the Coastal Slopes DPA 1B. Hazards may arise as a result of coastal erosion (e.g. undermining of the toe), poor or mismanaged drainage, gradual weakening, or seismic shaking.

Land is located within DPA 1B if the future estimated natural boundary is located 15 metres or less seaward of the toe of the bluff. If this is the case then the assessment area shall extend from the future estimated natural boundary will be located at a horizontal distance of at least 3 times the height of the bluff.

In some conditions, setbacks may require site-specific interpretation and could result in the use of a minimum distance measured back from the crest of the bluff. The setback may be modified provided the modification is supported by a report, giving consideration to the coastal erosion that may occur over the life of the project, prepared by a suitably qualified professional engineer.

A report within DPA 1B shall include the following:

- (a) Slope profiles with documentation of the limits of slope instability. Consideration shall be given to the limits and types of instability and changes in stability that may be induced by forest clearing. The down-slope impact of land alteration and development shall also be considered. As well, slope stability assessments will consider potential coastal erosion under conditions of future sea level rise;
- (b) A detailed stability assessment indicating foreseeable slope failure modes and limiting factors of safety, and stability during seismic events;
- (c) An assessment of shallow groundwater conditions and the anticipated effects of septic systems and footing drains on local slope stability;
- (d) A recommendation of required setbacks based on slope height, erosion susceptibility, and stability from the crest of steep slopes, and a demonstration of suitability for the proposed use;
- (e) If required, definition of the site-specific rock fall shadow area, including an indication of the appropriate buffer zone and required protective works; and
- (f) Appropriate land use recommendations such as restrictions on tree cutting, surface drainage, filling and excavation.

## **CREEK HAZARDS**

### **3.9.3 DEVELOPMENT PERMIT AREA 2A: CREEK CORRIDOR**

DPA 2A applies to all creeks and extends 30 metres from the streamside natural boundary. Flood, debris flow and debris flow hazard assessments will be required within this development permit area. Riparian assessments, as described below in DPA 4 are also required.

A development permit in DPA 2A shall include a review of the property by an appropriately qualified Professional Engineer or Professional Geoscientist as part of a development permit review process. The report shall include an analysis of the land located within the development permit area as well as an analysis of the proposed developments including, but not limited to, building footprint, septic field and land alteration, including tree removal.

Flooding and associated creek processes are subject to assessment and hydrologic investigation at the time of subdivision or building permit or land alteration application. The assessment and investigation shall include a survey of the natural boundary of the creek, and the degree of confinement (e.g. typical cross-sections) and shall consider upstream channels and floodways, debris dams, culverts, sources of debris (channels and eroded banks) and related hydrologic features.

Analysis shall include an estimate of the 200-year return period peak flow and corresponding flood elevation. In addition, consideration shall be given to potential for overbank flooding due to blockages in the creek, such as at upstream road crossings, or areas where debris accumulates.

### **3.9.4 DEVELOPMENT PERMIT AREA 2B: RAVINES**

Ravine areas were defined using the crest lines mapped in the SCRD GIS mapping and based on consideration of stable angles of repose and the typical terrain seen on the Sunshine Coast. A 30 metre assessment from ravine crests defines the area that falls within DPA 2B. A 15 metre assessment line is also indicated.

A report within DPA 2B shall include the following:

- (a) A recommendation of required setbacks from the ravine crests and/or toes of ravine or other steep slopes, and a demonstration of suitability for the proposed use;
- (b) A field definition of the required setback from the top of a ravine crest or other steep slope; and
- (c) The required setback to top of ravine crests and recommendations relating to construction design requirements for the above development activities, on-site storm water drainage management and other appropriate land use recommendations.

### **3.9.5 DEVELOPMENT PERMIT AREA 2C: FLOODPLAIN**

Floodplain areas are distinguished from the creek/river corridor based on their spatial extent. The creek corridor flood hazard applies to relatively well-confined creeks while DPA 2C applies

where there is a large area of low-lying land susceptible to flooding located adjacent to watercourses, which is not captured in DPA 2A. Flood and erosion hazard assessment will be required within DPA 2C.

### **3.9.6 DEVELOPMENT PERMIT AREA 2D: LOW CHANNEL CONFINEMENT**

DPA 2D delineates alluvial fans or areas of low channel confinement. These may exist at several locations on a single creek, although typically at the mouth. These areas are either current or former deposition zones that provide opportunities for channel avulsions (significant erosion) to occur.

Available air photographs and contour mapping were used to identify potential areas of low channel confinement, which are included in DPA 2D. Flood and erosion, and channel avulsion hazard assessment will be required within DPA 2D.

A report within DPA 2C and 2D shall include the following:

- (a) A review of the property by an appropriately qualified Professional Engineer or Professional Geoscientist;
- (b) An analysis of the land located within the development permit area as well as an analysis of the proposed developments including, but not limited to, building footprint, septic field and land alteration including tree removal;
- (c) A hydrologic investigation and assessment of flooding and associated creek processes at the time of subdivision or building permit or land alteration application;
- (d) A survey of the natural boundary of the creek and degree of confinement (e.g. typical cross-sections) and consideration of upstream channels and floodways, debris dams, culverts, sources of debris (channels and eroded banks) and related hydrologic features; and;
- (e) An estimate of the 200-year return period peak flow and corresponding flood elevation.

In addition, consideration shall be given to potential for overbank flooding due to creek blockages such as at upstream road crossings, or areas where debris accumulates.

## **SLOPE HAZARDS**

### **3.9.7 DEVELOPMENT PERMIT AREA 3: OPEN SLOPE FAILURE AND ROCKFALL**

Potential for open slope failures in the Plan area were identified where there are areas of moderately steep and steep terrain. Potential landslide impact areas were only estimated for slopes of 10 metres in height or greater. Impact areas were estimated based on the landslide travel angle details. Open slope crests where initiation of a landslide may occur (bluffs higher than 10 metres) are delineated in the DPA map. Landslide risk assessments will be required within DPA 3.

Different hazards have been identified within the general category of “steep slope hazards”; applications for subdivision, building permit or land alteration shall include a report from an appropriately qualified professional.

Within the Plan area, there are no extensive, tall rock bluff areas that present a significant rockfall hazard. However, there are small, isolated steep areas that consist of low rock hummocks projecting from surficial material cover. These areas present a low hazard and have not been specifically mapped.

Areas of potential rockfall hazard coincide with the open slope failure areas delineated for DPA 3. Consideration shall be given to the limits and types of instability and changes in stability that may be induced by forest clearing. The down-slope impact of forest clearing and land development shall also be considered.

A report within DPA 3 shall include the following:

- (a) Slope profiles with documentation of the limits of slope instability. Consideration shall be given to the limits and types of instability and changes in stability that may be induced by forest clearing. The down-slope impact of forest clearing and land development shall also be considered;
- (b) A detailed stability assessment indicating foreseeable slope failure modes and limiting factors of safety, and stability during seismic events;
- (c) An assessment of shallow groundwater conditions and the anticipated effects of septic systems, footing drains, etc. on local slope stability;
- (d) A recommendation of required setbacks from the crests and/or toes of steep slopes, and a demonstration of suitability for the proposed use;
- (e) A field definition of the required setback from the top of steep slope;
- (f) Appropriate land use recommendations such as restrictions on tree cutting, surface drainage, filling and excavation; and
- (g) If required, definition of the site-specific rock fall shadow area, including an indication of the appropriate buffer zone and required protective works.

## **RIPARIAN PROTECTION**

### **3.9.8 DEVELOPMENT PERMIT AREA 4: RIPARIAN ASSESSMENT AREAS**

Development Permit Area 4: Riparian Assessment Areas consists of the lakes and streams as shown on Map 2, including un-mapped streams and tributaries. The development permit area includes land adjacent to all streams, tributaries, wetlands and lakes connected to fish and fish habitat. The assessment area generally extends 30 metres on both sides of the stream, measured from the natural boundary and more specifically applies as follows:



#### A. Setbacks

- i. for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the natural boundary to a point that is 30 metres beyond the top of the ravine bank;
- ii. for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the natural boundary to a point that is 10 metres beyond the top of the ravine bank; and
- iii. 30 metres from the natural boundary of a lake.

#### B. Development Permits

Proposed developments shall include an analysis by a Qualified Environmental Professional (QEP) to determine the appropriate setback to the water course, known as the Streamside Protection and Enhancement Area (SPEA) and to determine the necessary measures to protect the SPEA both during and after construction.

Development Permits may require that:

- i. areas of land, specified in the permit must remain free of development, except in accordance with any conditions contained in the permit;
- ii. specified natural features or areas be preserved, protected, restored or enhanced in accordance with the permit;
- iii. required works be constructed to preserve, protect, restore or enhance watercourses or other specified natural features of the environment;
- iv. protection measures be followed, including retaining or planting vegetation to preserve, protect, restore or enhance fish habitat or riparian areas, or to control drainage or erosion or to protect banks; and
- v. a reference plan be prepared by a BC Land Surveyor, in conjunction with a subdivision plan to delineate the identified SPEA.

#### C. SPEA Bending

A development permit may include bending of the SPEA boundary under the condition that the overall riparian area (as calculated in square metres) remains the same. This enables a shifting of the SPEA boundary, but not an overall reduction in the amount of area providing riparian protection. The following will be considered if SPEA bending is proposed by the consulting QEP:

- i. Bending of the SPEA is not appropriate for sites that have not been previously developed. This tool is intended for use where activities are proposed for small parcels or existing buildings located in close proximity to watercourses;
- ii. Bending of the SPEA boundary must not result in any portion of the boundary being less than 10 metres from the high water mark;

- iii. New areas added to the riparian area to make up for those shifted out must be contiguous with the original SPEA area and located as close to the watercourse as possible;
- iv. The quality of the existing riparian vegetation must be considered in decisions around bending the SPEA boundary (for example the boundary should not bend in a place that removes the only large trees in the riparian area from the SPEA). If the developer has retained a QEP, he or she will provide assistance with this aspect of the project. Geotechnical stability cannot be compromised in any variation of the SPEA. The QEP will need to reassess the slope stability measures in relation to the new SPEA boundary;
- v. The SPEA (and areas that are added to the SPEA through this approach) must be planted with native plant species; and
- vi. Fencing of the SPEA (and areas added to the SPEA through this approach) may be required and is to be addressed in the QEP assessment in the Encroachment measures.

### 3.9.9 DEVELOPMENT PERMIT EXEMPTIONS

Development permits shall be required prior to: the subdivision of land; commencement of the construction or addition to a building or other structure; or alteration of land within Development Permit Areas Nos. 1A-B, 2A-D, 3 and 4 indicated on Map 2. The following are exemptions, which may apply. Exemption (a) applies to Development Permit Area 1A, whereas the remaining exemptions apply to all development permit areas.

- (a) Sundeck additions or other projecting features of non-habitable portions of a building within Development Permit Area 1A (Coastal Flooding).
- (b) For “Low Importance” structures or buildings that represent a low direct or indirect hazard to human life in the event of failure, including: low human-occupancy buildings, where it can be shown that collapse is not likely to cause injury or other serious consequences.
- (c) The proposed construction involves a structural change, addition, or renovation to existing conforming or lawfully non-conforming buildings or structures, provided that the footprint of the building or structure is not expanded and provided that it does not involve any alteration of land;
- (d) The planting of native trees, shrubs, or groundcovers for the purpose of enhancing the habitat values and/or soil stability within the development permit area;
- (e) A subdivision or rezoning application, where an existing or proposed covenant with reference plan based on a qualified professional's review of the subject development permit area, is registered on title or its registration secured by a solicitor's undertaking;
- (f) Construction commencing on a property within two years of a development permit or covenant, as described above, has been issued.

(g) Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property provided they are undertaken in accordance with the provincial *Water Act*, *Wildlife Act*, and the *Federal Fisheries Act*, and are reported to the Regional District;

(h) The lands are subject to the *Forest Act* or *Private Managed Forest Land Act*; and

The removal of up to 2 trees over 20 centimetres, measured at 1.5 metres in height, or 10 square metres of vegetated area per calendar year per lot, provided there is replanting of 4 trees, or re-vegetation of the same amount of clearing.

## Part Four: Regional Planning

### 4.1 *shíshálh* Nation Strategic Land Use Plan

The Egmont/Pender Harbour Official Community Plan acknowledges and respects the *shíshálh* Nation in whose territory this area sits. The SCRD recognizes that lands within the Plan area are located within the territory of the *shíshálh* Nation. The SCRD has a close working relationship with the *shíshálh* Nation who are represented on the SCRD Board by a member of the *shíshálh* Nation Council. Elected officials and staff from both the SCRD and the *shíshálh* Nation meet on a regular basis to discuss issues of mutual interest and both are parties to several memoranda of understanding and agreements. The SCRD engages with the *shíshálh* Nation regarding any proposals to amend the Official Community Plan and related zoning bylaws within their territory, which includes the Egmont/Pender Harbour area.

Working in conjunction with the *shíshálh* Nation, the SCRD is committed to the protection and, when appropriate, restoration of environmental, cultural and archaeological resources within the Plan area. The decision making process related to land use will progress in an open and transparent fashion that meets the needs of the *shíshálh* Nation and the Egmont/Pender Harbour community. The *shíshálh* Nation has a *shíshálh* Nation Lands and Resources Decision-Making Policy, which identifies the principles and process through which the Nation reviews proposals for the use of lands and resources in their Territory. The policy is consistent with and reflective of the principles enunciated by the Supreme Court of Canada, and provides a foundation for appropriately engaging together. It is available on the Nation's website, [www.shishalh.com](http://www.shishalh.com).

The *shíshálh* Nation also has adopted a Strategic Land Use Plan (SLUP) which covers their entire territory, and was prepared through interviews with Elders, community members, and staff. It has also been formally approved by the Nation. Loosely translated, *lil xemit tems swiya nelh mes stutula* in the *shashishalhem* language means “we are looking after our land, where we come from.” The SLUP represents the Nation's summary of the values found across the territory, and describes how the Nation would like to see their intertidal and land resources protected, managed, and utilized now and into the future. The *shíshálh* Nation developed the SLUP in order to provide a more comprehensive and integrated view of their territory, so that they can be proactive in determining what happens in the future.

The *shíshálh* Nation expects that other governments, including the SCRD, will work with them to align any decisions with their SLUP.

Further information about these areas and their values to the *shíshálh* Nation, including how the Nation would like to see the intertidal and land resources protected, managed, and utilized now and into the future, can be found in the SLUP.

The SLUP designates lands within the *shíshálh* Nation territory into land use zones including: Stewardship Areas, Conservation Areas, Cultural Emphasis Areas and Community Forests. Land use recommendations within this OCP and future decisions made by the SCRD will consider the recommendations provided within the *shíshálh* Nation's Strategic Land Use Plan.

The following is a brief summary of the land use zones and their relationship to the land within the Egmont/Pender Harbour OCP area:

## CONSERVATION AREAS

The conservation areas are of prime importance to the *shíshálh* Nation and the OCP supports conservation and appropriate land use within this area. The primary management intent for land within this zone is to protect and where necessary to restore their cultural and natural values, while maintaining and enhancing opportunities for cultural use. Industrial land uses and permanent land dispositions (public to private) are prohibited in the Conservation Areas, although appropriate low impact tourism and recreation is permitted.

*lil xemit tems swiya* (Conservation Areas) areas in the SLUP are acknowledged for their sensitive cultural, social, ecological, and special values. The primary management intent of a *lil xemit tems swiya* area is to maintain and if necessary restore the area to largely natural or wilderness condition for the benefit, education, and enjoyment of present and future generations. Additional purposes of the *lil xemit tems swiya* are to protect and restore the biological diversity and natural environments within *shíshálh* territory, including critical wildlife habitat values and riparian ecosystems; also to preserve, maintain, protect, and enhance the integrity of the *shíshálh* Nations' cultural use resources and activities, as well as their sensitive cultural and ecological values. Intensive tourism, industrial resource development, permanent land dispositions, new road access, and aquaculture sites are prohibited within *lil xemit tems swiya* in order to protect cultural values or sites, cultural use activities, wildlife and their habitats.

### ***selkant kwátámus lil xemit tems swiya* (Egmont Point Conservation Area)**

Egmont point is within the *selkant kwátámus lil xemit tems swiya* (Egmont Point Conservation Area), comprising approximately 941 hectares of protected area at the head of *?áhtulich* (Sechelt Inlet), adjacent to *stl'ikwu* (Skookumchuk Narrows). This area is noted for its extremely high cultural and spiritual values, which include but are not limited to cultural harvesting resources, the location of the initial contact between the *shíshálh* Nation and Europeans, and ceremonial and spiritual use sites. Due to the significance of the area, *selkant kwátámus lil xemit tems swiya* has been supported for protection by the SCRD through a protocol agreement with the *shíshálh* Nation since 2006.

### ***spipiyus swiya lil xemit tems swiya* (Caren Range Conservation Area)**

Part of the southeastern portion of the Plan area enters into the *spipiyus swiya lil xemit tems swiya* (Caren Range Conservation Area). The *spipiyus swiya lil xemit tems swiya* (Caren Range Conservation Area), which comprises approximately 14,640 hectares located on Sechelt Peninsula, extending northwest from *ch'átlich* (Sechelt) to east of the *kálpilín* (Pender Harbour) area. *shíshálh* community members use this area heavily for cultural harvesting activities, including hunting, plant gathering, and fishing. Protection of this area was strongly supported through the *shíshálh* land use planning community consultation process. The boundaries of *spipiyus swiya* include a community drinking watershed that supplies water to the *kálpilín* (Pender Harbour) area. This area is close to main *shíshálh* band lands, and is not only used for youth cultural education activities and spiritual activities, but is also home to one of the main



areas for *k'éyich* (elk) recovery and remnant patches of old growth, including the oldest recorded *tixw-ay* (Yellow Cedar).

## CULTURAL EMPHASIS AREAS

*kw'enit sim alap* (Cultural Emphasis Areas) are acknowledged in the SLUP for their sensitive cultural, social, and ecological values. Loosely translated, *kw'enit sim* means “we are watching”. The primary management intent of a *kw'enit sim alap* area is to protect and restore *shíshálh* cultural use resources and activities, as well as sensitive cultural, ecological and/or tourism and recreation values, while at the same time allowing for appropriate resource development. Although there is no blanket prohibition on industrial land use in a *shíshálh kw'enit sim alap*, in some cases specific sites may prohibit some or all forms of development while in other locations terms and conditions may be placed on appropriate land use to protect cultural values or sites, cultural use activities, wildlife and their habitats, or tourism values.

The bulk of the Plan area from Madeira Park through to Egmont is located within a Cultural Emphasis Area. Land in this area should be managed in a way that promotes protection of cultural use and activities.

### ***kálpilín – stséxwena kw'enit sim alap* (Pender Harbour – Sakinaw Cultural Emphasis Area)**

Part of the Plan area is located within the *kálpilín – stséxwena kw'enit sim alap* (Pender Harbour – Sakinaw Cultural Emphasis Area), as designated in the *lil xemit tems swiya nelh mes stutula: A Strategic Land Use Plan for the shíshálh Nation*. The *kálpilín – stséxwena kw'enit sim alap* comprises approximately 10,623 hectares and contains an extremely high concentration of *shíshálh* cultural use and occupation sites, cultural features, and archaeological evidence. Located at the heart of the historically most populous region in the territory, this area was the site of the main winter villages of the *shíshálh* people, and included a great many well-protected home sites and productive harvest locations with varied marine and terrestrial resource opportunities.

To the north, an extensive lake district was used for hunting and fishing with main camps at *stséxwena* (Sakinaw Lake) and *kwíkwilúsin* (east side of Sakinaw Lake) and *lóh-uhlth* (Mixel Lake). The *kálpilín* area contains the main villages of *p'úkwp'akwem* (Bargain Harbour), *sálálus* (Madeira Park), *smishalin* (Kleindale), and *kway-ah-kuhl-ohss* (Myer's Creek) and *séxw?áwini* (Garden Bay). These villages included a primary location for winter dances and ceremonies, and with access to fishing at Ruby, Ambrose, and *stséxwena* lakes for rainbow trout, and hunting (primarily for *húpit* (black tailed deer)) in the adjacent forests. Similarly, *wah-wey-we'-lath* (Mt. Cecil) and *shélkém* (Mt. Daniel) are important local mountain peaks used for a variety of cultural and spiritual purposes. Numerous fish weirs, canoe skids, and ceremonial sites can be found in *kálpilín*.

### ***stl'íkwu kw'enit sim alap* (Skookumchuck Narrows Cultural Emphasis Area)**

The northeastern portion of the Plan area includes part of the *stl'íkwu kw'enit sim alap* (Skookumchuck Narrows Cultural Emphasis Area). *stl'íkwu kw'enit sim alap* comprises approximately 5,762 hectares and is located in the heart of *shíshálh* territory, straddling the

narrows of *?álhtulich*. *stl'íkwu* ('fast water'), contains a portion of the west side of the inlet, and encompasses the area of the foreshore and upland that directly affects the narrows. An extremely productive marine environment contributes to abundant intertidal and marine resources and a concentration of *shíshálh* occupation and use sites, diverse harvest activities, and high cultural significance. Marine and foreshore resources, wild foods, and medicinal plants at *stl'íkwu* (Skookumchuck Narrows) continue to be important supplements to *shíshálh* economy, diet and health, and cultural and spiritual use, perhaps more valuable as a result of their relative scarcity. The resources that are harvested in the area include, but are not limited to: *s-ts'éxwu* (lingcod), *s-t'élxwets'* (octopus), *s'tl'élum* (cockles), *s-?úlh-kwu* (clams), *?elás* (sea cucumber), devil fish, *tsíyákwup-s te s-chálihhten* (jellyfish), shrimp, roe, *yúm-ach* (chinook salmon) and many other species. The area is referred to as the 'soupbowl' of the Nation due to its extremely abundant marine life year round.

## EARL – TREAT CREEK COMMUNITY FORESTRY AREA OF INTEREST

The northeast corner of the Plan area enters the Earl – Treat Creek Community Forestry Area of Interest as designated in the SLUP. The *shíshálh* Nation has identified *Community Forestry Areas of Interest* in the SLUP for their potential suitability for long-term forest management by the *shíshálh* Nation. Further analysis is needed to fully assess the feasibility of *shíshálh* community forests in these areas. In the interim, the primary management intent for these areas is to ensure that the land base is not further alienated from potential use by the *shíshálh* Nation for sustainable forest management.

The *Earl – Treat Creek Community Forestry Area of Interest* comprises approximately 9,541 hectares on the south side of lower *lékw'émin* (Jervis Inlet), adjacent to *stl'íxwim – kékaw kw'enit sim alap* (Narrows Inlet – Tzoonie River Cultural Emphasis Area) and *stl'íkwu kw'enit sim alap* (Skookumchuck Narrows Cultural Emphasis Area). The area comprises productive growing sites and access to *lékw'émin*.

## STEWARDSHIP AREAS

The southern portion of the Plan area around Middlepoint is located within a Stewardship Area. The intent of a Stewardship Area is to maintain opportunities for *shíshálh* cultural use, while allowing for appropriate economic development activities which respect the integrity of the *shíshálh* Nation territory as whole.

## Relation to Egmont/Pender Harbour OCP

Each of the land use areas from the Strategic Land Use Plan will be considered during implementation of the Egmont/Pender Harbour OCP to provide, where possible, for protection of identified archaeological sites and territory of the *shíshálh* Nation. The culture, traditions, history, present and future of the *shíshálh* Nation deserve respect and consideration through the vision and land use decisions found within this official community plan.

Development applications on both private and public land will be referred to the *shíshálh* Nation for review, pursuant to the *shíshálh* Nation Lands and Resources Decision Making Policy. The subsequent referral comments will be considered by the SCRD in the approval process.

Applications on private land that are commonly referred are development variance permits, Board of Variance applications, as well as zoning and OCP amendment requests, as directed by the SCRD Board.

At time of adoption of this plan the agreed upon response time for a development referral is 60 days. The SCRD shall work with the *shíshálh* Nation to ensure timely communication.

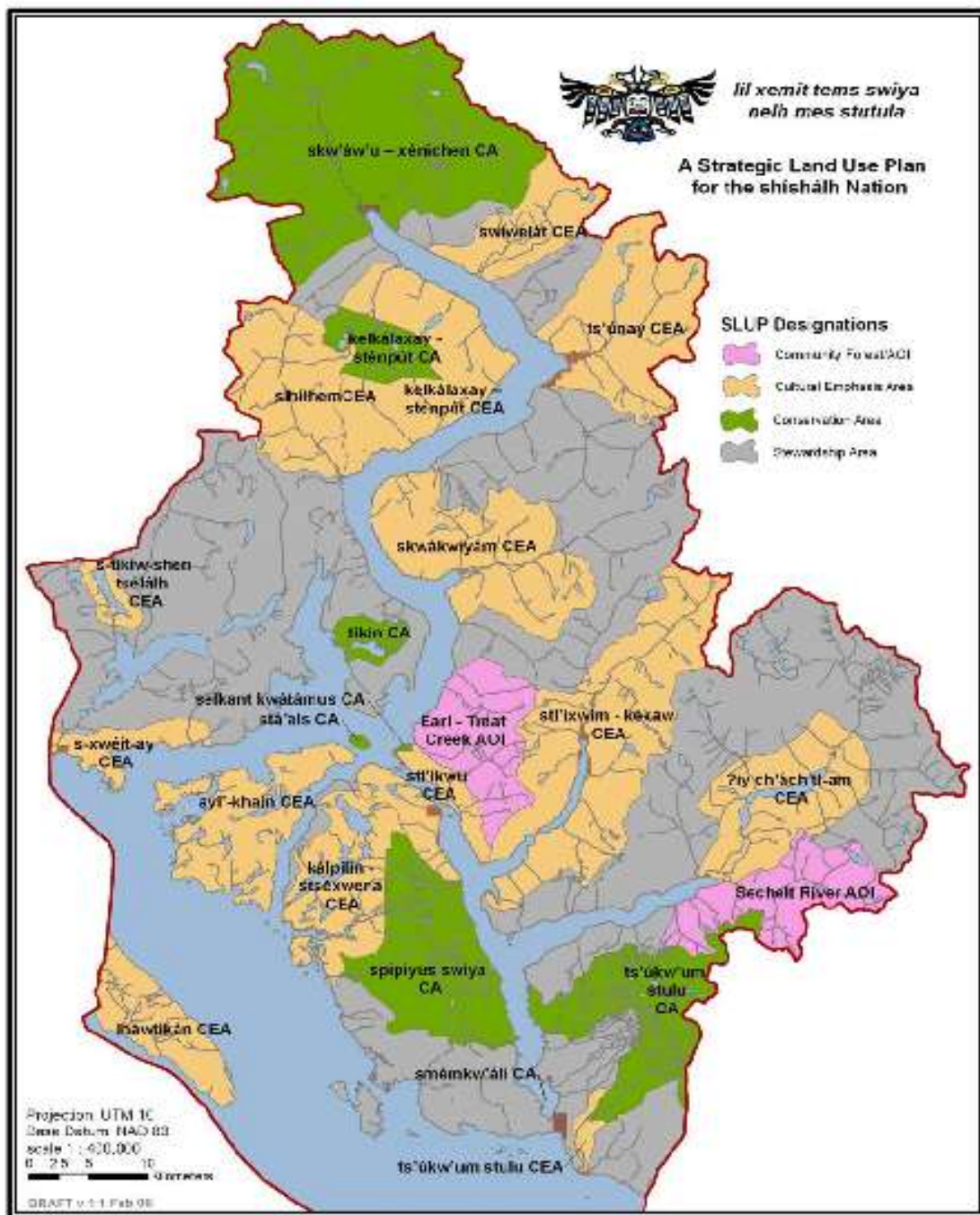


Figure 1: *shíshálh* Nation Land Use Zones

## 4.2 We Envision: Regional Sustainability Plan

Official Community Plans and other local and regional initiatives on the Sunshine Coast are informed and guided by the Regional Sustainability Plan entitled: *We Envision - One Coast: Together In Nature, Culture and Community* (2011). *We Envision* was developed by representatives from a number of local decision makers and organizations including the SCRD, District of Sechelt, Town of Gibsons, School District 46, Sunshine Coast Community Foundation, Sunshine Coast Community Services and Sunshine Coast Community Futures. Letters of support were also received from numerous local individuals, groups and companies.

*We Envision* is the Sunshine Coast's long range vision, action and policy recommendation document that provides direction to specific and regulatory documents, such as the Egmont/Pender Harbour OCP. The plan outlines a set of core values for a sustainable region and thirteen interrelated strategic directions to assist in moving towards our best possible future.

This OCP looks at the future of the community in the context of land use and related servicing decisions for the Egmont/Pender Harbour community. Together, *We Envision* and the OCP inform the way in which land use decisions are made to help create a better future for the community.

### THE 13 STRATEGIC DIRECTIONS OF WE ENVISION

*We Envision* includes thirteen Strategic Directions which represent critical paths towards a more sustainable future. Each Strategic Direction includes a long term vision to 2060 and a set of targets to be achieved by 2020. The Strategic Directions are as follows:



All thirteen of the Strategic Directions are connected to community development and many are linked to the goals, objectives and policies within the OCP. The strategic directions are described in more detail in the *We Envision* document. Future land use decisions within the Sunshine Coast Regional District jurisdiction will be measured against the applicable directions.

The following is a summary of the 'Land Use' Strategic Direction which is most relevant to the foundation of values within this OCP.

## **LAND USE STRATEGIC DIRECTIONS**

The development and subsequent implementation of the OCP will be based on the following land use principles which set the table for a pathway to a sustainable future:

- (a) Focusing growth in existing neighbourhoods;
- (b) Concentrating new development within easily serviced areas;
- (c) Providing a variety of transportation choices;
- (d) Creating diverse housing opportunities;
- (e) Celebrating the unique attributes of the different communities;
- (f) Preserving open spaces;
- (g) Protecting and enhancing agricultural lands;
- (h) Discouraging development and resource extraction within drinking-watersheds; and
- (i) Enhancing our aquatic resources for both drinking water and recreation.

The preceding principles from the Land Use strategic direction are a reflection of not only the We Envision plan but the vision and goals of the Egmont/Pender Harbour OCP and they represent key fundamentals of smart growth and a more sustainable future.



## 4.3 Climate Action

In 2009, the SCRD, in partnership with local governments on the Sunshine Coast developed Our Coast, our Climate, the Community Energy and Emissions Plan (CEEP) to determine the source and amount of Green House Gasses (GHG's) emitted on the Sunshine Coast. The original goal of the CEEP, which applies throughout the SCRD was to achieve a 7% greenhouse gas reduction by 2031. However, the inventory was reviewed in 2013 and it was determined that there are further opportunities to reduce the greenhouse gas emissions to 32% below 2007 levels by 2030 and 39% by 2050. These reductions can be made across the SCRD through management of land use through pockets of density, solid waste and organics separation and landfill gas collection.

### CEEP Goals

1. Support Energy Efficient Land Use Practices.
2. Reduce Dependence on Single Occupant Vehicles.
3. Enhance the Green Building Sector.
4. Expand Local Renewable Energy Opportunities.
5. Reduce and Reuse Solid Waste as a Resource.
6. Strengthen the Local Economy.
7. Manage Brownfield Sites.
8. Foster a Culture of Conservation in the Community.

The GHG emission sectors that apply to the Egmont/Pender Harbour Plan area are: Residential, Commercial, Solid Waste, Transportation and Agriculture/Land Conversion. As is to be expected in a rural environment where the private automobile is the primary method of movement, transportation has the highest sector output (about 65%) on the Sunshine Coast, followed closely by land use patterns (residential output and land use conversion). For the Egmont/Pender Harbour Plan area, focusing actions and initiatives towards transportation and land use patterns will support the biggest emissions reductions.

#### 4.3.1 Objective

- (a) To reduce the greenhouse gas output by 32% below 2007 levels by 2030.

#### 4.3.2 Policies

- (a) Focus new development in existing neighbourhood and core areas.
- (b) Increase efficiency in design and construction of dwellings to meet or exceed the target adopted by the SCRD, dating back to the 2007 output levels.
- (c) Support clean energy transportation initiatives and alternatives to the private automobile.
- (d) Encourage increasing the energy efficiency of both existing and new buildings.

## Part Five: Map Schedules, Glossary and Conversion Scale

### MAP SCHEDULES:

Map 1: Land Use Designations

Map 2: Development Permit Areas

Map 3: Transportation Systems

### GLOSSARY:

**Assessment Area** – land within a development permit area that is reviewed by a consulting professional such as geotechnical engineer or qualified environmental professional to determine where safe and suitable land development and construction can occur.

**Auxiliary Dwelling** – Secondary dwelling with a size restriction of 55 square metres (592 square feet) as described in the zoning bylaw.

**Bed and Breakfast Home** – Up to 2 bedrooms within a dwelling may be rented for bed and breakfast use.

**Bed and Breakfast Inn** - Up to 5 bedrooms within a dwelling may be rented for bed and breakfast use.

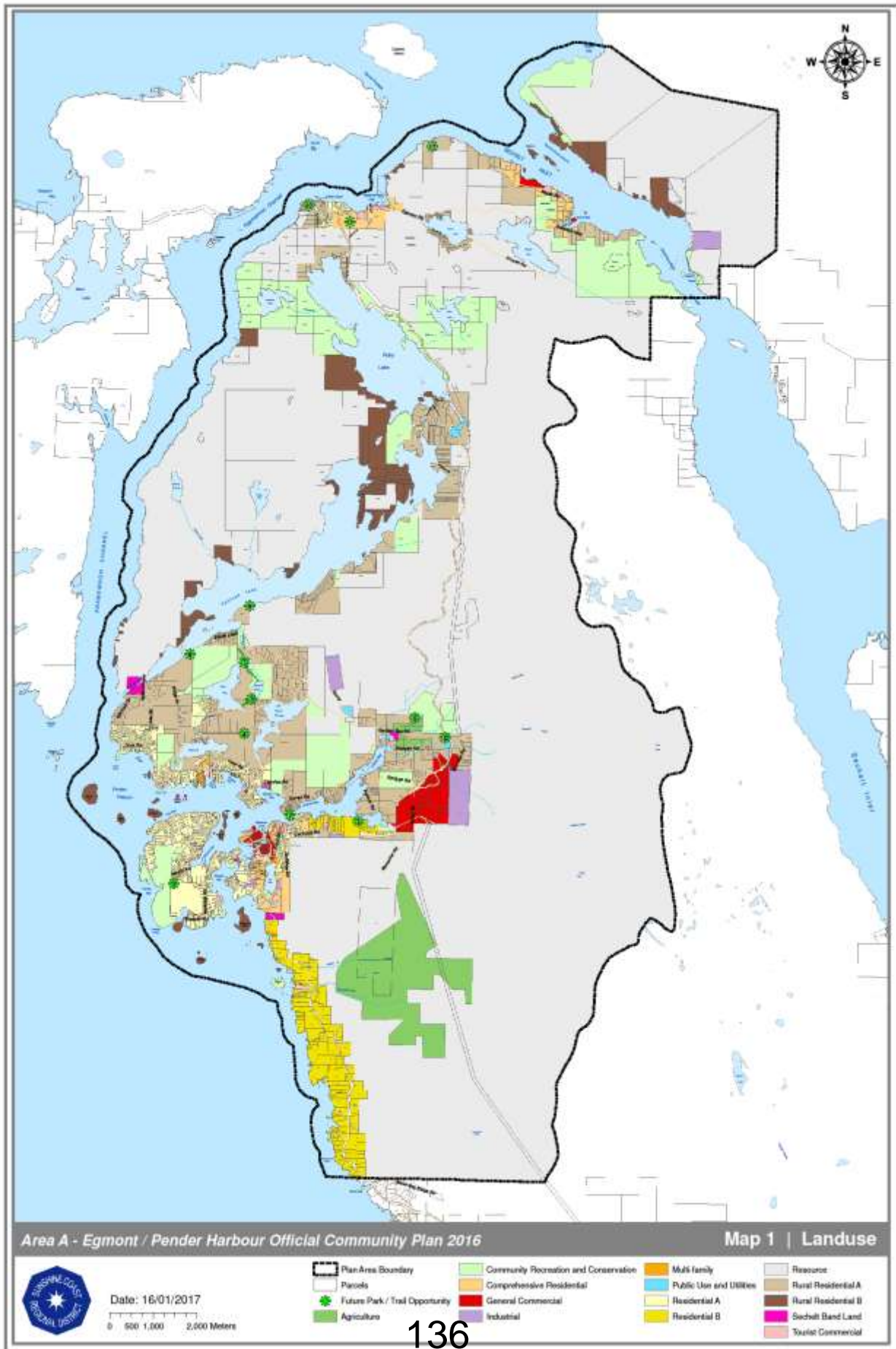
**Cluster Housing** – a group of building or parcels which are clustered in proximity to save on development costs and preserve land for greenspace and environmental benefit.

**Development Permit Area** – An area of land that has been identified as being potentially hazardous or environmentally sensitive. Advice from a qualified geotechnical engineer and/or qualified environmental professional is required to receive a development permit. Development permits may be required prior to land alteration, subdivision or building permit.

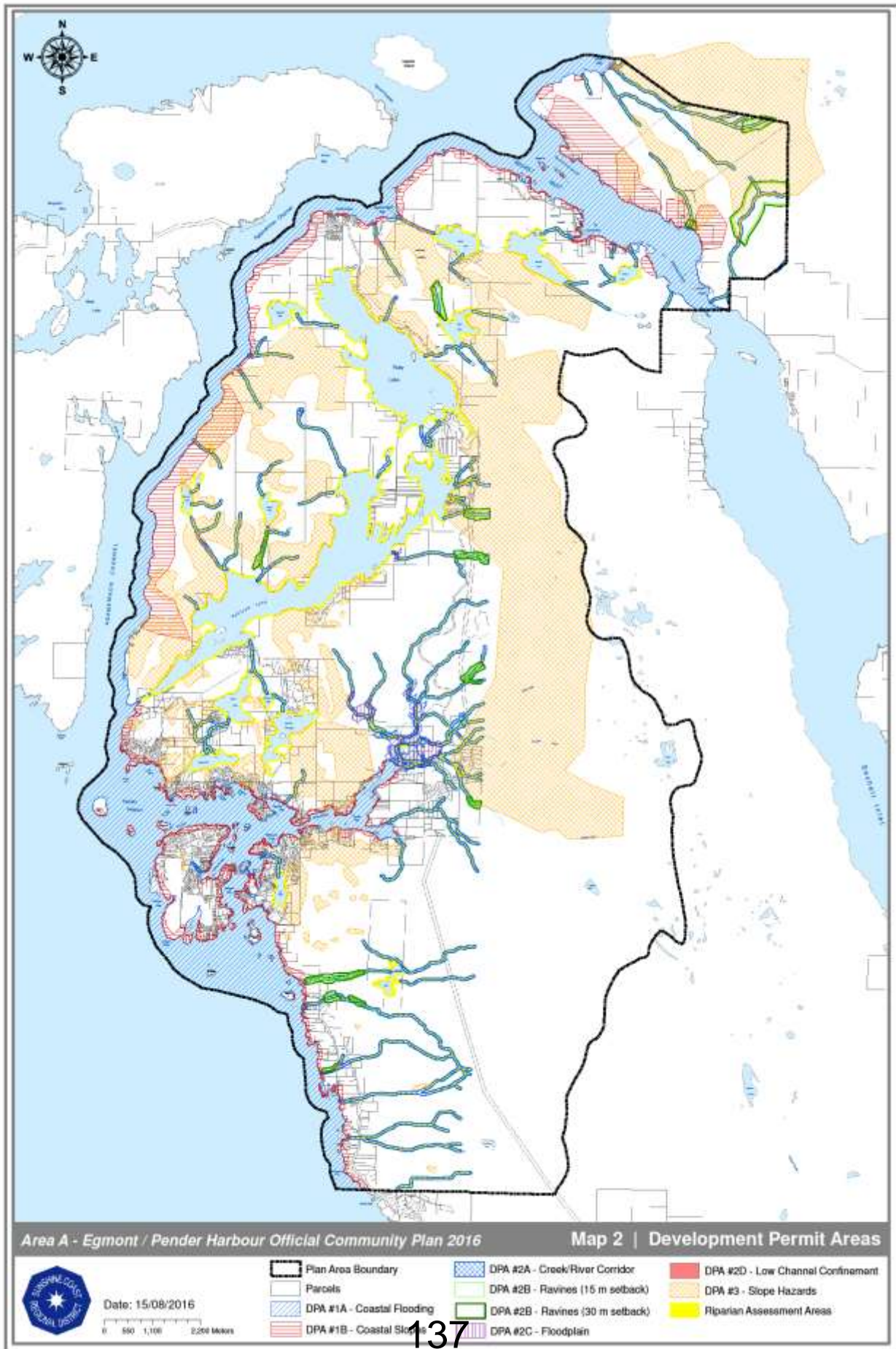
**Setback** – A specific minimum distance to a property line or body of water as described in the zoning bylaw.

## METRIC IMPERIAL CONVERSION CHART

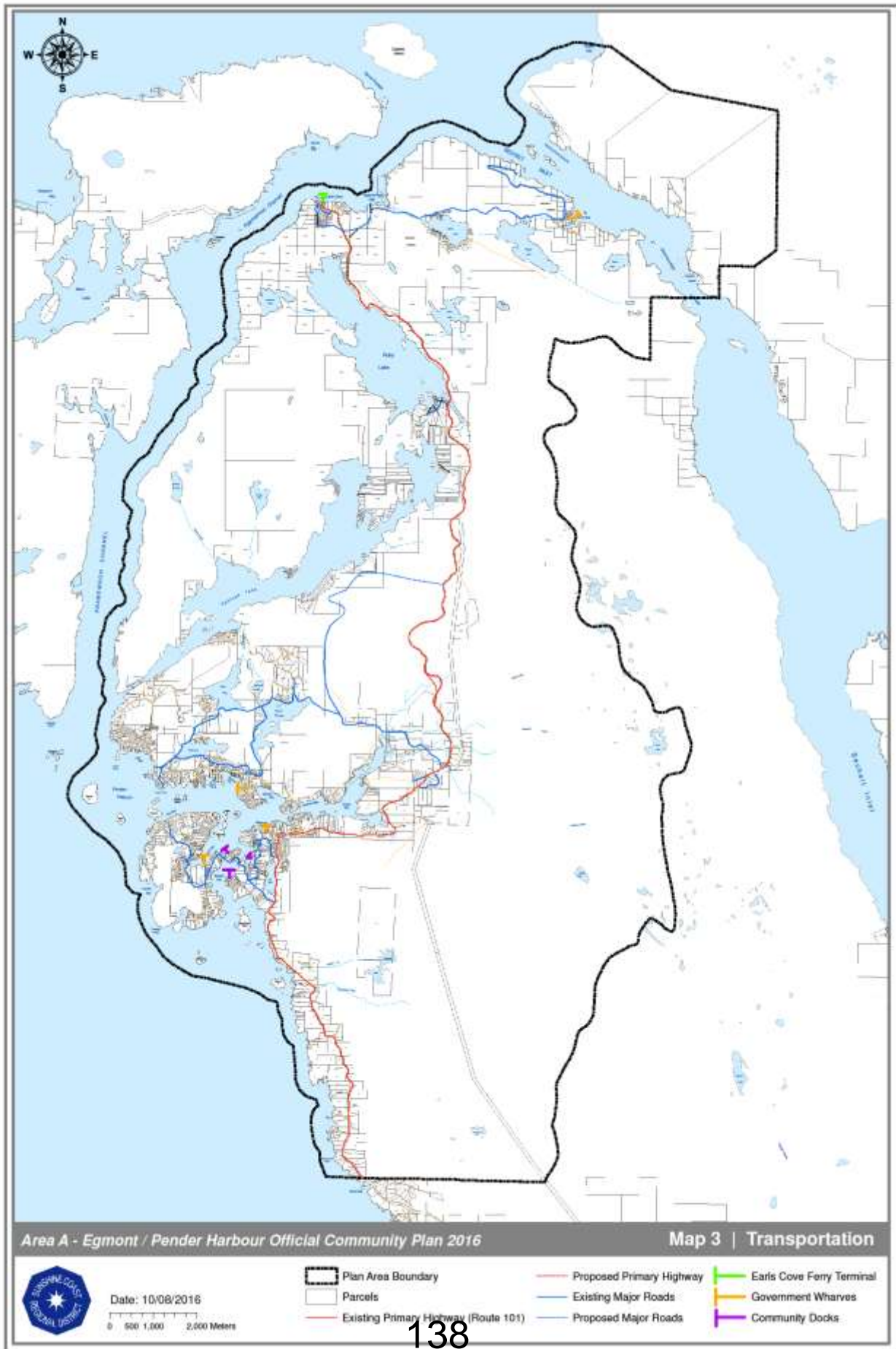
Metric	Imperial
15 metres	49 feet
20 metres	66 feet
30 metres	98 feet
60 metres	197 feet
100 metres	328 feet
1,000 square metres	0.25 acre
2,000 square metres	0.49 acre
4,000 square metres	0.99 acre
1 hectare	2.47 acres
2 hectares	4.94 acres
4 hectares	9.88 acres
100 hectares	247 acres
28 square metres	301 square feet













## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** David Rafael, Senior Planner

**SUBJECT:** SUNSHINE COAST REGIONAL DISTRICT ELECTORAL AREA A EGMONT/PENDER HARBOUR OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 432.25, 2016 AND SUNSHINE COAST REGIONAL DISTRICT ELECTORAL AREA A ZONING AMENDMENT BYLAW NO. 337.87, 2016 PUBLIC HEARING REPORT AND CONSIDERATION OF THIRD READING

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### RECOMMENDATIONS

1. THAT the report titled Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016 and Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016 Public Hearing Report and Consideration of Third Reading be received;
2. AND THAT *Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016* be forwarded to the Board for Third Reading with the following amendments:
  - a) The legal description in Part B 2. and Appendix A be replaced to read “District Lot 3988, Group 1, New Westminster District except Plans 12095, 14653, 15401, 15813, 16650, 17325, EPP39153 and EPP39184”;
  - b) Replace base map in Appendix A to show current parcel boundaries;
3. AND THAT *Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016* be forwarded to the Board for Third Reading with the following amendments:
  - a) The legal description in Part B 2. a) and Appendix A be replaced to read “District Lot 3988, Group 1, New Westminster District except Plans 12095, 14653, 15401, 15813, 16650, 17325, EPP39153 and EPP39184”;
  - b) Replace base map in Appendix A to show current parcel boundaries;
4. AND FURTHER THAT prior to consideration of adoption of Bylaw No. 432.25 and Bylaw No. 337.87 the following conditions are met:
  - a) A covenant be signed by the owner and the SCRD that includes the following requirements:
    - i. Drainage Plan to be implemented/installed and maintained by the resort owner

- ii. **limiting the total combined occupancy of the site and the seating capacity of the amphitheatre to 200 to ensure that the parking supply is sufficient;**
  - iii. **parking areas are not to be hard surfaced;**
  - iv. **limiting the amphitheatre to its existing area plus 10% to allow for a modest alteration;**
  - v. **setting out remediation options to address noise complaints;**
- b) Fire Management Plan to be finalized and approved by the Egmont Volunteer Fire Department;**
- c) Ministry of Transportation and Infrastructure to confirm northern access is acceptable if limited to staff or access permit be issued.**
- 

## **BACKGROUND**

The application for expansion of a campground, health spa, motel and lodge facility at the Ruby Lake Resort was considered by the Board in January of this year when the OCP bylaw and zoning bylaw amendments received second reading and a public hearing was scheduled.

A public hearing was held on February 21, 2017 in the Pender Harbour Secondary School gym starting at 7:04 pm. A report of the public hearing, including the 38 written submissions received by the SCRDC, is in Attachment A.

The purpose of this report is to provide information on the public hearing and obtain direction from the Planning and Community Development Committee on moving forward.

## **DISCUSSION**

### *Analysis*

The supporting submissions included the following reasons for support of the application: Jobs and economic growth, tourism, eco-tourism, the use extends past the traditional tourist season, commitment to the environment, special site due to the upgrades, community location for events.

One submission sought clarification about the amount of hard surfacing especially in relation to the parking areas.

There were two submissions that raised objections. One submission was concerned about controlling future development through means such as limiting the size/area of the amphitheatre; aspects such as noise were also raised. The second submission provided reports

from a sound consultant and a biologist that raised questions about studies provided by the applicant.

The following staff analysis is provided related to the issues raised in objection or where additional clarification was sought.

a) Hard Surfacing

Staff note that with regard to hard surfacing, the Bylaw No. 337.87 limits site coverage arising from buildings and structures to 10% (this was a reduction to the 20% coverage set out at first reading and was introduced at second reading to address concerns raised during the consultation period). The SCR D does not include hard surfacing from areas such as parking lots in this calculation. The proponent was asked for and provided a drainage plan during earlier discussions and this was noted in a staff report to the Board. The requirement that the plan be implemented was noted prior to and at the public hearing as a condition to be included in a covenant.

Hard surfacing of a parking area can impact site drainage. The drainage plan does not directly reference maintaining permeable surfaces for the parking area. After the public hearing staff sought clarification from the applicant regarding the amount of hard surfacing in addition to the proposed buildings/structures. The applicant noted that there will be no pavement or hard surfacing on road or parking lot surfaces. The Ruby Lake Resort will use only gravel, compacted earth, crushed rock or compacted soil surfaces.

Staff recommend that this should be included as a condition within the covenant. This will add additional protection against detrimental alterations in drainage and stormwater flow. If future improvements are identified that require hard surfacing then the SCR D can enter into discussions and require reports from qualified professionals prior to considering any amendments to the covenant. This requirement will not alter density or uses and thus does not trigger a new public hearing.

b) Amphitheatre Size and Area

Concern was raised about the lack of a size limit on the amphitheatre. There are two options regarding the concern raised regarding potential future increases in the amphitheatre size.

The first is to establish a maximum area for the stage structure and seating area. The proponent has agreed to this being a condition and asks for a 10% potential increase to allow for future flexibility. Staff recommend that if this option is chosen a more detailed site plan and measurement of the amphitheatre area would be required to provide exact figures. This could then be incorporated into the covenant or bylaw.

The second is to rely on the proposed 200 person site capacity as a limitation and no additional conditions specific to the amphitheatre be included in the covenant. Staff note that this would limit the use of the site but not impose any restrictions on the area used for or the



size of the amphitheatre; other than proposed 10% site cover and the current 11 metre height restriction set out in Bylaw No. 337.

Staff note that the seating area for the amphitheatre is natural, in that there is no seating built into the slope facing the stage. The requirement that site capacity be limited was noted prior to and at the public hearing as a condition to be included in a covenant. The figure of 200 was mentioned in the staff report prior to second reading and at the hearing.

Staff recommend including a site area/floor area limit for the amphitheatre, with an allowance for modest expansion, as part of the covenant. This requirement will not alter density or uses and thus does not trigger a new public hearing.

c) Noise

Prior to consideration of second reading the proponent provided a sound assessment and measurement report which concluded that off-site noise levels would be negligible. A copy of the report was included in the staff report to the January 12, 2017, Planning and Community Development Committee. The proponent's report included recommendations to address any future noise issues such as construct a solid fence, and alter speaker location/angle/direction. Staff note that there could be other adjustments made such as planting additional landscaping (in addition to a fence) and setting noise level limits. Hours of operation do not need to be set as *Sunshine Coast Regional District Noise Control Bylaw No. 597, 2008* sets quiet hours.

At the time of second reading, staff noted that there were two options: require the recommendations to be implemented or use these as the basis to address any issues reported via the SCRD Bylaw Compliance service. This was also noted at the public hearing.

A few submissions made in support of the proposal commented on noise and generally considered noise not to be an issue. One submission, Terry Clayton, included a consultant's report that questioned the methodology of and conclusions raised in the proponent's report. A copy of Mr. Clayton's submission and consultant's report is included in Attachment A.

Staff recommend that the covenant expressly note the recommendations set out in the proponent's report as options to address any future noise issues. This requirement will not alter density or uses and thus does not trigger a new public hearing.

d) Traffic and Parking

One submission raised concerns regarding the proponent's view that there is limited traffic impact. Staff note that the Ministry of Transportation and Infrastructure (MoTI) did not raise any concerns other than the northern access. Staff have identified the need to address MoTI's concerns regarding the northern access as a condition to be met prior to consideration of adopting the bylaws. As the site is within 800 metres of a controlled access

highway, Bylaw 337.87 requires approval from MOTI as set out in section 52 of the *Transportation Act*. Bylaw 37.87's adoption section notes this requirement.

Staff note that limiting the site capacity to 200 is intended to reduce parking and traffic impacts. Staff do not recommend any additional requirements.

e) Habitat/Environment

Included with Mr. Clayton's submission is a report critiquing habitat analysis provided by the proponent. The conclusion is that the habitat survey and assessment was inadequate.

The proponent provided two reports in 2008, one focusing on the Riparian Area Regulation (RAR) requirements and the other taking a broader view. The latter recommended that any further development of the site not normally covered under the Development Permit process (for RAR) be surveyed for red or blue listed species along with a report prepared by a qualified professional to determine whether any protective measures are appropriate. Staff have not proposed making this a requirement.

Staff note that the emphasis was placed on protecting the riparian environment and the RAR study established the streamside protection and enhancement area. The report identified an 18 metre SPEA, this was included in Bylaw 337.87 as the setback to Ruby Lake (which includes the lagoon). Bylaw 337.87 was amended at second reading to state:

"No additional building or structure shall be located within 30 metres of the natural boundary of Ruby Lake"

Bylaw 337.87 also proposes 10% site cover (reduced at second reading from 20% at first reading) along with floor area limits on various uses which are intended to maintain low density development. Visitors will be able to walk throughout the site without any restrictions imposed by the SCRD and there is potential for land alteration to support agriculture.

Staff consider that the enhanced setback and reduced site cover limits introduced at second reading will maintain an open site, provide adequate habitat protection primarily near the lagoon and reduce development potential throughout the rest of the site. Thus staff do not recommend adding any additional requirements or restrictions.

Amendments to Bylaws

Prior to the public hearing staff found that the legal description of the parcel had changed. This was due to a subdivision to create a new parcel for the Ruby Lake Lagoon Society's Iris Griffith Centre. Thus the map base for each bylaw's appendix also needs to be updated. Copies of the bylaws that include the amendments are included in Attachments B and C.

### *Options*

Possible options to consider:

**Option 1: Amend Bylaw Nos 432.25 and 337.87, give bylaws Third Reading and introduce additional conditions to be met prior to consideration of Adoption.**

Due to a subdivision of the parcel, the legal description and maps in the bylaws' appendices need to be amended at third reading.

Staff reviewed the written and verbal submissions to the public hearing. In response to concerns raised regarding hard surfacing, noise and amphitheatre size staff recommend following additional covenant clauses:

- parking areas are not hard surfaced;
- the amphitheatre area (plus 10%) be set; and
- set out remediation options to address noise complaints.

Other conditions that were noted in a previous staff report and at the public hearing are:

As covenant clauses -

- Drainage Plan to be implemented/installed and maintained by the resort owner;
- Limit the total combined occupancy of the site and the seating capacity of the amphitheatre to 200 to ensure that the parking supply is sufficient.

To be met before consideration of adoption –

- Fire Plan to be finalized and approved by the Egmont Volunteer Fire Department;
- Ministry of Transportation and Infrastructure to confirm northern access is acceptable if limited to staff or access permit be issued.

Staff recommend this option.

**Option 2: Additional Studies are requested and a new Public Hearing be held.**

Objections were raised regarding aspects of the bylaws and information provided that questioned the applicant's studies. Staff consider that there are steps that can be taken to address concerns and that appropriate measures will be in place to address aspects such as noise, amphitheatre size and protection of the natural habitat.

Alternatively the applicant could be required to provide responses to the reports provided in one objection. Another option would be for the SCRD to commission additional reports (at the applicant's expense) to address the objections. This would be new information and a new public hearing would be required to allow for the new information to be reviewed by the public.

Staff do not recommend this option.

## **STRATEGIC PLAN AND RELATED POLICIES**

The following SCRD Strategic Plan objectives relate to the OCP/zoning bylaw amendment application:

- Collaborate with community groups and organizations to support their objectives and capacity.
- Incorporate land-use planning and policies to support local economic development.

## **CONCLUSION**

A public hearing was held for *Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016 and Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016.*

Most of the submissions offered support for the proposal. One of these also sought clarification about the amount of hard surfacing especially in relation to the parking areas.

There were two submissions that raised objections. One was mainly concerned about controlling future development through means such as limiting the size/area of the amphitheatre; aspects such as noise were also raised. Another submission provided reports from a sound consultant and a biologist that raised questions about studies provided by the applicant.

Staff propose additional clauses be added to the covenant to address noise, amphitheatre size (allowing for a 10% increase) and not allow hard surfacing of parking areas. This is in addition to amendments made at second reading that increased setback to the lake/lagoon and reducing site cover. Staff do not consider there is a need to require additional studies from the applicant to rebut those provided in objection.

Staff recommend that the bylaws be amended to address a change in the legal description and update the base map and receive Third Reading. Consideration of adoption would take place after the covenant is signed and registered and conditions are met.

*Attachments*

Attachment A – Public Hearing Report

Attachment B – *Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour  
Official Community Plan Amendment Bylaw No. 432.25, 2016*

Attachemnt C - *Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw  
No. 337.87, 2016*

Reviewed by:			
Manager	X – A. Allen	Finance	
GM	X – I. Hall	Legislative	
CAO	X – J. Loveys	Other	



# ATTACHMENT A

## SUNSHINE COAST REGIONAL DISTRICT

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REPORT OF A PUBLIC HEARING HELD AT  
Pender Harbour Secondary School  
13639 Sunshine Coast Highway, Pender Harbour, BC  
February 21, 2017

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“Sunshine Coast Regional District Electoral Area A Egmont / Pender Harbour Official  
Community Plan Amendment Bylaw No. 432.25, 2016”

and

“Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87,  
2016”

PRESENT:	Chair, Area B Director Alternate Chair, Area A Director	G. Nohr F. Mauro
ALSO PRESENT:	Senior Planner Recording Secretary Members of the Public	D. Rafael A. Ruinat 37

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### CALL TO ORDER

The public hearing for “Sunshine Coast Regional District Electoral Area A Egmont / Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016” and “Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016” was called to order at 7:04 p.m.

### Director Nohr, Chair

The Chair introduced staff in attendance and read prepared remarks with respect to the procedures to be followed at the public hearing. The Chair then indicated that following the conclusion of the public hearing the SCRD Board may, without further notice or hearing, adopt or defeat the bylaws or alter and then adopt the bylaws providing the alteration does not alter the use or increase the density.

The Chair reminded those attending that tonight is your opportunity for input on the bylaws and no further information can be received once the public hearing has concluded. Elected Officials are not permitted to receive any communication or correspondence such as email/phone calls or written submissions after the close of a public hearing. Any further submissions need to be directed to staff.

## **PURPOSE OF BYLAW**

### **David Rafael, Senior Planner, SCRD Planning and Development**

David Rafael, Senior Planner, SCRD Planning and Development introduced “Sunshine Coast Regional District Electoral Area A Egmont / Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016” and “Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016”

The subject property is located at 15332 Sunshine Coast Highway, Pender Harbour, BC (Ruby Lake Resort). The overall intent of the application is to expand the resort to permit a range of facilities and uses that will serve tourists and the wider community. Site maps and explanation of the location and layout of the subject property was provided. The Senior Planner summarized the bylaw amendments as such:

“Sunshine Coast Regional District Electoral Area A Egmont / Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016” proposes an amendment to the current OCP land use designation of Lake Watershed Protection A to Tourist Commercial, in addition to a map change reflecting this.

“Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016” proposes an amendment to the current zoning designation of RU5 (Rural Five) and PA1B (Public Assembly Tourist Facility) to C2 (Tourist Commercial), in addition to a map change reflecting this.

Introduction of new definitions for “amphitheatre” and “satellite kitchen” are proposed as follows:

- “amphitheatre” means an outdoor theatre and performance facility
- “satellite kitchen” means a kitchen providing catering facilities to provide food and beverage services, with approval from the Vancouver Coastal Health Authority

C2 Zone (Tourist Commercial) uses and site specific conditions are proposed as follows:

C2 (Tourist Commercial) uses to be retained and uses not retained are denoted with a strikethrough:

- a) motel;
- b) lodge;
- c) campground;
- d) ~~restaurant;~~
- e) ~~marina;~~
- f) bed and breakfast inn;
- g) ~~auxiliary uses including retail outlet, dry cleaning delivery service and laundry facilities for the use of guests, hair dressing salon, open air recreation use, and pub;~~
- h) one dwelling unit or single family dwelling per parcel.

Additional uses permitted:

- amphitheatre;
- dining facility with satellite kitchen;
- spa facilities;
- aviary;
- agriculture;
- two staff accommodation dwelling units;
- auxiliary uses and structures including:
  - snack bar,
  - reception desk and office space,
  - retail and market kiosks not exceeding 95 square metres,
  - laundry facilities for guests, and
  - open air recreation use.

The floor area of:

- a) a sleeping unit as part of a lodge shall not exceed 25 square metres;
- b) a housekeeping unit as part of a motel shall not exceed 45 square metres;
- c) a dining hall facility shall not exceed 375 square metres;
- d) a spa facility shall not exceed 280 square metres;
- e) staff accommodation dwelling units shall not exceed 280 square metres in total; and

The land area of:

- f) an aviary shall not exceed 40 square metres;
  - g) a tent platform shall not exceed 25 square metres.
- 
- The total number of sleeping units as part of a lodge, housekeeping units as part of a motel, tent sites and recreational vehicle shall not exceed 30 and the total number of housekeeping units as part of a motel shall not exceed 12
  - No more than 3 sleeping units as a lodge or 3 housekeeping units as part of a motel may be connected together as a single building
  - No additional building or structure shall be located within 30 metres of the natural boundary of Ruby Lake
  - Two freestanding signs located a minimum of 1 metre from a parcel line abutting a highway and having a maximum area of 3 square metres each are permitted
  - A minimum of 115 parking spaces
  - The parcel coverage of all buildings and structures shall not exceed 10 percent
  - Two freestanding signs located a minimum of 1 metre from a parcel line abutting a highway and having a maximum area of 3 square metres each are permitted
  - A minimum of 115 parking spaces
  - The parcel coverage of all buildings and structures shall not exceed 10 percent

The proposed amendments consider the overall impact on the Ruby Lake area and preservation of the natural boundary to the lake/lagoon. Preservation of the rural nature of the area was also considered for the location of signs, number of parking spaces and low intensity development.

Prior to Third Reading of the proposed bylaw amendments, the Legal Description will be amended in both bylaw texts and maps to read:

“except Plans 12095, 14653, 15401, 15813, 16650, 17325, EPP39153 and EPP39184”

The following legal agreements and conditions are recommended to be required prior to adoption of the proposed bylaws:

#### Covenant

- Drainage plan to be implemented/installed and maintained by the resort owner
- Limiting the total combined occupancy of the site to 200 to ensure that parking supply is sufficient

#### Prior to Adoption

- Fire plan to be finalized and agreed to by the Egmont Volunteer Fire Department
- Ministry of Transportation and Infrastructure to confirm that northern property access is acceptable if limited to staff or access permit be issued.

A noise and sound study was done, recommendations were included and staff have not made them a condition. However, in the case that sound travel resulted in noise concerns they could be used to inform discussions with the owner. The SCRD Noise Control Bylaw No. 597 does apply to the site.

### **PUBLIC SUBMISSIONS**

The Senior Planner stated that a total of 38 written submissions were received from the public. Twenty-two individual letters of support were received, 15 form letters of support were received and one individual letter of opposition for the application was received. The Senior Planner read out the names of those who provided written submissions, if they supported or objected, street name and area if location of street was unclear. The letters of submission are attached to this report as Appendices 1 – 38.

The supporting submissions provided the following reasons for support of the application: Jobs and economic growth, youth, family business, tourism, eco-tourism, the use extends past the traditional tourist season, commitment to the environment, special site due to the upgrades, community location for events, noise is not a concern, restaurant.

The letter of objection noted concerns with Lake Watershed protection, environmental value, lack of comprehensive habitat analysis, increased traffic and parking and concerns of permanent residents.

The Senior Planner advised that a report of the public hearing will be provided to the April 13, 2017 Planning and Community Development Committee meeting, which will include the report of the public hearing and all of the public submissions.

The Senior Planner then concluded his presentation and the Chair called a first time for submissions.

**Craig Moore, 6737 Northwest Bay Road**

Mr. Moore is a long-time resident involved in the live music community and is concerned about availability of venues on the Sunshine Coast. Mr. Moore believes that the amphitheatre at Ruby Lake Resort has great potential for a venue for live music events to take place in the afternoon and early evening. Mr. Moore supports the application.

**George Connell, 5474 Jervis Inlet Road**

Mr. Connell is a long-time residents and supports the plan for development at the Ruby Lake Resort. Mr. Connell notes that the applicants are sensitive to the environment and operate friendly business. He believes this is a good change for the upper Sunshine Coast. Mr. Connell is involved in the theatre community and supports the use of the amphitheatre for arts. Mr. Connell supports the development.

**John Pass, 15211 Sunshine Coast Highway**

Mr. Pass noted that he believes the proposal has improved from the last draft. Mr. Pass supports the increased setbacks to 30 metres from Ruby Lake. He also supports the reduction in the number of sleeping units and the size/scale of the buildings. Mr. Pass request clarity on the wording of “no additional building” for the future in addition to those in the proposal. Regarding the amphitheatre, Mr. Pass noted that this would be the first one to be included in the zoning bylaw for Electoral Area A. Mr. Pass noted concern for the outdoor space and issue of noise in a rural, ecologically sensitive area. He expressed concern that the zoning be correct for now and the future. Mr. Pass doesn’t believe that the SCRD Noise Bylaw will be sufficient. He noted potential for noise to be detrimental to the neighbourhood, residents and environment. Mr. Pass requested that the floor area for the amphitheatre be defined as all other buildings have been noted in the proposal.

A member of the public asked how noise issues would be addressed by the SCRD.

The Senior Planned stated that the SCRD has a bylaw and enforcement department to respond to noise concerns under Noise Control Bylaw No. 597. If noise concerns occur after hours the RCMP should be contacted. SCRD works with the RCMP and they can inform SCRD and we will also here from people the next day.



**John Pass, 15211 Sunshine Coast Highway**

Is the Board confident that the rezoning will control future owners' use of the site?

**Director Nohr, Chair**

The Chair stated that he cannot comment on this as the function of the Chair and Co-Chair is to listen. However this could be raised by Directors at the committee meeting.

**Maureen Juffs, 6130 Maple Road**

Ms. Juffs expressed support for the application and considers this an improvement for the use of the community. Ms. Juffs noted that the restrictions seem to be protective of the environment. She supports the idea to define the floor area of the amphitheatre. She noted the structures taking up 10% of the property area, but request clarification on how much percentage the parking spaces and driveways take up. She noted that the drainage plan should identify how much of the total area is hardened surface or that the SCRD asks for this information from the proponent and hopes this is being asked of other projects.

The Chair called a second time for submissions.

**Doug Elliott, 6867 Old School Trail**

Mr. Elliott noted that the facility is located in a ravine, sloped area and thus the noise will travel upwards and not outwards. Mr. Elliott believes it is an excellent facility and would like to see it get more operational use by the community.

The Chair called a third and final time for submissions.

**Robert Wright, 13327 Sunshine Coat Highway**

Mr. Wright expressed support for the application and noted the advantages it provides for tourism and the local job economy.

**Elizabeth Schleimer, 16483 Green Tree Road**

Ms. Schleimer asked for clarification regarding the agricultural uses permitted within the proposal and how it is defined in the bylaw amendment.

Senior Planner read aloud the definition of agriculture in the Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337 as: "agriculture" means the growing, producing or harvesting of crops and the rearing of livestock, poultry and rabbits including the storage and auxiliary sales of unmanufactured agricultural produce, the storage and repair of machinery and implements used on the same farm, and the storage of supplies used on the same farm; excluding feedlots, fur farms, poultry farms, pig farms and mushroom farms.

The Senior Planner noted that the agricultural uses on the site, according to the owner, will be in order to develop food supplies for the restaurant.

**Kerry Rand, 5920 Garden Bay Road**

Mr. Rand supports the idea of the project. He noted that the Ruby Lake Resort provides benefits to the community. Mr. Rand noted that noise may be an issue and that open exhaust boats on the lake can be considered a noise concern as well. Mr. Rand is also a local business owner, and support the application for keeping the community alive and vibrant. Mr. Rand believes this proposal would be a step forward as long as the controls are in place.

**Suzan Essiembre, 12674 Merril Crescent**

Ms. Essiembre has been employed at Ruby Lake Resort for 15 years and is a former director of Ruby Lake Lagoon Society. Ms. Essiembre wished to address some issues raised by the public. The agricultural use is not for large scale farming with animals. The intent is to provide the community with sustainable food source for the restaurant which is organically grown and poses no danger to the lagoon with run-offs. Ms. Essiembre noted that the building conditions will be improved. The owner allows the public to visit the property freely and amenities will be available for locals and tourists to enjoy year-round. She stated that the resort offers sustainable economic development, brings visitors to the Lagoon, provides local youth employment and offers agricultural experience to volunteers through WWOOFing (Willing Workers on Organic Farms program). Ms. Essiembre expressed support for the development.

**CLOSURE**

The Chair called a final time for submissions.

There being no further submissions from the public, the Chair announced the public hearing for proposed "Sunshine Coast Regional District Electoral Area A Egmont / Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016" and "Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016" closed at 7:58 p.m.

The Chair thanked everyone for attending the public hearing and reminded that any further discussion on this topic be with the Planner.

Certified fair and correct:

  
\_\_\_\_\_  
G. Nohr, Chair

Prepared by:

  
\_\_\_\_\_  
A. Ruinat, Recording Secretary

**Written Submissions Provided Before and at the Public Hearing**

<b>Appendix</b>	<b>Name</b>	<b>Street (General Location if not in Area A)</b>	<b>Page</b>
1	Catherine McEachern	Sunshine Coast Hwy (Madeira Park)	17 - 18
2	George Connell & Pia Sillem	Jervis Inlet Rd	19
3	Thierry Openheimer	El Paso (Texas)	20
4	Barbara DeMott	Gerrans Bay Rd	21
5	John Vickerstaff	Hallowell Rd	22 - 23
6	Naomi Lazar	Mixel Heights Rd	24
7	Lyn and Bob Macdonald	Hallowell Rd	25 - 26
8	Alan Doner	Mixel Heights Rd	27 - 28
9	Suzan Essiembre	Merrill Crescent	29
10	Ann Arnett	Glen Place	30
11	Devorah Rosen	Chris Way	31
12	Sharon and William Jones	Hallowell Rd	32
13	Sasha Belle Hunt	Employed at site and grew up in area	33 - 38
14	Kocassale Dioubate	Employed at site	39
15	Melinda Petraschuk	Sunshine Coast Hwy (Madeira Park)	40
16	Maria and Victor Tasic	Hallowell Rd	41
17	Leigh and Bob Vickerstaff	Hallowell Rd	42
18	Branko Samuloaja	Hallowell Rd	43
19	Henry Doyle	Sunshine Coast Hwy (Ruby Lake)	44
20	Branko Durie	Hallowell Rd	45
21	Ben Garrett	Marathon Court (Coquitlam)	46
22	Oliver Garrett	Marathon Court (Coquitlam)	47
23	Brenden Groves	Bluff Place	48
24	Jack Cright	Hotel Lake Rd	49
25	Ryan McDonald	Dubois Rd	50
26	Anna Venalainen	Hallowell Rd	51
27	Roman Pasqualotto	Hallowell Rd	52
28	Nathan Lams	Sunshine Coast Hwy (Sechelt)	53
29	David Carmichael	Egmont Rd	54
30	Catherine Anderson	Mountainview Rd	55
31	Karen Hunt	Hallowell Rd	56
32	Jeremy Hunt	Hallowell Rd	57
33	Amanda Nicholl and Tyler Mullins	Timberline Rd	58
34	Ryan Logtenberg	Bear Bay Rd	59
35	Terry Clayton	Glen Place	60 - 67
36	Lorraine Wareham	Sechelt – Coast Reporter	68 - 69
37	Kim Darwin	Yew Rd	70
38	Rudi Suter	Hallowell Road	71

Appendix 1

**David Rafael**

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**From:** Lorne Campbell <  
**Sent:** Saturday, February 11, 2017 2:29 AM  
**To:** David Rafael  
**Subject:** Ruby Lake Resort Proposed Rezoning; Public Hearing of Feb. 21, 2017 (from Cathy McEachern)  
**Attachments:** CM Submission.docx

I am attaching my written submission related to this public hearing, which I am not able to attend. I am using my husband's e-mail address, because mine is not currently accessible to me. Plse. advise ( replying back to this e-mail address) that you have received this. Thank you,  
Catherine McEachern



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Appendix 1

RE: Ruby Lake Resort Rezoning and OCP Amendment Application, Public Hearing February 21, 2017

I am writing in support of the above referenced application and wish this e-mail to form part of the public record of the above-noted hearing. My husband and I are full time residents on Ruby Lake and have been living here full time for over 14 years. I am intimately acquainted with the wording of the proposed by-law which will implement the rezoning requested and feel that the restrictions placed on the property in connection with the rezoning (ie. Setting out a maximum number of units allowed and the maximum size of each such unit) adequately protects against adverse impact to our lake environment. To me, the adverse environmental effects of ANY form of development need to be balanced with the critical needs for jobs on the Sunshine Coast (and particularly peninsula north) and the need for economic development in general. It has been a long process, but I feel this rezoning achieves this.

I also see finally sanctioning operating of the outdoor theatre (the amphitheatre) an important enhancement to the area. It will be a forum for concerts, performances and lectures which I, as a resident of the community, can enjoy. I think it could also be a critical community-builder by encouraging a mingling with our neighbours at such events – something sorely lacking at this end of the coast.

I encourage anyone opposed to further development on the “campground” site to take a walk around the site today. There are about twenty tents on platforms, set discreetly apart in a peaceful wooded setting. I have enjoyed yoga on the amphitheatre stage on rainy days – it is quite something. The rezoning is to allow current tents to be replaced with proper buildings and allow another 10 units – all perfectly sustainable on the site and they do not look to be intrusive to the lake or an eyesore from Highway 101. These increased bed units should be a help to the tourism infrastructure for Area A: many people booking weddings or other events need accommodation for a certain number of people and they must look elsewhere if the Western Wilderness Resort, Back Eddy and Ruby Lake Resort cannot accommodate that number. Finally the type of tourist looking for the “camping/ low impact” accommodation is exactly the sort of guests we want at this end of the coast – low impact. They tend to be the eco-tourists or young families looking for that “back to nature” experience with basic amenities covered.

On a personal note, I look forward to better spa facilities, more yoga and outdoor performances under the stars. The Cogrossi have worked hard to maintain a viable resort that has a very limited window (8-10 weeks) to attract overnight guests; I believe their economic viability will be threatened without some additional accommodation units.

When this rezoning application was started (about 11 years ago?) I had serious concerns about the negative impact on our lake environment. I realize the rezoning is not about the Cogrossi stewardship to date; out of an abundance of caution we all need to be worried about what might happen in the future. I now feel the wording has been tightened up to negate those fears. I believe the SCRDC staff and the applicant have done a thorough job in placing adequate restrictions on the development to protect our beloved Ruby Lake environment.

Respectfully submitted,

Catherine McEachern, 16257F Sunshine Coast Highway, Madeira Park, BC V0N 2H1



Appendix 2

2

From: Geo.  
To: David Rafael; Ruby Lake Resort  
Subject: Ruby Lake Resort Re-Zoning  
Date: Sunday, February 12, 2017 9:43:15 AM

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We wish to extend our unqualified support for the ReZoning of Ruby Lake Resort Property and expect to be in attendance at the February 21st meeting. As seventeen year residents of Earl's Cove, we have seen too many economic opportunities needlessly denied out of fear, misunderstanding, and reticence. We have too often heard, "We don't want change"; when, in fact, change of one sort or another is inevitable. All of the detractors we have heard refuse to consider the huge benefits that would accrue from such a well-thought out proposal. The Cogrossi enterprise has contributed greatly over the years; not only to the environmental benefit of the upper Sunshine Coast, but as a major employer of local people and supporter of other local businesses. The family has an enormous track record of commitment to the community and an unflagging dedication to the welfare of the local ecology. Were this application refused, it would mark a blemish on the economic and social fabric of our area. We hope that the good will and understanding extended to any people who might imagine being inconvenienced is returned in kind and that they feel comfortable moving forward in a spirit of neighbourliness and cooperation.

Please note that we wish this e-mail to form part of the public record.

George Connell  
Augusta (Pia) Sillem  
Geopia  
5474 Jervis Inlet Road  
Earl's Cove, BC  
V0N 2H4

*George Connell  
Pia Sillem*

Appendix 3

3

**From:** Thierry Oppenheimer  
**To:** David Rafael  
**Subject:** Ruby Lake Resort Rezoning Application  
**Date:** Sunday, February 12, 2017 11:19:51 PM

---

I wish this email to form part of the public record:

I, Thierry Oppenheimer, from El Paso Texas, USA, support the application.

This community is deserving of the growth potential that Ruby Lake Resort rezoning can provide to its citizens and the tourism industry. Jobs and growth to this area are good for many generations to come. This is a privilage in that this family business has the community in its best interest in mind.

A beautiful place to be enjoyed by all.

Best of luck with your plans.

Thierry

Appendix 4

4

From: Barbara DeMott  
To: David Rafagi  
Subject: Ruby Lake rezoning application and public meeting  
Date: Sunday, February 12, 2017 1:56:14 PM

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Dear Sir,

I wish this email to form part of the public record in support for the Ruby Lake Resort rezoning application. I feel that allowing a broad range of cultural and community activities at this venue will enhance the social fabric of our community not only by encouraging the community to join together for these events but also to attract tourists and newcomers to our area. This is particularly critical in the slow winter season when people find it hard to reach the lower coast for events and activities. I also think by rezoning for a wider range of activities, there will be opportunities for local employment and many kinds of engagement, such as seen at the Iris Griffith centre.

Sincerely,

Barbara DeMott  
4635 Gerrans Bay Road  
Madeira park, BC V0N2H1

**Staff Report to Planning and Community Development Committee - April 13, 2017**  
**Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour**  
**Official Community Plan Amendment Bylaw No. 432.25, 2016 and Sunshine**  
**Coast Regional District Electoral Area A Zoning Amendment Bylaw No.**  
**337.87, 2016 Public Hearing Report and Consideration of Third Reading** **Page 22 of 77**

Appendix 5

**From:** John Vickerstaff  
**To:** David Rafael  
**Subject:** Public Hearing and Ruby Lake Resort Rezoning Application February 21, 2017  
**Date:** Tuesday, February 14, 2017 10:25:31 AM

David, I am sending you this e-mail because regrettably I will not be able to attend the Public Hearing to support Ruby Lake Resorts Rezoning application on February 21<sup>st</sup>, 2017 at the Pender Harbour High School Gym. I further wish this response to be part of the public record with respect to that hearing.

My address is a seasonal residence at 15200 Hallowell Rd. District Lot 3252. Lots 7 & 38.

Our Family became established in Pender Harbour in 1948 when my Grandfather secured DL 3252 and other properties for the use and common enjoyment of Friends and Family. We use our Family property year round. Last summer we had the honour of having a 5<sup>th</sup> generation of our family on the property. Through all of those years we have supported the Community, the Grocery Stores, Restaurants, Marinas and in fact I had one of my first jobs at the Ruby Lake Resort over 35 years ago helping to clear some brush and debris.

In my 51 years, I have seen the evolution of the Ruby Lake resort from a motel and general store to the wonderful resort it is today, it is an integral part of the community in Pender harbour and more specifically, it is the back bone of the Sakinaw Lake and Ruby Lake Communities. I think it is important to give an example of how Ruby Lake resort is a driver of responsible tourism and economic support for the area.

Last summer, my niece decided that in the spirit of family tradition, she wanted to be married on the dock of my late Grandparents Cabin. This involved over 100 guests coming up from Portland Oregon, USA and staying for 3 days on the Coast. This event would not have been possible without landmark locations and infrastructure like the Ruby Lake resort. This one event resulted in well over \$150,000 being spent in the local economy through catering, room nights, Chartered Fishing tours, Restaurants, Groceries, boat tours..... This event would not have happened if Ruby Lake Resort was not there to make it possible or if Ruby Lake resort had not continued to responsibly evolve over the past 5 decades.

I support the rezoning application to help develop this wonderful paradise, to increase the cultural events and community events that can occur, to bring Concerts and expanded opportunity to the area. To build an environmentally responsible Community in the most beautiful place in the world.

As a family run business it is the backbone of the Community, they have provided Summer employment to many of the Children and Families in the area including giving my own son his first Job as a part time dishwasher the last few years.

Approving this Zoning application will ensure that Community is Strong and has a future that will continue the old traditions and create new ones for future generations.

I support this rezoning application for Ruby Lake Resort and wish my comments to be part of the

Appendix 5

public record.

Regards,

**John Vickerstaff, CEO**

Network Bonding & Insurance Services Inc.  
Suite 802, 333 Terminal Ave  
Vancouver, B.C.  
V6A 4C1



Appendix 6

6

From: Naomi Lazar  
To: David Rafael  
Subject: Public Hearing and Ruby Lake Resort Rezoning Application  
Date: Tuesday, February 14, 2017 12:36:13 PM

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Hello Mr. Rafael,

I wish this email to form part of the public record for the Ruby Lake Resort Rezoning Application public hearing. My name is Naomi Lazar and I live at 14111 Mixal Heights Road, Garden Bay, V0N 1S1,

I would love to see Ruy Lake Resort live up to its full potential. I believe that if the rezoning application is passed, Ruby Lake Resort would be able to host more events which would benefit the community. These events might be in the form of lectures, concerts, workshops, weekend retreats, weddings etc. The increase in events would not only build stronger community ties but will increase employment and bring more people to the coast, both performers and audience, while having a minimal environmental impact. The Cogrossis have a great record of environmental responsibility and the site is not visible from either the highway or Ruby Lake.

I support the application for Ruby Lake Resort rezoning.

Naomi Lazar

Appendix 7

2

**From:** Macdonald, Lynn  
**To:** David Rafael  
**Cc:** Bob Macdonald  
**Subject:** public hearing  
**Date:** Tuesday, February 14, 2017 7:14:45 AM

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We will not be able to attend the meeting for the Public Hearing and Ruby Lake Resort Rezoning Application. We previously wrote a letter that outlined our reasons why this project has our support but with this upcoming meeting we just would like to make it clear that this project does have our support and that this email should form part of the public record.

Lynn & Bob Macdonald  
14529 Hallowell Road

Appendix 7

15429 Hallowell Road  
Maderia Park, BC

July 6, 2016

Attn: Andrew Allen

Re: Rezoning Proposal Ruby Lake

I had sent a letter in June in support of Ruby Lake but did not have a name to send it to and I was also not aware that there were specific questions to answer so thought I would elaborate.

We have been Ruby Lake property owners for 8 years and will soon be making it our year round home. We strongly support the changes proposed by the Ruby Lake Resort.

**What are the benefits or concerns related to a tourist commercial facility (motel/lodge/spa/theatre) to the immediate neighbourhood?**

The only concern would be noise from the amphitheatre. BUT realistically it is never going to be rented 7 days a week so for full time residents, even if there was an event every Saturday night, it is not an issue. It is a rural area and this proposal will not change that.

The benefits are more people to the area (a concern for some) and more importantly, employment for our youth in the area. Madeira Park & Ruby Lake does not have an opportunity for an employment which shows in the statistics of people moving to Sechelt or to the city. The area needs more economic growth.

**What are the benefits or concerns related to a tourist commercial facility (motel/lodge/spa/theatre) to the greater community on the Sunshine Coast?**

Economic growth. The Sunshine Coast needs investment and it needs tourism. This facility would bring more people which would benefit Ruby Lake, Madeira Park and likely the entire Sunshine Coast.

**What are the benefits or concerns related to a tourist commercial facility (motel/lodge/spa/theatre) located within the proximity to Ruby Lake and Lagoon?**

Environmental concerns would have to be addressed.

**Additional Comments:**

We are writing this as full time residents rather than weekenders and we strongly believe this proposal should move ahead as the changes proposed by the Ruby Lake Resort will enhance both the economy and the community.

We love the area and would be unwilling to support any development or zoning that would damage the current way of living there. However, we feel the change proposed by the Ruby Lake Resort will be a positive one and we fully offer our support.

We will gladly answer any questions you have.

Yours sincerely,

Lynn & Bob Macdonald

From: Alan Doner  
To: David Rafaci  
Subject: Ruby Lake Resort rezoning application  
Date: Wednesday, February 15, 2017 6:57:23 AM

---

My name is Alan Doner and I am a full time resident of Pender Harbour.

I am unable to attend the Public Hearing for the Ruby Lake Resort Rezoning Application so I would like this letter to form part of the public record.

I would love to see The Ruby Lake Resort's public space expanded to allow for outdoor live entertainment, community events, and character accommodations. The setting for events including the amphitheater is ideal for neighbouring families, friends, and visitors to gather and take in, or host local musicians, readings, lectures, book readings, weddings, retreats, and workshops to name a few ideas.

I've always thought it was such a shame that the vision for the acreage attached to The Ruby Lake Resort was never completed. I've often taken visitors there to walk the land that is in question, to show them what a wonderful place Ruby Lake Resort is as a whole. It's obvious that his property

Appendix 8

was originally developed as a labour of love, and deserves to be allowed to succeed. This seems to me to be a very low impact development that would create jobs, enhance tourism, and will benefit all with another unique place to stay and enjoy on the Sunshine Coast.

I am 100% in favour of granting the resort their rezoning.

Yours truly,

Alan T. Doner

14111 Mixal Heights Road

Garden Bay B.C.

VoN 1S1



Appendix 9

7

**Suzan Essiembre**  
**12674 Merrill Crescent**  
**Madeira Park, BC**

February 16, 2017

Ref: Public Hearing and Ruby Lake Resort Rezoning Application

To Whom It May Concern

In response to the above rezoning application I wish this note to form part of the public record.

I support the Ruby Lake Resort rezoning application because of the sustainable development opportunities for the Sunshine Coast and the employment of people from the local community. With the limited development opportunities Ruby Lake Resort (RLR) can help enhance a forum to build a stronger community while being an environmentally responsible business. The RLR low impact amenities provide a desirable escape for tourists and locals alike. They are able to enjoy wildlife viewing, swimming and hiking, attend yoga classes and even do some paddle boarding. RLR guests and the public are always welcome to attend the lectures, enjoy some music, get a massage or meditate beside a restored wetland.

The restrictions imposed by the SCRD ensure that the quality of life for nearby residents and wildlife are limited to a minimal environmental impact that also takes into consideration the public and private safety concerns.

Sincerely,

Suzan Essiembre

Appendix 10

From: Doug Arnett  
To: David Rafael  
Subject: Public Hearing and Ruby Lake Resort Rezoning Application  
Date: Thursday, February 16, 2017 10:23:08 PM

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To Whom it May concern;

As an owner of 40 years of property Lot 19 5987 Glen Place I would like to say that I totally support the efforts of the Cogrossi family to improve their property. They have always been a valued member of our community and over the many years they have owned the Ruby lake Resort , they have done so many things to improve their location and the place they hold in the community. Events that they have had over the years in the Amphitheatre have at no time bothered us at our location. I fully support them in their efforts of more available camping, wedding and other outdoor events at this location.

Submitted by (Mrs.) Ann Arnett

111-2721 Atlin Place ; Coquitlam BC

V3C SB1

February 16, 2017

Appendix 11 (

From: Devorah Rosen  
To: David Rafael  
Cc: info@rubylakeresort.com; brightgarrett@gmail.com  
Subject: Public Hearing and Ruby Lake Planning  
Date: Friday, February 17, 2017 11:05:59 AM

---

My name is

Devorah Rosen  
12581 Chris Way  
Maderia Park BC  
V0N 2H1

I wish this email to form part of the public record

I am giving my support to the rezoning application submitted by Ruby Lake Resort. Being a friend of the Cogrossi family it's clear the entire family are the most environmentally conscious people I have encountered while living here. Coupled with the restrictions imposed by the SCRD and their commitment to ensuring any work done on their property impacts the environment in a negative fashion this concern is moot. The Sunshine Coast is in desperate need of more tourist accommodations that showcase the natural beauty of the area. The proposed accommodations for the Resort will do just that and provide more employment for our local community. This is an excellent opportunity for us to partner with many like minded groups to hold symposiums and gatherings to ensure the area receives the exposure our coast needs to nurture the lifestyle we all enjoy. The kind of growth proposed for the Ruby Lake Resort will certainly have a positive impact on all aspects of tourism for all people visiting the area!

Sincerely  
Devorah Rosen

Sent from my iPad

Appendix 12

2

**From:** Sharon Jones  
**To:** David Rafael  
**Subject:** Public Hearing re: Ruby Lake Resort Rezoning  
**Date:** Saturday, February 18, 2017 11:26:25 AM

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We are writing this e-mail to support Ruby Lake Resort regarding their rezoning application.

We purchased our property at 15423 Hallowell Road in 1993, the same year as the Cogrossi family. We used it as a summer residence until 1996 when we relocated here from Vancouver. Therefore, we have been their neighbours for over 23 years. We have always found them to be good neighbours, courteous and kind. They are the type of people who worry about offending neighbours, however they have never offended us in any way. They really do try to be good neighbours!

We consider the restaurant and motel to be a "gem" in our neighbourhood. Some of the finest meals we've had are from Ruby Lake Resort. Our friends from other parts of BC and the US have stayed at their Resort and have had nothing but praise for it. We can just walk down to the restaurant, and enjoy a lovely meal on their magnificent patio while watching local wildlife.

They said there are some who find noise from the Amphitheater too loud and offensive. Sometimes, on a lovely summer evening with our windows open, we have been able to hear music faintly coming from there but it is so low it has never bothered us, never been a problem at all. We know they have hosted many weddings there and the celebrations may have lasted late into the night but we've never heard anything. We have close neighbours who have had parties that have kept us up more nights than festivities at Ruby Lake. Everyone hosts a party of some type during the summer and most of us just take it in stride. It is the lake, it is summer, everyone deserves to enjoy and have fun. We have spoken to many of our neighbours and most of us agree, the music from the Amphitheater is not or has never been an issue for us.

We need Ruby Lake Resort here on the Sunshine Coast. They provide a much needed service. They provide fine dining. They attract tourists, we need tourists. The canoe rentals are popular, the tent houses are very popular; people love them. The more accommodation we have the better. Ruby Lake needs to be able to provide first class accommodations and services such as weddings and other gatherings and have the facilities to provide first class service. They also need to provide accommodation for their staff. The spa is another great facility providing wonderful massages, etc. for their guests as well as outsiders.

We support them fully in whatever they are seeking in their rezoning application.

We wish this e-mail to form part of the public record.

Yours very truly,  
William (Bill) & Sharon Jones  
15423 Hallowell Road  
(Ruby Lake)  
Madeira Park, BC  
V0N 2H1

Sent from Mail for Windows 10

Appendix 13

13

**From:** Sasha Belle Hunt  
**To:** David Rafael  
**Subject:** re: Ruby Lake Public Hearing & ReZoning Application  
**Date:** Sunday, February 19, 2017 10:38:36 AM  
**Attachments:** ReZoning Letter.pdf

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Hello David,  
Please find attached my letter of support of regarding the Ruby Lake Resort ReZoning Application.  
Please note that I would like for this application to form part of the public record.  
Unfortunately, I will not be able to attend in person as I am currently abroad.  
Thank you for your time - this one is a long read.  
Regards,  
Sasha



Appendix 13

February 19<sup>th</sup>, 2017

To whom it may concern,

**I am writing regarding, and in support of, the rezoning application which has been submitted by Ruby Lake Resort, and I would like for this letter to be part of the public record.**

Regrettably, I will not be able to attend the public hearing to be held on February 21<sup>st</sup> 2017 in person, as I am currently in Guinea-Conakry [West Africa].

I am a resident of the Ruby Lake area; I grew up in between the communities of Egmont and Pender Harbour, at 15376 Hallowell Rd (between Ruby & Sakinaw Lakes). As a child I attended Madeira Park Elementary School, and graduated from Pender Harbour Secondary School in 2000. I currently reside on the Ruby Lake Resort property itself, and am employed by the Cogrossi family year-round (in the winters I work remotely from abroad).

Please note that I am not writing this letter just as an employee at Ruby Lake Resort, but as a long-term local who grew up in the immediate area, and who, since a child has been one of the few year-round residents, along with my family, in this direct neighbourhood. Were I employed elsewhere, I would still support and be in full favor of this application, as it affects my direct neighbourhood and area of residence.

The property on which Ruby Lake Resort is situated is an area that I consider to be my childhood playground, having lived in the area since 1988, when at the age of 6, I moved here with my family, who have a property on nearby Hallowell Rd. My family moved to the coast and the area, as they were drawn here by its raw natural beauty. I was raised with this awe and appreciation for the natural world which surrounds us, and with the vision of trodding gently and respectfully over the earth on which we are so blessed to live. I dream to see the Sunshine Coast remain a pristine natural environment where one can seek and obtain tranquility, while I also wish to see it grow with thriving progressive communities and a strong economy.

I witnessed the Ruby Lake Resort property pass through several hands in a short handful of years, before it was obtained by the Cogrossi family who immigrated here from Italy in the '90s. Prior to their ownership, I would have defined the resort and restaurant as a greasy-spoon truck-stop eatery and motel. As a child, I played on the property with the children of different owners, and I witnessed things which clearly displayed a lack of respect or regard for the local flora and fauna, and I am grateful that the Cogrossi's have had ownership of this property and that they were able to turn it into both a natural sanctuary, as well as a reputable world class tourist destination.

Aldo Cogrossi, in particular, has always been passionate about the flora and fauna, and since he has come to the area I have seen notable growth in wildlife populations such as those of swallows, wood ducks, and painted turtles - (to name just a few) - right on the property.

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Over the years, the Cogrossi's have truly made the property and project a labour of love, and they have invested enormous efforts, energy, passion, and resources into what I would consider to be their vision – fostering the natural environment and caring for the well-being of the property, including the flora and fauna, and putting our beautiful Sunshine Coast in the spotlight as a world-class destination, while practising sustainability through organic gardening, low-impact building, promoting eco-tourism, as well as hosting a diverse community space where people can share knowledge, talents, information, and inspire through arts, music, theatre - and, sharing this passion with our local communities as well as diverse clients from around the world.

Needless to say, this contributes greatly to our local economy both directly and indirectly, and I have seen the resort employ many people over the years – from the many seasonal positions involved in the hospitality industry, to trades projects and contracts related to building, maintenance, etc.

In fact, Ruby Lake Resort employed me with my first official job as a teenager, (actually, they employed nearly *all* of the local high-schoolers in the direct area at that time). My employment with them took me through my high-school years; I started as a dishwasher, and worked my way up to the front of house. This job impacted my life enormously as a young adult and helped me to quickly achieve my independence – from ridding myself of being super shy through constant customer contact, to funding my first car, to moving abroad from my parents' house shortly after having graduated.

Since my return to BC in 2007, Ruby Lake Resort has again employed me (from waitressing, to FOH management, to my current position as general manager), and made my home-land of Ruby Lake an appealing place to live, once again. It is a place where I can count on employment, where I can put my love for nature, arts, and hospitality together in one place. It is a place where there is flexibility for creativity and growth. (Or so I should hope!) Ruby Lake Resort has also employed my common-law husband for the last several seasons, and our daughter, who is 12 years old just can't wait until she is old enough to take up a position.

Now, as general manager, I have a very clear idea of just how much this family (the Cogrossi's) contribute to our local economy – from attracting people from afar to come and visit and discover our beautiful coast, to direct spendings, to employment and opportunities. I know that if the Cogrossi's are granted approval of the re-zoning application, that this will boost our local economy in a positive way, and open up plenty of further employment opportunities. The employment factor not only contributes to the local economy, but it also attracts new people of younger and middle-aged generation (the work force) to move to the coast, or for those already here, to stay on the coast.

This is a crucial point.

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Over the last two decades, I have witnessed a swing in population on the Sunshine Coast and really seen it go from a thriving community with arts and activities and opportunities and an inspired young population, to more of a retirement zone. Don't get me wrong – I love and respect my elders, and I feel that they play their own crucial role in our communities, and that they should be welcomed, appreciated, and respected.

However, seeing our younger population move away, seeing less young and growing families, seeing the number of children in our schools drop drastically, school busses no longer running particular routes because there are not enough children, and as a result those families leaving the community in search of a place which is more family-orientated and –friendly, with adequate services.... is something that frightens me, and looks a tad gloomy, I must be frank. We need diversity within our community - we need the children, the work-force, *and* the elders. We need growth in order to support families. We need employment opportunities and a boosted economy, we need progressive thinking and sustainability, we need activities – concerts, workshops, seminars – we need all of this in order to attract, keep, and sustain a diverse and functioning well-rounded community with members of all ages. And this is exactly what the Cogrossi family and Ruby Lake Resort aims to contribute to.

If given approval, I believe that the rezoning application would not only result in direct employment to fill positions in hospitality and customer service, and for numerous trades contractors, but it would also provide a space, where teachers & instructors & practitioners could share their knowledge and their passions, through workshops, classes, seminars, retreats, demonstrations. It would be a space for growth, and for community.

As general manager, I also have a pretty good sense of the sustainability, in an economic sense, of the Ruby Lake Resort property – or the lack of, in its current standing. I know that with such a large property the enormous overhead inevitably catches up with the revenue generated in such a short season. With the elder members of the Cogrossi family growing older, Aldo Cogrossi carries much of this family business on his shoulders solely, and without room for gentle growth to expand on the potential revenue of the property, it would be very difficult for this business to continue sustaining itself as a family business. After all, the eldest members of the family will eventually need to cease to contribute their time and efforts, as they certainly deserve to retire at some point – as all hard-working people do!! Which, in turn, would make the overhead and expenses of running this business that much higher. Without the potential to create formulas for expanded revenue, this would be disastrous to the business. Should it come to this, I fear that the Cogrossi's might be forced to sell.

And here, again, lies my next worry. Should they sell – who would buy it? What would they do to the property? Would they care about the turtles, and the beavers, and the otters, and the wood ducks, and the swallows? Would they notice if their activities in the lagoon and on the property dwindled their population? Would they cut down all the trees to 'open up the view'? Would they keep gardens? Would they protect the lagoon, by prohibiting swimming and fishing and water-sports in it? Would they still promote eco-tourism, or would they prefer to aim for the 5-star hotel effect? ...With jet-ski & quad rentals? Would they rebuild all of the accommodations? And if so – what materials would they use? Would they hire locals, or bring in the cheapest bidder from Ontario? I cannot know the answers to these questions. But I do

Appendix 13

know that there are few souls in business who care so much about all these details, as Aldo Cogrossi, the current owner, does. And thus, I feel that there are few candidates, who would do as great of a job of balancing harmony with nature and business development as Aldo Cogrossi does.

Lastly, I would also like to touch on a couple of points regarding the concerns expressed by a small handful of folks who are resisting and in opposition of this application. As a local, who grew up right at Ruby Lake, I am familiar with these concerned folks and respected community members, as I am familiar with some of their concerns, as expressed at the public meeting last spring 2016.

- Some folks are concerned about change. They would like “their” neighbourhood to remain the same quiet neck of the woods that it was when they first come here 30+ years ago. → However, change is inevitable. Change will always happen, in some form or another. The coast will grow and develop. What better step to take than to ensure that the change that comes is positive change? That it is in check with the natural surroundings? That it is progressive (ie. geared towards green practices and harmonious living with nature?) If we resist the positive change and growth, then we will have to settle for another kind of change which will eventually and inevitably come. And what will that look like?
- Some folks are very concerned about maintaining this quiet event-free neighbourhood “for their children and the future generations”. → I *am* part of their children’s generation. And my child, who will perhaps one day have children of her own, *is* the future generation. We are here. Now. And we would like to stay. *If* this community can sustain us, and provide growth and opportunity for us. These folks’ children are grown adults, who moved away decades ago. They rarely visit, and have shown zero public interest in returning, or in the future of this neighbourhood. If their interests should be our communities top priority in consideration – then why are they not here?? Why have they not become involved?? Why do we not hear their voices?? Why should their interests be more important than the other even younger generations who are here - now - and who are active participants in our community, and who also care about our future?
- There are folks who are concerned about noise that could be potentially generated from special events on the upper property. → I also like a good, quiet, neighbourhood, hence my decision to live at Ruby Lake rather than in the city, or even within a small town. However, at Ruby Lake we have *all* learned to accept some level of noise as in the summer months we do tend to get absolutely bombarded with seasonal summer home vacationers on quads, dirt bikes, speed boats, jet skis, hosting late night techno / rock / heavy metal parties, squealing and laughing in a drunken stupor across the lake, chain-sawing, lawn-mowing – you name it. We all accept each other. I don’t believe that occasional music or other ambiance from another property is to be shunned, or that it would be any louder or more noticeable than any of the other noise pollution factors already present in our neighbourhood. I don’t even know that it would be audible over everything else that goes on in our neighbourhood.

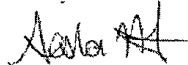
Appendix 13

I sincerely feel that these complaints are all very personal, and selfish, and simply to protect personal interests, as opposed to being sincerely in consideration of the community, the environment, or the greater well-being, than one's own bubble of existence. I think that we all need to learn to co-exist, and to share space, and this world that we live in together. Tolerance and diversity make us a stronger and healthier community.

I also understand that this letter sounds very personal – but what I intend to reflect is my actual hands-on experience and proof of the inspiration, sustenance, employment, and positive change that has come as a result of the Cogrossi family's efforts, and their Ruby Lake Resort. I am sure that I stand *not* alone, but only as one example, among many others, who have been equally inspired and positively affected, and I am confident that the future holds more cases similar to mine.

In summary, I believe that the approval of Ruby Lake Resort re-zoning application will bring upon many benefits for our communities and help to boost both our local economy and the Sunshine Coast's image as a responsible eco-tourism destination. This would be a positive move in the right direction, in this inevitable flow of change. Should this application *not* be approved, I would be greatly disappointed and discouraged in the future and direction of our community's evolution. Please grant approval!

Thank you,  
Sincerely,  
Sasha Belle Hunt



Street Address : 15344 Sunshine Coast Hwy, Madeira Park, BC, V0N 2H1  
Mailing Address : 15376 Hallowell Rd, Madeira Park, BC, V0N 2H1

Appendix 14

14

From: Kunda Culture  
To: David Rafael  
Cc: Aldo Cogrossi  
Subject: re: Ruby Lake Resort  
Date: Monday, February 20, 2017 7:36:56 AM  
Attachments: RubyLakeLetter.pdf

Hi

I have attached a letter of support re: Ruby Lake Resort rezoning application public hearing. I would like this letter to form part of the public record.

Thank you,  
Kocassale Dioubate

### **Kunda African Culture Music & Dance**

### **One World One Love One People**

February 20<sup>th</sup>, 2017

Hi,

My name is Kocassale Dioubate. I was born in Guinea-Conakry, West Africa.

Now, I am a Canadian citizen, and I have lived at Ruby Lake since 2010, and I have worked at Ruby Lake Resort for several years.

Ruby Lake is a beautiful place.

Ruby Lake Resort is a place that a lot of Canadian families come to enjoy.

Also, the Italian Cogrossi family that lives at Ruby Lake, is a beautiful family, of nice people.

They are respectful of people, and they welcome all different cultures; also they respect nature, and they protect nature.

They have a really really good service for all different ethnicities in Canada, and in general from all the world.

This Italian family who lives at Ruby Lake, receives all different humans, and all different cultures from around the world, who come to visit their property and spend money in our community, which is good for our economy.

Ruby Lake Resort is very good for our community, because it creates activities for people.

If Ruby Lake Resort gets the rezoning approved, it would be awesome for our community! It would bring life and happiness into our community. It would help us feel like we do not live in a zombie zone, or a dead zone without any activities. If there are not many activities on the Sunshine Coast, young people move away. "Community" is youth. If we do not have youth and young generations, we have no future. If we want a bright future, we need activities... A nice area to visit, a space for activities and sport, mountain biking, gathering, a nice restaurant to eat at, a nice hotel to stay at, a place to work, a place to see animals, to enjoy water activities... If we do not have all that, we have no life. People will not come. Young people will not stay.

I want to see my community have life, have job opportunities, I want retired people in our community to have accessible activities to do and places to go. I want to encourage young people to stay, and also I want to see people have freedom to do positive things.

Viva Canada! Viva Ruby Lake! Viva Ruby Lake Resort!

One World, One People, One Love

Ciao ciao

Thank you

Kocassale Dioubate



Appendix 15

15

**From:** melinda petraschuk  
**To:** David Rafael  
**Subject:** RE: Public Hearing - Ruby Lake Rezoning Application  
**Date:** Monday, February 20, 2017 8:11:10 AM

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Dear David,

Please recognize my support for the above noted rezoning application.

Now that our prime industries of logging and fishing are fading we need economic anchors in this community. These days, Pender Harbour is relying on tourism as its economic base.

I know the Cogrossi family will do a nice job in developing the proposed plan in thoughtful and safe manner.

There are numerous benefits for this community and I wish this email to form part of the public record.

Melinda Petraschuk  
13217 Sunshine Coast Hwy  
Madeira Park, B.C.  
V0N 2H1

Appendix 16 (C

**David Rafael**

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**From:** MARIA TASIC  
**Sent:** Monday, February 20, 2017 10:58 AM  
**To:** David Rafael  
**Cc:** MARIA TASIC  
**Subject:** REZONING APPLICATION RUBY LAKE RESORT

MY NAME IS MARIA TASIC, WE LIVE AT 15480 HALLOWELL ROAD . WE ARE JUST UP THE ROAD FROM RUBY LAKE RESORT. WE ARE UNABLE TO ATTEND THE MEETING REGARDING THIS REZONING APPLICATION. I WOULD LIKE TO LET YOU KNOW THAT MY HUSBAND, VICTOR TASIC AND I FULLY SUPPORT THIE ABOVE NOTED APPLICATION AND HOPE THAT SCRD WOULD ALSO SUPPORT IT.

RUBY LAKE RESORT IS A UNIQUE AND BEAUTIFUL PLACE TO VISIT AND THE OWNER HAVE DONE TO MUCH TO TRANSFORM IT INTO A VERY SPECIAL HOLIDAY DESTINATION. WE LOCALS, LOVE THIS PLACE AND SO DO ALL THE VISITORS WHO SPEND SUMMERS THERE. THE REZONING WOULD ALSO CREATE ADDITIONAL JOBS FOR THE LOCAL COMMUNITY.

ONCE AGAIN, PLEASE ACCEPT THIS LETTER AS OUR VOICE IN FULL SUPPORT OF THIS REZONING APPLICATION AND LET ME KNOW OF THE OUTCOME.

THANKS, MARIA TASIC, LOCAL RESIDENT

Appendix 17 17

**From:** Leigh Vickerstaff  
**To:** David Rafael  
**Cc:**  
**Subject:** Public Hearing and Ruby Lake Resort Rezoning Application  
**Date:** Monday, February 20, 2017 11:50:58 AM

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Please accept this email on behalf of Bob and Leigh Vickerstaff to show that we support the Ruby Lake Rezoning Application. We are unfortunately not able to attend the public hearing however wish to share our support of this rezoning application. I wish for this email to form part of the public record.

We have known Aldo and his family since they began ownership of the Ruby Lake Resort and believe that the family has nothing but the best intentions concerning the community and their surroundings. We also feel strongly that this resort does provide a service to the community by way of tourism and job creation and we are grateful to have this level of service to share with visitors to the sunshine coast.

Please do not hesitate to contact Bob or I if you wish to speak to us regarding this matter. We are happy to support the Cogrossi family and the Ruby Lake Resort and would welcome and questions you may have in this regard.

Sincerely,

Bob and Leigh Vickerstaff  
15200 Hallowell Road. District Lot 3252 Lots 1,2,35,38

Appendix 18 18

As a resident and land owner in the Ruby Lake area, I wholeheartedly support the recent application to re-zone the amphitheatre area to commercial.

Ruby Lake Resort has offered employment, enjoyment and sustainable growth to our community for more than twenty years. Providing them the opportunity to continue this growth is therefore appropriate.

Ruby Lake and the wider Pender Harbour Region stand to benefit from job creation; especially as this project demonstrates potential to extend the area's traditional busy season into the shoulder and winter seasons.

Lastly, the Cogrossi Family has demonstrated their commitment to the environment and the community, and therefore I have no concerns that they will carefully mitigate any potential environmental impact to the area.

Signed

Name

Phone Number

Address

PART TIME RESIDENT  
I WOULD LIKE THIS TO BE PART OF  
THE PUBLIC RECORD

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19

As a resident and land owner in the Ruby Lake area, I wholeheartedly support the recent application to re-zone the amphitheatre area to commercial.

Ruby Lake Resort has offered employment, enjoyment and sustainable growth to our community for more than twenty years. Providing them the opportunity to continue this growth is therefore appropriate.

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Lastly, the Cogrossi Family has demonstrated their commitment to the environment and the community, and therefore I have no concerns that they will carefully mitigate any potential environmental impact to the area.

Signed

Henry Doyle  
Name

Phone Number

Address

154113 Sunshine Coast Hwy  
Ruby Lake BC  
V0N 2H1

Part Time Resident.

I would like this to be part of the  
Public Record.

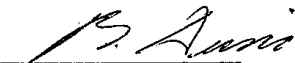
Appendix 20 20

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Lastly, the Cogrossi Family has demonstrated their commitment to the environment and the community, and therefore I have no concerns that they will carefully mitigate any potential environmental impact to the area.

  
Signed  
BRANKO DURIC  
Name

Phone Number

15413 HALLOWELL RD. LOT 25 RUBY LAKE  
Address

I wish this to be part of public record.  
With this I support Ruby Lake Resort.



Appendix 21


21

As a resident and land owner in the Ruby Lake area, I wholeheartedly support the recent application to re-zone the amphitheatre area to commercial.

Ruby Lake Resort has offered employment, enjoyment and sustainable growth to our community for more than twenty years. Providing them the opportunity to continue this growth is therefore appropriate.

Ruby Lake and the wider Pender Harbour Region stand to benefit from job creation; especially as this project demonstrates potential to extend the area's traditional busy season into the shoulder and winter seasons.

Lastly, the Cogrossi Family has demonstrated their commitment to the environment and the community, and therefore I have no concerns that they will carefully mitigate any potential environmental impact to the area.

  
Signed

Ben Garrett  
Name

\_\_\_\_\_  
Phone Number

369 - Marathon Court  
Address

Coquitlam, B.C

V3K-4Z4

Part-time resident

I wish this letter to be part of the public record.

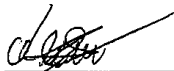
Appendix 22 22

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Signed

Oliver Garrett  
Name

Phone Number

369 Marathon Court  
Address

Coquitlam, B.C.

V3K 4Z4

Part Time Resident

I would like this to be part of the  
Public Record.

Appendix 23

23

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Brenda Groves

Signed

Brenda Groves

Name

Phone Number

6019 Bluff Pt.

Address

Madreia Park, BC V0N 2H1

FULL-TIME RESIDENT

I would like this to be part  
of the public record.

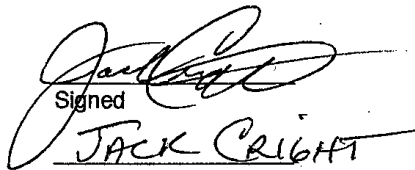
Appendix 24 24

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Signed  
JACK CRIGHT  
Name

Phone Number

4928 HOTEL LAKE ROAD  
Address

GARDEN BAY B.C.  
VON ISI

FULL TIME RESIDENT

I WOULD LIKE THIS TO BE PART OF THE PUBLIC RECORD

Appendix 25

25

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Ryan McDonald

Signed

Ryan McDonald

Name

Phone Number

6008 DoboSrd

Address

madeira park Bc

1011 VON 2 H I

Full time resident

I would like this to be part of the public Record

Appendix 26

26

As a resident and land owner in the Ruby Lake area, I wholeheartedly support the recent application to re-zone the amphitheatre area to commercial.

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Signed

Anna Venalainen

Name

Phone Number

15352 Hallowell Rd

Address

Madreia Park BC

V0N 2H1

Full Time Resident

I would like this to be part of the public Record.



Appendix 27

27

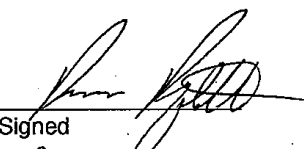
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Signed

  
ROMAN PASQUALOTTO  
Name

Phone Number

15450 HALLOWELL RD.  
Address

MADEIRA PARK B.C.  
VON 241

FULL TIME RESIDENT

I WISH THAT THIS LETTER BE PART OF THE PUBLIC  
RECORD.

Appendix 28

28

As a resident and land owner in the Ruby Lake area, I wholeheartedly support the recent application to re-zone the amphitheatre area to commercial.

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Signed

MATTHEW LAMS  
Name

Phone Number

10-4470  
Address

SUNSHINE SECHLT, BC  
COAST VON 3A1  
HWY.

I WOULD LIKE THIS TO BE PART OF THE PUBLIC RECORD

Appendix 29

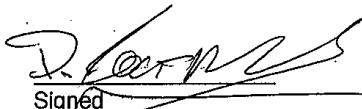
29

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Signed

DAVID CARMICHAEL  
Name

Phone Number

5733 EGMONT RD  
Address

EGMONT B.C

FULLTIME RES.

THIS IS FOR PUBLIC RECORD

Appendix 30

30.

As a resident and land owner in the Ruby Lake area, I wholeheartedly support the recent application to re-zone the amphitheatre area to commercial.

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Lastly, the Cogrossi Family has demonstrated their commitment to the environment and the community, and therefore I have no concerns that they will carefully mitigate any potential environmental impact to the area.

C. Anderson

Signed

Catherine Anderson

Name

Phone number

5349 Mountainview Rd

Address

Madeira Park

BC V0N2H4

Full Time Reg

*This is for public Review*

Appendix 31

31

From: Karin Hunt  
To: David Rafael  
Subject: Ruby Lake rezoning application  
Date: Monday, February 20, 2017 10:26:47 PM

As a full time resident at 15376 Hallowell Rd. at Ruby Lake for the past 29 years, I wholly support the Ruby Lake Resort's rezoning application. The Cogrossi family and their resort and restaurant have provided this community with many exceptional opportunities. Personally I have witnessed both of my daughters gain meaningful employment skills and training that have carried them onto careers in the hospitality industry. Besides my daughters, many other young people have gained and continue to gain employment, skills and training at Ruby Lake's restaurant and resort. There have been and will be many local spin off jobs created as well, such as construction and renovation projects, graphic design work, repairs and maintenance of the property, party rentals, food suppliers and more. With expansion those well needed job opportunities would be made available to more of our youth, community members and businesses in our area, for a longer season then currently, keeping our community vital year round.

Events at the resort that I have attended were always vibrant and fun and enjoyed by all those present. Bringing community members together for cultural events has benefitted all by forming greater friendships and ties with our community members. Events that I have not attended were never disrupting of our enjoyment of the neighbourhood. I look forward to a destination resort which offers the venue for cultural gatherings, talks, retreats, workshops, and weddings in the neighbourhood. I fully trust the Cogrossi's, because of their track record, to remain true to their commitment to the environment and to be sensitive to it as they grow their business. They should be given the opportunity to expand their business.

I wish this e mail to form part of the public record. Sincerely, Karin Hunt

Appendix 32 32

From: Karin Hunt  
To: David Rafael  
Subject: Ruby Lake Resort rezoning application  
Date: Monday, February 20, 2017 10:49:30 PM

I, Jeremy Hunt, wholeheartedly support the Ruby Lake Resort's rezoning application. I have been a resident and landowner at Ruby Lake since 1988. The Cogrossi family have earned my respect over the last twenty five years for their hard work and dedication to their business, the environment and the community. I served on the original O.C.P committee and remember that it was the committee's intent to be supportive of businesses in order to keep our community viable and provide jobs for our youth. Ruby Lake Resort has provided countless jobs both directly and indirectly, giving valuable job and life skills training to many people and setting an example with their hard work and sustainable practises. Thanks to opportunities provided by Ruby Lake Resort I have seen many young members of the community, including my own daughters, earn a wage, learn, grow, develop skills, pay university tuitions and make careers in the hospitality industry.

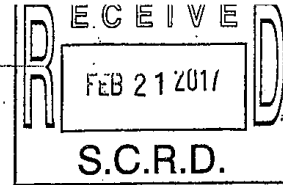
I can see nothing but benefit from allowing the Ruby Lake Resort the opportunity to expand their business by granting the rezoning of their property.

I wish this email to be part of the public record.

Jeremy Hunt  
15376 Hallowell Rd.  
Madeira Park  
V0N 2H1



Appendix 33

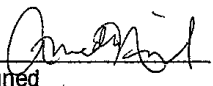



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Lastly, the Cogrossi Family has demonstrated their commitment to the environment and the community, and therefore I have no concerns that they will carefully mitigate any potential environmental impact to the area.

   
Signed

Amanda Nichol & Tyler Mullins  
Name

\_\_\_\_\_  
Phone Number

Lot 61 Timberline Rd  
Address Madeline Park, BC  
Von 244

\_\_\_\_\_  
\_\_\_\_\_  
This is to be entered/read into Public Record

Appendix 34

34

**From:** Ryan Logtenberg  
**To:** David Rafael  
**Subject:** Rezoning application for Ruby Lake  
**Date:** Tuesday, February 21, 2017 12:24:35 PM

---

Hi David,

My name is Ryan Logtenberg and I live in Pender Harbour. I'd like to be on record as supporting this rezoning application because I've looked at their project and believe that it will allow the resort to have a more stable business model that isn't so dependent on the weather. This should increase employment, bring additional revenue to the coast, attract like-minded businesses and generate positive vibes (Yoga teacher training, workshops, etc.). I could see my two young children working there when they are older.

Regards  
Ryan and Carole Logtenberg  
5090 Bear Bay Rd.  
Garden Bay

Appendix 35

February 21, 2017

Sunshine Coast Regional District  
1975 Field Road  
Sechelt, British Columbia  
V0N 3A1

ATT: District Council Members

**RE: RUBY LAKE RESORT LTD., OCP AMENDMENT &  
REZONING APPLICATION**  
**SCRD FILE: 432.25/337.87**

Please accept these comments and attachments for your consideration with respect to the proposed Ruby Lake Resort OCP and Rezoning application.

We have consistently been opposed to this development since its inception and attempts to expand and legitimize its currently non-conforming uses for over 10 years. The proposed OCP amendment from RU5 Lake Watershed Protection to Tourist Commercial is of particular concern. The original Lake Watershed Protection designation acknowledged the important high value habitat area adjacent to Ruby Lake and the critical need to preserve and protect that habitat to ensure the long term health of Ruby Lake. This commercial proposal containing a variety of high impact uses is completely contrary to the original designation and the identified need to protect this valuable natural watershed area.

Even more concerning is the lack of a comprehensive habitat analysis. The report by Mr. P. van Poppelen is in our opinion quite inadequate and does not address all of the important issues that absolutely must be addressed when considering such a significant amendment to the OCP where it relates to the sustainability of not only Ruby Lake but the valuable habitat that exists on the site today. We have had the report reviewed by a Qualified Environmental Professional and their report is attached hereto which more clearly identifies the shortcomings of the current submission.

As a resident that lives nearby the subject property, noise emitting from the entertainment at the amphitheatre is of particular concern. We have personally experienced many occasions where the noise has been at such a level as to significantly disturb our expected quiet enjoyment of our property. Ruby Lake is a rural, natural area not an urban environment and our expectations are that we should be able to enjoy and experience the quiet evenings and nature's relaxing rhythms. The letter submitted by Mr. P. Lietz does not appropriately address the issue of noise from the amphitheatre and the effects on nearby neighbours.

We would question the arbitrary use of 85 decibels at the source as a representative sound level for the typical entertainment performing at the amphitheatre. We would also question the 11 am choice of timing to conduct the testing. We all know our expectations for noise vary significantly between 11 am and 11 pm when the bands are actually performing. We have submitted Mr. Lietz's letter to an Acoustic Engineer for comment and his review is attached hereto and raises a number of important questions about the validity of the "sound letter".

Appendix 35

The traffic and particularly the parking analysis are also of considerable concern. The traffic and parking analysis has not been prepared by a qualified traffic consultant and does not meet the "Site Impact Analysis Requirement Manual" as we would expect it would. Regardless, the analysis by Mr. G. Heiman P. Eng. makes many broad assumptions as to the attendance at large events and the suggested overlapping nature of those attending that cannot be controlled or monitored in the future.

The parking plan provided proposes to use the sides of the internal roadways for parking which will most certainly lead to parking in all sorts of undesignated areas that will damage the valuable habitat areas that should be protected. If parking proves to be insufficient as it has in the past, overflow parking on the adjacent streets has led to the inability of emergency vehicles to get to local resident's homes creating serious life safety issues.

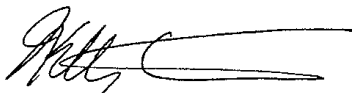
The area around Ruby Lake is a resort and vacation area and while some of the residents like me are permanent, most of the other homes in the area are only used in the summer or part time. Scheduling these meetings when most of the residents who will be directly and significantly impacted by the outcome of this application is disenfranchising them by limiting their ability to take part in this review process and make their views known.

While the development of tourist attractions, jobs and other economic benefits can be important to the Sunshine Coast it cannot be at the expense of maintaining a sustainable habitat, the quality of Ruby Lake or the protection of the existing residents.

We would respectfully request that this application be tabled until the supporting reports and studies can be amended/prepared to meet the minimum required standards and address the real concerns of the local residents and give them time to review and comment on them.

This application has been around for at least 10 years, there is no need to rush headlong at this time to approve it with such sparse and misleading analysis and at a time of year when so many affected are unable to be a legitimate participant in the process.

Respectfully submitted



Terry Clayton  
5988 Glen Place  
Madeira Park

Appendix 35

**Brian Dagneault**

**From:** Mark Adams <adams@envirowest.ca>  
**Sent:** Tuesday, February 21, 2017 10:34 AM  
**To:** brian@dagneaultplanning.com  
**Subject:** Ruby Lake Lagoon Area Rezoning and Subdivision Application: Habitat Report

Brian,

Please refer to the report "Ruby Lake Lagoon Area Rezoning and Subdivision Application: Habitat Report" Paul van Poppelen (March 2008).

Upon reviewing the report, it is unclear as to its intent. Typically, through a rezoning and subdivision application process, an environmental impact assessment is conducted to document implications of rezoning and subdivision upon natural resource values sustained by the affected property. The values are clearly defined by site surveys that collect data that represent such resource values. A scientific approach to data collection is engaged such that resource values are adequately described and represented.

Resource values are rarely represented in an environmental impact assessment without data sufficient to represent such values. This report does not present data collected specific to the information needs of the rezoning and subdivision application process. The report is preoccupied with a philosophical engagement of the validity of habitat surveys representing resources within the property, the accuracy of previous surveys in documenting natural resources, and the relevance and importance of rare and/or at-risk species.

In its Introduction the report states:

"This report deals with habitat considerations outside the formal Riparian Areas Regulation framework and is mostly oriented on the terrestrial ecosystem and its components rather than aquatic."

In its Comments and Conclusions the report states:

"The habitat survey confirms and leads to the inevitable conclusion that the ecological value of certainly parts of the lands incorporated in DL 3988 is highly significant although to an extent unquantifiable for certain species or species groupings at the current state of general biological and ecological knowledge."; and,

"... it is suggested that, prior to further development of any type or nature, including development not normally requiring a Development Permit, or any part of the site, the specific and adjacent location is to be surveyed; should Red- or Blue- Listed species be identified and confirmed on site at any point in time, the find is required to be reported to the Conservation Data Centre, the Sunshine Coast Regional District and the Land Trust, and a report or Assessment of the importance of the finding by a suitability qualified professional submitted to the Regional District including whether any protective measures are or would be appropriate and, if so, are feasible."

The habitat survey and assessment is inadequate. The survey reviews small scale mapping of sensitive ecosystems that do not adequately account for site conditions. Stratification of the natural landscape according to distinct habitat units is not conducted. The habitat survey and assessment is preoccupied with species occurrences rather than habitats for such species. Hence, the survey and assessment does not 'confirm or lead to any inevitable conclusions regarding the ecological value of any part of DL 3988'. The statement made by the Comments and Conclusions "the ecological value ... is highly significant although to an extent unquantifiable for certain species or species groupings at the current state of general biological and ecological knowledge" is invariably founded upon the fact that the habitat survey did not

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endeavour to collect field data with regard to species and their habitats to define the ecological value of parts and/or the collective parts of DL 3988.

The report in itself acknowledges the inadequacy of the habitat survey and assessment by suggesting that further surveys be conducted regarding the species occurrences, and inevitably, the environments they inhabit.

The report does not provide sufficient information regarding the natural resource values of DL 3988 to guide land use decisions regarding the conservation of such resources.

Regards,

Mark



Mark A. Adams, R.P.Bio  
Director

office: 604-944-0502 ext.3242  
cellular: 604-312-2406  
facsimile: 604-944-0507

Suite 101 - 1515 Broadway Street  
Port Coquitlam, British Columbia  
Canada V3C 6M2

**envirowest consultants inc.**  
[www.envirowest.ca](http://www.envirowest.ca)



Appendix 35



RWDI  
Suite 301 - 2250 Oak Bay Avenue  
Victoria, BC V8R 1G5  
Canada  
Tel: +1.250.370.9302  
E-mail: [solutions@rwdi.com](mailto:solutions@rwdi.com)

February 21, 2017

RWDI #1702009

Dagneault Planning Consultants Ltd.  
220 - 8171 Cook Road  
Richmond, BC, V6Y 3T8

**Attention: Brian Dagneault**

E-mail: [brian@dagneaultplanning.com](mailto:brian@dagneaultplanning.com)

**RE: RUBY LAKE RESORT LTD., PROPOSED OUTDOOR CONCERTS -  
REVIEW OF SOUND REPORT BY PETER LIETZ**

As requested, I have reviewed the "sound report" report of December 23, 2016 prepared by Mr. Peter Lietz for the Ruby Lake resort located at 15426 Sunshine Coast Highway, Madeira Park, B.C., in support of the proposed rezoning application (Part District, Lot 3988) for use as the site of outdoor musical concerts. From Mr. Lietz's report, it is understood that the Sunshine Coast Regional District (SCRD) suggested that "a sound report might be helpful in assessing the impact of noise levels related to the use do of the stage" for such concerts.

## Overview of Sound Propagation Assessment

The report prepared by Mr. Lietz focuses on the description of sound propagation tests that he conducted on October 11, 2016. He used a loud speaker to create noise at the Ruby Lake Resort's stage location and measured the resulting noise levels at various locations both on the resort property and at, or near, residential properties to North, South and West of the resort. From the mapping provided in the report, the distances from the stage to the various residential properties ranged from about 940 to 2500 ft.

Outdoor sound propagation over distances of several hundred meters can be substantially affected by local weather conditions. Mr. Lietz reported that the test date "was an extremely still, clear day with coolish temperatures". The tests commenced at about 11 AM. The Weather Network indicates that, on that day at Sechart, temperatures ranged from 0.7 to 12.5 degrees C and there was no precipitation. No wind information was available. On this basis, and given that the tests were conducted during the middle of the day, it is likely that atmospheric conditions, as they pertain to sound propagation, were either "neutral" (resulting in sound waves propagating in essentially straight lines) so that sound levels received at large distances would be neither unusually high nor low), or somewhat negative (typical daytime Temperature Lapse conditions during which the air is

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RUBY LAKE RESORT - SOUND REPORT REVIEW  
RWDI #1702009  
February 21, 2017



warmer near the ground than at higher elevations causing sound waves to tend bend upwards away from the earth) with sound levels received at large distances possibly being somewhat lower than under other conditions.

### Comments Regarding the Lietz Sound Report

Generally speaking, the approach taken by Mr. Lietz in assessing the sound levels created (and audibility of) at various surrounding locations by the music produced at the stage location within the Ruby Lake Resort was a reasonable one. However, several aspects of the methodology call into question the accuracy of the observed results:

1. There is no indication of the type of music that was played, or how steady and reproducible it was.
2. The loudspeaker produced 85 dB at a distance of 3 ft. but the rationale for choosing this source level (because at 20 ft. normal conversation would not be possible) does not seem defensible. It would be more appropriate to have selected a source level based on what has been measured previously at comparable concerts.
3. There is no indication of the type of sound level meter (SLM), its accuracy or measurement limits, nor that the SLM was calibrated at the time of the testing.
4. The frequency weighting network employed on the SLM was not noted, i.e., was it dBA, dBC or ?
5. In the conclusions, Mr. Lietz states that "the readings should be considered accurate to approximately 20%". However, he does not explain what this means - 20% of decibel levels or of perceived loudness?
6. There was apparently no attempt to measure background noise at the various residences in the absence of the concert sound. Without doing so it not clear whether the noise levels measured were due to the simulated concert music or due to other man made or natural sources.
7. The noise levels reported by Mr. Lietz at the seven off-site residential locations shown on Site Plan 2 ranged from 14 to 32 dB, with the sound at one site referred to as "negligible". Levels at five sites were in the 14 to 23 dB range. These are exceeding low levels that would not be observed except in the remote, rural or wilderness locations in the almost total absence of noise from manmade sources or from wind, running water or other natural sources.

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RUBY LAKE RESORT – SOUND REPORT REVIEW  
RWDI #1702009  
February 21, 2017



### Expected Sound Levels from Concerts at Ruby Lake Resort

The levels of sound which reach “receivers” located at large distances from a localized sound source depend on many factors including weather conditions, intervening terrain features and vegetation coverage. The terrain between Ruby Lake Resort and the residences to the north, south and west is uneven but generally rising from the resort to the homes. In addition, there are substantial belts of forest between the resort and the residences. It is therefore not possible, within the scope of this review, to calculate with any accuracy the levels of sound that would result at these residences from any given of sound output from the proposed concert stage. It is possible, however, to roughly estimate the sound levels that might occur under optimal sound propagation conditions and under more typical ones.



The distances from the stage to the various residential sites indicated in Site Plan 2 range from approximately 940 to 2,500 ft. If we consider the only mechanism of sound attenuation at play to be the spherical spreading of sound waves as they travel out from the source, then based on a source level of 85 dB at 3 ft., the noise levels at the various residential sites would range from about 30 to 38 dB. If we now assume that other sound attenuation mechanisms, such as atmospheric absorption (which, in fact, is always present), soft ground effects and perhaps some forest belt attenuation, are also in play, then these levels would be reduced into the 10 to 21 dB range. This still does not include any significant noise attenuation due to potential terrain shielding. However, terrain shielding effects, if present, can be partially negated by the scattering of sound down from the forest canopy. The actual sound levels that would occur under various wind and weather conditions, would then be expected to be generally within the combined extent of two ranges given above, with the upper limit of 38 dB perhaps being a bit high since we have neglected atmospheric absorption in its calculation.

### Conclusions

Based on Mr. Lietz measurements, which, while indicative, cannot be considered quantitatively accurate or conclusive, and the estimations I have described above, the noise levels that would reach the surrounding residences if the sound source was in fact limited to 85 dB at 3 ft., would be quite low. At 30 to 38 dB, the music would likely be audible over the natural background noise, at least during fair weather, but not loud enough to interfere with speech outdoors or sleep indoors. However, music at such levels, could be a source of annoyance to some people – depending on the nature of the music (rhythmic, bass heavy etc.). If conditions were such that music at the residences was within the 10 to 21 dB range, then it would tend not to be audible above typical background noise levels other than during the stillest of times.



Appendix 35

RUBY LAKE RESORT - SOUND REPORT REVIEW  
RWDI #1702009  
February 21, 2017



However, the concern is that source noise levels during actual concerts could be significantly higher than 85 dB at 3 ft. If for example, the source level was instead 95 dB at 3 ft. (which is certainly not unusual for rock, blues, country and other contemporary music), then levels within the community would also be 10 dB higher and, at a worst case 40 to 48 dB, they would be clearly audible outdoors and could cause sleep interference indoors. Some concerts produce much higher noise levels than 95 dB at 3 ft.

It is therefore suggested that Ruby Lake Resort request Mr. Lietz, or another consultant, to more accurately and defensibly establish the levels of music that could potentially be created by the range of concerts types that could occur at the resort. With that information and a closer look at the effect of terrain and vegetation between the stage and the surrounding residences, a more conclusive determination about the expected acceptability of such concerts could be made.

A handwritten signature in black ink, appearing to read 'Clair W. Wakefield'.

Clair W. Wakefield, M.A.Sc., P. Eng.  
Senior Consultant

A handwritten signature in black ink, appearing to read 'Matthew Sawycky'.

Matthew Sawycky, B.Sc.,  
Senior Project Manager

Appendix 36

# Coast Reporter

VOICE OF THE SUNSHINE COAST

ATT David Rafail  
RE - Ruby Lake expansion.

This note is to say I am  
strongly in favor of Ruby Lake  
Resort gentle expansion.  
I produce the Sunshine Coast  
Tourist Guide for the Coast  
Reporter, and have had the  
pleasure to work with Aldo,  
and his crew over the past  
eleven years.

As our areas tourism season  
tends to be May thru October  
with the peak period only  
July & August, it is important

**604-885-4811**



Appendix 36

franchises to have the best  
opportunity to serve their  
customers, and reinvest in  
their businesses.

I am also a Garden  
Bay resident, and dining  
partner of Ruby Lake Resort.

Please contact me with  
any questions.

Sincerely

Lorraine Wareham

**Lorraine Wareham**  
Advertising Sales Consultant

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VOICE OF THE SUNSHINE COAST

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Appendix 37

KIM DARWIN

5434 Yew Road, Sechelt, BC V0N 3A3

February 21, 2017

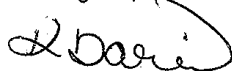
To Whom it May Concern

Re: Ruby Lake Resort Rezoning Application

Please accept this letter as confirmation of my support for the Ruby Lake Resort rezoning application and to include said support as part of the written record. Benefits of the rezoning will be immense for Pender Harbour and the Sunshine Coast, such as:

- Tourism boost (attraction plus accommodation)
- Job creation
- Sustainable development opportunity for the coast
- Cogrossi track record of environmental responsibility
- Low impact because of all the restrictions on building numbers and size (maximum 30 units)
- Forum to build stronger community ties through community events
- More amenities (yoga, spa, concerts, lectures) for local community
- Low impact due to relative isolation of site: not visible from highway, not visible from Ruby Lake
- minimal environmental impact and safety concerns (fire plan, parking requirements, health dept., highways, biologist RAR assessment, etc.)
- Outdoor theatre an attractant to musicians and other artists to the coast

Kind regards,



KIM DARWIN

Appendix 38

As a resident and land owner in the Ruby Lake area, I wholeheartedly support the recent application to re-zone the amphitheatre area to commercial.

Ruby Lake Resort has offered employment, enjoyment and sustainable growth to our community for more than twenty years. Providing them the opportunity to continue this growth is therefore appropriate.

Ruby Lake and the wider Pender Harbour Region stand to benefit from job creation; especially as this project demonstrates potential to extend the area's traditional busy season into the shoulder and winter seasons.

Lastly, the Cogrossi Family has demonstrated their commitment to the environment and the community, and therefore I have no concerns that they will carefully mitigate any potential environmental impact to the area.

*Rudi Suter*

Signed

*RUDI SUTER*

Name

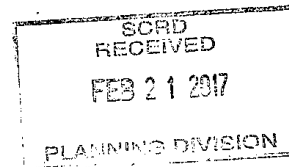
*(604) 561-4162*

Phone Number

*15420 HALLOWELL RD. VON 2H1*

Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



*This is a matter of public record.*

*There needs to be some interesting things to do in this area for us and for those Emily and friends who come to visit us. This proposal by the Cogrossi Family should help correct this dilemma. It is also great to hear music coming from them*

## ATTACHMENT B

### SUNSHINE COAST REGIONAL DISTRICT BYLAW NO. 432.25

A bylaw to amend *Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour Official Community Plan Bylaw No. 432, 1998*

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The Board of Directors of the Sunshine Coast Regional District in open meeting assembled enacts as follows:

#### Part A – CITATION

1. This bylaw may be cited as the *Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour Official Community Plan Amendment Bylaw No. 432.25, 2016*.

#### Part B – AMENDMENTS

2. *Sunshine Coast Regional District Electoral Area A Egmont/Pender Harbour Official Community Plan Bylaw No. 432, 1998* is hereby amended as follows:

Amend Schedule 'A4' by re-designating part of District Lot 3988, Group 1, New Westminster District except Plans 12095, 14653, 15401, 15813, 16650, 17325, EPP39153 and EPP39184; from Lake Watershed Protection A to Tourist Commercial, as depicted on Appendix 'A' to this Bylaw;

#### Part C – ADOPTION

READ A FIRST TIME this 12<sup>th</sup> DAY OF MAY 2016

PURSUANT TO SECTION 475 OF THE LOCAL GOVERNMENT ACT CONSULTATION REQUIREMENTS CONSIDERED this 12<sup>th</sup> DAY OF MAY 2016

READ A SECOND TIME this 26<sup>th</sup> DAY OF JANUARY 2017

CONSIDERED IN CONJUNCTION WITH THE SUNSHINE COAST REGIONAL DISTRICT FINANCIAL PLAN AND WASTE MANAGEMENT PLANS this 26<sup>th</sup> DAY OF JANUARY 2017

PUBLIC HEARING held pursuant to the *Local Government Act* this 21<sup>st</sup> DAY OF FEBRUARY 2017

READ A THIRD TIME this DAY OF

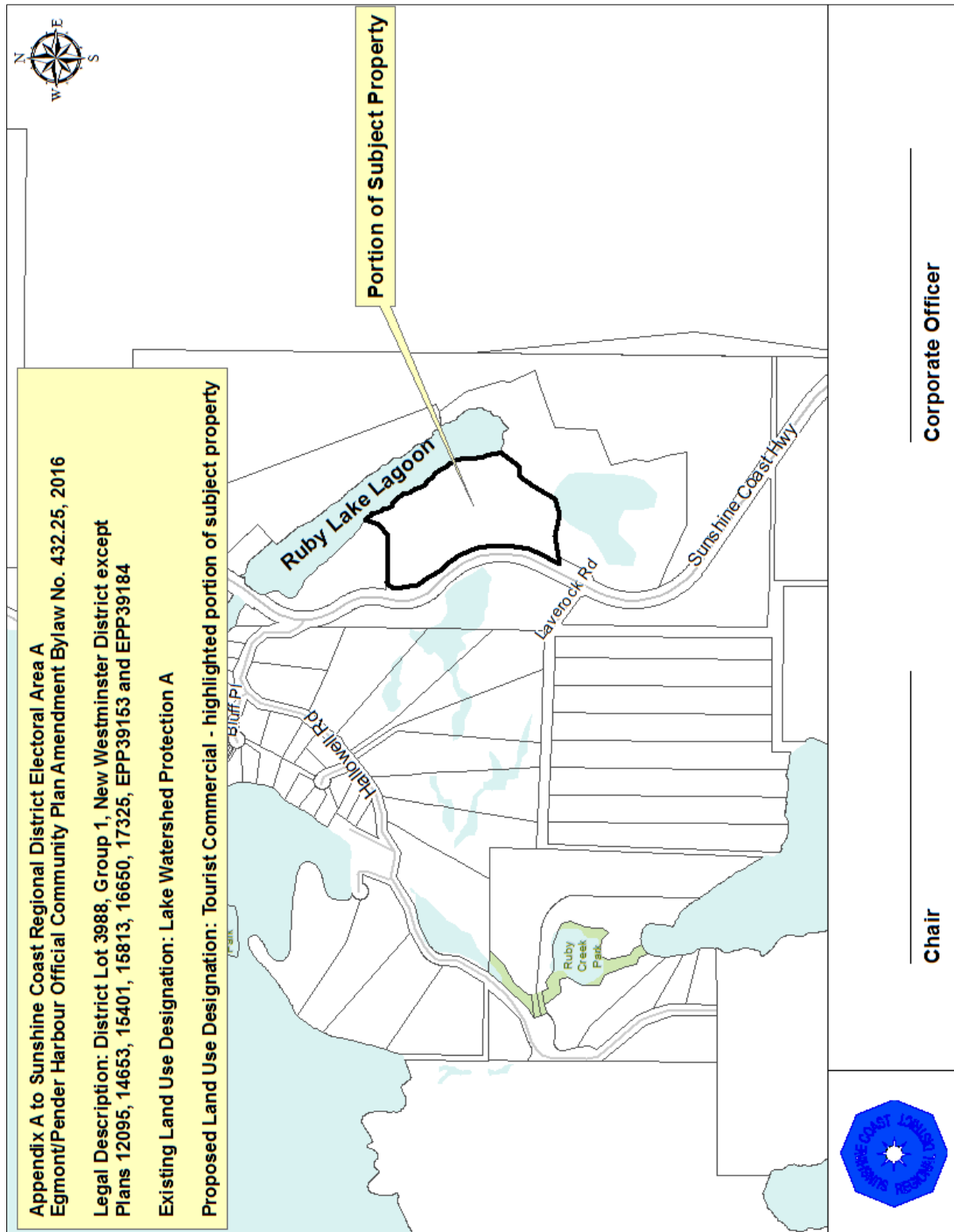
ADOPTED this DAY OF

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Corporate Officer

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Chair



## ATTACHMENT C

### SUNSHINE COAST REGIONAL DISTRICT BYLAW NO. 337.87

*A bylaw to amend Sunshine Coast Regional District  
Electoral Area A Zoning Bylaw No. 337, 1990*

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The Board of Directors of the Sunshine Coast Regional District in open meeting assembled enacts as follows:

#### Part A – CITATION

3. This bylaw may be cited as the *Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016*.

#### Part B – AMENDMENTS

2. *Sunshine Coast Regional District Electoral Area A Zoning Bylaw No. 337, 1990* is hereby amended as follows:

- a) Amend Schedule 'A' by rezoning part of the subject property: District Lot 3988, Group 1, New Westminster District except Plans 12095, 14653, 15401, 15813, 16650, 17325, EPP39153 and EPP39184 from RU5 (Rural Watershed Protection) and PA1B (Ecological Interpretive Assembly) to C2 (Tourist Commercial), as shown on Appendix 'A' to this Bylaw;

- b) Amend Part II by inserting into Section 201 the following definitions:

“amphitheatre” means an outdoor theatre and performance facility.

“satellite kitchen” means a kitchen providing catering facilities to provide food and beverage services, with approval from the Vancouver Coastal Health Authority;

- c) Amend Part VIII: Commercial Zones, C2 Zone (Tourist Commercial), as follows:

Add new Section 811.1A (Site Specific Uses) immediately following Section 811.1 (Permitted Uses), as follows:

#### Site Specific Uses

- 811.1A On the C2 zone portion of District Lot 3988, Group 1, New Westminster District except those portions in Plans 12095, 14653, 15401, 15813, 16650 and 17325 and EPP39153 the following are site specific uses:

1.
  - (a) uses permitted in Section 811.1 (a), (b), (c), (f) and (h);
  - (b) amphitheatre;
  - (c) dining facility with satellite kitchen;
  - (d) spa facilities;
  - (e) aviary;
  - (f) agriculture;
  - (g) two staff accommodation dwelling units;
  - (h) auxiliary uses and structures including: snack bar, reception desk and office space, retail and market kiosks not exceeding 95 square metres, laundry facilities for guests, and open air recreation use.
2. The floor area of:
  - (a) a sleeping unit as part of a lodge shall not exceed 25 square metres;
  - (b) a housekeeping unit as part of a motel shall not exceed 45 square metres;
  - (c) a dining hall facility shall not exceed 375 square metres;
  - (d) a spa facility shall not exceed 280 square metres;
  - (e) staff accommodation dwelling units shall not exceed 280 square metres in total; and

the land area of:

  - (f) an aviary shall not exceed 40 square metres;
  - (g) a tent platform shall not exceed 25 square metres.
3. The total number of sleeping units as part of a lodge, housekeeping units as part of a motel, tent sites and recreational vehicle shall not exceed 30 and the total number of housekeeping units as part of a motel shall not exceed 12.
4. No more than 3 sleeping units as a lodge or 3 housekeeping units as part of a motel may be connected together as a single building.
5. No additional building or structure shall be located within 30 metres of the natural boundary of Ruby Lake.
6. Two freestanding signs located a minimum of 1 metre from a parcel line abutting a highway and having a maximum area of 3 square metres each are permitted.
7. A minimum of 115 parking spaces.
8. The parcel coverage of all buildings and structures shall not exceed 10 percent.



**Part C – ADOPTION**

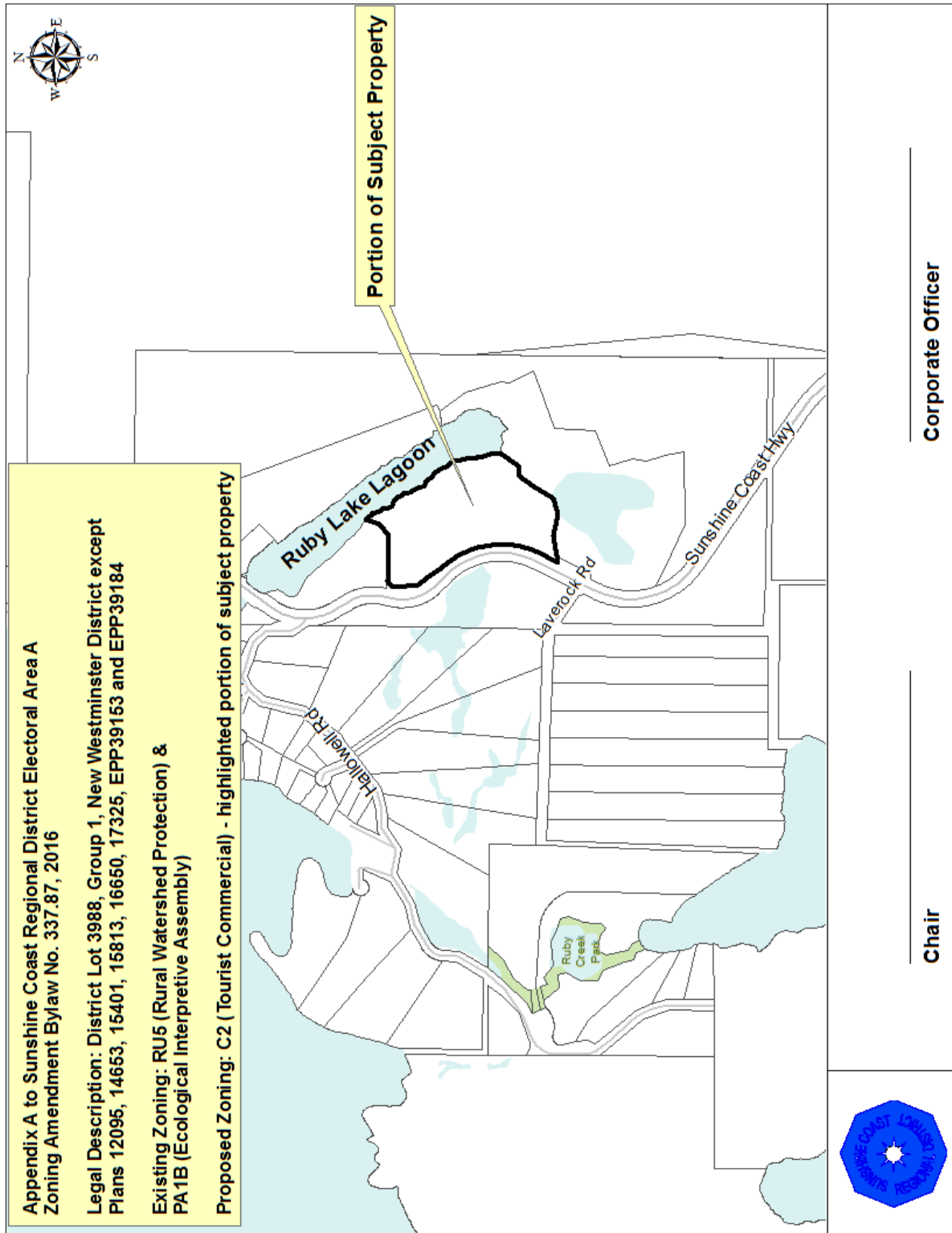
READ A FIRST TIME this	12 <sup>th</sup>	DAY OF	MAY	2016
READ A SECOND TIME this	26 <sup>th</sup>	DAY OF	JANUARY	2017
PUBLIC HEARING held pursuant to the Local Government Act this	21 <sup>st</sup>	DAY OF	FEBRUARY	2017
READ A THIRD TIME this		DAY OF		
APPROVED PURSUANT TO Section 52 of the <i>Transportation Act</i> this		DAY OF		
ADOPTED this		DAY OF		

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Corporate Officer

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Chair



## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** Yuli Siao, Senior Planner

**SUBJECT:** Roberts Creek Official Community Plan Amendment Bylaw 641.6 and SCRD Zoning Amendment Bylaw 310.167 for a Camping and Temporary Accommodation Establishment

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### RECOMMENDATIONS

**THAT** the report titled Roberts Creek Official Community Plan Amendment Bylaw 641.6 and SCRD Zoning Amendment Bylaw 310.167 for a Camping and Temporary Accommodation Establishment be received;

**AND THAT** the Roberts Creek Official Community Plan Amendment Bylaw 641.6, 2017 and Sunshine Coast Regional District Zoning Amendment Bylaw 310.167, 2017 be forwarded to the Board for First Reading;

**AND THAT** the Roberts Creek Official Community Plan Amendment Bylaw 641.6, 2017 and Sunshine Coast Regional District Zoning Amendment Bylaw 310.167, 2017 be referred to shíshálh Nation, the Ministry of Transportation and Infrastructure, the Vancouver Coastal Health Authority, and the Ministry of Forests, Lands and Natural Resource Operations for comment;

**AND THAT** a public information meeting be held with respect to the Roberts Creek Official Community Plan Amendment Bylaw 641.6, 2017 and Sunshine Coast Regional District Zoning Amendment Bylaw 310.167, 2017;

**AND FURTHER THAT** once comments from referrals and the public information meeting have been received, the Roberts Creek Official Community Plan Amendment Bylaw 641.6, 2017 and Sunshine Coast Regional District Zoning Amendment Bylaw 310.167, 2017 be referred back to the Planning and Community Development Committee for consideration of the Second Reading.

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### BACKGROUND

The SCRD has received an Official Community Plan and zoning bylaw amendment application for establishing a camping facility in upper Roberts Creek (Attachment A – Site Plan). Table 1 below provides a summary of the application.

*Table 1: Application Summary*

<b>Owner/Applicant:</b>	Blue Star
<b>Legal Description:</b>	Block 2 District Lot 3380 PLAN 4341
<b>PID:</b>	011-623-977

<b>Electoral Area:</b>	Area D
<b>Civic Address:</b>	2089 Lockyer Road, Roberts Creek
<b>Parcel Area:</b>	10.33 Acres (4.18 hectares)
<b>Existing Land Use Zone:</b>	Split Zone – RU1 and RU2
<b>Existing OCP Land Use:</b>	Resource
<b>Proposed Use:</b>	10 sleeping cabins (huts), 2 outdoor showers, 2 composting toilets, a gazebo, a small nut tree orchard and a cut flower farm
<b>Proposed Land Use Zone:</b>	Consolidating the split RU1 and RU2 zones into RU2
<b>Proposed OCP Land Use Designation:</b>	Resource, permitting campgrounds subject to limitations

### *Site and Surrounding Uses*

The subject property is located in upper Roberts Creek. It is accessible by the East Wilson Forest Service Road. The northern ¾ of the parcel is sloped and forested. The southern ¼ of the parcel is relatively flat and has been partially cleared. The parcel is surrounded by forested lands on all sides. The nearest other residence is about 740 metres away. The property is off the BC Hydro grid. Power is currently provided by a generator. Solar panels are being planned for the future. The owner has a license to draw 500 gallons of water per day from Wilson Creek. There is an existing dwelling on the site, and the owner plans to construct an additional residence in the future.

### *Proposed Uses*

The applicant proposes to develop a wilderness campground on the southern portion of the property. They envision this to be a seasonal, short-term retreat space for community gathering, workshops, storytelling and other events with a selected audience. They intend to promote a natural and sustainable wilderness camping experience and agri-tourism. The facility is not intended to be open to the general public or long-term campers. They intend to keep the second growth forest. The proposed huts will be basic sleeping units, with no individual kitchens, washrooms or fire pits. Two separate showers and washroom units and a cooking unit (possibly an open-air gazebo with propane or charcoal/wood fire) will service all the huts. The huts are proposed to be of wood frame or tent construction. Septic treatment facilities will need to be constructed. The applicant also proposes to install composting toilets with the washrooms.

## **DISCUSSION**

### *Roberts Creek Official Community Plan (OCP) Objectives and Policies*

#### Resource Land Use

In the Roberts Creek OCP, Section 18a (b) identifies keeping as much forest as possible in the watershed area and uplands of the OCP area and beyond as a critical objective for the provision of economic benefits in a sustainable working forest and viable recreational areas. Staff consider the proposed camping establishment to be in line with these policies. However, policy 18h states that residential uses will not be permitted in Resource designated lands. As such, an OCP amendment is required to amend the Resource section to allow for an auxiliary residential

use (as there is currently a single family dwelling) on the subject property. The proposed OCP amendment bylaw can be found in Attachment B.

#### Commercial, Tourist Commercial and Industrial Land Use

The OCP considers tourism to be of growing importance to supporting the economic viability of the Coast. It identifies small-scaled accommodation and sensitively located campgrounds as important to supporting tourism. The policies permit campgrounds in 'Resource' designated areas subject to limitations such as minimum parcel area of 1.75 hectares and 10 camp sites per hectare. The subject parcel is approximately 4.2 hectares in area, and thus can potentially accommodate up to 40 camp sites. However, the intent of the OCP policy is to limit the scale of tourist accommodation in 'Resource' designated areas. Therefore, the proposed 10 cabins (occupying 10 camp sites) are considered the maximum number appropriate for the site, and this limitation will be implemented through the site specific zoning amendment.

#### Parks, Trails and Recreation Land Use

The OCP notes that citizens of Roberts Creek have always seen the existence, use, and need of park land and passive recreation as means of fostering an awareness of the natural environment and the desire to preserve green space and environmentally sensitive areas. Objective 8a identifies participation in the provision of park and recreational opportunities, such as wilderness experiences, playgrounds, and playing fields, at the neighbourhood, community, regional and provincial levels to fulfill the recreational needs of all members of the community, where practicable.

Objective 8g identifies the protection and support for outdoor recreational opportunities provided by the private sector, including those provided by non-profit agencies and community groups.

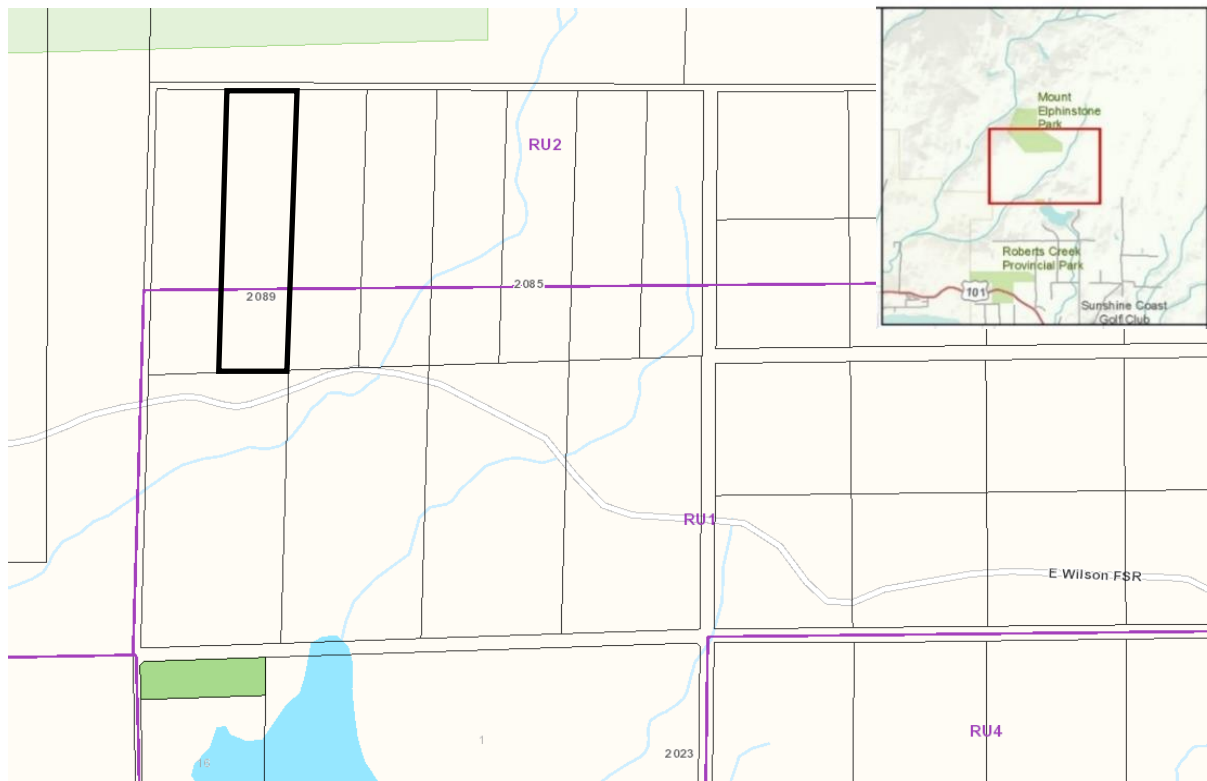
Objective 8m encourages a broad range of recreational activities with an emphasis on those that do not consume resources, benefit the safety and health of residents, and preserve the rural character. The proposed camping facilities offer recreation opportunities that is emerged in a natural setting, and thus is consistent with these policies.

#### *Zoning Bylaw No. 310 Land Use Designations*

Under Zoning Bylaw No. 310, the subject property is split-zoned, with Rural One (RU1) and Rural Two (RU2) land use zoning designations. The bottom ¼ of the property is RU1 and the upper ¾ is RU2 (see Figure 1 on the next page).

The RU1 zone permits agriculture, garden nursery, keeping of poultry or rabbits, home occupation, bed and breakfast, two single family dwellings, the keeping of livestock, vehicle repair and maintenance, raising of fish for domestic consumption, wild bird rehabilitation auxiliary to residential uses, horse riding, training and boarding facility, and an enclosed building to house manufacturing or storage subject to additional provisions. Under this zone, the proposed camping facilities would not be permitted and thus a rezoning application is required.

*Figure 1: Map showing split zone and location*



The RU2 zone permits a garden nursery, agriculture, keeping of poultry or rabbits, home occupation, bed and breakfast, forest management, three single family dwellings and one auxiliary dwelling unit, the keeping of livestock, the raising of fish for domestic consumption, vehicle repair and maintenance, wildlife rehabilitation centres, tourist information centre, campground and recreational vehicle sites provided that the maximum permitted number of campsites and recreational vehicle sites is ten per hectare of land, animal shelters, a building to house manufacturing or storage, construction camp, sawmill and shakemill, equipment repair and maintenance, riding stable and academy and the keeping of less than 50 pigs.

Under the RU2 zone, up to 40 campsites would be permitted on the subject lot (4.2 ha). The proposed 10 sleeping cabins and associated outdoor showers and toilets are parts of a campground. The SCRD's traditional interpretation of a campground has been tenting and RV sites. Sleeping cabins have been considered a more intensive form of tourist accommodation. Therefore the limitation for a maximum of 10 sleeping units should be added to a site specific zoning amendment. The proposed amendment bylaw can be found in Attachment C.

### *Other Zoning Considerations*

As shown in Figure 1, the RU1 and RU2 zone boundary splits through a number of properties in upper Roberts Creek, rather than following lot lines. This appears to have been due to limitations of mapping technology at the time Bylaw 310 was adopted. Rather than having a split-zoned lot (where certain uses are permitted on certain sides of the property), this

application will realign the zone boundaries to follow the lot lines on this property, and consolidate the split zones into one – RU2.

#### *Internal Staff Review*

The SCRD Emergency Service provided the following comments:

The subject property, though within the fire protection district of the Roberts Creek Volunteer Fire Department, is approximately 4.8 km from the fire hall and the nearest fire hydrant. The elevation gain to reach the property is 164 metres, and a significant portion of the roadway is an unpaved gravel road. Due to the limited supply of water fire trucks can carry, it will be necessary to shuttle water from the nearest hydrant to a portable tank carried on the truck. The turnaround time to refill the truck would be 20 or more minutes, and in the event of a large fire mutual aid from adjoining fire departments would be required.

There is a pond on the property located in the area of the proposed development. It is recommended that a fire lane to reach the pond and a fire truck landing zone parallel to and within 2 metres of the water's edge be put in place to enable drafting water from the pond. This area should be capable of supporting a fire truck with a gross weight of 15700 kg. If the area is not suitable to support this weight, a minimum 6"- diameter dry hydrant shall be installed to enable a fire truck to draft water at a safe distance from the pond.

Alternatively, water storage tanks can be installed near the parking area where the Fire Department's frontline pumper can park while the 4-wheel drive mini-pumper can use the existing path to access the camp site.

To address these comments the applicant has provided a site plan (Attachment A) indicating the location of the water storage tanks.

#### *Water Supply and Waste Treatment System*

The applicant has provided a copy of a water license indicating that 500 gallons of water is permitted to be drawn from Wilson Creek per day. There are also a shallow well and a 3600-gallon water tank on the property. The applicant has provided a letter from an engineer identifying many areas on the property that will accommodate septic fields. The applicant also plans to install two composting toilets near the outdoor showers in the camp ground area.

#### *Advisory Planning Commission Review*

The Roberts Creek Advisory Planning Commission review this application at its meeting on February 20, 2017, and recommended the following:

- A. To permit the Roberts Creek Official Community Plan Amendment 641.6 and Zoning Bylaw Amendment 310.167 for a camping and temporary accommodation establishment.
- B. To consider rezoning all of the split properties in this area to RU2, dependent on the preferences of neighbouring property owners.
- C. To place a covenant on the property stating that the campsite buildings (huts, cookhouse, washroom units) cannot be modified to become "dwellings".



*Roberts Creek Official Community Plan Committee Review*

The Roberts Creek Official Community Plan Committee reviewed the application at its meetings on February 9, 2017 and March 9, 2017, and provided the following comments:

The Committee supports these zoning and OCP amendments as they fit within the OCP for promoting tourism and agri-tourism. The Committee notes that this is a unique situation because the lot is bordered by large plots of crown land.

*Organization and Intergovernmental Implications*

This application, if endorsed by the Board, will be referred to shíshálh Nation, Ministry of Transportation and Infrastructure, Vancouver Coastal Health Authority, and Ministry of Forests, Lands and Natural Resource Operations for comment.

*Timeline for next steps*

If the Board gives the bylaws first reading, a public information meeting will be organized and consultation with various agencies and First Nations will occur.

Comments received from the consultation process and public information meeting will be incorporated into another staff report to the Planning and Community Development Committee with recommendations for the second reading of the bylaws and a public hearing to be arranged. After the public hearing conditions of final approval can be presented to the SCRD Board. At that time the Board can decide if it wishes to proceed with the amendments.

*Communication Strategy*

Information on this application will be posted on the SCRD website. Any public meetings will be advertised in the local newspaper and notices will be sent to property owners within 100 m of the site.

**STRATEGIC PLAN AND RELATED POLICIES**

The following SCRD Strategic Plan objectives and success indicators relate to the subject of this report:

- Incorporate land use planning and policies to support local economic development.
- Collaborate with community groups and organizations to support their objectives and capacity.
- Create and use an “environmental lens” for planning, policy development, service delivery and monitoring.
- We envision a continued vitality in the urban-wild dynamic, unique to our region, through the conservation and enhancement of biodiversity, natural spaces, parks and recreation opportunities for all residents.

## CONCLUSION

Given the rural location of the property, staff consider the location and the proposed OCP and zoning bylaw amendments appropriate for the proposed camping and temporary accommodation establishment. Staff recommend that the bylaws be presented to the Board for first reading. Staff support this application, subject to reviewing comments received after the referral and public consultation process.

### *Attachments*

Attachment A – Site Plan

Attachment B – OCP amendment bylaw

Attachment C – Zoning amendment bylaw

Reviewed by:			
Manager	X-A. Allen	Finance	
GM	X-I. Hall	Legislative	
CAO	X-J. Loveys	Other	

Attachment A

Site Plan



**SUNSHINE COAST REGIONAL DISTRICT BYLAW No. 641.6, 2017**

A bylaw to amend the *Roberts Creek Official Community Plan (Bylaw No. 641, 2012)*

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The Board of Directors of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

**PART A – CITATION**

1. This bylaw may be cited as the Roberts Creek Official Community Plan Amendment Bylaw No. 641.6, 2017.

**PART B – AMENDMENT**

2. Roberts Creek Official Community Plan Bylaw No. 641, 2012 is hereby amended as follows:

Inserting the following sub-section immediately following Section 18h:

*“18h.1 Notwithstanding Section 18h, temporary accommodation in the form of sleeping cabins is permitted on Block 2 District Lot 3380 Plan 4341.”*

**PART C – ADOPTION**

READ A FIRST TIME this DAY OF MONTH YEAR

PURSUANT TO SECTION 475 OF THE LOCAL  
GOVERNMENT ACT CONSULTATION

REQUIREMENTS CONSIDERED this DAY OF MONTH YEAR

READ A SECOND TIME this DAY OF MONTH YEAR

CONSIDERED IN CONJUNCTION WITH THE  
SUNSHINE COAST REGIONAL DISTRICT  
FINANCIAL PLAN AND ANY APPLICABLE WASTE  
MANAGEMENT PLANS PURSUANT TO

THE LOCAL GOVERNMENT ACT this DAY OF MONTH YEAR

PUBLIC HEARING HELD PURSUANT TO

THE *LOCAL GOVERNMENT ACT* this

DAY OF

MONTH

YEAR

READ A THIRD TIME this

DAY OF

MONTH

YEAR

ADOPTED this

DAY OF

MONTH

YEAR

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Corporate Officer

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Chair

**SUNSHINE COAST REGIONAL DISTRICT**

**ZONING AMENDMENT BYLAW No. 310.167, 2017**

*A bylaw to amend the Sunshine Coast Regional District Zoning Bylaw No. 310, 1987*

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The Board of Directors of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

**PART A – CITATION**

1. This bylaw may be cited as the Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.167, 2017.

**PART B – AMENDMENT**

2. Sunshine Coast Regional District Zoning Bylaw No. 310, 1987 is hereby amended as follows:

Inserting the following section immediately following Section 1011.9:

*“Site Specific Uses*

*1011.10 A maximum of ten sleeping cabins are permitted on Block 2 District Lot 3380 Plan 4341.”*

3. Schedule A of Zoning Bylaw No. 310, 1987 is hereby amended by rezoning Block 2 District Lot 3380 Plan 4341 from “RU1 Zone (Rural One)” and “RU2 Zone (Rural Two)” to “RU2 Zone (Rural Two)”, as depicted on Appendix ‘A’ to this bylaw.

**PART C – ADOPTION**

READ A FIRST TIME this DAY OF MONTH YEAR

READ A SECOND TIME this DAY OF MONTH YEAR

PUBLIC HEARING HELD PURSUANT TO  
THE *LOCAL GOVERNMENT ACT* this DAY OF MONTH YEAR

READ A THIRD TIME this DAY OF MONTH YEAR

ADOPTED this DAY OF MONTH YEAR

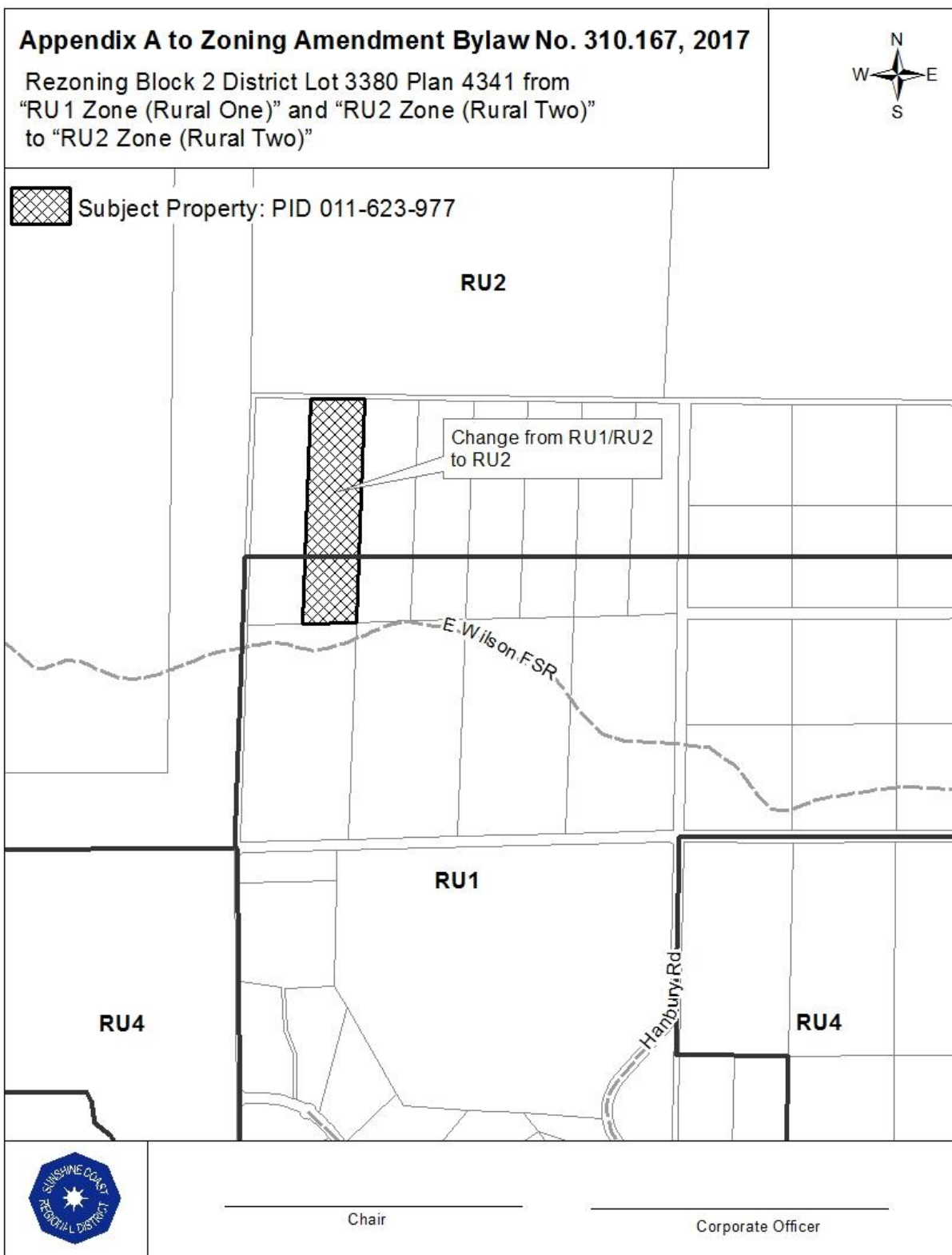
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Corporate Officer

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Chair





## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** Yuli Siao, Senior Planner

**SUBJECT:** Elphinstone Official Community Plan Amendment Bylaw 600.5 (Road Closure and Redevelopment Policies for Ocean Beach Esplanade) Consideration for First Reading

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### RECOMMENDATIONS

**THAT** the report titled “Elphinstone Official Community Plan Amendment Bylaw 600.5 (Road Closure and Redevelopment Policies for Ocean Beach Esplanade) Consideration for First Reading” be received;

**AND THAT** Elphinstone Official Community Plan Amendment Bylaw 600.5, 2017 be forwarded to the Board for First Reading;

**AND THAT** this report be referred to the Elphinstone Advisory Planning Commission, the Ocean Beach Esplanade Stewardship Committee, the Elphinstone Electors Community Association, Skwxwú7mesh Nation, and the Ministry of Transportation and Infrastructure;

**AND THAT** a public information meeting be held with respect to the proposed Elphinstone Official Community Plan Amendment Bylaw 600.5, 2017;

**AND FURTHER THAT** comments received from the referrals and the public information meeting be incorporated into a report to be presented to the Planning and Community Development Committee for consideration of second reading of the proposed bylaw.

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### BACKGROUND

On January 8, 2015 the Board adopted the following resolution:

006/15      **Recommendation No. 10** *Ocean Beach Esplanade Road Closures and Road Closure Application #2014-02231(Bone) (Area E)*

THAT the staff report dated December 1, 2014 and titled “Options for Ocean Beach Esplanade Road Closures and Road Closure Application #2014-02231 (Bone) (Area E)” be received for information;

AND THAT staff pursue an amendment to the Elphinstone Official Community Plan as it relates to road closures on Ocean Beach Esplanade.

The concern regarding the need for a more effective and consistent approach to road closure and redevelopment of encroaching properties on Ocean Beach Esplanade arose from a Road Closure Application for the above noted property on Ocean Beach Esplanade in December

2014 and into 2015. The Board directed staff to consult with the Ministry of Transportation and Infrastructure (MOTI) regarding options and criteria to address needs of various properties on the Esplanade that are in similar situation.

In 2015 staff prepared a number of road closure criteria to be considered as the first step towards an amendment to the Elphinstone Official Community Plan, and referred them to the MOTI and three community groups – the Elphinstone Advisory Planning Commission, the Ocean Beach Esplanade Stewardship Committee and the Elphinstone Electors Community Association. Feedback from this referral process was mostly positive.

Drawing upon previous work, this report broadens the scope of consideration to other relevant subjects such as development design, approval process and impacts on coastal areas from natural hazards on a global and regional scale, and further explores different approaches to road closure and redevelopment that can achieve a balance among competing interests on the esplanade, such as safety, risk mitigation, amenity, aesthetics, utility and property value. Based on this analysis, this report provides a recommended OCP amendment to fulfill the Board's directive.

## **DISCUSSION**

### *Unique Qualities of the Esplanade*

Situated between the sea on one side and steep coastal upland on the other, Ocean Beach Esplanade is a unique place highly valued for its natural beauty, scenic views and recreational amenity for both the public and nearby private home owners. Though not zoned as park land, the Esplanade and its foreshore can be perceived as a linear park, as it provides a spacious and long corridor for strolling, biking, access to the beach and all sorts of recreational activities. It is also a corridor providing vehicular access and utility servicing to abutting properties. An esplanade contains a road within it, but it is more than just a road, it is a public domain for a mix of uses.

The area was initially surveyed and subdivided in 1907. The lots fronting the esplanade have varying setbacks from the paved edge of the road, possibly due to historic settlement pattern and the evolution of the area. There are numerous houses, decks, retaining walls, driveways, accessory structures, landscape and parking areas that encroach onto the right-of-way of the esplanade or its setback zone. A survey conducted in 1998 indicated that there were 13 encroachments; however more may have occurred since that time, and some properties and structures are in need of improvement and repair.

The high value of the Ocean Beach Esplanade neighbourhood also comes with high risk. This stretch of shoreline, like many others on the Sunshine Coast, is caught between two formidable natural forces: the sea and the hill. With global climate change becoming more and more evident, the sea level along the south BC coast is expected to rise as much as 1 metre by 2100. The warming climate will also generate more powerful storms causing higher waves and greater damage to the shore. Parts of the esplanade have already experienced flooding during winter storms.

On the other side, the threats from the hillside come from the steep terrain that is prone to landslide and erosion. The south coast of BC is at high risk of earthquakes, which can intensify the hillside hazards, and potentially generate tsunamis threatening the coast. When planning for the future of the esplanade, these natural forces must be taken into consideration, as they have already been major constraints on development on the esplanade, and will likely intensify in the future, further diminishing livable and buildable space in the area.

#### *Current OCP Policies*

The Elphinstone Official Community Plan has a number of policies regarding the management of Ocean Beach Esplanade. It recognizes this area as a unique and valuable public asset with many recreational and environmental features that are valued by Elphinstone residents and the broader Sunshine Coast community.

Relevant to road closure requests and redevelopment proposals, Section B-10.5.2 states:

*“Privately owned structures that are encroaching onto Ocean Beach Esplanade shall not be repaired or replaced if they are substantially damaged or destroyed. Further entrenchment of the private use of these public lands shall not be permitted.”*

The intent of these policies is to protect public interest in the esplanade from the encroachment of private use. However, recent consultation with local community groups on road closure applications and options indicates that there is a more lenient attitude towards road closure requests and property redevelopment along the esplanade. There is support for road closure in areas where public space is not significantly impacted and the redevelopment can be safely accommodated.

#### *OCP Amendment Consideration*

It is apparent that since the OCP's adoption in 2008, community attitude towards the management of the Ocean Beach Esplanade has evolved, and there is a need to adjust the OCP policies to reflect the social and natural conditions today and in the foreseeable future. The current policies have a strong emphasis on the public realm. However, the contribution of private property owners to the esplanade should also be recognized. They play an important role in keeping an eye on the street to enhance its safety, maintaining front yards, creating attractive architecture and landscape, and contributing to making the neighbourhood a livable place. Many existing encroachments onto the road right-of-way were inherited from early settlement. Over time some of the encroaching properties have fallen into disrepair, and some contain dilapidated structures. It is difficult to relocate these structures elsewhere on these properties because of the constraint of steep terrain, and in some areas, streams flowing down the hillside into the ocean. There will be benefit for both the private home owners and the public space if these structures are allowed to be repaired or rebuilt within the road right-of-way, so that the needs of the home owners can be met and the streetscape can be enhanced.

Considering the above, the uniform approach to road encroachment in the current OCP policies is no longer suitable for the well-being of the esplanade as a community asset, because one size does not fit all, and every property is different. There needs to be a more robust policy that

applies to road encroachment and possible closure on a case by case basis. The policy should achieve a balance between the public and the private realm, and encourage a public-private partnership in enhancing and protecting the esplanade for the whole community. This will form the guiding principle for the proposed amendment to the OCP.

The Ocean Beach Esplanade is within Development Permit Areas 1 and 3. The proposed new policy will consider permitting the redevelopment of certain properties that encroach onto the road right-of-way or its setback zone, subject to MOTI's permitting process and SCRD's development permit process that examine the safety, function, environmental protection and aesthetics for both the private properties and the adjacent public space. A set of guidelines for evaluating redevelopment from a wide range of aspects is recommended to be incorporated into the draft OCP amendment (Attachment A), including geo-technical feasibility, storm water management, erosion control, environmental impact, flood protection, traffic function, parking arrangement, setback, landscaping and building design, etc.

These guidelines are summarized as follows:

- a. *Restoration of existing substantially damaged or destroyed structures or features (such as parking pads, driveways, decks, patios, retaining walls, landscape features, etc.) that are encroaching onto the road right-of-way or its setback zone is permitted only if a road closure or an encroachment or setback permit has been granted by the MOTI and it can be determined through a development permit that there are no other feasible locations on the property for these structures or features, and the re-development can be safely carried out without negative impact on the function, safety, use and appearance of the adjacent public space.*

This is a general guideline to permit restoration work for encroaching structures and features subject to a case-by-case evaluation and the approval processes of the MOTI and the SCRD.

- b. *Road closure should be considered for the principal dwellings only. Auxiliary structures and other features, such as parking pads, driveways, decks, patios, retaining walls, landscape features, etc., should not be supported.*

The intent of this guideline is to minimize the need for road closure and limit it to the most important feature of the property – the principal dwelling, while allowing restoration work for auxiliary features through encroachment or setback permits.

- c. *The area proposed for road closure should be limited to the footprint of the existing principal dwelling plus a 1 metre buffer around the footprint.*

The intent of this guideline is to minimize the amount of road closure. The 1-metre buffer is in line with MOTI's requirement.

- d. *Restoration of existing substantially damaged or destroyed structures or features should be limited to the original footprint, height and mass.*

The intent of this guideline is to prevent further expansion of the existing structure or features.

- e. Wherever possible, the redevelopment of an existing structure should incorporate parts of the parent parcel and be designed to minimize the area necessary for road closure or encroachment and the need for additional features on the road right-of-way including auxiliary buildings, parking structures or pads, driveways, decks, patios, retaining walls, landscape features, etc.*

The intent of this guideline is to maximize the use of the parent parcel and minimize the amount of encroachment wherever feasible if a structure can be partially rebuilt on the parent parcel and partially on the road allowance, even if the original structure is entirely within the road right-of-way.

- f. The redevelopment should enhance the safety of all users of the esplanade (including motorists, cyclists and pedestrians). Design of buildings and landscape features should consider proper vehicle turning radius and driveway visibility and slope and limit private parking on the road right-of-way.*

The intent of this guideline is to make development design function properly and safely for all users. Technical evaluation of the traffic safety design will be consistent with MOTI's requirements.

- g. Architectural and landscaping design plans should accompany the development permit application illustrating how the development can fit into the surrounding environment, and contribute to the enhancement of the private and public space on the esplanade.*

This guideline deals with the visual design of the development in relation to surrounding private and public space.

- h. Geo-technical and environmental reports prepared by qualified professionals must be submitted with the development permit application confirming that the redevelopment is safe from landslide, erosion and flood hazards, and has no negative impact on the drainage and natural environment in the surrounding areas and technical functions and safety of the adjacent public right-of-way.*

This is also a technical requirement by MOTI in road closure and encroachment applications.

- i. The geo-technical reports must consider the impacts of major earthquakes on the subject properties and adjacent road right-of-way and provide recommendations on damage mitigation and risk prevention measures. The environmental reports must consider future sea level rise and its potential impacts on the subject properties and adjacent road right-of-way and provide recommendations on damage mitigation and risk prevention measures.*

This is a technical requirement that ensures attention is paid to the risk of earthquakes and sea level rise which will have significant impact on this coastal area, and proper measures are taken to prepare for these hazards.



Good landscaping and architectural design can enhance the attractiveness of the streetscape.



Private parking should be limited on road allowance.

### *Implementation Consideration*

Road closure application and development approval are administered under separate jurisdiction of the MOTI and the SCRD. A road closure application or an encroachment permit is only the first step towards redevelopment of a property. Discussion with MOTI has confirmed that its primary concerns for road closure applications are geo-technical feasibility, traffic function and safety, drainage and utility servicing. MOTI does not have the authority to enforce requirements related to design, landscaping and other public use and amenity. However, according to MOTI's policies, MOTI's road closure procedure involves many stakeholders including local governments, and final approval can only be granted when the public interest in the road has been thoroughly considered. Therefore through the referral process the SCRD can collaborate with MOTI to configure the optimal amount and location of road closure and setback that can accommodate the project design, and will be conducive to the subsequent implementation of SCRD's guidelines as described above. Once road closure or an encroachment permit is granted, SCRD can use the development permit process to guide the detailed design of the redevelopment project.

### *Organization and Intergovernmental Implications*

The proposed OCP amendment, if endorsed by the Board after first reading, will be referred to the Elphinstone Advisory Planning Commission, the Ocean Beach Esplanade Stewardship Committee, the Elphinstone Electors Community Association, Skwxwú7mesh Nation, and the Ministry of Transportation and Infrastructure for comment.

### *Timeline for next steps*

Concurrent to the referral process, a public information meeting will be organized. Comments received from the referrals and the public information meeting will be incorporated into a staff report to the Planning and Community Development Committee for consideration of second



reading of the proposed bylaw. Then a public hearing will be held. Comments received from the public hearing along with recommended conditions will be presented to the SCRD Board for consideration of third reading of the bylaw. Upon fulfillment of conditions approved by the Board the bylaw will be adopted.

### *Communication Strategy*

Information on this application will be posted to the SCRD website. Any public meetings will be advertised in the local newspaper and notices will be sent to property owners along the Ocean Beach Esplanade.

## **STRATEGIC PLAN AND RELATED POLICIES**

The following SCRD Strategic Plan objectives and success indicators relate to the subject of this report:

- Incorporate land use planning and policies to support local economic development.
- Collaborate with community groups and organizations to support their objectives and capacity.
- Create and use an “environmental lens” for planning, policy development, service delivery and monitoring.
- We envision a continued vitality in the urban-wild dynamic, unique to our region, through the conservation and enhancement of biodiversity, natural spaces, parks and recreation opportunities for all residents.

## **CONCLUSION**

The unique situation of the Ocean Beach Esplanade calls for new OCP policies to suit the needs of property owners and the community, as well as the protection and enhancement of this valuable asset. The proposed OCP amendment will guide road closure and property redevelopment projects, and its implementation can be optimized by collaboration between the SCRD and the MOTI.

### *Attachments*

Attachment A – Proposed draft Elphinstone Official Community Plan Amendment Bylaw

Reviewed by:			
Manager	X-A. Allen	Finance	
GM	X-I. Hall	Legislative	
CAO	X-J. Loveys	Other	

**Attachment A**

**SUNSHINE COAST REGIONAL DISTRICT BYLAW No. 600.5, 2017**

A bylaw to amend the *Elphinstone Official Community Plan (Bylaw No. 600, 2007)*

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The Board of Directors of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

**PART A – CITATION**

1. This bylaw may be cited as the Elphinstone Official Community Plan Amendment Bylaw No. 600.5, 2017.

**PART B – AMENDMENT**

2. Elphinstone Official Community Plan Bylaw No. 600, 2007 is hereby amended as follows:

Replacing sub-section 2 of Section “B-10.5 Ocean Beach Esplanade Policies” with the following sub-section:

*2. Through the referral process, the Regional District should seek cooperation from the Ministry of Transportation and Infrastructure with respect to road closure and encroachment permit applications and property redevelopment on the Ocean Beach Esplanade, to reach optimal solutions that are beneficial for both the private properties and the adjacent public space. The following guidelines shall be used in evaluating these applications and redevelopment proposals:*

- (a) Restoration of existing substantially damaged or destroyed structures or features (such as parking pads, driveways, decks, patios, retaining walls, landscape features, etc.) that are encroaching onto the road right-of-way is permitted only if a road closure or an encroachment or setback permit has been granted by the Ministry of Transportation and Infrastructure and it can be determined through a development permit that there are no other feasible locations on the property for these structures or features, and the redevelopment can be safely carried out without negative impact on the function, safety, use and appearance of the adjacent public space.*
- (b) Road closure should be considered for the principal dwellings only. Auxiliary structures and other features, such as parking pads, driveways, decks, patios, retaining walls, landscape features, etc., should not be supported.*
- (c) The area proposed for road closure should be limited to the footprint of the existing principal dwelling plus a 1 metre buffer around the footprint.*

- (d) *Restoration of existing substantially damaged or destroyed structures or features should be limited to the original footprint, height and mass.*
- (e) *Wherever possible, the redevelopment of an existing structure should incorporate parts of the parent parcel and be designed to minimize the area necessary for road closure or encroachment and the need for additional features on the road right-of-way including auxiliary buildings, parking structures or pads, driveways, decks, patios, retaining walls, landscape features, etc.*
- (f) *The redevelopment should enhance the safety of all users of the esplanade (including motorists, cyclists and pedestrians). Design of buildings and landscape features should consider proper vehicle turning radius and driveway visibility and slope and limit private parking on the road right-of-way.*
- (g) *Architectural and landscaping design plans should accompany the development permit application illustrating how the development can fit into the surrounding environment, and contribute to the enhancement of the private and public space on the esplanade.*
- (h) *Geo-technical and environmental reports prepared by qualified professionals must be submitted with the development permit application confirming that the redevelopment is safe from landslide, erosion and flood hazards, and has no negative impact on the drainage and natural environment in the surrounding areas and technical functions and safety of the adjacent public right-of-way.*
- (i) *The geo-technical reports must consider the impacts of major earthquakes on the subject properties and adjacent road right-of-way and provide recommendations on damage mitigation and risk prevention measures. The environmental reports must consider future sea level rise and its potential impacts on the subject properties and adjacent road right-of-way and provide recommendations on damage mitigation and risk prevention measures.*

## PART C – ADOPTION

READ A FIRST TIME this

DAY OF

MONTH

YEAR

PURSUANT TO SECTION 475 OF THE LOCAL

GOVERNMENT ACT CONSULTATION

REQUIREMENTS CONSIDERED this DAY OF MONTH YEAR

READ A SECOND TIME this DAY OF MONTH YEAR

CONSIDERED IN CONJUNCTION WITH THE  
SUNSHINE COAST REGIONAL DISTRICT  
FINANCIAL PLAN AND ANY APPLICABLE WASTE  
MANAGEMENT PLANS PURSUANT TO

THE *LOCAL GOVERNMENT ACT* this DAY OF MONTH YEAR

PUBLIC HEARING HELD PURSUANT TO

THE *LOCAL GOVERNMENT ACT* this DAY OF MONTH YEAR

READ A THIRD TIME this DAY OF MONTH YEAR

ADOPTED this DAY OF MONTH YEAR

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Corporate Officer

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Chair

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** David Rafael, Senior Planner

**SUBJECT:** CROWN REFERRAL CRN00027 (PACIFIC MOUNTAIN HYDRO) INVESTIGATIVE LICENCE FOR WATER POWER – ELECTORAL AREA F

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### RECOMMENDATIONS

**THAT** the report titled Crown Referral CRN00027 (Pacific Mountain Hydro) Investigative Licence for Water Power – Electoral Area F be received;

**AND THAT** the SCRD send a letter with the staff report to the Ministry of Forests, Lands and Natural Resource Operations noting no objection to approval Crown File 2411828 subject to the conditions outlined below:

**a) Prior to Issuance of the Crown Tenure:**

- i. Investigative Plan Section 1.4 – Consultation with *Skwxwú7mesh* Nation should take place prior to the tenure being considered by the Crown for issuance;
- ii. Investigative Plan Section 2.2 – The reference to Gold River should be replaced with Port Mellon and the proponent confirm that the comments in this section are still accurate;

**b) If the project moves forward:**

- i. Forest Service Road Access – The proponent should contact BC Timber Sales to discuss timing for reactivating the North Dakota FSR;
- ii. Zoning – the SCRD requires that the proponent to apply to rezone the powerhouse location and any areas that would be used for activates such as temporary storage or a temporary concrete batch plant;
- iii. Community Amenity – the proponent should contact the SCRD to discuss how to meet the expectations set out in the SCRD policy regarding *Community Amenity Contribution for Independent Power and Resource Projects*.

**AND FURTHER THAT** this recommendation be forwarded to the April 13, 2017, Regular Board meeting for adoption.

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**BACKGROUND**

The SCRd received a referral regarding a Crown tenure application for an investigative licence for a run of river hydro power proposal on Dakota Creek near the Hillside area of West Howe Sound Electoral Area. The proponent is Pacific Mountain Hydro Inc. A copy of the proposed tenure area and investigative plan are included in Attachment A. Table 1 provides an summary of the referral.

Comments need to be sent to the Crown by April 18, 2017.

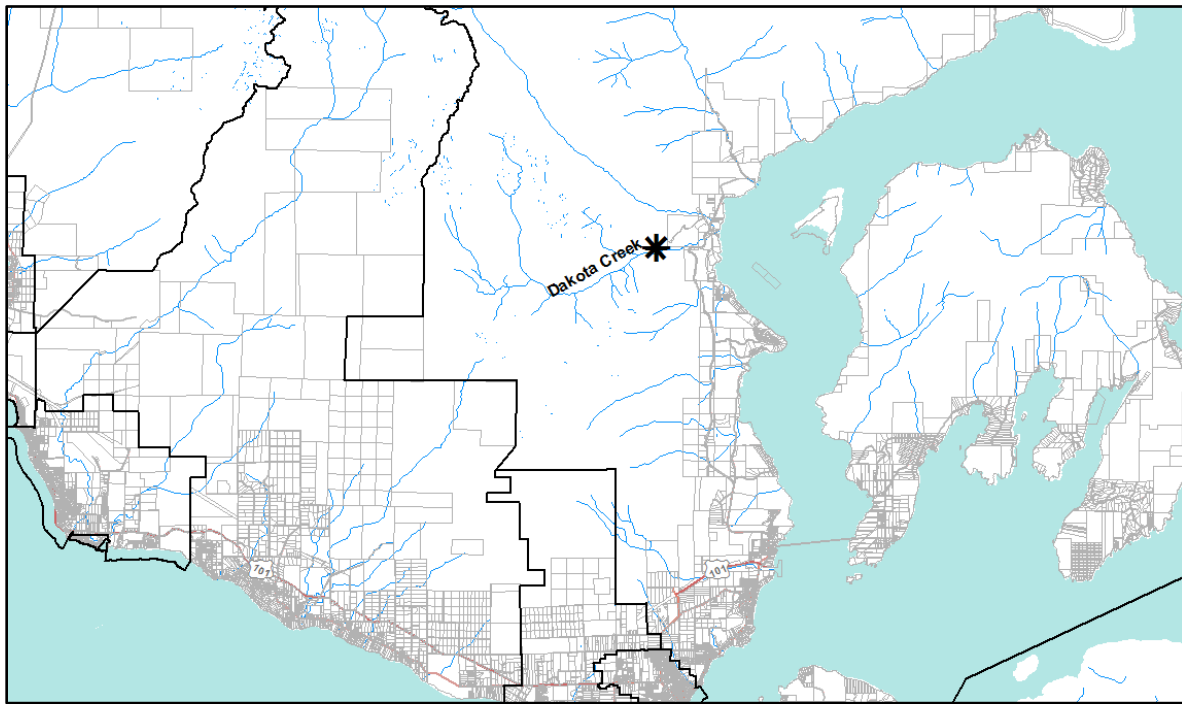


Figure 1 – General Location

Owner / Applicant:	Crown / Paul Adams (Pacific Mountain Hydro Inc)
Civic Address:	none
Legal Description:	That parcel or tract of land in the vicinity of District Lot 539, together with unsurveyed foreshore or land covered by water being part of the bed of Dakota Creek, Group 1, New Westminster District
Electoral Area:	Area F (West Howe Sound)
Tenure Area:	327 hectares
OCP Land Use:	N/A (outside of OCP area)
Land Use Zone:	RU2
Application Intent:	Investigative Use Licence for a 1.5 MW run of river power project

Table 2 - Application Summary

## DISCUSSION

### *Analysis*

The applicant provided an investigative plan setting out the activities that would take place. The proposed activities are relatively minor:

- Installing a flow meter close to the Port Mellon Highway culvert crossing of Dakota Creek;
- Topographical survey consisting of photogrammetry/LiDAR and/or land survey; and
- Walking the site, mainly using animal trails.

The investigative plan references the area being close to town of Gold River. This is incorrect as Gold River is located on Vancouver Island. The reference should be changed to Port Mellon. This is important as the application assumes that the site has been located to avoid conflicts with “Special First Nations interests, forestry and mining claims”. It is not clear if the Port Mellon location was considered or if this statement refers to a different application by mistake.

The applicant notes that consultation with the First Nation will take place after the investigative use licence is issued. Staff recommend that consultation with the *Skwxwú7mesh* Nation takes place before the Crown considers whether to issue the licences. The Crown normally refers licence applications to First Nations as part of its obligation to conduct early and on-going engagement.

The proposed project is below the threshold that would trigger an environmental assessment. However if the project moves forward then provincial and federal ministries will have an opportunity to review potential impact to terrestrial and riparian environment.

The plan states that there are no management plans, zoning or use restrictions that would limit or preclude the use of the land. This is the case regarding the investigative activities set out above. However the SCRD has expectations regarding the appropriate land use zone for some aspects of a power project.

Provincial legislation removed local governments’ ability to require that a powerhouse site be rezoned. However, the SCRD approach is that the proponent should apply to rezone a site and identify possible locations for activities such as storage and a temporary concrete batch plant. These areas would be identified as part of the process allowing the Board to consider a temporary use permit application. The benefit of the rezoning process is that it allows for local community input to be considered within a formal framework. This is especially important in the absence of an environmental assessment.

The SCRD adopted a policy titled *Community Amenity Contribution for Independent Power and Resource Projects*. A copy of this policy should be forwarded to the proponent for information. If the project moves forward the SCRD Board invites the proponent to discuss how the project can meet the Board’s expectations.

There is a forest service road (FSR) network to the investigation area from Port Mellon Highway, the North Dakota FSR. As noted in the application the FSR was decommissioned.



Staff note that BC Timber Sales mapping shows a proposed cutblocks to the west of the site likely to be harvested in 2020 and the FSR will probably be reactivated to support this. Thus the FSR may be able to provide access to the area in addition to the proposed use of helicopters and cableway for delivering construction material, if the power project moves forward. The proponent could contact BC Timber Sales to discuss timing for reactivating the North Dakota FSR. This does not impact the activities associated with the proposed investigative use tenure.

### *Staff Recommendations*

The activities associated with the investigative plan are unlikely to have a significant or permanent impact on the terrestrial or riparian environment. More detailed information would be expected to accompany a proposal to develop the power project if it moves forward. The investigation will assist in gathering this information.

Staff recommend that the Crown tenure for an investigative licence can be issued subject to:

a) Prior to Issuance of the Crown Tenure:

- i. Investigative Plan Section 1.4 – Consultation with *Skwxwú7mesh* Nation should take place prior to the tenure being considered by the Crown for issuance;
- ii. Investigative Plan Section 2.2 – The reference to Gold River should be replaced with Port Mellon and the proponent confirm that the comments in this section are still accurate;

b) If the project moves forward:

- i. Forest Service Road Access – The proponent should contact BC Timber Sales to discuss timing for reactivating the North Dakota FSR as a cutblock is likely to be harvested to in the area in 2020;
- ii. Zoning – the SCRD requires that the proponent to apply to rezone the powerhouse location and any areas that would be used for activates such as temporary storage or a temporary concrete batch plant;
- iii. Community Amenity – the proponent should contact the SCRD to discuss how to meet the expectations set out in the SCRD policy regarding *Community Amenity Contribution for Independent Power and Resource Projects*.

## **STRATEGIC PLAN AND RELATED POLICIES**

### **Strategic Priorities:**

Embed Environmental Leadership

Enhance Collaboration with the *shíshálh* and *Skwxwú7mesh* Nations

## CONCLUSION

The activities associated with the investigative plan for a proposed run of river hydro power project on Dakota Creek are unlikely to have a significant or permanent impact on the terrestrial or riparian environment. The information provided by the applicant contains reference to the town of Gold River that needs to be clarified. It also notes that consultation with First Nations would not commence until after the tenure is issued; staff recommend that consultation with the Skwxwú7mesh Nation takes place prior to a tenure being issued.

If the project moves forward staff have identified aspects to be considered by the proponent.

Staff recommend that the tenure be issued subject to the conditions set out in the staff recommendations.

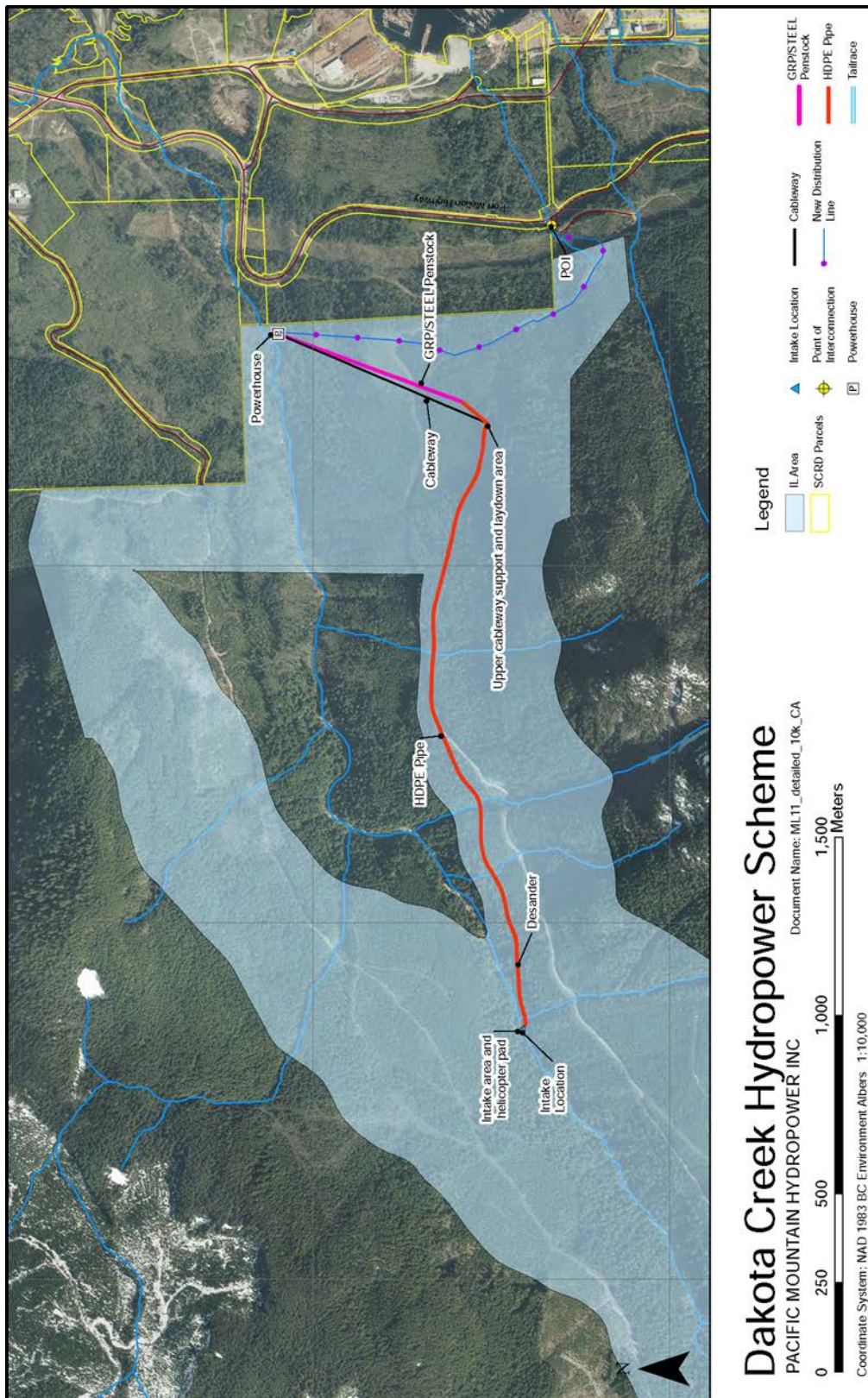
### *Attachments*

Attachment A – Application Information – Maps of Proposed Tenure Area and Scheme,  
Investigative Plan

Reviewed by:			
Manager	X – A. Allen	Finance	
GM	X – I. Hall	Legislative	
CAO	X - J. Loveys	Other	

[illegible]





## Investigative Plan

Please describe the details of your project to the extent known. Consult the guidance document for further information on regulatory requirements, rational for why the information is required, and how to find required information.

The scope and the timing for response will be provided. If information is requested and not received, it may result in the disallowance of the application.

Information on these topics may be required as part of the application processing and if further detail is necessary that is not part of the application and management plan received, you will be contacted and requested to provide additional information.

## 1.0 Background

### 1.1 Project Overview

Describe the potential project, including proposed work for the investigative stage and any phased development details:



The proposed scheme is a 1,500 kW run-of-river hydropower scheme with the intake located on an Dakota Creek, at approximately elevation EL 330 masl. The proposed intake is a Tyrolean intake design, suited for steep streams with high bedload. A 750 mm diameter pipeline would lead from the intake to a desander.

From the desander, a 1880 m long, 700 mm diameter HDPE (High Density Polyethylene) penstock would carry the water at a shallow grade following the contours traversing the valley slope until above the powerhouse location, where the HDPE continues steeply to a point at elevation EL 270 m. At this point, the HDPE pipe will be jointed to a GRP or steel penstock section to resist the pressures in the pipe.

The penstock would be constructed above ground and not require excavation. The GRP/steel penstock section would continue for 550m and connect to the powerhouse located at elevation 75 masl. The water would flow back into Dakota Creek at this point.

The powerhouse would be constructed with a color selected to blend in with the environment, likely dark green. A small transformer would be located adjacent to the powerhouse where it would feed a 25 kV line, which would connect the scheme to the three phase distribution system which runs along the highway.

### 1.2 Current Zoning / Land Use

Are there any management plans, zoning or use restrictions in place that limit or preclude your proposed use of the land?



☐ Yes ☒ No

### 1.3 Confirmation of Safety Plan

Your Project must meet the Occupational Health and Safety (OHS) criteria set out by WorkSafe BC. Does your Project meet these criteria? (Submission of the safety plan with the application is not required unless requested by staff).

☒ Yes ☐ No

#### 1.4 First Nations Consultation

Describe any contact you may have had, including the name of the First Nation(s) and representatives contacted:



At this stage, no contact has been made. However, this will be initiated immediately after a successful investigative license is achieved.

## 2.0 Location

### 2.1 Description

Provide a general description of the location of any proposed activities shown on the accompanying Detailed Site Map:



The powerhouse location is located adjacent to the Port Mellon Highway approximately 1.6 km south of the Port Mellon port proper. The proposed interconnection with the low voltage distribution grid is also at this location. The three phase interconnection point is located at 1,180,954.491 501,330.114 Meters (BC Albers).

The proposed intake for the site is located approximately 2.9 km upstream at an elevation 255 m in elevation higher. Permanent access to this location would be by foot. Construction access would be provided by helicopter, cableway and foot to avoid the requirement for steep access roads. There is a decommissioned forest road, which transverses the river valley which would provide useful access during construction.

### 2.2 Location Justification

Provide your reasons/justification of the need for this type of project at this location:



This project is located at a favorable coincidence of head and flow which allows an economic run of river hydropower scheme to be potentially developed. The site has also been selected to avoid conflicts with Special First Nations interests, forestry and mining claims and is sufficiently close to the town of Gold River to make the distribution of electricity feasible.

### 3.0 Infrastructure

#### 3.1 Improvements

Describe any improvements to existing infrastructure, as well as any planned construction or installations:



In order to construct the intake and penstock, Pacific Mountain Hydro is proposing to use a helicopter and/or cableways for construction where practicable. These construction methods would allow the delivery of cement, aggregates, steel and pipe to the intake site, where contractors who could access the site via foot would install them.

A number of construction projects have utilized this method for construction in remote areas. Low impact construction can be achieved using helicopters and this technique is frequently used for the remote hydropower work, mining, forestry and installation of power pylons, for example.

The proposed connection to the transmission system is the three phase 25 kV distribution line near Port Mellon. The three phase distribution line upgrade would connect to the station at 1,180,954.491 501,330.114 Meters (BC Albers) and run alongside Port Mellon Highway. This section of line is shown in the scheme layout drawings.

#### 3.2 Access

How are you planning to provide access to the site during the investigative phase?



Foot access to intakes and road access to powerhouse.

#### 3.3 Water Use

Identify water requirements and sources for the Investigative Phase. Include any agreements outside of *Water Act* permits identified above, such as Municipal water supply.

Activities to be undertaken during the investigative phase are:

1. Installation of flow metering (stage and rating) near the Port Mellon Highway culvert crossing of the Dakota Creek, and
2. Topographical survey, consisting of photogrammetry/LiDAR and/or land surveyor.



## 4.0 Schedule

### 4.1 Investigative Schedule

Please complete the table showing what types of activities are proposed, which season(s) they will be conducted, the potential impacts of the activity and any mitigation or management of potential impacts.



Activity	Brief Description of Activity	Season	Potential Impact	Mitigation / management of potential impact
Site visits	Walking around area	Summer/Fall	Disruption to ecosystems	Keeping to animal tracks, walking along same trails, removal of all trash
Flow gauging	Installation of water level meter in creek	Summer/Fall	Limited as the meter would be bolted to natural rock	As above, removal of all trash and materials post installation
Topographical Survey	Topographical survey to establish ground elevation	Summer/Fall	Disruption to ecosystems	Keeping to animal tracks, walking along same trails, removal of all trash
Add Field				

## 5.0 Diligent Use

### 5.1 Evidence of On-going Diligent Use (For Replacements Only)

Review the investigative schedule information and table provided in your previously submitted Investigative Plan for this site, during the previous term of tenure. Provide a report on investigative work completed, incomplete or ongoing.



Activity	Brief Description of Activity	Status (e.g. Complete, Incomplete, ongoing)	Comments / Milestones
Add Field			

END OF FORM

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** Sven Koberwitz, Planning Technician

**SUBJECT:** DEVELOPMENT VARIANCE PERMIT DVP00010 (TYMO) - ELECTORAL AREA B

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### RECOMMENDATIONS

**THAT** the report titled Development Variance Permit DVP00010 (Tymo) - Electoral Area B be received;

**AND THAT** Development Variance Permit DVP00010 to vary the setback from a side parcel line contiguous to a public road from 4.5 metres to 1.5 metres, as per Zoning Bylaw No. 310, 1987 Section 601.4(3), be issued subject to:

1. The owner installing fencing or natural landscaping barrier to demarcate the public/private boundary along the eastern property line adjacent to Crab Road.
  2. Addressing any comments from the shíshálh Nation received within the 60 day referral period.
- 

### BACKGROUND

The SCRD has received a development variance application to vary Section 601.4(3) of Zoning Bylaw 310 to relax the 4.5 metre setback from a side parcel line contiguous to a public road. The intent of this application is to allow the construction of a new single family dwelling.

Owner / Applicant:	Mobius Architecture for Darlene Tymo
Civic Address:	Lot 39 Truman Road
Legal Description:	LOT 39 DISTRICT LOT 2394 PLAN 15440, PID: 007-661-177
Electoral Area:	Area B - Halfmoon Bay
Parcel Area:	883 m2 (0.22 ac)
OCP Land Use:	Residential A
Land Use Zone:	R1
Application Intent:	To vary exterior side parcel line setback from 4.5m to 1.5m to enable siting of single family dwelling.

*Table 1 - Application Summary*

The subject lot is located adjacent to Crab Road to the east, Truman Road to the north, and the ocean to the south. The Crab Road allowance is approximately 56 metres wide, far wider than the standard 20 metre road allowance, and provides access to the beach and lot 11 to the east.

The applicant has proposed to construct a single family home on the subject property. The property is undeveloped and partially cleared in the area of the proposed home.

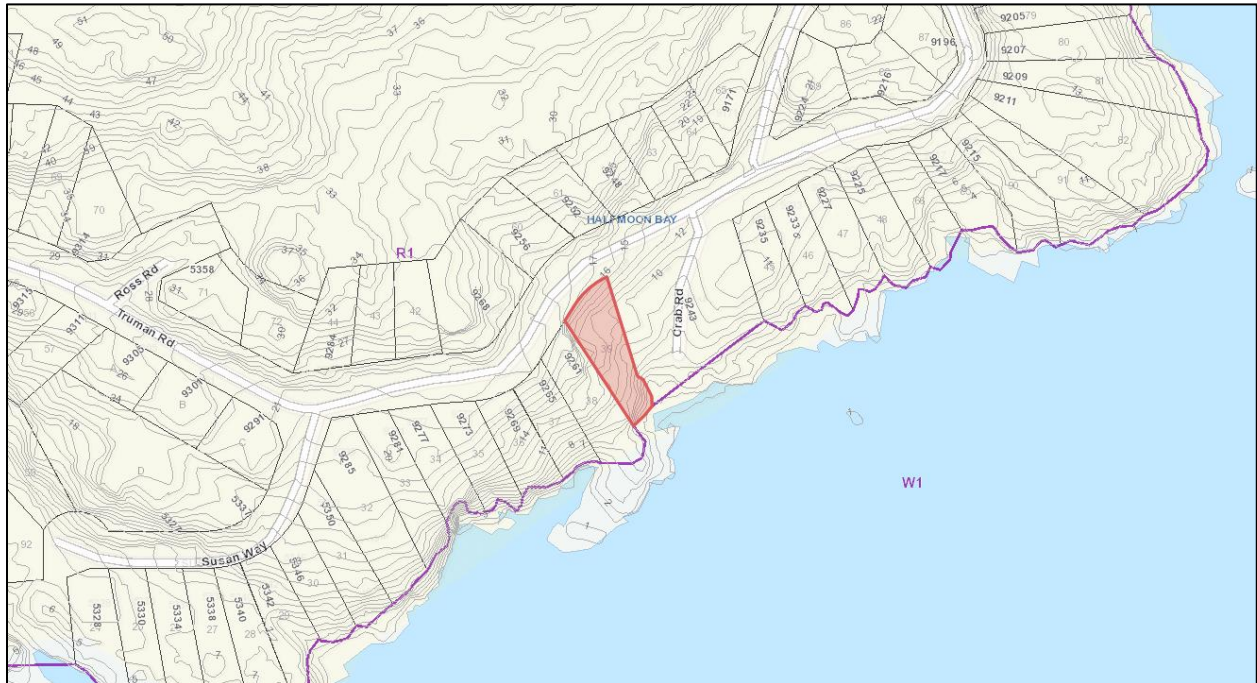


Figure 1 - Location Map



Figure 2 - Aerial View of Subject Lot (Parcel lines are approximate)



## DISCUSSION

### *Analysis*

The subject property has several constraints related to the topography, lot line configuration, and setbacks.



*Figure 2 - View of Subject Property from Crab Road.*

The topography of the lot is steep on both the upper and lower portions. A large rock outcropping is located on the middle portion of the property. The applicant has indicated that the owner wishes to avoid blasting in the area and raise the elevation of the land around the rock to enable locating the home in the proposed area (See Figure 3).

The lot narrows considerably towards the lower portion and in combination with the steep shoreline area makes siting a home somewhat more challenging (See Attachment A - Site Plan).

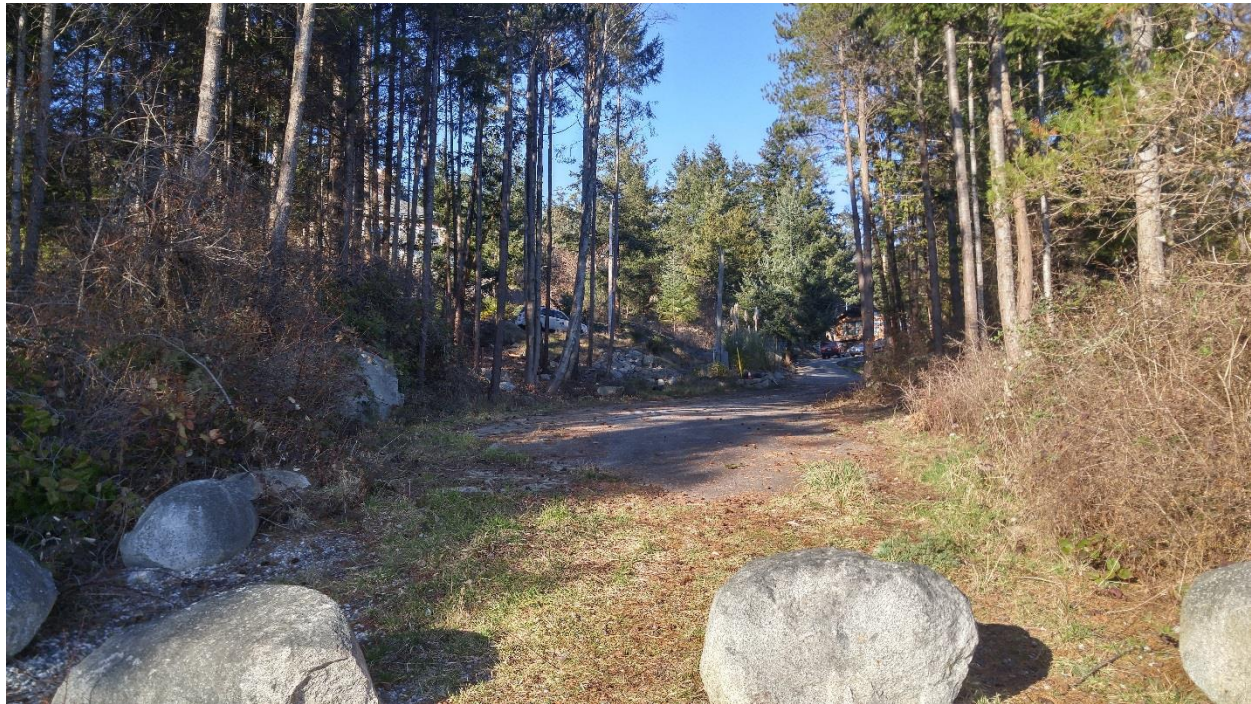
A 4.5 metre setback applies to all building and structures along the east lot line which is contiguous to Crab Road. The applicant is seeking a variance for this setback to allow an attached deck to be sited at 1.5 metres from the lot line and for the building foundation to be located 3.0 metres from the lot line. The 1.5 metre setback is consistent with the setback required for adjacent residential lots.

Planning staff note that the siting regulations pertain to a "*building and any part thereof*" which includes attached decks. Therefore the variance is written as "from 4.5 metres to 1.5 metres" despite the applicant proposing to bring the exterior walls only to 3.0 metres. The development



variance permit will require compliance with the submitted site plans ensuring that the foundation is not sited at 1.5 metres.

The design of the home is still in the preliminary stages as it depends on the outcome of the development variance permit process. Other than parcel line setbacks the development is also subject to the other provisions in Zoning Bylaw 310 such as a 30% floor area limit, an 11 metre height limit, and a 35% parcel coverage limit.



*Figure 3 Beach Access at end of Crab Road*

### *Crab Road*

Crab Road is adjacent to the eastern side of the property. This road allowance is unusually wide at 60 metres and was dedicated at the time of subdivision in 1974. It is understood that the developer had intended the road dedication to function as a park with beach access for the local community (See Attachment F). However, its legal status is a road allowance under the jurisdiction of the Ministry of Transportation and Infrastructure and its primary purpose, in the view of the Ministry, is road providing vehicular access to both the ocean and adjacent parcels.

In 2002 the SCRD obtained a permit from the Ministry of Transportation and Infrastructure to construct and maintain access to the foreshore at the end of the paved portion Crab Road. At some point a concrete ramp was constructed on the foreshore for launching boats. Severe winter storms broke apart the concrete ramp which the SCRD removed along with logs and other debris blocking access to the beach. The SCRD decided to not reconstruct the boat launch. Large boulders were also placed to prevent vehicular access to the foreshore. Parks staff have indicated that Crab Road is no longer regularly maintained as it is not a designated Regional Park. Due to the width of the road allowance the proposed development will not affect the continued use of Crab Road as a beach access.



The Ministry of Transportation and Infrastructure requires a permit be issued for any building sited within 4.5 metres of a public road. The applicant has obtained the necessary permit allowing the siting within the setback (See Attachment D). This is a separate regulatory requirement from SCRD zoning bylaw property line setbacks, however staff consider the issuance of a Ministry of Transportation and Infrastructure permit to be an important consideration for supporting setback variances.

Staff have discussed access to the site with the Ministry of Transportation and Infrastructure who have indicated a preference for a driveway being located off Crab Road rather than Truman Road. The Crab Road entrance to Truman Road is located in a preferable location and reduces the number of driveways which will enter onto Truman Road.

In an effort to protect the integrity of the public use of the road allowance Planning Staff recommend that the owner be required to install a natural landscape barrier or fence to clearly demarcate the public/private boundary along the eastern property line. This will indicate that the road allowance is in fact public property and prevent alienation of public lands.

Planning staff consider this variance to be acceptable considering that permission has been obtained for the siting from the Ministry of Transportation and Infrastructure. Also, there is no impact to the continued public use of Crab Road.



*Figure 4 - South View of Rock Outcrop*

#### *Official Community Plan*

The Halfmoon Bay Official Community Plan has designated portions of the subject property as being within Development Permit Area 1A: Coastal Flooding and Development Permit Area 1B: Coastal Slopes. Therefore a development permit is required prior to issuance of a building

permit. A report provided by a qualified professional must certify that the development is safe for the use intended.

### *Options*

Possible options to consider:

**Option 1: Issue the permit.**

Issue the development variance permit subject to the recommended conditions and allow the proposed deck to be sited 1.5 metres and the building foundation to be sited at 3.0 metres from the east parcel line. This is planning staff's recommended option.

**Option 2: Deny the permit.**

The applicant could explore other designs options such that a variance to reduce the parcel line setback would not be required.

### *Referrals*

The development variance permit application has been referred to the following agencies and departments for comment:

<b>Referral</b>	<b>Comments</b>
SCRD Building Department	No concerns with application.
shíshálh Nation	No comments received to date.
Halfmoon Bay Advisory Planning Commission	This application was initially referred to the APC on February 28, 2017. At this meeting the APC requested additional clarification on the status of Crab Road as a park or road allowance. Staff provided clarification for the March 28, 2017 APC meeting (See Attachment E and F). A recommendation was made to deny the variance.
Neighbouring property owners/occupiers	Notifications were distributed to owners and occupiers within 50 metres of the subject property. One letter was received from a community member (Attachment G).

### *Timeline for next steps or estimated completion date*

If the variance is issued by the SCRD Board the applicant may proceed with the development permit process to address development permit area guidelines as per the Halfmoon Bay Official Community Plan. After the development permit is issued a building permit must be obtained.



## STRATEGIC PLAN AND RELATED POLICIES

N/A

## CONCLUSION

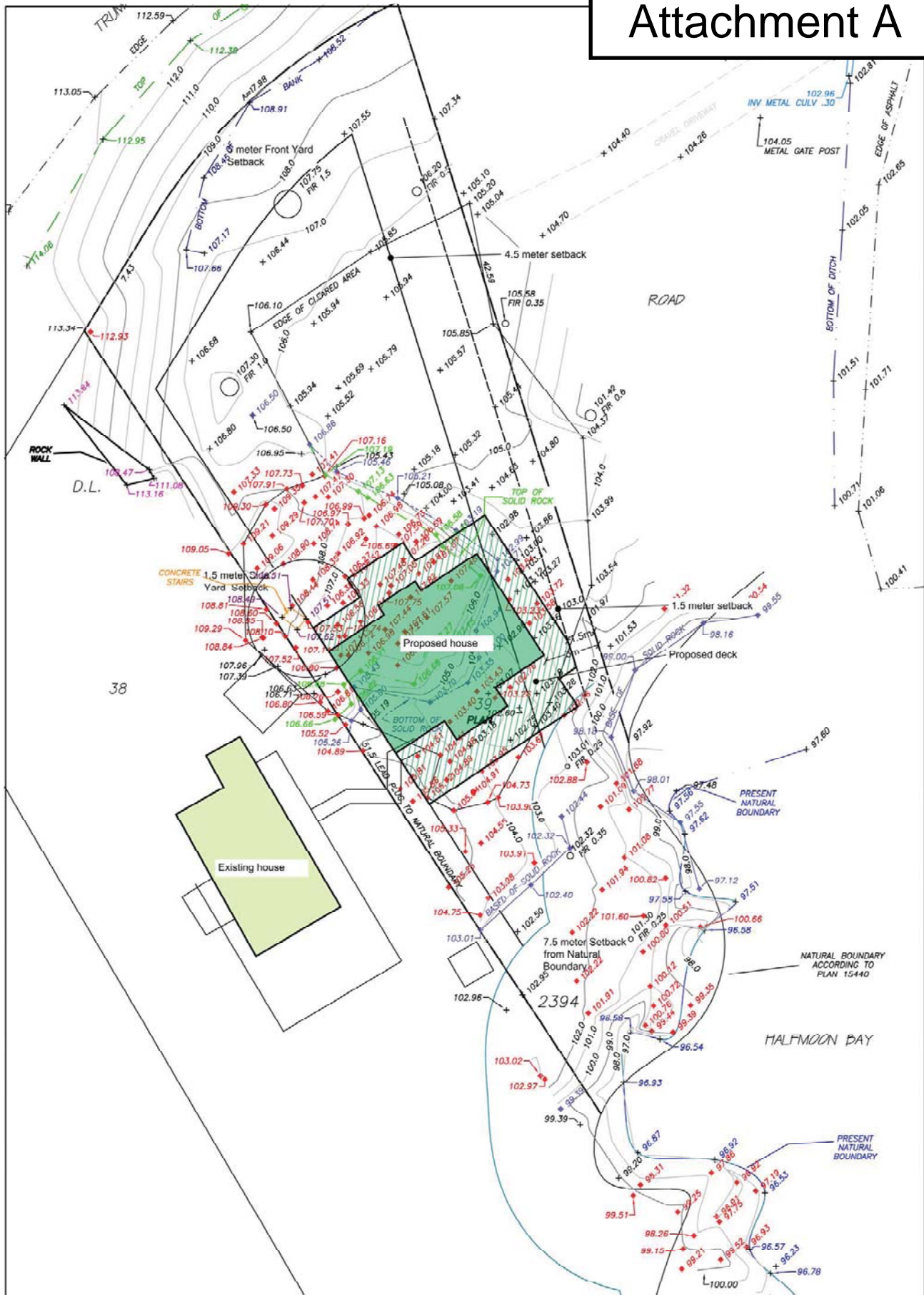
The owner is proposing to construct a new single family dwelling on an undeveloped lot adjacent to Truman Road, Crab Road, and the ocean. The layout of the lot combined with minimum required setbacks and natural topography provide some challenges for siting a home. In order to enable the proposed siting a variance is being requested to reduce the required 4.5 metres setback to a public road to 1.5m for an attached deck and 3.0 metres for the building foundation. Planning staff support this application subject to the recommended conditions.

Reviewed by:			
Manager	X - A. Allen	Finance	
GM	X - I. Hall	Legislative	
CAO	X - J. Loveys	Other	

## *Attachments*

Attachment A - Proposed Site Plan  
Attachment B - Topographic Survey  
Attachment C - Variance Criteria  
Attachment D - MOTI Permit  
Attachment E - Memo to APC  
Attachment F - APC Minutes from March 28, 2017  
Attachment G - Comments Received from Community  
Attachment H - Additional Comments from Owner

# Attachment A



MOBIUS ARCHITECTURE

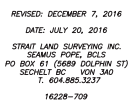
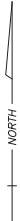
Lot 39 Truman Road

SCALE: 1/16" EQ. 1'

DATE:

DWG. REV.

Proposed Site Plan A-1



# Attachment C

## Variance Criteria

All new development should meet the Regional District's applicable bylaw standards. A variance is considered only as a last resort. An application for a development variance permit should meet most, if not all, of the following criteria, in order to be considered for approval:

- ① The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw. Please elaborate how the requested variance meets this criteria:

RL ZONING REQUIRES A 1.5 M SIDE YARD SETBACK AND A 4.5 METRE SETBACK CONTIGUOUS TO A HIGHWAY. THE ADJACENT ROAD ALLOWANCE IS USED AS A BEACH ACCESS ONLY. THE INTENT IS TO FOLLOW THE RL ZONING 1.5 M SETBACK

- ② The variance should not adversely affect adjacent or nearby properties or public lands. Please elaborate how the requested variance meets this criteria:

THE VARIANCE WOULD NOT AFFECT ADJACENT PROPERTIES

- ③ The variance should not be considered a precedent, but should be considered as a unique solution to an unusual situation or set of circumstances. Please elaborate how the requested variance meets this criteria:

THE 4.5 METRE SETBACK IS INTENDED FOR ACTIVE ROADS OR HIGHWAYS TO ALLOW MOTI TO LOAD WITHIN THIS ZONE. THE APPLICANT HAS RECEIVED A PERMIT FROM MOTI

- ④ The variance represents the best solution for the proposed development after all other options have been considered. Please elaborate how the requested variance meets this criteria:

THE SHAPE OF THE PROPERTY NARROWS TOWARDS THE WATER, RESTRICTING THE BUILDABLE AREA.

- ⑤ The variance should not negatively affect the natural site characteristics or environmental qualities of the property. Please elaborate how the requested variance meets this criteria:

DOES NOT AFFECT THE NATURAL SITE AS THE AREA WAS PREVIOUSLY CLEARED



## PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

**BETWEEN:**

The Minister of Transportation and Infrastructure

Sechelt Area Office  
Box 950  
Sechelt, BC V0N 3A0  
Canada

("The Minister")

**AND:**

Darlene Tymo  
19 Ashwood Drive  
Port Moody, British Columbia V3H 5H2  
Canada

("The Permittee")

**WHEREAS:**

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:  
  
The construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow Building setback house within 4.5m setback from, Crab Rd., Truman Rd., Crab Rd., Truman Rd., located at , as shown on drawing .
- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

- 1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
- 2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
- 3. (a) The rights granted under this permit shall not be exercised before January 13<sup>th</sup> 2017.  
(b) The construction and installations must be completed on or before January 13<sup>th</sup> 2019.
- 4. No portion of the structure shall encroach upon the Highway right-of-way.
- 5. No further additions or improvements shall be made to the said structure without prior consent of the Ministry of Transportation and Infrastructure.
- 6. Should the said structure be destroyed, removed or dismantled, this permit is automatically cancelled and another permit will not necessarily be granted for a new similar structure.



7. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.
8. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
9. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation and Infrastructure, and the employees, servants, and agents of the Minister from and against all claims, demands, losses, damages, costs, liabilities, expenses, fines, fees, penalties, assessments and levies, made against or incurred, suffered or sustained by any of them, at any time or times (whether before or after the expiration or termination of this permit) where the same or any of them are sustained in any way as a result of the Use, which indemnity will survive the expiration or sooner termination of this permit.
10. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
11. Permittee shall supply surveyed "As BUILT" drawings upon completion of the said works. Drawings must include offset from right-of-way boundary.
12. Any damage to the Ministry of Transportation and Infrastructure's right-of-way as a direct result of the permitted works, shall be repaired and maintained by the Permittee in perpetuity.
13. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
14. The Ministry of Transportation and Infrastructure and/or the Maintenance Contractor shall not be held accountable for any damage(s) to the said structure, however caused.
15. The Permittee may not assign any part of this Agreement without the consent, in writing, of the Minister.
16. The Permittee must ensure that the most current editions of the following standards and specifications, manuals and guides are utilized and complied with during the installation, operation and maintenance of the Works:
  - (a) Ministry Utility Policy Manual
  - (b) Ministry Traffic Control Manual for Work on Roadways
  - (c) Ministry Traffic Management Guidelines for Work on Roadways
  - (d) Ministry Standard Specification for Highway Construction
17. It is the responsibility of the Permittee to ensure that all equipment and vehicles crossing Provincial highways or side roads have the proper approval and insurance as required and issued by the Commercial Vehicle Safety and Enforcement Division. For permits or inquiries please contact the Provincial Permit Centre at 1-800-559-9688.
18. A copy of this permit must be on site at all times during the said works.
19. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
20. The Permittee to be responsible for any settlement, erosion or other damage caused as a result of this construction for a period of two years from completion of construction.
21. The Permittee shall determine the location of highway right-of-way to ensure their permitted work is within Ministry jurisdiction. The Permittee is responsible for all trespass issues.
22. Permittee to be responsible for all future drainage problems as they pertain to said works.
23. If the Permittee proceeds on this permit, it is deemed they have accepted all terms and conditions.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.





BRITISH  
COLUMBIA

Ministry of Transportation  
and Infrastructure

Permit/File Number: 2017-00170  
Office: Sechelt Area Office

Dated at Sechelt, British Columbia, this 13 day of January, 2017

On Behalf of the Minister



# Memo

**To:** Halfmoon Bay Advisory Planning Commission

**From:** Sven Koberwitz, Planning Technician

**cc:**

**Date:** March 28, 2017

**Re:** DVP00010 (Tymo) - Additional Information Regarding Crab Road

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Development Variance Permit Application DVP000010 was referred to the Halfmoon Bay Advisory Planning Commission on February 28, 2017. At the meeting a motion was passed requesting further clarification on the legal status of Crab Road as well as associated setbacks.

## **Crab Road**

Crab Road is a public road allowance under the jurisdiction of the Ministry of Transportation and Infrastructure (MOTI). The road was dedicated in 1974 at the time of subdivision of District Lot 2394 (See Attachment A).

The SCRD obtained a permit in 2002 to *Construct Works within a Highway Right-Of-Way* for the purpose of constructing access to the foreshore. This was communicated to nearby residents by the Manager of Parks and Recreation at the time, via a letter dated March 19, 2002 (Attachment B). The permit was issued on June 1, 2002 and expired October 1, 2002 (See Attachment C). This permit in no way restricts the public use of the road allowance and as stated in the permit condition:

*5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the traveling public.*

The SCRD has also installed a sewerage lift station on Crab Road to service the Truman Road area within the Square Bay sewerage system. This work was also undertaken with the permission of the Ministry of Transportation and Infrastructure.

## **Setbacks**

Minimum setbacks for buildings and structures adjacent to public roads are regulated by the SCRD and the MOTI.

Zoning Bylaw NO. 310 requires a 5 metre setback for the front parcel line, which is defined as the shortest parcel line fronting a highway. A 4.5 metre setback is required for all other parcel lines adjacent to a highway.

The MOTI also requires that buildings be setback a minimum of 4.5 metres from a highway unless authorization is obtained. The owner of the subject parcel has obtained the required permits from the MOTI to build within the 4.5 metres setback. However, a variance to Bylaw 310 is also required.

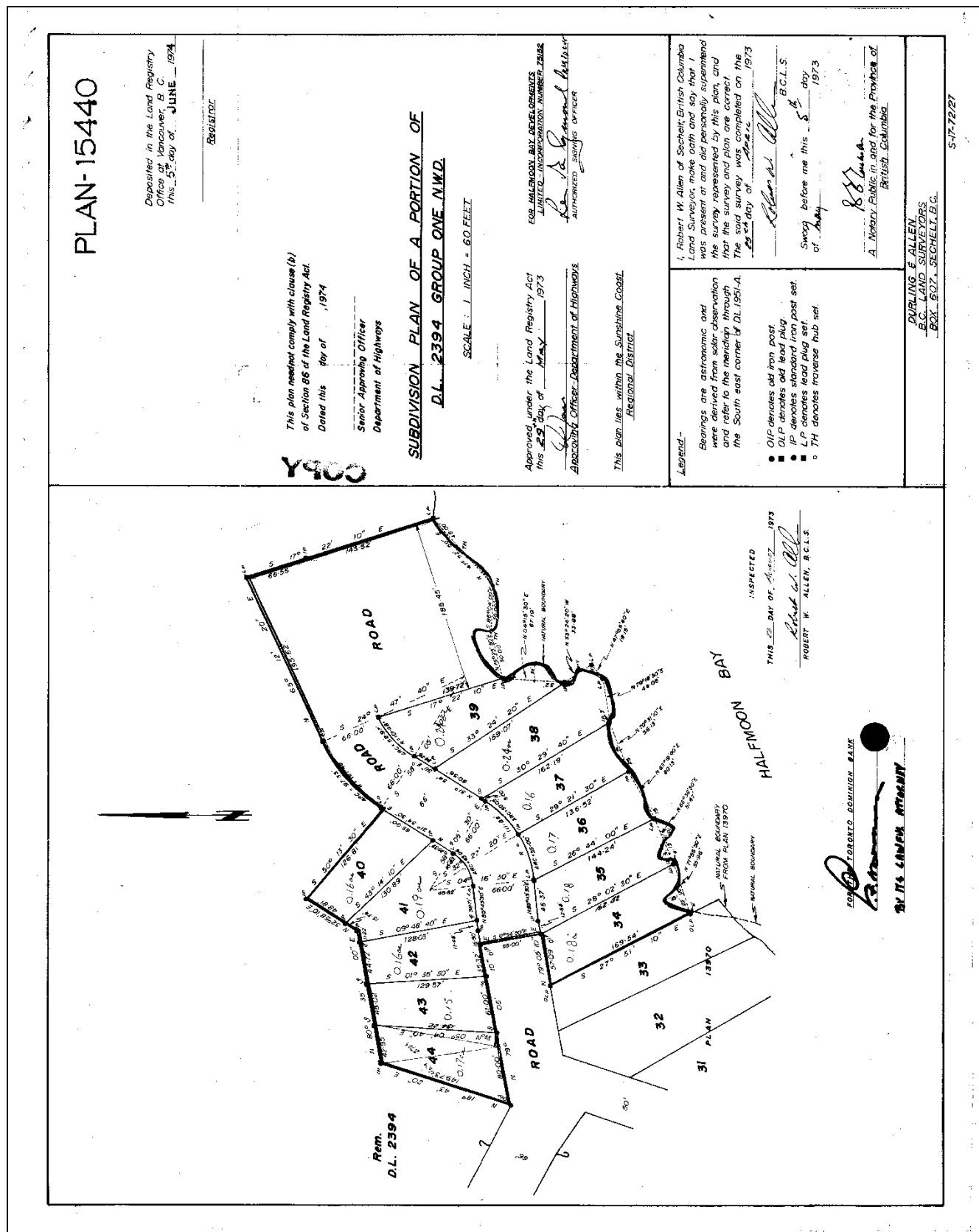
If Crab Road was a parcel with legal title the standard 1.5 metres side parcel line setback would apply and a development variance permit would not be necessary for the proposed development.

### **Recommendation**

Planning staff recommend that Development Variance Permit DVP00010 to vary the setback from a side parcel line contiguous to a public road from 4.5 metres to 1.5 metres, as per Zoning Bylaw No. 310, 1987 Section 601.4(3), be supported.

### **Attachments:**

Attachment A - Legal Plan VAP15440  
Attachment B - Letter to Residents  
Attachment C - MOTI Permit



## Attachment B - Letter to Residents

### Sunshine Coast Regional District

1975 Field Road  
Sechelt, British Columbia  
Canada V0N 3A1

P 604.885.6800  
F 604.885.7909  
Toll free 1.800.687.5753

info@scrd.ca  
www.scrd.ca



March 19, 2002

Dear Resident:

In 2001 a meeting was held between residents of the Truman Road area, SCRD Director John Marian, and SCRD staff. At that meeting, the residents had two requests:

1. Restore the small dam on the Susan Way Lagoon that had been damaged by winter storms;
2. Improve the Crab Lane road end.

The dam on the Susan Way Lagoon was restored in the summer of 2001 and appears to be having the desired effect.

The SCRD has applied and received a permit to look after the Crab Lane road end as a beach access. SCRD staff will remove the concrete that has previously been poured, and the logs that periodically block the access. As with the many other highway road ends that we maintain as beach accesses, we will not advertise this location, rather, it will be an opportunity for local residents to safely access the beach.

If you have any questions, please contact the undersigned at (604) 885-2261.

Yours truly,

Randy Udahl  
Manager, Parks and Recreation

cc. John Marian, Area B Director  
John Miller, Parks Supervisor

/gr

**ELECTORAL AREAS:** A - Egmont, Pender Harbour B - Halfmoon Bay D - Roberts Creek E - Elphinstone F - West Howe Sound

**MUNICIPALITIES:** District of Sechelt / Sechelt Indian Government District / Town of Gibsons

Attachment C - MOTI Permit



File: 01-006-19396

March 1, 2002

Sunshine Coast Regional District  
5477 Wharf Road  
PO Box 800  
Sechelt, BC V0N 3A0

Attention: John Miller

Dear Mr. Miller:

**Re: Permit Number 1-6-19396, Crab Road #777**

Enclosed is your copy of the above noted permit which covers construction and landscaping of the beach access.

Notwithstanding that all work shall be completed to the satisfaction of the District Manager, Transportation, the Sunshine Coast Regional District shall be responsible for the construction and maintenance of the beach access including any landscaping that may be installed.

Please quote file number 01-006-19396 when contacting this office.

Yours truly,

A handwritten signature in dark ink, appearing to read "D. M. Walker".

D. M. Walker  
Manager, Development

DMW  
Enclosure

---

Ministry of  
Transportation

Lower Mainland District  
South Coast Region

Mailing Address:  
#200 - 1085 Columbia Street  
New Westminster, BC V3M 6H7

Telephone: (604)660-8300  
Facsimile: (604)660-9736

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## PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising roadworks and landscaping on Crab Road #777 in DL 2394, Plan 15440 at Halfmoon Bay

are hereby approved in so far as they relate to the use of Crown lands, interference with public works, or other matter under the jurisdiction of the Minister of Transportation, and permission to construct, use, and maintain the said work is hereby granted to Sunshine Coast Regional District

The said approval and permission to construct, use, and maintain works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the District Manager, Transportation.
2. That, before opening up any highway or interfering with any public work, intimation of the intention to do so must be given to the Ministry's Area Manager (604)740-5031 at least seven clear days before the work is begun.
3. That any person appointed to the District Manager, Transportation, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on or before the first day of June, 2002 and shall be prosecuted with due diligence and to the satisfaction of the District Manager, Transportation, and shall be on or before the first day of October, 2002
5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the traveling public.  
(b) All trenches and excavations shall be shored, if necessary, according to the Workers' Compensation requirements. Care shall be taken to protect adjacent property.  
(c) That all excavations shall be carefully back-filled with suitable material, which is to be tamped into place, and that the permittee shall restore the surface of the road and shoulders and ditches at his own expense. All surplus material is to be removed from the Provincial Crown lands, or deposited where and as required by the District Official of the Ministry of Transportation. The permittee is financially responsible for any maintenance works required on said road, shoulders and ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.
6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition. The work for which permission is hereby granted must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.
7. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.
8. That the person or persons for whom these works are being constructed, or by whom these works are maintained, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by these works, and shall save harmless and keep indemnified the Crown from all claims and demands whatsoever in respect of the works.
9. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation. This permission is not to be construed as being granted for all time, and shall not be deemed to vest in the permittee any right, title or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be



included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial or primary highway pursuant to Part III of the *Highway Act*.

10. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at his or their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.
11. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.
12. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the *Highway Act* and *Ministry of Transportation and Highways Act*, or other Acts governing Crown lands and public works or their use by the public.
13. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the District Manager, Transportation.
14. That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.
15. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.
16. This permit may be canceled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.
17. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be canceled.
18. That these works shall be identified with this permit, number, namely 1-6-19396 in a manner satisfactory to the District Official of the Ministry of Transportation.

Ministry of Transportation	Ministry Employee Signature
Lower Mainland District	(Print Name) D.M. Walker
200-1065 Columbia Street	Ministry Employee Title Manager, Development
New Westminster, BC V3M 6H7	For Minister of Transportation
Date (yyyy/mm/dd) 2002 03 01	

## SUNSHINE COAST REGIONAL DISTRICT

### AREA B - HALFMOON BAY ADVISORY PLANNING COMMISSION

March 28, 2017

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RECOMMENDATIONS FROM THE AREA B ADVISORY PLANNING COMMISSION MEETING  
HELD IN THE COOPERS GREEN COMMUNITY HALL AT COOPERS GREEN PARK, 5500  
FISHERMAN ROAD, HALFMOON BAY, BC

---

<b>PRESENT:</b>	Chair	Frank Belfry
	Members	Alda Grames Bruce Thorpe Walter Powell Barbara Bolding Jim Noon Eleanor Lenz Elise Rudland Joan Harvey
<b>ALSO PRESENT:</b>	Alternate Area B Director Recording Secretary Public	Brian Smith Katrina Walters 0
<b>REGRETS:</b>	Members	Marina Stjepovic Lorn Campbell

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**CALL TO ORDER** 7:02 p.m.

**AGENDA** The agenda was adopted with the addition of new item 6.1:

6.1 Request to change the May APC meeting date

#### **MINUTES**

##### 3.1 Area B Minutes

The Area B APC minutes of February 28, 2017 were adopted as presented.

##### 3.2 Minutes

The following minutes were received for information:

- Egmont / Pender Harbour (Area A) APC Minutes, February 28, 2017
- Roberts Creek (Area D) APC Minutes, January 16, 2017
- Planning and Community Development Committee Minutes, February 16, 2017

## REPORTS

### 5.1 Land Use Planning Opportunities to Support Affordable Housing in Rural Areas

The APC discussed the staff report regarding Land Use Planning Opportunities to Support Affordable Housing in Rural Areas. The following concerns/points/issues were noted:

- Fully support the staff recommendations; know of some families who have had to move due to lack of affordable housing.
- Approve; however when you look at the proposed locations there is a problem with Hub 1 (Secret Cove) because most of that area is served by an ocean outfall sewage system; so it is a problem to densify this area.
- Considering the Lohn Road area: when they did the coliform count there, there were some problems there.
- When you look at North Road, and East of the school, if crown lands ever became available, this would be a good location for row housing at the bottom of the hill.
- The report it is all well and good but it does not address associated problems of liquid waste management and this is a glaring error.
- On page 17: find the word “should” to be moralistic and should be replaced by “could”: “...to guide where affordable housing should be placed, how it should be designed and serviced, and how it should fit into the surrounding neighbourhoods.”
- Maybe there could be something else about the provision of smaller units. Also, there is lots of interest in alternative housing such as container houses; straw bale houses etc. There is resistance to these because they are little understood by building departments; maybe as part of the study they could look at alternative building types and/or sustainable building models. As part of the National Building Code, you can present an “equivalent” assembly, but in order to sign off on it, it has to be proven to be equivalent. However, building departments don’t like to accept equivalencies because this means they have to accept liability.
- Many in this group sat on the OCP and the OCP came to the conclusion that affordable housing in HMB is an oxymoron. Unaffordable because of transportation; high transportation costs negate the possibility for affordable living in HMB.
- Also agree: the bus service is a long way away from supporting residents with a regular schedule.
- If housing increased, likely transportation would follow.
- Thought the report was comprehensive. Can understand the residential infill areas, but wonder how the SCRD is going to balance that with short term vacation rentals.
- The OCP’s mandate is ‘rural by nature’: they want to keep it rural and designated 3 hubs for higher density.
- HMB is basically waterfront homes and most of the nature is either on the ocean or crown land...it is fairly restrictive: most waterfront areas are private. Don’t think we should be a society that doesn’t want other people to move here; it shouldn’t matter what their income level or nationality are.
- Didn’t see any mention of mobile/modular homes or trailer parks: they are affordable and can be beautiful and very nice; they can be good addition to the community.
- Our OCP needs a review.

### 5.2 Management Strategies for the Park on North Thormanby Island

The APC discussed the staff report regarding Management Strategies for the Park on North Thormanby Island. The following concerns/points/issues were noted:

- This is a good, well written report; pleased to see it.
- Agreed
- This whole park area seems to have been adopted by the residents of Vaucroft; they make it feel like public is intruding...is there the possibility for signage?
- P.31 provides a list of practices that could help show that this is not private land; think that SCRD park signage is a good idea.
- Felt the same in the way of intruding; it would be nice if it were identified as a public park; we should request an SCRD park sign.
- Maybe there should be public moorage.
- Would be good if the SCRD put up educational signage about the environmental sensitivity of the park.

### **5.3 DVP00010 (Tymo) Additional Information Regarding Crab Road**

The APC discussed the staff report regarding Development Variance Permit DVP00010 (Tymo). The following concerns/points/issues were noted:

- Feel that the variance should not be given; that we should be strict: they bought this property knowing it was problematic.
- In looking at the history of variance requests that have come to the APC: think that we have to be consistent in our approach.
- This particular space being an amalgamation of three or four lots is quite different because it still has the primary function of providing local access to the ocean.
- Support the public use of this land; this area is integral to the upland owners as well.
- There are 2 issues: (1) the variance (2) the driveway. Always thought that when they grant a variance, there should be some community benefit. Propose a motion that the variance be approved with the condition that the driveway comes in from Truman road and that the property owner clearly defines the property boundary and also mitigates the public lands (seconded).
- Find it difficult to agree because this sets a precedence where the SCRD can hold the homeowner at ransom for something that has nothing to do with the variance request. The bottom line is that this is a road allowance. We are asked to comment on the variance: there is no hardship and so they should not be allowed to change the side setback from 4.5 to 1.5m.
- MOTI has approved the setback, not the driveway.
- Find confusing the language of the report: there is a huge difference between a highway and a road allowance.
- The setback variance is the issue here.
- But we won't get another opportunity to comment on the driveway if we don't tie it into the setback variance.
- We are concerned as residents that the area is to be left open to the public, not to have driveways on it. Granting the variance should not be tied to the driveway.
- Would like to move that we deny the variance based on no demonstrated hardship.
- And that in the public interest of Halfmoon Bay, the subject property be managed as a community beach access and allow no private access to adjacent properties.
- And that the SCRD monitor for encroachment and invasive plant.

### **Recommendation No. 1      Development Variance Permit DVP00010 (Tymo)**

Regarding Development Variance Permit DVP00010 (Tymo), the APC recommends that the SCRD deny the variance based on no demonstrated hardship.



**Recommendation No. 2**     *Development Variance Permit DVP00010 (Tymo)*

Regarding *Development Variance Permit DVP00010 (Tymo)*, the APC recommends that the SCRDC continues to maintain the Crab Lane Road end as beach access, monitor for encroachment & invasive elements such as hard structures & to restrict and deny driveway access from it.

**NEW BUSINESS****6.1 Request to change the May APC meeting date**

New date set for Wednesday May 24<sup>th</sup>. There will not be a meeting on May 23<sup>rd</sup>.

**DIRECTOR'S REPORT**

Alternate Director Smith spoke informally about the Coopers Green Hall and the formation of a new committee to review the options for the building specifications.

**NEXT MEETING**     April 25, 2017

**ADJOURNMENT**     8:38 p.m.



## Attachment G



Nadia Van Egmond  
9211 Truman Road,  
Halfmoon Bay, BC V0N 1Y2

March 21, 2017

Mr. Andrew Allen, Manager  
Planning Department  
Sunshine Coast Regional District

Re: Sunshine Bay Estates - Crab Lane Park

Dear Mr. Allen,

I attended the APC meeting at Cooper's Green on February 28th, 2017 as I wanted to be better informed about the request for variance regarding lot 39. I appreciate that the committee realized the significance to the local community of the parcel of land between lot 39 and lot 45, the only public waterfront which can provide easy access and egress for the whole area in an emergency. The possibility exists that a wild fire in the provincial forest adjacent to D.L. 2394 would block any traffic from entering or exiting the area through Truman Road. If emergency vehicles were to be needed to protect lives and homes in this subdivision and Truman Road was closed because of fire or other disaster, the only access would be via barge through this public land.

It also became evident at the meeting that the plans underway for the residence on lot 39 included a driveway access from Crab Road. Because of its size and proposed location such a driveway would present a substantial encroachment on public grounds, and far more detrimental to the public use and enjoyment of this space than any reduction to the set back allowance. Although, to the best of my knowledge, no permit has been requested or issued to construct a driveway into lot 39 from Crab Road, I have observed that a surveyor's pin has been installed on Crab Road's pavement in line with

the stake on the property line (see set of photos #1). I measured the distance from the stake to the pin to be 29.30m. , almost 100 ft..The trail shown in the photograph, along with the gate posts, suggests the existence of an established access, however that is not the case because that lot has always been vacant.

When I went to "Crab Lane Park"(my description) on March 10, 2017 I accidentally met the original owner of lot 39, Klaus Stolle, who confirmed that the area was intended as a park with a boat launch which was in use for many years, well into the 90's. Mr. Stolle owned both lot 38 on which he had built his home and the vacant lot 39. He told me that in 2003 he had contacted the Department of Highways to ask for a variance to the set back because his son wanted to build a house on lot 39 to be next to his aging parents. Mr. Stolle was told that such variance could not and would not be granted and as a result of that refusal he sold the lot and his home as well.

It has been suggested that this water access/road dedication was a prerequisite for development, however other solutions were available to meet the requirements for subdivision. A road dedication is usually around 20 meters but the width of this area is about 3 times that much which indicates a larger scope for its use. A dedicated water access was also provided along the North border of D.L. 2394 adjacent to lot 74 & 75 and the lands beyond ( L. 6203). Furthermore water access requirements for development purposes could have been situated in other less desirable locations. Based on my knowledge of my late husband's intentions, this was a responsible and strategic choice on the part of Len Van Egmond for the greater good of the community. I am attaching a map that Len was using which shows the intended use of this area for a launching ramp surrounded by park.

Lot 39 was designed and registered with a legal access from Truman Road. Although by far not a level lot, it is less steep than others in the area (see set of photos #2) and its frontage on Truman Road longer than most of the other frontages, allowing for the engineering and construction of a driveway without great difficulty. I am including pictures of a driveway constructed at 9217 Truman Road built on lot 85 which was much steeper than lot 39 ( see set of photos #3). There is much rock which has been pushed outside the lot boundary, encroaching on to the park/road area(see photo #4). Such rock could be used on lot 39 to build up the base for a driveway.

It appears to me that there is disregard for respecting the boundaries of this public area, as shown by work done outside of the perimeter of the lot and the discharging of rocks. This may be symptomatic of an attitude of entitlement which is detrimental to the common interest, present and future.

In conclusion, given its strategic location, the Provincial and Local governments have a responsibility to the public to retain this area unencumbered in its entirety. Ultimately it is up to the SCRD to determine where and how a residence is constructed on lot 39.

I thank you for giving due consideration to my letter.

Best Regards.

A handwritten signature in black ink, appearing to read 'Nadia Van Egmond', with a long horizontal flourish extending to the right.

Nadia Van Egmond

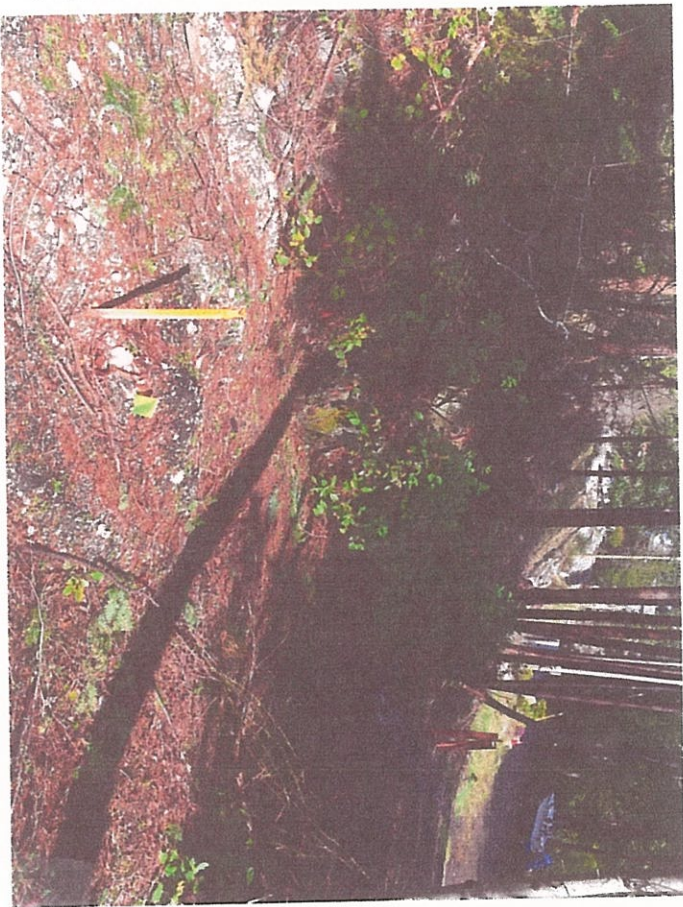
cc: Garry Nohr, Area B Director

: Elise Rudland, Chairperson of February APC meeting

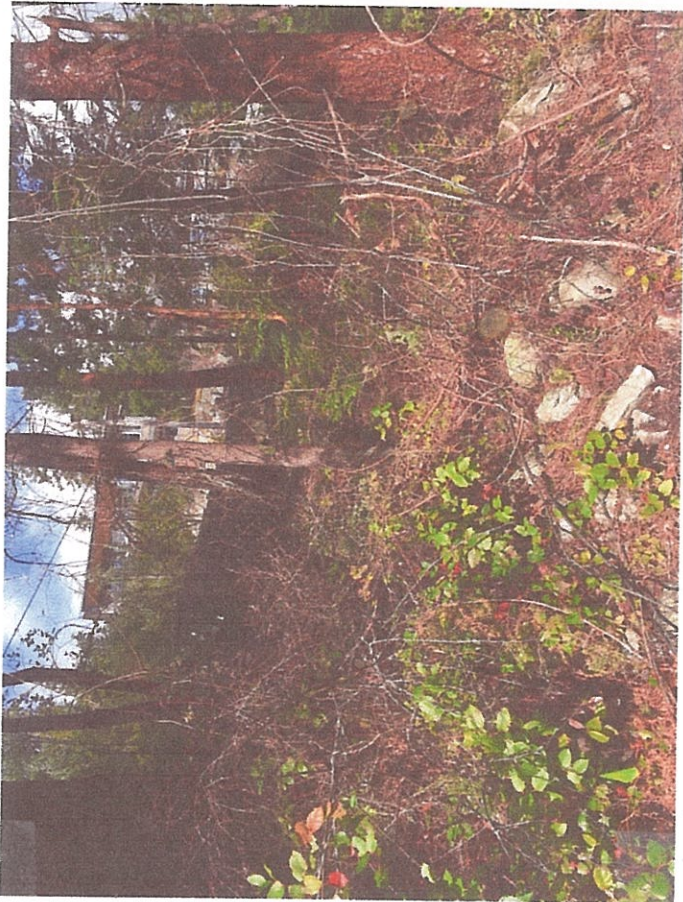
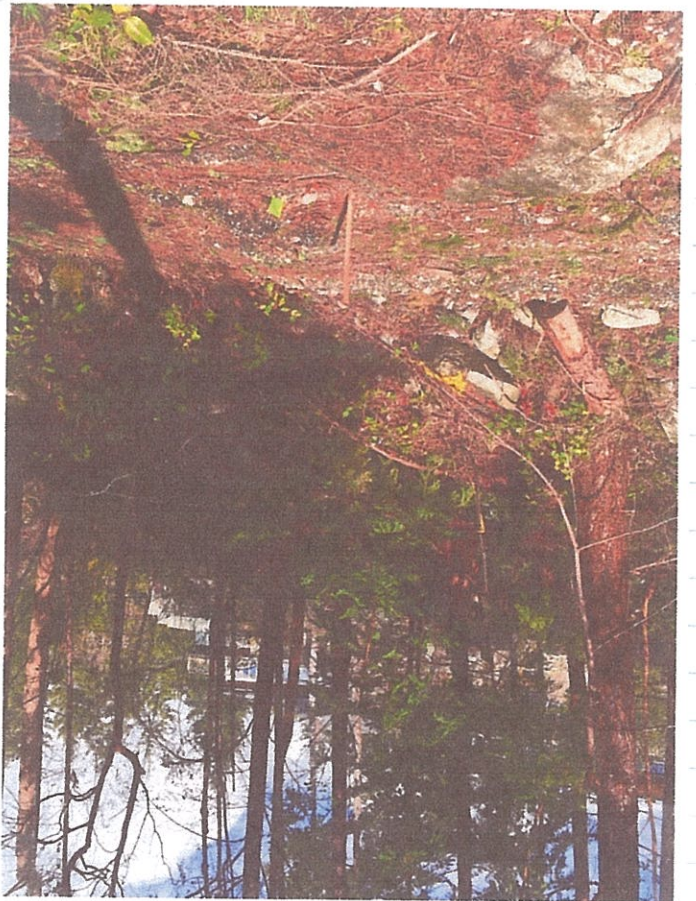
: Frank Belfrey, APC Chairperson



SET OF PHOTOS # 1











SET OF PHOTOS #3

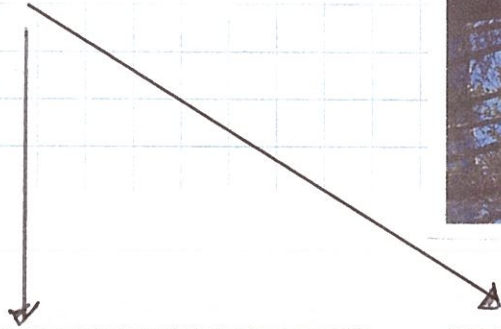
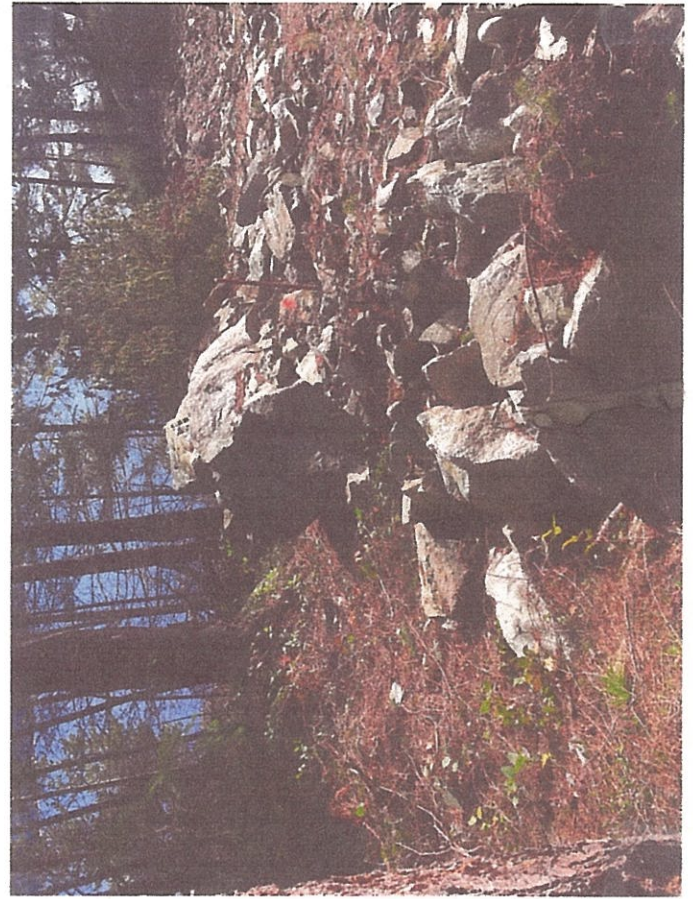


PHOTO #4





3.280745

\* NO DESIGNATION FOR THE DEDICATED PARCEL  
BETWEEN LOT 39 & LOT 45

L. 6203

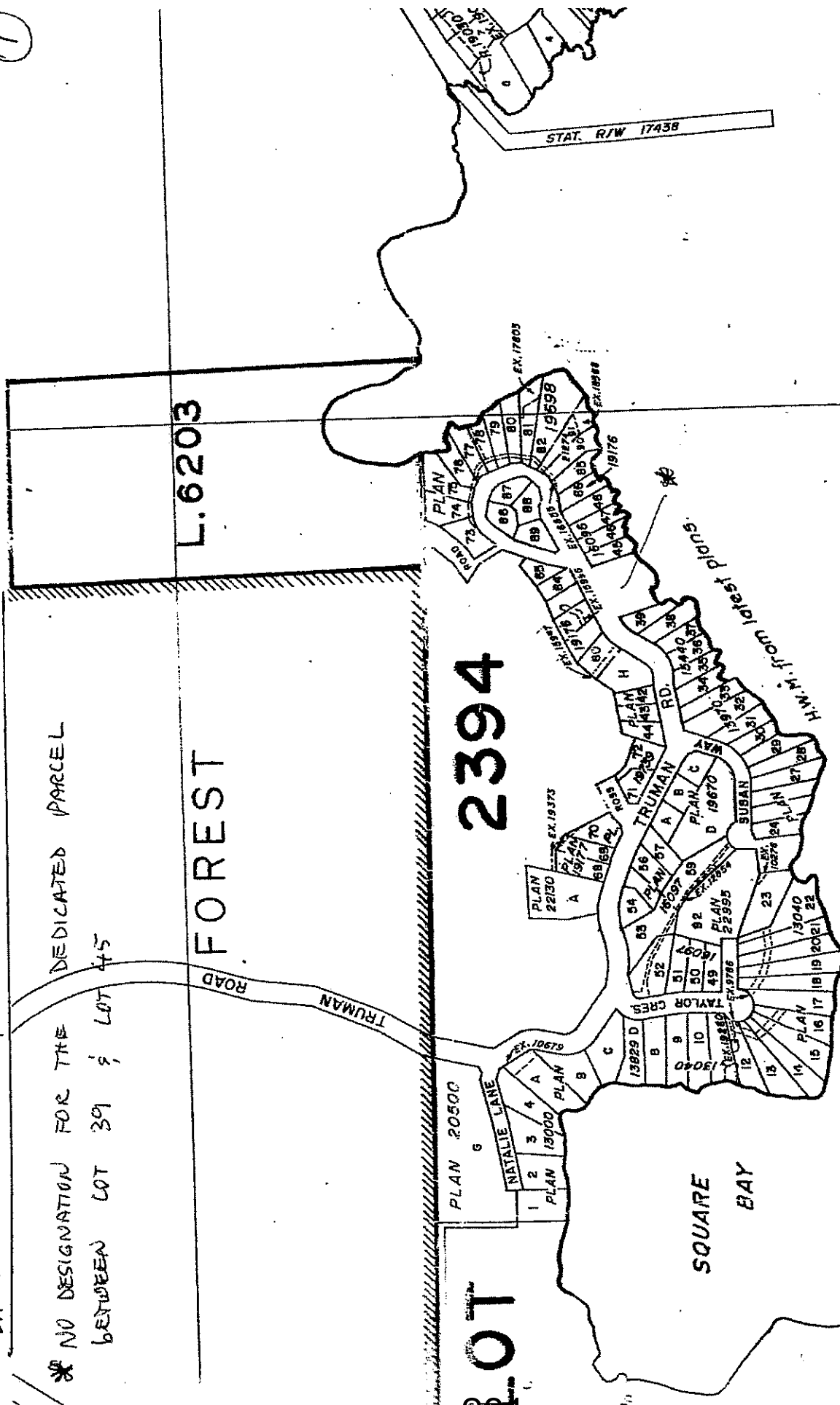
FOREST

4032

281

SQUARE  
BAY

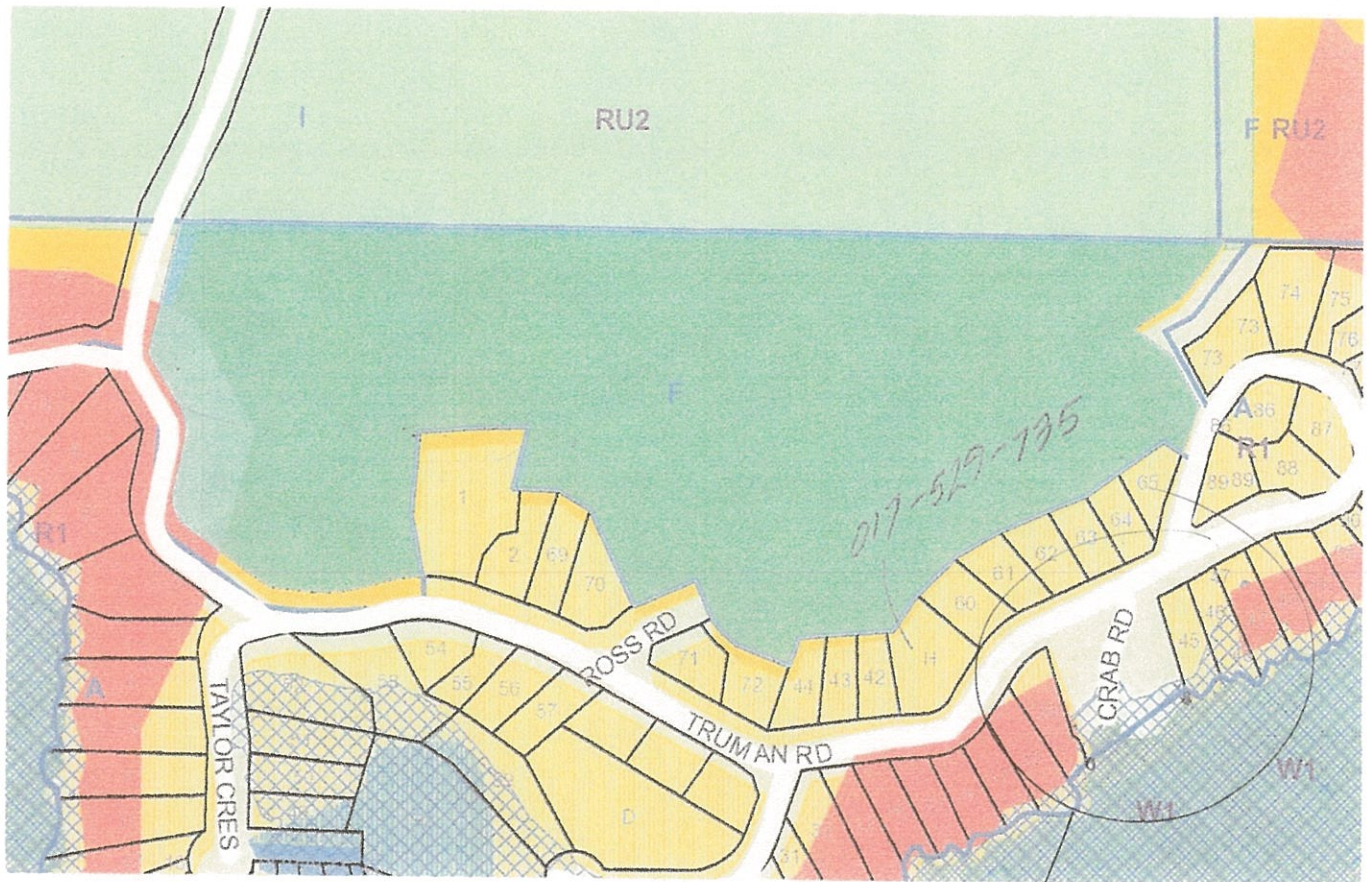
2005-1-2005



## Property Report

Report generated: 11/18/2015 9:56:50 AM

PID: 013-272-047



### Parcel Information

Roll Number: 74605522.000

PID: 013-272-047

Address:

Lot:

Block:

Plan:

District Lot: 2394

2015 Assessed Value: 333000

Gross Land: 333000

Gross Improvements: 0

Exempt Land: 0

Exempt Improvements: 0

Approximate Area: 69,329 square meters

A CLOSE LOOK SHOWS THE WHITE  
STRIP UNDER THE CRAB RD  
LETTERING - THE BALANCE OF THE  
AREA IS PALE (VERY PALE) GREEN



Sven Koberwitz, Planning Technician  
Sunshine Coast Regional District  
1975 Field Road, Sechelt, BC V0N 3A1

31 March 2017

Dear Sven,

Given the on-going discussion on the impact of our requested variance, I thought it might help to share our vision of how we plan to use our property (lot 39 Truman Road).

We bought this land 10 years ago, with a retirement retreat in mind. To get a sense of the area, we have regularly stayed at our neighbor's cabin next door, and understand that the local community is used to visually benefiting from our undeveloped, forested lot. We have also enjoyed the very nice park area on the opposite side of Crab Road, including the public bench that overlooks the ocean. In fact, this is one of the local features that attracted us when we bought the land.

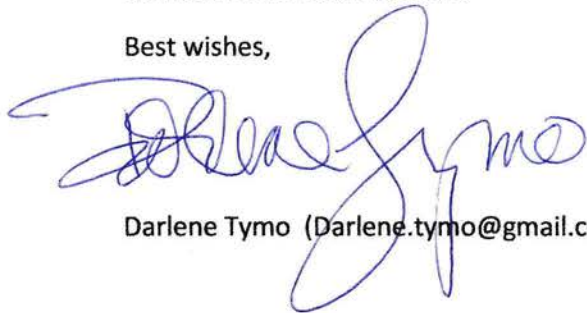
As retirement approaches, our plan is to build a "west coast" cabin with a minimum footprint to allow us to enjoy being in a forested setting, and close to the water. The cabin will have an environmentally friendly design, and will blend into the natural setting. We plan to cut down the minimum number of trees necessary, as this is one aspect of the lot we also want to enjoy. We plan to do minimum landscaping, aiming for a natural look in the area surrounding the cabin. However, because of the shape of the lot, we are asking for a variance to allow us to have a normal-sized deck around the cabin, so that we can maximize our enjoyment of both the forest and the ocean. This should have minimal impact on the setback area, as we will only cut down trees to accommodate the deck. Also, if the variance is granted, we do not intend to develop the additional land, but will keep it as natural as possible for everyone's enjoyment. It should in no way impinge on those who use Crab Road to access the ocean, and there will continue to be a forested barrier between the road and our cabin (a feature which is also important to us for privacy reasons).

In terms of the existing access driveway from Crab Road, we will retain the 'rustic' look and will likely install a gravel base to ensure erosion protection, while minimizing impact on the natural area.

Finally, we would prefer not to put in a fence or other artificial boundary around our lot as, in our view, this would detract from the intent to blend the cabin into the natural forested setting.

I remain available to discuss further, and am happy to call you at your convenience. Otherwise, I look forward to the final decision.

Best wishes,



Darlene Tymo (Darlene.tymo@gmail.com)

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** Sven Koberwitz, Planning Technician

**SUBJECT:** DEVELOPMENT VARIANCE PERMIT DVP00011 (ALL TIDES) - ELECTORAL AREA B

### RECOMMENDATIONS

**THAT the report titled Development Variance Permit DVP00011 (All Tides) - Electoral Area B be received;**

**AND THAT Development Variance Permit No. DVP000011 be denied as it is not consistent with W1 zone requirements for residential use located on the adjacent upland parcel.**

### BACKGROUND

The SCRCD has received a development variance application to vary regulations concerning the size of a boathouse auxiliary to residential use in the W1 zone. The intent of this application to retroactively consider and legalize a boathouse located adjacent to a waterfront property.

Owner / Applicant:	All Tides Consulting for 0973438 B.C. LTD.		
Civic Address:	5440 Anderson Road		
Legal Description:	Lot 5 District Lot 4541 and 7966 Plan BCP10154		
Electoral Area:	Halfmoon Bay - Area B		
Parcel Area:	Upland Parcel - 11.1 ha (27.6 ac); Foreshore Tenure ~ 780 m <sup>2</sup>		
OCP Land Use:	Upland Parcel - Residential C; Foreshore - Future Public Recreation Use		
Land Use Zone:	Upland Parcel - RU2; Foreshore - W1		
Application Intent:	To retroactively consider and legalize an oversize boathouse located adjacent to a waterfront property and vary the following regulations:		
	Section 1200.4 (a)	Height of a building or structure	4.5 m to 6.4 m
	Section 1200.4 (b)	Perimeter of a boathouse	35.0 m to 42.77 m
	Section 1200.4 (c)	Area of moorage facility	65.0 m <sup>2</sup> to 197 m <sup>2</sup>

*Table 1 - Application Summary*

A license of occupation was issued by the Crown on June 30, 1991 for the purpose of constructing, operating and maintaining a private moorage facility. At that time Zoning Bylaw No. 310, 1987 did not have regulations restricting the size of private moorage facilities, nor did it require the presence of a residential use on the adjacent parcel.

In 2003 a zoning bylaw amendment regarding the W1 zone introduced limits to the size and height of private moorage facilities and the requirement for a related residential use on the

upland parcel. No residential use exists or has existed on the property. The existing dock is approximately 92 m<sup>2</sup> in area, larger than the maximum permitted area for moorage facilities in the W1 zone. However, because the dock was constructed prior to the adoption of W1 zone amendments it is considered non-conforming or 'grand-fathered' with respect to size and use.

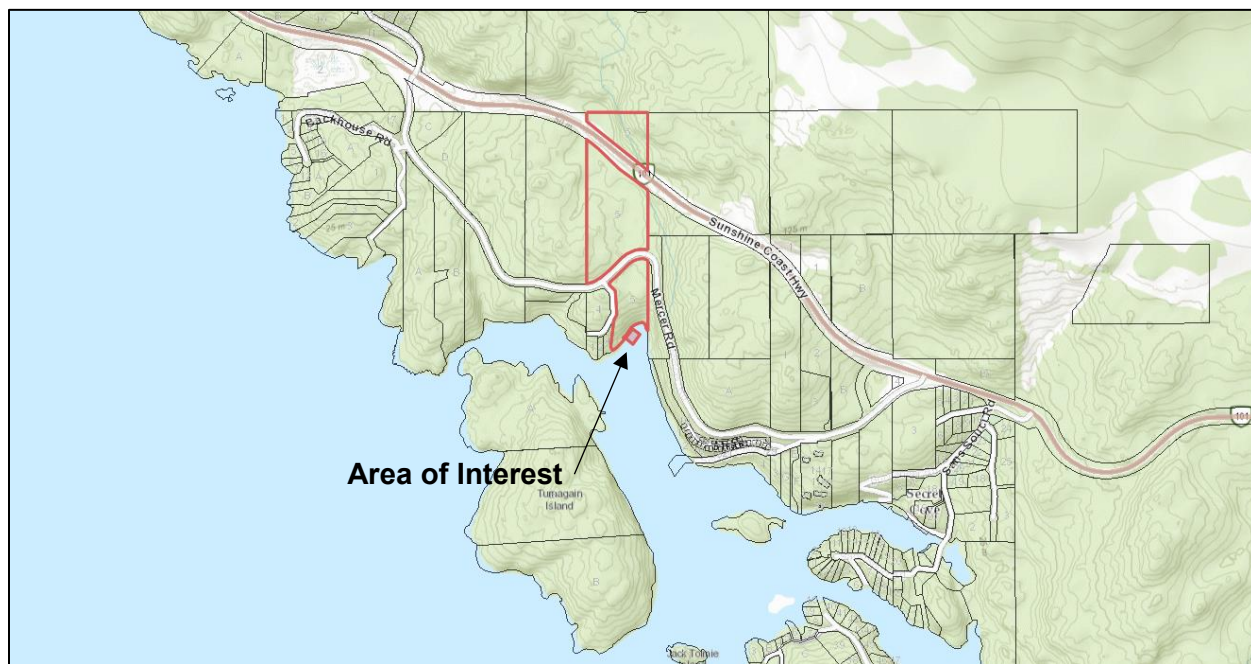


Figure 1 - Figure Caption

At some point within the last year a boathouse was added to the existing moorage facility. This increased the private moorage area by 98 m<sup>2</sup> to 190 m<sup>2</sup> and exceeds regulations pertaining specifically to the size of boathouses including the height and maximum permitted perimeter.

## DISCUSSION

### Analysis

- Crown License #2404865 was issued on June 30, 1991 to allow the construction of a private moorage facility and placement of fill along the foreshore adjacent to the subject property. According to aerial photos the private moorage facility was constructed between 1991 and 1999. Residential use was not present on the subject parcel at that time.
- *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.81, 2002* was adopted on July 10, 2003 to regulate the sizes of private moorage facilities. The amendment included regulations to limit the perimeter of boathouses to 35.0 m and limit the area of private moorage facilities to 65.0 m<sup>2</sup>. The amendment also introduced a requirement for the private moorage facility to be auxiliary to a residential use located on the upland parcel. Previously the W1 zone only required residential use to be permitted on the upland parcel.



- Currently no residential use exists on the upland parcel thereby making the existing private moorage facility a non-conforming use under Section 528 of the *Local Government Act*. As per Section 531 of the *Local Government Act* an alteration or addition must not be made to a building or structure while a non-conforming use is continued unless permitted by a Board of Variance.
- The existing dock is non-conforming in regards to size since it exceeds the maximum allowable area for private moorage facilities introduced with *Zoning Amendment Bylaw No. 310.81* in 2003.
- The height limit for buildings and structures in the W1 zone has been in place since the adoption of *Zoning Bylaw No. 310* in 1987.
- The boathouse was moved to its present location recently and is not permanently fixed to the dock making it possible to move the boathouse to another location.



Figure 2 - View of boathouse that is subject of this application.

- Commercial marinas are located in close proximity to the subject property. Boat houses in commercial zones are not restricted to 4.5 m in height and can therefore offer storage appropriate for large pleasure craft.
- The license of occupation issued by the Crown does not include reference to a boathouse as part of the private moorage facility. The owner would be required to amend the license of occupation to include the addition of a boathouse should the variance be issued.



- The owner of an adjacent property made an application to vary the maximum height of a boat house which was denied by the SCRD Board in 2002. The owner subsequently constructed a boat house in conformance with the regulations at the time.
- Planning Staff are concerned that issuing this variance would significantly depart from the planning principle or objective intended by the zoning bylaw and could have the potential for setting a negative precedent and affecting nearby properties.

#### *Official Community Plan*

The Halfmoon Bay Official Community Plan designates the land in under consideration as *Future Public Recreation and Conservation* and applies to the ocean and shoreline. Objectives include:

- 18.1 To reserve land and water areas with high scenic value and recreational potential for future public use and conservation.
- 18.2 To Reserve the foreshore area designated as Future Public Recreation and Conservation Use for public recreation and preservation of the natural environment without alienation by private use or resource extraction.
- 18.3 To inform property owners of the *shíshálh* Nation's best management practices for moorage, which are attached to the OCP as Appendix A.

Regulations restricting the size of private moorage facilities directly relate to the policies contained in the Halfmoon Bay OCP concerning the preservation of the marine environment for scenic values. Areas of scenic value must be considered not only from the perspective of the upland areas but also marine areas.

#### *Options*

Possible options to consider:

##### **Option 1: Deny the development variance permit.**

This option requires the owner to comply with the existing regulations of Zoning Bylaw No. 310, 1987. Since the existing dock is non-conforming in size and use, alterations and additions are not permitted. Staff recommended this option.

##### **Option 2: Issue the development variance permit.**

This option would require the owner to either establish a residential use on the upland parcel in order to bring the use into conformance with Zoning Bylaw No. 310 or to obtain permission from the Board of Variance as per Section 531 of the *Local Government Act*. Staff also recommend that the owner also be required to amend the existing Crown license of occupation to include the addition of a boathouse. Issuance would be subject to addressing any comments received from the *shíshálh* Nation.

#### *Referrals*

The development variance permit application has been referred to the following agencies and departments for comment:

<b>Referral</b>	<b>Comments</b>
SCRD Building Department	No concerns noted.
<i>shíshálh</i> Nation	Awaiting comments.
Halfmoon Bay Advisory Planning Commission	A motion to deny the development variance application was passed at the February 28, 2017 APC meeting. Concerns were noted regarding the potential of setting a precedent and ensuing environmental and visual impacts on the community.
Neighbouring property owners/occupiers	Notifications were distributed to owners and occupiers of properties within 50 metres of the subject property, as per Procedures and Fees Bylaw 522. Two letters opposing the variance application were received from nearby neighbours. See Attachment B.

*Timeline for next steps or estimated completion date*

If the variance is denied the owner will be required to remove the boat house in order to conform to Zoning Bylaw No. 310.

The owner would also be required to amend the Crown Licence to include the addition of the boat house and adhere to the *shíshálh* Nation's best management practices for moorage.

**STRATEGIC PLAN AND RELATED POLICIES**

N/A

**CONCLUSION**

The SCRD has received a development variance permit seeking to vary the maximum permitted size of a private moorage facility in Secret Cove. The owner has an existing license of occupation for non-conforming dock with respect to size and use.

The non-conforming use has been expanded due to the addition of a boathouse that exceeds the maximum allowable height of a boathouse, the maximum perimeter of a boathouse and the maximum height of a building or structure permitted in the W1 zone.

Due to the retroactive nature of this variance request, the close proximity of commercial marinas that offer storage for large pleasure craft, and the lack of community support Planning Staff do not recommend issuing this development variance permit.

Reviewed by:			
Manager	X - A. Allen	Finance	
GM	X - I. Hall	Legislative	
CAO	X - J. Loveys	Other	

*Attachments*

Attachment A - Information Package provided by Applicant  
Attachment B - Letters from Neighbours



5431 Carnaby Place  
Sechelt BC, V0N 3A7  
Tel: 604.885.8465  
alltidesconsulting@gmail.com

## Lawrence Kelemen Development Variance Permit Application Comments (To accompany the SCRD application form)

Date: January 16, 2017

Location of Structure: 5440 Anderson Road, Secret Cove, B.C.

Legal Description: Lot 5, District Lot 4541, Plan BCP10154, PID: 025-891-201

**1) The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw. Please elaborate how the requested variance meets this criteria:**

Intent of the maximum boathouse size bylaws as defined by the SCRD:

"The original intent behind restricting the size and height of boathouses was to protect the visual and environmental impacts on the foreshore. Zoning was implemented to ensure neighbours could enjoy their views and the foreshore would not be developed with large boathouses or docks."

Mr. Kelemen's boathouse does not significantly depart from the objective intended by the SCRD maximum boathouse size bylaws. Mr. Kelemen needs a boathouse this size to protect his boat. The boathouse is just wide enough for the boat and the height clearance is only just over a foot (which is just enough to account for potential wave action during docking). This particular boathouse was chosen for its size. Other larger boathouses are available but Mr. Kelemen saw no need for the overabundance, he only sought out one which was just large enough to protect his property.

As seen in the photos below the boathouse is situated very close to shore. This allows for two things; protection behind the dock from weather and wave action, and decreasing the visual impact on surrounding properties. The dock and boathouse are located in the water fronting Mr. Kelemen's property which has nearly 200m of waterfront and a steep slope leading down to the water. These two things combined create a situation where the minimal height increase of this boathouse in no way impacts anyone's view of the Cove.

This boathouse will have a negligible amount of environmental impact on the

foreshore at this location. The SCRDP property information mapping system includes sensitive marine ecosystem information and locations. It indicates that there is no eelgrass or foraging fish locations near the boathouse location. Boathouses situated in a location where they don't impact photosynthetic organisms act as floating reefs and ultimately increase surface area for marine organism colonization, in turn they positively affect the environmental qualities of the foreshore by increasing productivity. If necessary, Mr. Kelemen is willing to have a dive team survey the seabed under the moorage system to prove the absence of any photosynthetic light-dependent marine organisms.

Secret Cove in general has been developed for years with large docks and large boathouses. Mr. Kelemen has expressed to me that he feels that situating a boathouse in another location along the coast "wouldn't be right" because it wouldn't seem to be in place and it would be an eyesore. In Secret Cove boathouses are common place. So long as they have valid foreshore tenures and they fall within those tenures, boathouses are permitted. There are many large boathouses in close proximity to Mr. Kelemen's property; the slight increase in size of this boathouse in no way alters the typical landscape of the area.

**2) The variance should not adversely affect adjacent or nearby properties or public lands. Please elaborate how the requested variance meets this criteria:**

As mentioned the property where the boathouse is located has approximately 200m of shoreline fronting a 9 hectare lot. As seen in the photos and the aerial view below the boathouse is located on the inside of the existing float close to the relatively steep bank shoreline. Due to the location of the boathouse and the geological characteristics of the shoreline neighboring properties views of Secret Cove are not affected and vessel traffic lanes are not affected.

Secret Cove in general has a large amount of boat traffic and it is home to four marinas. Many boats at these marinas are stored in boathouses, many of which are much larger than Mr. Kelemen's. Mr. Kelemen's boathouse is tucked away in a corner of the Cove. It is well out of the way of vessel traffic and in no way poses any sort of a safety concern to the public.







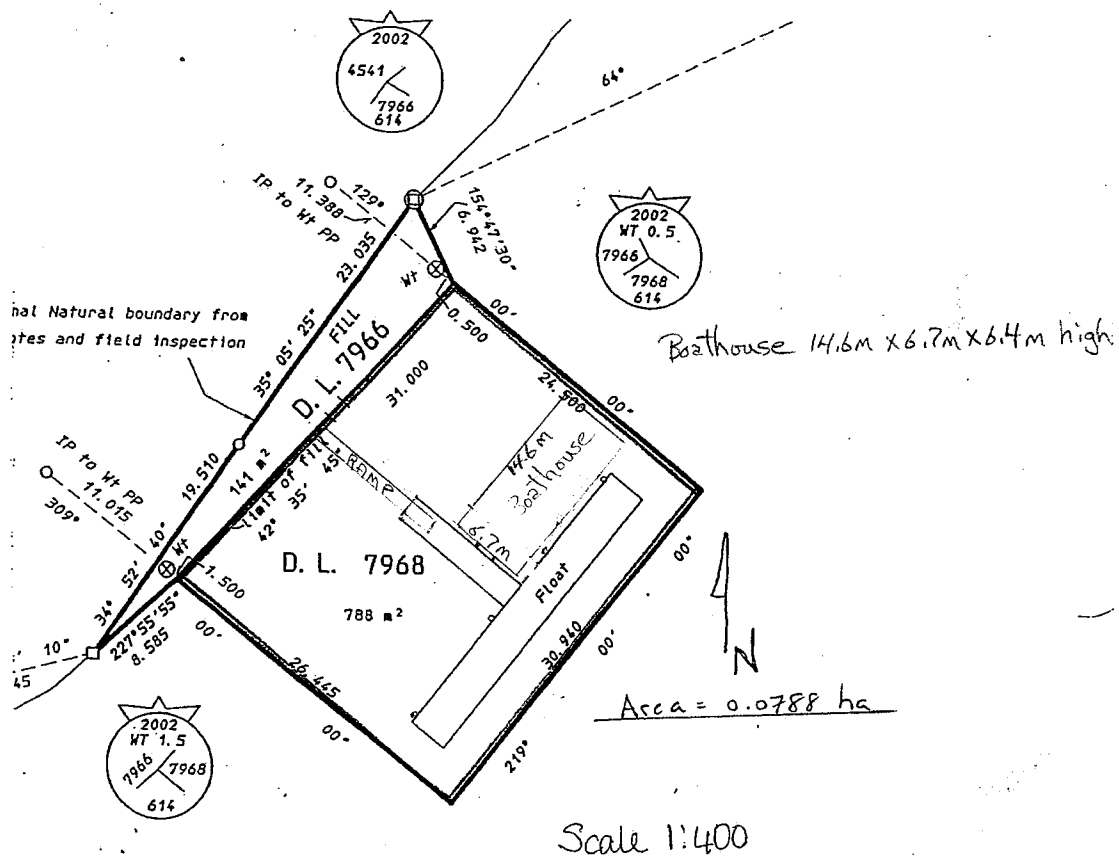
The Ministry of Lands awards Crown Land foreshore tenures which are only large enough to facilitate structures which do not impede vessel traffic or interfere with neighboring property owner's Riparian Rights. As seen in the legal description below Mr. Kelemen's boathouse lies within his existing Crown Land tenure which has been held in good standing for years.

Licence

File No.: 2404865

Disposition No.: 886463

# LEGAL DESCRIPTION SCHEDULE



SECRET COVE

MOORAGE LICENCE

Page 15 of \_\_\_\_\_

**3) The variance should not be considered a precedent, but should be considered as a unique solution to an unusual situation or set of circumstances. Please elaborate how the requested variance meets this criteria:**

The boathouse which Mr. Kelemen has purchased for his boat is only just large enough to house it. In order to protect his investment a boathouse of this size is necessary. Mr. Kelemen lives primarily in Grand Prairie Alberta, a secure boathouse is necessary as he cannot regularly check on his property.

In November 2016 storm winds came through Secret Cove strong enough to break Mr. Kelemen's anchor piles holding his dock in place. Since then the broken piles have been replaced with new steel piles however the damage to the moorage system exemplifies the need for a boathouse for protection at this location.

**4) The variance represents the best solution for the proposed development after all other options have been considered. Please elaborate how the requested variance meets this criteria:**

With Mr. Kelemen living off coast and having the potential for damaging weather conditions, a secure private boathouse to protect his property is the best solution.

**5) The variance should not negatively affect the natural site characteristics or environmental qualities of the property. Please elaborate how the requested variance meets this criteria:**

The addition of this boathouse will not change the upland characteristics of this property. As previously mentioned the environmental qualities of the foreshore will most likely be affected in a positive way as a result of the introduction of the boathouse.

### **Summary**

For years Secret Cove has been used as a refuge to moor and protect boats from the weather. The cove is filled with marinas and oversized boathouses which have been permitted because they are necessary to protect boats which are too large for a boathouse which does not exceed the maximum size stated in the bylaw. If permitted Mr. Kelemen's boathouse would not be setting a precedence in Secret Cove, it would merely give him equal rights.

There are a shocking number of private moorages with no foreshore licence and unpermitted oversized boathouses in Secret Cove. Mr. Kelemen has kept his Crown Land tenure/foreshore licence in good standing with the Ministry of Lands for years and is going

through the proper steps to have these bylaws relaxed so that he can preserve his investment in a protective structure which is the appropriate size for his boat.

The intent of the maximum boathouse size bylaw is to minimize visual and environmental impacts. We have demonstrated the reasons why these impacts would be negligible in this particular case.

# Attachment B

March 11, 2017

Sylvia L Carl & Robert M. Carl,

#7 – 2575 Tolmie Street,

Vancouver, BC, V6R 4M1



Sunshine Coast Regional District,

1975 Field Road,

Sechelt, BC, V0N 3A1

Attention: Sven Koberwitz, Planning Technician,

Planning & Development Division.

Re: Notice of Consideration of Development Variance Permit DVP00011,

Lot 5, DL 4541 and 7966 Plan BCP10154 – PID: 025-891-201 – 5440 Anderson Road.

Dear Sir,

We object to the application to allow the addition of the oversize boathouse on the water lot adjacent to lot 5, which would contravene Zoning Bylaw 310, 1987.

Lot #5 is residential zoned, as are most of the properties around Secret Cove. Boat houses distract dramatically from the view scape. The bylaw was established to provide some uniformity and control for the benefit of all property owners.

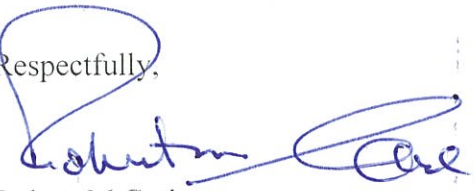
Our lot #2, is possibly, the smallest property in Secret Cove. What if we acquired an oversize boat house, towed it into place, and then applied to change the rules? Soon all of Secret Cove would look like the middle arm of the Cove (Mercer's Marina arm) with a wild mixture of assorted sizes and structures in various states of disrepair.

The marinas located within Secret Cove, are commercial establishments, and therefore under commercial building bylaws controlling size and construction of these structures.

2.

Please, do not allow Secret Cove to become an unsightly mess of random styles and sizes of boat houses.

Respectfully,



Robert M Carl



Sylvia L Carl

Home phone: 604-221-4726    Cell phone 604-341-6953



Jim Cupit  
10341 Mercer Road,  
Secret Cove  
Half Moon Bay, B.C.

Ph- 604 880 0966  
jim@cedardaleholdings.com



February 22, 2017

Re: notice of consideration of development variance permit DVP00011  
Dated February 1, 2017.

Sunshine Coast Regional District  
1975 Field Road  
Sechelt, B.C. V0N 3A1

Attn: Sven Koberwitz

Our house is next to the vacant lot at 5440 Anderson Road that is applying for these variances. The dock in front of this vacant lot has been rented to many different groups of individuals over the seventeen years we have lived next door.

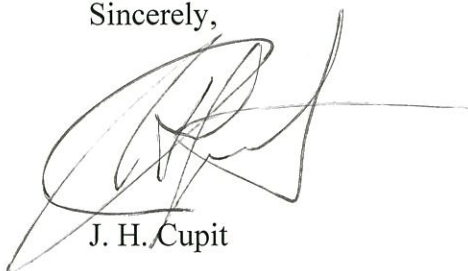
On January 15, 2002 we applied for one variance to increase the height of our boathouse at 10341 Mercer road to accommodate our 40-foot boat and to give us some privacy from Secret Cove Marina. DVP 310.97

On April 16, 2002 we were denied a variance for the extra height, the letter stated

(The approval of a variance to the maximum height of a structure would significantly depart from the planning principle or objective identified by the zoning bylaw, which could have the potential for setting a negative precedent and affecting adjacent or nearby properties)

We feel that based on our denial of our variance application these variances should not be approved.

Sincerely,



J. H. Cupit

James H Cupit  
10341 Mercer Road  
Halfmoon Bay, B.C.  
V0N 1Y2

6243 Summit Avenue  
West Vancouver, B.C  
V7W 1Y3  
Cell 604-880-0966

March 12,2017

S.C.R.D.  
1975 Field Road  
Sechelt, B.C.  
V0N 3A1

Att: Sven Koberwitz And the Board of Variance Re:

Variance Permit Application DVP00011

Applicant All Tides Consulting  
Legal Description Lot 5 District lot 4541 and 7966 Plan BCP10154  
P.I.D. 025-891-201  
Civic Description 5440 Anderson Road.

Att: Variance Board

As a neighbor to 5440 Anderson Road I do not support an over height and oversize boathouse to the West of my property.

I have Secret Cove Marina directly to the east with boathouses 15 meters high that encroach into my water lot and some of the boats have to transit in front of my living room window day and night to enter and exit the boathouses. My own boathouse in front of my house is only 4.5 meters high as I was not allowed to increase the height.

The boathouse at 5440 Anderson Road is the second time an over height and over size boathouse has arrive at this site in the last 8 years. The first was removed within three months with notice from the SCRD.

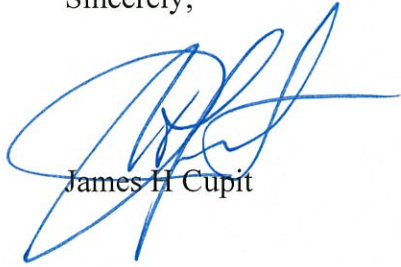
The latest boathouse arrived on August 30,2016 and was placed at the dock, I sent a complaint to the bylaw office on September 19, 2016. Over the winter without proper consideration for the winter weather both pilings broke holding the dock and the boathouse, and had the potential to damage my dock and boat. At that time I made a

complaint to Hugo Sloos Ministry of Lands in Powell River and He said He would contact Greenwave Marine Services for more information.

I believe the owner of the company that owns the property was aware of the zoning but did not care.

Please note that this property is vacant land without a residence.

Sincerely,



James H Cupit

Cc

Mr Garry Nohr Chair SCRD  
Hugo Sloos Ministry of Lands  
Brian Kukulies, RPF Land Officer



February 1, 2017

SCRD File No.: DVP00011

Dear Property Owner / Occupier:

**Re: Notice of Consideration of Development Variance Permit DVP00011**

**Applicant:** All Tides Consulting

**Legal Description:** Lot 5 District Lot 4541 and 7966 Plan BCP10154

**P.I.D.:** 025-891-201

**Civic Description:** 5440 Anderson Road

This notice is being sent to you in relation to an application by a property owner to vary **Section 1200.4(a), (b), and (c) of Zoning Bylaw No. 310, 1987** in order to enable the addition of a boathouse as part a private moorage facility.

The *Local Government Act* and *Sunshine Coast Regional District Bylaw No. 522* require that all property owners and occupiers within 100 metres of any property, which is the subject of an application for a development variance permit, must receive notification of the Regional District's intent to consider issuance of the permit.

**The intent of the application is to enable the addition of a boathouse as part of the private moorage facilities located adjacent to the subject property. The existing dock is permitted, however the addition of a boathouse exceeds size limits required by the W1 Zone as per Zoning Bylaw 310, 1987.**

Section 1200.4 (a)	Maximum height of a building or structure	from 4.5 m to <b>6.4 m</b>
Section 1200.4 (b)	Maximum exterior perimeter of a boathouse	from 35.0 m to <b>42.77 m</b>
Section 1200.4 (c)	Maximum area of moorage facility	from 65.0 sq. m to <b>197 sq. m</b>

The permit and related reports may be inspected at the Sunshine Coast Regional District office located at 1975 Field Road, Sechelt, BC, during regular office hours, Monday to Friday between 8:30 a.m. and 4:30 p.m. Inquiries may be directed to me at 604-885-6804 (Ext. 1) during regular office hours or via email to [sven.koberwitz@scrd.ca](mailto:sven.koberwitz@scrd.ca). **Written comments concerning the application must be received by the Sunshine Coast Regional District by 4:30 p.m. on Monday, March 20, 2017.**

Planning staff are preparing a report regarding this application for the Thursday, April 13, 2017 Planning and Community Development Committee, scheduled to begin at 9:30 am in the Board Room located at 1975 Field Road, Sechelt. The Committee meeting is open to the public.

Regards,

Sven Koberwitz, Planning Technician  
Planning and Development Division

Enclosed (2): Location Map  
Site Plan and Photo

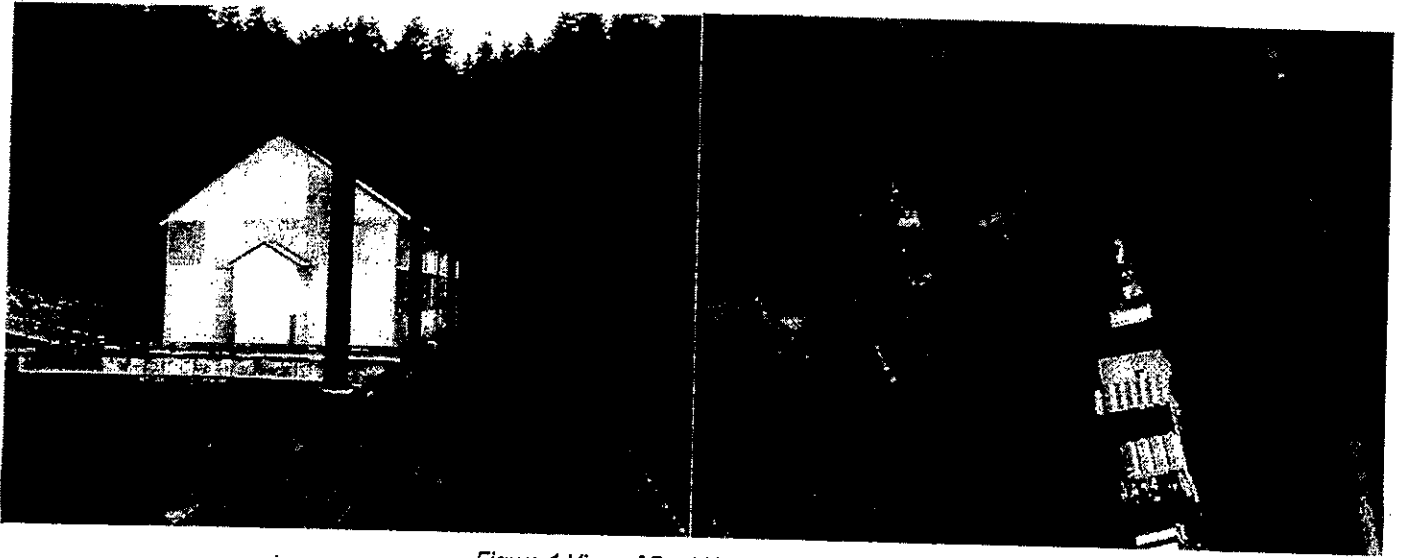


Figure 1 View of Boat House and Location

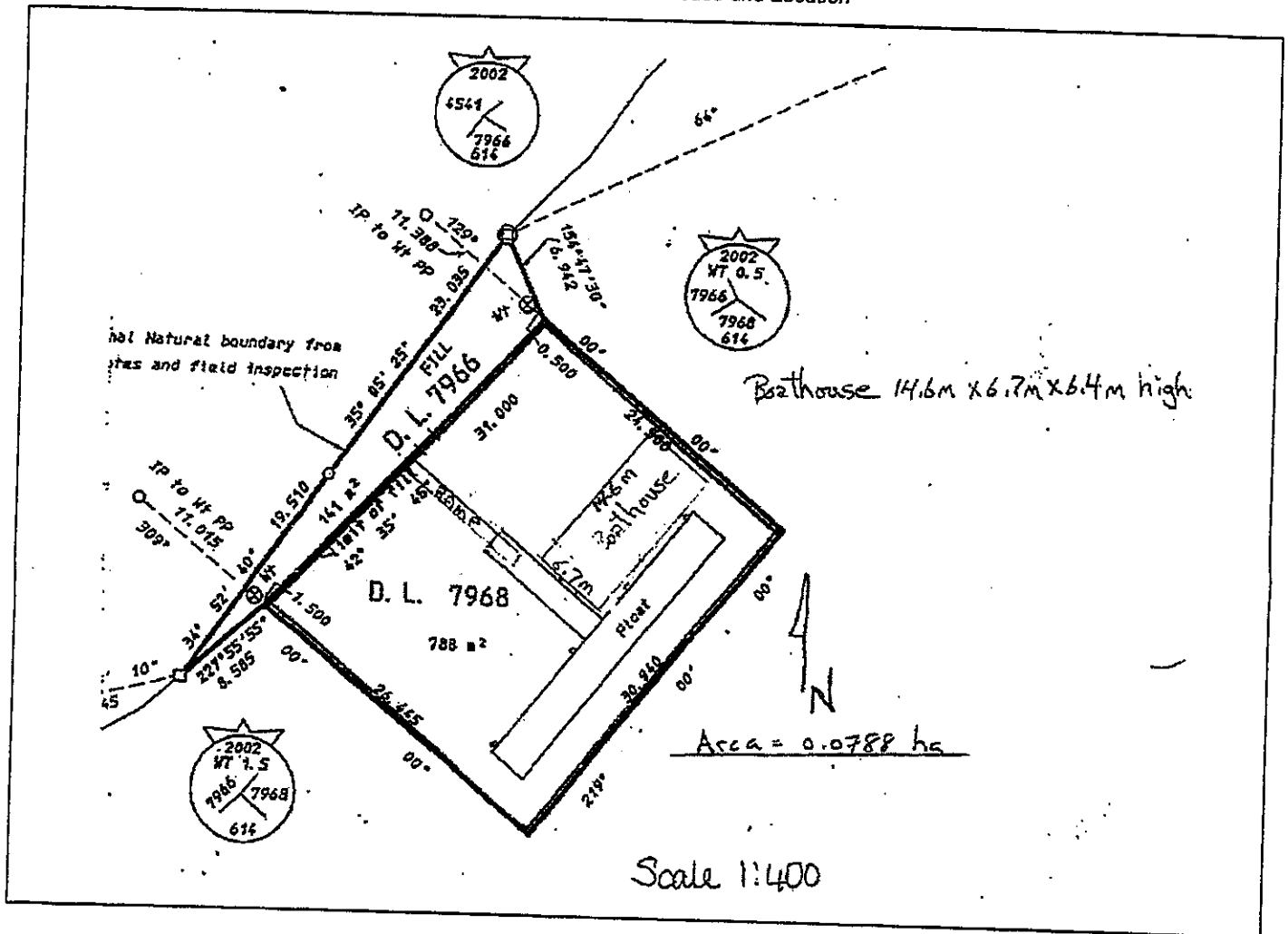


Figure 2 Site Plan

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** David Rafael, Senior Planner

**SUBJECT:** NATURAL RESOURCE ADVISORY COMMITTEE REVISED TERMS OF REFERENCE

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### RECOMMENDATIONS

**THAT** the report titled Natural Resource Advisory Committee Revised Terms of Reference be received;

**AND THAT** the Terms of Reference be approved with the following amendment:

- a) In 4.1 remove “every other month” and replace with “every month”;

**AND FURTHER THAT** advertising for members commence and staff report back to a future Planning and Community Development Committee.

---

### BACKGROUND

The purpose of this report is to provide results of consultation with current and recent members of the Natural Resources Advisory Committee (NRAC) regarding the draft Terms of Reference (ToR), set out additional amendments and obtain direction from the Planning and Community Development Committee on moving forward.

At the February 23, 2017 regular Board meeting the following resolution was adopted:

080/17 Recommendation No. 10 NRAC Revised Terms of Reference

THAT the report titled Natural Resources Advisory Committee (NRAC) – Revised Terms of Reference be received;

AND THAT the Natural Resources Advisory Committee Terms of Reference be amended to include an Alternate for the Director Liaison;

AND FURTHER THAT staff provide a report to Committee with amended Terms of Reference after consultation with the current Natural Resources Advisory Committee is completed.

Staff sent the draft ToR and a questionnaire to current and recent members of NRAC.



## DISCUSSION

### *Analysis*

Staff consulted with current and recent NRAC members (those who were members of in June 2016) and received four responses. A summary of the responses are included in Attachment A. The following are the questions and staff's analyses of the responses:

1. Do you consider that NRAC provides valuable advice to the SCRD?

Consensus that NRAC is valuable.

2. Do you consider that your views are reflected in NRAC recommendations?

Consensus that individual's input is incorporated in NRAC recommendations. These inform the staff reports and the minutes are received at the Planning and Community Development Committee. The Board has frequently endorsed specific NRAC recommendations and directed staff to take actions.

3. Would you be able to meet during regular working hours of 8:30 am to 4:30 pm? Please specify a 2 hour period you prefer.

It may be possible to hold the meeting during working hours, however this could reduce membership and ability for members to attend on a regular basis. Holding the meeting during SCRD office hours would allow staff to attend on a regular basis without accruing overtime. It has not been regular practice for staff to attend the meetings unless there is a complex, significant issue being discussed. The benefit of increasing staff participation may not outweigh the potential loss of membership.

As part of recruiting new members the question of meeting time should be raised. If there is scope to amend the time then staff will advise the Board in a future report.

Staff recommend that the meetings should continue to be held at 7pm. An alternative would be to alter the time based upon feedback during the member recruitment process.

4. Would it assist you in making recommendations if representatives from federal/provincial agencies attend the meeting?

There is mixed support for senior government representation however it was also noted that this could reduce focus on local input. Invitation to senior government could be on an issue by issue basis and would align with the idea of topic based working groups that are arranged outside of the regular NRAC meeting schedule.

Staff recommend that draft ToR remain unchanged with respect to inviting observers to attend and participate as this maintains flexibility.

5. Should local, provincial, federal organizations (both those representing developers and those involved in environmental issues) be invited to attend meetings to provide input?

There is mixed support for organization representation. Invitation to organizations could be on an issue by issue basis and would align with the idea of topic based working groups that are arranged outside of the regular NRAC meeting schedule.

Staff recommend that draft ToR remain unchanged with respect to inviting observers to attend and participate as this maintains flexibility.

6. Would you be interested in participating in issue-specific short term working groups made up of community based/private sector organizations and representatives from First Nations, local, provincial, federal governments?

There is consensus supporting issue-based working groups being set up.

7. Which do you consider would be of better value to assist NRAC in making recommendations:
- i. Expanding NRAC membership to include First Nation, local, provincial, federal representation;
  - ii. Establishing issues-based short term working group meetings, including representations listed above?

There is mixed opinion on expanding membership, with a general support for working groups as a forum for expanded participation.

Staff recommend that draft ToR remain unchanged with respect to inviting observers to attend and participate as this maintains flexibility.

8. Please add comments regarding improvements to NRAC (i.e. what could work better, what improvements should be made).

A couple of suggestions/comments were made regarding impact of absenteeism and report clarity. Staff note that the draft ToR includes a clause regarding loss of membership due to absenteeism. Advice regarding clear reports is noted and staff strive to do this, although issues can be complex.

Staff recommend that draft ToR remain unchanged.

Staff note that at the Planning and Community Development Committee in February there were suggested amendments that were not incorporated into the above resolution. This was to allow for the consultation to be completed. One suggestion was that it would be better to have meetings set for every month as it would be easier to cancel a meeting than it would be to schedule a new one.

### *Options*

Possible option to consider:

#### **Option 1: Adopt the NRAC Terms of Reference as amended**

Staff recommend that the following amendments be made to the draft NRAC ToR that were previously considered by the Board:

- a) In 4.1 remove “every other month” and replace with “every month”;

Staff do not recommend altering the meeting time from 7pm, however this will be reviewed as new members are appointed. A copy of the draft with the amendments highlighted is included in Attachment B.

Staff recommend adopting the draft terms of reference with the above amendments.

*Timeline for next steps or estimated completion date*

Once the new terms of reference are adopted staff will advertise for members of NRAC. As part of the process, staff will ask if potential members are available to meet during the day.

*Communications Strategy*

Copies of the new ToR will be sent to current NRAC members and posted on the SCRD website.

**STRATEGIC PLAN AND RELATED POLICIES**

The proposed amendments to NRAC and engagement with respect to natural resource issues support the Strategic Plan's Values of Collaboration and Environmental Leadership along with the following Strategic Priorities: Embed Environmental Leadership; Facilitate Community Development; Enhance Collaboration with the shíshálh and Skwxwú7mesh Nations; and Enhance Board Structures and Processes.

**CONCLUSION**

Consultation with current and recent NRAC members regarding the draft terms of reference has taken place since these were considered by the Board in February. In general, current processes and the proposed ToR received positive reviews. Amending the ToR to include a monthly meeting schedule responds to comments from members and will support positive impact from this valued advisory committee.

Staff have incorporated the amendment to schedule meetings monthly, based upon discussions at the February Planning and Community Development Committee.

*Attachments*

Attachment A – Consultation Responses

Attachment B – Draft Terms of Reference as Amended

Reviewed by:			
Manager	X – A. Allen	Finance	
GM	X – I Hall	Legislative	X – A. Legault
CAO	X – J. Loveys	Other	

## ATTACHMENT A

### Consultation Responses

1. Do you consider that NRAC provides valuable advice to the SCRD?
  - a. Yes, particularly as an "expert" sounding board. NRAC members are community volunteers and should not be expected to replace the role of staff or consultants. Not all topics can be fully covered by NRAC, - depends on who the members are and their expertise at any given time, and degree of investigation into the topic that members are able to contribute.
  - b. Yes, I do believe NRAC provides valuable advice if the committee's terms of reference are clear and SCRD Board or staff need input beyond their scope of scientific or technical knowledge. It is helpful when the agenda clearly states the desired objective and focus of our review. Scheduling and time constraints are sometimes a challenge.
  - c. I do. I think that there is very valuable expertise among NRAC members and true interest in the environment and natural resources to assist the SCRD with advice on decision making.
  - d. I do. Various members have experience in a variety of fields and their collective ideas often come up with "reasonable" recommendations for the Board.
2. Do you consider that your views are reflected in NRAC recommendations?
  - a. Yes, whenever I've researched a topic and brought forward my concerns, opinions or advice, it has been discussed and reflected in the minutes, and I've been given an opportunity to review the recommendations before they go to SCRD.
  - b. In my experience, the recommendations have been expressed clearly and are representative of both my personal and the committee's view. (I'd like to note that Jennifer has done an excellent job of summarizing our discussions.)
  - c. Yes, I do.
  - d. Often
3. Would you be able to meet during regular working hours of 8:30 am to 4:30 pm? Please specify a 2 hour period you prefer.
  - a. At present I would be able to, as I don't have work conflicts. But if I worked regular business hours, no, the meetings would interfere. I prefer any time between 5pm and 9pm.
  - b. I am available to meet during the day.

- c. Please specify a 2 hour period you prefer. I commute to the city for work 3 days per week, but if meeting are held on a day when I am in the coast, the afternoon would work best, from 2:30-4:30 pm.
  - d. I could. My time is fairly flexible; maybe 2:30 - 4:30 is best.
4. Would it assist you in making recommendations if representatives from federal/provincial agencies attend the meeting?
- a. Not generally, as all the necessary information from these agencies should be available about a project/issue before it comes to the local level and NRAC meeting. SCRD staff should be the ones to consult with these agencies. Having representatives from these agencies at NRAC meetings could take the focus away from Local Government needs and perspectives. Any negotiation or conflict resolution that may be required with senior agencies should be done by SCRD Directors or staff. NRAC functions well when all members are able to openly provide their input into discussions. NRAC members should do their homework before coming to meetings. If senior govt information is missing or problematic, SCRD should take that up. If the issues are larger than just SCRD, they could be taken up at UBCM or FCM.
  - b. Representation from government would be valuable on an issue specific basis
  - c. I believe it would be very useful, and even more so in the working groups format. Having direct communication with provincial and federal regulators could help NRAC to provide better informed recommendations.
  - d. Firstly, it is important that a Board member is present. It depends on the issue, but at times it would be helpful to have more senior agencies at the table - if they would come.
5. Should local, provincial, federal organizations (both those representing developers and those involved in environmental issues) be invited to attend meetings to provide input?
- a. Depending on the issue or project, yes, it could be helpful in specific circumstances.
  - b. We have had presentations in the past; I believe this can helpful.
  - c. Yes, on case specific bases.
  - d. It would depend on the issue to have a developer be invited. It may be best to survey the committee ahead of time to see if it is appropriate to invite a developer.
6. Would you be interested in participating in issue-specific short term working groups made up of community based/private sector organizations and representatives from First Nations, local, provincial, federal governments?
- a. Yes, as required, and as I'm available and able to contribute my expertise to a certain topic.

- b. I would be interested in participating in a working group.
  - c. Yes, I would be very interested.
  - d. Sure!
7. Which do you consider would be of better value to assist NRAC in making recommendations:
- i. Expanding NRAC membership to include First Nation, local, provincial, federal representation
  - or
  - ii. Establishing issues-based short term working group meetings, including representations listed above?
- a. Option ii seems it would work better.
  - b. Prefer ii
  - c. I think option i. Expanding NRAC membership to include First Nation, local, provincial, federal representation would be better to ensure there is appropriate representation and inputs to better inform recommendations. However, there should be opportunity to establishing issues based short term working groups, which maybe suggested by NRAC members for certain periods/projects.
  - d. I believe that either option could work and it would be extremely helpful to have First Nations attend and give their opinion on so many of these issues.
8. Please add comments regarding improvements to NRAC (i.e. what could work better, what improvements should be made).
- a. Keep reports simple and specific to the input being sought. NRAC members can investigate further if they decide it's useful or necessary. Include a clear purpose in the ToR, so that NRAC members can look back to it as needed to frame discussion and focus their input.
  - b. I would ask, is NRAC of value to the SCRd and the community? If not, what are we missing? Further, it is important for the committee to remember it is appointed, not elected, and has a particular role to perform and maintain focus on objectivity
  - c. I agree with the staff recommendations to expand the NRAC membership and to update the ToR in all seven sections indicated in the report and as per indications in the report. I am a new member of NRAC with not much experience with the committee, so is hard to make suggestions. However, I applaud the initiative of making the report, update ToR and expand the members' representation.
  - d. Your questionnaire provides a number of improvements. From my experience on the committee it might help to include a few "rules" such as if you miss three meetings (or some other number) then you are out; attendance has not been a strong suit for the committee.



## ATTACHMENT B

### DRAFT TERMS OF REFERENCE

#### SUNSHINE COAST REGIONAL DISTRICT NATURAL RESOURCES ADVISORY COMMITTEE

##### 1. Purpose

- 1.1 The purpose of the Natural Resources Advisory Committee (NRAC) is to advise the SCRD Board on resource issues and developments that may have an impact on the Sunshine Coast Regional District.

##### 2. Duties

- 2.1 NRAC will review and provide recommendations to the SCRD Board on resource issues which may include:
- a. development proposals with potential significant impact on resource use;
  - b. environmental impact of resource activities on air, land, watersheds, lakes and the ocean or other impacts;
  - c. zoning Bylaw and Official Community Plan amendments;
  - d. timber harvesting operations and forestry plans;
  - e. existing or proposed government regulations affecting natural resources on the Sunshine Coast;
  - f. plans or proposals submitted to the SCRD by referral agencies;
  - g. economic significance of resource use decisions;
  - h. natural resource implications of outdoor recreation issues; and
  - i. other resource issues for the Sunshine Coast.
- 2.2 In review of the resource issues and bylaw amendments, NRAC shall advise on:
- a. policy implications of existing or proposed resource use or legislation;
  - b. industry or socio-economic trends which may affect resource use, employment or the environment.

- 2.3 NRAC members may be invited to participate in working groups that may be established by the SCRD Board to consider specific resource issues or development proposals.
- 2.4 An NRAC member may be requested to be in attendance at any Planning and Community Development Committee meeting at which NRAC recommendations are being considered in order to provide additional information as required.
- 2.5 NRAC exists at the pleasure of the SCRD Board and may be reconstituted as required.

### 3. Membership

- 3.1 NRAC shall consist of up to 12 members appointed by the SCRD Board.
- 3.2 Individuals shall have an interest and/or expertise in one or more of the following:
  - a. natural resources issues;
  - b. community development;
  - c. watershed issues;
  - d. outdoor recreation;
  - e. biodiversity;
  - f. tourism;
  - g. economic development.
- 3.3 An effort will be made to ensure that a wide range of interests, expertise and diverse representation from each Electoral Area and Municipality are represented on the Committee.
- 3.4 Members shall be appointed for a term of two years.
- 3.5 Members who are appointed part way through a two-year term will be appointed for the remainder of the two-year term.
- 3.6 The following observers with an interest or expertise in natural resources issues may be invited to attend and participate in discussions:
  - a. *shíshálh* and *Skwxwú7mesh* First Nations;
  - b. District of Sechelt;
  - c. Town of Gibsons;
  - d. senior government departments;
  - e. organizations, such as industry representatives and not-for-profits; and
  - f. others as identified.

- 3.7 Regional District staff may be assigned to serve in a technical and leadership capacity. The role of the staff may include:
- a. establishing the agenda;
  - b. providing information and professional advice;
  - c. facilitating and/or co-chairing meetings;
  - d. writing reports and recommendations to the SCRD Board thereby serving as one of the communication channels to and from the SCRD Board; and
  - e. bringing such matters to NRAC's attention as are appropriate for it to consider in support of SCRD Board direction.
- 3.8 A Director may be appointed annually to serve in a liaison capacity and shall be a non-voting member. An alternate for the Director may be appointed to attend meetings during the absence of the Director. The role of the Director may include:
- a. bringing such matters to NRAC's attention as are appropriate for it to consider in support of SCRD Board direction; and
  - b. serving as one of the communication channels to and from the SCRD Board.
- 3.9 The Chair and Vice Chair shall be elected from the NRAC membership at the first meeting of each year. The Chair and Vice Chair shall be entitled to vote.
- 3.10 Members who are absent for four consecutive regularly scheduled meetings will be deemed to have resigned their position unless the absence is because of illness or injury or is with the leave of the SCRD Board.

#### 4. Operations

- 4.1 NRAC will meet every ~~other~~ month, starting in January, at 7pm on the 3<sup>rd</sup> Wednesday of the month.
- 4.2 At all meetings, four members shall constitute a quorum.
- 4.3 NRAC meetings will be canceled if there are no referrals for an Agenda or if quorum is not met.
- 4.4 All Committee meetings must be open to the public except where the committee resolves to close a portion of it pursuant to Section 90 of the *Community Charter*.
- 4.5 SCRD staff, in consultation with the Committee Chair, may call for a meeting outside of that schedule in order to meet pressing timelines.

4.6 The authority of NRAC is limited as follows:

- a. NRAC does not have the authority to bind the SCRD in any way, nor engage or otherwise contact third parties, consultants, organizations or authorities in a manner which may appear to be officially representing the SCRD.
- b. NRAC may communicate with external organizations and agencies to collect information and make inquiries.
- c. Where NRAC wishes to express opinions or make recommendations to external organizations and agencies, it must first obtain authorization from the SCRD Board.

4.7 Committee members are encouraged to:

- a. attend and participate in meetings of NRAC;
- b. share experiences and ideas while maintaining an open mind to others' perspectives;
- c. be able to dedicate approximately five hours per meeting to the work of the Committee.

4.8 In carrying out its mandate, the Committee will work towards conducting operations in a way that:

- a. improves the economic, environmental and social well-being for present and future generations;
- b. encourages and fosters community involvement;
- c. enhances the friendly, caring character of the community;
- d. maintains an open, accountable and effective operation;
- e. preserves and enhances the unique mix of natural ecosystems and green spaces in the SCRD;
- f. is consistent with the goals and objectives of the SCRD's strategic plan; and
- g. recognizes advisory committees are one of many channels that the Regional Board may utilize to obtain opinions and advice when making decisions.

4.9 The SCRD will provide a recording secretary whose duties will include:

- a. organizing meeting room, supplies and equipment;
- b. distributing meeting agendas to NRAC members in advance of the meeting;
- c. preparing minutes of all meetings using SCRD standard practices;

- d. forwarding the minutes to the NRAC Chair for review prior to submitting to the SCRD Planning and Development Division within five (5) business days of the meeting.
- 4.10 Unless otherwise provided for, meetings shall be conducted in accordance with the rules of procedure set out in the SCRD Procedures Bylaw No. 474.
- 4.11 NRAC members are subject to the Conflict of Interest legislation outlined in Section 100 – 109 of the Community Charter. The terms “Council” and “Committee” shall be interchangeable for the purpose of interpretation of these sections.
- 4.12 NRAC members must respect and maintain the confidentiality of the issues brought before them.
- 4.13 NRAC members serve without remuneration but may be eligible to have reasonable expenses reimbursed in accordance with the SCRD Policy on Committee Volunteer Meeting Expenses.

## 5. Reference Documents

- 5.1 SCRD Procedure Bylaw No. 474
- 5.2 *Community Charter*, Section 100 – 109 – Conflict of Interest
- 5.3 *Community Charter*, Section 90 – Open/Closed Meetings

Approval Date:		Resolution No.	
Amendment Date:		Resolution No.	
Amendment Date:		Resolution No.	

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** Lesley-Ann Staats, Planner

**SUBJECT:** RECRUITMENT OF AGRICULTURAL ADVISORY COMMITTEE MEMBERS

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### RECOMMENDATIONS

**THAT the report titled Recruitment of Agricultural Advisory Committee Members be received;**

**AND THAT advertising for members commence and staff report back to a future Planning and Development Committee.**

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### BACKGROUND

At its regular meeting on February 23, 2017, the SCRD Board adopted resolution 080/17, Recommendation No. 11 as follows:

**Recommendation No. 11**    *AAC Updated Terms of Reference*

THAT the report titled Agricultural Advisory Committee – Updated Terms of Reference be received;

AND THAT the Agricultural Advisory Committee (AAC) Terms of Reference be approved as amended to include an Alternate for the Director Liaison.

The approved Terms of Reference are enclosed as Attachment A.

The purpose of this report is to obtain direction on recruiting members to serve on the Agricultural Advisory Committee.

### DISCUSSION

Staff recommend that advertising for members commence to seek expressions of interest from the community to serve on the Agricultural Advisory Committee.

Staff will screen members based on the criteria outlined in the terms of reference. Preference will be given to members who have knowledge and/or experience in agriculture, agri-tourism, soils, processing and distribution, and/or water management.

Applicants will be prompted with questions to provide a brief summary of their interests in serving as committee members.



Following the review of applicant responses, staff will report back to the Planning and Community Development Committee with recommended AAC members for Board consideration.

*Financial Implications*

Contracted secretarial support will be required once a month to prepare minutes from each meeting. A staff member should continue to attend the meetings in a technical, professional and facilitator role. AAC expenses will be allocated to the Rural Planning Function 504 base budget.

*Communications Strategy*

Staff propose to recruit citizens to serve on the committee through newspaper advertisements, SCRD website, and local media and organizations associated with Sunshine Coast agriculture.

**STRATEGIC PLAN AND RELATED POLICIES**

The AAC is consistent with the new SCRD Public Participation Program and is consistent with the SCRD's value of Collaboration.

**CONCLUSION**

The terms of reference for the AAC were approved by the Board on February 23, 2017. Staff recommends placing advertisements to seek expressions of interest from the community to serve on the Agricultural Advisory Committee. Following the review of applicant responses, staff recommends reporting back to the Planning and Community Development Committee with recommended AAC members for board selection.

*Attachments*

Attachment A – AAC Terms of Reference

Reviewed by:			
Manager	X – A. Allen	Finance	
GM	X – I. Hall	Legislative	
CAO	X – J. Loveys	Other	

## TERMS OF REFERENCE

### AGRICULTURAL ADVISORY COMMITTEE

#### 1. Purpose

- 1.1 The purpose of the Agricultural Advisory Committee (AAC) is to advise the SCRD Board on agricultural issues on the Sunshine Coast including:
- a. Applications initiated under the *Agricultural Land Commission Act* (ALCA);
  - b. Applications to amend official community plans and applicable bylaws;
  - c. Assisting with comprehensive reviews, development, or implementation of
    - i. bylaws;
    - ii. official community plans;
    - iii. agricultural area plans;
    - iv. park and recreational plans; and
    - v. transportation plans;
  - d. Development proposals with potential significant impacts on agriculture;
  - e. Water supply and demand management issues; and
  - f. Effectiveness of noxious insect and weed control regulations and programs.

#### 2. Duties

- 2.1 The AAC will provide recommendations on:
- a. raising awareness of agriculture;
  - b. enhancing an understanding of agriculture's role in the local and Sunshine Coast economy;
  - c. addressing demand for Non-Farm Use or Exclusion of the agricultural land base;
  - d. examining legislation and amendments to legislation to identify improvements to support agriculture;
  - e. advising on opportunities for irrigation works, specifically the safe use of non-potable water;
  - f. examining the impacts of park and recreation proposals on agriculture; and

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Amendment Date:		Resolution No.	
Amendment Date:		Resolution No.	

- g. examining the impact of transportation and utility corridors on agriculture.
- 2.2 In review of the ALCA applications and bylaw amendments, the AAC shall advise on:
  - a. the effect of the proposal on the agricultural potential of the subject property;
  - b. the effect of the proposal on adjacent Agricultural Land Reserve (ALR) properties and surrounding agricultural production;
  - c. the effect of the proposal on water resources and transportation issues;
  - d. a rating of the priority or impact of the application on the maintenance of the ALR;
  - e. where appropriate, possible alternatives to the proposal; and
  - f. the identification of issues relating to the protection of the ALR lands specific to the application, including the use of appropriate buffering techniques aimed at enhancing land use compatibility.
- 2.2 The AAC exists at the pleasure of the SCRD Board and may be reconstituted as required.

### **3. Membership**

- 3.1 The AAC shall consist of up to ten (10) members appointed by the SCRD Board.
- 3.2 Membership shall include diverse representation from each Electoral Area and Municipality.
- 3.3 Members shall have knowledge and/or experience in
  - a. agriculture;
  - b. agri-tourism;
  - c. soils;
  - d. processing and distribution; and/or
  - e. water management.
- 3.4 Members shall be appointed for a term of two (2) years.
- 3.5 Members who are appointed part way through a two-year term will be appointed for the remainder of the two-year term.
- 3.4 Regional District staff may be assigned to serve in a technical and leadership capacity. The role of the staff may include:
  - a. establishing the agenda;

- b. providing information and professional advice;
  - c. facilitating and/or co-chairing meetings;
  - d. writing reports and recommendations to the SCRD Board thereby serving as one of the communication channels to and from the SCRD Board; and
  - e. bringing such matters to the AAC's attention as are appropriate for it to consider in support of SCRD Board direction;
- 3.5 A Director may be appointed to serve in a liaison capacity and shall be a non-voting member. An Alternate Director may be appointed to attend meetings during the absence of the Director. The role of the Director may include:
- a. bringing such matters to the AAC's attention as are appropriate for it to consider in support of SCRD Board direction; and
  - b. serving as one of the communication channels to and from the SCRD Board.
- 3.6 The Chair and Vice Chair shall be elected from the AAC membership at the first meeting of each year. The Chair and Vice-Chair shall be entitled to vote.
- 3.7 Members who are absent for four consecutive regularly scheduled meetings will be deemed to have resigned their position unless the absence is because of illness or injury or is with the leave of the SCRD Board.

#### 4. Operations

- 4.1 The AAC meets on the fourth (4<sup>th</sup>) Tuesday of the month at 3:30 pm at the SCRD Office at 1975 Field Road, Sechelt, BC.
- 4.2 At all meetings, four (4) members shall constitute a quorum.
- 4.3 AAC meetings will be canceled if there are no referrals for an Agenda or if quorum is not met.
- 4.4 All AAC meetings must be open to the public except where the AAC resolves to close a portion of it pursuant to Section 90 of the *Community Charter*.
- 4.5 The authority of the AAC is limited as follows:
- a. The AAC does not have the authority to bind the SCRD in any way, nor engage or otherwise contact third parties, consultants, organizations or authorities in a manner which may appear to be officially representing the SCRD.
  - b. The AAC may communicate with external organizations and agencies to collect information and make inquiries.
  - c. Where the AAC wishes to express opinions or make recommendations to external organizations and agencies, it must first obtain authorization from the SCRD Board.

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- 4.6 AAC members are encouraged to:
- a. attend and participate in meetings of the AAC
  - b. share experiences and ideas while maintaining an open mind to others' perspectives
  - c. be able to dedicate approximately five (5) hours per month to the work of the AAC
- 4.7 In carrying out its mandate, the AAC will work towards conducting operations in a way that:
- a. improves the economic, environmental and social well-being for present and future generations;
  - b. encourages and fosters community involvement;
  - c. enhances the friendly, caring character of the community;
  - d. maintains an open, accountable and effective operation;
  - e. preserves and enhances the unique mix of natural ecosystems and green spaces in the SCRD;
  - f. is consistent with the goals and objectives of the SCRD's strategic plan; and
  - g. recognizes advisory committees are one of many channels that the SCRD Board may utilize to obtain opinions and advice when making decisions.
- 4.8 The SCRD will provide a recording secretary whose duties will include:
- a. organizing the meeting room, supplies and equipment
  - b. distributing agendas to the AAC members in advance of the meeting
  - c. preparing minutes of all meetings using SCRD standard practices
  - d. forwarding the minutes to the AAC Chair for review prior to submitting to the SCRD Planning and Development Division within five (5) business days of the meeting.
- 4.9 Unless otherwise provided for, meetings shall be conducted in accordance with the rules of procedure set out in the SCRD Procedures Bylaw No. 474.
- 4.10 AAC members are subject to the Conflict of Interest legislation outlined in Section 100 – 109 of the *Community Charter*. The terms “Council” and “Committee” shall be interchangeable for the purpose of interpretation of these sections.
- 4.11 AAC members must respect and maintain the confidentiality of the issues brought before them.

- 4.12 AAC members serve without remuneration but may be eligible to have reasonable expenses reimbursed in accordance with the SCRD Policy on Committee Volunteer Meeting Expenses.

## 5. Reference Documents

- 5.1 SCRD Procedure Bylaw No. 474
- 5.2 *Community Charter*, Section 100 – 109 – Conflict of Interest
- 5.3 *Community Charter*, Section 90 – Open/Closed Meetings

Approval Date:	February 23, 2017	Resolution No.	080/17
Amendment Date:		Resolution No.	
Amendment Date:		Resolution No.	



## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – April 13, 2017

**AUTHOR:** Trevor Fawcett, Parks Planning Coordinator

**SUBJECT:** RECYCLING PROGRAM AT KATHERINE LAKE CAMPGROUND

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### RECOMMENDATIONS

**THAT the report titled Recycling Program at Katherine Lake Campground be received;**

**AND THAT the SCR D partner with Encorp's BC Parks recycling program to install beverage container recycling bins at Katherine Lake Campground as a 2017 pilot project.**

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### BACKGROUND

Katherine Lake is one of the busiest SCR D Parks within the Regional District. Its natural beauty, safe lake access, sandy beach and family oriented campground attract over 25,000 visitors a year.

The park and campground are maintained by SCR D Parks staff and a contracted onsite caretaker. The caretaker is responsible for maintaining the access road, facilities, beach and campground from the Victoria Day weekend in May until the park closes in September.

The SCR D has not yet implemented a formal recycling program at Katherine Lake or any Regional Park. Removing recyclables from garbage is voluntary by park users and the caretakers.

### DISCUSSION

#### *Options and Analysis*

Last year the SCR D caretakers noticed a gap in recycling options at the park and implemented their own program. Using some existing bins and others they built they started a program that diverted a lot of material from the landfill. Although not specified in the contract, the caretaker voluntarily transported material to the appropriate recycling facility.



Encorp Pacific is the agency responsible for beverage container recycling in BC under a Ministry of Environment approved stewardship plan. In 2009, Encorp started the Return-It BC Parks recycling program. This program provides appropriate recycling bins free of charge to be

installed in parks, recreation centres and public places. Within the first four years of the program, collection bins were installed in 55 BC parks and collected over 2 million recyclable cans and plastic containers.

Working with staff from Solid Waste, Parks staff contacted Encorp regarding the possibility of setting up bins in major SCRD parks and recreation centres. Encorp was enthusiastic about the idea and provided a proposal that would supply 50 metal bins of various design and 45 coroplast bins for temporary use at indoor or outdoor events.

Staff concluded that installing such a large number of bins would require an implementation plan that would need to be included in Parks and Recreation work plans. However, given the success of an informal program at Katherine Lake in 2016, caretaker support, and the desire to test the approach, staff recommend that Katherine Lake campground be used as a pilot project in 2017. Encorp has agreed to supply 4 bear proof bins for recyclable metal and plastic beverage containers.

Encorp will also check with the Cardboard Recycling Association of Canada to inquire about providing bins for cardboard recycling.

#### *Financial Implications*

Encorp will supply and deliver the bins and mounting hardware at no cost to the SCRD. The estimated value of this donation is \$8000.00. Parks crew would have to install the bins which would require 2 staff for one day. Estimated cost for installation is \$600.00 which would be funded from Regional Parks operating budget 650.

Encorp does request that the bin recipients provide a return on investment analysis if possible. This should be achievable by counting the number of full bags collected from the bins throughout the summer and estimating quantity based on number of containers per bag. This information will be useful in planning a roll out strategy for recycling and waste reduction in all other Regional Parks.

#### *Timeline for next steps or estimated completion date*

Katherine Lake campground's opening day is the Victoria Day long weekend, May 19, 2017. Encorp has indicated that the bins can be shipped as soon as requested by the SCRD. The bins would be operational in time for the campground opening.

Staff would evaluate the practicality and effectiveness of the project at end of season to determine whether to continue / how to improve or expand.

#### *Communications Strategy*

The bins are clearly identified as recycling bins with a sticker on the bin identifying acceptable material. Encorp also supplies pamphlets and posters to advertise the collection program.

The SCRD would communicate the recycling program through social media and the Katherine Lake campground web page.

With their passion for recycling, the current caretakers would be good ambassadors to promote the program to park users.

## STRATEGIC PLAN AND RELATED POLICIES

The Parks and Recreation Master Plan does not mention recycling but recommendation 20.2 of the Coopers Green Management Plan provides an objective that should be applied to all SCRD parks;

*“Continue to develop a waste strategy that encourages recycling and waste reduction. Provide separated collection of recycling and garbage within facilities as well as outdoor areas”.*

We Envision stresses an endeavor to reduce waste by; *“enhancing recycling programs and converting waste.....”* and *“increase the amount of material diverted from disposal in landfills in order to reduce 80% of our current waste to landfills by 2020.....”*.

The Strategic Plan lists a success indicator for Environmental Leadership as; *“Employees are continuously learning and applying innovative practices for environmental planning and stewardship”.*

The Solid Waste Management Plan (SWMP) has a diversion target of 65% by 2016 and identifies recycling and collaboration with provincial stewardship programs as initiatives in the SWMP.

## CONCLUSION

Through partnership with Encorp’s Return-It BC Parks recycling program, the SCRD has an opportunity to implement a recycling program at one of its busiest parks with low financial implications while demonstrating that reducing waste and environmental stewardship are important to the SCRD; this program provides an opportunity to lead by example.

Installing recycling bins from Encorp at Katherine Lake Campground as a pilot project will provide useful information in the decision on expanding to other major parks and recreation centres.

Reviewed by:			
Manager	X - A. Allen	Finance	X - T. Perreault
GM	X – I. Hall	Legislative	
CAO	X - J. Loveys	Solid Waste	X - R. Cooper

**SUNSHINE COAST REGIONAL DISTRICT****AREA A - EGMONT/PENDER HARBOUR  
ADVISORY PLANNING COMMISSION****March 28, 2017**


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RECOMMENDATIONS FROM THE AREA A ADVISORY PLANNING COMMISSION MEETING  
HELD IN THE LIBRARY AT PENDER HARBOUR SECONDARY SCHOOL, 13639 SUNSHINE  
COAST HWY, MADEIRA PARK, BC

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<b>PRESENT:</b>	Chair	Alan Skelley
	Vice Chair	Janet Dickin
	Members	Tom Silvey Alex Thomson Gordon Littlejohn Randy Picketts Sean McAllister Peter Robson Gordon Politeski Dennis Burnham
<b>ALSO PRESENT:</b>	Area A Director	Frank Mauro
	Recording Secretary	Kelly Kammerle
	Public	0
<b>REGRETS:</b>		Catherine McEachern
		Jane McOuat
		Randy Picketts

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**CALL TO ORDER**      7:00 p.m.

**AGENDA**              The agenda was adopted as presented.

**MINUTES**3.1 Area A Minutes

The Area A APC minutes of February 28, 2017 were approved as circulated.

The following minutes were received for information:

- Halfmoon Bay (Area B) APC Minutes of February 28, 2017
- Roberts Creek (Area D) APC Minutes of February 20, 2017
- Planning and Community Development Committee Minutes of February 16, 2017

**REPORTS****5.1 Land use Planning Opportunities to support affordable housing in rural areas**

The APC received for review with the following comments:

- The land use area under consideration for affordable housing should be expanded to include Egmont.
- The APC does not consider foreshore areas suitable for affordable housing.
- This APC is in favour of increased density in the correct places.
- The APC is in favour of relaxing regulations re: side yard and lot sizes and recognizes that zero lot line developments often are a solution used as well.
- Taking Commercial property and changing to Residential is not necessarily the answer for more affordable housing.
- Need to consider applying and using Crown Land for affordable housing.
- Co-op housing may be something to consider.
- It is not the Governments responsibility to fund houses through taxes.
- Changing the zoning, bylaws or making amendments to the OCP takes too long when developers are applying to build affordable housing.

**NEW BUSINESS**

- Contact Manager, Planning & Development about attending the April Area A APC Meeting.

**DIRECTOR'S REPORT**

- Electoral Area A Director Mauro provided a verbal report of his activities.

**NEXT MEETING**      April 25, 2017

**ADJOURNMENT**      8:55 p.m.

**SUNSHINE COAST REGIONAL DISTRICT****AREA B - HALFMOON BAY  
ADVISORY PLANNING COMMISSION****February 28, 2017**


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RECOMMENDATIONS FROM THE AREA B ADVISORY PLANNING COMMISSION MEETING  
HELD IN THE COOPERS GREEN COMMUNITY HALL AT COOPERS GREEN PARK, 5500  
FISHERMAN ROAD, HALFMOON BAY, BC

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<b>PRESENT:</b>	Interim Chair	Elise Rudland
	Members	Alda Grames Bruce Thorpe Walter Powell Barbara Bolding Jim Noon Marina Stjepovic Lorn Campbell
<b>ALSO PRESENT:</b>	Area B Director Recording Secretary Public	Garry Nohr Katrina Walters 4
<b>REGRETS:</b>	Members	Wendy Pearson Eleanor Lenz Joan Harvey Frank Belfry

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**CALL TO ORDER** 7:00 p.m.

**AGENDA** The agenda was adopted as presented.

**MINUTES**3.1 Area B Minutes

The Area B APC minutes of January 24, 2017 were adopted as presented.

3.2 Minutes

The following minutes were received for information:

- Egmont / Pender Harbour (Area A) APC Minutes, January 31, 2017
- Roberts Creek (Area D) APC Minutes, January 16, 2017
- West Howe Sound (Area F) APC Minutes, January 24, 2017
- Planning and Community Development Committee Minutes, January 12, 2017



## REPORTS

### 5.1 Development Variance Permit DVP00010 (Tymo)

The APC discussed the staff report regarding Development Variance Permit DVP00010 (Tymo). The following concerns/points/issues were noted:

- Personally object to variance on the property because it has been used as a public park since 1976 and was a boat launching area at one time. It's the only place (in the area) to see open ocean; understand that the intention was for public use and enjoyment; feel a variance would impact the sense of being in a natural environment: it has been encroached upon by neighbours on both sides and has no clear visual boundary of where the park is...saw (on the walkabout) that trees have been cut.
- If it was a park, they would not be required to ask for a variance as the setback would be the same as a house: 1.5 meters.
- It is 4.5m in this case, if considered a road allowance. MOTI granted a permit to reduce the setback.
- It is a deck that is going to hang over into the setback and this is typical of zoning bylaw projections into the setback.
- Are there any other options for the design?
- One concern with beach access is that adjacent neighbour landscaping of public beach access may discourage public use.
- The issue is who manages the beach access: if this is just a park, they don't have to get a variance.
- They are asking for a variance and a variance requires a hardship: house positioning for view is not a hardship.
- Staff did not know that it was a park...staff are looking into it.
- Whether it is being used as a park or not: it is a road allowance, and as such, at this point they have to ask for a variance: don't see a big issue with it as it is typical to have a deck hanging into the setback. It (the variance) is being applied for to protect the natural environment; don't see that having a small deck overhanging it is going to affect the park. Don't feel it prohibits use or access of the area; feel it is a non-issue.
- Bothered as much by the proposed driveway over the dedicated public access road allowance: if we could put in some requirement that if the SCRDC grants the variance the owner will make a clear boundary between what is theirs and what is public road allowance.
- If this gets converted into a park, all this gets muted except that they wouldn't be able to have access from the lane, but will have to build access through their property.
- There are two properties already that are using the lane to access their property.
- Send it back to the SCRDC and ask for clarification: is it a park or is it MOTI road access?
- The problem is that MOTI has given approval for a driveway and a setback reduction.
- In these situations, and there are many such situations on the coast, the public access is not clearly defined...this one has always been used as a park.
- Need awareness that these public allowances are also important for emergency access (if Brooks road was cut off). There should be some policy that neighbours can't take them over as their own through landscaping.
- Favoring Option 2 to deny the permit based on lack of definition of whether it is a road or a park plus ask for clarification on this.

### **Recommendation No. 1**      *Development Variance Permit DVP00010 (Tymo)*

Regarding *Development Variance Permit DVP00010 (Tymo)*, the APC would like clarification on the status of Crab Road allowance as either (a) a park or (b) as an MOTI road allowance and what the associated setbacks would be.

### 5.2 Development Variance Permit DVP00011 (All Tides)

The APC discussed the staff report regarding Development Variance Permit DVP00011 (All Tides). The following concerns/points/issues were noted:

- If he is an absentee owner concerned about the security of his boat, he should put it in the marina which is close by.
- Don't remember seeing other big boat houses in the area, so say no the request.
- This triggers a huge tidal wave other people wanting to have these big boat houses.
- This is not a case of hardship.
- Need to limit the size of the boathouse to protect the environment and the interest of other people.
- This application has the clear potential for a slurry of other people who want giant boathouses for giant boats.

#### **Recommendation No. 2**      *Development Variance Permit DVP00011 (All Tides)*

Regarding *Development Variance Permit DVP00011 (All Tides)*, the APC supports staff recommendation to deny this application for the following reasons:

- The APC is not convinced that this is a case of hardship requiring a variance.
- This application, if granted, has the clear potential of setting a precedence for the acceptance of other such applications with ensuing environmental and visual impacts on the community.

### 5.3 Subdivision Application SD000013 (McLaren)

The APC discussed the staff report regarding Subdivision Application SD000013 (McLaren). The following concerns/points/issues were noted:

- Feel positive about this change and to this solution which was drawn from the lay of the land and an intimate knowledge of the land, and therefore support the boundary change.
- These are the kind of things we like to see: it is nice and refreshing to see and support this application.
- While not having been to the site, it seems that moving the lot lines preserves interesting features on the land and reduces conflict between neighbours.
- Having visited the site, think it is a well thought out plan and support it.

#### **Recommendation No. 3**      *Subdivision Application SD000013 (McLaren)*

Regarding, Subdivision Application SD000013 (McLaren), the APC supports staff recommendations.

### 5.4 Crown Referrals 2411859 Transportation and 2411860 Utilities, Sechelt Creek Hydro (Regional Power Inc.)

The APC discussed the staff report regarding Crown Referrals 2411859 Transportation and 2411860 Utilities, Sechelt Creek Hydro (Regional Power Inc.).

The following concerns/points/issues were noted:

- They did promise we could go on a tour if we arrange it. Area B Director Nohr will send them a letter for a tour in the spring...generally get an invite in September / October.

- Does anyone know if there is any evaluation done when they do a renewal: is there public benefit for Halfmoon Bay? Would this be good to confirm? Who would do the assessment? (Crown and First Nations hire biologist...the environmental study is pretty thorough).

**Recommendation No. 4**      *Crown Referrals 2411859 Transportation and 2411860 Utilities, Sechelt Creek Hydro (Regional Power Inc.)*

Regarding Crown Referrals 2411859 Transportation and 2411860 Utilities, Sechelt Creek Hydro (Regional Power Inc.) the APC supports staff recommendations to issue Crown Tenures.

**5.5 Crown Referral CRN00021 for Six Helicopter Logging and Boom Sites**

The APC discussed the staff report regarding Crown Referral CRN00021 for Six Helicopter Logging and Boom Sites. The following concerns/points/issues were noted:

- There is a full report and staff recommendation to approve it.
- There is a marine park: could ask for partial retention from recreational site for visual qualities (for the marine park only, not the whole of the inlet).
- Historically the company does consider visuals.

**Recommendation No. 5**      *Crown Referral CRN00021 for Six Helicopter Logging and Boom Sites*

Regarding CRN00021 for Six Helicopter Logging and Boom Sites, the APC supports the comments that staff have recommended and additionally asks that the visual quality objectives from the marine site be preserved by partial retention.

**DIRECTOR'S REPORT**

Director Nohr presented the Director's Report.

**NEXT MEETING**      March 28, 2017

**ADJOURNMENT**      8:15 p.m.

## SUNSHINE COAST REGIONAL DISTRICT

### AREA B - HALFMOON BAY ADVISORY PLANNING COMMISSION

March 28, 2017

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RECOMMENDATIONS FROM THE AREA B ADVISORY PLANNING COMMISSION MEETING  
HELD IN THE COOPERS GREEN COMMUNITY HALL AT COOPERS GREEN PARK, 5500  
FISHERMAN ROAD, HALFMOON BAY, BC

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<b>PRESENT:</b>	Chair	Frank Belfry
	Members	Alda Grames Bruce Thorpe Walter Powell Barbara Bolding Jim Noon Eleanor Lenz Elise Rudland Joan Harvey
<b>ALSO PRESENT:</b>	Alternate Area B Director Recording Secretary Public	Brian Smith Katrina Walters 0
<b>REGRETS:</b>	Members	Marina Stjepovic Lorn Campbell

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**CALL TO ORDER** 7:02 p.m.

**AGENDA** The agenda was adopted with the addition of new item 6.1:

6.1 Request to change the May APC meeting date

#### MINUTES

##### 3.1 Area B Minutes

The Area B APC minutes of February 28, 2017 were adopted as presented.

##### 3.2 Minutes

The following minutes were received for information:

- Egmont / Pender Harbour (Area A) APC Minutes, February 28, 2017
- Roberts Creek (Area D) APC Minutes, January 16, 2017
- Planning and Community Development Committee Minutes, February 16, 2017

## REPORTS

### 5.1 Land Use Planning Opportunities to Support Affordable Housing in Rural Areas

The APC discussed the staff report regarding Land Use Planning Opportunities to Support Affordable Housing in Rural Areas. The following concerns/points/issues were noted:

- Fully support the staff recommendations; know of some families who have had to move due to lack of affordable housing.
- Approve; however when you look at the proposed locations there is a problem with Hub 1 (Secret Cove) because most of that area is served by an ocean outfall sewage system; so it is a problem to densify this area.
- Considering the Lohn Road area: when they did the coliform count there, there were some problems there.
- When you look at North Road, and East of the school, if crown lands ever became available, this would be a good location for row housing at the bottom of the hill.
- The report it is all well and good but it does not address associated problems of liquid waste management and this is a glaring error.
- On page 17: find the word “should” to be moralistic and should be replaced by “could”: “...to guide where affordable housing should be placed, how it should be designed and serviced, and how it should fit into the surrounding neighbourhoods.”
- Maybe there could be something else about the provision of smaller units. Also, there is lots of interest in alternative housing such as container houses; straw bale houses etc. There is resistance to these because they are little understood by building departments; maybe as part of the study they could look at alternative building types and/or sustainable building models. As part of the National Building Code, you can present an “equivalent” assembly, but in order to sign off on it, it has to be proven to be equivalent. However, building departments don't like to accept equivalencies because this means they have to accept liability.
- Many in this group sat on the OCP and the OCP came to the conclusion that affordable housing in HMB is an oxymoron. Unaffordable because of transportation; high transportation costs negate the possibility for affordable living in HMB.
- Also agree: the bus service is a long way away from supporting residents with a regular schedule.
- If housing increased, likely transportation would follow.
- Thought the report was comprehensive. Can understand the residential infill areas, but wonder how the SCRD is going to balance that with short term vacation rentals.
- The OCP's mandate is ‘rural by nature’: they want to keep it rural and designated 3 hubs for higher density.
- HMB is basically waterfront homes and most of the nature is either on the ocean or crown land...it is fairly restrictive: most waterfront areas are private. Don't think we should be a society that doesn't want other people to move here; it shouldn't matter what their income level or nationality are.
- Didn't see any mention of mobile/modular homes or trailer parks: they are affordable and can be beautiful and very nice; they can be good addition to the community.
- Our OCP needs a review.

### 5.2 Management Strategies for the Park on North Thormanby Island

The APC discussed the staff report regarding Management Strategies for the Park on North Thormanby Island. The following concerns/points/issues were noted:

- This is a good, well written report; pleased to see it.
- Agreed
- This whole park area seems to have been adopted by the residents of Vaucroft; they make it feel like public is intruding...is there the possibility for signage?
- P.31 provides a list of practices that could help show that this is not private land; think that SCRD park signage is a good idea.
- Felt the same in the way of intruding; it would be nice if it were identified as a public park; we should request an SCRD park sign.
- Maybe there should be public moorage.
- Would be good if the SCRD put up educational signage about the environmental sensitivity of the park.

### 5.3 DVP00010 (Tymo) Additional Information Regarding Crab Road

The APC discussed the staff report regarding Development Variance Permit DVP00010 (Tymo). The following concerns/points/issues were noted:

- Feel that the variance should not be given; that we should be strict: they bought this property knowing it was problematic.
- In looking at the history of variance requests that have come to the APC: think that we have to be consistent in our approach.
- This particular space being an amalgamation of three or four lots is quite different because it still has the primary function of providing local access to the ocean.
- Support the public use of this land; this area is integral to the upland owners as well.
- There are 2 issues: (1) the variance (2) the driveway. Always thought that when they grant a variance, there should be some community benefit. Propose a motion that the variance be approved with the condition that the driveway comes in from Truman road and that the property owner clearly defines the property boundary and also mitigates the public lands (seconded).
- Find it difficult to agree because this sets a precedence where the SCRD can hold the homeowner at ransom for something that has nothing to do with the variance request. The bottom line is that this is a road allowance. We are asked to comment on the variance: there is no hardship and so they should not be allowed to change the side setback from 4.5 to 1.5m.
- MOTI has approved the setback, not the driveway.
- Find confusing the language of the report: there is a huge difference between a highway and a road allowance.
- The setback variance is the issue here.
- But we won't get another opportunity to comment on the driveway if we don't tie it into the setback variance.
- We are concerned as residents that the area is to be left open to the public, not to have driveways on it. Granting the variance should not be tied to the driveway.
- Would like to move that we deny the variance based on no demonstrated hardship.
- And that in the public interest of Halfmoon Bay, the subject property be managed as a community beach access and allow no private access to adjacent properties.
- And that the SCRD monitor for encroachment and invasive plant.

### **Recommendation No. 1**      *Development Variance Permit DVP00010 (Tymo)*

Regarding *Development Variance Permit DVP00010 (Tymo)*, the APC recommends that the SCRD deny the variance based on no demonstrated hardship.



**Recommendation No. 2**     *Development Variance Permit DVP00010 (Tymo)*

Regarding *Development Variance Permit DVP00010 (Tymo)*, the APC recommends that the SCRDC continues to maintain the Crab Lane Road end as beach access, monitor for encroachment & invasive elements such as hard structures & to restrict and deny driveway access from it.

**NEW BUSINESS****6.1 Request to change the May APC meeting date**

New date set for Wednesday May 24<sup>th</sup>. There will not be a meeting on May 23<sup>rd</sup>.

**DIRECTOR'S REPORT**

Alternate Director Smith provided a report on recent activity.

**NEXT MEETING**     April 25, 2017

**ADJOURNMENT**     8:38 p.m.

**SUNSHINE COAST REGIONAL DISTRICT****AREA D - ROBERTS CREEK  
ADVISORY PLANNING COMMISSION****March 20, 2017**


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RECOMMENDATIONS FROM THE AREA D ADVISORY PLANNING COMMISSION MEETING  
HELD IN THE ROBERTS CREEK LIBRARY AT 1044 ROBERTS CREEK ROAD, ROBERTS  
CREEK, BC. AT 7:00 PM.

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<b>PRESENT:</b>	Chair	Bill Page
	Members	Marion Jolicoeur Heather Conn Barry Morrow Dana Gregory
<b>ALSO PRESENT:</b>	Electoral Area D Director Recording Secretary Public	Mark Lebbell Peggy Martin 1
<b>REGRETS:</b>	Member	Nicola Kozakiewicz
<b>ABSENT:</b>	Member	Gerald Rainville

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**CALL TO ORDER** 7:05 p.m.

**AGENDA** The agenda was adopted as presented.

**DELEGATIONS**

2.1 Jim Green (Property Development Manager) spoke for the Zoning Amendment Bylaw  
No. 310.171 and answered questions from the Area D APC.

**MINUTES**3.1 Area D Minutes

The Area D APC Minutes of February 20, 2017 were approved.

3.2 Minutes

The following minutes were received for information:

- Egmont/Pender Harbour (Area A) APC Minutes of February 28, 2017
- Halfmoon Bay (Area B) APC Minutes of February 28, 2017
- Planning & Community Development Committee Minutes of February 16, 2017

## REPORTS

### 5.1 Zoning Amendment Bylaw No. 310.171, 2017 (1312 Lands Inc.)

Jim Green gave an overview of the application. This was aided by a well written report from David Rafael, SCRD Senior Planner. The majority of the approx. 65-Ha property in question (DL 1312) was formerly in the Forest Land Reserve (FLR), with a smaller southern section of about 15-Ha in the Agricultural Land Reserve (ALR). In 2001, the FLR designation was removed and the property was to be rezoned Rural Forest (RU4) by SCRD. Unfortunately, the entire property, including the ALR portion, was rezoned RU4 under Bylaw 310.83 in 2005. The purpose of this application is to correct the amendment made in 2005 and to place the ALR portion in the Agriculture (AG) zone.

#### **Recommendation No. 1**      *Zoning Amendment Bylaw No. 310.171*

The APC recommends approval of the rezoning of the ALR portion of the property from RU4 to AG zone.

#### **Recommendation No. 2**      *Bylaw 522 procedures regarding public meetings*

The APC recommends the procedure set out in Option 1 of the Staff Report.

### 5.2 Land-use Planning Opportunities to Support Affordable Housing in Rural Areas

The APC agreed that SCRD should take a leadership role in exploring opportunities for affordable housing in rural areas of the Sunshine Coast and looks forward to seeing proposals as they come forth. The APC considers that this work should be a priority.

However, there was concern that most of the people who live in the SCRD come here because of their love for the natural beauty of the place and enjoy the relatively quiet, semi-rural living that it offers. This is clearly stated in the Roberts Creek OCP vision statement. Affordable housing must be skillfully integrated into the community so that it remains compatible and comparable in character and size with existing structures in the downtown core, as outlined in the OCP.

While the figure 30% of income is stated as allowing affordable living, it would be good to know what dollar range this 30% might be. This would give a better idea of whether the target housing should be rental, lease, strata, or single-family-home ownership. As well, another aspect of affordable living on the Coast should include alternative income streams. The APC looks forward to the discussion of the short-term rental business and if this can be designed to contribute to affordable living of residents on the Sunshine Coast.

## DIRECTOR'S REPORT

The Director's report was received.

Director Lebbell reiterated that he could be contacted via his website for further discussion.

**NEXT MEETING**      April 24, 2017

**ADJOURNMENT**      8:20 p.m.

**SUNSHINE COAST REGIONAL DISTRICT****AREA E - ELPHINSTONE  
ADVISORY PLANNING COMMISSION****March 23, 2017**


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RECOMMENDATIONS FROM THE AREA E ADVISORY PLANNING COMMISSION MEETING  
HELD AT FRANK WEST HALL, 1224 CHASTER ROAD, ELPHINSTONE, BC

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<b>PRESENT:</b>	Acting Chair	Rob Bone
	Members	Dougald Macdonald Bob Morris
<b>ALSO PRESENT:</b>	Director	Lorne Lewis
	Alternate Director	Laurella Hay
	Recording Secretary	Diane Corbett
<b>REGRETS:</b>	Members	Mary Degan
<b>ABSENT:</b>	Members	Jenny Groves Lynda Chamberlin Rod Moorcroft Patrick Fitzsimons Brenda Thomas Raquel Kolof

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**CALL TO ORDER**                      7:00 p.m.

**Nominations for Chair – as per Bylaw No., 453, Section 8 (i) (i)**

It was confirmed by the APC Secretary that Mary Degan had affirmed her interest in serving as APC Chair. Mary Degan was nominated Elphinstone APC Chair by acclamation.

**AGENDA**                      The agenda was adopted.

**MINUTES**3.1 Elphinstone (Area E) APC Notes of January 25, 2017

The Area E APC notes of January 25, 2017 were received.

3.2 Minutes

The following minutes were received for information:

- 3.2 Egmont Pender Harbour (Area A) APC Minutes of February 28, 2017

- 3.3 Halfmoon Bay (Area B) APC Minutes of February 28, 2017
- 3.4 Roberts Creek (Area D) Minutes of February 20, 2017
- 3.5 West Howe Sound Advisory (Area F) APC Minutes of January 24, 2017
- 3.6 Planning & Community Development Committee Minutes of February 16, 2017

## **BUSINESS ARISING FROM MINUTES AND UNFINISHED BUSINESS**

### **REPORTS**

#### 5.1 Land Use Planning Opportunities to Support Affordable Housing in Rural Areas

The APC discussed the staff report regarding Land Use Planning Opportunities to support affordable housing in rural areas.

The following points were discussed:

- Provincial Health Ministry restrictions on residential development
- Potential impact of increased density on: privacy; views; character of neighbourhood; drainage
- Increasing minimum size of auxiliary dwelling: importance of having proper servicing in place if increasing density or size of auxiliary dwelling due to impact on the drainage system. Do not permit increased size of auxiliary dwelling without the pre condition of the adequate servicing.
- Impact of short-term rentals on long-term rental availability
- Low cost rental housing is an opportunity not being met; be careful not to build a slum; importance of philosophy in setting it up, criteria for applying and vetting applicants
- Affordable housing
- Co-housing
- Strata subdivisions
- More attention has to be paid to site coverage.
- Before auxiliary dwelling size is determined, regulations need to be reviewed so they do not conflict with one another.

### **NEW BUSINESS**

#### **DIRECTOR'S REPORT**

Director Lewis gave his report.

**NEXT MEETING**      April 26, 2017

**ADJOURNMENT**      8:12 p.m.

**SUNSHINE COAST REGIONAL DISTRICT****AREA F – WEST HOWE SOUND  
ADVISORY PLANNING COMMISSION****March 28, 2017**


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RECOMMENDATIONS FROM THE WEST HOWE SOUND (AREA F) ADVISORY PLANNING COMMISSION MEETING HELD AT ERIC CARDINALL HALL, 930 CHAMBERLIN ROAD, WEST HOWE SOUND, BC

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<b>PRESENT:</b>	Chair	Fred Gazeley
	Members	Susan Fitchell Laura Houle Maura Lavery Doug MacLennan
<b>ALSO PRESENT:</b>	Director Alternate Director Recording Secretary	Ian Winn Kate-Louise Stamford Diane Corbett
<b>REGRETS:</b>	Members	Bob Small
<b>ABSENT:</b>	Members	Lee Selmes

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**CALL TO ORDER**                      7:04 p.m.

**Nominations for Chair** – as per Bylaw No., 453, Section 8 (i) (i)

Fred Gazeley and Susan Fitchell were nominated Co-Chairs of the West Howe Sound Advisory Planning Commission.

**AGENDA**

The agenda was adopted as amended:

- Add under New Business: Discussion of May meeting date

**MINUTES**3.1 West Howe Sound (Area F) Minutes

The West Howe Sound (Area F) APC minutes of January 24, 2017 were approved as circulated.



### 3.2 Minutes

The following minutes were received for information:

- 3.2 Egmont Pender Harbour (Area A) APC Minutes of February 28, 2017
- 3.3 Halfmoon Bay (Area B) APC Minutes of February 28, 2017
- 3.4 Roberts Creek (Area D) APC Minutes of February 20, 2017
- 3.5 Planning & Community Development Committee Minutes of February 16, 2017

## **BUSINESS ARISING FROM MINUTES AND UNFINISHED BUSINESS**

### 4.1 West Howe Sound (Area F) APC minutes of January 24, 2017

- Item 5.3: ALR00003 for Non-Farm Use in the ALR & DVP00006 (Bottieri/Girard) for a Distillery at 943 Chamberlin Road

The APC requests clarification from SCRD Planning staff on the question, noted at the top of page 3, bullet 3, regarding whether waiving the 50% requirement for growing farm product would vary the use, as it pertains to the DVP.

The APC requests a response or acknowledgment regarding the Area F APC Recommendation No. 2: "That applications for breweries or distilleries be referred by the SCRD to the Ministry of Environment to ensure oversight of wastewater effluent from brewery and distillery processes."

### 4.2 Planning and Community Development Committee Minutes of February 16, 2017

- Recommendation No. 3 *Agricultural Land Commission Policy Update*

There was discussion of Board Resolution No. 256/16, Recommendation No. 3, of June 23, 2016, regarding ALR Non-Farm Use Application No. F-49 (Persephone Brewing Company, Inc.).

## **REPORTS**

### 5.1 Land Use Planning Opportunities to Support Affordable Housing in Rural Areas

The APC considered the staff report regarding land use planning opportunities to support affordable housing in rural areas.

The following points and issues were noted in an exploratory discussion:

- "Affordable housing" is an elusive topic; need a clear policy on what is "affordable".
- Impact of developer-driven development on affordability
- Impact of minimum lot size on affordability
- Even if you can afford to rent, finding a place to rent is a crisis. Availability is a problem that forces the prices up.
- Is the 15% foreign homebuyer's tax pushing people to the coast? Whereas home buying used to be more family oriented, now it is more investment properties. Now it is a business, and will push lack of affordability.
- Don't think the foreign homebuyer's tax is an issue. What is an issue, is foreigners are now investing up here, and have done so for a few years. There are vanloads of

purchasers coming here to buy investment properties; it will have a big impact on affordability.

- A lot has changed on the Sunshine Coast since the West Howe Sound OCP was completed in 2011.
- The SCRD should look at what other communities are doing, like Mission, Chilliwack, Abbotsford, Aldergrove, Langley; and also at Islands Trust's recent considerations related to options on housing and density issues.
- Rural areas lack sewage treatment. Most of the rural areas are well water systems. When doing densification, there has to be a plan to address sewage treatment, water, infrastructure, and services.
- It is also important to consider capacity for food services. Example of Langdale in the OCP as a potential hub for this. How many units could the Langdale well support? What is the capacity of sewage treatment facilities in a higher priority area such as Langdale? What are the opportunities if you consider infrastructure?
- Densification: SCRD is trying to solve the problem of affordability for people already here. There is also the consideration of how to densify. Young families have been moving to the coast because of what is happening in the Lower Mainland. We are so close to the city that there will be a tipping point. Eventually it will increase in density. What do we want it to look like?
- Am in favour of this kind of infill, within individual lots that are already owned. A secondary suite or a coach house is an opportunity to invest in your own property. Would suggest, because Hopkins and Granthams are really old subdivisions, and a lot of lots are ½ acre, that there is an impact on water. Would like to see it upland from those really old subdivisions. Surprising to pick those areas (noted in staff report).
- There is more space in Soames than Hopkins.
- If SCRD wants to encourage this, have a grant program for some of the new septic technologies that enable a smaller septic area. Or encourage a community system.
- Say in the policies that, if you want to increase density of a particular lot, you have to have a more modern type of sewage treatment facility, a class 3 system with pumps and filters.
- Would a requirement for class 3 sewage treatment systems be affordable or worthwhile for the rental of a small dwelling unit?
- Access to a coach house would be tricky on a hill.
- Suggestion to do a small homes village behind Langdale school.
- Smart Farm concept of densification on an agricultural property, in permitting a number of small homes housing families that work on the farm
- There is an increased demand in the community for small lots where a detached single-family dwelling could be built. Example of Parkland in Gibsons: it is a small lot subdivision where people can age in place. The advantage to that is someone might move from their home to the area and free up their home for someone else.
- Question what the SCRD can really do. We could say we will have comprehensive development in Langdale, but we don't know if it can be affordable.
- Local government has a part; land use has a direct impact on density. People want affordable housing, but not near them. SCRD has to be an overseer saying that while resources and infrastructure need to be looked at, denser housing needs to be allowed in all areas.
- The opportunity for the Regional District is through the setting of land use policies, zoning, and the ability to change to meet the demand, in a timely manner. Need to consider what could be changed in land use policies.

- For a Langdale comprehensive development zone, have a clear policy requiring that new developments have a certain number of “affordable” units, and really define that.
- If the rules regarding required infrastructure are made more affordable (such as waiving a requirement for curbs), that passes on to the cost of the lot.
- One of the cheapest and fastest ways to densify: apartment buildings.
- Affordable housing seems to be a coastal issue. There seems to be a lot of regionalism, segmentation, and NIMBYism on the Sunshine Coast. Want to see a wider public engagement. Deal with it at a coastal level.
- Discussion of whether or how short term rentals affect affordability

## **NEW BUSINESS**

### 6.1 Date for May meeting

As requested by the SCRD Planning Secretary, the APC considered possible optional meeting dates to the scheduled May 23 date. By consensus, it was agreed to reschedule the meeting to May 30 at 7:00 p.m., conditional upon availability of a suitable alternate meeting venue. The meeting would remain at the scheduled May 23 date in the event that a suitable venue was not available.

## **DIRECTOR’S REPORT**

The Director gave his report.

**NEXT MEETING**      **April 25, 2017**

**ADJOURNMENT**      8:50 p.m.



# Keeping it Rural

## 2017 Conference

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- ❖ **Maggie Donin** (Vermont) Maggie is the Beginning Farmer Specialist with the Intervale Center. Created in 1988, the Intervale Center is now a globally recognized leader in agriculture sector and local food development. Maggie will be speaking on Intervale's amazing accomplishments in preserving farms - and developing a new generation of farmers – in Vermont. [www.intervale.org](http://www.intervale.org)
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