



PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

Thursday, January 12, 2017
SCRD Boardroom, 1975 Field Road, Sechelt, B.C.

AGENDA

CALL TO ORDER: 9:30 a.m.

AGENDA

1. Adoption of Agenda

PETITIONS AND DELEGATIONS

2. Tim Howard, Transportation Choices – Sunshine Coast. Annex A
Regarding Report on 2016 Sunshine Coast Cyclist Survey Results pp. 1 - 7

REPORTS

3. General Manager, Planning and Community Development – Planning and Community Development Department – 4th Quarter 2016/Year End Report
(Planning and Community Development Services) (Voting – A, B, D, E, F) Annex B
pp. 8 - 22
4. Manager, Planning and Development and Senior Planner – OCP/Zoning Bylaw Amendment Application No. 432.25 / 337.87 (Ruby Lake Resort Ltd.)
Consideration of Second Reading and Public Hearing
Electoral Area A (Rural Planning Service) (Voting – A, B, D, E, F) Annex C
pp. 23 - 43
5. Manager, Planning and Development – Islands Trust Bylaw Amendment Nos. 143 and 144 – Subdivision of D.L. 696, Keats Island
(Regional Planning Services) (Voting – All) Annex D
pp. 44 - 48
6. Senior Planner – District of Sechelt Official Community Plan and Zoning Bylaw Amendment Referral 3370-2016-04 and 3360-20 2016-13 (Trellis Seniors Services)
(Regional Planning Services) (Voting – All) Annex E
pp. 49 - 65
7. Senior Planner – Official Community Plan Amendments to Incorporate Revised Geotechnical Development Permit Areas for West Howe Sound, Elphinstone and Roberts Creek Report of Public Hearing and Consideration of Third Reading (Electoral Areas D, E and F)
(Regional Planning Services) (Voting – All) Annex F
pp. 66 - 131
8. Planning Technician – Development Variance Permit DVP00007 (Fabbiano) – Electoral Area E
Electoral Area E (Rural Planning Services) (Voting – A, B, D, E, F) Annex G
pp. 132 - 141
9. Planning Technician – Development Variance Permit DVP00008 (Torrens) – Electoral Area B
Electoral Area B (Rural Planning Services) (Voting – A, B, D, E, F) Annex H
pp. 142 - 158

10. Manager, Recreation and Community Partnerships - SCRD Legacy/Bequest Program
(Recreation and Community Partnerships) (Voting - All) Annex I
pp. 159 - 160
11. Parks Planning Coordinator – Egmont Community Club Agreement to Operate Klein Lake Campground
(Community Parks) (Voting – A, B, D, E, F) Annex J
pp. 161 - 163
12. Parks Planning Coordinator – Cycling Community Infrastructure Comments
(Bicycle Walking Paths) (Voting – A, B, D, E, F) Annex K
pp. 164 - 171

COMMUNICATIONS

13. Mayor Leo Facio, Harrison Hot Springs dated November 28, 2016
Regarding Short Term Rentals in the Tourism Accommodation Sector. Annex L
pp. 172
14. Kelsey-Rae Russell, Land Use Planner, South Coast Agricultural Land Commission, dated December 19, 2016.
Regarding Release of Reasons for Decision for ALC Application ID 55596 (Persephone Brewing).
(Rural Planning Services) (Voting – A, B, D, E, F) Annex M
pp. 173 - 182
15. Jack Crompton, Board Chair, Squamish-Lillooet Regional District, dated December 21, 2016.
Regarding Volunteer Fire Departments on Private Land. Annex N
pp. 183 - 186
16. Laurie Gourlay, Interim Director, Salish Sea Trust, dated December 21, 2016.
Regarding Opportunity to Support Salish Sea World Heritage Site Proposal. Annex O
pp. 187 - 190

NEW BUSINESS

IN CAMERA

That the public be excluded from attendance at the meeting in accordance with Section 90 (1) (k) of the Community Charter – “negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages...”.

ADJOURNMENT



2016 Sunshine Coast Cycling Survey Results

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About the Survey

TraC surveyed cyclists on the Sunshine Coast to determine how they would rate the current state of road cycling infrastructure on the Sunshine Coast, and to get feedback from users into what improvements they would like to see.

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Survey Date & Modes

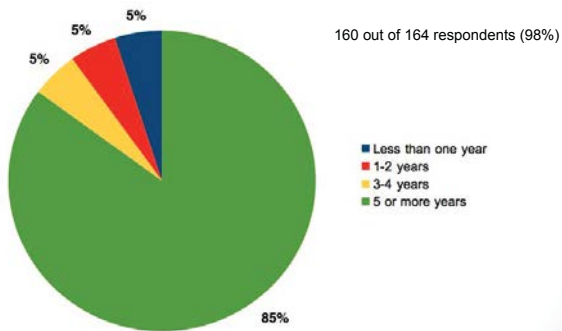
- Survey start - April 24th, End - June 5th 2016
- **Total Respondents:** 164
- **Paper** - 40; **Online** - 124
- Paper survey handed out at Earth Day festival and SCRD Walk/Bike Open House
- Online survey created with *Google Forms*.
- Online survey shared via website, Facebook, Twitter accounts

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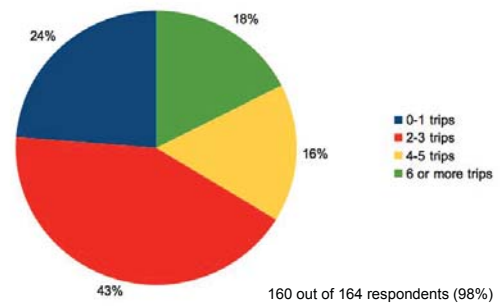
Part 1 - Cycling Use & Infrastructure

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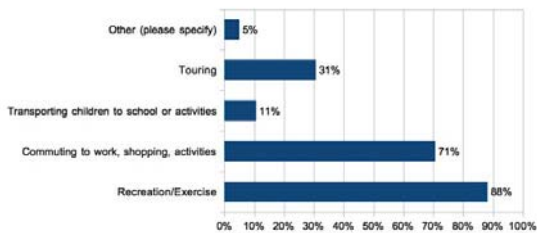
Q1: How many years have you been using a bike for at least some part of your transportation needs?



Q2: On average, how many trips by bicycle do you make each week?

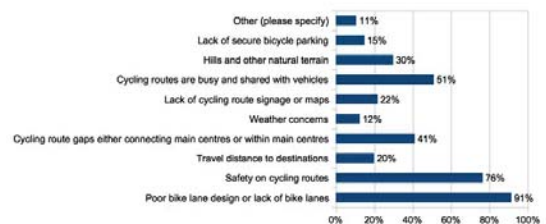


Q3: How do you use your bike?



- 161 out of 164 respondents (98%)
- Multiple selection question

Q4: What are the main barriers to cycling on the Sunshine Coast?



- 161 out of 164 respondents (98%)
- Multiple selection question

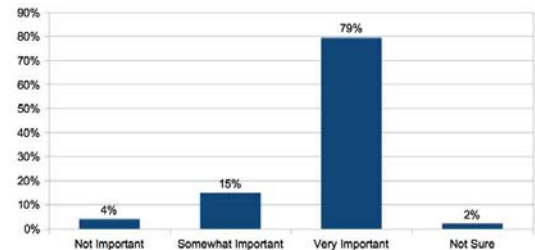
Q5: If you could prioritize changes which would make it easier for you to bicycle on the Sunshine Coast what would they be?

Survey respondents were asked to rate six changes from *not important* to *very important*

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Q5: If you could prioritize changes which would make it easier for you to bicycle on the Sunshine Coast what would they be?

Build dedicated bike lanes to increase cycling safety

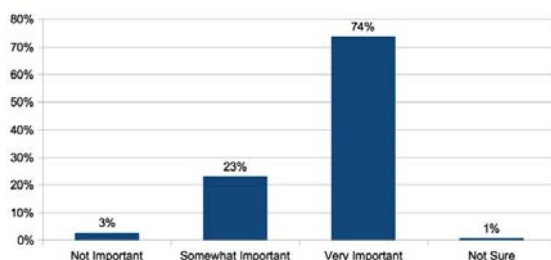


155 out of 164 respondents (94%)

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Q5: If you could prioritize changes which would make it easier for you to bicycle on the Sunshine Coast what would they be?

Increase maintenance of bike lanes (e.g. fill potholes, sweep lanes)

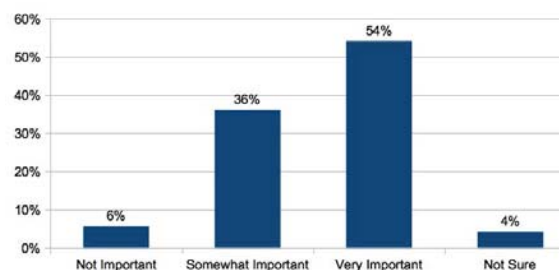


152 out of 164 respondents (93%)

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Q5: If you could prioritize changes which would make it easier for you to bicycle on the Sunshine Coast what would they be?

Connect cycling routes

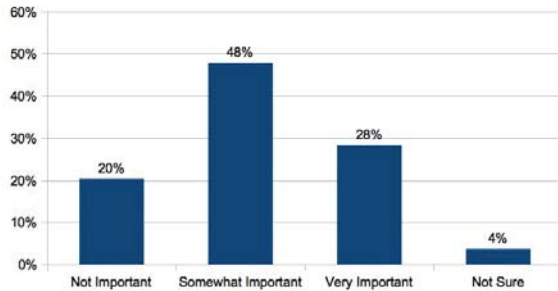


144 out of 164 respondents (88%)

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Q5: If you could prioritize changes which would make it easier for you to bicycle on the Sunshine Coast what would they be?

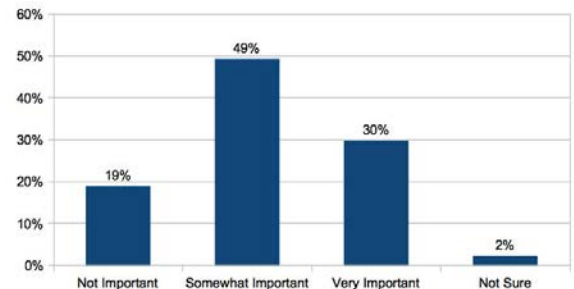
Promote cycling routes with signage and maps



138 out of 164 respondents (84%)

Q5: If you could prioritize changes which would make it easier for you to bicycle on the Sunshine Coast what would they be?

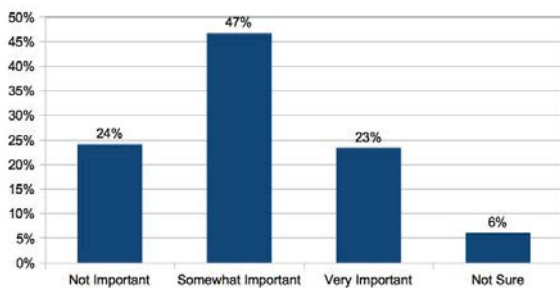
Educate people about the benefits of cycling



138 out of 164 respondents (84%)

Q5: If you could prioritize changes which would make it easier for you to bicycle on the Sunshine Coast what would they be?

Increase the number of bicycle racks and secure parking



133 out of 164 respondents (81%)

Q6: Can you identify any specific locations on the Sunshine Coast where cycling infrastructure improvements should be made?

- Open ended text box question
- Respondents asked to list specific locations - e.g. intersections, road or street names and name the improvements.
- 125 out of 164 Respondents (76%)
- A lot of passionate, detailed replies highlighting areas all over lower Sunshine Coast

Q6: Can you identify any specific locations on the Sunshine Coast where cycling infrastructure improvements should be made?

COMMON:

- Safety on Hwy 101 is the biggest concern
- Safe bike lanes connecting areas (e.g. Langdale to Gibsons, Gibsons to Sechelt)
- Other concerns:
 - Maintenance - debris, potholes, pavement issues
 - Shoulders abruptly ending

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Q7: Do you have any other comments about the state of cycling infrastructure on the Sunshine Coast?

- Open ended text box question
- 88 out of 164 Respondents (54%)

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Q7: Do you have any other comments about the state of cycling infrastructure on the Sunshine Coast?

COMMON:

- Big opportunity for cycling tourism on the Coast
- Highlighting success stories from other cities
- Cycling can become a major alternative transportation mode if infrastructure is put in place
- Even a little road maintenance goes a long way

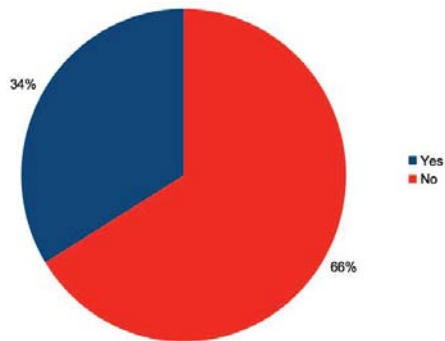
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Part 2 - Bike Lockers

BC Transit was interested in knowing how many cyclists would use bike storage lockers and where they should be located.

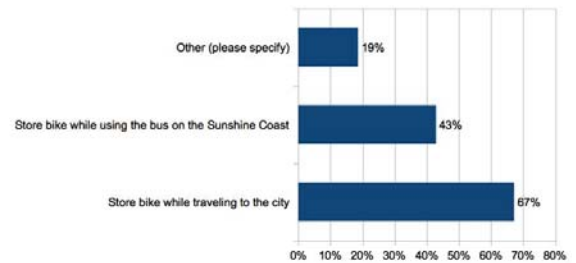
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Q8: Would you use a secure bike locker if it was available?



151 out of 164 respondents (92%)

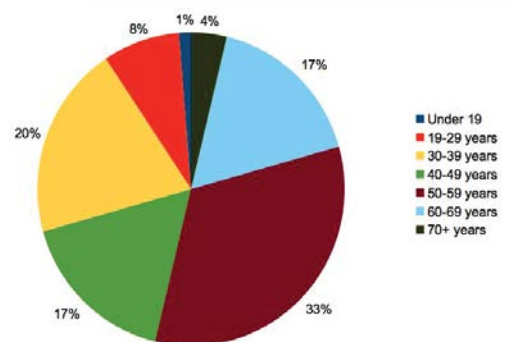
Q9: For what purposes would you use a bike locker?



- 70 out of 164 respondents (43%)
- Multiple selection question

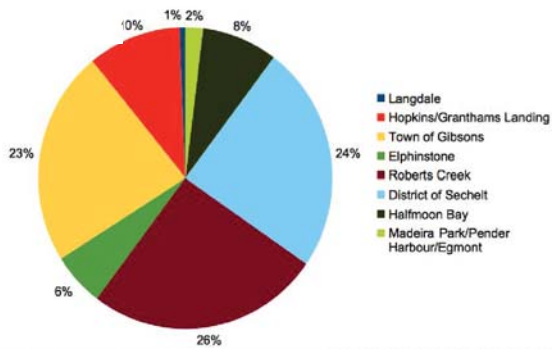
Part 3 - About the Respondent

Q10: To which age bracket do you belong?



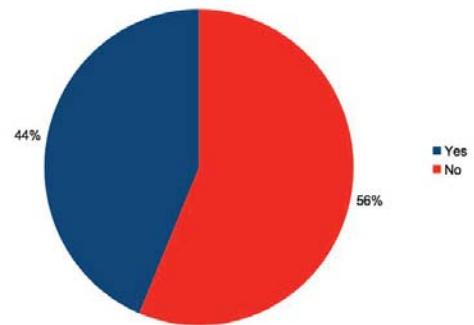
160 out of 164 respondents (98%)

Q11: Which community best describes where you live?



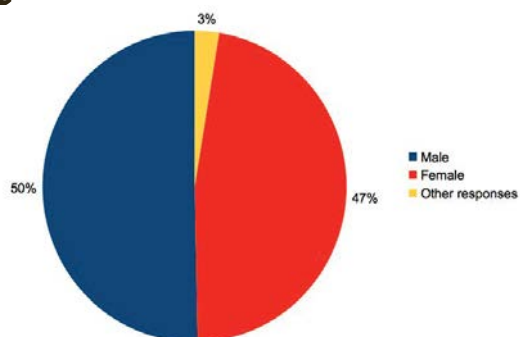
- 156 out of 164 respondents (95%)
- Note: Elphinstone option not on print survey

Q12: Do you have children in your household?



158 out of 164 respondents (96%)

Q13: Please indicate your gender



- 155 out of 164 respondents (95%)
- Open text box question
- "Other responses" generally people who disagreed or were offended by question

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: Ian Hall, General Manager, Planning and Community Development

SUBJECT: **PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT - 2016 FOURTH QUARTER/ YEAR END REPORT**

RECOMMENDATION

THAT the report titled Planning and Community Development Department - 2016 Fourth Quarter/Year End Report be received.

BACKGROUND

The purpose of this report is to provide an update on activity in the Planning and Community Development Department for the Fourth Quarter (Q4) of 2016: October 1 to December 31, 2016.

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)

Application received by EAO on August 4 and public comment period held from August 15 to October 3 (extended from September 28). Board resolutions were provided to EAO by October 3 deadline for public comments. Staff attended EAO Working Group (WG) meetings on October 25 and 26; presentations provided by BURNCO in response to some issues raised by WG members. BURNCO's responses to WG input publically provided on November 10. Staff report provided at the December 8 PCD meeting. Board resolution from December 8 sent to EAO and BURNCO on December 12.

Rural Planning [504]

PROJECTS

Egmont/Pender Harbour Official Community Plan Review

The Official Community Plan Public Information Meeting was held at the Madeira Park Community on November 12, 2016. Staff and OCP Review Committee members presented a draft plan to the community. A revised draft incorporating community feedback is being prepared for Board consideration in 2017 Q1/Q2.

Twin Creeks Official Community Plan Review

The Twin Creeks OCP review committee met on November 22; items discussed included balance between additional residential and industrial and objectives/policies for rural; and forestry. Monthly meetings during 2017 Q1 will advance this project toward a draft OCP by June 2017.

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

Bylaw Nos. 310.165 and 337.112 (Transition House)

Staff reviewed the bylaws and the comments received. Next steps will be determined in 2017 Q1 as part of overall review of Bylaw 310.

Bylaw 337.87 and OCP 432.25 (Ruby Lake Resort)

Applicants are working on details of the development including a parking plan, total occupancy numbers and on-site fire protection. A report will be provided at the January 12 PCD with potential for consideration of 2nd Reading and scheduling of public hearing.

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

A report is scheduled for the January 12, 2017 PCD to consider Third Readings with amendments.

BYL00002 and OCP 00001 (Shazach Holdings Inc.) – Bylaw Amendment Nos. 310.170 and OCP 600.7

Application received to amend Bylaw 310 and OCP to allow historic uses to become permitted uses at 969 Keith Rd, Elphinstone. Referral to Area E APC meeting on October 26, report to November 10 PCD and bylaws received First Reading on November 24. Referrals sent in December. Staff will work with applicant to arrange public information meeting.

BYL00001 (Penonzek) - Bylaw Amendment No. 310.168

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. Planning and Community Development Committee considered this report at its meeting on December 8, 2016.

BYL00005 and OCP00002 (West Coast Wilderness Lodge) – Bylaw Amendment Nos. 337.114 and 432.33

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. A report is being prepared for the Area A Advisory Planning Commission meeting in January 2017. Following receipt of an APC recommendation, a report will be prepared for the Planning and Community Development Committee.

BC Ferries

Staff met with representatives from BC Ferries regarding Langdale Terminal to discuss rezoning application to amend Bylaw 310 to bring zoning in line with the site's actual use. Application anticipated to be made early in 2017.

BOARD OF VARIANCE

No Board of Variance hearings were held in Q4. Staff provided a report to Infrastructure Services Committee on December 15, 2016 regarding opportunities to enhance the Board of Variance process. The staff report will be referred to APCs and the Roberts Creek OCPC for review.

AGRICULTURE

Smart Farm Project

Planning staff corresponded with staff at the Real Estate Foundation of BC in Q4 to provide technical planning advice on the project. The Real Estate Foundation has asked the proponent for some clarification on one of the proposed land use models.

AGRICULTURAL LAND COMMISSION APPLICATIONS AND DECISIONS

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 application was referred to the APC and AAC in November. The APC deferred making a recommendation. The AAC did not make quorum.

Agricultural Land Commission Decisions

- The ALC approved application D-60 for Non-Farm Use in Roberts Creek to permit a dwelling above an existing building.
- The ALC conducted a site visit to Persephone Brewing Company on November 1, 2016 and subsequently (December 20, 2016) denied application F-49 for Non-Farm Use in West Howe Sound to permit a brewery that grows less than 50% of the farm product (grain) on-site.

CROWN REFERRALS

Crown Land Water License Parameters

The SCRD Board adopted resolution 391/16 on October 13, 2016:

Recommendation No. 8 *Clarification of Water License Parameters*

THAT staff send a letter to the Crown to address SCRD concerns regarding the process for using a water license application for the improvements of a pond from Hutchinson Creek.

This resolution was adopted after reviewing a water license application on Hutchinson Creek for 'improvement of the pond' (Crown File 2004103). The Board raised concerns regarding the tool

used for the application (a license vs a permit). There was an understanding that a permit could include conditions, monitoring, and an expiry date, whereas a license may not.

The following is the response (in part) from a Water Authorizations Specialist with the Ministry of Forests, Lands and Natural Resource Operations:

The application mentioned came for a “land improvement” purpose use, and the pond has a sluice/dam at the outlet. Man-made ponds with control structures generally require a water licence for maintenance of works, and water use in the pond, as is the case with this pond. Sediment removal has in the past fallen under an approval application, but more recently we have been including this as part of the licence for regular maintenance of the works and licensed use.

There will be conditions regarding the requirement for erosion and sediment control measures, but this requires further discussion and specific details have not yet been determined or confirmed. Typically, conditions will include having an Erosion and Sediment Control Plan, presence of environmental monitors, fish/amphibian salvage (if not dry), among other things.

OTHER

Association of Regional District Planning Managers

The Manager, Planning and Development and Senior Planner attended the annual conference held from November 1 to November 3, 2016 in Victoria. The agenda included:

- Presentation by Assistant Deputy Minister of Ministry of Culture, Sports and Community Development
- Contaminated Sites Regulation Changes
- Case Law update
- Provincial Approving Officers Round Table (covenant registration, geotechnical reports, subdivision approval contrary to zoning at local government’s request)
- Enforcement of Natural Environment Development Permit Areas

OPERATIONS

Development Applications Statistics

Applications Received	A	B	D	E	F	Total	2016 YTD Total
Development Permit	1	2			1	4	14
Development Variance Permit		1		1	1	3	14
Subdivision	1	2	1		1	5	14
Rezoning/OCP	2			2		4	7
Board of Variance						0	4
Agricultural Land Reserve					2	2	4
Total	4	5	1	3	5	18	57

There were 18 Development Applications received in Q4 compared to 14 in Q1, 9 in Q2 and 16 in Q3. The 2016 total for Development Applications is 57. The 2015 total for Development Applications was 51.

Crown and Local Government Referrals

Referrals	DoS	ToG	SIGD	Isld Trst	SqN	Crown	Other	Total	2016 YTD Total
Referrals	2					2		4	34

There were 4 Crown and Local Government Referrals received in Q4 compared to 7 in Q1, 8 in Q2 and 15 in Q3. The 2016 total for Referrals is 34. The 2015 total for Crown Referrals was 48. Data for total Local Government Referrals was not collected in past years.

Building Permit Reviews Completed by Planning

BP Review	A	B	D	E	F	Total	2016 YTD Total
Building Permit Reviews by Planning	18	7	7	7	12	51	293

There were 51 Building Permit Reviews Completed by Planning in the Q4 compared to 65 in Q1, 102 in Q2 and 75 in Q3. The 2016 total for Building Permit Reviews Completed is 293. The 2015 total for Building Permit Reviews Completed by Planning was 215.

Development Applications Revenue

Revenue Stats	A	B	D	E	F	Total	2016 YTD Total
DP	\$800	\$650				\$1,450	\$6,270
DVP		\$500		\$500	\$500	\$1,500	\$7,900
Subdivision	\$865	\$1,565	\$865		\$700	\$3,995	\$19,035
Rezoning/OCP	\$2,900			\$2,900		\$5,800	\$14,000
BoV						\$0	\$2,500
ALR					\$3,000	\$3,000	\$4,800
Total	\$4,565	\$2,715	\$865	\$3,400	\$4,200	\$15,745	\$54,505

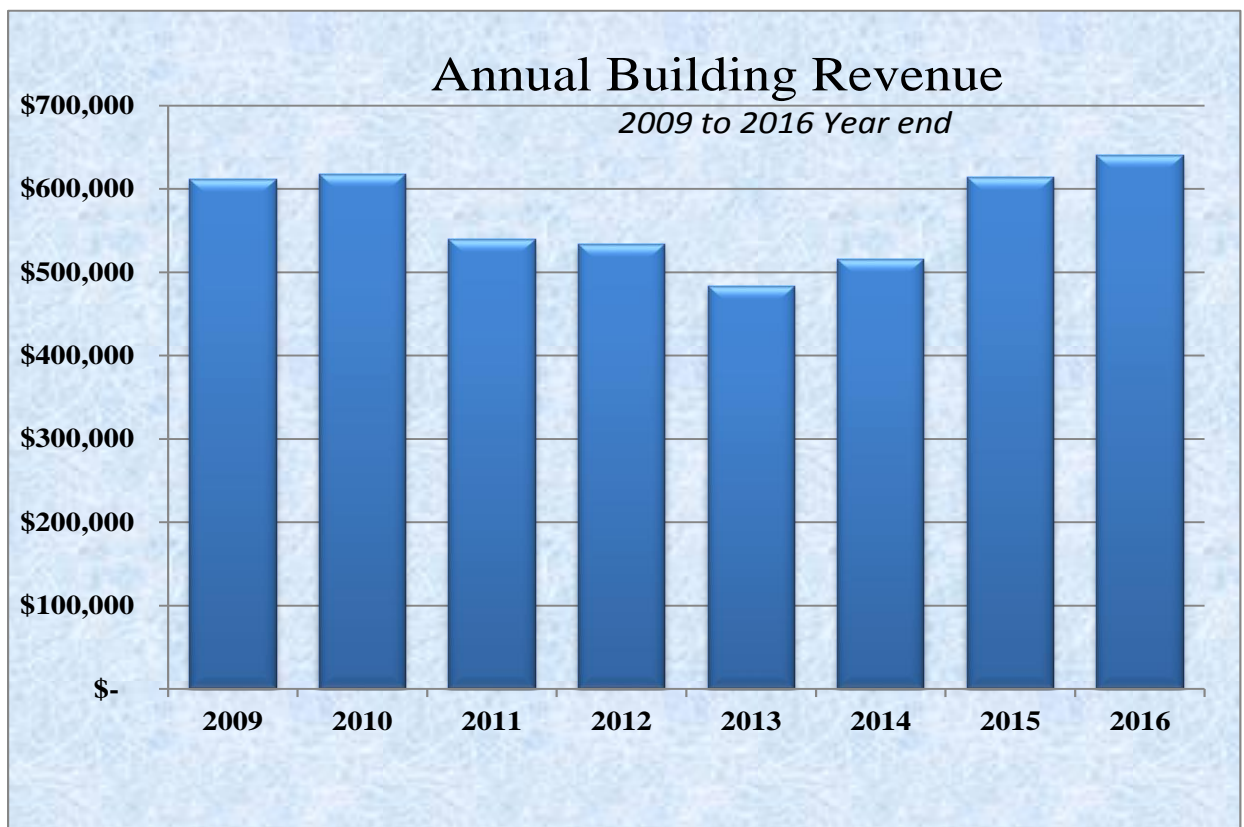
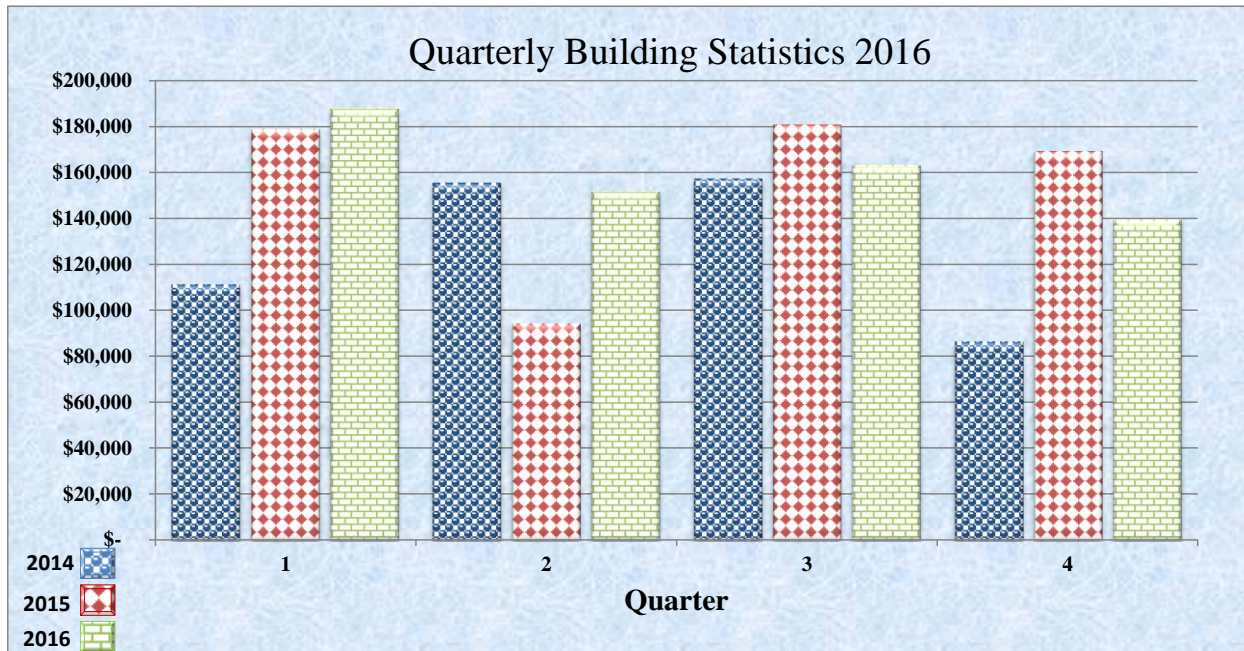
The Development Applications Revenue was \$15,745 in Q4 compared to \$13,340 in Q1, \$10,045 in Q2 and \$15,375 in Q3. The 2016 total is \$54,505. Development Applications Revenue data was not collected in past years.

BUILDING DIVISION [FUNCTION 520]

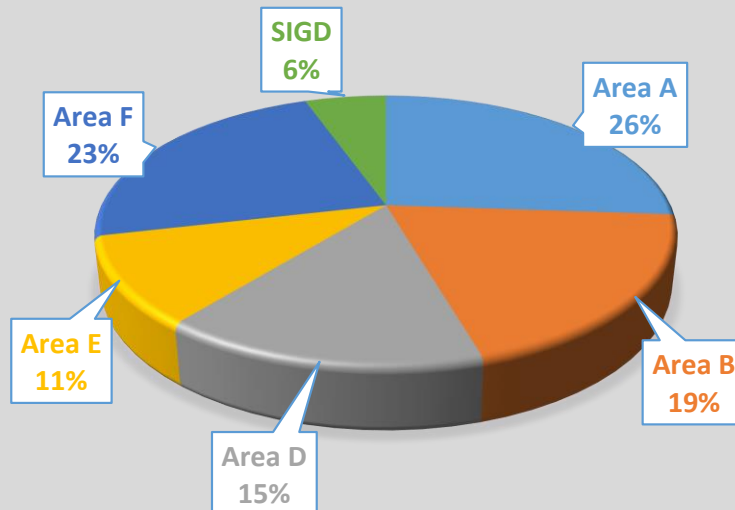
Building [520]

OPERATIONS

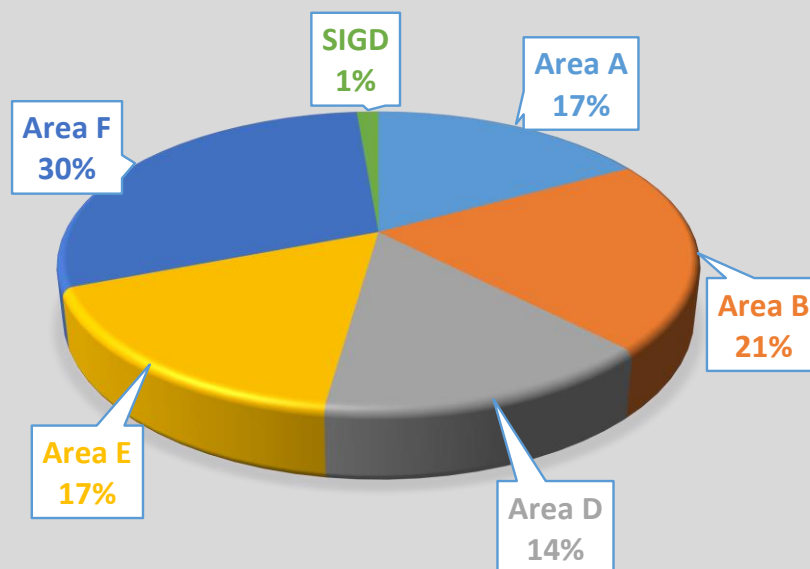
The total building permit revenue for 2016 has increased over the previous year and is the highest since it peaked in 2010. Electoral Areas F and B generated the largest amount of permit revenue for 2016 accounting for 51% while the remaining Electoral Areas shared a more even distribution of the remaining revenue.



Building Permit Revenue by Electoral Area
Fourth Quarter



2016 Annual Building Permit Revenue to date by
Electoral Area



FACILITY SERVICES DIVISION [FUNCTION 313]

Building Maintenance [313]

PROJECTS

Gibsons Library

Gibsons Library parking lot anti-slip installation postponed due to cold temperatures in fall 2016.

Fire Halls

Structural roofing audit for all fire halls – site inspections complete; reports being developed.

Training

Staff successfully completed BCFED Health & Safety course – Incident Investigation

Statistics

Building Maintenance Tickets	Oct - Dec
Tickets received Oct 1 st – Dec 9 th	60
Tickets resolved Oct 1 st – Dec 9 th	41
Open (unresolved) tickets as of December 31, 2016	71

BUILDING CONDITION AUDITS

(Audits conducted June through August, 2016)

Field Rd. Administration Building

- 56 repairs identified – 5 completed, 51 unresolved
- Estimates available for all remaining repairs

Field Rd. IT Building

- 5 repairs identified and unresolved
- Estimates available for all repairs remaining

Gibsons Fire Hall

- 25 repairs identified – 2 completed, 23 unresolved
- Cedar fence and retaining wall have since been replaced.
- Estimates available for remaining repairs (except resurfacing roof façade, in progress)

Roberts Creek Fire Hall

- 27 repairs identified and unresolved
- Estimates available for all remaining repairs

Halfmoon Bay Fire Hall (Main)

- 24 repairs identified and unresolved
- Estimates available for remaining repairs (except detailed inspection of front roof façade with contractor pricing to follow)

PREVENTATIVE MAINTENANCE PROGRAM

Field Road Administration Building

During Q4, Building Maintenance completed two monthly Safety Inspections and two monthly Preventative Maintenance (PM) Program Inspections with routine maintenance. Staff also performed semi-annual and quarterly functional testing inspections in conjunction with the last routine inspection. Staff also completed several exterior PM items at the Gibsons Library including pressure washing and gutter cleaning. PM planning for 2017 is underway.

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

Cemeteries [400]

PROJECTS

Development of a Seaview Cemetery information brochure is underway (with Communications Officer)

Statistics

	2016	2015	2016	2015
Service	Burials	Burials	Cremations	Cremations
Plots Sold	5	8	0	0
Niches Sold	0	0	2	0
Interments	5	3	4	10
Inurnments (Niche)	0	0	2	0

OPERATIONS

Maintenance activities completed at both Seaview and Elphinstone cemeteries.

Parks [650]

PROJECTS

Parks, Trails and Beach Access

Lily Lake Trail

The final section of the Lily Lake Trail through private property has been completed. This trail runs 800 metres through Tyner Park and along Lily Lake connecting Lagoon Road to the medical centre at the highway. Once fencing along the private property section is installed this project will be complete.

Phase 2 Suncoaster Trail

Planning is under way for 2 open houses to be held in February 2017 to introduce and get input on Phase 2 of the Suncoaster Trail.

Fullerton Road Beach Access

The statutory right of way for the Fullerton Road beach access has been registered with Land Title Office. This project is now complete.

Gambier Island

Staff conducted a site visit to Lost Lake and Burts Bluff Trails (Sea Ranch) and Sir Thomas Lipton Park on Gambier Island to inspect SCRD assets and update maintenance plans for the trails and park.

Staff developed a proposed Gambier Island South West Peninsula Trails Technical Working Group Terms of Reference to be presented to the Planning and Community Development Committee in January.

OPERATIONS

Key Q4 activities included:

- Storm cleanup and tree work in major parks
- Routine inspection of community halls
- Trail counters installed at Lohn Road, Big Firs and Homesite Creek
- Seasonal shutdown of Katherine Lake campground, including water shutdown, washroom closure
- Invasive species inventory of Coopers Green Park

Community Halls

OPERATIONS

Statistics

Number of bookings in Community Halls in 2016 Q4 compared to 2015 Q4 bookings:

Community Hall	2016 Q4 Bookings	2015 Q4 Bookings
Eric Cardinall	64	68
Frank West Hall	96	55
Coopers Green	19	22
Chaster House	51	29

Sports Fields

OPERATIONS

All sports fields fertilized and seeded.

Statistics

Number of bookings per sports field in 2016 Q4 compared to 2015 Q4 bookings:

Sports Field	2016 Q4 Bookings	2015 Q4 Bookings
Lions Field	65	66
Cliff Gilker	194	172
Connor Park	170	144
Maryanne West	116	79
Shirley Macey Park	107	119

Dakota Ridge [680]

OPERATIONS

- Pre-season work complete, including minor road repairs, firewood in building, insurance compliance, volunteer orientation, drainage work.
- Recommendations complete and action taken on the 2016 MIA risk management inspection of the Dakota Ridge facility (signage, fall hazard elimination, wood stove safety).
- Drainage work and brushing completed.
- New road contract tendered and awarded.
- 35 volunteers trained and will be helping with trail hosting and grooming for the 2016/2017 ski season.
- Dakota Ridge opened on December 16.

MARKETING

Over 14,000 users were reached during a weeklong advertising campaign on Facebook to promote the opening of the facility.

PROJECTS

20 volunteers attended several Dakota Ridge work parties held between October 22 and November 5, 2016 at which time drainage improvements were implemented, wood stacked, and trails cleared in preparation for the ski and snowshoe season.

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

Gibsons and District Aquatic Centre [616]

PROJECTS

- Pool data sheets received from engineer for Main Pool and Tots Pool; the data sheets will assist and guide the go-forward operation of the facility, improving safety and efficiency.
- Research and planning for replacement of main pool pump underway.

OPERATIONS

Admissions

The period October - December, 2016 saw 4,126 admission visits compared to 4,459 for 2015 over the same period. This represents a decrease for the October through December period of 333 visits. These numbers include 408 L.I.F.E Admissions for those on low income for 2016. Not included in above numbers are 1,658 visits of Aquafit programs.

Program Registrations:

From September - December, 2016 (Fall Session) there were 1558 program visits compared to 1908 for 2015. This represents a decrease for the period of 350 visits.

Gibsons and Area Community Centre [617]

PROJECTS

- Dehumidifier ducting replaced by Pikes Mechanical.
- Ballast and bulb bi annual repair on ice surface lighting completed by Olson Electric.
- Florescent relamping with lower wattage bulbs used for energy savings. Installed by Facility Services Staff.
- Florescent relamping with LED lamps in upstairs washrooms for energy savings. Installed by Facility Services Staff.
- Backup emergency lighting generator repair; control board in transfer switch replaced.

OPERATIONS

Admissions

The period October - December, 2016 saw 21,842 admission visits compared to 26,660 for 2015. This represents a decrease for the October - December period of 4,818 visits. This includes arena facility rental attendance.

Program Registrations

For the September - December 2016 (Fall Session) period there were 1,840 program visits compared to 2,206 for 2015. This represents a decrease of 366 visits.

The first season of ElderCollege programs was a success with 328 participants registered this fall. Many are new SCRD Recreation service users. One multiday course held at the Gibsons and Area Community Centre had 85 participants.

Sunshine Coast Arena [620]

PROJECTS

- Heating system occupancy timers replaced.
- Ignition module replaced in heating boiler.
- Zamboni ice gate wheels replaced.

OPERATIONS

Admissions

The period October - December, 2016 saw 7,704 admission visits compared to 1,901 for 2015. This represents an increase for the October - December period of 5,803. This includes arena facility rental attendance which was not reflected in 2015 admissions.

Program Registrations

For the period September - December 2016 (Fall Session) there were 128 program visits compared to 339 for 2015. The One Goal program was not offered this past Fall Session because of low registration numbers and accounted for 144 less program visits as compared with 2015.

Sechelt Aquatic Centre [621]

PROJECTS

- Steam generator required element/boiler tank rebuilt and pressure tested (following failure).
- Main pool heat pump pressure sensor replaced.
- Solar heating system shut down and winterized.

OPERATIONS

Admissions

The period October - December, 2016 saw 39,738 admission visits compared to 39,302 for 2015. This represents an increase for the October - December period of 436. Included in this total are 3,796 L.I.F.E admissions for those on low income for 2016.

Not included in the above numbers are 1,737 visits to dryland fitness programs, 3,265 visits to Aquafit programs.

Program Registrations

For the period September - December 2016 (Fall Session) there were 5,262 program visits compared to 4,959 for 2015. This represents an increase of 303.

Pender Harbor Aquatic and Fitness Centre [625]

PROJECTS

- New, wheelchair accessible cardio equipment installed (Sci Fit Pro 2 Total Body ergometer and cycle combination).
- Equipment storage installed under benches in lobby yielding improved space utilization and more efficient program delivery.

OPERATIONS

- Sauna repairs and upgrades. Replacement of some boards and installing wood strips around bench and sitting areas.

PROGRAM HIGHLIGHTS

October

- Annual Thanksgiving weekend Fill the Pool Food Bank Drive was again successful.
- Fear Factor Hallowe'en event on October 18 had 20 children in attendance.
- Sechelt Indian Band Mom-Ay-Mon Preschool began their 10 week Red Cross Preschool lesson sessions. The group participates twice per /week. This has been a long standing partnership with the SIB and has been a strong, positive program for many years.

November

- Glow Night on November 8 had 50 participants throughout the evening.
- Pender Harbour Secondary School Group Weight Training for skill and technique development included 3 groups of 6 students participated during their PE class from November to December.

December

- Days of Christmas annual event featuring a different type of activity each day from December 1 - 22. Activities include pool, gym or arts and crafts projects and challenges. Donated draw prizes for participants encourage active living.
- Pender Harbour Secondary School Grade 7 Bronze Star completed. This is now an annual program which has proven very successful. Students attend the pool during their PE class to participate in this Lifesaving program. The partnership encourages physical activity, develops swimming, first aid and leadership skills and creates the pathway to continue to higher levels of training with the goal of becoming a lifeguard.

Admissions

The period October - December, 2016 saw 3,470 admission visits compared to 4,273 for 2015. This represents a decrease for the October through December period of 803. Included in this number are 132 L.I.F.E admissions for those on low income for 2016. Not included in the above are 431 visits to dryland fitness programs, 620 to Aquafit programs.

Program Registrations

For the period September - December, 2016 (Fall Session) there were 1,798 program visits compared to 1,157 for 2015. This represents an increase for the period of 641 visits.

Summary

SCRD Recreation Services saw a total of 98,039 visits to Recreation Facilities from October - December 2016 as detailed below:

2016 SCRD Recreation Facility	Front Desk Admissions*	Program Attendance	Spectators	4th Quarter Attendance
Gibsons & District Aquatic Facility	4,126	1,558	n/a	5,684
Gibsons & Area Community Centre	21,842	1,840	7,469	31,151
Sunshine Coast Arena	7,704	128	3,104	10,936
Sechelt Aquatic Centre	39,738	5,262	n/a	45,000
Pender Harbour Aquatic & Fitness Centre	3,470	1,798	n/a	5,268

**Includes Rentals*

Year-over-Year comparison:

January to December	SAC	GDAF	GACC	SA	PHAFC
				Data not comparable (old methodology)	
Year 2015	134,801	17,866	75,102		13,861
Year 2016	138,655	15,664	84,583	23,055	12,425

Reviewed by:			
Manager	X - KP, DC, AA, KR, PP	Finance	
GM	X - IH	Legislative	
CAO	X - JL	Other	

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee - January 12, 2017

AUTHOR: Andrew Allen - Manager, Planning and Development,
David Rafael - Senior Planner

SUBJECT: **OCP / Zoning Amendment Bylaw Application No. 432.25 / 337.87
(Ruby Lake Resort Ltd.) Consideration of Second Reading and Public
Hearing**

RECOMMENDATIONS

1. **THAT the report titled OCP / Zoning Amendment Bylaw Application No. 432.25, 2016 and 337.87, 2016 (Ruby Lake Resort Ltd.) Consideration of Second Reading and Public Hearing 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 Second Reading;**
 3. **AND THAT Bylaw 432.25, 2016 is consistent with the SCRD's 2016-2020 Financial Plan and 2011 Solid Waste Management Plan;**
 4. **AND THAT *Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.87, 2016* be forwarded to the Board for Second Reading as amended;**
 5. **AND THAT a public hearing to consider Bylaws 432.25, 2016 and 337.87, 2016 be scheduled for 7:00 p.m., Tuesday February 21, 2017, at Pender Harbour Secondary School Gym, located at 13639 Sunshine Coast Hwy, Pender Harbour;**
 6. **AND FURTHER THAT Director _____ be delegated as the Chair and Director _____ be delegated as the Alternate Chair for the public hearing.**
-

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 May of this year when the OCP bylaw and zoning bylaw amendments received first reading. A public information meeting was subsequently held in June in the library of the Pender Harbour Secondary School.

Since this time referrals have been sent to agencies and changes have been suggested to the zoning bylaw amendment based on feedback received at the public information meeting.

This report summarizes the public information meeting and referral comments that have been received and amendments that have been made to the bylaw as a result of the feedback to date.

DISCUSSION

Options and Analysis

Option One: Amend Bylaw 337.87, Second Reading and Schedule a Public Hearing

In light of feedback, staff set out amendments to Bylaw 337.87 below to address issues raised regarding parking, control of development, need for definition of new use and reducing maximum site cover. No amendments are proposed to Bylaw 432.25.

Some aspects of the proposal can be incorporated in a covenant or make conditions to be met prior to consideration of adoption.

The following should be conditions to be met before adoption is considered:

- a fire plan should be finalized and agreed to by the Egmont Volunteer Fire Department;
- Ministry of Transportation and Infrastructure access permit be issued for the northern access.

The following should form the basis for a restrictive covenant registered on title:

- drainage plan to ensure it is installed and maintained by the resort owner;
- limiting the total combined occupancy of the site to ensure that the parking supply is sufficient.

A public hearing is recommended to be scheduled for Tuesday February 21, 2017, starting at 7:00 p.m. in the Pender Harbour Secondary School Gym, located at 13639 Sunshine Coast Hwy, Pender Harbour.

Staff recommend this option. Copies of the bylaws with amendments to 337.87 are included in Attachment C.

Option Two: Amend Bylaw 337.87, Second Readings and Re-Consult

As noted in Option One staff recommend amendments to the Bylaw 337.87. The amended bylaw could undergo additional referral to confirm that these are supported by the community.

Staff consider that the proposed changes address community input. If there are concerns then these will be raised at the public hearing and staff will consider what steps need to be taken and provide options for the Board to consider.

Public Consultation and Referrals

In reviewing the comments received to date (set out in detail below under Communications Strategy), staff consider that there is support for the proposal with a few aspects that need to be resolved.

The SCRD is awaiting input from the *shíshálh* Nation. The referral was sent in May and a reminder was recently sent. Staff from the *shíshálh* Nation will review the bylaws and forward comments as soon as possible. The applicant has indicated that a preliminary field reconnaissance has been conducted by *shíshálh* Nation staff. However, to date, comments have not been forwarded to the SCRD.

Additional Information Provided by Applicant – Sound Study

After the public information meeting the applicant provided a sound assessment and measurement report prepared by Peter B. Lietz (copy in Attachment A). Mr. Lietz set up a sound system with electronic amplification (speakers) at the front of the floor of the wooden outdoor stage, similar to that used during previous events. Recorded music was played and volume set at a decibel level of 85 when measured approximately 3 feet from the speakers which were pointed towards the highway. Sound level measurements were taken at various locations.

The report concluded that:

- Sound testings showed negligible sound levels at all of the off-site areas measured.
- Sound appears to be substantially buffered by the site topography.

Mr. Lietz provided some suggestions to reduce sound emanating from the Site:

- suspension of speakers or tilting speakers down;
- wooden fencing (approximately 8 feet in height) placed in appropriate locations can reduce sound levels by as much as 30% in much the same way as vegetation.

However, he noted that such measures do not appear warranted in this situation, given low sound measurements which were recorded from as far as 1 kilometre away.

Planning staff consider that the applicant has responded to concerns regarding noise. If future use of the site results in noise-related complaints SCRD staff could work with the property owner to implement Mr. Lietz's suggestions. Alternatively they could be made requirements that form part of covenant.

Bylaw Amendments

A number of minor but effective changes have been made to the bylaw since First Reading was granted in May. Many of the changes were made based on the feedback received at the public information meeting in June.

Changes include:

- (a) adding definition of satellite kitchen;
- (b) adding dining hall and satellite kitchen to list of permitted uses;
- (c) adding a provision that no more than 3 lodge or motel units can be connected together. The intent is to limit the size of any one building to prevent one large resort building on the property;
- (d) removing the allowance for an 18 metre setback to the lake for tent structures. The bylaw refers to all new structures meeting a 30 metre setback to the lake;
- (e) based on the revised site plan a minimum of 115 parking spaces has been added into the bylaw; and
- (f) parcel coverage has been reduced from 20% to 10%
- (g) As requested by the applicant the total number of housekeeping units as part of a motel shall not exceed 12.

A drainage plan was provided and will be implemented. It will be included as part of a restrictive covenant voluntarily registered on title.

Site Layout

A revised site plan was submitted in November 2016 (Attachment B). The plan indicates 115 parking spaces dispersed throughout the site and accessed from the internal road network. Twenty-three tent sites (15 platforms) are shown along with areas noted for additional accommodation – either for staff or the tourists. The plan shows a tent site on an adjacent parcel to the north and this is not part of the proposal.

Off-Street Parking and Access

A previous report considered the parking requirements based upon the adding up each of the individual uses resulting in a need for 142 spaces. It was noted that there may be scope to reduce the total based on overlapping uses and public feedback.

There would be a significant overlap between the uses. For example those attending an event at the amphitheatre would also use the dining hall and occupy some, if not all, of the tent sites. There would not be a situation where different groups attend the amphitheatre, the hall and use all of the tent sites. The spa facility could be used by a separate clientele with some overlap with those staying on site. Thus the number of parking spaces required will be less than 142 calculated.

It is reasonable to exclude a parking requirement for the dining hall and use a maximum seating capacity for the amphitheatre of 200; this is the anticipated maximum number of people attending during peak/summer season events.

The parking standards set out in Bylaw 337 do not cover all of the use in this proposals. There is a standard for a lodge but not for tent sites or sleeping units. As the uses are similar the

standard for a lodge is used for the other forms of tourist accommodation. Amphitheatre falls within the assembly use, which has a parking standard. The parking requirement in Bylaw 337 for a lodge without a restaurant is 0.5 per room.

The applicant estimated that 15 jobs would be created once the project is fully operational; this includes spa staff. Staff accommodation is estimated to require one space per staff. Bylaw 337 sets out a standard for spa facilities in the CD2 zone to accommodate staff and clients. As staff parking is provided in association with the staff accommodation a standard of 2.8 spaces per 100 m² is used and the 0.75 per treatment room is not considered. Parking specifically for the aviary is not required. The following table shows the parking requirement based on the above considerations.

Use	Spaces
a. 200-seat amphitheatre @ 0.33 parking spaces/seat	66
b. Dining hall (375 m ² floor area = approx. 200 seats x 0.33)	n/a
c. 30 tent sites/sleeping units (0.5 per site/unit)	15
d. Spa facilities (280 m ² floor area @ 2.8 per 100m ²)	9
e. Staff accommodation (280 m ² maximum for 15 staff @)1 per staff)	15
f. One single family dwelling @ 2 parking spaces per dwelling	2
Total	107

The site plan shows 115 spaces, which exceeds the calculated requirement. Staff consider that 115 spaces should be the minimum requirement applied to the project to allow for a degree of flexibility.

To provide assurance of this combined use, the applicant had previously expressed willingness to register a restrictive covenant limiting the total combined occupancy of the site at any one time, and to assure that at no time would the amphitheatre, dining facility and tourist accommodation be used and operated independently of each other.

Organizational and Intergovernmental Implications

Pursuant to Section 477 (3) (a) (i, ii) of the *Local Government Act* an amendment to the Official Community Plan requires a review of the bylaw in conjunction with the local government's financial and waste management plans. Planning staff have discussed the proposal with each relevant department and determined that the amendment to the land use designation with the Egmont/Pender Harbour Official Community Plan has no negative impact on either plan. It is therefore recommended that OCP Amendment Bylaw 432.25 be considered consistent with the 2016-2020 Financial Plan and 2011 Solid Waste Management Plan of the Sunshine Coast Regional District.

Timeline for next steps or estimated completion date

The Public Hearing is proposed for Thursday February 21, 2017 starting at 7:00 p.m. in the Pender Harbour Secondary School Gym, located at 13639 Sunshine Coast Hwy, Pender Harbour.

Notices will be placed in two editions of the Coast Reporter newspaper and will be mailed/hand delivered to property owners/residents within 100 metres of the site. The SCRD website will also be used to provide notice about the hearing.

Communications Strategy

Egmont/Pender Harbour Advisory Planning Commission

The APC has considered the proposal several times, most recently at the February 24, 2016 meeting. The APC minutes state:

5.1 OCP / Zoning Bylaw Amendment Application No 432.25 / 337.87 (Ruby Lake Resort Ltd.)

The APC discussed the staff report regarding OCP / Zoning Bylaw Amendment Application No 432.25 / 337.87 (Ruby Lake Resort Ltd.) with the following comments:

- Why is a statement for economic viability necessary? It was felt this is an unnecessary burden on proponents and is of little use for the SCRD.
- Amphitheatre acoustic sound plan not necessary.

Recommendation No. 1

The APC supports the OCP / Zoning Bylaw Amendment Application No 432.25 / 337.87

- Have addressed the parking and noise issues
- Promoting economic development
- Positive progress and changes have been made

Please note: "Catherine McEachern excused herself from voting on this matter due to a possible conflict of interest which had been previously disclosed."

Public Information Meeting and Public Input

A public information meeting was held on June 15, 2016 at the Pender Harbour Secondary School. Approximately 35 residents attended the meeting and a questionnaire was provided to assist in generating feedback. Overall there was support for the proposal, with several concerns noted.

Comments regarding the bylaws and proposal were raised:

- zoning is long term running with the land and is this proposal the only development option;
- the facts and implications of this proposal need to be examined and need to take a measured approach when reviewing bylaw;
- property contains non-conforming status due to historic campground use;
- 18 m setback is not consistent with remainder of the lake;
- 20% site cover is too large;
- is the bylaw wording specific enough to address proposals or would it allow over-development;
- green buildings should be ensured by covenant.

Comments were also received regarding employment and business success (weddings are important part of business plan and would create employment opportunities for locals and youth; proposal offers year round employment).

Noise was a concern. One person noted that bylaw enforcement will likely be required to ensure compliance.

Referral Agency Input

shíshálh Nation: SCRD has not received a response from the referral sent in May. At that time the applicant had indicated that a preliminary field reconnaissance had been conducted and could be forwarded to the SCRD as part of the referral response. No response has been received to date and staff are following up with *shíshálh Nation* for comment.

Ministry of Transportation and Infrastructure: Not opposed to the amendments but has concerns regarding the northern access to the property. Requires a valid access permit from the owner. This must be approved prior to the Ministry approving the bylaw. The applicant has met with Ministry staff and have plans to accommodate concerns.

Vancouver Coastal Health: Has no objection to this rezoning application for the Ruby Lake Resort camping and amphitheatre facility. The following comments were provided by VCH regarding wastewater and potable water:

Wastewater, VCH noted that the mix of uses are unlikely to have a cumulative impact as there will be significant overlap; for example those attending the campsites and attending events at the amphitheatre are likely to be the same. Portable toilets are a usual addition to support larger events, thus reduce impact on the permanent treatment capacity. The existing system should not be abandoned, as previously suggested, but should be expanded or modified. Options include adding another tank and run(s); add aerobic tank; or add oxygen to existing tank.

VCH issued a wastewater permit for this site in 2004 with the intent of supporting a caretaker cabin, a camp site and special event amphitheatre; the original permit is still suitable for the original intent. If additional development then there would be more wastewater than could be handled by modifying the existing drain field.

Regarding potable water, VCH noted that the site is currently served by a deep well and water sampling from 2014 meets the Canadian Drinking Water Guidelines. This water system is currently on a regular sampling schedule for bacterial water quality. All samples starting in May 2016 have been clear of total coliform and E coli bacteria. This site is also assigned a water license for drawing from Ruby Lake. So far this source of water has not been used for the recreation site. If this source is used for potable water any modification of the water system will have to be approved by VCH

Egmont Volunteer Fire Department: The Egmont VFD has had ongoing discussions with the owner regarding developing a fire plan. The following detailed comments were provided to the owner regarding the proposal to cover the increase in tent platforms, upgrading the dining area and provide a satellite kitchen:

1. Water storage tank(s) having a minimum capacity of 2000 gallons installed on the site, at a location to be approved by the EDVFD (several appropriate locations were identified)

on site) with accessible Fire Department connection to allow fire department pumping trucks to connect and access stored water; a pump up from Ruby lake lagoon was not considered a practical method of accessing water for firefighting purposes.

2. Water pressure at the outlet nearest the dining area/campfire cauldron site be tested to at least 60 PSI.
3. Five pound fire extinguishers be installed in all lodging locations, including staff lodging, spa tents and several at the dining area/campfire cauldron site. The caretaker residence should have on hand one Forestry Extinguisher.
4. Annually (and preferably in the late spring when seasonal staff has been hired) the owner hold a fire orientation/training session for staff, to be conducted by representatives from the EDVFD which will include safe fire prevention practices, call alert (numbers to call, etc.) procedure and drills, location and use of fire extinguishers and further relevant information.
5. The site continue to be kept free of fire-hazard debris, such as windfall, garbage, etc.
6. The owner continue to take steps to ensure guests/visitors are fire aware i.e. No smoking signs, signs prohibiting use of fireworks, individual camp fires, etc.

Any additional phases (such as provision of lodging with cooking facilities) may require additional fire protection measures.

STRATEGIC PLAN AND RELATED POLICIES

SCRD Strategic Plan

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

The OCP and zoning amendment application for an expansion of a campground, health spa, motel and lodge facility at the Ruby Lake Resort has recently been under review in 2016. It received support from the APC in February. The application was considered by the Board in May of this year when the OCP bylaw and zoning bylaw amendments received first reading. A public information meeting was subsequently held in June in the library of the Pender Harbour Secondary School. The zoning amendment bylaw for consideration of second reading was amended based on comments received at the information meeting.

Staff recommend Option One as described in this report under Options and Analysis.

Attachments

Attachment A - Sound Assessment and Measurement, Peter B. Lietz

Attachment B - Plan prepared by L W Penonzek dated November 8, 2016

Attachment C - *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.*

Reviewed by:			
Manager	X - AA	Finance	X - TP
GM	X - IH	Legislative	
CAO	X - JL	Other	X - RC

ATTACHMENT A

Peter B. Lietz

5952 Tillicum Bay Rd.

Sechelt, BC V0N 3A4

pblietz@gmail.com : 604-748-6378

December 23, 2016

Ruby Lake Resort Ltd.,
15426 Sunshine Coast Highway,
Madeira Park, BC
V0N 2H1

Attention: Andrew Allen

RE: Sound Assessment and Measurement – Ruby Lake Resort Ltd. Rezoning Application, Part District Lot 3988

At the request of Ruby Lake Resort Ltd., (RLR), I attended at the subject property (the “Site”), which is the subject of a current rezoning application on October 11, 2016. I understand that due to concerns raised about possible noise levels emanating from operation of an outdoor stage area (the “amphitheatre”) the SCRD suggested a “sound report” might be helpful in assessing the impact of noise levels related to use of the stage.

BACKGROUND

I have worked in sound set up at the outdoor venues for the Vancouver Celtic Festival for 9 years in locations such as: Granville Street, Cadillac Fairview Plaza and the Olympic Village. In all those locations we were under maximum sound level guidelines mandated by the City of Vancouver. I have also provided sound reinforcement to many outdoor Sunshine Coast events, such as Sea Cavalcade, Canada Day celebrations in Sechelt, the Sechelt Summer Music Series and the Pender Harbour Blues Society outdoor event (behind the Madeira Park Community Hall), to name a few. In all of these cases I was required to balance the intricacies of a quality sound experience against offending the nearby residents with levels perceived to be too loud. I say perceived because what can offend one may not affect another, so common sense must be used.

SITE SET UP

At approximately 11AM on October 11, 2016 I set up a sound system with electronic amplification (speakers) at the front of the floor of the wooden outdoor stage. I have set up sound at this location in the past for events and so am aware of the usual set up. I should mention that October 11 was an extremely still, clear day with coolish temperatures. Wind can obviously have a dampening or enhancing effect on audio levels, depending on direction.

For the initial sound readings, recorded music was played and volume set at a decibel level of 85 when measured approximately 3 feet from the speakers (directly facing the speaker pointing out from the stage toward Highway 101). This level was set as the “testing level” because, at an approximate distance of 20 feet from the speakers normal conversation would not be possible but a conversation at “yelling level” (ie. elevated voice volume) would be possible although somewhat uncomfortable. Music at the 90 decibel level (again measured at the 3 foot from speaker distance) would be so loud that conversation was not possible and the noise uncomfortable for the bulk of the attending audience. Noise levels of 85 were tested as this appeared the maximum desired noise level emanating from stage speakers.

SOUND READINGS

ON SITE (Site Plan 1)

Point 1 (at campground washrooms): 55 decibels

Point 2 (Southerly entrance off Hwy 101): 60 decibels

Point 3 (parking lot of restaurant): 23 decibels

Point 3 (opposite Hallowell Road): 25 decibels

OFF SITE (Site Plan 2)

Point A (entrance to driveway of 15211 Highway 101; approx. 30 ft. off highway): negligible

Point B: Laneway entrance up Laverock Road (approx. 80 metres from Hwy. 101): 32 decibels

Point C: Groves property (above Hallowell intersection): 22 decibels

Point D: Glen Place off Hallowell Road (DL 3989 Lots 17 and 18): 16 decibels; from waterside: 14 decibels

Point E: 15352 Hallowell Road : 22 decibels*(Venalainen property)

Point F: 15376 Hallowell Road: 23 decibels*(Hunt property)

Point G: Smith/Toews (approx. 1 km from stage -DL 3989 Lot 34): 14 decibels

Please see Appendix “A” attached which provides descriptions of everyday sounds which correlate to decibel levels. Decibel measurement is not a constant. I took several readings and have taken the maximum of those readings (but not where the cause of noise fluctuation – such as a passing car- was observed. I was somewhat surprised at the higher sound levels emanating from the two asterisked sites, being 15352 and 15376 Hallowell Road, given their distance from the noise source. Topography is likely a factor: there is a series of connected wetlands or ponds running somewhat parallel to and slightly south of Hallowell Road. The outdoor stage on the Ruby Lake Resort Site is in a low-lying area, slightly north of these connecting wetlands and there is little vegetation or topography to interrupt the sound waves. This could provide an explanation. I did test increased sound levels while in phone contact with the Hunt property owners. They advised that they could recognize music (ie. certain lyrics) at the 100

db. level, but sound was negligible at 85db. They said they had heard music in the past but that it did not bother them.

CONCLUSION

The sound testings showed negligible sound levels at all of the off-site areas measured. The readings should be considered accurate to approximately 20%. At these sound levels, it is difficult to measure whether it is actually the sound of the music which is being measured. (For example when measuring audio levels at Points 1 and 2 we noticed spikes up to 74db which correlated to the noise of cars passing on Hwy. 101).

The sound appears to be substantially buffered by the site topography. The stage is located in a natural hollow and surrounded by extensive tree vegetation, particularly along Highway 101. The relatively mature trees also provide a visual barrier to all buildings on the Site.

It should be noted that the tests were conducted from the outdoor stage (amphitheatre) area **only** and I cannot give an opinion about amplified sound emanating from the flatter areas of the site, which are closer to the highway and where tree buffering is less evident.

RECOMMENDATIONS

I was also asked to provide suggestions to reduce sound emanating from the Site. Typical steps to reduce noise levels would be: suspension of speakers or tilting speakers down (mine were resting on the floor near the front of the stage). Also, wooden fencing (approximately 8 feet in height) placed in appropriate locations can reduce sound levels by as much as 30% in much the same way as vegetation.

Such measures do not appear warranted in this situation, given low sound measurements recorded from as far as 1km. away.

I hope this report assists.

Yours truly,

Peter Lietz

CC: Sunshine Coast Regional District Attention: Andrew Allen

APPENDIX A

Jet take-off (at 25 meters)	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure.
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage in 8 hour exposure.
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 hour exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 feet.	60	Half as loud as 70 dB. Fairly quiet.
Quiet suburb, conversation at home. Large electrical transformers at 100 feet.	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area.	30	One-sixteenth as loud as 70 dB. Very Quiet.
Whisper, rustling leaves	20	
Breathing	10	Barely audible

PLAN 14452

PLAN SHOWING PART OF DL 3988
PROPOSED FOR REZONING

SCALE 1:1000

20 10 0 20 40 60 METERS

INDICATES GROUND ELEVATION
FROM SURVEY ON AUGUST 8, 2008

SUNSHINE COAST HIGHWAY

RUBY LAKE LAGOON

DEED BUFFER

EXISTING BUFFER

PART REM
DL 3988

Approx. Area
for Rezoning
4.95 ha

LOT 6

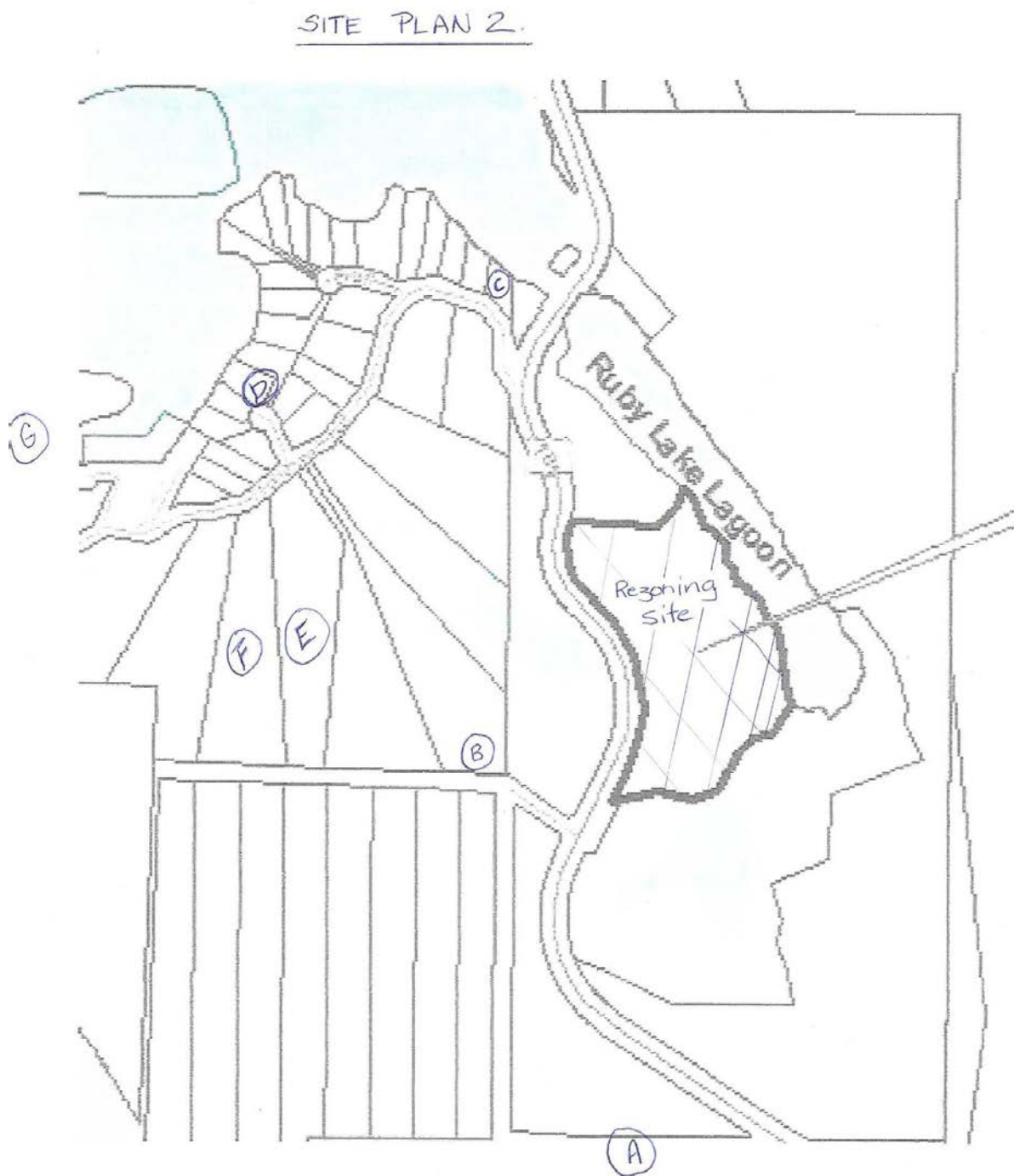
BC HYDRO R/W

Layerock Road

hydra pole

March 24, 2016

Lerry K. Penozek
B. Sc. Land Surveyor
Bm 305 010808 R.C.
100-118 P. 889-0553
Phone 604-866-2531



**PLAN SHOWING PART OF DL 3988
PROPOSED FOR REZONING**

SCALE 1:1000
METRES
0 20 40 60

INDICATES SPOT ELEVATION
FROM SURVEY ON AUGUST 8, 2008

RUBY LAKE LAGOON

SUNSHINE COAST HIGHWAY

PART REM DL 3988

Approx. Area for Rezoning
for 4.95 ha

EXISTING TREED BUFFER

TREED BUFFER

Garden Area

Accommodation

Trail System

LAVAROCK ROAD

BC HYDRO R/W

Legend:
☐ Existing tent pads

Revised November 8, 2016
LARRY W. PINOZZI
R. LAND SURVEYOR
B.C. REGISTRATION NO. 1270
VIA 1-800-763-3333
PHONE 604-886-2523
FAX 604-886-2523

ATTACHMENT C

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.

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 those portions in Plans 12095, 14653, 15401, 15813, 16650 and 17325 and EPP39153 from Lake Watershed Protection A to Tourist Commercial, as depicted on Appendix 'A' to this Bylaw;

Part C – ADOPTION

READ A FIRST TIME this 12th DAY OF MAY 2016

PURSUANT TO SECTION 475 OF THE LOCAL
GOVERNMENT ACT CONSULTATION
REQUIREMENTS CONSIDERED this

12th DAY OF MAY 2016

READ A SECOND TIME this

DAY OF 2016

CONSIDERED IN CONJUNCTION WITH THE
SUNSHINE COAST REGIONAL DISTRICT
FINANCIAL PLAN AND WASTE
MANAGEMENT PLANS this

DAY OF 2016

PUBLIC HEARING held pursuant
to the *Local Government Act* this

DAY OF 2016

READ A THIRD TIME this

DAY OF 2016

ADOPTED this

DAY OF 2016

Corporate Officer

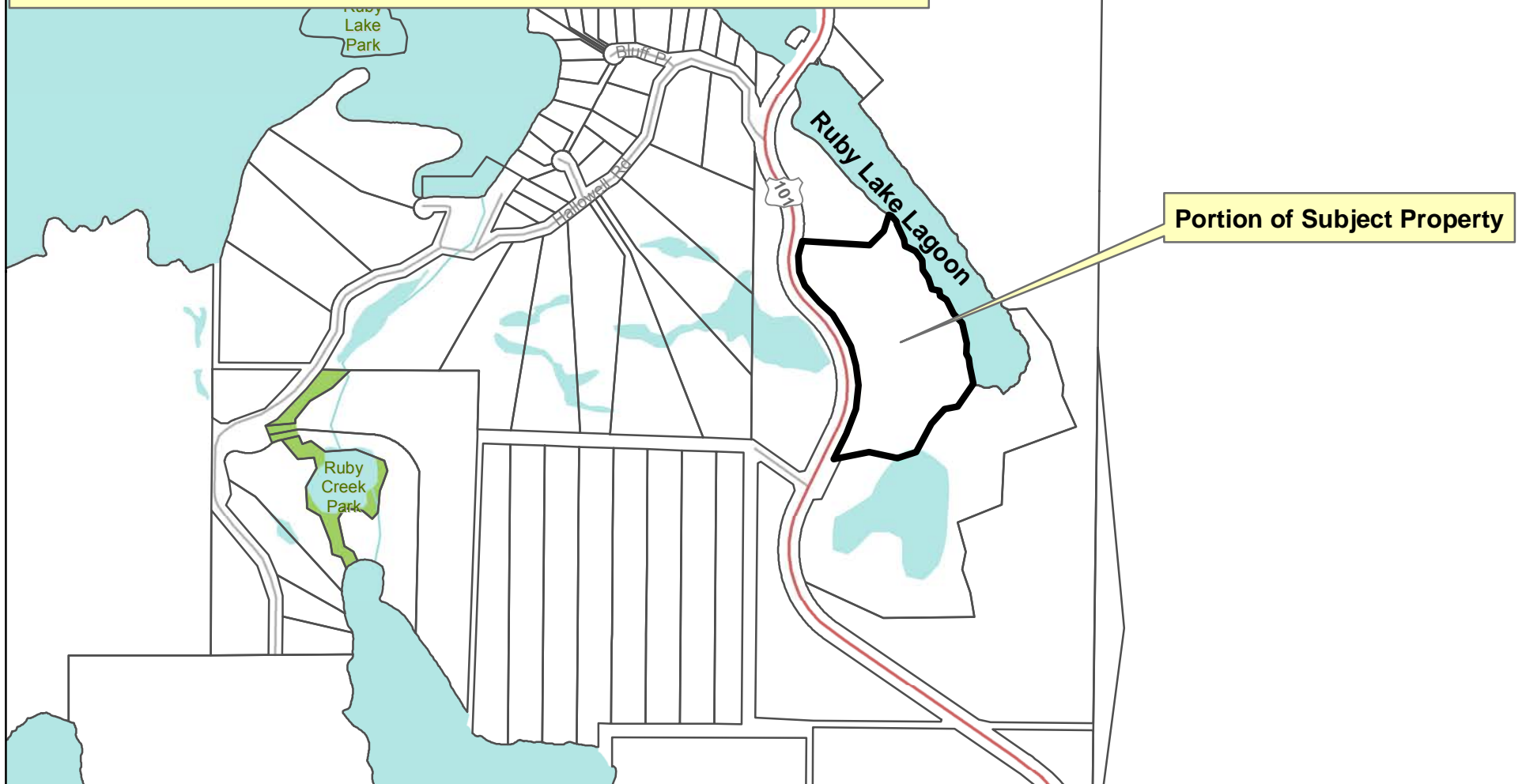
Chair

Appendix A to OCP Amendment Bylaw 432.25

Legal Description: District Lot 3988, Group 1, New Westminster District except those portions in Plans 12095, 14653, 15401, 15813, 16650 and 17325 and EPP39153

Existing Land Use Designation: Lake Watershed Protection A

Proposed Land Use Designation: Tourist Commercial - highlighted portion of subject property



Chair

Corporate Officer

**SUNSHINE COAST REGIONAL DISTRICT
BYLAW NO. 337.87**

A bylaw to amend *Sunshine Coast Regional District
Electoral Area A Zoning Bylaw No. 337, 1990.*

The Board of Directors of the Sunshine Coast Regional District in open meeting assembled enacts as follows:

Part A – CITATION

2. 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 those portions in Plans 12095, 14653, 15401, 15813, 16650 and 17325 and EPP39153 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) zone, 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 12th DAY OF MAY 2016

READ A SECOND TIME this DAY OF

PUBLIC HEARING held pursuant
to the *Local Government Act* this DAY OF

READ A THIRD TIME this DAY OF

APPROVED PURSUANT TO Section 52
of the *Transportation Act* this DAY OF

ADOPTED this DAY OF

Corporate Officer

Chair

Appendix A to Zoning Amendment Bylaw 337.87

Legal Description: District Lot 3988, Group 1, New Westminster District except those portions in Plans 12095, 14653, 15401, 15813, 16650 and 17325 and EPP39153

Existing Zoning: RU5 (Rural Watershed Protection) & PA1B (Ecological Interpretive Assembly)

Proposed Zoning: C2 (Tourist Commercial) - highlighted portion of subject property



Chair

Corporate Officer

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: Andrew Allen – Manager, Planning and Development

SUBJECT: ISLANDS TRUST BYLAW AMENDMENT NOS. 143 AND 144 – SUBDIVISION OF D.L. 696, KEATS ISLAND

RECOMMENDATIONS

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 supports the proposed bylaw amendments that will enable completion of the proposed subdivision;

AND THAT the SCRD accepts the proposed 1.1 hectare park dedication, subject to a site visit prior to second reading of the bylaws;

AND FURTHER THAT the applicants be advised that Subdivision Servicing Bylaw 320 will apply if the community sewage system effluent exceeds 22,700 litres per day.

BACKGROUND

An application to subdivide properties on District Lot 696 on Keats Island has been referred to the SCRD for comment. The process leading to this application has been on-going for many years and the intent is to convert the lease hold cottage properties to bare land strata parcels on the subject property. The property is owned by the Convention of Baptist Churches of British Columbia (CBCBC).

The primary consideration at this time for the SCRD is whether or not to accept a proposed parkland site and whether or not to support the proposed changes to the dedications and amenities in the LUC as they relate to parkland. Another consideration for this referral is the potential applicability of Subdivision Servicing Bylaw 320.

In 1975 the CBCBC entered into a land use contract (LUC) with the Gambier Island Local Trust Committee with respect to development on the subject parcel. The intent of the LUC was to outline conditions in which the lease hold cottages could be subdivided into independent properties. The subdivision application was intended to follow shortly after the adoption of the LUC. This did not happen and various reviews have occurred throughout the years.

There were a number of amenities within the LUC that were to be granted prior to subdivision, including:

1. public road from the dock through the property;
2. public park in the form of Crown land (Sandy Beach);
3. public right of way from the dock through to Sandy Beach public park;

4. dedication and preservation of a natural area with a restrictive covenant to be held by the Crown (Salmon Rock).

The applicant is requesting that the Land Use Contract be amended to offer the following:

1. The granting of a public road from the dock through the property;
2. The dedication and preservation of a nature reserve to be held by the Islands Trust Fund (Sandy Beach Nature Reserve);
3. The granting of a public trail from the dock through to Salmon Rock;
4. The preservation of a private natural area with a conservation covenant to be held by the Gambier Island Local Trust Committee (Salmon Rock).

In addition to the above referenced amenities, which must be fulfilled prior to subdivision, the provision for parkland is also required pursuant to the *Local Government Act*.

Previous bylaw amendment referrals to the SCRD in 2005 also included an area of proposed park dedication to the SCRD in an area called Triangle Park, a 1.1 hectare piece of land. The bylaws in 2005 proposed restrictions to the use of this parkland, including the inability to construct structures and maintaining the area as green space. At that time the Board recommended accepting the proposed park but not accepting the limitations proposed in the bylaws. The bylaws were not adopted at that time and the review process has recently been re-started.

During the previous review in 2005, the calculation of the 5% park dedication was based on the amount of land being subject to the development – in this case the leasehold lots – rather than the entire parcel, including the bulk of the remainder of the land containing the camp to be maintained by the CBCBC. Administrative correspondence between Islands Trust and SCRD staff in February 2005 indicates this agreement.

This agreement was considered fair in light of the other land dedications and amenity contributions required within the LUC. This same interpretation is being considered at this time and appears to be fair given the amenity contributions and the low likelihood that the camp will be further subdivided. If there are additional subdivisions from the parent parcel then additional park dedication will be required.

Planning for a revised subdivision application has been on-going over the past two years. A subdivision application has been filed and the required zoning amendment bylaws have now been drafted by the Islands Trust and referred to the SCRD for comment.

Two options for park in the north east portion of the property have been proposed. The Gambier Island Local Trust Committee would like park dedication for the possibility of a future community hall on the island. Park dedication, if accepted, would be turned over to the SCRD. There is no immediate proposal or funding in place to construct the community hall.

DISCUSSION

Options and Analysis

The site plan attached as Attachment A shows Salmon Rock as location A, Sandy Beach Nature Preserve as location B and proposed park dedication as location C. The recent referral

from Islands Trust also indicates the possibility of locating the park directly to the north across the road allowance. Planning and Development Division staff have not had an opportunity to visit the sites to determine the suitability of the land in proximity to the proposed park. Contour mapping indicates that the location is relatively flat and could be used for park purposes and potentially a future community hall.

Keats Island contains relatively little SCRD parkland and none in the area of the subject property. The SCRD Parks and Recreation Master Plan (2014) notes that the SCRD has minimal resources available to purchase new parkland and parkland is acquired through development, donation/bequest, or covenant. There is little opportunity to acquire parks on Keats through subdivision and this is one opportunity where land can be granted to the SCRD. This proposal offers a rare opportunity and staff consider that there is significant benefit to acquiring land rather than money in lieu of land, even if there is no immediate park development plan.

Organizational and Intergovernmental Implications

Organizational Implications – In addition to the parkland, there is also the issue of the sewage treatment systems, which may be subject to SCRD Subdivision Servicing Bylaw 320. The subdivision will create new and improved community sewage treatment systems to service the existing buildings and dwellings. Sewage systems can be owned and operated by a strata corporation or local government. Bylaw 320 indicates that a system exceeding 22,700 litres per day of effluent treatment must be owned and operated by the SCRD, rather than by a strata corporation.

At one point the proposal entailed a separate sewage system for each proposed strata corporation. The development entails a strata corporation for each cluster of cottages. This will enable the respective strata corporation to maintain their own system. If the sewage system evolves into one central system, then Bylaw 320 requires that the system be owned and operated by the SCRD. Specific plans will be determined and implemented as the application progresses.

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.

If a community hall proposal moves forward, staff will work out a hall development principles agreement with Islands Trust and the community.

Financial Implications

Land acquired at subdivision is dedicated to the SCRD, however as an addition to the overall land base and future development will come with a cost.

As part of regular management of SCRD parks there will be at least two visits a year with two staff attending. Each visit is likely to take a full day and the total estimated cost for two visits would be \$1200 (staff time and transport). If possible the visits could be coordinated with visits to other parks on Keats Island. In addition, the park would be under the supervision of a locally based caretaker who currently oversees other SCRD parks on Keats Island. The cost would depend on the amount of work needed, based on an estimate of \$50 per hour.

Timeline for next steps or estimated completion date

If the Board moves forward with the park dedication, staff will ensure the maintenance costs are brought forward in future budgets.

STRATEGIC PLAN AND RELATED POLICIES

The SCRD 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

Amendments to the LUC and Keats Island zoning bylaw have been drafted to enable the CBCBC to subdivide. The amendments are relatively minor and present a path forward. The Gambier Island Local Trust Committee has reviewed the bylaws and requested a referral to the SCRD.

The two primary areas of consideration for the SCRD are acceptance of park land and the design and operation of the septic system.

It is recommended that the park land be accepted, subject to a site visit being conducted prior to second reading to verify the suitability of the land. The park land would be accepted under the understanding that there is no immediate park development plan and that the land could be used in the future to house a community hall if there is future demand for a hall.

It is also recommended that the applicant's engineer consult with the Infrastructure Services Department with respect to the design of the sewage treatment system.

Attachment A – Location Map

Reviewed by:			
Manager	X - AA	Finance	
GM	X- IH	Legislative	
CAO	X- JL	Other	X - DR X - SW

**- C -
Proposed
Park Options**

**- B -
Sandy Beach**

**- A -
Salmon Rock**

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



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.

DL 696 Subdivision and Rezoning Keats Island

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: David Rafael, Senior Planner

SUBJECT: DISTRICT OF SECHELT OFFICIAL COMMUNITY PLAN AND ZONING BYLAW
AMENDMENT REFERRAL 3370-2016-04 AND 3360-20 2016-13 (TRELLIS SENIORS
SERVICES)

RECOMMENDATIONS

THAT the report titled District of Sechelt Official Community Plan and Zoning Bylaw Amendment Referral 3370-2016-04 and 3360-20 2016-13 (Trellis Seniors Services) be received;

AND THAT the SCRD send a letter along with a copy of this report to the District of Sechelt with the following comments:

1. The proposal has no negative impacts on SCRD's land use policies;
2. A Development Cost Charge of \$195,200 is required prior to development approval as per Sunshine Coast Regional District Development Cost Charges Bylaw No. 693, 2015;
3. A connection to the watermain and water metering will be required for each lot;
4. The applicant is required to contact SCRD Infrastructure Services Department to discuss the provision of water services for this development;
5. Site design to accommodate a bus pull-out in consultation with SCRD Transit Division is required;
6. The following are features that can be designed into the development:
 - a. ensure adequate space for recycling and waste receptacles;
 - b. establish recycling facilities and minimize waste to support the targets in SCRD's Solid Waste Management Plan;
 - c. ensure material that is collected as part of the garbage collection service aligns with materials accepted at the Sechelt Landfill;
 - d. ensure medical waste, including medication, is disposed or recycled appropriately; and
 - e. encourage support for best practices of management for onsite organics, composting and community garden space.

AND FURTHER THAT this recommendation be forwarded to the January 12, 2017 Regular Board meeting for adoption.

BACKGROUND

The purpose of this report is to provide information on the application and identify issues that need to be addressed by the proponent.

The District of Sechelt referred a proposal submitted by Trellis Seniors Services to amend the District's Official Community Plan and zoning bylaw to accommodate the Silverstone Residential Care Centre. The proposal is to provide seniors housing in a residential care facility which will provide 128 seniors with daily care and nursing services. It will replace Vancouver Coastal Health facilities provided at Shorncliffe and Totem Lodge.

The applicant provided information about the proposal. A site context map and the project summary is provided in Attachment A.

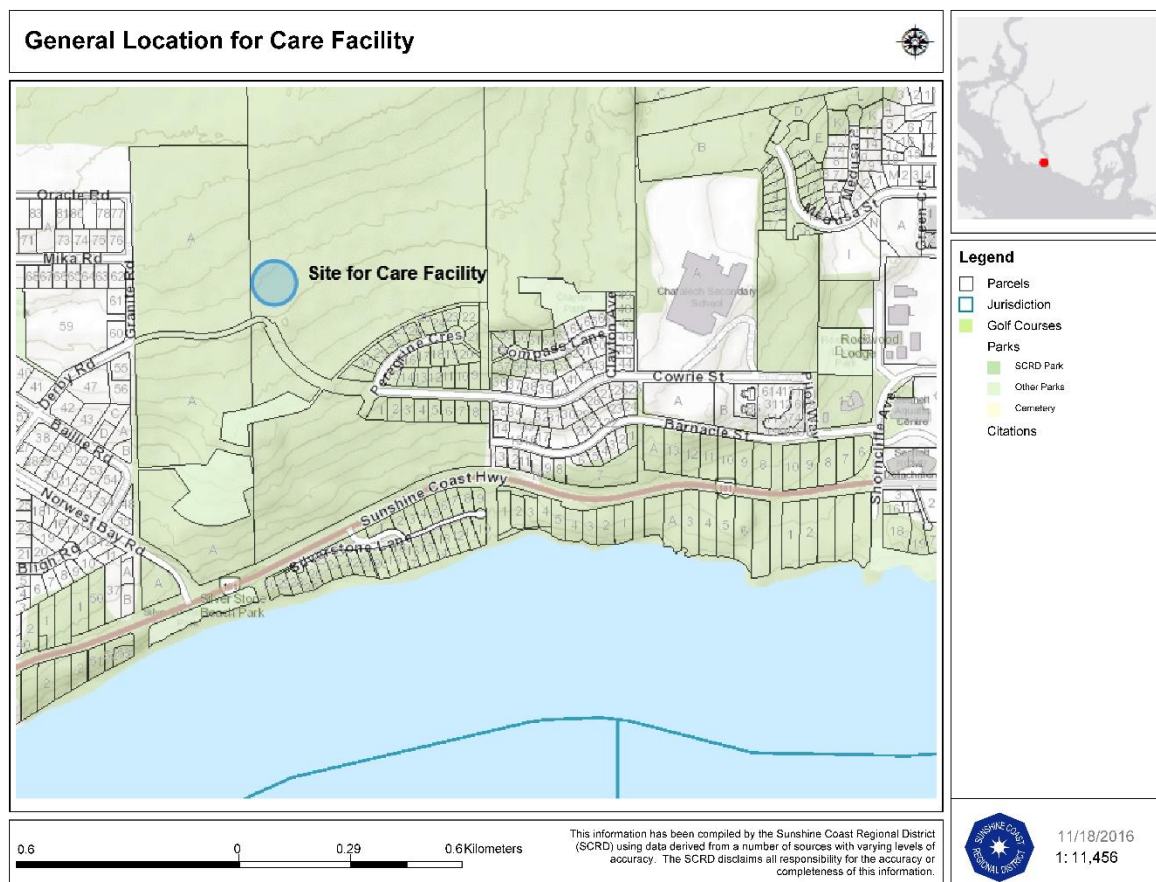


Figure 1 – General Location

Applicant:	Trellis Seniors Services
Civic Address:	1.2 ha portion of parcel at intersection of Cowrie St. & Derby Rd., Silverstone Heights. West Sechelt
Legal Description:	DL 1384 and 4295A
Area:	District of Sechelt
Parcel Area:	1.2 ha of 47.6 hectare parcel
Application Intent:	<p>1. To apply for an OCP amendment to change the Future Land Use Designation of a 1.2 ha portion of the property from Multifamily Residential/Mixed Residential and Residential to Civic, Utilities & Institutional;</p> <p>2. To apply for a site-specific comprehensive development (CD) zone zoning amendment to permit a residential care facility, including adult day care and hospice care.</p>

Table 1 - Application Summary

DISCUSSION

Analysis

SCRD Planning and Development: The proposal has no impact on SCRD's land use policies and interests. The provision of seniors care and hostel is supported.

SCRD Infrastructure Services – Utility Services: A copy of the comments are included in Attachment B. The key points are that: Development Cost Charge of \$195,200 is required prior to development approval; service connection and meter is required for each lot.

SCRD Infrastructure Services - Solid Waste: The following are features that should be designed into the development:

- ensure adequate space for recycling and waste receptacles;
- establish recycling facilities and minimize waste to support the targets in the SCRD's Solid Waste Management Plan;
- ensure material that is collected as part of the garbage collection service aligns with materials accepted at the Sechelt Landfill;
- ensure medical waste, including medication, is disposed or recycled appropriately; and
- encourage support for best practices of management for onsite organics, composting and community garden space.

SCRD Transit: Transit service is planned to travel down Cowrie Rd to Derby Rd and then north on Norwest Bay Rd. This would place the location on a transit route. In residential areas, transit stops are generally spaced at 400-600 metres. Stops have been tentatively planned at Peregrine Rd and Granite Rd, and this development divides the distance between these two locations. If the location is approved for such a development, it would be more effective to remove the stops at Granite Rd and Peregrine Rd and require a more extensive stop at Derby in front of this facility. Given the nature of the facility, delays might occur with loading and unloading mobility-challenged passengers. Depending on the width of the road and traffic volumes, delays to traffic may occur if a bus pullout was not provided.

SCRD Recreation: The SCR D adopted a comprehensive Parks and Recreation Master Plan in January 2014. This plan focusses on all Parks and Recreation programs and services for the period 2014 – 2023.

This plan based in community development examined the Sunshine Coast in its entirety which resulted in a series of 76 recommendations. These recommendation focus on various catchment areas and specific demographics of same.

Sechelt is home to the Sechelt Aquatic Centre and the Sunshine Coast Arena. Both facilities are in close proximity to this proposed development. Although both facilities offer programs specific to the demographic being targeted by this development the Sechelt Aquatic Centre offers a larger variety and frequency. This development will be well serviced by SCR D recreation services and staff would welcome all participants.

STRATEGIC PLAN AND RELATED POLICIES

n/a

CONCLUSION

The SCR D was referred an application to amend the District of Sechelt's Official Community Plan and zoning bylaw

There are no land use implications for the SCR D. Consideration can be given to designing features that support recycling and waste reduction. The development will be subject to development cost charges for provision of potable water. The applicant is required to contact the SCR D Infrastructure Services Department to further examine the requirements.

To meet the deadline set by the District of Sechelt, the recommendations need to be forwarded to the Board meeting of January 12, 2017 for consideration.

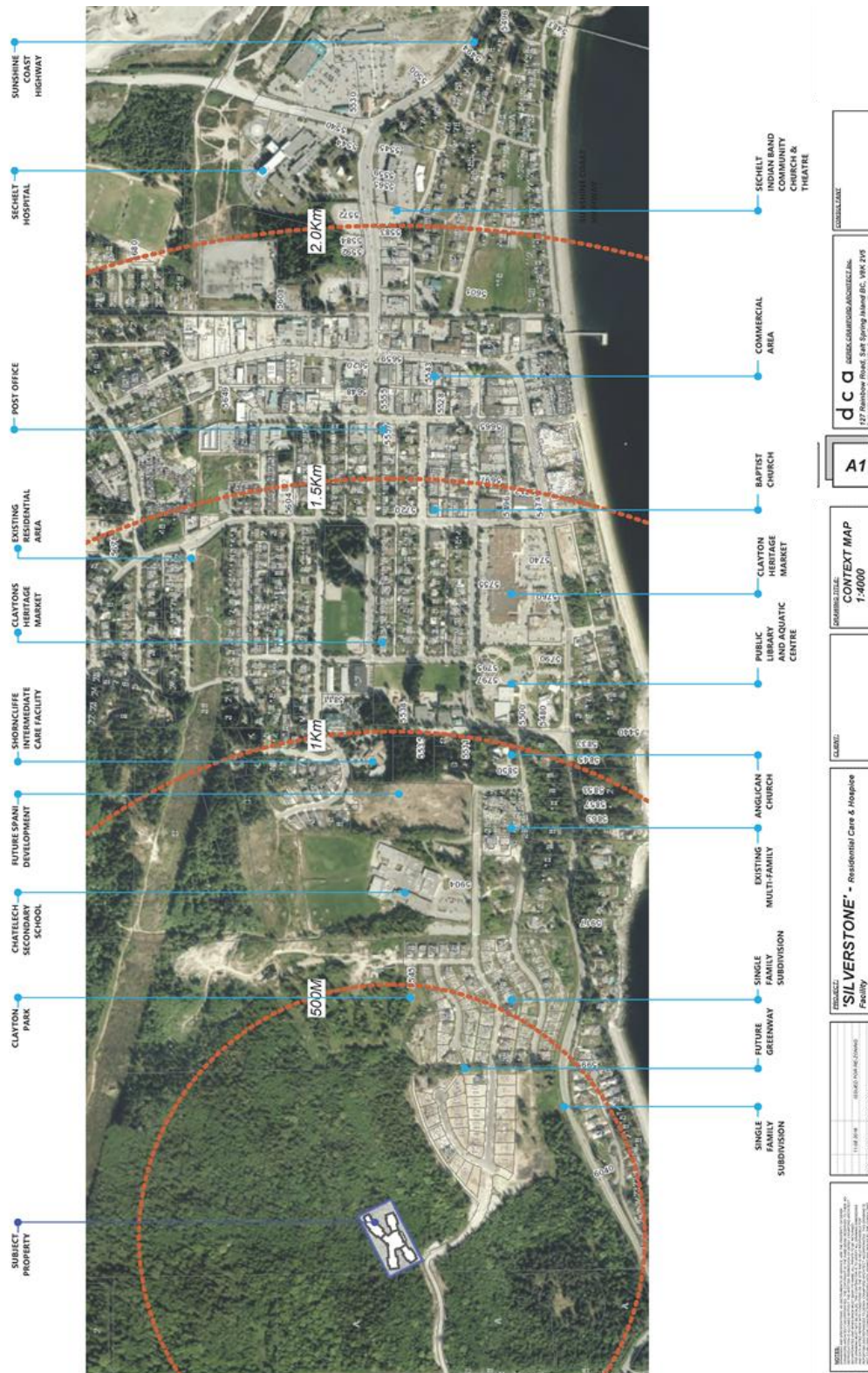
Attachments

Attachment A - Site Context Map and Project Summery

Attachment B – SCR D Infrastucture Services Review

Reviewed by:			
Manager	X - AA	Finance	X - SZ
GM	X - IH	Legislative	
CAO	X - JL	Other	X – KP, X – SW X - RC

ATTACHMENT A



Silverstone Residential Care Centre

Executive Summary

The purpose of this report is to provide information to the District of Sechelt about Silverstone Residential Care Centre to assist with Planning and Development decisions. The report also assesses how the project fits with the overarching principles and priorities of the community (as found in Sechelt's Official Community Plan 2010 – "OCP"). The highlights are as follows:

- Silverstone Residential Care Centre is about serving seniors which is a recognized growth population group for Sechelt and identified by VCH to need increased residential care and adult daycare capacity,
- It is a seniors' housing project that meets accessibility and affordability needs and also responds to special needs (dementia, frailty, etc.);
- It is a sustainable development with LEED-gold standards;
- It is proposed to be built in the Priority Growth area for Sechelt (i.e. within the Urban Containment Boundary and specifically, Special Infill Area No.1);
- It aligns with the Neighbourhood Centre principles and policies;
- It is the right location for this use based on best practices for seniors care and the design guidelines of Vancouver Coastal Health (VCH);
- It contributes community value through meeting spaces, intergenerational programs and daycare/eldercare services;
- It adds economic value through job creation and business taxes; and
- It serves to expedite improved transportation linkages for transit, roads and greenways.

In addition to the direct alignment with community principles, priorities and needs, Silverstone Residential Care Centre will deliver best practices for seniors care to Sechelt.

Appendices to this Report

Appendix 1. Seniors Housing Terminology

Appendix 2. Sechelt Official Community Plan (as related to Silverstone Residential Care Centre)

Appendix 3. Vancouver Coastal Health Design Guidelines (Excerpt)

Appendix 4. Zoning Precedents & Sample Projects

Appendix 5. VCH Frequently Asked Questions.

Project Overview

Silverstone Residential Care Centre is a Seniors Housing project which will provide 128 seniors with daily care and nursing services. The building is called a residential care facility (i.e. residence + care) and will operate under the *Community Care and Assisted Living Act* and in accordance with *Residential Care Regulation* as well as the *Home and Community Care Policy Manual*.

Silverstone Residential Care Centre is comprised of 8 secure houses that are linked together through central core areas. Each of the 8 houses has:

- A resident-staff servery-kitchen for food serving and preparation, when needed;
- A resident-staff laundry room (washer/dryer) for personal clothing;
- A housekeeping closet to support cleaning needs;
- 16 bedrooms, each with private bathrooms including personal showers;
- A central lounge and recreation area for in-house programs; and
- Direct outdoor access (either courtyard garden areas or upper patio/decks).

The central core has community gathering areas and is supported by administration/offices as well as a central kitchen and laundry service (bedding/linens). Parking is provided for workers and visitors.

As a housing project, Silverstone will provide on-going accommodation and services to the many seniors who are unable to remain living in a traditional home, due to their frailty and aging health needs. The residents have chronic conditions of living/aging that require long term support and care and Silverstone Residential Care Centre will be their home until they pass away. They do not require treatment nor do they have acute or emergent care needs which require hospitalization. The chronic conditions include moderate to advanced dementia and/or complex physical conditions as well as special needs including mental illness and socially challenged behaviours. (Note: It is evidenced that housing frail seniors in a hospital/acute setting will cause and/or contribute further to their decline. Refer to Appendix 1 for additional information on a Residential Care Facility along with other Seniors Housing Terminology.)

Project Rationale

This project is an important link in the seniors' health and wellbeing infrastructure for the Sunshine Coast and it responds to community needs. The project will also deliver significant community benefits.

Specifically, VCH confirmed that the current residential care buildings are outdated/inadequate and that there is a need for more care beds to serve the community. This is consistent with the aging population information as presented in the OCP stating that "Sechelt has a substantially older population compared to the provincial average". As a result, VCH undertook a two phase public bid process to identify solutions and select a qualified developer and operator.

~~--- Silverstone Residential Care Centre responded to this identified need and has been ---~~
contracted by VCH to build and operate a modern state-of-the-art residential care home with 24hr professional care and nursing for 128 residents. A second requirement by VCH

was an adult day program (i.e. seniors club) to support seniors in the community who require social and health programs but are still able to live at home. A Hospice is also proposed as part of the project with an initial capacity of 4 beds and expansion capability to 8 beds. However, the details for the Hospice have not been confirmed and remain tentative at this time.

In summary, the Silverstone Residential Care Centre responds to a defined need (by both the OCP and VCH) and delivers the following benefits to the community:

- ✓ Seniors housing (i.e. a residence principally for seniors)
- ✓ Accessible housing (i.e. building is fully accessible)
- ✓ Special needs housing (i.e. for dementia, mental health, behavioural issues, and frailty)
- ✓ Affordable housing (i.e. it is publicly funded and administered with income testing for user fees)
- ✓ Rental housing (i.e. 100% rental)
- ✓ Sustainable building (i.e. LEED-gold)
- ✓ Right location (i.e. located within the Urban Containment Boundary and specifically within the priority area of Special Infill Area No.1)
- ✓ Supports amenities (i.e. located close to established downtown amenities and very close to the OCP-designated future Neighbourhood Centre)
- ✓ Improves transportation linkages (i.e. transit, roads, walkways, etc.)
- ✓ Offers community meeting spaces (i.e. rooms for community use)
- ✓ Social value/intergenerational programs (i.e. community engagement from newborns to adults)
- ✓ Provides daycare/elder services (i.e. an Adult Day Program to support seniors who live at home)
- ✓ Contributes to the local economy (i.e. over 200 jobs plus employment during construction)

Building Design Features

The design of the Silverstone Residential Care Centre (Silverstone) is focused on providing a home environment for seniors who can no longer remain in their own homes. The objective is to create housing for seniors which provides all the features found in a single family or multi-family context, with the added security of support from professional staff. The guiding principles are:

- Employ a resident "house" concept consisting of smaller groupings of resident rooms (16)
- Employ a "neighbourhood" concept with support services between houses.

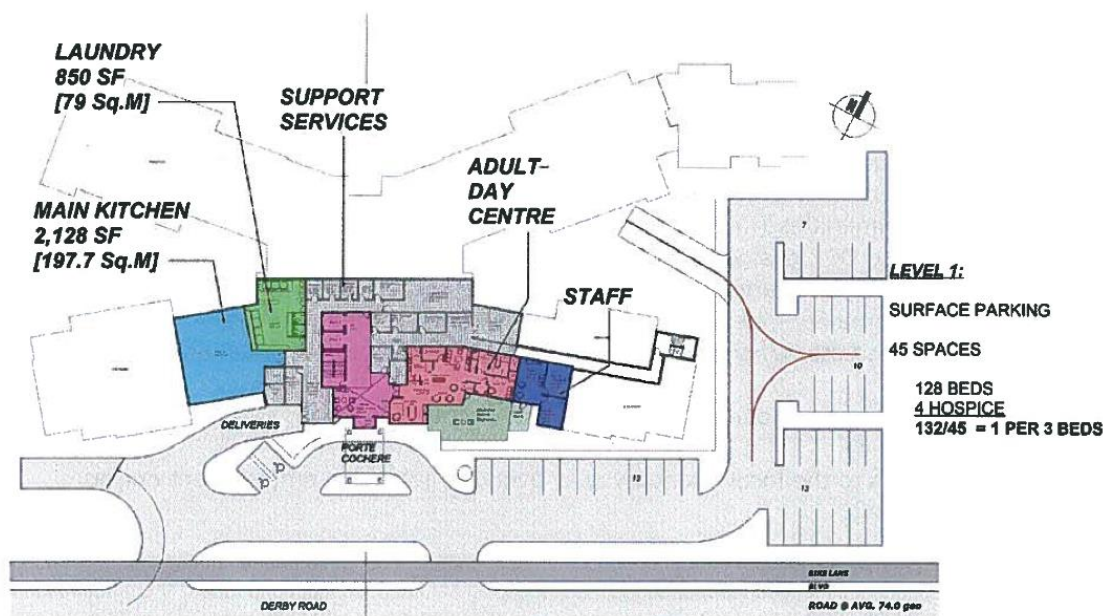
Silverstone has four 16 bed houses per floor, forming two neighbourhoods. There are two residential floors comprising eight houses and four neighbourhoods for a total of 128 residents.

The building is three storeys, similar in scale to mid rise multi-family apartment design.

The three floors are organized as follows:

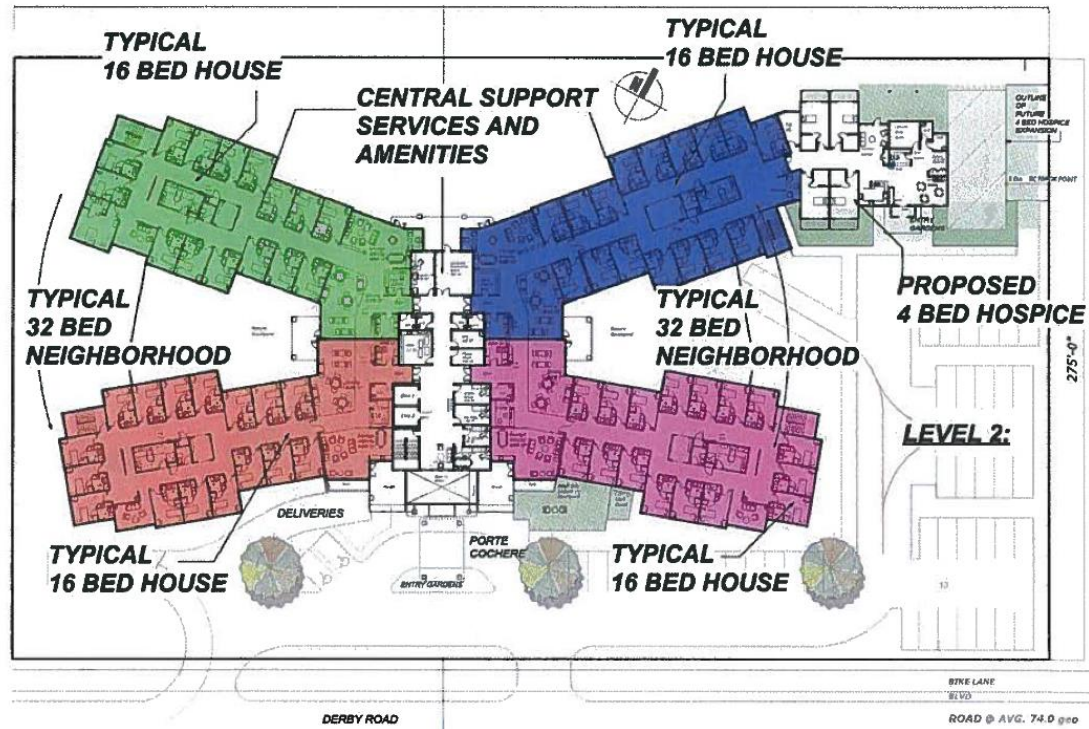
Level 1

Main entry and lobby
Adult day centre
Building support services and staff
Main kitchen and laundry



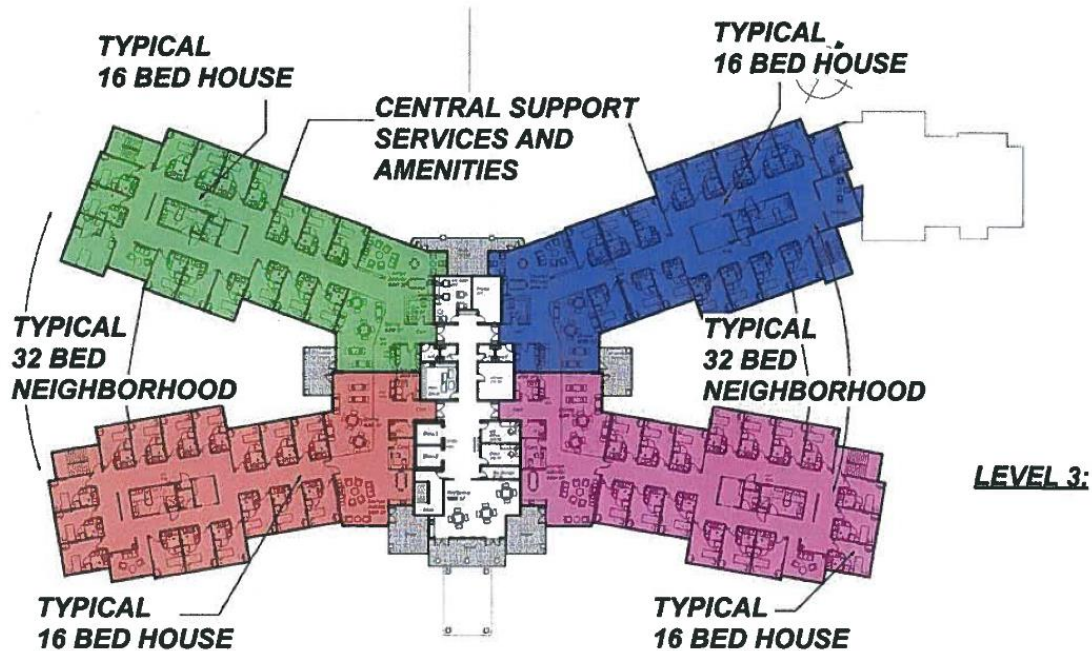
Level 2

Four – 16 bed houses with in-house kitchen, laundry and cleaning facilities
Two neighbourhoods
Central support services and amenities
Proposed four bed hospice

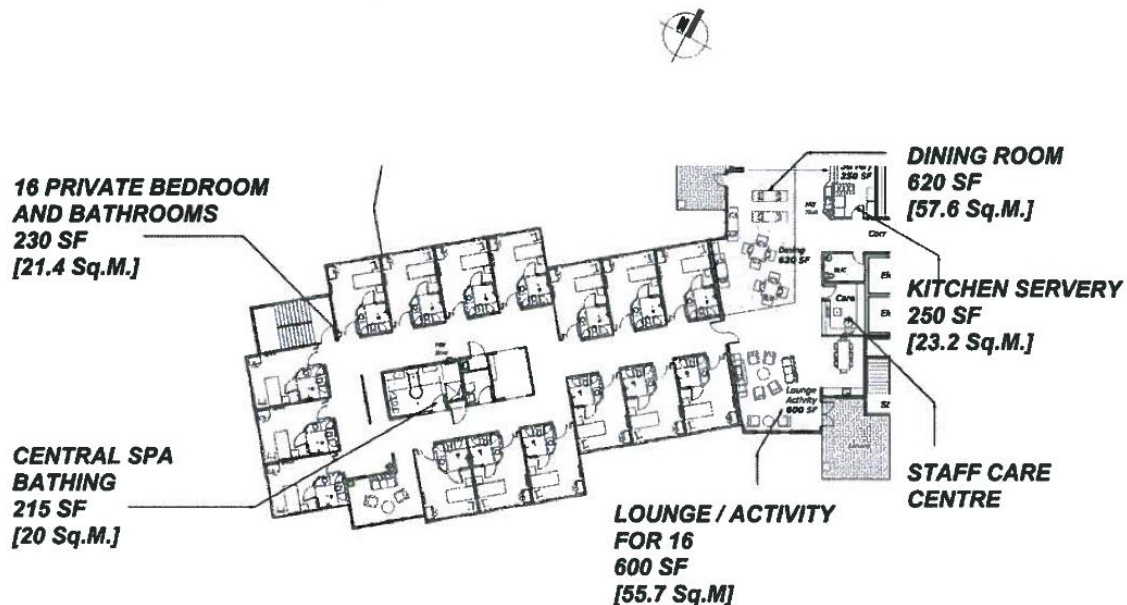


Level 3

Four – 16 bed houses
Two neighbourhoods
Central support services and amenities



Typical Silverstone Residential Care Centre House Concept



Shared Amenities and Common Areas

The care centre provides a number of shared amenities and common areas for all residents including:

- Secure exterior courtyards
 - North courtyard - 8900 SF (826 m²)
 - East courtyard - 3800 SF (350 m²)
 - West courtyard - 3800 SF (350 m²)
 - Adult day centre courtyard - 855 SF (79 m²)
- Occupational and physiotherapy room - 200 SF (18.5 m²)
- Hair salon - 280 SF (26 m²)
- Multi-purpose "Bistro" room - 900 SF (83.6 m²)
- Covered outdoor terraces (level 3), 6 terraces - total area 1887 SF (175.3 m²)

The Location on Derby Road

The selected location on Derby Road achieves the standards of best practice and meets the expectations of both the Sechelt OCP and those of VCH.

For best practice, a location in a residential setting best supports a housing and living model rather than near a hospital or acute care setting or in a downtown core. Given the behavioural and social conditions, a quieter, more peaceful setting is preferred for residents. It is important to have access to amenities and to be supported with adequate parking and transit (for staff and visitors). Specifically, RFP requirements state that *'the building or buildings should be located within a residential community setting, providing the opportunity for Residents to feel part of that community and providing access to amenities.'*

For Sechelt, the Derby Road site falls within the Urban Containment Boundary and is approximately 900m from the existing Shorncliffe centre. It is in close proximity to the existing amenities of downtown (i.e. within 2km) and very close to the proposed Neighbourhood Centre identified in the OCP. The project also aligns with a number of the guiding principles and policies of the OCP (Refer to Appendix 2 for a summary of the OCP and Silverstone).

And for VCH, the site selected on Derby Road aligns with their design guidelines established for Residential Care Developments (Appendix 3) and for these reasons, VCH selected the Silverstone/Trellis bid proposal for the contract award.

Land Use and Zoning Information

The proposed site (3 acres) is currently undeveloped and situated on lands designated as Residential and Multi-Family Mixed Residential as per the Land Use Plan adopted in the OCP. There also is undeveloped land (6.8 acres) immediately adjacent to the proposed site which is designated for use as Civic, Institutional and Utilities.

According to the OCP, the Multi-Family Mixed Residential designation includes Seniors Housing which covers a range of housing and care options and may include a comprehensive mix of independent and/or supported residential units, care beds or assisted living/complex care units. Seniors housing developments of these types that contain a mix of residential, care and/or commercial uses will be supported within the Neighbourhood Centre concept. Of note, the OCP specifies that seniors housing developments that include assisted living or care beds will also be considered as community facilities within the Civic, Institutional, Utilities designation.

Silverstone/Trellis is currently in discussions with the District of Sechelt Planning Department to conclude on the appropriate zoning designation (i.e. Multi-Family Mixed Residential or Civic, Institutional, Utilities) and whether any amendments may be required to the OCP to permit the proposed residential care facility to be situated on the current designated site.

Zoning Precedents and Sample Projects

There are provincial precedents that support both a residential (i.e. housing) as well as care (i.e. institutional) approach to (re)zoning. However, the consistent result is that residential care facilities are physically situated in residential areas for the health and social reasons stated above.

Included at Appendix 4 is a list of precedent projects to consider as well as other developments to review for further information about the nature of the project and how it supports seniors living.

Other Information

Managing Change & Early Input Feedback

This is a significant change to community services and resistance can be a normal human reaction. It is important that the transition be carefully and respectfully managed for all involved. There are recognized practices for supporting residents through a change in living environment which will be followed for the relocation. There are also changes to the workers' employer, terms of work and location. We understand that VCH is working to ensure people are supported through the change and Silverstone will also support their new team with getting oriented and established. Refer to Appendix 5 for VCH responses to Frequently Asked Questions which have surfaced since the announced change.

Further, and as a result of the community response, Silverstone Residential Care Centre hosted an Early Input Opportunity Open House on September 19, 2016 to gain input on the proposed project. There are a number of responses and actions that Silverstone will complete due to the feedback. Some key actions relating to land use include:

- Explore the ability to expand the residential care services in response to expected future needs (i.e. assess expansion on site);
- Host additional information sessions to continue to expand community engagement;
- Work with the DOS and the neighbouring land owners to ensure improved connections to Downtown (by road, bike ways and walkways). Silverstone will also study the number of walking visitors and workers to Shorncliffe and Totem to reassess needs;
- Support a traffic study being completed for the area and will work with DOS on parking requirements; and
- Seek confirmation of timing for transit stop on Derby Road (near site);

Silverstone has committed to share the final report (which is currently being compiled) with the District of Sechelt and with Vancouver Coastal Health.

VCH Plans for the Existing Buildings

Silverstone is not aware of any formal announcement from VCH on the future use of the existing buildings. However, based on similar transitions in other communities (e.g. Williams Lake, Summerland, etc.), these Health Authority/government assets have often been repurposed to serve other community or healthcare needs. For example, there may be needs for designated assisted living or mental health housing that would be well suited to one of these locations. Given the growing health needs, it seems reasonable that alternate uses will arise which are better suited to the existing building designs and together with Silverstone Residential Care Centre, the community of Sechelt will have improved seniors housing with an opportunity for expanded healthcare services.

Understanding the Limitations of the Existing Buildings

It is important to understand that the current buildings (Shorncliffe and Totem Lodge) no longer meet the needs of seniors nor do they achieve the minimum standards for providing seniors housing and care. They are considered inappropriate (as measured by both infection control standards and for managing complex behaviours) and do not meet the social standards for privacy and choice.

Specifically, the use of 4-bed ward rooms with one common bathroom is both provincially and nationally unacceptable due to the evidence of increased health risk and loss of privacy. Narrow doorways and corridors do not support the equipment and mobility needs of many residents and creates unsafe transfer which also puts the workers at risk. Due to the waitlist and service demands as well as capital costs, VCH has determined it is not feasible to redevelop these sites for residential care purposes. However, VCH may have other plans for these assets as discussed above.

Advantages of the New Building Design Features

The new Silverstone building will offer the following design improvements that are not available in the existing buildings:

- All rooms will be private with ensuite bathrooms for improved privacy, safety and infection control practice. Also a few rooms will have adjoining/lockable doors to support couples in a 'shared' setting.
- The rooms will be gathered in a small internal house setting of only 16 which promotes companionship and is an evidence-based best practice for residential care design.
- Each internal house will have increased amenity areas with direct access to the outdoors (either by garden courtyard or covered patio) for improved access to nature as well as better mobility and walking loops. This helps manage interactions and support cognitively impaired residents; and
- Spaces overall will be brighter and hallways wider to add to quality of life which also benefits workers.

Operations and Staffing Levels

This project will operate under a contract with the Ministry of Health through Vancouver Coastal Health (VCH). It will be publicly funded and Silverstone must adhere to the VCH requirements which include strict standards for quality as well as levels of staffing.

The quality standards are the same as those established for publicly operated facilities and are closely monitored by licensing and VCH. Current Trellis facilities exceed these standards evidenced by certification as 'exemplary' through an independent survey body known as Accreditation Canada.

The staffing levels are also established and monitored by VCH. They are not set by Silverstone Residential Care Centre. As outlined in the attached VCH Frequently Asked Questions (Appendix 5), the direct care staffing at Silverstone will be at the same level as currently provided in Shorncliffe and Totem Lodge.

ATTACHMENT B

INFRASTRUCTURE REVIEW



File Name: MUN00006 2016-04 OCP & 2016-13 RZN (Trellis Seniors Services)

PROPERTY INFORMATION

Civic Address Intersection of Cowrie Street & Derby
Road, Silverstone Heights, West Sechelt
PID NA
Applicant Trellis Seniors Services

Availability of water service from the Sunshine Coast Regional District	Pending approval and development of the Silverstone phase II project, Regional water will be available to the subject property for the proposed development application.
Development Cost Charges	As per the Local Government Act and Bylaw 693, a Development Cost Charge (DCC) in the amount of \$195,200.00 is required to be paid in full to the Sunshine Coast Regional District prior to issuance of final development approval. Should the proposed development layout change, the SCRDC will need to comment again.
Infrastructure Improvements	A service connection and a water meter are required for this development. The SCRDC will only provide up to a 50mm DIA water meter, if the developer requires a larger size the SCRDC will purchase one at the owner's expense.

Sunshine Coast Regional District
1975 Field Road, Sechelt BC V0N 3A1
Phone: 604-885-6800 / Fax: 604-885-7909
www.scrd.ca

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: David Rafael, Senior Planner

SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENTS TO INCORPORATE REVISED
GEOTECHNICAL DEVELOPMENT PERMIT AREAS FOR WEST HOWE SOUND,
ELPHINSTONE AND ROBERTS CREEK REPORT OF PUBLIC HEARING AND
CONSIDERATION OF THIRD READING (ELECTORAL AREAS D, E AND F)

RECOMMENDATIONS

- A. THAT the report titled Official Community Plan Amendments to incorporate revised Geotechnical Development Permit Areas for West Howe Sound, Elphinstone and Roberts Creek Report of Public Hearing and Consideration of Third Reading (Electoral Areas D, E and F) be received;**
- B. AND THAT *Roberts Creek Official Community Plan Bylaw No. 641.4, 2015* be forwarded to the Board for Third Reading with the following amendment:**
- a) Amend Section J regarding the exemptions set out in OCP Policy 16.3 to read:**
- 1. Delete the text in (iii) and add the following text:**

“to a subdivision or rezoning application, where an existing registered covenant or proposed covenant with reference plan based on a geotechnical engineer and/or qualified environmental professional’s review, relating to the protection of the hazardous or environment conditions outlined in the subject development permit area, is registered on title or its registration secured by a solicitor’s undertaking;”
 - 2. Delete sections (v) and (vi)**
 - 3. Insert the following:**

“(v) to the removal of 2 trees over 20 centimetre diameter breast height or 10 square metres of vegetated area of per calendar year per lot, provided there is replanting of 4 trees or re-vegetation of the same amount of clearing;” Amend the numbering in Policy 16.3 as needed;
 - 4. In (x) and (xi) delete:**

“for "a" protection of the natural environment, its ecosystems and biological diversity only”

and add the following text in its place:

“for Development Permit Area 4: Stream Riparian Assessment Areas”;
 - 5. Insert the following:**

“(xv) for DPA 1A, DPA 1B, DPA 2A, DPA 2B, DPA 2C, DPA 2 D and

DPA 3 “Low Importance” structures, as defined in the BC Building Code: 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, or minor storage buildings.”

6. Insert the following:

“(xvi)Development Permit Area designations do not apply to shíshálh Nation or Skwxwú7mesh Nation Band Land or reserves and any guidelines or requirements that would otherwise be applicable are only advisory in nature to these lands.”

- b) Amend Section L references to Policy 16.3 in 6 (from “xiii” to “xii”), 7 (from “xiv” to “xiii”) and 8 (from “xv” to “xiv”).**

C. AND THAT *Elphinstone Official Community Plan Bylaw No. 600.6, 2015* be forwarded to the Board for Third Reading with the following amendment:

Insert the following in Section F regarding the exemptions set out in OCP Policy B-1.2 part 2:

- “k. Development Permit Area designations do not apply to *Skwxwú7mesh* Nation reserves and any guidelines or requirements that would otherwise be applicable are only advisory in nature to these lands.”**

D. AND FURTHER THAT *West Howe Sound Official Community Plan Bylaw No. 640.1, 2015* be forwarded to the Board for Third Reading with the following amendment:

Insert the following in Section D regarding 11.1 Introductory Description before the last sentence:

“There may be spatial overlap between some DPA categories.

Development Permit Area designations do not apply to *Skwxwú7mesh* Nation reserves and any guidelines or requirements that would otherwise be applicable are only advisory in nature to these lands.”

BACKGROUND

In light of changes in hazard assessment and experience in other jurisdictions in BC, the SCRD commenced a review of development permit areas for hazardous conditions in all of its OCP that were undergoing reviews. In 2012 and 2013 Kerr Wood Leidel Associates Ltd. Consulting Engineers (KWL) conducted an inventory of hazardous lands within the Roberts Creek, Halfmoon Bay, Elphinstone and West Howe Sound Official Community Plan (OCP) areas 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. Copies of the KWL reports are available on the SCRD website at:

<http://www.scrd.ca/Geotechnical-Updates>

At the Board meeting of June 25, 2015 the bylaws received first reading and were subsequently referred to the *shíshálh* and Squamish Nations, agencies, the Roberts Creek, Elphinstone and West Howe Sound Advisory Planning Commissions and the Roberts Creek OCPC.

At the Board meeting of January 14, 2016 the bylaws were amended and given second readings

The public hearings were held on February 16, 2016 and a report of the hearings is included in Attachment A.

DISCUSSION

Concerns were expressed at the public hearings regarding the increased extent of the development permit areas, mapping accuracy and the cost implications for the public. Staff note that the amendments are based upon advice provided by Kerr Wood Leidel to address increased safety measures arising from changes in building and geotechnical engineering standards to ensure that development takes place as safely as possible. The three OCPs already contain development permit areas that consider geotechnical issues and the proposed amendments would refine the boundaries and in some cases increase the area covered by the designations. The one new development permit area is to consider the anticipated impacts of ocean level rise and associated hazards. The text is drafted to follow that set out in the guidelines provided by KWL and matches that in the Halfmoon Bay OCP.

It was noted that the Roberts Creek OCP proposed exceptions differ from those for West Howe Sound and Elphinstone. Currently Roberts Creek includes an exemption to allow some tree/vegetation removal in riparian areas. However the Roberts Creek proposal does not include such an exemption for the geotechnical hazard areas. The following exemption should be added to Bylaw 641.4:

- “(v) to the removal of 2 trees over 20 centimetre diameter breast height or 10 square metres of vegetated area of per calendar year per lot, provided there is replanting of 4 trees or re-vegetation of the same amount of clearing;”

Staff also recommend deleting the following exemptions to avoid confusion as riparian areas (DPA 4) and stream slopes (DPA 2A) overlap:

- “(v) for "a" protection of the natural environment, its ecosystems and biological diversity only, to the removal of up to three trees per parcel in a calendar year and must be reported to the Regional District (Note: the root balls must not be removed without approval from the Regional District);
- (vi) for "a" protection of the natural environment, its ecosystems and biological diversity only, to the removal or alteration of vegetation, in an area of up to 10 square metres

once per calendar year per parcel and must be reported to the Regional District
(NOTE: the land is not to be hard surfaced),”

These amendments will require changes to the numbering in the Policy 16.3 (the exemptions) and some text changes set out in Section L.

The *shíshálh* Nation requested that additional text be added to clarify that the DPA designations do not apply to the *shíshálh* Nation Band Lands and that the guidelines would be advisory in nature. Staff consider that this amendment could be added to the exemptions set in the bylaw for Roberts Creek. For consistency this should also reference the Squamish Nation and the same amendments should be added to the proposed amendments for the Elphinstone and West Howe Sound OCPs.

These amendments will not alter the use or density, thus do not require a new public hearing.

Options and Analysis

Option One: Amend the Bylaws and Consider for Third Reading

As noted above the three bylaws could be amended to incorporate exemptions for First Nation band land or reserves. This would not have a material impact as the DPA designations do not apply to such land. However, the guidelines could be useful as advice for any development on the lands and could be incorporated into any referral comments the SCRD provides in the future.

Bylaw 641.4 (Roberts Creek) should also be amended to include an exemption for limited tree and vegetation removal for both riparian and geotechnical sensitive areas. This would replace exemptions for tree and vegetation removal for riparian areas currently in the OCP.

The bylaws included in Attachments B to D include this amendment.

Staff recommend this option.

Option Two: Consider the Bylaws for Third Reading with No Amendments

The proposed amendments by the *shíshálh* Nation are not required as the DPA designations would not apply to band land or reserves.

The Board could move forward without incorporating the *shíshálh* Nation's input and extending it to cover the Squamish Nation. However not bringing Bylaw 641.4 (Roberts Creek OCP) into line with the other two bylaws and the Halfmoon Bay OCP would create an imbalance between the areas. This would be counter to improving conformity between the OCPs regarding the DPA designations.

Option Three: Direct Staff to Commission Additional Review of the DPA Boundaries

Concerns were raised at the hearing regarding the increased extent of the development permit areas, mapping accuracy and the cost implications for the public. The DPAs were developed based upon existing DPA and best information available within the project scope and budget.

To provide more detailed site-by-site analysis would be cost prohibitive to the SCRD and would be borne by the public through taxation.

Application of DPAs allows for a report provided by a qualified professional to state that the site is outside of a sensitive area and that the development is safe for the use intended.

Timeline for next steps or estimated completion date

The Bylaws can be considered for adoption at a subsequent Board meeting. This will allow staff time to incorporate the amendments into a consolidated version of the three Official Community Plans so that the OCPs will be available to the public upon adoption.

Communications Strategy

The OCPs are posted on the SCRD website and there is a specific page regarding this project that will be updated. As this is a significant change the SCRD could place a notice in the SCRD Bulletin published in the Coast Reporter.

STRATEGIC PLAN AND RELATED POLICIES

The proposed amendments address the SCRD Strategic Priority: Enhance Collaboration with the *shíshálh* and *Skwxwú7mesh* Nations.

CONCLUSION

Staff consider that the bylaws should be amended to incorporate the input provided by the *shíshálh* Nation and extended to the Squamish Nation. Staff recommend amending Bylaw 641.4 (Roberts Creek) to replace existing exemptions for tree and vegetation removal in riparian areas with the exemption set out in the other bylaws that cover both riparian and geotechnical areas. These additional amendments do not alter the use and density and thus do not require a new public hearing. Staff recommend Option 1: Amend the Bylaws and Consider for Third Reading

Attachments

- Attachment A Report of Public Hearing
- Attachment B *Roberts Creek Official Community Plan Bylaw No. 641.4, 2015*
- Attachment C *Elphinstone Official Community Plan Bylaw No. 600.6, 2015*
- Attachment D *West Howe Sound Official Community Plan Bylaw No. 640.1, 2015*

Reviewed by:			
Manager	X-AA	Finance	
GM	X - IH	Legislative	
CAO	X - JL	Other	

ATTACHMENT A

SUNSHINE COAST REGIONAL DISTRICT

REPORT OF A PUBLIC HEARING HELD AT THE
Gibsons and Area Community Centre
700 Park Road, Gibsons, BC
Tuesday, February 16, 2016

“SCRD Roberts Creek Official Community Plan Amendment Bylaw No. 641.4, 2015”
“SCRD Elphinstone Official Community Plan Amendment Bylaw No. 600.6, 2015”
“SCRD West Howe Sound Official Community Plan Amendment Bylaw No. 640.1, 2015”

PRESENT:	Area E Director	L. Lewis
	Area D Director	M. Lebbell
	Area F Director	I. Winn
ALSO PRESENT:	Staff	D. Rafael
	Staff Recording Secretary	J. Stevens
	Members of the Public	16

CALL TO ORDER: 7:00 PM

L. Lewis, Chair

The public hearing for proposed “Sunshine Coast Regional District Roberts Creek Official Community Plan Amendment Bylaw No. 641.4, 2015” was called to order at 7:00 p.m.

Director Lewis introduced himself as Director for Electoral Area E. The Chair explained that he would be the chair for Electoral Area D, that the Chair would be rotated and that there would be three public hearings taking place this evening because each of the three Directors cannot chair their own electoral area. Director Lewis introduced Electoral Area F Director Ian Winn who he advised will chair the Electoral Area E public hearing and Electoral Area D Director Mark Lebbell who will chair the Electoral Area F public hearing. Director Lewis explained that the Directors are in attendance to hear the comments first hand, SCRD Senior Planner David Rafael will answer any technical questions concerning the zoning amendment bylaw and staff minute taker Jean Stevens will be recording the comments this evening. He explained that the Public Hearing is convened pursuant to Section 892 of the Local Government Act and read out prepared statements regarding the procedure for conducting the Public Hearing. He explained that verbal submissions will form part of the public hearing and that each person will have to identify themselves and explained that the purpose of the public hearing is to listen to the comments rather than debate the comments.

The Chair 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. He then asked David Rafael, SCRD staff Senior Planner, Planning and Development Department to introduce:

“Sunshine Coast Regional District Roberts Creek Official Community Plan Amendment Bylaw No. 641.4, 2015”

Staff began by giving a general introduction to all three bylaws explaining that the main purpose of the Bylaw amendments is to update the three Official Community Plans by introducing new and amended development permit area (DPA) designations regarding the following types of hazardous areas:

- Coastal Zone Hazards including flooding of lower-lying terrain and erosion and instability of oceanfront slopes.
- Creek Hazards including flooding, debris floods, debris flow and slope instability associated with ravine sidewalls. There are three categories within this DPA: creek corridors, ravines, and floodplains.
- Slope Hazards 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.

The proposed new Development Permit Areas are as follows:

- Open Slope/Rock Fall
- Coastal Flooding
- New Exemption – low impact buildings

The reason for the new Development Permit Areas are as follows:

- More accurate information from 2014 air photos and Lidar – contour lines/elevation
- Improve conformity between the OCPs regarding the DPA designations
- Need to respond to potential impact of Climate Change
- Changes since previous OCPs

The new DPA are based on reports provided by Kerr Wood Leidel Associates Ltd.

The existing DPAs: that require no amendments are as follows:

- Stream Habitat Areas
- Form and Character of some multi-family or commercial development
- Protection of ALR
- Aquifer Protection/Storm water Management (WHS area only)
- Shoreline Protection such as ocean front retaining walls (RC, WHS areas)

The existing DPA that are proposed for amendment are as follows:

- Creek Systems (WHS)
- Slope Stability (WHS)
- Beach Front/Ravine Creek Slopes (E)
- Beach Front Slopes (RC)
- Creeks – flooding and erosion (RC)

Staff explained the following with regard to existing and new Development Permit Areas:

- a Development Permit Area is an area identified in the Official Community Plan for that electoral area and there can be more than one Development Permit area on a piece of property, and that if a Development Permit is required the property owner/applicant would need to submit an application to the Sunshine Coast Regional District Planning Department;
- there are existing Development Permit areas in all the Official Community Plans. The West Howe Sound Official Community Plan area for example deals with slope stability, and the Roberts Creek Official Community Plan area deals with beach front slopes;
- currently the Ravines have a 15 metre setback from the top of the bank but that will change to a 30 metre buffer area and a 15 metre setback from the top of the bank;
- a new coastal flooding area based upon the eight metre height from the geodetic 0 which is a measurement of where the natural level of the ocean is introduced to mitigate against sea level rise with regard to wave and storm flooding intrusion upon properties;
- there is to be a new exemption for low impact buildings where the SCRDC considers that there may not be any impact due to the fact that the building is not going to be occupied, storing material or if it does fail it is not going to collapse onto a neighbouring property because there is nothing below;
- grandfathering any building that is already existing in the Development Permit area or in the new development permit area is protected because the SCRDC does not require the applicant to go back and update the building. If there is an extension to the building the SCRDC may require a new development permit;
- Elphinstone has adjusted text on the maps and changed text in the Area E Official Community Plan that refers to the Town of Gibsons due to the boundary changes that removed several commercial properties in the SCRDC to the Town of Gibsons at the request of the property owners. Also text in the Bylaw that refers to the commercial area as being a gateway to Gibsons was removed from the bylaw. Most of this property is now in the Town of Gibsons which deals with their own development;
- Roberts Creek terminology in the streams is changing with 15 to 30 metre buffer being added to most of the creeks;
- agricultural buffering is staying the same;

Staff then visually presented the Development Permit Areas on maps of the Roberts Creek Official Community Plan Area to show the current and proposed Development Permit Areas and concluded the presentation.

The Chair called a first time for submissions.

Mr. Tim Rockford
484 Marine Drive
Gibsons, BC

Mr. Rockford said that it is a significant change to 15 metres to the top of the slope and a 30 metres buffer. He asked what the logic for the 15 metres to the top of the slope was and if there was basis elsewhere for justifying that significant buffer change to 30 metres?

Staff replied the basis of the change is on the advice SCR D received from the Kerr Wood Leidel consultant engineers who were commissioned to look at the impact of development and the experience elsewhere in BC with regard to slope stability. The SCR D wants to ensure that development is built safely.

Mr. Rick Gamache
1481 Grandview Road
Gibsons, BC

Mr. Gamache asked if there had been any significant damage to slopes with the 15 metre slope setback, which has been existing now for 40 years and why the 30 metres was selected and why 15 metres was not good enough until this point?

Staff responded by saying that they are looking at the advice that the SCR D received from its engineers in regard to the impact of development and their advice is that the SCR D should be looking at beyond what the SCR D had as the 15 metres historically and should be looking at broadening that out. The 30 metres was set by the Consulting engineers.

Staff said that four letters of submissions were received as follows:

1. Letter dated February 15, 2016 from the Sechelt Nation asking that an amendment be made that notes that the Development Permit designations do not apply to *shishalh* Nation Band Lands (SBIs) and any guidelines or requirements that would otherwise be applicable are only advisory in nature to these SBIs". The letter is attached to this report as Appendix A.
2. Letter dated February 16, 2016 with several signatures was received regarding Amendment Bylaw 641.4 pertaining to concerns with DPA2 (creek corridors) and DPA 2B (ravines) was received. Ms. Donna Shugar, one of the signatories asked the Chair if she could read this letter aloud. The Chair responded yes. The letter is attached to this report as Appendix B.
3. Letter dated February 16, 2016 from Dave Bonser. The letter is attached to this report as Appendix C.
4. Letter dated February 14, 2016 from Sandra Russell. The letter is attached to this report as Appendix D

Ms. Donna Shugar
1076 Crowe Road
Roberts Creek, BC

Ms. Shugar said she is very confused about the Development Permit Area 4 and the Development Permit Area 2A area. She said they seem to be the same area but different rules. She asked staff for clarification of these Development Permit Areas and suggested that these areas should be clarified in the Bylaw itself so that people can understand the distinction between these two areas and if there is a distinction then which rules apply?

Staff said that Development Permit Area 4 is the area that is identified to protect fish habitat and there are some requirements and exemptions around that and that Development Permit Area 2 is meant to look at slope stability ravine slope protection and there are some requirements around

that and these 2 areas do overlap because the streams create the ravine slopes. Staff said that there are some exemptions that are allowed for the habitat that would be prevented by the other Development Permit Area designations. Staff said there are currently some exemptions proposed for Elphinstone and West Howe Sound that could be brought over to Roberts Creek, however that may require a new public hearing.

Ms. Shugar then read out a letter of submission from herself and other neighbours which is attached to this report as Appendix B.

Ms. Shugar said that both her neighbours and she have some concerns about the bylaw as presented as there is a big impact on individual properties which she believes are extreme. Ms. Shugar said that the Kerr Wood Leidel report states there are some exemptions which are recommended in the report but found it very difficult for the public to work its way through the wording of the bylaws especially when the public does not have the original document available. She said that all the changes to the DP Areas should be made available by staff in a complete report posted on the SCRD web site. She said that in Sections J2 sec 5, 6, 9, 12 of the bylaw certain wording in the bylaw is deleted for the protection of the environment and replaced with DP Area 4 is stream riparian. She said that these sections allow for the cutting of up to three trees per calendar year and the removal or alteration of vegetation in an area of up to 10 square metres once in a calendar year and so on. She said that these exemptions apply to DP4 but not to the ravine areas which are on the outer boundaries of the DP4 zone. She said the difference between the DP Areas is not clear. Her neighbours and she do not understand why these exemptions are not included in the Roberts Creek version of the bylaw. She would like to know why there is a difference between the DP4 and DP2 West Howe Sound and Elphinstone Development Permit bylaws and why a property owner should put out the expense for such a minor alteration in Roberts Creek when it is not required in the other areas. It can't be OK in one area and not in another. She thinks the impact on property owners in Roberts Creek is extreme because a lot of people in Roberts Creek live on very heavily treed properties and there are a lot of trees on these properties that are at issue and that cutting one or two or three of these trees in a given calendar year should not create a hardship for the property owner. She and her neighbours hope that there will be an adjustment with the Roberts Creek Development Permit bylaw prior to its adoption even if it means another public hearing is required.

Mr. Gord Bishop
172 Maple Road
Gibsons, BC
Elphinstone

Mr. Bishop said he is 200 feet or so from the coastal zone. He is concerned about the enforcement of this Bylaw. He said he understands that there are existing houses that have been built in Wood Creek with two ravines and Bonniebrook with at least one ravine maybe two but these DP Areas will be focused on new homes and asks how this bylaw will work when existing properties are sold or transferred to new owners. He also wonders how there will be markers that show the DP Areas and especially now as these areas will be extended from 15 to 30 metres. He said that there is extensive illegal dumping of green waste on slope sides especially along the Ocean Beach Esplanade which is crown land. These slopes have very little depth of top soil and everything dumped on it slides down the bank during heavy rains. He said he wonders how the SCRD will enforce illegal dumping or will they by creating these bylaws be able to enforce them on Crown Land, and if not how will the SCRD if is not prepared to protect these areas enforce these bylaws?

Staff responded by saying that signage for markers may be able to be addressed by the SCRD Parks Department. Further, the requirement for a development permit is addressed when there is an application for a building permit. However if work is done without a development permit there will be fines for that. Staff said that if illegal dumping is reported to the SCRD the SCRD will investigate, however illegal dumping on crown land is not under the jurisdiction of the SCRD. A general comment from the audience said that the SCRD should provide public awareness that these Development Permits may be required.

Mr. Ken Dalglish
1076 Crowe Road
Roberts Creek, BC

Mr. Dalglish asked what recourse he would have to legally challenge the DPA4 zone if there are some trees on his property that he needs to cut.

Staff responded that the property owner would need to provide a professional report to ensure that the land is safe and in the case of fish habit provide a biologist's report that proves there are no fish in the stream or it does not connect to a fish bearing stream.

Mr. Gord Bishop
172 Maple Road
Gibsons, BC

Mr. Bishop asked staff what criteria requires a professional report or just the SCRD saying it is ok.

Staff responded that for a hazardous tree a professional report is required if it is in a Development Permit Area.

Mr. Tim Rockford
484 Marine Drive
Gibsons, BC

Mr. Rockford asked how much a Development Permit costs?

Staff responded that a Development Permit costs \$500.00 but that fee does not include a Professional Report that may be required for the permit.

Mr. Rich Johnston (Elphinstone)
Gibsons, BC

Mr. Johnston who lives in Elphinstone Electoral Area said that the new Development Permit processes are really down loading the costs to the landowner and asked if there was anything that the SCRD can do to offset these costs to the land owners. He requested the SCRD look at the coast line and new areas pro-actively or collectively instead of site by site so as to avoid more professional costs to the landowners.

Staff said if the public identifies problems to the SCRD, based upon priorities these issues will be responded to as directed by the Board as with the Kerr Wood Leidel Report.

Ms. Diane Lord

Ms. Lord said that regulation and rules are put in place for the law abiding folk. There is no consequence for those who don't follow the rules. There is no consequence for those who cut trees on the slopes. The SCRD needs to go after those people who don't follow guidelines at the expense of those people who do.

Director Lewis asked staff if it would be considered a bylaw infraction if someone cuts down a tree in a development permit area and someone reports that.

Staff responded yes it would be a bylaw infraction. It would need to be determined if it could be ticketed under the new SCRD BEN ticketing system.

Mr. Clint Budd
1432 Velvet Road
Elphinstone

Mr. Budd who lives in Elphinstone Electoral Area on Velvet Road said his property and all the properties on that side back on to the edge of Chaster ravine. He said that 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 Geo-scientists. It says need to be considered. The second sentence says no map screening tool is currently available to identify seismic slopes hazard areas and therefore is not a development area. Does that mean that something needs to be done or it is not going to be done? Staff responded that is something that needs to be addressed at the development permits guidelines stage.

Mr. Budd asked if that means that the SCRD cannot ascertain that?

Staff said that those events that are likely to happen in 100 to 200 years are so extreme that they cannot be accommodated in the normal day to day work.

Mr. Budd said the last earthquake collapsed a couple of trees on the ravine and if the ravine floods it will be a big problem.

Ms. Donna Shugar
1076 Crowe Road
Roberts Creek, BC

Ms. Shugar asked what Development Permit Area part B 2 H third paragraph of Bylaw 641.4 that states that there are three categories within this Development Permit Area refers to.

Staff responded that it is Development Permit Area 2 Creek hazards which include flooding (DPA2A), debris floods (DPA2B) debris flow (DPA2C) and slope instability associated with ravine sidewalls (DPA2D) and that there are three categories within this DPA: creek corridor, ravines, and floodplain.

Mr. J.D. Bonser
2643 Highway 101
Roberts Creek, BC

Mr. Bonser said he supports the fact that the Sunshine Coast Regional District is looking at ravines and steep slopes, but has concerns about how the bylaw is worded. He said according to the wording of the documents it is not correct to say if you want to know if you are in an area look to the green coloured area. He said that there should be more detail and some refinement of the colouring on the maps and suggested that there should be words to clarify that it is not just colouring but words that state that if your property is not within the 30 metres zone then a Development Permit is not required.

Mr. Ted Eades
2634 Highway 101
Roberts Creek, BC

Mr. Eades said he lives in Roberts Creek on the Highway just above the highway beside Crow Road. Mr. Eades asked what the white area is between the two green strips on the Development Permit map he is looking at for Roberts Creek.

Staff said that there are limitations to providing a clear map to show every detail in all the Development Permit Areas. He said the outside line on the map is the 30 meters from the top of the bank and the inside green line is the 15 metres to the top of the bank, so any development that takes place within these areas would need to have a development permit.

Ms. Donna Shugar
1076 Crowe Road
Roberts Creek, BC

Ms. Shugar said a few years ago a neighbour wanted to put up a building on his property outside of his development permit area. She would like to clarify that only the area on a property within these lines is where you need this new development permit and not the rest of the property. If a person is cutting down a tree or building a house outside this new development permit area a development permit is not required.

Staff responded by saying yes that is how the development permit should work.

Ms. Donna Shugar
1076 Crowe Road
Roberts Creek, BC

Ms. Shugar asked how the Sunshine Coast Regional District would determine what property is within these lines and would a survey be needed and if so who would pay for the survey?

Staff responded by saying that if the development permit area is very obvious then a survey may not be required, however it depends upon what is being proposed in the application by the property owner.

Mr. Richard Johnson
Elphinstone

Mr. Johnson said he is hearing a very large divide between the accuracy level of the mapping information and the site specificity and he does not see any effort to close the gap between what is actually a Development Permit area and the need for a site survey or an engineer's site specific report. He does not see how the Sunshine Coast Regional District can use the information in the

Kerr Wood Leidel Report as broad as it is to use as evidence to change a development permit area to offset these costs on all of these properties.

Mr. Gord Bishop
172 Mabel Road
Gibsons, BC

Mr. Bishop said in Roberts Creek at the end of the Ocean Beach Esplanade Creek along the beach about 300 feet to the left at the mouth of the creek a collapse took place a couple of weeks ago which dumped probably three or four truck loads of gravel on the beach. He said this is not the first time this has happened but probably the second or third time this has happened. Mr. Bishop said this new plan is extending further and further up the creek to the bank to impact any property owners, however Lower Road crosses through this Development Permit Area. He said these bylaws are putting a lot of responsibility on the home owner. He asked who is going to take responsibility for drainage or road collapse. He asked what protection the home owners or properties have when these collapses occur? He believes the collapses occur because of a lack of maintenance on drainage probably along Lower Road and lack of responsibility taken for damage or loss of land or the use of land by the Ministry of Transportation and Infrastructure. He says these Development Permit bylaws are a top down process with too many levels of government.

An audience member asked if the Development Permit bylaws apply only to private land homeowners or does it apply to the Crown or BC Hydro or the Ministry of Transportation and Infrastructure if they are doing work within the Development Permit Area of this colour? He said in fact the shading goes all the way including the road allowances which is the jurisdiction of Highways.

Staff said Provincial agencies work under different legislative rule and are responsible for certain activity which the Regional District does not control, however the Regional District tries to work with those agencies to respond to concerns. Or the Regional District staff can try to intercede on behalf of property owners by direction of the Regional District Board to ensure the property owner is protected.

The audience member asked if the Ministry of Transportation and Infrastructure (MoTI) needs a Development Permit if they want to cut down some trees or widen the road?

Staff responded no MoTI is not required to do that. The Regional District does not have control over MoTI activities. MoTI can also allow for property owners to act as their agents if it is on Crown Land. Sometimes it can be private use of crown land which the Regional District would have jurisdiction over and that is why the Regional District has zoning and other designations that overlap the Crown land.

Mr. Ken Dalgleish
1076 Crowe Road
Roberts Creek, BC

Mr. Dalgleish asked how is it that the private sector is so encumbered when they want to cut a small alder tree on their property and major logging companies clear cut far too close to the stream.

Staff said there are provincial rules that forestry companies are supposed to respond to and the Sunshine Coast Regional District cannot control that activity.

Mr. Tim Rockford
484 Marine Drive
Gibsons, BC

Mr. Rockford said that he thinks people know that areas adjacent to riparian areas need to be protected but his question is what is driving that change, was there a problem that was observed with the previous condition?

Staff said that the Sunshine Coast Regional District sought advice from the professional engineers for existing Development Permit areas to look at new data for new thinking in the development industry and new thinking in the engineering industry in response to issues raised earlier in North Vancouver and how the Sunshine Coast Regional District can try to prevent that from happening in the future. The advice that the Sunshine Coast Regional District got from its professional engineers was to try to broaden out the investigative areas on properties and that is how the Sunshine Coast Regional District has responded by proposing some new development permit areas.

Chair Lewis said that in addition to staff comments he would like to add that the provincial government wanted the Sunshine Coast Regional District to evaluate and update the existing three Official Community Plans with regard to a modern level for hazards that may occur within the next 100 years.

Ms. Donna Shugar
1076 Crowe Road
Roberts Creek, BC

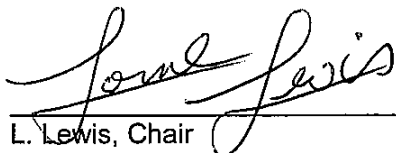
Ms. Shugar said one of the issues that the Sunshine Coast Regional District was trying to achieve with the Development Permit Bylaws was consistency with the Official Community Plans.

CLOSURE

The Chair called a second time for submissions and hearing none called a third and final time for submissions and hearing no further submissions from the public, declared the public hearing for proposed "Sunshine Coast Regional District Roberts Creek Official Community Plan Amendment Bylaw No. 641.4, 2015" closed at 8:20 p.m.

The Chair thanked everyone for attending the public hearing.

Certified fair and correct:


L. Lewis, Chair

Prepared by:


J. Stevens, Recording Secretary

The public hearing for proposed “Sunshine Coast Regional District Elphinstone Official Community Plan Amendment Bylaw No. 600.6, 2015” was called to order at 8:25 p.m.

Director Winn introduced himself as Director for Electoral Area F and explained that he would be the chair for the Electoral Area E Public Hearing for proposed “Sunshine Coast Regional District Elphinstone Official Community Plan Amendment Bylaw No. 600.6, 2015”. The Chair explained that the Directors are in attendance to hear the comments first hand, SCRD Senior Planner David Rafael will answer any technical questions concerning the zoning amendment bylaw and staff minute taker Jean Stevens will be recording the comments. He explained that the Public Hearing is convened pursuant to Section 892 of the *Local Government Act* and read out prepared statements regarding the procedure for conducting the Public Hearing. He explained that verbal submissions will form part of the public hearing and that each person will have to identify themselves and explained that the purpose of the public hearing is to listen to the comments rather than debate the comments.

Staff provided details on the Elphinstone bylaw and illustrated the DPAs on maps of Elphinstone OCP area which showed the current and proposed DPAs. In addition the bylaw proposes to update the present maps that currently show the old boundaries of properties that were previously within the Sunshine Coast Regional District which were removed a few years ago and included in the Town of Gibsons boundaries.

The SCRD is not proposing changing any land use designations. The environmental aspects are maintained around the streams. Staff said the main changes with regard to the Development Permit areas are creek ravine areas in case of flooding and a small change with respect to the shoreline for potential for coastal flooding which is the same height as the geodetic zero.

The Chair called a first time for submissions.

Ms. Fran Gamache
1481 Grandview Road
Gibsons, BC

Ms. Gamache asked if there were Development Permit areas that apply to all areas, what the fee for the Development Permit is and why a special report is necessary when one could actually say that all that is required is a Geotechnical Report, and if there were any other thoughts for these new Development Permit areas.

Mr. Rick Gamache
1481 Grandview Road
Gibsons, BC

Mr. Gamache said he has two properties. One property is on Grandview Road, and the other property is on 7th Street, both in Gibsons. Mr. Gamache is concerned that these new Development Permit areas will negatively affect his land value as the 15 to 30 metres riparian areas will have a significant effect on not just his property but many private properties.

Mr. Gamache said he is of the opinion that as the 15 metres has been in place for many years he would like the Sunshine Coast Regional District Board to consider if 30 metres is really required. Mr. Gamache said he thinks that more work is required to make these bylaws more site specific and would like to recommend that the comments for this bylaw not be closed yet.

Director Lewis responded by saying that the 15 and 30 metres setback numbers in the proposed Development Permit bylaws are the numbers recommended to the Sunshine Coast Regional District by the Kerr Wood Leidel consulting engineers.

Mr. Gamache
1481 Grandview Road
Gibsons, BC

Mr. Gamache said that he is aware that the 15 and 30 metres setback numbers are recommended by the consulting engineers, however he said he thinks the Regional District should question these setback numbers and would like the engineers to be held accountable for recommending these numbers because these numbers will affect a lot of people.

Mr. Gord Bishop
172 Mabel Road
Gibsons, BC

Mr. Bishop asked the Planner to clarify the 30 metres line starting at the Roberts Creek west end shown on map 2 for Elphinstone coming along the waterfront it looks like the purple line on the land side follows the public road. He said that many of the lots on this side are built on very steep unstable slopes but these lots do not seem to be included. He asked if the purple line on the map was the 30 metres boundary.

Staff clarified that the purple line is not the 30 metres boundary but a coloured line to show that there are potential changes to this map.

Mr. Gord Bishop
172 Mabel Road
Gibsons, BC

Mr. Bishop said he can see that there are several properties that could be in more than one Development Permit area on the same property and if so asked if one Development Permit Area would be more applicable than the other. He asked staff if the Regional District has maps in its office that specifically show the Development Permit areas for the specifics on a lot. Mr. Bishop asked if the maps in the office are as shown here in this meeting or better maps.

Staff said that the maps can go to that level of detail for each individual lot. The paper maps are meant to show the Development Permit Areas in the general area to address certain issues.

Mr. Bishop asked which Development Permit Area on the property would become the Development Permit that one would have to work with?

Staff said that although some Development Permit Areas overlap and one Development Permit Area could be more extreme than the other on the same property all development permit areas would have to be considered in the permit.

Mr. Bishop said that Chaster Park looks like the ocean coastal zone on the map and goes on an angle behind the lots that are almost opposite. He asked what was the technical reason for the line to move away from the ocean?

Staff replied that the line is there because it follows the 8 metre above geodetic 0 which is a measurement of where the natural level of the ocean is.

Mr. Bishop asked with respect to the tree cutting bylaw if the no cutting of trees distance is going to jump from 15 to 30 metres to the top of the bank for the properties that are along Ocean Beach esplanade where there is a public road allowance.

The Planner replied that the consultant's report identified this area as the coastal slope area because this area has a very steep bank on the ocean front and not because of the 8 metre geodetic 0.

Staff explained that cutting trees and removing tree root balls from a steep slope will create a hazard, so the tree cutting would need to be addressed by the Geotechnical engineer if that's what is being proposed as part of the development if the owner needs to clear land to build. The slope is identified and then there is a buffer area at the top of the bank and this is what is being allowed for.

Mr. Bishop asked what paperwork is given to a person applying to build.

Staff said that the agent/owner would be given information by staff that advised the owner if their property is in a development permit area and required a development permit application.

Mr. Donald McKay
971 Gower Point Road
Gibsons, BC

Mr. McKay said he does not have anything to contribute at this time.

Mr. Clint Budd
1432 Velvet Road
Gibsons, BC

Mr. Budd said there is a salmon enhancement stream behind the properties where he lives, that he knew this when he bought the property and that he would never be able to develop. He said that looking at the Development Permit map he can see that just about all of his property is within the Development Permit area in fact close to one third of his property is over the stream bank down the stream slope as with other neighbours. Mr. Budd said that for this reason most of the other property owners think of this property as their own and tend to it with lawn cutting, removal of down and dead trees. Mr. Budd says he tries to remove the grass clippings that are thrown down this bank because if the bank slides it will take the buildings on his property with it, in particular his garage. Mr. Budd says that for this reason all his neighbours should have this Development Permit package. Mr. Budd said that all these properties along Ocean Beach Esplanade were bought from the Crown and at that time these properties were treed. However all the trees were cut down and grass was planted.

Sandra Russell
1392 Russell Road
Gibsons, BC

Staff said the SCRD received a submitted letter from Ms. Russell with regard to the Development Permit Bylaw No. 600.6 which he will paraphrase for the audience and the public hearing report.

Ms. Russell in her letter asked about the SCRD map accuracy of Shirley Creek and Web Creek. She said that there was a washout of Shirley Creek that took place a few years ago which may have changed the pattern of the creek which the SCRD may not be aware of in terms of the SCRD mapping. Staff said that the SCRD will look at this to see if this is something the SCRD can address.

The Chair asked if there were any other submissions for Electoral Area E and called a second time for submissions.

Mr. Richard Johnson
Gibsons, BC

Mr. Johnson said that there is one other area of concern and it is Development Permit Area 1D in particular to do with accurate mapping from the bottom of the bank. He does not think that the bottom of a bank can be accurately mapped based on geodetic data when you are mapping a setback from the bank. Mr. Johnson said he believes the line the Sunshine Coast Regional District's data is based on is very inaccurate and not based on a survey and he does not think this line could include or exclude an entire lot for this Development Permit area and not to mention the cost to this individual tax payer.

Mr. Ken Dalglish
1076 Crowe Road
Roberts Creek, BC

Mr. Dalglish asked if there was any means of disputing the parameters that have been established for the Development Permit Areas.

Staff said that the SCRD will try to work with property owners to address concerns about the accuracy of information and if it is obvious we may be able to make adjustments but we may also require evidence.

The Chair said that staff can look at the Development Permit Areas again in greater detail but it would have to go back to professionals at some point.

Mr. Gord Bishop
172 Mabel Road
Gibsons, BC

Mr. Bishop said that within the Development Permit Area zones along the coastal slopes along Roberts Creek especially there are homes located at the high tide mark and asked if building setbacks are established within the Development Permit Areas or have they been established by the building department setbacks. He asked if the 7.5 metre setback would be changed by the rising oceans. The zoning bylaw establishes the setbacks in those. He said that it is becoming more and more difficult for homeowners to comply with all land uses unless they have a lot of money. The home owner has to prove that he can build safely and the only way this can be done is with an expensive geotechnical engineer.

Mr. Gamache
1481 Grandview Road
Gibsons, BC

Mr. Gamache asked what the deadline was for written submissions.

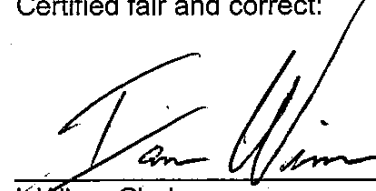
Staff said that this evening is the deadline but further submissions could be sent to staff.

CLOSURE

The Chair called a third and final time for submissions and hearing no further submissions from the public, declared the public hearing for proposed "Sunshine Coast Regional District Official Community Plan Elphinstone Bylaw No. 600.6, 2015" closed at 9:08 p.m.

The Chair thanked everyone for attending the public hearing.

Certified fair and correct:



J. Winn, Chair

Prepared by:



J. Stevens, Recording Secretary

The public hearing for proposed “Sunshine Coast Regional District West Howe Sound Official Community Plan Amendment Bylaw No. 640.1, 2015” was called to order at 9:15 p.m.

Director Lebbell introduced himself as the Director for Electoral Area D and explained that he would be the chair for the Electoral Area F Public Hearing for proposed “Sunshine Coast Regional District West Howe Sound Official Community Plan Amendment Bylaw No. 600.6, 2015”. Director Lebbell then introduced Director Lorne Lewis, Director for Electoral Area E and Director Ian Winn, Director for Electoral Area F. The Chair explained that the Directors are in attendance to hear the comments first hand, SCRD Senior Planner David Rafael will answer any technical questions concerning the zoning amendment bylaw and staff minute taker Jean Stevens will be recording the comments this evening. He explained that the Public Hearing is convened pursuant to Section 892 of the *Local Government Act* and read out prepared statements regarding the procedure for conducting the Public Hearing. He explained that verbal submissions will form part of the public hearing and that each person will have to identify themselves and explained that the purpose of the public hearing is to listen to the comments rather than debate the comments.

Staff provided details on “Sunshine Coast Regional District West Howe Sound Official Community Plan Amendment Bylaw No. 640.1, 2015” and visually showed the proposed and existing Development Permit Areas on maps. He said that the Development Permit Area #4 (Aquifer Protection and Stormwater Management) covers most of the West Howe Sound OCP area and is not changing.

The Chair called a first time for submissions

Mr. Rockford
484 Marine Drive
Gibsons, BC

Mr. Rockford said that Official Community Plan Bylaw 304 identified his property as suitable, but now this Development Permit Bylaw No. 640.1 says his property is deemed as slope unstable. Mr. Rockford said the Sunshine Coast Regional District needs to look at its data and urge caution.

Staff explained that the rock fall slope analysis looks at land above the Development Permit area.

Director Lewis explained that the engineer who mapped these lands did the mapping work very comprehensively.

Mr. Rockford
484 Marine Drive
Gibsons, BC

Mr. Rockford asked what was observed that was not sufficient to change the standard to 30 metres.

Director Winn said that climate change is changing the standards.

Mr. Rockford
484 Marine Drive
Gibsons, BC

Mr. Rockford said that the engineers should back up their evidence.

Ms. Donna Shugar
1076 Crowe Road
Roberts Creek, BC

Ms. Shugar asked if the Development Permit Areas data was based on new technology.

Mr. Ken Dalglish
1076 Crowe Road
Roberts Creek, BC

Mr. Dalglish said a ravine does not necessarily hold water. He believes that there is a need for ground observation. He says that the perimetres on the map do not make any sense.

Mr. Richard Johnson
Mr. Johnson said that the mapping process is not accurate and is giving both the Sunshine Coast Regional District and properties owners added costs.

Mr. Rick Gamache
1481 Grandview Road
Gibsons, BC

Mr. Gamache said that he believes that due to the size of the trees on his bank that are still there that the land is safe.

Mr. Gord Bishop
172 Mabel Road
Gibsons, BC

Mr. Bishop said that the Sunshine Coast Regional District and agencies need to ensure that downslope properties are protected from logging up slope. He said there should be soil conditions integrated with the Development Permit Areas studies. He thinks that the engineers did not do any soil samples in their studies.

Staff replied by saying that he did not think that soil samples were done but he does believe that existing soil samples were taken into account.

Mr. Rockford
484 Marine Drive
Gibsons, BC

Mr. Rockford asked with regard to Development Permit Area 3 if a tree were to be removed anywhere in his property would he need to get a forester. He said that a 15 metre setback seems appropriate whereas 30 metres setback has a huge impact.

Ms. Donna Shugar
1076 Crowe Road
Roberts Creek, BC

Ms. Shugar said that there is nothing wrong with having a second public hearing and that the public should ask for it.

Mr. Gord Bishop
172 Mabel Road
Gibsons, BC

Mr. Bishop asked about underground streams and said that underground streams could have a very significant impact on these Development Permit areas.

Ms. Gamache
1481 Grandview Road
Gibsons, BC

Ms. Gamache asked if the same restrictions would be placed on Halfmoon Bay and Pender Harbour electoral areas?

Mr. Bishop
172 Mabel Road
Gibsons, BC

Mr. Bishop said that a blanket Development Permit Area that does not take into account soil samples will cause a lot of problems for land owners.

Director Lewis said that aquifer mapping and soil mapping would exceed the cost of the present Development Permit Area Study.

CLOSURE

The Chair called a second time for submissions and hearing none called a third and final time for submissions, and hearing none advised that there being no further submissions from the public, declared the public hearing for proposed "Sunshine Coast Regional District West Howe Sound Bylaw No. 640.1, 2015" closed at 9:56 p.m.

The Chair thanked everyone for attending the public hearing.

Certified fair and correct:



M. Lebbell, Chair

Prepared by:

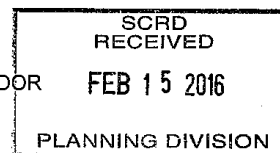


J. Stevens, Recording Secretary

Appendix A

David Rafael

From: Kim Wilkinson <kwilkinson@sechelnation.net>
Sent: February-15-16 11:36 AM
To: David Rafael
Cc: Jasmine Paul
Subject: SNR15246.01 Geotechnical DVP areas OCP Amendment OOR



Dear David,

I am regarding SCRD Official Community Plan Amendments, to amend the development permit areas relating to geotechnical issues and to introduce new Geotechnical Development Permit Areas to consider the impact of ocean level rise, OCPs of West Howe Sound (not in Territory) plus Elphinstone and Robert's Creek OCP areas, referring to those that fall within *shishálh* Nation Territory, received in our offices 6-November-2015, *shishálh* Nation file SNR15246.01.

The *shishálh* Nation notes that any should any of the revisions to this OCP apply to *shishálh* Nation Band Lands (SBLs), that the following be noted under exemptions: "Development Permit Area designations do not apply to *shishálh* Nation Band Lands (SBLs) and any guidelines or requirements that would otherwise be applicable are only advisory in nature to these SBLs." Otherwise, *shishálh* will have no further comment at this time; however, further engagement may be necessary in the future. Please send us updates if and when available.

I am cc'ing my Department Director, as this email will serve as the official response at this time. Please retain a copy of this email for your records.

With thanks and kind regards,

Kim



Kim Wilkinson, M.E.M.
Researcher, *shishálh* Nation Rights and Title Department
kwilkinson@sechelnation.net
website: <http://www.shishalh.com/rights-and-title/>

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Appendix B

February 16, 2016

To the Board, Sunshine Coast Regional District

Regarding Roberts Creek Official Community Plan Amendment Bylaw No. 641.4, 2015

We wish to express concern about some aspects of the Amendment Bylaw pertaining to DPA 2A (creek corridors) and DPA 2B (ravines) which impact our property as well as the properties of a number of our neighbours. We have examined the Kerr Wood Leidel report upon which the Amendment Bylaw is based. In this report Section 5.4 outlines general exemptions which may be granted. In the proposed Amendment Bylaw 641.4 there is some confusing wording around a couple of the exemptions and whether or not they are permitted.

Section J.2 in the proposed Amendment Bylaw suggests that RC OCP Policy 16.3 be amended as follows:

In (v), (vi), (ix), and (xii) delete: "for 'a' protection of the natural environment, its ecosystems and biological diversity only" and add the following text in its place: "for Development Permit Area 4: Stream Riparian Assessment Areas."

16.3 (v) Refers to the allowance of the cutting of up to 3 trees per parcel in a calendar year.

16.3 (vi) Refers to the removal or alteration of vegetation in an area of up to 10 sq m once per calendar year.

16.3 (ix) Refers to developments which have been approved but not yet built.

16.3 (xii) Refers to park or parkland ancillary uses.

If we are reading the Amendment Bylaw correctly, these exemptions would apply to the Stream Riparian Assessment Areas (DP4) only and not to the Ravine areas around them (DP 2B) or to DP2A (Creek/River Corridor). It is also not clear what is the difference between DP4 (Stream Riparian Assessment Area) and DP2A (Creek/River Corridor).

We do not understand why this would be the case for the Roberts Creek Amendment Bylaw. It is especially curious since exemptions related to tree removal and the removal or alteration of vegetation are included in the West Howe Sound Bylaw 640.1 and the Elphinstone Bylaw 600.6 also being considered at the public hearing on February 16, 2016.

In the case of removal of a small amount of vegetation and the removal of 2 or 3 trees per calendar year, it is unreasonable to expect a property owner to assume the expense of a development permit and the required professional reports for something so minor. It is

also hard to imagine that the Board would seriously consider withdrawing development approvals agreed to prior to the adoption of the proposed Bylaw Amendment. Without understanding the difference between DP4 and DP2A, it is hard to fathom why these exemptions would be ok in one and not the other.

It would be advisable to clearly articulate within the bylaw the difference between DP4 (Stream Riparian Assessment Area) and DP2A (Creek/River Corridor). This would avoid confusion and help property owners to better understand the constraints they are facing.

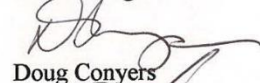
We can only assume that the omission of tree cutting and vegetation removal exemptions, the resulting lack of consistency with the West Howe Sound and Elphinstone OCPs, and the lack of explanation of DP4 vs DP2A are oversights. We hope that these can be rectified as soon as possible and certainly before Roberts Creek Official Community Plan Amendment Bylaw No. 641.4, 2015 is adopted. We understand that the changes may trigger a second public hearing for this Amendment Bylaw. Even so, we feel that these are important and necessary and worth the extra trouble and time that would take.

Thank you for the opportunity to comment.

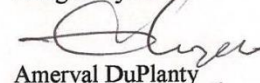
Ted Eades



Donna Shugar



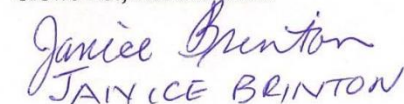
Doug Conyers



Amerval DuPlanty

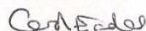


Crowe Rd., Roberts Creek



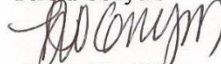
JANICE BRINTON

Carol Eades


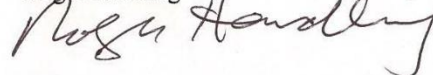


Ken Dagleish

Teresa Conyers



Roger Handling

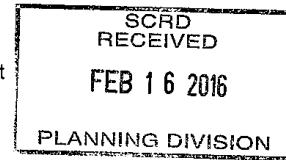


RANDALL GOFF

Appendix C

David Rafael

From:
Sent: February-16-16 3:59 PM
To: David Rafael
Subject: Roberts Ck OCP Bylaw Amendment - Public Comment
Attachments: Parcels.png; Scale.png



David:

I have no objection to the SCRD establishing areas within which special permits are required due to the proximity to ravines or other natural features, as proposed in the bylaw.

However, I do have a concern about the way that the bylaw is framed.

The two attached files are screen captures from the Map 5 attachment to the proposed OCP bylaw, taken at the same zoom level. As you can see, the width of the green (Permit Area 2B) is much greater than the 30 m required in the proposed bylaw.

My concern is that the proposed language in the bylaw states in 16.1 that "Development Permits shall be required ... [for] land within a designated development permit area as shown on Map 5".

The parcel at the centre of the Parcels image is 2 hectares. The proposed 30 m zone for this parcel as coloured on the map is much larger than the 30 metre from top of bank would require for Permit Area 2B. In general, using such a coarse map to determine the requirement for development permit is not appropriate.

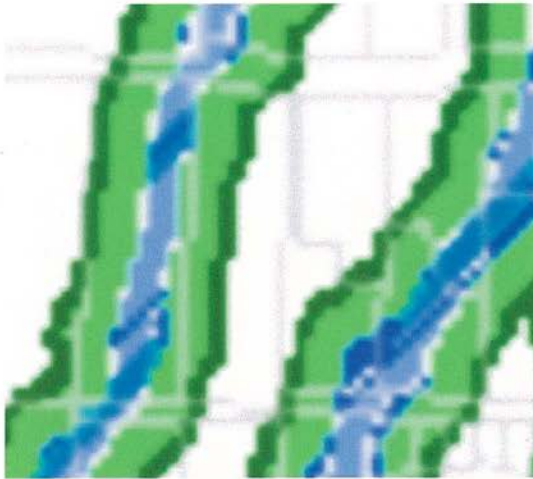
I suggest that the wording of section 16.1 be modified to read something as follows: "Development Permits shall be required ... [for] land generally within a designated development permit area as shown on Map 5, subject to meeting the specific requirements as set out in sections 16.7 through 16.14".

I plan to attend the public meeting this evening to raise this issue in person.

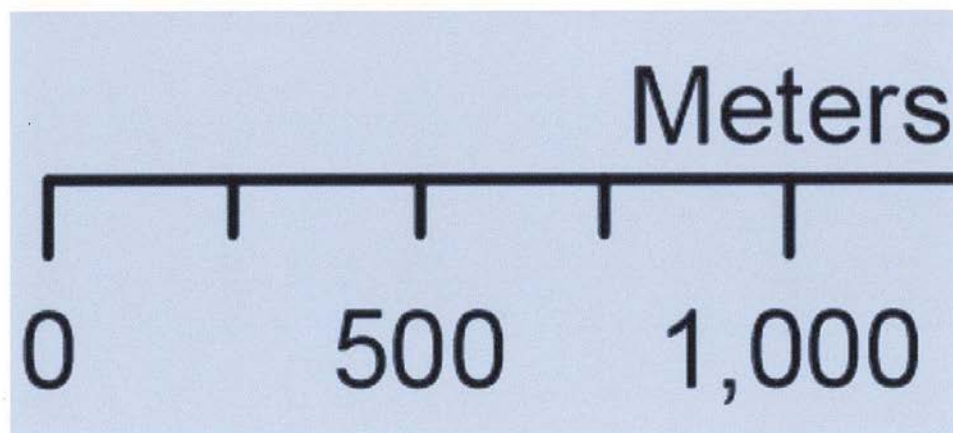
Best regards,

dave bonser

Parcels



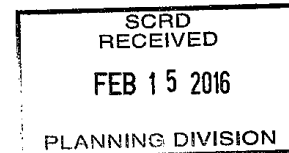
Scale



Appendix D

David Rafael

From: February-14-16 3:47 PM
Sent: David Rafael
To: Vel Anderson; Lorne Lewis
Cc: Geotechnical Elphinstone
Subject:



Hi David - I have been wondering why the SCRD Mapping in Elphinstone of the creeks is not accurate. I have mentioned this before to the planners but nothing ever gets fixed. You will recall the washout of Shirley creek on Russell road a couple of years ago. Well take a look at your mapping, it shows (unnamed) Shirley creek ending at the lower side of Russell Road.- Wrong. Then the map shows what is actually upper Shirley creek flowing into Webb Creek – Wrong. I suppose it is not part of the geotec folks job to point out the inconsistencies in scrd mapping, but wonder how they can do a proper job, anyway best of luck with that. Reminds me of the drainage study 10 years ago ?
have a nice day



best regards
sandra russell
1392 russell road
Elphinstone

ATTACHMENT B

SUNSHINE COAST REGIONAL DISTRICT ROBERTS CREEK OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 641.4, 2015

A bylaw to amend the "Roberts Creek Official Community Plan Bylaw No. 641, 2011".

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. 641.4, 2015".

PART B – AMENDMENT

2. Roberts Creek Official Community Plan Bylaw No. 641, 2011 is amended as follows:
 - A. Renumber Development Permit Area 1: Stream Riparian Assessment Areas to DPA 4
 - B. Delete Development Permit Area 2: Beach Front And Ravine Slopes
 - C. Delete Development Permit Area 3: Creek Flooding and Associated Debris Flow And Erosion
 - D. Renumber Development Permit Area 4: Roberts Creek Shoreline to DPA 5
 - E. Renumber Development Permit Area 5: Multi-Family/Cluster Housing Development to DPA 6
 - F. Renumber Development Permit Area 6: Roberts Creek Village Commercial Core Area to DPA 7
 - G. Renumber Development Permit Area 7: Agricultural Buffering to DPA 8
 - H. Page 75 - Insert the following into the preamble to Section 16 after the first paragraph:

"In 2012 and 2013 Kerr Wood Leidel Associates Ltd. Consulting Engineers (KWL) conducted an inventory of hazardous lands within the Roberts Creek electoral 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 Roberts Creek OCP 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 a Development Permit area.

There may be spatial overlap between some DPA categories.”

I. Delete Policy 16.1 and insert the following:

“16.1 Development Permits shall be required prior to the subdivision of land; commencement of the construction of, addition to or alteration of a building or other structure; or alteration of land within a designated development permit area as shown on Map 5.”

J. Amend Policy 16.3 as follows:

1. Delete the text in (iii) and add the following text:

“to a subdivision or rezoning application, where an existing registered covenant or proposed covenant with reference plan based on a geotechnical engineer and/or qualified environmental professional’s review, relating to the protection of the hazardous or environment conditions outlined in the subject development permit area, is registered on title or its registration secured by a solicitor’s undertaking;”

2. Delete sections (v) and (vi)

3. Insert the following:

“(v) to the removal of 2 trees over 20 centimetre diameter breast height or 10 square metres of vegetated area of per calendar year per lot, provided there is replanting of 4 trees or re-vegetation of the same amount of clearing;”

4. Amend the numbering in Policy 16.3 as needed.

5. In (x) and (xi) delete:

“for “a” protection of the natural environment, its ecosystems and biological diversity only”

and add the following text in its place:

“for Development Permit Area 4: Stream Riparian Assessment Areas”;

6. Insert the following:

“(xv) for DPA 1A, DPA 1B, DPA 2A, DPA 2B, DPA 2C, DPA 2 D and DPA 3 “Low Importance” structures, as defined in the BC Building Code: 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, or minor storage buildings.”

7. Insert the following:

“(xvi) Development Permit Area designations do not apply to shíshálh Nation or Skwxwú7mesh Nation Band Land or reserves and any guidelines or requirements that would otherwise be applicable are only advisory in nature to these lands.”

K. Insert the following after Policy 16.6:

“Protection of Development from Hazardous Conditions

Coastal Zone Hazards

16.7 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 should 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 summarises the components that make up the flood construction level:

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

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).

16.8 Development Permit Area 1B: Coastal Slopes

Slope stability issues on oceanfront slopes has 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 should 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

16.9 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.

16.10 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 setback line is also indicated.

A report within DPA 2B shall include the following:

- (a) A recommendation of required setbacks from the 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 or other steep slope; and

- (c) The required setback to top of bank and recommendations relating to construction design requirements for the above development activities, on-site storm water drainage management and other appropriate land use recommendations.

16.11 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. The report requirements are set out in Policy 16.13.

16.12 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. The report requirements are set out in Policy 16.13.

16.13A 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

16.14 Development Permit Area 3: Open Slope Failure and Rockfalls

Potential for open slope failures in the Roberts Creek OCP were identified where there are areas of moderately steep and steep terrain. Potential landslide impact areas were only estimated for slopes of 10 m 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 m) 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 OCP 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.”

- L. Amend the following references to development permit areas throughout the OCP as follows:
1. Update Table of Contents
 2. Policy 6.1.2 – “Development Permit Area 6 (ROBERTS CREEK VILLAGE COMMERCIAL CORE AREA)” to “Development Permit Area 7 (Roberts Creek Village Commercial Core Area)”
 3. Policy 6.1.3 – “Development Permit Areas 6 (Roberts Creek Village Core Area)” to “Development Permit Area 7 (Roberts Creek Village Commercial Core Area)”
 4. Policy 9.4.15 – “Development Permit Area 7” to “Development Permit Area 8: Agricultural Buffering”
 5. Policy 12.4 – “Development Permit Area (Stream Habitat)” to “Development Permit Area 4: Stream Riparian Assessment Areas”
 6. Policy 16.3 xii – “ DEVELOPMENT PERMIT AREA 4: ROBERTS CREEK SHORELINE” to “Development Permit Area 5: Roberts Creek Shoreline”
 7. Policy 16.3 xiii – DEVELOPMENT PERMIT AREA 4: ROBERTS CREEK SHORELINE” to “Development Permit Area 5: Roberts Creek Shoreline”
and
“Policy DPA4” to “DPA 5”
 8. Policy 16.3 xiv – “DEVELOPMENT PERMIT AREA 6: ROBERTS CREEK VILLAGE COMMERCIAL CORE AREA” to “Development Permit Area 7 (Roberts Creek Village Commercial Core Area)”
 9. Page 78, first sentence – “DPA 1” to “DPA 4”
 10. Page 78, first sentence after JUSTIFICATION – “DEVELOPMENT PERMIT AREA 1: STREAM RIPARIAN ASSESSMENT AREAS” to “Development Permit Area 4: Stream Riparian Assessment Areas”
 11. Page 78, JUSTIFICATION (b) – “Development Permit Area 1” to “Development Permit Area 4”
 12. Page 89, first sentence – “DPA4 is shown on Map 5” to “DPA 5 is shown on Map 5”
 13. Page 89, first sentence after JUSTIFICATION – “DEVELOPMENT PERMIT AREA 4: ROBERTS CREEK SHORELINE” to “Development Permit Area 5: Roberts Creek Shoreline”
 14. Page 89, second sentence after JUSTIFICATION – “DEVELOPMENT PERMIT AREA 4: ROBERTS CREEK SHORELINE” to “DPA 5”
 15. Page 91, first sentence – “DPA5 is shown on Map 5” to “DPA 6 is shown on Map 5”
 16. Page 91, first sentence after JUSTIFICATION – “DEVELOPMENT PERMIT AREA 5: MULTI-FAMILY/CLUSTER HOUSING DEVELOPMENT” to “Development Permit Area 6: Multi-Family/Cluster Housing Development”

17. Page 94, first sentence – “DPA6 is shown on Map 5” to “DPA 7 is shown on Map 5”
 18. Page 94, first sentence after JUSTIFICATION – “DEVELOPMENT PERMIT AREA 6: ROBERTS CREEK VILLAGE COMMERCIAL CORE AREA” to “Development Permit Area 7: Roberts Creek Village Commercial Core Area”
 19. Page 94, first sentence after APPLICATION OF GUIDELINES – “Development Permit Area No. 6” to “DPA 7”
 20. Page 100, first sentence – “DPA7 is shown on Map 5” to “DPA 8 is shown on Map 5”
 21. Page 100, first sentence after Description – “Development Permit Area 7” to “Development Permit Area 8”
 22. Page 100, second sentence after Description – “Development Permit Area 7: Agricultural Buffering” to “DPA 8”
 23. Page 100, first sentence after Guidelines – “Development Permit Area 7” to “DPA 8”
 24. Policy 17.9 b – “such as DPA 5” to “such as “DPA 6”
 25. Policy 17.15 4 a) – “Development Permit Area 15: Riparian Assessment Areas” to “Development Permit Area 4: Stream Riparian Assessment Areas”
- M. Delete Map 5 and replace it with Map 5 shown in Appendix A to this bylaw.

PART C - ADOPTION

PURSUANT TO SECTION 879 OF THE *LOCAL GOVERNMENT ACT* CONSULTATION REQUIREMENTS CONSIDERED this

25th DAY OF JUNE 2015

READ A FIRST TIME this

25th DAY OF JUNE 2015

READ A SECOND TIME this

14th DAY OF JANUARY 2016

CONSIDERED IN CONJUNCTION WITH THE SUNSHINE COAST REGIONAL DISTRICT FINANCIAL PLAN AND ANY APPLICABLE WASTE MANAGEMENT PLANS PURSUANT TO SECTION 882 OF THE *LOCAL GOVERNMENT ACT* this

14th DAY OF JANUARY 2016

PUBLIC HEARING HELD PURSUANT TO THE *LOCAL GOVERNMENT ACT* this

16th DAY OF FEBRUARY 2016

READ A THIRD TIME this

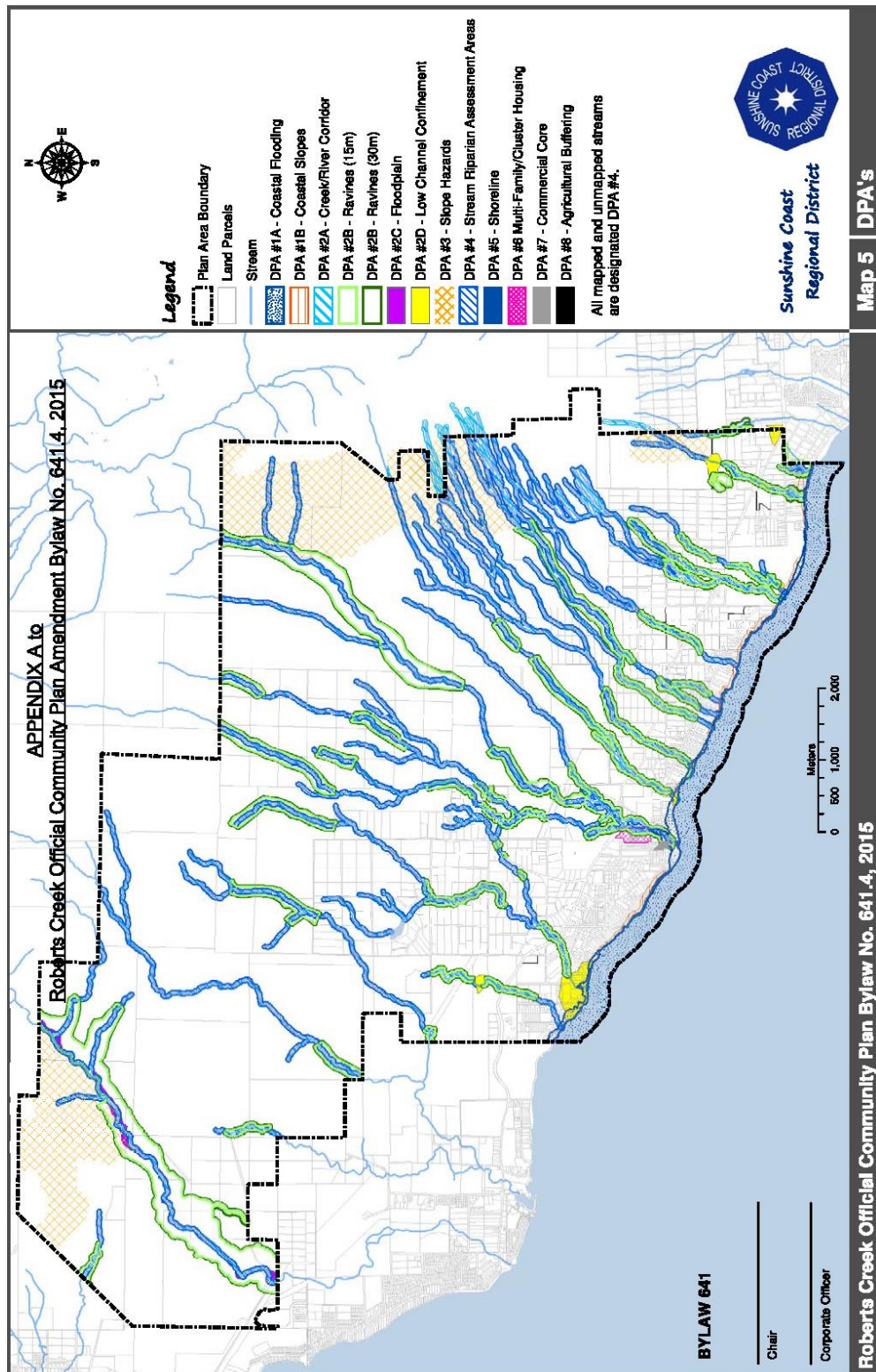
DAY OF MONTH YEAR

ADOPTED this

DAY OF MONTH YEAR

Corporate Officer

Chair



ATTACHMENT C

SUNSHINE COAST REGIONAL DISTRICT ELPHINSTONE OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW No. 600.6, 2015

A bylaw to amend the "Elphinstone Official Community Plan Bylaw No. 600, 2007".

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 Bylaw No. 600.6, 2015".

PART B – AMENDMENT

2. Elphinstone Official Community Plan Bylaw No. 600, 2007 is amended as follows:

- A. Delete the preamble to Part B-1

- B. Insert the following as the preamble to Part B-1:

“The planning for Elphinstone accounts for the natural carrying capacity of the Plan Area based on analysis of soil capacity for septic disposal, hydrology, geotechnical hazards and environmentally sensitive lands. Information was obtained from many sources including the 2004 Elphinstone Official Community Plan Review Technical Background Update, and the 2003 Sunshine Coast Sensitive Ecosystem Inventory.

In 2012 and 2013 Kerr Wood Leidel Associates Ltd. Consulting Engineers (KWL) conducted an inventory of hazardous lands within the Elphinstone electoral 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.

Information from these documents has been used to shape the land use designations detailed in Parts B-2 to B-12. Specific regulations concerning protection of the local natural environment are included within the following policies on development permit areas.

While Development Permit Area Nos. 1 to 4 regulate the development of land for the protection of the natural environment and to mitigate hazards, Development Permit Area (DPA) Nos. 5 and 6 provide design guidelines that give direction on the form and character of commercial and multiple-family development. The DPA Nos. 5 and 6 design guidelines are not based on one specific architectural design theme, but emphasize the creation of a village environment over strip highway commercial development. The intent of the design guidelines is to allow flexibility, yet achieve designs which support a socially and economically viable neighbourhood.

Development Permit Areas cannot regulate density, land use, or building size. The land use designations in Parts B-2 to B-12 of this OCP provide direction on the future zoning of land that provides the detailed day-to-day regulation of land use, density and building size and siting. The Low-Impact Development Servicing policies in Part C-3 are designed to provide guidance on future development and

servicing policies and requirements that the Regional District should adopt to assist with the vision of creating a diversified sustainable community.

There may be spatial overlap between some DPA categories.”

- C. Amend the following references to development permit areas throughout the OCP as follows:
1. In B-1.1 part 1, replace “Development Permit Area Nos. 1 and 2.” with “Development Permit Area Nos. 1A, 1B, 2A, 2B, 2C, 2D and 3.”
 2. In B-1.1 part 2, replace “Development Permit Area No. 3.” with “Development Permit Area No. 4.”
 3. In B-1.1 part 3, replace “Development Permit Area Nos. 4, 5 and 6.” with “Development Permit Area Nos. 5, 6 and 7.”
 4. In Policy B-1.5, header, replace “Development Permit Area No. 3” with “Development Permit Area No. 4”
 5. In Policy B-1.5, part 1 (a), replace “DPA No. 3” with “DPA No. 4”
 6. In Policy B-1.5, part 1 (b)ii, replace “Development Permit Area No. 3” with “Development Permit Area No. 4
 7. In Policy B-1.6, header, replace “Development Permit Area Nos. 4, 5 and 6” with “Development Permit Area Nos. 5, 6 and 7.”
 8. In Policy B-1.6, part 2, header and first paragraph, delete “4, 5 and 6” and replace with “5, 6 and 7”
- D. Policy B-1.6, delete the following last sentence in 1. Justification (a) Development Permit Area No. 4 Highway 101 Commercial Industrial Mixed-Use:
- “Although outside the town’s boundary, Development Permit Area No. 4 is the perceived gateway to the upper Gibsons commercial district at Highway 101 and Pratt Road.”
- E. Renumber Policies B-1.5 to B-1.11 as B-1.11 to B-1.17;
- F. Delete Policy B-1.2 part 2 and replace with the following
- “2. 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. 1 to 4 indicated on Map 2 and any un-mapped streams as set out under Development Permit Area No.4, except where the following exemptions apply:
- a. For DPA 1A, DPA 1B, DPA 2A, DPA 2B, DPA 2C, DPA 2 D and DPA 3, “Low Importance” structures, as defined in the BC Building Code: 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, or minor storage buildings.
 - b. where a development has been approved but not yet built (for “protection of the natural environment, its ecosystems and biological diversity” only);

- 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 where an existing registered covenant or proposed covenant with reference plan based on a qualified professional's review, relating to the protection of the environment or hazardous conditions outlined in the subject development permit area, is registered on title or its registration secured by a solicitor's undertaking.
 - f. Immediate threats to life and property provided they are undertaken in accordance with the provincial Water Act and Wildlife Act and the Federal Fisheries Act, and are reported to the Regional District.
 - 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 and 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
 - i. The lands are to be used for 'farm operation' as defined by the Farm Practices Protection Act (for protection of the natural environment, its ecosystems and biological diversity only).
 - j. The removal of 2 trees over 20 centimetre diameter breast height or 10 square metres of vegetated area of per calendar year per lot, provided there is replanting of 4 trees or re-vegetation of the same amount of clearing.
 - k. Development Permit Area designations do not apply to *Skwxwú7mesh* Nation reserves and any guidelines or requirements that would otherwise be applicable are only advisory in nature to these lands."
- G. Delete Policy B-1.3 Development Permit Area No. 1 Beach Front and Ravine/Creek-Eroded Slopes
- H. Delete Policy B-1.4 Development Permit Area No. 2 Base of Mount Elphinstone and Creek Ravine Mouths
- I. Insert the following after the end of Policy B-1.2:

"Protection of Development from Hazardous Conditions

Coastal zone hazards include flooding of lower-lying terrain (DPA 1A) and erosion and instability of oceanfront slope (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 Elphinstone OCP 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 a Development Permit area.

Coastal Zone Hazards

B-1.3 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 should 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 summarises the components that make up the flood construction level:

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

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).

B-1.4 Development Permit Area 1B: Coastal Slopes

Slope stability issues on oceanfront slopes has 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 should 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

B-1.5 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.

B-1.6 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 setback line is also indicated.

A report within DPA 2B shall include the following:

- (a) A recommendation of required setbacks from the 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 or other steep slope; and
- (c) The required setback to top of bank and recommendations relating to construction design requirements for the above development activities, on-site storm water drainage management and other appropriate land use recommendations.

B-1.7 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. The report requirements are set out in Policy B-1.9

B-1.8 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. The report requirements are set out in Policy B-1.9.

B-1.9 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

B-1.10 Development Permit Area 3: Open Slope Failure and Rockfalls

Potential for open slope failures in the Elphinstone OCP were identified where there are areas of moderately steep and steep terrain. Potential landslide impact areas were only estimated for slopes of 10 m 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 m) 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 OCP 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.”

- J. Update the Table of Contents
- K. Delete Maps 1 to 6 and replace with Maps 1 to 6 shown in Appendix A to this bylaw.

PART C - ADOPTION

PURSUANT TO SECTION 879 OF THE *LOCAL GOVERNMENT ACT* CONSULTATION REQUIREMENTS CONSIDERED this

25th DAY OF JUNE 2015

READ A FIRST TIME this

25th DAY OF JUNE 2015

READ A SECOND TIME this

14th DAY OF JANUARY 2016

CONSIDERED IN CONJUNCTION WITH THE SUNSHINE COAST REGIONAL DISTRICT FINANCIAL PLAN AND ANY APPLICABLE WASTE MANAGEMENT PLANS PURSUANT TO SECTION 882 OF THE *LOCAL GOVERNMENT ACT* this

14TH DAY OF JANUARY 2016

PUBLIC HEARING HELD PURSUANT TO THE *LOCAL GOVERNMENT ACT* this

16th DAY OF FEBRUARY 2016

READ A THIRD TIME this

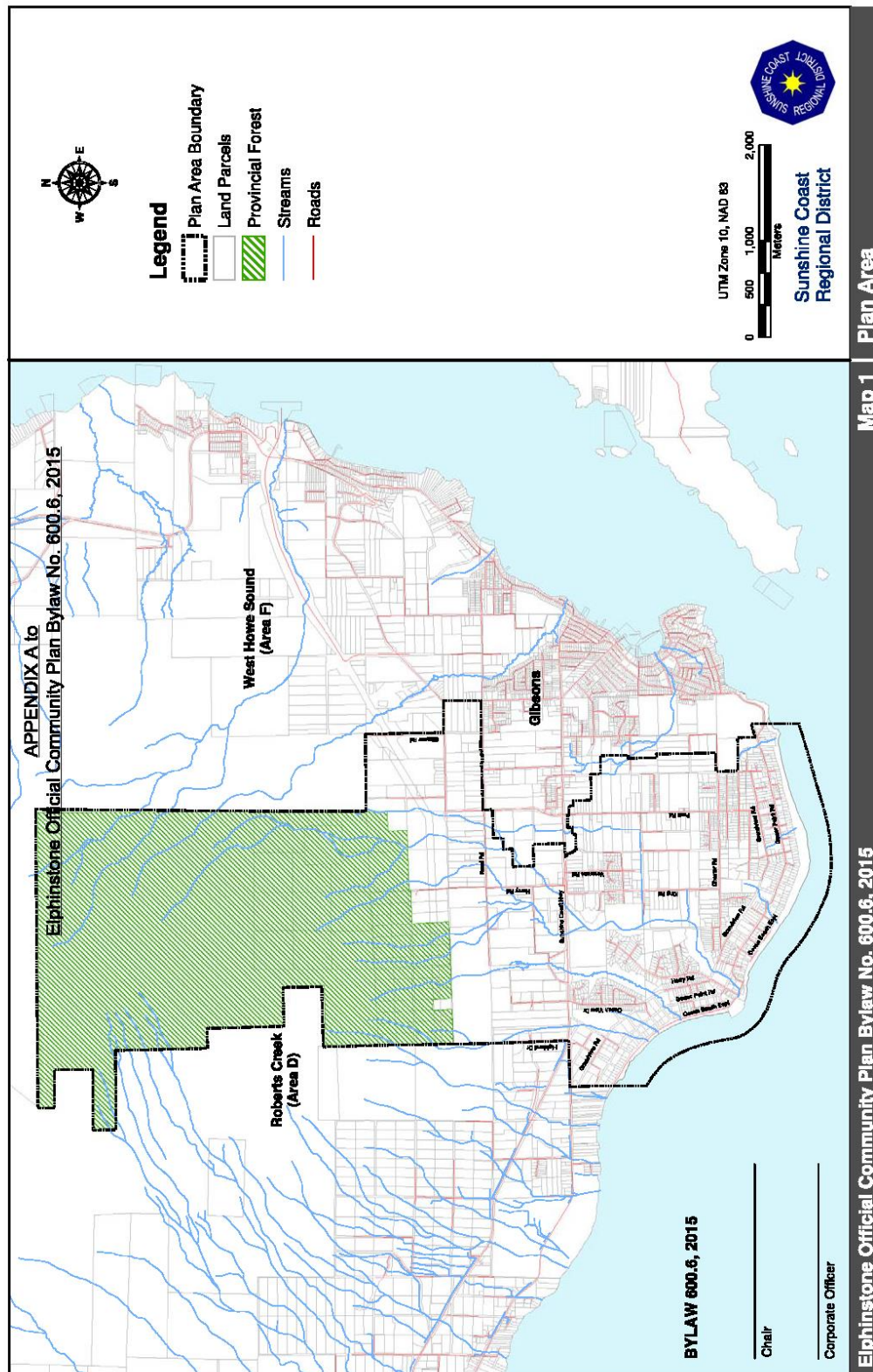
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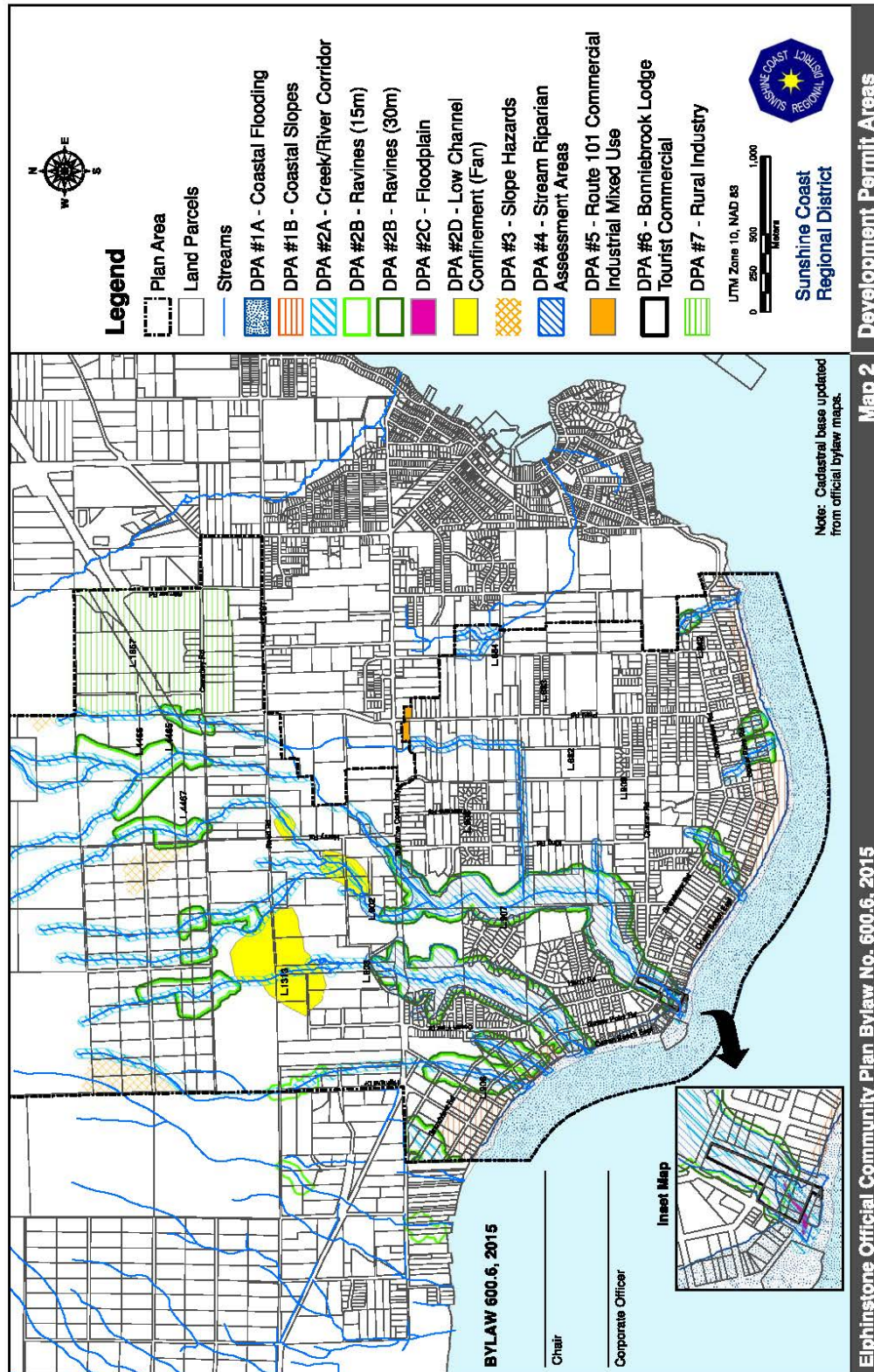
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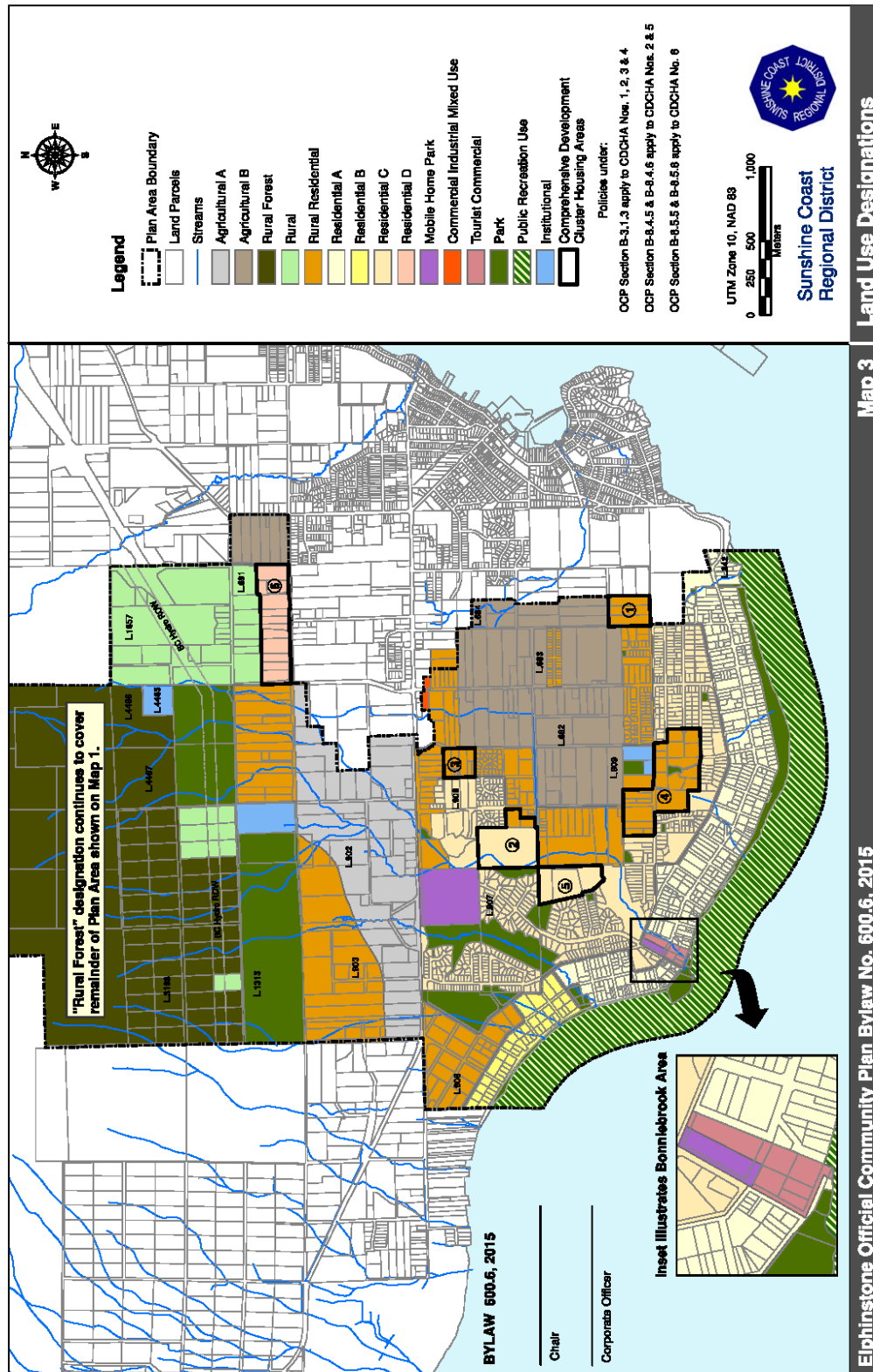
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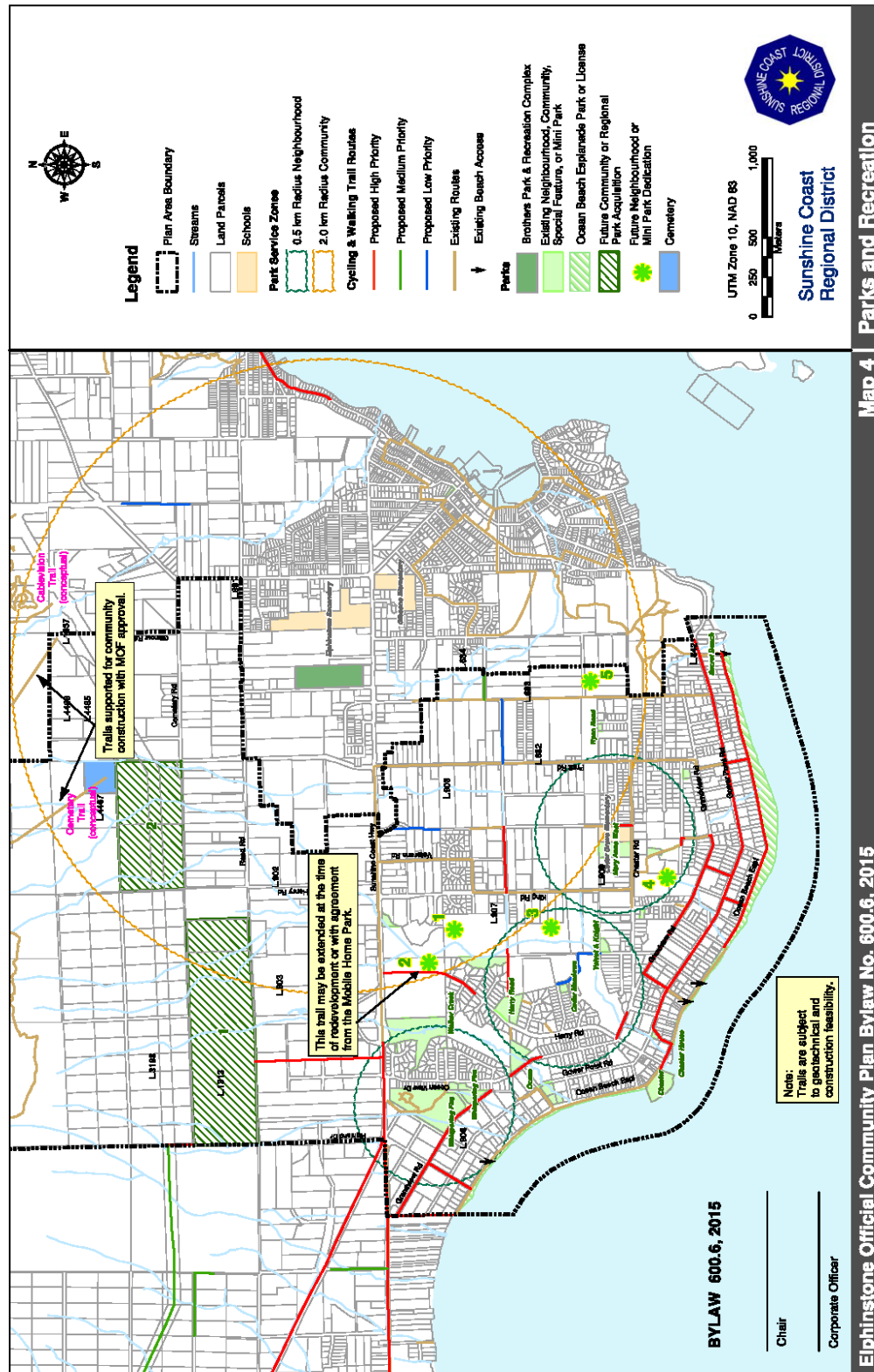
Corporate Officer

Chair

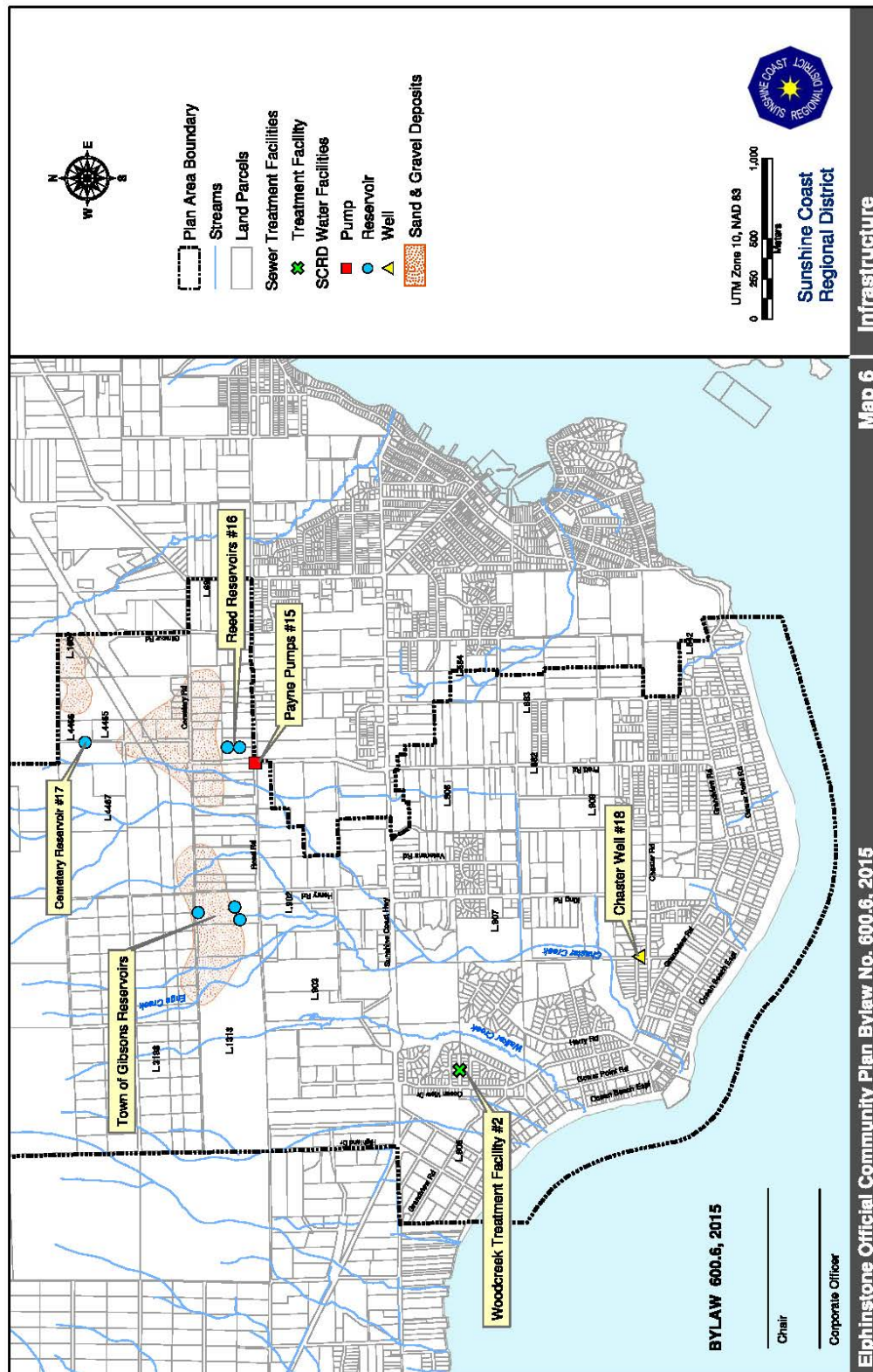












ATTACHMENT D

SUNSHINE COAST REGIONAL DISTRICT WEST HOWE SOUND OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW No. 640.1, 2015

A bylaw to amend the "West Howe Sound Official Community Plan Bylaw No. 640, 2011".

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 "West Howe Sound Official Community Plan Amendment Bylaw No. 640.1, 2015".

PART B – AMENDMENT

2. West Howe Sound Official Community Plan Bylaw No. 640, 2011 is amended as follows:

- A. 11.1 Introductory Description, page 99 – insert “9. 2013 The Geotechnical Hazards Report: West Howe Sound”

- B. 11.1 Introductory Description, page 100 – delete

“Development Permit Area Nos. 1 and 2 regulate the development of land for the protection of construction and to mitigate potential hazards from creek flooding and debris flow as well as land stability on steep slopes.”

and insert the following:

“Development Permit Area Nos. 1A-B, 2A-D and 3;

In 2012 and 2013 Kerr Wood Leidel Associates Ltd. Consulting Engineers (KWL) conducted an inventory of hazardous lands within the West Howe Sound 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 West Howe Sound OCP 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 a Development Permit area.”

- C. 11.1 Introductory Description, page 100 – amend the development permit area numbers to read:
Development Permit Area Nos. 4, 5 and 6;
Development Permit Area No. 7;
Development Permit Area No. 8;
- D. 11.1 Introductory Description, page 100 - insert the following before the last sentence:
“There may be spatial overlap between some DPA categories.
Development Permit Area designations do not apply to Skwxwú7mesh Nation reserves and any guidelines or requirements that would otherwise be applicable are only advisory in nature to these lands.”
- E. Title, Page 101 – delete “: DPA 1 & 2”
- F. Delete Policy 11.2
- G. Delete Policy 11.3
- H. Delete the entire section titled “DPA1 & 2 Exemptions” on pages 106 and 107
- I. Page 101, Insert the following after the title:
“11.2 A development permit on lands identified on Map 2 as being within DPA Nos. 1A-B, 2A-D and 3 is required for the following activities:
 - ✓ Subdivision as defined in the *Land Title Act* and *Strata Property Act*;
 - ✓ Building permits; and
 - ✓ 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.

Coastal Zone Hazards

11.3 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 should 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 summarises the components that make up the flood construction level:

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

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).

11.4 Development Permit Area 1B: Coastal Slopes

Slope stability issues on oceanfront slopes has 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 should 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

11.5 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.

11.6 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 setback line is also indicated.

A report within DPA 2B shall include the following:

- (a) A recommendation of required setbacks from the 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 or other steep slope; and
- (c) The required setback to top of bank and recommendations relating to construction design requirements for the above development activities, on-site storm water drainage management and other appropriate land use recommendations.

11.7 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. The report requirements are set out in Policy 16.13.

11.8 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. The report requirements are set out in Policy 11.9.

11.9 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

11.10 Development Permit Area 3: Open Slope Failure and Rockfalls

Potential for open slope failures in the West Howe Sound OCP were identified where there are areas of moderately steep and steep terrain. Potential landslide impact areas were only estimated for slopes of 10 m 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 m) 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 OCP 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.

Exemptions to Development Permits for Hazardous Conditions

11.11 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 and 3 indicated on Map 2, *with the exception of the following circumstances:*

- ✓ For “Low Importance” structures, as defined in the BC Building Code: 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, or minor storage buildings.
- ✓ 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;
- ✓ 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;
- ✓ A subdivision or rezoning application, where an existing registered covenant or proposed covenant with reference plan based on a qualified professional’s review, relating to the protection of the environment or hazardous conditions outlined in the subject development permit area, is registered on title or its registration secured by a solicitor’s undertaking;
- ✓ 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;
- ✓ 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; and
- ✓ The lands are subject to the Forest Act or Private Managed Forest Land Act; and
- ✓ The removal of 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.

J. Page 108, Title – delete “DPA 3, 4 & 5” and replace with “DPA 4, 5 & 6”;

K. Page 108, Sub-title – delete “11.4 Development Permit Area 3” and replace with “11.12 Development Permit Area 4”;

L. Page 108, Description, middle of first sentence – delete “Development Permit Area 3” and replace with “Development Permit Area 4”;

M. Page 109, - delete:

“2. All other streams, *whether mapped or unmapped*, are also designated as Development Permit Area 3 as fish and/or fish habitat may be present, or they may flow into a water body that provides fish habitat.

A development permit on lands identified as being within DPA 2 is required for the following activities:”

and replace with:

“2. All other streams, *whether mapped or unmapped*, are also designated as Development Permit Area 4 as fish and/or fish habitat may be present, or they may flow into a water body that provides fish habitat.

A development permit on lands identified as being within DPA 4 is required for the following activities:”

N. Page 110 – delete:

“**DPA 3 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 Area 3 indicated on Map 2, with the exception of the following circumstances:”

and replace with:

“**DPA 4 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 Area 4 indicated on Map 2, with the exception of the following circumstances:”

O. Page 112, Sub-title – delete “11.5 Development Permit Area 4” and replace with “11.13 Development Permit Area 5”;

P. Page 112, Description, first, second and third paragraphs – delete “DPA 4” and “Development Permit Area 4” and replace with “DPA 5” and “Development Permit Area 5” as appropriate;

Q. Page 112, Description, last sentence – delete “DPAs 1 and 3” and replace with “DPAs 2A-D and 4”;

R. Page 114, – delete:

“**DPA 4 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 Area 4 indicated on Map 2, with the exception of the following circumstances:”

and replace with:

“**DPA 5 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 Area 5 indicated on Map 2, with the exception of the following circumstances:”

S. Page 115, Sub-title – delete “11.6 Development Permit Area 5” and replace with “11.14 Development Permit Area 6”;

- T. Page 115, Description, first, second and fifth paragraphs – delete “DPA 5” and “Development Permit Area 5” and replace with “DPA 6” and “Development Permit Area 6” as appropriate;
- U. Page 116, delete:
“DPA 5 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 Area 5, as indicated on Map 2, with the exceptions.”
and replace with:
“DPA 6 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 Area 6, as indicated on Map 2, with the exceptions.”
- V. Page 118, Sub-title – delete “11.7 Development Permit Area 6” and replace with “11.15 Development Permit Area 7”
- W. Page 118, Description, third paragraphs– delete “Development Permit Area 6” and replace with “Development Permit Area 7”;
- X. Page 118, Guidelines, first sentence– delete “Development Permit Area 6” and replace with “Development Permit Area 7”;
- Y. Page 119 - delete “DPA 6 Exemptions” and replace with “DPA 7 Exemptions”
- Z. Page 120, sub-title – replace “11.8 Development Permit Area 7.” and replace with “11.16 Development Permit Area 8.”;
- AA. Page 120, Description – delete “DPA 7” and replace with “DPA 8”;
- BB. Page 120, Guidelines – delete “DPA 7” and replace with “DPA 8”;
- CC. Page 122, Energy Efficiency, third point – delete “Development Permit Area No. 7” and replace with “Development Permit Area No. 8”;
- DD. Page 122, sub-title - delete “DPA 7 Exemptions” and replace with “DPA 8 Exemptions”;
- EE. Amend the following references to development permit areas throughout the OCP as follows:
- i. Update Table of Contents, section 11;
 - ii. Page 48 - delete first paragraph and replace with:
“The applicable Development Permit Areas (DPA) within the Neighbourhood Village Centre designation are DPA Nos. 2A-D: Creek Hazards, DPA 4: Stream Riparian Assessment Areas, Development Permit Area 5: Aquifer and Watershed Protection, and Development Permit Area 7: Residential Agricultural Buffering.”;
 - iii. Page 48 – delete “DPA 1 & 3” and replace with “DPA 2A-D & 4”;
 - iv. Page 48 – delete “DPA 4” and replace with “DPA 5”;

- v. Page 48 – delete “DPA 6” and replace with “DPA 7”;
FF. Delete Map 2 and replace it with Map 2 shown in Appendix A to this bylaw.
-

PART C - ADOPTION

PURSUANT TO SECTION 879 OF THE *LOCAL
GOVERNMENT ACT* CONSULTATION
REQUIREMENTS CONSIDERED this

25th DAY OF JUNE 2015

READ A FIRST TIME this

25th DAY OF JUNE 2015

CONSIDERED IN CONJUNCTION WITH THE
SUNSHINE COAST REGIONAL DISTRICT
FINANCIAL PLAN AND ANY APPLICABLE WASTE
MANAGEMENT PLANS PURSUANT TO
SECTION 882 OF THE *LOCAL GOVERNMENT ACT* this

14th DAY OF JANUARY 2016

READ A SECOND TIME this

14th DAY OF JANUARY 2016

PUBLIC HEARING HELD PURSUANT TO
THE *LOCAL GOVERNMENT ACT* this

16th DAY OF FEBRUARY 2016

READ A THIRD TIME this

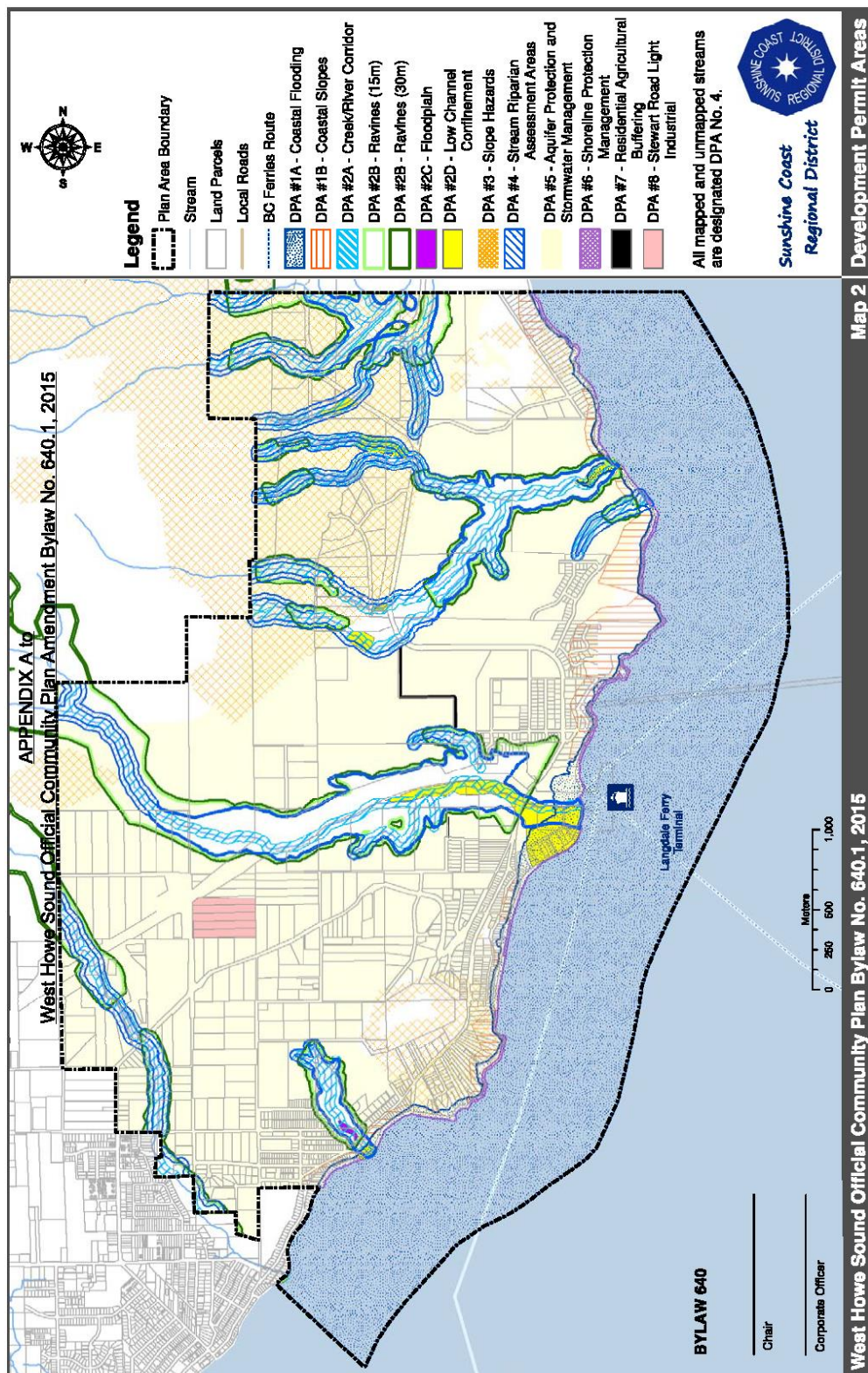
DAY OF MONTH YEAR

ADOPTED this

DAY OF MONTH YEAR

Corporate Officer

Chair



SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: Sven Koberwitz, Planning Technician

SUBJECT: DEVELOPMENT VARIANCE PERMIT DVP00007 (FABBIANO) - ELECTORAL AREA E

RECOMMENDATIONS

THAT the report titled Development Variance Permit DVP00007 (Fabbiano) - Electoral Area E be received;

AND THAT Development Permit DVP00007 to vary the setback from a side parcel line contiguous to a public road from 4.5 metres to 2.2 metres, as per Bylaw 310 Section 601.4(3), be issued subject to:

1. Issuance of a Ministry of Transportation and Infrastructure setback relief permit to reduce building setback to less than 4.5 metres from the property line fronting a public road.
-

BACKGROUND

The SCR D 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 and detached garage.

Owner / Applicant:	Rose Fabbiano for 1078462 BC LTD.
Civic Address:	1690 Ocean Beach Esplanade
Legal Description:	PL VAP4859/ LT 2/ BLK 1/ DL 909/ NWD
Electoral Area:	Area E - Elphinstone
Parcel Area:	774 square metres
OCP Land Use:	Residential A
Land Use Zone:	R1
Application Intent:	To vary exterior side parcel line setback from 4.5m to 2.2m to allow construction of single family dwelling and detached garage.

Table 1 - Application Summary

The subject lot was created by subdivision in 1919, prior to the introduction of zoning regulations prescribing minimum parcel sizes and property line setbacks. Due to the lot being 15.24 metres (50 feet) in width there is a 9.24 m (30.3 feet) area available for development with a 4.5 metre setback along the south parcel line along 2nd Street and a 1.5 metre side parcel

line setback to the north. A 5 metre front parcel line setback along Ocean Beach Esplanade to the west and a 2 metre rear setback to the east also applies.

An existing single family dwelling and auxiliary building are located on the property with portions of the dwelling located within the 4.5 metre setback. The dwelling was constructed prior to zoning regulations and is legally non-conforming with respect to siting. The applicant plans to demolish both buildings prior to constructing a new single family dwelling and detached garage.



Figure 1 - Location Map



Figure 2 - Aerial View of Subject Lot (Parcel lines are approximate)

DISCUSSION

The proposed development fits the overall character of the immediate neighbourhood and conforms to current height, floor area, and parcel coverage limits.

The applicants have indicated that the proposed development maintains the "cottage feel" of the neighbourhood and that the new home is modest in scale (See Attachment C - Variance Criteria). It should be noted that the applicants are free to complete additions and alterations to the existing home provided the additions are within existing setbacks and meet floor area limits. However, the applicants argue that conforming to the 4.5 metre setback is less than ideal and would significantly restrict design options.

2nd Street is a paved road allowance currently serving as a local access road to approximately 6-7 residences. As per Zoning Bylaw 310 a 4.5 metre setback applies to all parcel lines contiguous to a public road. To site the house within the 4.5 metre setback, in addition to a development variance permit, a permit from the Ministry of Transportation and Infrastructure is required. The applicant has confirmed that this permit is currently in the process of being obtained.

Planning staff consider this variance to be minor since an existing non-conforming building has been sited within the 4.5 metre setback for many decades. The proposed development also substantially conforms to the existing character of the neighbourhood and does not significantly impact the public use of the road allowance.

Official Community Plan

The Elphinstone Official Community Plan has designated a portion of the subject property within Development Permit Area No. 1: Beach Front and Ravine/Creek-Eroded 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 land is safe for the use intended in accordance with development permit area guidelines in the OCP.

Under the revised geotechnical development permit areas currently under consideration the front of the property would be located in Development Permit Area 1A: Coastal Flooding. The development permit will take into account measures required to ensure a safe building site.

Options

Possible options to consider:

Option 1: Support the development variance permit.

Issue the development variance permit and allow the proposed home to be sited 2.2 metres from the south parcel line. Due to the historical nature of the lot layout this is planning staff's recommended option.

Option 2: Do not support the development variance permit.

The applicant could explore other designs options such that a variance to reduce the parcel line setback would not be required.

Referrals

This application has been referred to the following agencies and departments for comment:

Referral	Comments
SCRD Building Department	No concerns with this application.
Skwxwú7mesh Nation	No concerns with this application.
Elphinstone Advisory Planning Commission	The APC passed a motion supporting issuance of the development variance permit at the November 23, 2016 meeting.
Neighbouring property owners/occupiers	Notifications were distributed to owners and occupiers within 50 metres of the subject property. No comments have been received to date.

STRATEGIC PLAN AND RELATED POLICIES

N/A

CONCLUSION

The applicant is proposing to build a new single family home and detached garage on the subject property. A 4.5 metre setback applies to the property line contiguous with 2nd Street, a local paved access road. Due to the narrow layout of the lot a variance is being requested to relax the 4.5 metre setback to 2.2 metres.

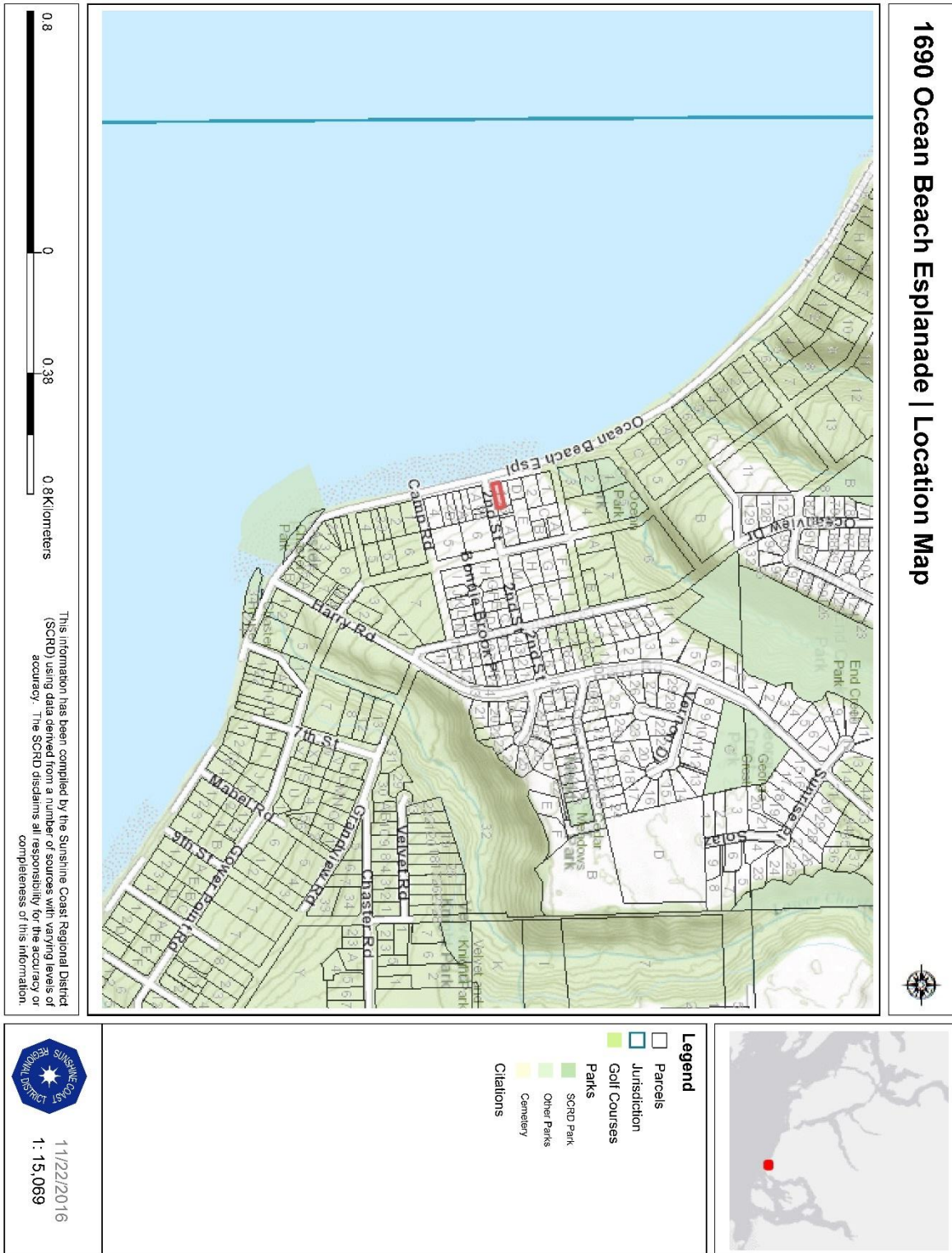
Planning staff support this application subject to the issuance of a Ministry of Transportation and Infrastructure permit allowing the siting of a building within 4.5 metres of a public road.

Reviewed by:			
Manager	X-AA	Finance	
GM	X - IH	Legislative	
CAO	X - JL	Other	

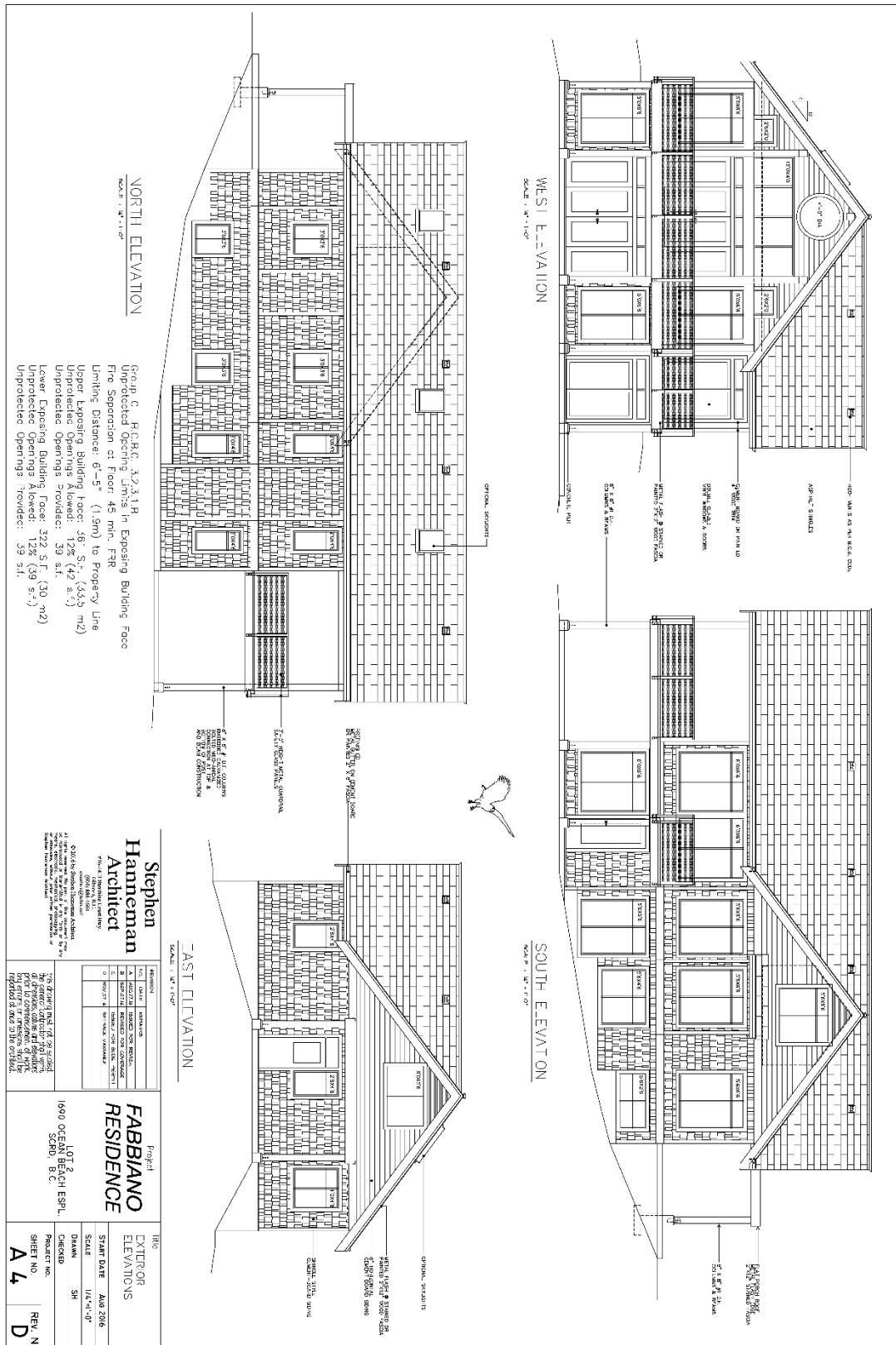
Attachments

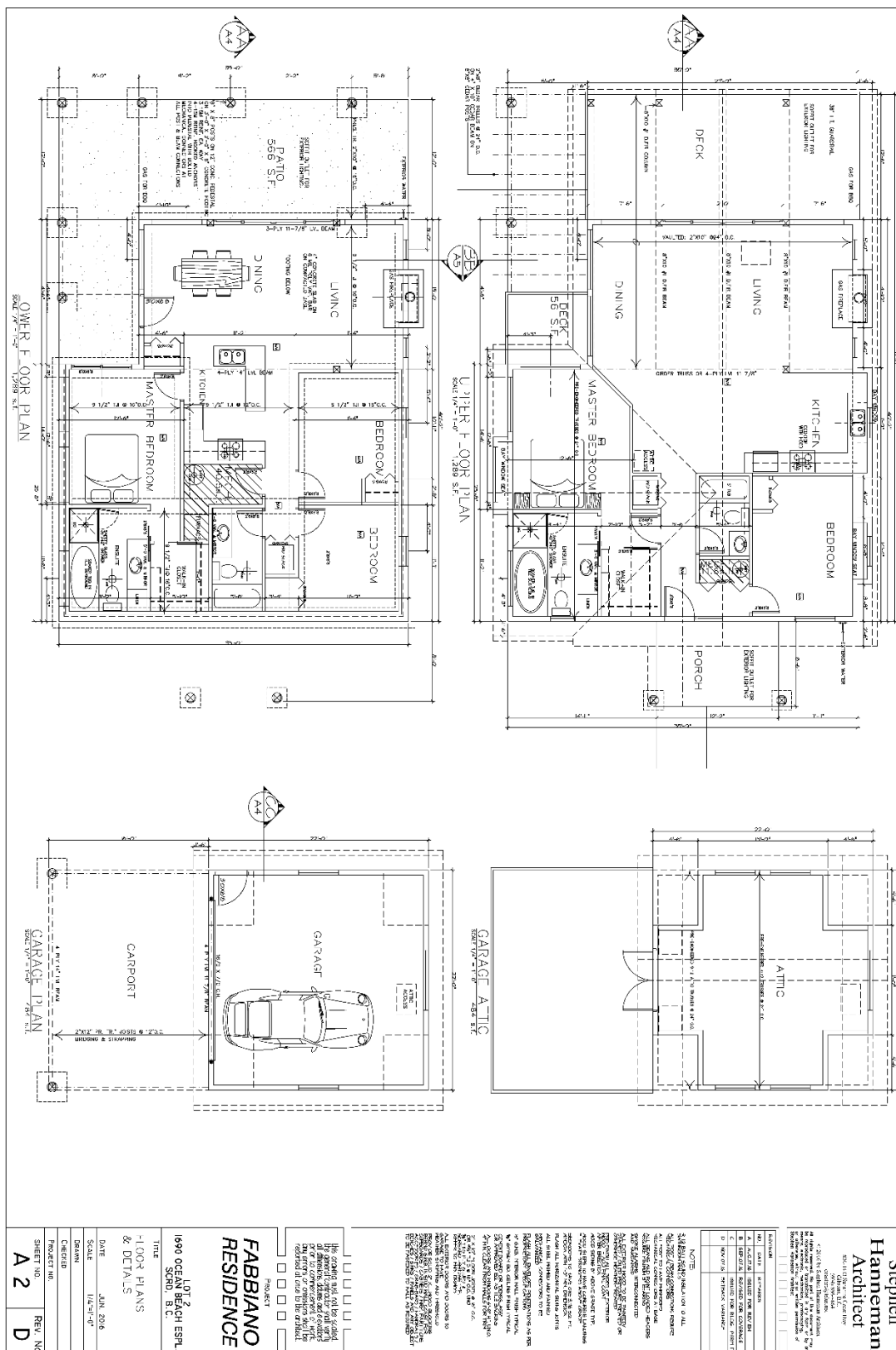
Attachment A - Location Map
Attachment B - Plans
Attachment C - Variance Criteria

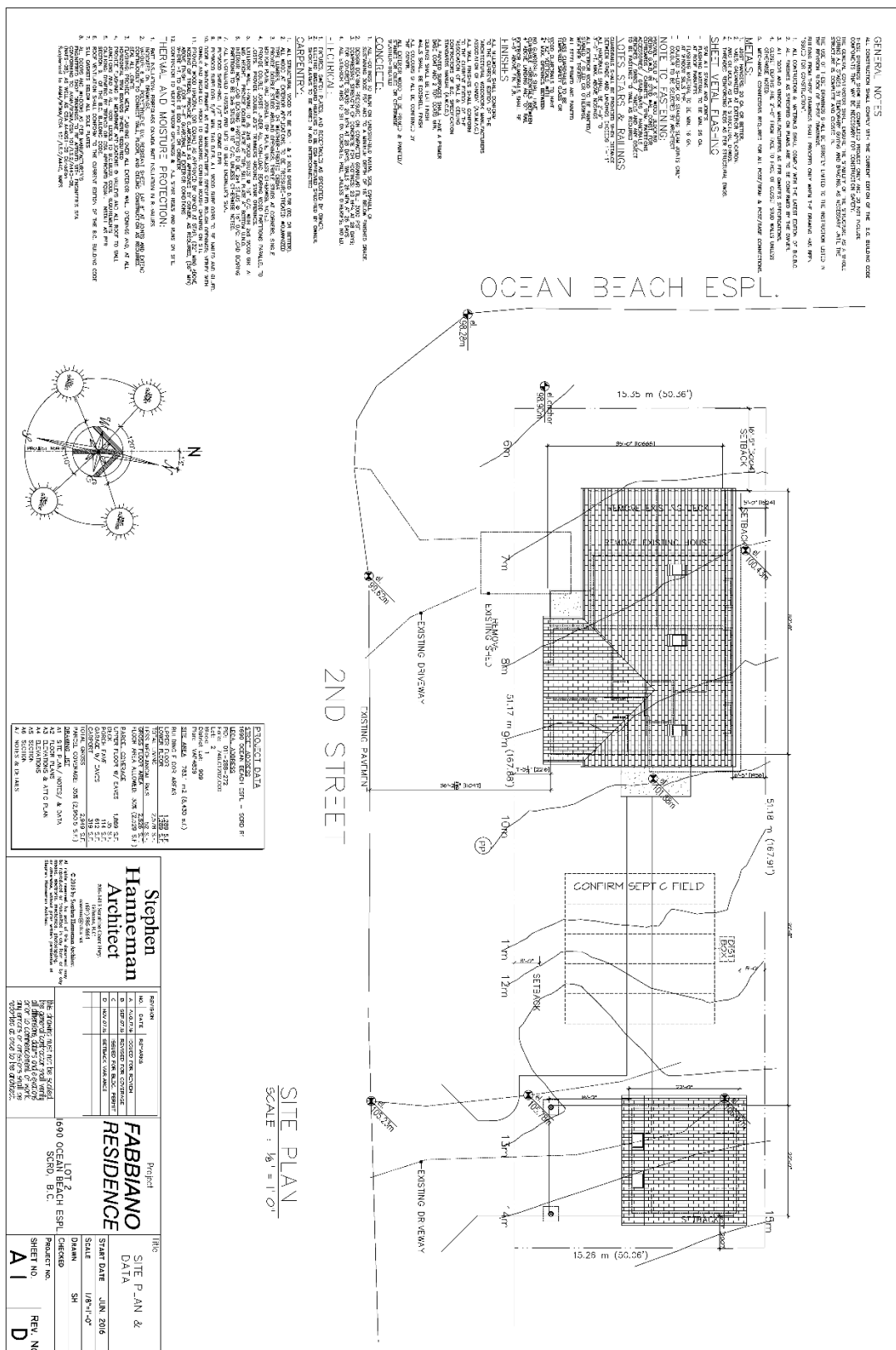
ATTACHMENT A - LOCATION MAP



ATTACHMENT B - PLANS







ATTACHMENT C - VARIANCE CRITERIA

- 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:

the proposed house is a small house on a small lot (by SCRD standards). This proposal seeks to meet all zoning criteria except for a side yard setback reduction.

- ② The variance should not adversely affect adjacent or nearby properties or public lands. Please elaborate how the requested variance meets this criteria:

Request for setback variance pertaining to a side street so will not affect any neighbouring properties. This street, 2nd St. is a minor access road to a small

- 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:

Stretch of Gower Point Rd that serves 6-7 other single family dwellings. It doesn't appear 2nd St. will ever be a "Thru" - Road and will always remain more

- 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:

of an "access Lane" than a highway. Various designs were explored for the development, and the attached scheme was chosen as the best siting of structures and appropriate use of land.

- 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 house is "modest" and in scale and fits the "cottage" feel of the neighbourhood. We feel the proposal will not adversely affect the natural site characteristics or environmental qualities of the site. Page 8 of 8

Re-typed for legibility on following page ->

(Re-typed for legibility)

The proposed house is a small house on a small lot (by SCRD standards). This proposal seeks to meet all Zoning Criteria except for a side yard setback reduction.

Request for setback variance pertains to a side street so will not affect any neighbouring properties. This street, 2nd St., is a minor access road to a small stretch of Gower Point Rd that serves 6-7 other single family dwellings. It doesn't appear 2nd St. will ever be a "Thru" - Road and will always remain more of an access "Lane" than a highway. Various designs were explored for the development, and the attached scheme was chosen as the best siting of structures and appropriate use of land.

The house is "modest" in scale and fits the "cottage" feel of the neighbourhood. We feel the proposal will not adversely affect the natural site characteristics or environmental qualities of the site.

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: Sven Koberwitz, Planning Technician

SUBJECT: DEVELOPMENT VARIANCE PERMIT DVP00008 (TORRENS) - ELECTORAL AREA B

RECOMMENDATIONS

THAT the report titled Development Variance Permit DVP00008 (Torrens) - Electoral Area B be received;

AND THAT Development Variance Permit DVP00008 to vary the setback from a side parcel line contiguous to a public road from 4.5 metres to 2.6 metres, as per Bylaw 310 Section 611.6(3), be issued subject to:

1. Issuance of a Ministry of Transportation and Infrastructure *Permit to Reduce Building Setback to Less than 4.5 Metres From the Property Line Fronting a Provincial Public Highway*;
 2. The owner providing an assessment, prepared by a qualified professional arborist, addressing potential impacts to the 55" Douglas Fir Wildlife Tree located on the Brooks Lane road allowance, as shown on Attachment A. The assessment must include recommendations to ensure the tree is adequately protected during the course of construction;
 3. Signage, approved by the SCRD and Ministry of Transportation and Infrastructure, being installed by the owner to ensure continued public access to the trail linking Brooks Lane and Brooks Road;
 4. The owner installing landscaping barriers or a fence to demarcate the public/private boundary along the trail linking Brooks Road and Brooks Lane;
 5. The owner coordinating with the SCRD Infrastructure Department and ensuring an SCRD Staff member is on-site during any blasting on the Brooks Lane road allowance due to the presence of a water service pipe; and
 6. Addressing any comments from the shíshálh Nation received within the 60 day referral period.
-

BACKGROUND

The SCRD has received a development variance permit application to vary Section 611.6(3) of Zoning Bylaw 310 to relax the 4.5 metre setback from a side parcel line contiguous to a public road to allow the construction of a single family dwelling.

The subject property is located at the end of Brooks Road, adjacent to the ocean, in Halfmoon Bay. The property is undeveloped except for an existing shed and consists mainly of bedrock sloping steeply towards the ocean with some vegetative cover and several trees located on the northern portion of the property. The parcel is adjacent to a road allowance that contains a neighbourhood trail for access between Brooks Road and Brooks Lane. The proposed house is a partial two-level, four bedroom home. The building has total floor area of totalling 290 square metres (3123 square feet) and a parcel coverage of 295 square metres (3180 square feet).

Owner / Applicant:	Jamie Martin for Diana Torrens
Civic Address:	Lot 22 Brooks Road
Legal Description:	PL VAP12343/ LT 22/ BLK A/ DL 2394/ NWD
Electoral Area:	B - Halfmoon Bay
Parcel Area:	Approximately 1052 square metres (0.26 acres)
OCP Land Use:	Residential C
Land Use Zone:	R2
Application Intent:	To vary the side parcel line contiguous to a public road from 4.5 metres to 2.6 metres to allow for the construction of a single family dwelling.

Table 1 - Application Summary

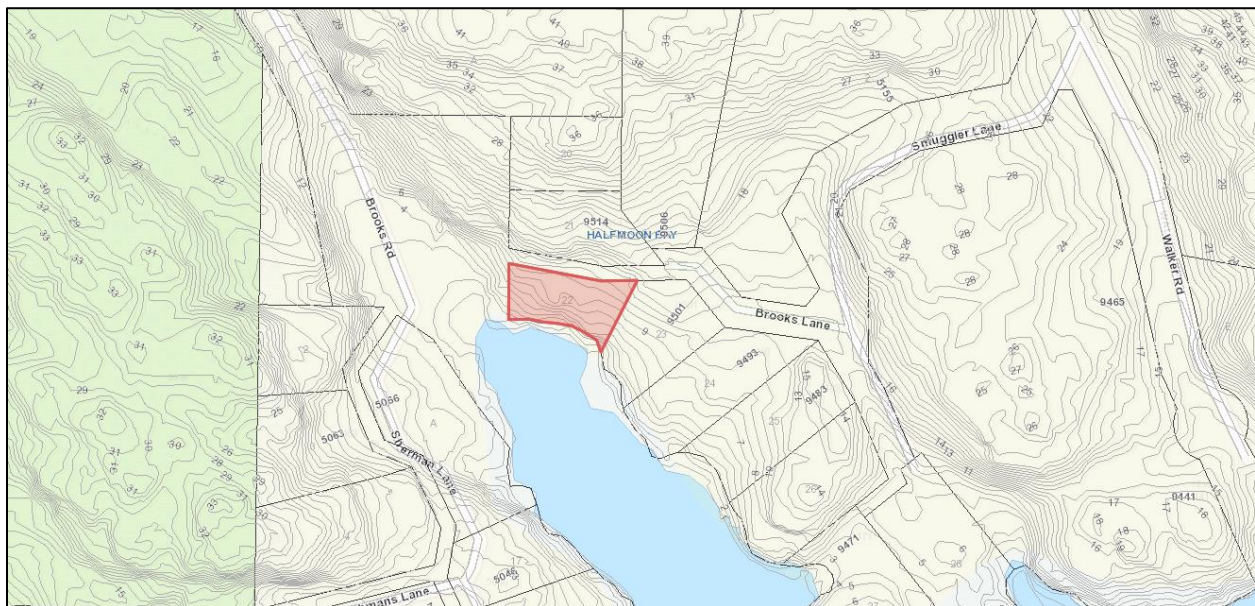


Figure 1 - Location Map

DISCUSSION

Analysis

The subject property is adjacent to road allowances to the north and west as well as the ocean to the south (See figure 2 above). The associated setbacks combined with the relative narrow layout of the property provide a limited area of developable land. To enable the siting of a single family home on the property the applicant has submitted a development variance permit seeking to relax the 4.5 metre setback from Brooks Lane, which is currently used as a neighbourhood trail.

In order for the home to be sited within the 4.5 metre setback, in addition to a development variance permit from the SCRD, a permit from the Ministry of Transportation and Infrastructure is required. The applicant has confirmed that this permit is currently in the process of being obtained and will be required prior to the issuance of a development variance permit.

The small size of the lot in conjunction with the footprint of the proposed home leaves little space for a sewage disposal field. The applicant has provided a letter from a professional engineer indicating a Type 3 sewage system is viable in the property. In accordance with the *Sewerage System Regulation*, an approved septic system filing from Vancouver Coastal Health is required prior to building permit issuance.

The site plan indicates that access to the property will be provided via a driveway located on the Brooks Lane road allowance. A rock outcropping restricts the amount of space available for vehicular access to lot 22 and blasting may be required to increase the clearance for access. The owner must obtain permission from the Ministry of Transportation and Infrastructure prior to undertaking any improvements to the road allowance. Additionally, the owner should coordinate with the SCRD to ensure adequate consideration is given to a water service pipe located under road allowance.

Concerns were raised by neighbours regarding an existing douglas fir tree that has been identified as a wildlife tree. The tree, identified as "55" Fir" on the site plan, is of particular interest to users of the trail. Planning Staff recommend that a qualified professional arborist be retained by the owner to provide recommendations for mitigating potential harmful impacts to the tree due to the proposed development.

The subject property is 1052 square metres in area and is therefore permitted to have one single family dwelling as per the R2 zoning in Bylaw 310. The owner must provide two parking spaces on the property. Comments received from neighbours indicate that parking on the road allowance is a concern, however the development as proposed meets the parking requirements of Bylaw 310.

Planning Staff note that the proposed home features a 'studio' space above the garage that could be construed as a dwelling or easily used as a dwelling in the future. A previous version of the plans was distributed to neighbours by the applicant which showed a kitchen in the space above the garage. An auxiliary dwelling and a second set of cooking facilities are not a permitted use on the subject property due to its small size. The plans submitted with the development variance permit application label the space as a 'studio' and do not feature a second set of cooking facilities, therefore the proposal is in compliance with Bylaw 310.

Planning Staff consider this to be a minor variance with respect to road setbacks. Impacts to the existing neighbourhood trail on Brooks Lane can be mitigated by development variance permit conditions. The proposed home is within permitted floor area and parcel coverage limits and the design appears the best solution considering the restrictive setbacks. A similar sized home designed to meet current setbacks would likely result in a much taller building up to 11 metres in height with potential negative impacts to neighbouring views.

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. Therefore a development permit is required prior to issuance of a building permit. A report provided by a qualified professional must establish a Flood Construction Level and certify that the development is safe for the use intended.

Options

Possible options to consider:

Option 1: Support the development variance permit with conditions.

Issue the development variance permit and allow the proposed home to be sited 2.6 metres from the north parcel line. Planning Staff recommend several conditions be incorporated into the development variance permit to address neighbourhood concerns regarding the existing trail along Brooks Lane. This is Planning Staffs recommended option.

Option 2: Do not support the development variance permit.

The applicant could explore other designs options such that a variance to reduce the parcel line setback would not be required. A revised design is likely to result in a taller building with potential negative impacts to adjacent property owners.

Organization and Intergovernmental Implications

The development variance permit application has been referred to the following agencies and departments for comment:

Referral	Comments
SCRD Building Department	No concerns with application.
SCRD Infrastructure Department	SCRD Infrastructure Department Staff member to be onsite during any blasting.
Vancouver Coastal Health	No comments received to date. VCH Staff noted no concerns with the variance during a telephone call with Planning Staff.
<i>shíshálh</i> Nation	No comments received to date. 60 day comment period expires on January 9, 2017.

Halfmoon Bay Advisory Planning Commission	A motion supporting the development variance application was passed at the November 22, 2016 APC meeting. Concerns were noted regarding the existing trees on site, retention of the wildlife tree, continued public access to the trail, and onsite wastewater disposal.
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. Three letters were received from nearby neighbours. See Attachment E.

STRATEGIC PLAN AND RELATED POLICIES

N/A

CONCLUSION

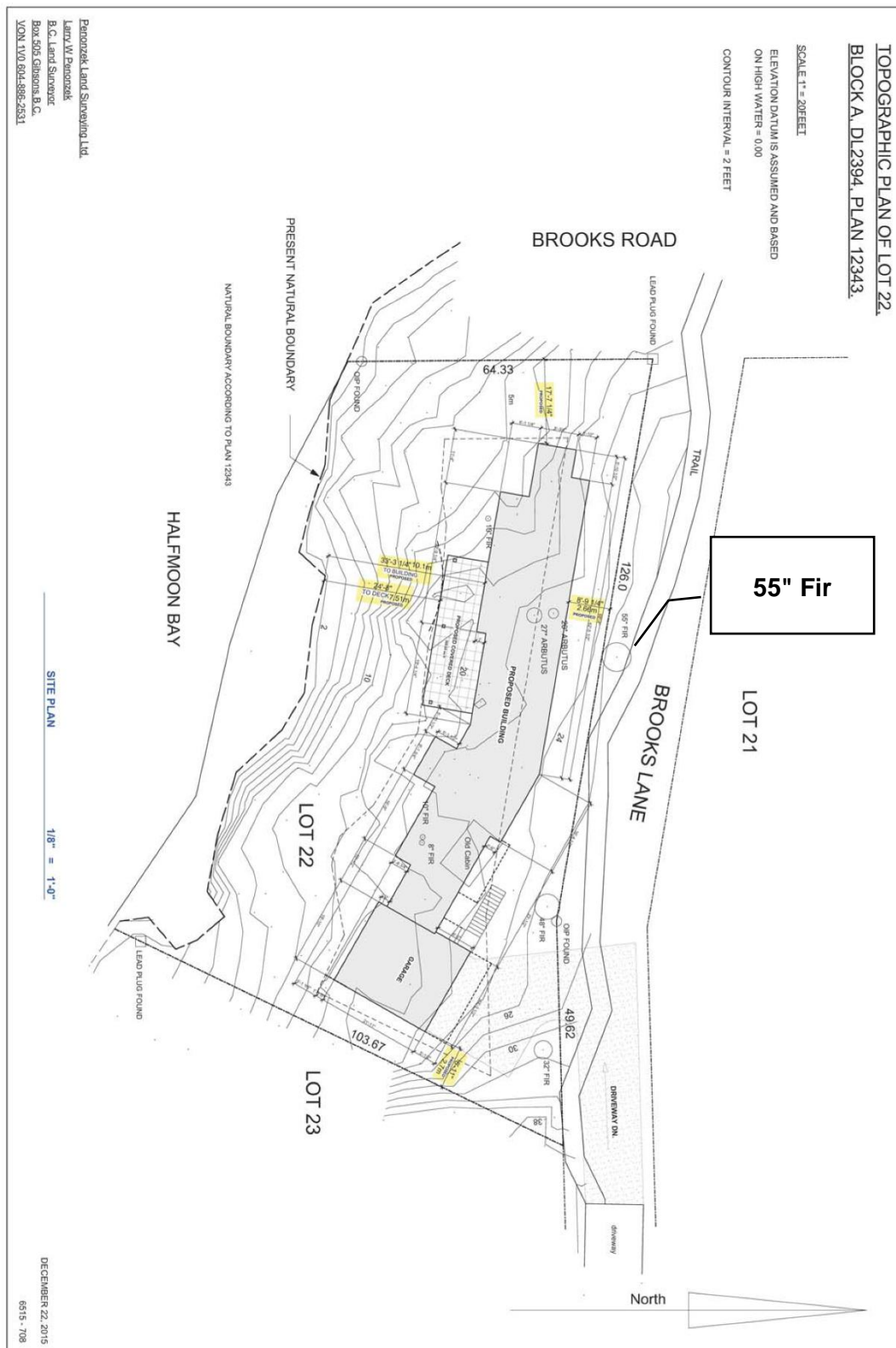
The owner is proposing to construct a new single family dwelling on an undeveloped lot fronting Brooks Road and adjacent to Brooks Lane and the ocean. The narrow layout of the lot combined with property line setbacks provide a limited area for development. In order to enable the proposed siting a variance to the north parcel line setback from 4.5 metres to 2.6 metres is proposed. Planning Staff support this application due to the minor nature of the variance and that the proposed design provides a reasonable solution to building on a restrictive lot. Planning Staff support is contingent on the receipt of the appropriate permits from the Ministry of Transportation and Infrastructure for siting a building within 4.5 metres of a public road as well as specific conditions provided in the Staff recommendation.

Attachments

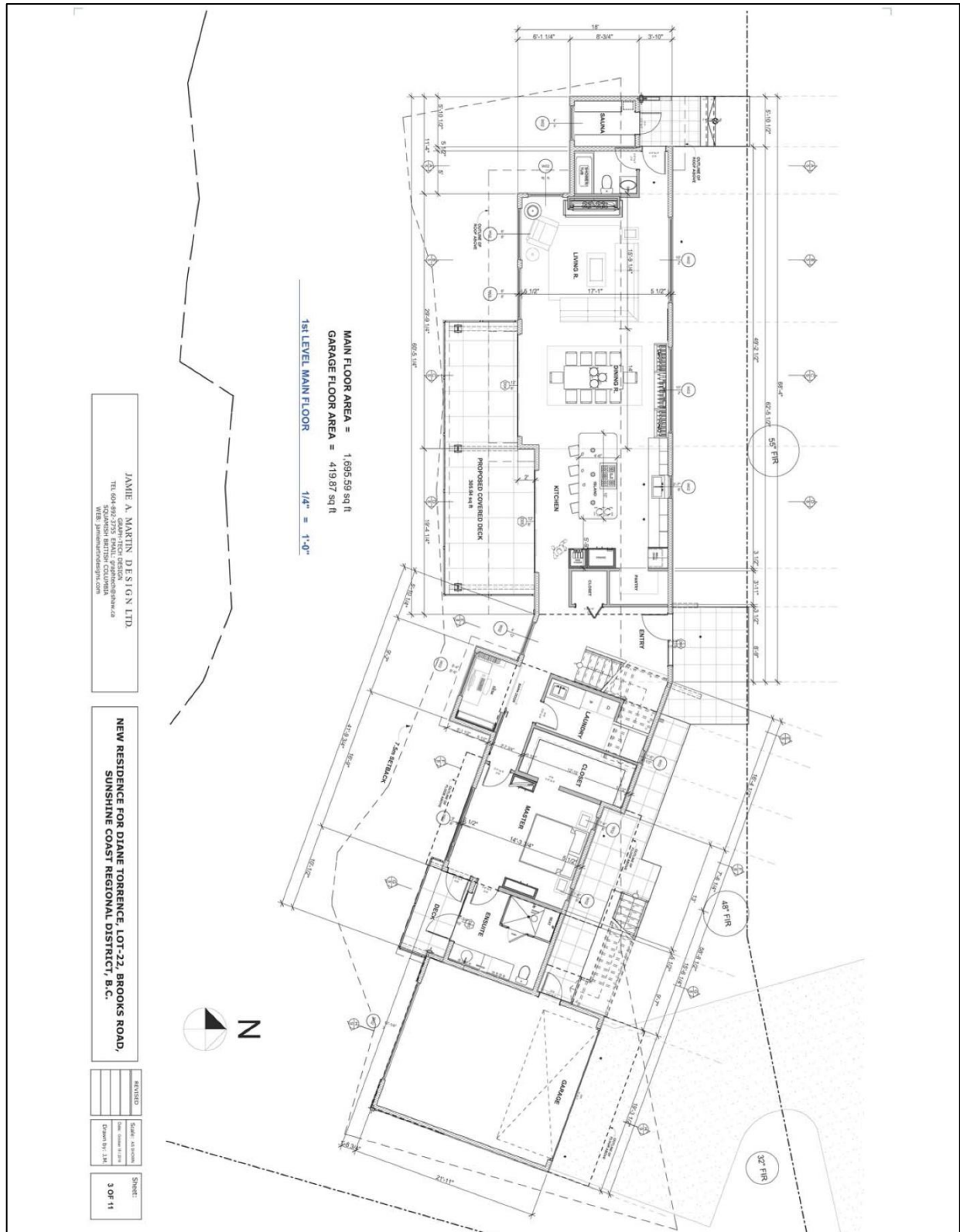
Attachment A - Site Plan
 Attachment B - Floor Plan
 Attachment C - Elevations
 Attachment D - Site Photos
 Attachment E - Comments Received

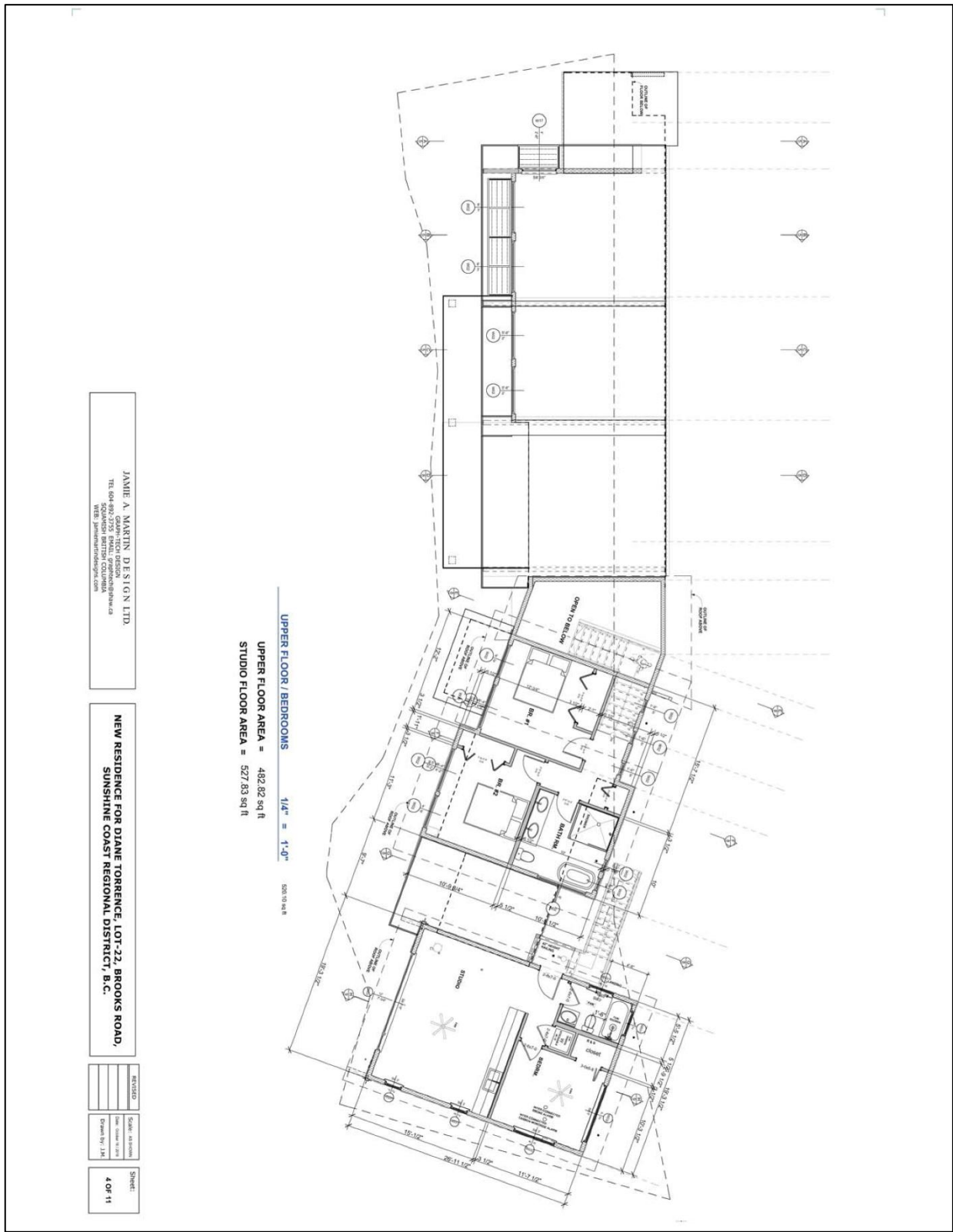
Reviewed by:			
Manager	X - AA	Finance	
GM	X - IH	Legislative	
CAO	X - JL	Other	

ATTACHMENT A - SITE PLAN

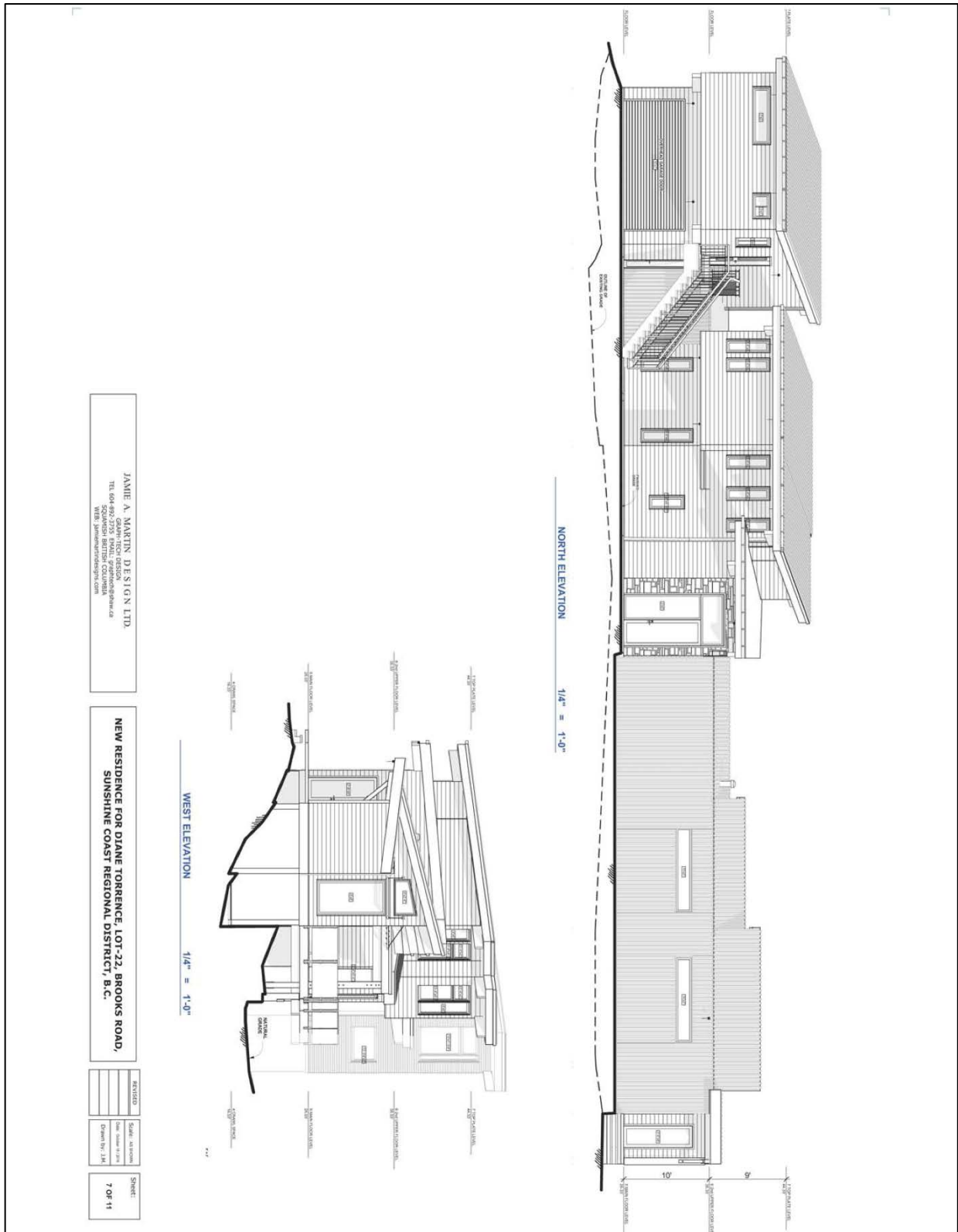


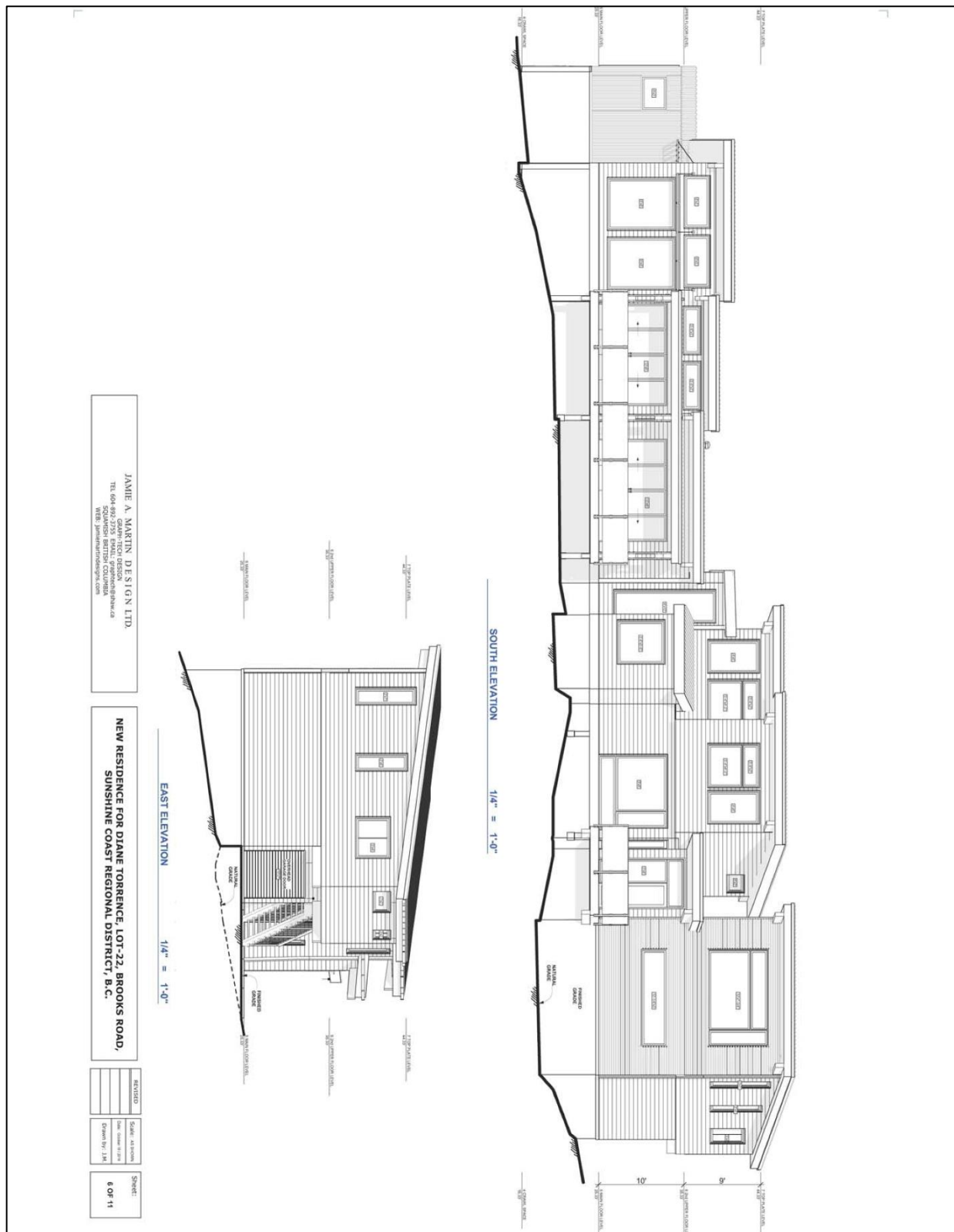
ATTACHMENT B - FLOOR PLANS





ATTACHMENT C - ELEVATIONS





ATTACHMENT D - SITE PHOTOS



Photo 1 - View to east from Brooks Road with entrance to trail visible at left.



Photo 2 - View to east from trail. Shows area of proposed driveway entrance.



Photo 3 - View west from Brooks Lane. Access to trail and subject property to right of existing gate.



Photo 4 - View south towards subject lot from trail.

ATTACHMENT E - COMMENTS RECEIVED

December 05, 2016



Re: Development Variance Permit DVP00008, P.I.D 008-905-207, Lot 22, Brooks Road

Dear Sven,

Thank you for your letter with a site plan and map, inviting comments on the above variance request.

Prior to addressing my concerns with this variance application, I would like to draw your attention to two very important considerations regarding the development of this property. I would highly recommend an early site visit by all agencies involved with permitting on this property as Lot 22 is a very difficult lot with significant challenges that are not readily apparent on paper.

1. Lot 22 is a small narrow rock outcrop. There has not been any space left on the site plan for a septic system. The house plans circulated by the applicant directly to the neighbours indicate 2 full kitchens, 4 bathrooms, 2 laundry rooms, and a sauna, all on one small lot. Where is the waste water going?
2. Lot 22 is obviously a very difficult lot both to access, and then to build on. The site plan provided incorrectly indicates "driveway" on land which is actually the Brooks Lane Road Allowance, and not the applicant's property at all. Additionally, as noted above, the plans the applicant forwarded directly to the neighbours show a full suite with separate entrance, kitchen, bedroom, bathroom, and laundry above the garage, all of which would indicate an *additional* residence. The garage is shown as 18'10" wide, just barely enough for two small cars, or one in the garage and one on the portion of the driveway on the applicant's property. Where then will the extra car(s) for this *additional* residence park? The site plan would have these extra cars parked on the allowance, thus blocking the trail which is used on a daily basis for traversing the neighborhood.

The issue of the additional residence needs to be addressed, as well as the incorrect designation of "driveway", along with the crucial information regarding the location of septic.

As for the Development Variance Permit allowing the applicant to build 2 meters closer to the Brooks Lane Road Allowance, I am not in favour of this.

The Brooks Lane Road Allowance is actually a lovely trail which the residents of Smuggler Lane and Brooks Lane use on a daily basis to get to the community mailbox at the foot of Brooks Road. This trail is a community connector for the residents of one side of Brooks Bay to visit with residents of the other side of the bay. The path is a vital part of our Brooks Bay community and is used by people and wildlife alike. Clearly a portion of this meandering trail is going to be unavoidably lost as access to Lot 22 is gained.

More importantly however, within the road allowance, on the edge closest to the proposed dwelling, is a massive old growth fir tree. As the tallest tree around, it is commonly used by the eagles, blue herons and osprey. The tree has been tagged with a yellow sign indicating it's significance as a Wildlife Tree. The circumference, measured 4 feet up from the base, is 15 feet 5 inches, thus a diameter of 58 inches. It is marked on the map you sent us, and I have also enclosed a photograph of it. Without the variance, this old growth Wildlife Tree has at least a fighting chance for survival; however if the variance is granted it will not survive the severe root damage and subsequent rain shadow of the dwelling, a proposed mere 2.66 metres away.

If the applicant is seeking a variance, it should be requested on the opposite (water) side of the house where seemingly there will not be the environmental damage or a significant decrease in existing biodiversity, both of which are established components of the Halfmoon Bay OCP.

Lot 22, mostly a rocky outcrop, only has four significant trees; two arbutus, and two firs. One of the firs has a large arbutus wrapped around it. Both arbutus will go, and it will be next to impossible to get equipment onto the site without removing one or both firs or significantly damaging them. That, of course, is the landowner's prerogative and is not being questioned here.

Knowing that all the significant trees on the applicant's lot will either be removed or significantly damaged resulting in a low survival rate, I am unable to support a variance request which would also endanger, and likely kill, the biggest and the best of the nearby trees, the old growth fir on the Brooks Lane Road Allowance Trail.

Thank you,



Gillian Foster

5155 Smuggler Lane

Halfmoon Bay, BC



Sven Koberwitz

From: [REDACTED]
Sent: December-15-16 2:44 PM
To: Sven Koberwitz
Subject: FW: SCRD File No.: DVP00008 (Development Variance re Lot 22 BrooksRoad)

From: [REDACTED]
Sent: Thursday, December 15, 2016 2:38 PM
To: info@scrd.ca
Subject: SCRD File No.: DVP00008 (Development Variance re Lot 22 BrooksRoad)

From: Don and Ann Reynolds; Lot 24 Brooks Lane

We do not have an issue with the applied for variance as shown on the Topographic Plan mailed with your letter dated November 22, 2016.

However, we would prefer to have confirmation that allowing this variance will not allow the road allowance/trail to become a widened road with on-road parking. This trail is used by all residences of Brooks Cove and we expect it will remain this way.

Also, we hope that this variance will not allow for any irregular plans for the currently unknown septic field and on-site parking. There appears to be very little space for these on the proposed plans.

We can be reached at this email address, or our North Vancouver location:

[REDACTED]
[REDACTED]

Regards,
Don and Ann Reynolds

Sent from [Mail](#) for Windows 10

Sven Koberwitz

From: Rick Guiton <rick@guiton.ca>
Sent: December-16-16 1:29 PM
To: Sven Koberwitz
Subject: Lot 22 Brooks Road - Notice of Consideration of Development Variance Permit DVP00008
Attachments: Fw: Brooks Cove - application for variance on construction - 22 Brooks Lane

Hello Sven

My wife, Gillian Foster, and I live at 5155 Smuggler Lane and our property is within 50 metres of Lot 22. We received your letter of November 22nd, 2016 inviting written comments regarding the proposed variance. Gillian has responded with her comments in a separate letter. This e-mail and attachment represent my comments.

In researching and preparing my comments, I met with you to discuss the proposed variance, express my concerns, and to learn of the variance review and approval process. In addition, I spoke with or met representatives of MOTH (Colin Midgley) and Vancouver Coastal Health (Brian McFadyen) to better understand the involvement and roles of these agencies in the review and approval process.

Please find below my comments regarding the above noted variance permit. **Also please find attached an e-mail from the applicant** that was sent to selected property owners on October 30th, 2016 to explain the purpose of the variance and show details of the dwellings that are being planned for Lot 22.

Comments Regarding the Proposed Variance

1. As can be seen from the attached house plans, the applicant is proposing a separate suite, in addition to the 3 bedroom house. Based on the plans provided to neighbours by the applicant, the dwellings will include in total: 4 bedrooms, 4 bathrooms, 2 kitchens, and 2 laundry areas. I understand that the separate suite above the garage that was shown to the neighbours was not shown in the drawings provide to the SCRD. I also understand that a separate suite is not legal for the size of Lot 22. Regardless of what is being shown to the SCRD in order to appear legal, it is clear what the applicant intends with respect to a separate suite or dwelling. Incidentally, the applicant has confirmed in conversation with one of the neighbours that she intends to build a separate suite.
2. As can be seen in the drawing provided by you with your letter, the applicant appears to be planning to use the east end Brooks Lane right-of-way as a driveway. I am very concerned about the use of this right-of-way to park cars associated with either the main dwelling or the illegal suite. This right-of way is narrow, and contains a very important access trail as well as the water main for Brooks Lane. This trail is used by us and the neighbours on a daily basis. We use it to access the end of Brooks Road in order to get our mail, to take our garbage for pick-up and, to connect with neighbours on Brooks Road and Sherman Lane. I am very concerned that this important public access route will become blocked or clogged with cars as it appears the owner plans to use this portion of Brooks Lane as her driveway. Additionally, there is no room for parking on the developed portion of Brooks Lane at the east end of the trail. Of course, all this will be exacerbated if the owner proceeds with an illegal suite.
3. In my professional capacity as consulting hydrogeologist, I have investigated and designed numerous wastewater disposal systems, both individual and community sizes. Lot 22 is a very challenging and difficult site with very extreme limitations regarding wastewater disposal options. Essentially, it is a narrow, steep, rocky lot immediately above a popular neighbourhood swimming area in Brooks Cove. Most of the lot is being proposed for the 2 dwellings. There does not appear to be any available setbacks or standby areas for a properly designed wastewater disposal system, even if it were possible given the lack of soil cover on this lot. Also, whoever is tasked with designing a wastewater treatment and disposal system for this lot, will not likely be sizing the system for an additional dwelling (suite), since a second dwelling is illegal and not being shown on drawings

submitted to the SCRD. Therefore, after occupancy, the wastewater system will be undersized, should the suite be constructed.

Summary of Concerns Regarding the Proposed Variance

The proposed variance will allow the dwellings to occupy more of the upper (northern) portion of the lot. This upper portion is the only portion of the lot that is relatively flat lying and which contains any appreciable soil cover. Therefore, in future, should there be complaints or issues regarding parking, or should there be failure or breakout of wastewater due to inadequate soil cover, the only portion of the lot which could have been used to remediate or remedy these issues, will be unavailable if the variance is approved and the area is occupied by dwellings.

I would much rather bring these issues up now, and have them properly addressed in the development plans, rather than wait for them to become a reality with an ensuing complaint driven process and bad feelings amongst neighbors.

Thank you for giving us the opportunity to comment.

Rick Guiton

Rick Guiton, M.Sc., P.Geo.
Senior Hydrogeologist - Principal

Guiton Environmental Consulting Ltd.
5155 Smuggler Lane
Halfmoon Bay, BC V0N 1Y2

Phone: 604-831-4371

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: Karen Preston, Manager, Recreation and Community Partnerships

SUBJECT: SCRD LEGACY/BEQUEST PROGRAM

RECOMMENDATIONS

THAT the report titled Legacy/Bequest Program be received;

AND THAT staff develop a SCRD Legacy/Bequest Program and report back to Committee before the Third Quarter of 2017.

BACKGROUND

The purpose of this report is to highlight the opportunity to create a formalized Legacy/Bequest Program for the SCRD. Currently, the SCRD accepts donations following the approved Donation Policy dated September 2008. This process is donor driven as the donor comes forward to SCRD with an idea of where a donation would be directed and how the donation would be recognized.

This report recommends establishing a legacy/bequest donation framework in which the SCRD would lead the process, enabling donations received to have maximum community impact and thus be the most meaningful expression of personal and community generosity.

This framework would include:

- Sharing stories about donations received to date;
- Communicating the importance of donations for the SCRD;
- Creating new opportunities and ways to give to the SCRD;
- Ensuring that recognition of donations is fair and transparent through the development of a recognition matrix;
- Applying and maintaining formal processes related to issuing donation receipts as required under existing legislation and recognizing the value of donations received.

DISCUSSION

Organizational and Intergovernmental Implications

This initiative would be led by the Recreation and Community Partnership Division. Input would be required from other divisions that typically receive donation offers (e.g. Facility Services & Parks) and from Finance.

Financial Implications

This work will all be completed with existing resources. The results of this project are anticipated to have a favourable financial impact as the SCRD is able to guide donations toward areas of strategic need/impact.

Timeline for next steps would include:

- Consult with prospective donors on how they would like to support the SCRD or individual divisions/departments.
- Consult with staff who are already receiving donations on a regular basis.
- Determine current recognition levels for existing donations.
- Develop gift giving opportunities that are directed to where needs exists within the organization.
- Develop a recognition framework for the organization.
- Establish a bequest process.
- Establish a name and branding for the Legacy/Bequest Program.
- Report to Committee with proposed program format by Third Quarter of 2017.

Communications Strategy

Early in 2017, staff will reach out to known prospective donors for dialogue on legacy/bequest giving. Parallel print and web communications will seek additional input.

STRATEGIC PLAN AND RELATED POLICIES

Ensure Fiscal Sustainability; Facilitate Community Development

CONCLUSION

Creating an SCRD Legacy/Bequest program would result in consistency in donor recognition, a single communication approach to potential donors on how they would like to support meaningful initiatives, a recognizable brand for the program, and sharing stories of donations received. Staff will report to Committee by the Third Quarter of 2017.

Reviewed by:			
Manager	X - KP	Finance	X - SZ
GM	X - IH	Legislative	X - AL
CAO	X - JL	Other	

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: Trevor Fawcett, Parks Planning Coordinator

SUBJECT: Egmont Community Club Agreement to Operate Klein Lake Campground

RECOMMENDATIONS

THAT the report titled Egmont Community Club Agreement to Operate Klein Lake Campground be received;

AND THAT the SCRD endorse a contract between Recreation Sites BC and the Egmont Community Club to operate Klein Lake Campground.

BACKGROUND

At the September 12, 2013 Regular Board meeting, the SCRD Board adopted the following recommendation:

392/13 **Recommendation No. 10** *Partnership Agreement Recreation Sites and Trails*

THAT the report from the Parks Planning Coordinator regarding New Document Review for the Renewal of the Partnership Agreement for Klein Lake, Secret Cove, Big Tree and Sprockids Recreation Sites and Trails be received;

On July 11, 2014 the SCRD entered into an agreement with an independent contractor, the Egmont Community Club (ECC), to manage the campground facilities within the Klein Lake Recreation Site. The 3 year agreement expires April 30, 2017. The agreement has a clause allowing for a two year contract extension.

DISCUSSION

Under the terms of the existing agreement, the ECC is responsible for operating and maintaining the Klein Lake campground. The SCRD is responsible for maintaining roads, signage and managing danger trees within the recreation site.

Successful discussions were held with Recreation Sites BC and the ECC regarding a new agreement that would see ECC contract directly with Rec Sites BC to manage the campground. The SCRD would still be responsible for the remainder of the Klein Lake recreation site. Having ECC work directly with Rec Sites BC would provide a clear, direct and efficient arrangement that would support community ownership and self-determination, key principles of community development.

On December 19, 2016 the SCRD received a letter (Attachment1) from the ECC indicating their willingness to contract directly with Rec Sites BC.

Financial Implications

Function 650 includes \$ 2500.00 in base budget for road grading and miscellaneous repairs at the campground. This funding could be reassigned to other park maintenance needs including those within the Klein Lake recreation site.

The SCRD does not benefit from revenue collected from camping fees. All revenue generated from camping fees must be used to operate or improve the site. ECC submits financial records each year listing revenue and costs.

Communications Strategy

If the ECC takes over the campground, the SCRD would need to remove or amend references to the campground from online media and brochures. Signs within the campground would be need to be changed to remove reference to the SCRD.

STRATEGIC PLAN AND RELATED POLICIES

The Parks and Recreation Master Plan recommends that the SCRD “Encourage opportunities for the appropriate organizations to provide upgraded amenities in parks”.

CONCLUSION

This report recommends that the SCRD authorizes Rec Sites BC to contract directly with Egmont Community Club to operate and maintain the Klein Lake campground.

Reviewed by:			
Manager	X- AA	Finance	
GM	X - IH	Legislative	
CAO	X - JL	Other	

ATTACHMENT 1

Tom Silvey
Egmont Community Club

December 19th, 2016

Mr. Trevor Fawcett
Parks Planning Coordinator
Sunshine Coast Regional District

Dear Mr. Fawcett:

I am writing this letter to express our organization's interest in signing a new contract to continue to provide management and maintenance services at the Klein Lake campsite.

While our contract has in the past been with the SCRD Parks Department, we understand and acknowledge the SRCD's desire to withdraw from the management of the campsite, in which case we are willing to sign the new contract directly with Recreation Sites and Trails BC and their representatives.

We are under the assumption that the SCRD's responsibilities under the previous contracts such as the provision of liability insurance, road grading, signage, and danger tree removal within the site will be transferred to and assumed by RSTBC, and express our support based on this being the fact.

Our organization is very happy and proud to have had the opportunity to provide management and maintenance services in partnership with SCRD Parks over the years at the Klein Lake campsite and we would like to express our deepest gratitude to you for your efforts to establish and maintain the site as a safe and family oriented camping experience in our area.

Yours Truly,

Tom Silvey, President
Egmont Community Club

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – January 12, 2017

AUTHOR: Sam Adams, Parks Planning Coordinator

SUBJECT: CYCLING COMMUNITY INFRASTRUCTURE COMMENTS

RECOMMENDATIONS

THAT the staff report titled Cycling Community Infrastructure Comments be received as information.

BACKGROUND

At the February 8, 2015 Regular Board meeting, the SCRD Board adopted the following recommendation:

386/15 **Recommendation No. 6** *Cycling Meeting*

THAT the Sunshine Coast Regional District organize a meeting of the cycling community and interested parties on the coast to discuss cycling infrastructure issues and develop a list of items to be addressed to move forward in the coming year.

This report presents comments regarding cycling infrastructure on the Sunshine Coast. The focus of conversations undertaken through this process was on infrastructure for cycling *transportation*, in keeping with the intent of the Board Directive.

In addition to meetings involving agencies that design, build and maintain cycle transportation infrastructure and Transportation Choices – Sunshine Coast (TRAC); the Sunshine Coast's primary active transportation advocacy group, a public open house was completed. The meetings and open house took place over a 6-month period from February to late July, 2016.

Meetings:

Meeting-style dialogue sessions provided a unique opportunity for providers and users of cycling infrastructure to share perspectives on issues and opportunities. Participants were:

- Sunshine Coast Regional District (SCRD)
- Town of Gibsons (ToG)
- District of Sechelt (DoS)
- Sechelt Indian Government District (SIGD)*
- Ministry of Transportation and Infrastructure (MoTI).
- Transportation Choices – Sunshine Coast (TRAC)

* Invited but unable to attend.

TRAC is a community-based advocacy group focused on alternatives to single occupancy car use on the Sunshine Coast.

Open House:

A public open house was held on May 18, 2016 at the Seaside Centre in Sechelt. More than 80 community members attended.

DISCUSSION

The report included in Attachment A outlines the engagement process, results of dialogue sessions and cycling community input.

Following best practices, the report represents the community input portion of the process.

NEXT STEPS/TIMELINE

Opportunities within SCRD's mandate that are noted in the attached report could be advanced through existing SCRD processes and structures including our collaborations with member municipalities and MOTI and the Transportation Advisory Committee.

STRATEGIC PLAN AND RELATED POLICIES

The attached engagement report regarding bicycle walking paths aligns with numerous SCRD plans including:

SCRD Strategic Plan 2015-2018

Facilitate Community Development

- Increase Alternative Transportation (p. 9)

SCRD Parks and Recreation Master Plan 2014

- Statistically accurate survey for the Parks and Recreation Master Plan indicated that "more and better trails and bike paths" is the top priority for parks and recreation improvement of Sunshine Coast Regional District residents. (p. 34)

We Envision 2012

- Increase Active Transportation (p. 53)
- Reduce Green House Gas Emissions (p. 53)

Sunshine Coast Regional District Integrated Transportation Study 2011

- Improving active transportation opportunities on the Sunshine Coast is the subject of 19 recommendations in the study (p. 77-88).

CONCLUSION

In 2016, staff facilitated meetings with designers, builders, managers and users of cycling transportation infrastructure as well as a public open house. This process yielded a list of infrastructure opportunities, summarized in the attached Report.

This report is submitted for information.

Attachments:

Attachment A: Cycling Community Report

Reviewed by:			
Manager	X - AA	Finance	
GM	X - IH	Legislative	
CAO	X - JL	Other	

Sunshine Coast Regional District

Bicycle Walking Path Infrastructure

Cycling Community Report

Report to the Planning and Community Development Committee

January 12, 2017

Sam Adams, Parks Planning Coordinator – Sunshine Coast Regional District

SUNSHINE COAST REGIONAL DISTRICT REPORT



Bicycle Walking Path Infrastructure – Cycling Community Report Sunshine Coast, British Columbia January, 2017

Cycling Community Report

The purpose of this report is to outline the process and present the key recommendations of a community process regarding bicycle walking path infrastructure on the Sunshine Coast.

About Bicycle Walking Path Infrastructure on the Sunshine Coast

There are five government agencies that plan, build and maintain bicycle walking path infrastructure on the Sunshine Coast. They are the Sunshine Coast Regional District (SCRD), the Town of Gibsons (ToG) the District of Sechelt (DoS), the Sechelt Indian Government District (SIGD), and the Ministry of Transportation and Infrastructure (MoTI).

As part of this process staff from those government agencies along with the Transportation Choices (TRAC) a community advocacy group were invited to a series of sessions to discuss bicycle walking path infrastructure issues and develop a list of items to be addressed to move forward in the coming year.

For the purpose of this process bicycle walking path infrastructure are considered, for the most part, paved attachments to existing road edge or in some cases detached from the road edge but within the road right of way. This type of infrastructure is suitable for road cyclists, walkers, wheelchairs and other wheeled mobility devices.

Some important planning documents that guide bicycle walking path infrastructure development on the Sunshine Coast are:

- District of Sechelt Official Community Plan (2010);
- Town of Gibsons Trail and Cycling Network Plan (2001) and the Town of Gibsons Smart Plan (OCP 2005);
- Sunshine Coast Regional District's Parks Division Trail Network Plan (2007) and rural area OCP's;
- Sunshine Coast Regional District Rural Area OCP's.

Bicycle Walking Path Infrastructure – Cycling Community Report

Sunshine Coast, British Columbia

Report Date: January 12, 2017

Jurisdiction

MoTI owns and maintains Hwy 101 and the rural area roads and the bicycle walking paths attached to them on the Sunshine Coast.

The DOS, ToG, and SIGD own and maintain the non-highway 101 municipal roads and bicycle walking paths within their jurisdictions.

The SCRD has built bicycle walking paths in rural areas in the past through two Bicycle Walking Path Service Functions 665 and 667.

Structure of the Report

- General Observations
- Overview of process
- Process results
- Group Recommendations

General Observations

- Comments indicated that the process to co-operatively discuss bicycle walking path infrastructure issues and develop a list of potential action items was worthwhile.
- SIDG was unable to participate in the process but was invited to all the meetings.
- The interjurisdictional nature of bicycle walking path infrastructure on the Sunshine Coast makes it difficult to advocate planning on a regional level.
- MoTI is responsible for the majority of road infrastructure on the Sunshine Coast that connects the various communities (along Highway 101 and by way of the rural areas).
- There was a strong turnout from the active transportation community for the public open house portion of this process.

Overview of the Process

- The group consisted of staff from the SCRD, DoS, ToG, MoTI and volunteers from community organization TRAC. The group met four times between February 12, 2016 and July 22, 2016 at the SCRD office on Field Road.
- In addition, the group hosted a public open house at the Seaside Community Centre in Sechelt on May 18, 2016. Members of the public were invited to look at the maps of existing and planned infrastructure, discuss with staff and volunteers, and submit written feedback regarding bicycle walking path infrastructure on forms provided by the SCRD.

Bicycle Walking Path Infrastructure – Cycling Community Report

Sunshine Coast, British Columbia

Report Date: January 12, 2017

Group Process

- The bicycle walking path group met on February 12, 2016 to kick-off the process.
- The group, with the help of the SCRD GIS Services, produced a set of maps documenting the planned and existing bicycle walking path infrastructure throughout Sunshine Coast.
- The group met again on April 1, 2016 to check the draft map data and plan a public open house.
- The open house was well advertised using the SCRD's communication channels, OCP and ACP committees, as well as ToG's, DoS's and TrAC's organizational communication channels. Additional government and community members, such as SIGD, the Sunshine Coast Trails Society and Sunshine Coast Tourism were extended targeted invitations.
- 80 members of the public attended the bicycle walking path infrastructure open house on May 18, 2016 at the Seaside Centre in Sechelt.
- At the public open house attendees were invited to discuss information displayed on the base maps with the group and encouraged to provide written feedback on forms provided by the SCRD.
- 30 individual comments were received as a result of the public open house: 22 at the open house, seven on the SCRD Facebook site and one by email.
- The 30 comments (requests) received are broadly summarized as follows:

Bicycle Walking Path Issue	Number of Times Issue Requested/Identified
Additional bike lane sweeping	8
Separated (off road) ferry to ferry bike path	6
Requests for more bike lanes in general	4
Improved Signage	3
Improved Maps	2
Road shoulder Improvements in Specific Locations*	8

* Locations included Redrooffs Road, Lower Road, Sandy Hook and Marine Drive.

- The group met on June 10, 2016 to discuss the feedback from the public open house.

Bicycle Walking Path Infrastructure – Cycling Community Report

Sunshine Coast, British Columbia

Report Date: January 12, 2017

Conclusions:

- Based on consideration of the public feedback, the group meeting discussions, and the individual group member professional/volunteer opinions, the members of the group came up with 4 recommendations (not listed in specific order of importance) at a final meeting held on July 22, 2016:
 - A. Bike Lane Cleaning:
 - Bicycle/walking path lanes be swept a minimum of twice per year and to target the application of road side grading; and
 - The Ministry of Transportation and Infrastructure be contacted for more sweeping/clearing of serious targeted areas.
 - B. Planning Process:
 - Representatives from local government and Ministry of Transportation and Infrastructure meet a minimum of once per year to discuss upcoming organizational bikeway/walkway path priorities;
 - Bicycle/Walking Path Stakeholders use that opportunity to coordinate projects;
 - Stakeholders develop guidelines for the construction and management of active transportation facilities that will be shared across local governments and also be integrated with MoTI.
 - C. Marine Drive:
 - A bike lane be completed on both sides of Marine Drive from Langdale to Lower Gibsons.
 - D. Ferry to Ferry:
 - Work towards building a minimum 1-metre shoulder on either side of Hwy 101 from Langdale to Earls Cove in the areas where there is currently no shoulder.



HARRISON HOT SPRINGS

Naturally Refreshed

November 28, 2016

File: 0400-20

The Honourable Peter Fassbender
Minister of Community, Sport and Cultural Development
Minister Responsible for Translink
PO BOX 9056, STN PROV GOVT
Victoria, BC V8W 9E2



Dear Minister Fassbender:

Subject: Short Term Rentals in the Tourism Accommodation Sector


Our Council appreciates that the Province is giving serious consideration to the 'sharing economy' in BC. We applaud the focus that your Ministry is bringing to these issues and to the impacts to communities arising from this new economy.

In Harrison Hot Springs, short term rentals within the tourism accommodation sector are of particular concern. This growing commercial activity within residential areas is problematic in terms of traffic, noise and security. While we work to amend our zoning regulations to recognise this activity, we ask that the Province also recognise the commercial nature of this new tourism accommodation sector through the sales tax system. These rental units represent direct competition with established hotels, motels and inns, which are properly regulated in terms of health & safety, zoning and taxation. We are particularly concerned that these units are not recognised as public accommodation for the purposes of fire protection requirements.

What we are seeing here in Harrison is a growing and lucrative commercial economy which is operating outside the established Provincial Sales Tax system, including the Municipal Regional District Tax (MRDT) which funds tourism marketing locally and on a provincial level. The best way to address this is to rescind Section 78(1)(b) of BC's PST Refund and Exemption Regulation, which exempts accommodation providers with fewer than 4 units of accommodation.

Short term rentals are not the bed & breakfasts of yesteryear, instead they are part of a growing economy which is operating outside of appropriate regulation and taxation. We look forward to your response to this issue of growing concern.

Yours truly,



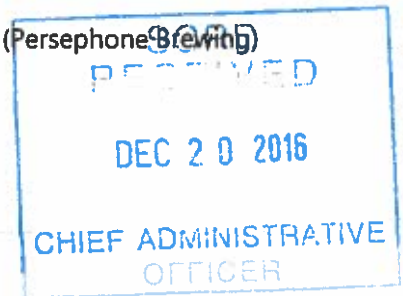
Mayor Leo Facio

cc: Honourable Michael de Jong, Q.C., Minister of Finance
Mr. Laurie Throness, MLA Chilliwack-Hope
UBCM Member Municipalities
Tourism Harrison
Danny Crowell, General Manager, Harrison Hot Springs Resort & Spa

Municipal Office: P.O. Box 160, 495 Hot Springs Road, Harrison Hot Springs, BC V0M 1K0
E info@harrisonhotsprings.ca W www.harrisonhotsprings.ca
T 604 796 2171 F 604 796 2192

Susan Hunt

Subject: FW: Agricultural Land Commission ALC Application 55596 (Persephone Brewing) Release of Decision
Attachments: 55596d1.pdf



From: Russell, Kelsey-Rae ALC:EX [<mailto:KelseyRae.Russell@gov.bc.ca>]
Sent: December-19-16 3:10 PM
To: 'Brian Smith' <brian@thebeerfarm.ca>
Cc: SCRD General Inquiries <info@scrd.ca>
Subject: Agricultural Land Commission ALC Application 55596 (Persephone Brewing) Release of Decision

RELEASE OF REASONS FOR DECISION

Dear Mr. Smith:

This email is to advise that the Reasons for Decision for ALC Application ID 55596 (Persephone Brewing) has been released. A hard copy of the Reasons for Decision for ALC Application ID 55596 will be mailed to you as well.

For your convenience, please find attached the Reasons for Decision.

As agent, it is your responsibility to advise the Applicant of any correspondence from the ALC.

Please note that you may also receive a similar notification from the Application Portal (noreply@gov.bc.ca) regarding the release of the Reasons for Decision.

Sincerely,

Kelsey-Rae Russell
 Land Use Planner, South Coast
 Agricultural Land Commission

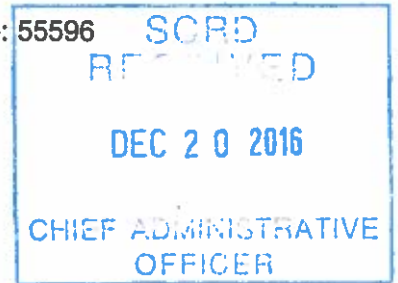
4940 Canada Way, Burnaby BC. V5G4K6
 P 604.660.7012 | F 604.660.7033
KelseyRae.Russell@gov.bc.ca | alc.gov.bc.ca



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

December 19th, 2016

ALC File: 55596



Brian Smith
1053 Stewart Road,
Gibsons, BC V0N 1V7

Dear Mr. Smith:

Re: Application to Conduct a Non-Farm Use in the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the South Coast Panel (Resolution #437/2016) as it relates to the above noted application.

Reconsideration of a Decision as Directed by the ALC Chair

Please note that pursuant to s. 33.1 of the *Agricultural Land Commission Act*, the Chair may direct the executive committee to reconsider any panel decision if, within 60 days from the date of this decision, he considers that the decision may not fulfill the purposes of the commission as set out in s. 6, or does not adequately take into consideration s. 4.3.

You will be notified in writing if the Executive Committee is directed to reconsider your decision. The Commission advises you to take this 60 day period into consideration prior to proceeding with any actions upon this decision.

Reconsideration of a Decision by an Affected Person

We draw your attention to s. 33(1) of the *Agricultural Land Commission Act* which provides a person affected the opportunity to submit a request for reconsideration.

33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:

- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.

Further correspondence with respect to this application is to be directed to Kelsey-Rae Russell at (KelseyRae.Russell@gov.bc.ca).

Page 2 of 2

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'K Russell', written in a cursive style.

Kelsey-Rae Russell , Land Use Planner

Enclosure: Reasons for Decision (Resolution #437/2016)

cc: Local Government (File: F-49)

555961



AGRICULTURAL LAND COMMISSION FILE 55596

REASONS FOR DECISION OF THE SOUTH COAST PANEL

Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*

Applicant:

**Persephone Brewing
Company Inc.
(the "Applicant")**

Agent:

**Brian Smith
(the "Agent")**

Application before the South Coast Regional Panel:

**William Zylmans, Panel Chair
Gordon McCallum**



THE APPLICATION

[1] The legal description of the property involved in the application is:

Parcel Identifier: 019-112-076

Lot A, District Lot 914, Plan LMP20836

(the "Property")

[2] The Property is 4.6 ha in area.

[3] The Property has the civic address 1053 Stewart Road, Gibsons, BC

[4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

[5] The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.

[6] Pursuant to s. 20(3) of the ALCA, the Applicants are applying to continue to operate Persephone Brewing which includes a tasting room, food truck and outdoor seating areas (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

RELEVANT STATUTORY PROVISIONS

[7] The Application was made pursuant to s. 20(3) of the ALCA:

20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.

The Panel considered the Application within the context of s. 6 of the ALCA. The purposes of the Agricultural Land Commission (the "Commission") set out in s. 6 are as follows:



6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

EVIDENTIARY RECORD BEFORE THE PANEL

[8]The Panel considered the following evidence:

1. The Application
2. Local government documents
3. Public comments from third parties of which disclosure was made to the Agent
4. Agricultural capability map, ALR context map and satellite imagery
5. Site Visit Report
6. October 2014 correspondence between the Agent and ALC Staff

All documentation noted above was disclosed to the Agent in advance of this decision.

[9]At its meeting of June 23rd, 2016, the Sunshine Coast Regional District resolved that the application should be approved and forwarded to the Commission for consideration.

SITE VISIT

[10] On November 1st, 2016, the Panel conducted a walk-around site visit in accordance with the *Policy Regarding Site Visits in Applications* (the "Site Visit").

[11] A site visit report was prepared in accordance with the *Policy Regarding Site Visits in Applications*. The site visit report was certified as accurately reflecting the

observations and discussions of the Site Visit by Brian Smith on November 7th, 2016 (the "Site Visit Report").

FINDINGS

[12] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings identified on CLI map sheet 92G/5 for the mapping units encompassing the Property are Class 4 and Class 5, more specifically 70% 4MP and 30% 5MP.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

The limiting subclasses associated with this parcel of land are M (moisture deficiency) and P (stoniness).

In this regard, the Panel finds that the land making up the Properties is capable of supporting agriculture and is appropriately designated within the ALR.

[13] The Applicant has been in operation since 2013, which pre-dates the inclusion of breweries as a permitted farm use in BC. Regulation 171/2002 Agricultural Land Reserve Use, Subdivision and Procedure Regulation in June 2015. Prior to the inclusion of breweries into the Regulation, the Commission has consistently informed local governments and landowners that breweries were not expressly permitted by the Regulation.

[14] In June 2015, the Regulation was amended to include breweries as a designated farm use pursuant to s. 2(2.3) which states:

s. 2. (2.3) A brewery, distillery or meadery, and ancillary uses, are designated as farm uses for the purposes of the Act if at least 50% of the farm product used to make the beer, spirits or mead produced each year is grown on the farm on which that brewery, distillery or meadery is located.

[15] The Application states that they currently grow hops on the Property which are used in the brewing process and that all of the barley used for the brewery is sourced from other locations not associated with the farm. ALC Policy L-21 *Activities Designated as Farm Use: Brewery, Distillery and Meadery in the ALR* clarifies that for beer, the farm product used to calculate the 50% farm product is grain and not hops due to the (small) quantities of hops involved in the beer making process. As the Applicant does not produce at least 50% of the farm product used to make the beer on the farm on which the brewery is located, the Panel finds that the existing brewery has historically been, and is currently operated in contravention of the *ALCA* and Regulation.

[16] The Panel has been put in a difficult position whereby the proposed non-farm use, is in fact, an existing non-farm use. In a situation where the Panel must retroactively consider a non-farm use, the Panel must give consideration as to whether or not it would have allowed the proposed use if the contravention had not taken place. The Panel considered the proposal to operate a brewery on the Property which sources all of the barley used for the beer from other locations. The Panel finds that the brewery as currently operated is a non-farm processing facility and therefore could be located outside of the ALR.

[17] The Agent stated during the Site Visit that Persephone Brewing is in the process of expanding its operations onto industrially zoned land. For this reason, the Panel supports the relocation of the brewery as currently operated, to more appropriately zoned land outside of the ALR.

[18] At the time of the Site Visit, the Panel observed that there was a grain silo to be used for barley storage awaiting installation on the Property. By way of submitting the Application, the Applicant was aware that the Proposal is a non-farm use which may or may not be approved. The Panel understands that the Applicant has invested a substantial amount of

capital into Persephone Brewing; however, the Applicant has continued to operate, expand, and invest in the brewery facility prior to receiving a decision from the Commission. In order to provide the Applicant with a reasonable amount of time to relocate their business, the Commission will defer enforcement actions against the contravention for a period of two (2) years from the date of the release of this decision. The Applicant must demonstrate compliance with the *ALCA* and Regulation or relocate to lands outside of the ALR at the end of this two year period.

DECISION

[19] For the reasons given above, the Panel refuses the Proposal to continue to operate Persephone Brewing which includes a tasting room, food truck and outdoor seating areas associated with the brewery.

[20] These are the unanimous reasons of the South Coast Panel of the Agricultural Land Commission.

[21] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.

[22] This decision is recorded as Resolution #437/2016 and is released on December 19th, 2016.

CERTIFICATION OF DECISION



William Zylmans, Panel Chair, on behalf of the South Coast Panel

END OF DOCUMENT

Angie Legault

From: Nathalie Klein <N Klein@slrd.bc.ca>
Sent: Thursday, December 22, 2016 5:17 PM
To: Nathalie Klein
Subject: Volunteer Fire Departments on Private Land
Attachments: Letter to OFC VFD on Private Land.pdf



To BC Regional Districts,

Please find attached a letter from the Squamish-Lillooet Regional District the Fire Commissioner's Office regarding Volunteer Fire Departments on Private Land.

Thank you,



Nathalie Klein
Executive Assistant
nklein@slrd.bc.ca
P: 604-894-6371 x223
F: 604-894-6526
1-800-298-7753
www.slrd.bc.ca

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December 21, 2016

Gordon Anderson
Fire Commissioner
PO Box 9201 Stn Prov Govt
Victoria BC
V8W9J1

BY EMAIL (Gordon.A.Anderson@gov.bc.ca)

Dear Commissioner Anderson:

RE: VOLUNTEER FIRE DEPARTMENTS ON PRIVATE LAND

Society-operated volunteer fire departments (VFDs) have been an essential part of the public safety architecture in rural BC for over 70 years. Where it is impractical or unsustainable for local governments to provide fire protection services, these organizations have come together in small communities to provide a degree of structural fire protection not otherwise possible. In recent conversations with other regional districts throughout the province, the Squamish-Lillooet Regional District (SLRD) has recently been made aware of an issue that could affect the viability of society-operated VFDs.

Neither the current *Fire Services Act*, the new *Fire Safety Act* nor the *Local Government Act (LGA)* provides regional districts with the power to delegate the authority to enter onto private land to a society-operated VFD unless that society is created by the regional district. Specifically, under section 229(1) of the *LGA*, the ability of a regional district to delegate to a society or corporation is limited to delegations to a society or corporation created by the regional district; as such, a society-operate VFD that is not a function of/created by a regional district cannot take advantage of the statutory authority regarding right of entry under the *LGA*.

A society-operated VFD in another regional district reportedly recently raised this issue with their insurer. They were told that their liability insurance may be void if a claim were made against them with respect to their actions on private property and they did not have either delegated authority from the regional district or written permission of the property owner, to enter onto private land in the pursuit of their structural fire suppression duties. It is further inferred that WorkSafe BC coverage would also be void in the above circumstance.

The SLRD Board notes that society-operated VFDs pre-date the existence of regional districts in many rural areas. A brief consultation with SLRD legal counsel indicates that the right for a society-operated VFD to enter onto private land in the pursuit of structural fire suppression duties is most likely enshrined in common law. However, given that there may be insurers in the province

who are reconsidering how to apply liability protection to society-operated VFDs, the SLRD Board formally requests that:

1. The BC Office of the Fire Commissioner (OFC) step in and clarify that society-operated VFDs have the right to enter onto private land in the pursuit of their duties; and
2. The OFC legislate the right of society-operated VFDs to enter onto private land in the new *Fire Safety Act*.

In small, rural communities, society-operated VFDs are often at the heart of community volunteerism. These entities organize and focus on the desire to help a neighbour in an emergency. Without society-operated VFDs, many small communities would simply go without fire protection, as most regional districts have neither the resources nor the expertise to step in as the Authority Having Jurisdiction (AHJ) in all cases. The SLRD Board looks forward to the OFC guaranteeing through legislation, and communication to all stakeholders, that society-operated VFDs are an essential part of the first responder community in rural BC, and have the right to enter onto private land to complete their duties.

Sincerely yours,



Jack Crompton
Board Chair, Squamish-Lillooet Regional District

cc: MLA Jordan Sturdy (West Vancouver-Sea to Sky)
MLA Jackie Tegart (Fraser-Nicola)
BC Regional Districts (27)

Susan Hunt

From: SCRD General Inquiries
Sent: December-23-16 8:11 AM
To: Susan Hunt
Subject: FW: Mayor & Council - For 2017, A Gift To The World and a Gift to All Salish Sea Enthusiasts!



From: Salish Sea Trust [mailto:salishseatrust@shaw.ca]
Sent: Thursday, December 22, 2016 10:14 AM
To: SalishSeaTrust@shaw.ca
Subject: Mayor & Council - For 2017, A Gift To The World and a Gift to All Salish Sea Enthusiasts!

Season's Greetings!

We wanted you to know of our good news story ...the opportunity and support for a Salish Sea World Heritage Site as 2017 begins.

We invite your support, and welcome any questions you may have. Please contact us if you require further information.

Laurie Gourlay
Interim Director

--

Salish Sea Trust, Box 333, Cedar, B.C., V9X 1W1
250.722.3444, <salishseatrust@shaw.ca> (www.salishseatrust.ca)

Press Release

FOR IMMEDIATE RELEASE

December 21, 2016

~A Gift To The World, and a Gift to All Salish Sea Enthusiasts! ~

Good News As Salish Sea World Heritage Site Proposal Takes Shape!

CEDAR, By The Salish Sea – As UNESCO celebrates its 10th anniversary of Marine World Heritage Sites the proposal for the Salish Sea to be recognized as a new World Heritage Marine Site is gaining momentum and supporters!

"Protecting the 'outstanding universal value' will be a gift to the world if our application succeeds in 2017," states Laurie Gourlay, the interim director of the Salish Sea Trust.

"And with Christmas just around the corner we thought we should do our part and spread the cheer around, with a little gift to all Salish Sea enthusiasts," Gourlay adds. "A small token of our appreciation for the support and encouragement we've been receiving from all sectors and interests."

The Salish Sea Trust has just published a 40-page Booklet featuring the world-class photographs of Cristina Mittermeier and Cheryl Alexander. The 'Peoples & Places of the Salish Sea' is expected to be sold in stores throughout the Salish Sea when it's published, but the non-profit organization has decided to release it for free over the Christmas holidays.

"The Salish Sea is seen by many to be the marine equivalent of the Great Bear Rainforest, which our Premier and Prime Minister, First Nations and the Queen and Royal family formally recognized just last month," Gourlay notes. "And the Salish Sea's 3000 species and outstanding universal values deserve just as much protection - as a World Heritage Site."

The Salish Sea Trust opened its doors on September 1st, shortly after the Prime Minister invited Canadians to nominate World Heritage Sites. The organizers had been working on various studies and issues particular to protective measures, looking for ways to restore the health and biodiversity of the Salish Sea, "and we realized this was too good a chance to miss," Gourlay states.

"Here we were on the shores of a unique inner ocean, beside the spectacular coastal waters of British Columbia," Gourlay adds. "Waters which world famous ocean explorer Jacques Cousteau proclaimed in 1970 as 'the best temperate water diving in the world and second only to the Red Sea'."

"There was just no way we could not step up to the plate and do our civic duty," Gourlay says. "This was the chance we'd been waiting for, a way to protect the breath-taking marine life and astounding beauty which the whole world admires and wants to see."

The Salish Sea Trust sees 2017 as a legacy moment for Canada. In particular the Directors believe it's a time when Canadians will want to protect the country's significant cultural and natural heritage.

"Here on the west coast we share the lands and waters of the First Peoples of the Salish Sea, who's culture and traditions extend back to the ice age," Gourlay adds. "And then there's the wildlife, birds of the Pacific Flyway, marine species galore and ancient, and teeming mudflats, rocky outcrops and shimmering beaches of sand."

Gourlay holds up a black and white photocopy of the booklet the Salish Sea Trust will be publishing. "Canadians are some of the luckiest people on earth," he says. "And that's why we're inviting everyone to go on-line and download a free copy of our booklet, to see the spectacular beauty and magnificent marine life of the Salish Sea for themselves."

The Salish Sea Trust has just posted the booklet on their website, and released it for viewing via an on-line publisher, <https://issuu.com/salishseatrtrust/docs/salishsea>

"Take a look," Gourlay urges, "and then you'll know for sure why we want the Salish Sea protected as a World Heritage Site ...and why there's none luckier in this whole wide world than us west coasters. Merry Christmas one and all!"

-30 -

For more information:

- The Salish Sea Trust will be posting a Christmas eve newsletter on the World Heritage Site campaign, available on their website. The "People & Places of the Salish Sea" booklet is also available, <http://salishseatrtrust.ca/booklet/>

- A 30-minute Shaw cable program on the Salish Sea World Heritage campaign, with Directors of the Salish Sea Trust and Sea Legacy, has just been posted on YouTube,

< <https://www.youtube.com/watch?v=N48-babVCaI&list=PLRSwDpSO92L1KDxYo0RpuU9d5RIQxiNGh&index=2> >

- A discussion page has also been made available for anyone to share their stories and post photographs of the Salish Sea, [<https://www.facebook.com/groups/SalishSeaVoices/>](https://www.facebook.com/groups/SalishSeaVoices/)

Contact:

Laurie Gourlay

interim Director, Salish Sea Trust

(250 722-3444)

Salish Sea Trust, Box 333, Cedar, B.C., V9X 1W1

250.722.3444, [<SalishSeaTrust@shaw.ca>](mailto:SalishSeaTrust@shaw.ca) (www.salishseatrust.ca)